

Fife Planning Review Body

Committee Room 2, Fife House, North Street, Glenrothes /
Blended Meeting



Monday, 16 December 2024 - 2.00 pm

AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of meeting of the Fife Planning Review Body of 28 October 2024. 5
4. **APPLICATION FOR REVIEW - LAND 100M SOUTH OF BALMULE COTTAGE, BALMULE, DUNFERMLINE (APPLICATION NO. 24/01267/FULL)** – Erection of five holiday lodges, formation of access, parking and associated works.
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 2. Report of Handling 11 - 24
 3. Notice of Review 25 - 71
 4. Representations 72 - 114
 5. Consultee Comments 115 - 129
 6. Further Representations 130 - 142
 7. Response to Further Representations 143 - 145
5. **APPLICATION FOR REVIEW - LAND TO SOUTH OF SOMERVILLE AVENUE, DUNFERMLINE (APPLICATION NO. 24/00739/PPP)** – Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works.
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 2. Report of Handling 152 - 163
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6. **APPLICATION FOR REVIEW - WHITEHILL SAWMILL, PARKEND, CROSSGATES, COWDENBEATH (APPLICATION NO. 24/00214/FULL)** – Erection of dwellinghouse (Class 9) and associated development including formation of access on land adjacent to Plot 5.
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Plans and papers relating to the applications and review can be found online at www.fife.gov.uk/committees.

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services
Fife House
North Street
Glenrothes
Fife, KY7 5LT

9 December 2024

If telephoning, please ask for:

Michelle McDermott, Committee Officer, Fife House, North Street, Glenrothes
Telephone: 03451 555555, ext. 442238; email: Michelle.McDermott@fife.gov.uk

Agendas and papers for all Committee meetings can be accessed on www.fife.gov.uk/committees

BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

Local Review meeting

Guidance Notes on Procedure

1. Introduction by Convener

- Convener introduces elected members and advisers; both there to advise the Review Body and not argue the officer's case; planning adviser in particular independent of the planning officer who made the decision.
- Convener advises members that photos/powerpoint are available
- Convener clarifies procedure for meeting and asks members if they have any points requiring clarification

2. Minutes of previous meeting

Review Body requested to approve minute of last meeting

3. Outline of first item - Convener

4. Powerpoint presentation of photos/images of site

Convener advises other documents, including Strategic Development/Local Plan and emerging plan(s) are there for Members to inspect if necessary, and asks members to ask Planning Adviser points of clarification on the details of the presentation.

5. Procedural agreement.

Members discuss application and decide whether –

- decision can be reached today
- if there is any new information, whether this is admissible or not in terms of the legislation
- more information required, and if so, if
- written submissions required
- site visit should be arranged (if not already happened)
- Hearing held

6. Assessment of case. Convener leads discussion through the key factors (assuming we can proceed)

Members should recall that planning decisions should be taken in accordance with the Development Plan, unless material considerations indicate otherwise. Accordingly, it is important the Members debate each point fully and explain whether they are following policy, or, if not, what material considerations lead them to depart from it. If they are taking a different view of policy from the officer who made the original decision they should make this clear.

a) Convener asks the LRB to consider

- Report of Handling and
- the applicant's Review papers

to establish the key issues pertinent to this case

- b) Detailed discussion then takes place on the key issues with specific regard to
- Strategic Development Plan
 - Local Plan
 - Emerging Plan(s)
 - Other Guidance
 - National Guidance
 - Objections

Legal/Planning Advisers respond to any questions or points of clarification from elected members

- c) Convener confirms the decision made by the LRB. At this stage if a conditional approval is chosen then additional discussion may be necessary regarding appropriate conditions

7. Summing Up by the Convener or the Legal Adviser identifying again the key decision reached by the LRB

8. Next stages Convener confirms the next stages for the benefit of the audience:

- Draft decision notice
- Agreed by Convener
- Issued to applicant and interested parties (posted on Idox)
- Approximate timescale for issuing decision. (21 days)

9. Closure of meeting or on to next item

Version 5
31.10.2017

THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY - BLENDED MEETING

Committee Room 2, Fife House, North Street, Glenrothes

28 October 2024

2.00 pm – 2.45 pm

PRESENT: Councillors David Barratt (Convener), Fiona Corps, Altany Craik, Jane Ann Liston and Lynn Mowatt.

ATTENDING: Steven Paterson, Solicitor, and Wendy MacGregor, Committee Officer, Legal and Democratic Services and Steve Iannarelli, Strategic Development Manager, Planning Service.

70. DECLARATIONS OF INTEREST

No declarations of interest were made in terms of Standing Order No. 22.

71. MINUTE

The minute of the Fife Planning Review Body of 2 September 2024 was submitted.

Decision

The Review Body approved the minute.

72. APPLICATION FOR REVIEW - WOODSIDE, WESTER FORRET, KILMANY, CUPAR (APPLICATION NO. 24/00817/FULL)

The Review Body considered the Application for Review submitted by Montgomery Forgan Associates, on behalf of Mr. Malcolm McIntosh, in respect of the decision to refuse planning permission for the erection of a dwellinghouse and formation of access.

Decision

The Review Body agreed:-

- (1) sufficient information was before them to proceed to decide the matter; and
- (2) the application be approved unconditionally/subject to conditions (reversing the appointed officer's determination) and that the content of the Decision Notice be delegated to the Head of Legal and Democratic Services, in consultation with the Convener.

Agenda Item 4(1)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Planning Decision Notice

Mantell Ritchie
Michael Ritchie
27A High Street
Banff
Scotland
AB45 1AN

Planning Services

Emma Baxter

development.central@fife.gov.uk

Your Ref:

Our Ref: 24/01267/FULL

Date 9th August 2024

Dear Sir/Madam

Application No: 24/01267/FULL
Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works
Address: Land 100M South Balmule Cottage Balmule Fife

Please find enclosed a copy of Fife Council's decision notice made on behalf of **Mr Patrick Slattery**, indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal or local review procedure should you wish to follow that course.

Should you require clarification of any matters in connection with this decision please get in touch with me.

Yours faithfully,

Emma Baxter, Planner, Development Management

Enc



DECISION NOTICE FULL PLANNING PERMISSION

Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **REFUSES PLANNING PERMISSION** for the particulars specified below

Application No: 24/01267/FULL
Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works
Address: Land 100M South Balmule Cottage Balmule Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 24/01267/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interest of safeguarding the countryside from unplanned, sporadic and unjustified development; the need for the proposed development at this location is not considered fully justified and would therefore be contrary to Policy 29: Rural Development and Policy 30: Tourism of NPF4 and Policy 1: Development Principles and Policy 7 Development in the Countryside of the Adopted FIFEplan (2017).
2. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. Furthermore, the development would be unable to provide adequate visibility splays, thereby resulting in a significant detrimental impact on existing levels of road safety. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards in this regard.
3. In the interests of visual amenity; the proposal would fail to safeguard the character and qualities of the landscape resulting in a significant detrimental effect on the visual amenity of the area, contrary to Policy 14: Design, Quality and Places and 29: Rural Development of NPF4 and Policies 1 and 10 of the adopted FIFEplan Fife Local Development Plan (2017).

Dated: 9th August 2024

Chris Smith

For Head of Planning Services

PLANS

The plan(s) and other submissions which form part of this decision are: -

Reference	Plan Description
01	Location Plan
02	Location Plan/Block Plan
03	Proposed various - elevation, floor etc
04	Landscape Layout
05	Drainage Assessment
06	Additional Information
07	Additional Information
08	Additional Information
09	Supporting Statement
10	Low Carbon Sustainability Checklist
11	SUDs and Flood Risk Assessment Certs

Dated:9th August 2024

Chris Smith

For Head of Planning Services

Decision Notice (Page 2 of 2) Fife Council

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 by notice sent within three months of the date specified on this notice. Please note that this date cannot be extended. The appropriate forms can be found following the links at www.fife.gov.uk/planning. Completed forms should be sent to:

**Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT**

or emailed to local.review@fife.gov.uk

LAND NOT CAPABLE OF BENEFICIAL USE

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V Town and Country Planning (Scotland) Act, 1997.

Agenda Item 4(2)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Report of Handling

REPORT OF HANDLING
APPLICATION DETAILS

ADDRESS	Land 100M South Balmule Cottage, Balmule, Fife		
PROPOSAL	Erection of 5 holiday lodges, formation of access, parking and associated works		
DATE VALID	22/05/2024	PUBLICITY EXPIRY DATE	11/07/2024
CASE OFFICER	Emma Baxter	SITE VISIT	None
WARD	West Fife And Coastal Villages	REPORT DATE	31/07/2024

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

1.0 Background

1.1. Description

1.1.1. This application relates to an area of greenfield land (approximately 8,000m²) located approximately 2.4 km north of the Dunfermline settlement boundary within a countryside location as defined within the adopted Fife Local Development Plan (2017). The site is currently grassland located south of the B915 with Balmule Park fishery to the north and open space / agricultural land to the east, south and west. The small informal settlement of Bowershall is situated approximately 200 meters to the south.

1.2. The Proposal

1.2.1. The application seeks planning permission for the erection of 5 holiday lodges, formation of access, parking and associated works.

1.2.2. The proposed lodges would comprise of white vinyl horizontal cladding with metal sheet roofs & white uVPC windows & doors. They each would have a footprint of 75m² and be 4 meters in height.

1.3. Planning History

1.3.1. Relevant planning history for the site and surrounding area can be summarised as follows

Planning permission for the change of use from agricultural land to site for holiday accommodation (4 huts) (17/01648/FULL) for land north of the application site at Balmule Valley Fishery was permitted in April 2018.

Planning permission for an additional 8 huts (22/01911/FULL) also at Balmule Valley Fishery to the north was granted February 2023.

Planning permission for erection of 5 holiday lodges and formation of access and parking (23/00492/FULL) was refused October 2023 in the interests of safeguarding the countryside from unjustified sporadic development, in the interests of visual amenity and in the interest of road safety.

1.4. A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal. The following evidence was used to inform the assessment of this proposal

- Google imagery (including Google Street View and Google satellite imagery); and

- GIS mapping software
- Site photos

2.0. Assessment

2.1. The issues to be assessed against the Development Plan and other guidance are as follows:

- Principle of development
- Design/Visual Impact
- Road Safety
- Amenity
- Flooding and Drainage
- Natural Heritage/Trees
- Low Carbon

2.2. Principle of Development

2.2.1. Policy 29 of NPF4 states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location. The intent of this policy is 'to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.' Furthermore, Policy 30, Part B, states that proposals for tourism related development will take into account:

The contribution made to the local economy;

Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;

Impacts on communities, for example by hindering the provision of homes and services for local people;

Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;

Accessibility for disabled people;

Measures taken to minimise carbon emissions;

Opportunities to provide access to the natural environment.

2.2.2. Policy 1 of the Adopted FIFEplan (2017) sets out that development proposals will be supported if they are in a location where the proposed use is supported by the development plan and where they comply with other plan policies. Policy 7 states that development in the countryside will only be supported where it:

is required for agricultural, horticultural, woodland, or forestry operations

will diversify or add to the above land-based businesses to bring economic support to the existing business;

is for the extension of established businesses;

is for small-scale employment land adjacent to settlement boundaries, excluding green belt areas, and no alternative site is available within a settlement boundary which contributes to the Council's employment land supply requirements;

is for facilities for access to the countryside;

is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location; or

is for housing in line with Policy 8 (Houses in the Countryside)

In all cases, development must:

be of a scale and nature compatible with surrounding uses

be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and

be located and designed to protect the overall landscape and environmental quality of the area.

2.2.3. Letters of representation received for this application objected to the proposal due to concerns that the proposal would not be in keeping or appropriate with its surrounding.

2.2.4. A justification statement has been submitted as part of this application which argues that the proposed development accords with Policy 1 as it would contribute to sustainable development. However, no further detailed information has been submitted to demonstrate this. The supporting statement also outlines that the proposed development would accord with Policy 7 of FIFEPlan in relation to the following;

Criterion 4 - It is a small-scale employment opportunity adjacent to the informal settlement of Bowershall

Criterion 5 - Facilities for access to the countryside

Criterion 6 - The lodges are for tourism facilities which requires a countryside location

2.2.5. With regard to the first of these points, FIFEplan explicitly references that in order for this criterion to apply, the proposal site must be adjacent to a settlement boundary. The hamlet of Bowershall is not defined as a settlement within FIFEplan. Notwithstanding this, the proposed development is for self-catered holiday accommodation with no proposals for facilities such as restaurants, shops etc. on the site. Whilst it is not disputed that some jobs could be created by the proposed development by way of cleaning staff and grounds maintenance etc, no specific details have been provided as to the level of employment which is expected to be generated from the proposal. The proposed development would not be considered justified under Criterion 4 of FIFEplan Policy 7.

2.2.6. In terms of criterion 5 and 6, whilst it is acknowledged that the proposed development could facilitate access to the countryside and outdoor tourism, it is considered that insufficient evidence has been provided to demonstrate that there is sufficient demand for such within this area to thereby justify the proposed countryside location. Furthermore, the site is situated within a rural location, considerably outwith any settlement boundary and not readily accessible via any sustainable means. Furthermore, there is no footpath to/from the site for safe pedestrian access. The proposal would therefore result in a development which is reliant on private car transportation and therefore fails to take into account the transport needs of the development which are not considered appropriate for the rural location and therefore contrary to NPF4 Policy 29. Finally, and as will be discussed further in Section 2.3 below, the proposed development would not be considered of a scale and nature compatible with the surrounding area, which is predominantly uninterrupted countryside.

2.2.7. In light of the above, the principle of proposed development does not meet the terms of any of the criteria listed above and therefore is considered contrary to Policies 29 and 30 of NPF4 and Policies 1 and 7 of the adopted FIFEplan (2017) and thus not acceptable.

2.3. Design and Visual Impact on the Countryside

2.3.1. Policy 14 of NPF4 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Furthermore, Policy 29, Part B, of NPF4 states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.2. Policies 1 and 10 of the FIFEplan states that development will only be supported if it does not have a significant detrimental impact with respect to visual amenity. Policy 7 states that developments must be of a scale and nature compatible with surrounding uses and be located and designed to protect the overall landscape and environmental quality of the area. Fife's Places Supplementary Guidance also sets out the expectations for developments with regard to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design.

2.3.3. Letters of objection received for this application have raised concerns which the proposed development's impact on the visual amenity of the surrounding area.

2.3.4. As outlined in paragraph 1.2.2. above, the proposed lodges would comprise of white vinyl horizontal cladding with metal sheet roofs & white uPVC windows & doors. They each would have a footprint of 75m² and be 4 meters in height. The lodges would be arranged in a semi-oval layout along the north and west sides of the site, with planting to the south and east. The

proposed units would comprise of a contemporary material which is not considered appropriate or in keeping with the countryside location. The proposed development would also be highly visible along the C53 north and southbound. Given the high visibility of the site, which is currently uninterrupted grassland, it is considered that the proposed development would be to the detriment of landscape character and views, failing to safeguard the character and qualities of the landscape, and having a significant detrimental impact on the visual amenity of the area generally.

2.3.5 In light of the above, the proposal would be considered to have a significant detrimental impact on the visual amenity of the site's countryside setting. The proposed development is therefore considered contrary to the above provisions of policy in relation to design/visual impact.

2.4. Road Safety

2.4.1. Policy 13 of NPF 4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;

Will be accessible by public transport, ideally supporting the use of existing services;

Integrate transport modes;

Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;

Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;

Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;

Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and

Adequately mitigate any impact on local public access routes

2.4.2. Policies 1 and 3 of the adopted FIFEplan 2017 state that development will only be supported where it has no road safety impacts. Making Fife's Places Transportation Development Guidelines (2018) also apply.

2.4.3. Letters of objections received for this application raised concerns with the road safety implications of the proposed development due to the topography of the road and speed of passing vehicles, as well as the absence of footpaths and public transport links surrounding the site.

2.4.4. Fife Council's Transportation Development Management team have been consulted and advised that they have a policy against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas. For clarification purposes, the built-up area, from a transportation point of view, is defined as the area within a 20, 30 or 40mph speed limit. The reason for this policy is that such vehicular accesses introduce, or increase, traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring, to the detriment of road safety.

2.4.5. A speed survey has been submitted in support of this application which recorded the 85th percentile of traffic speeds being 47.9 mph northbound and 33.6mph southbound. Based on the above results, the splay for a road with a 50mph speed limit is 3m x 180m. Therefore, when factoring in the results of the survey, the exact oncoming splay that would be necessary is 3m x 172m (47.9/50mph x 180m). Furthermore, the necessary visibility splay in the other direction (North) would be 3m x 117m for the recorded 85th percentile of 33.6 mph (33.6/40mph x 140m). The nearest applicable standard within Appendix G being 3m x 140m for a rural road with a 40mph limit. The submitted site plan Drawing No 2B shows the provision of a 3m x 160m oncoming visibility splay and a 3m x 100m visibility splay in the other direction (North), which would be sub-standard in terms of the splays required as noted above. Moreover, the annotated oncoming splay on the plan does not take account of the significant blind summit in the public road to the south of the proposed access junction nor the height of the wall and land within the curtilage of the house to the South (Whitecraig).

2.4.6. TDM recently visited the site again to assess the junction visibility splays and forward visibility that would be achievable at the proposed location for the new vehicular access. An approximate oncoming visibility splay of 3m x 115m could be achieved, due to the summit in the public road obscuring visibility beyond this point. This splay is sub-standard when compared against the necessary 3m x 172m splay (32% deficient). In addition, an approximate 3m x 102m visibility splay could be achieved in the other direction (North), due to the geometry of road. Again, this splay is sub-standard when compared against the necessary 3m x 117m splay in this direction.

2.4.7. Forward visibility for the driver of a vehicle turning right into the proposed new access from the public road would be approximately 115 metres, due to the summit in the public road obscuring visibility beyond this point. 172m forward visibility must be provided. Finally, a driver of another southbound vehicle on the C53 public road would have approximate forward visibility of 102 metres of any stationary vehicle waiting to turn right into the proposed access.

2.4.8. Overall, TDM concluded that the junction visibility splays, forward visibility for right turning drivers and forward visibility of stationary right turning vehicles would all be sub-standard at the junction of the proposed new access with the public road. In addition, there are no public footways on either side of the C53 nor any street lighting. Whilst the site is adjacent to a National Cycle Route, it is considered that this would not be attractive for the use of occasional/recreational cyclists including and therefore, the proposed development would not be situated within a sustainable location for the majority of prospective users and most person trips to and from the site would likely be undertaken by private cars.

2.7.9. In light of the above, it is considered that the proposed development would result in a significant detrimental impact with regard to road safety and therefore be contrary to Policy 13 of NPF4 and Policy 1 and 3 of the adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines in this regard.

2.5. Amenity

2.5.1. Policies 1 and 10 of the adopted FIFEplan states that new development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the local area are not adversely affected.

2.5.2. Given that the proximity of the site to the surrounding properties (the nearest property being 20 metres from the site boundary and 50 metres from the nearest lodge), it is considered that the proposal would have no significant detrimental impact on neighbouring residential properties in terms of daylight, sunlight, privacy levels or noise.

2.5.3. Overall, it is considered that the proposal would be compatible with Policy 10 and therefore acceptable in this regard. This is however not considered to be a determining issue in this instance.

2.6. Natural Heritage/Trees

2.6.1. Policy 3, Part A of NPF4 states that 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. Proposals should also integrate nature-based solutions, where possible. Furthermore, Part C states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

2.6.2. Policy 13 of the adopted FIFEplan 2017 state that development proposals will only be supported where they protect or enhance natural heritage and access assets including (but not limited to) woodlands, trees and hedgerows that have a landscape, amenity or natural conservation value and landscape character and views. Furthermore, Policy 13 stated that development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets.

2.6.3. The site is currently grassland, with one existing trees along the western boundary of the site and four along the eastern boundary, all of which would be retained. It is also proposed to provide some additional planting within the site.

2.6.4. Letters of objection received for this application have raised concern with the proposed developments potential impact on the natural environment.

2.6.5. Fife Council's Natural Heritage Officer was consulted on this application and whilst no objections were raised, he advised that sufficient detail has not been provided to demonstrate how the proposed development would provide a biodiversity enhancement of the site. Fife Council's Tree Protection Officer was also consulted on this application and advised that the information provided within the submission is sufficient in terms of meeting tree protection requirements and the provision of adequate planting which would result in additional biodiversity value. However, further information was requested by way of a maintenance plan for the proposed planting. Whilst insufficient detail has been provided to demonstrate that the proposed

development would comply with the above policies relating to biodiversity and natural heritage, it is acknowledged that this matter could be addressed via the imposition of a condition requiring further specific details of the future maintenance and the natural heritage and biodiversity enhancement measures to be submitted prior to works commencing on site, and therefore is not considered a sufficient reason for refusal of the application in this instance.

2.6.6. In light of the above, the proposed development (subject to condition) would be considered acceptable in terms of Policy 3 of NPF4 and Policy 13 of FIFEplan. This is however not considered to be a determining issue in this instance.

2.7. Sustainable Urban Drainage Systems

2.7.1. Policy 22 of NPF4 states a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

essential infrastructure where the location is required for operational reasons;

water compatible uses;

redevelopment of an existing building or site for an equal or less vulnerable use; or.

redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.

2.7.2. Policy 1 and 12 of the FIFEplan advise that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.7.3. Letters of objection received raised concerns that the proposed development could exasperate existing surface water flooding which occurs nearby.

2.7.4. It is proposed to install a detention basin within the site to attenuate surface water. This would be located in the centre of the site. Scottish Water have been consulted on this application and raised no objections. The site is also not shown to be at risk of flooding as per SEPA's flood maps. Furthermore, the applicant has submitted the necessary SUDS and flood risk details and the relevant compliance certificates.

2.7.5. In light of the above, the proposed development is considered acceptable in this regard. This is however not considered to be a determining issue in this instance.

2.8. Low Carbon

2.8.1. Policy 1 of NPF4 states that when considering all development proposals, significant weight will be given to the global climate and nature crises. In addition, Policy 2 states that

development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change. The Scottish Government advises in relation to Policy 1 and Policy 2 will be subject to further detailed advice and guidance and also the specific implications of NPF4 will be clarified through the review of Local Development Plans. As such the most appropriate policy position in relation to this issue is set out in FIFEplan Policies 1,3 and 11. Policy 1 and 11 of Fifeplan 2017 states that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction targets; construction materials come from local or sustainable sources; and water conservation measures are in place. Fife Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support.

2.8.2. The low carbon checklist provided as part of this application does not contain sufficient detail to demonstrate that low and zero carbon generating technologies would contribute to meeting the current carbon dioxide emissions reduction targets. It is acknowledged that this matter could be addressed via the imposition of a condition requiring further details of low/zero carbon generating technologies to be submitted prior to works commencing on site, and therefore is not considered a sufficient reason for refusal of the application in this instance.

2.8.3. In light of the above, the proposal, subject to condition, would be considered acceptable in this regard. This is however not considered to be a determining issue in this instance.

CONSULTATION RESPONSES

Natural Heritage, Planning Services	No objections subject to condition
Trees, Planning Services	No objections subject to condition
Transportation And Environmental Services - Operations Team	No response
Structural Services - Flooding, Shoreline And Harbours	No response
TDM, Planning Services	Application not supported
Scottish Water	No objections

REPRESENTATIONS

Eighteen letters of representation have been received for this application which objected to the proposed development, raising the below concerns

Road Safety - This has been addressed in section 2.4 above

Visual amenity This has been addressed in section 2.2. above

Principle - This has been addressed in section 2.2. above

Drainage/Flooding - This has been addressed in paragraph 2.7.4. above

Natural Heritage - This has been addressed in paragraph 2.6.5 above

CONCLUSION

The development is contrary to the provisions of policy and guidance relating to the principle of development, road safety and design/visual impact but accords with those provisions relating to flooding/drainage, land stability, residential amenity, natural heritage and low carbon. Overall, it is considered that the proposed development is contrary to the development plan, as it would result in unjustified development within the countryside as well as significant detrimental impacts in term of visual impact on the countryside and road safety, with no relevant material considerations of sufficient weight to justify departing therefrom. The application is therefore recommended for refusal.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interest of safeguarding the countryside from unplanned, sporadic and unjustified development; the need for the proposed development at this location is not considered fully justified and would therefore be contrary to Policy 29: Rural Development and Policy 30: Tourism of NPF4 and Policy 1: Development Principles and Policy 7 Development in the Countryside of the Adopted FIFEplan (2017).
2. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. Furthermore, the development would be unable to provide adequate visibility splays, thereby resulting in a significant detrimental impact on existing levels of road safety. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards in this regard.
3. In the interests of visual amenity; the proposal would fail to safeguard the character and qualities of the landscape resulting in a significant detrimental effect on the visual amenity of the area, contrary to Policy 14: Design, Quality and Places and 29: Rural Development of NPF4 and Policies 1 and 10 of the adopted FIFEplan Fife Local Development Plan (2017).

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Guidance (2018)

Fife Council's Low Carbon Fife Supplementary Guidance (2019)

National Planning Framework 4 (2023)

Agenda Item 4(3)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Notice of Review



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.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 100617317-012

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:	Mantell Ritchie		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Michael	Building Name:	
Last Name: *	Ritchie	Building Number:	27A
Telephone Number: *	01261 812267	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Banff
Fax Number:		Country: *	Scotland
		Postcode: *	AB45 1AN
Email Address: *	admin@mantellritchie.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="Patrick"/>	Building Number:	<input type="text" value="19"/>
Last Name: *	<input type="text" value="Slattery"/>	Address 1 (Street): *	<input type="text" value="Kirkbrae"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Fraserburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB43 9BY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="admin@mantellritchie.co.uk"/>		

Site Address Details

Planning Authority:	<input type="text" value="Fife 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 at Bowershall, Dunfermline, Fife"/>
--

Northing	<input type="text"/>	Easting	<input type="text"/>
----------	----------------------	---------	----------------------

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)

Erection of 5 holiday lodges, formation of access, parking and associated works at Land 100M South Balmule Cottage, Balmule, Fife

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.

See attached Statement of Reasons for 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)

Drawing Nos. 22133 02B, 05A and 06; SUDs design compliance certificate; ground assessment and drainage report; car speed survey; low carbon checklist; low carbon statement; supporting statement.

Application Details

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

24/01267/FULL

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

17/05/2024

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

09/08/2024

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)

To see road contours, etc in relation to car speed survey.

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

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: Mr Michael Ritchie

Declaration Date: 24/10/2024



ATC Site 1 - Speeds
Southbound 85th Percentile Speed – 33.6mph
Design speed – between 60B and 70A (90m to 120m)
Visibility Requirements (splay and stopping sight distance) – 100m

ATC Site 2 - Speeds
Northbound 85th Percentile Speed – 47.9mph
Design speed – 85A
Visibility Requirements (splay and r right turners to north bound traffic) – 160m



ATC Site 1 - 7 Day Average Traffic Volumes

	0800 - 0900	1200 - 1300	1700 - 1800	Daily
Northbound	32	37	35	463
Southbound	32	37	38	467
Two-Way	64	74	73	931

ATC Site 2 - 7 Day Average Traffic Volumes

	0800 - 0900	1200 - 1300	1700 - 1800	Daily
Northbound	30	38	35	460
Southbound	34	36	38	470
Two-Way	64	74	73	930

Table 2.5 Urban roads speed limit/design speed relationship

Speed limit		Design speed
Mph	Kph	Kph
30	48	60B
40	64	70A
50	80	85A
60	96	100A

Table 2.10 Design speed related parameters

Design speed kph	120	100	85	70	60	50	V2/R
Stopping sight distance (metres)							
Desirable minimum	295	215	160	120	90	70	-
One step below desirable minimum	215	160	120	90	70	50	-

ATC Site 1

Southbound 85th Percentile Speed – 33.6mph
 Design speed – between 60B and 70A (90m to 120m)

Visibility Requirements (splay and stopping sight distance) - 100m

ATC Site 2

Northbound 85th Percentile Speed – 47.9mph
 Design speed – 85A

Visibility Requirements (splay and r right turners to north bound traffic) - 160m

S.A. MCGREGOR



GROUND ASSESSMENT & DRAINAGE RECOMMENDATION REPORT

PROPOSED HOLIDAY LODGES
LAND AT BOWERSHALL
BALMULE
DUNFERMLINE
FYFE
KY12 0RZ

<i>Architect:</i>	Mantell Ritchie
<i>Client:</i>	Mr Patrick Slattery
<i>Contract No.</i>	3347/23
<i>Report Issued:</i>	28 June 2023

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	Fig. 5.	Indicative Detention Basin Formation
Certificates		Foul Water Discharge
		Surface Water Disposal

**GROUND ASSESSMENT &
DRAINAGE RECOMMENDATION REPORT**
PROPOSED HOLIDAY LODGES
LAND AT BOWERSHALL
BALMULE, DUNFERMLINE
FYFE

INTRODUCTION

At the request of Mantel Ritchie Chartered Architects, on behalf of Mr P Slattery, this report is presented for the new planning application for the proposed new holiday lodges on site at Bowershall, Balmule, Dunfermline, Fyfe.

The purpose of the visit was to carry out a ground investigation to determine the nature of the materials underlying the area of the site and to undertake the following: -

- to carry out percolation testing to assess the suitability of the underground strata for the disposal of effluent from a sewage treatment system to the ground via a designed sub-surface soakaway system
- to carry out infiltration testing for the disposal design for surface waters from the proposed development
- to assess the sub-soils for foundation design

SITE LOCATION & BRIEF DESCRIPTION

The site is located on a plot of land at Bowershall, Balmule, north of Dunfermline, Fyfe with access from the A823, B915 and local roads, OS NGR NT 09686 91198, see Fig.1. General Location Plan.

The site is unoccupied and currently overlain by grass. The land generally falls from the south downwards the north.

The site is currently un-serviced; however, electricity, water and telephone are nearby. There is no mains drainage; all nearby properties are served by private sewage treatment systems.

There are no watercourses within 10m of the proposed infiltration fields. There is an unnamed watercourse to the north-west of the site which 'appears' to be culverted through the site joining a tributary of the Meldrum's Mill Burn to the east.

Verification of the culvert could not be found on historical maps, only from observations on site.

SITE WORK

Trial Pits

On the 7th April 2023, a site and ground assessment were undertaken at the site. A mini-tracked excavator with a 0.50m bucket excavated trial pits to carry out an assessment of the underlying ground conditions, to carry out percolation and infiltration testing in the areas of the potential sub-surface soakaways.

The locations of the trial pits were decided on site considering the site topography and the proposed development layout and are indicated on Fig. 2. Proposed Site Layout & Test Location Plan in Appendix A.

Percolation Testing

Percolation testing was carried out in test holes adjacent to observation trial pits FW1 in accordance with Section 3.9 of the Scottish Building Standards Technical Handbook (Domestic) and SEPA WAT-RM-04. The test results are shown on the following table: -

Date of Testing 7/4/2023	FW1 A At 0.50m	FW1 B	FW1 C 3Topsoil
Average time taken for water to drain 3 times in each sump hole (middle 150mm)	>18000	No testing due to water ingress at 0.95m	4665
Depth of Water Table below Ground Level (m)	>1.00		>1.00
Soil Percolation Values, Vp, s/mm	>120		31.1

Infiltration Testing

Infiltration tests were carried out in trial pit SW1 in accordance with BRE Digest 365. The test results are tabulated below: -

Trial Pit No.	Pit Dimensions (W x L)m	Test Zone (mbegl)	In-Fill	Soil Infiltration Rate, f(m/s)
SW1	0.50 x 1.00	0.50-1.00	Open	<1 x 10⁻⁷

No drop in test water level

In-Situ SPTs

In-situ SPT tests were carried out at 0.60m below the formed level, in the natural underlying sub-soils, at the site, see test results below: -

Trial Pit No.	Depth (m)	'N' Value
SPT 1	0.50	12
SPT 2		10
SPT 3		11
SPT 4		13
SPT 5		12

GROUND ASSESSMENT

Published Geology

The British Geological Survey 1:50,000 Quaternary and Solid maps indicate that the site is overlain by Till, Devensian (Diamicton - sand, gravel, silt and clay) sedimentary superficial deposits formed between 116 and 11.8 thousand years ago during the Quaternary Period and underlain by the Pathhead Formation - sedimentary rock cycles, Strathclyde group type. Sedimentary bedrock formed between 330.9 and 329 million years ago during the Carboniferous Period.

Encountered Ground Conditions

Topsoil: The site is overlain by 300-450mm thickness of topsoil.

Natural Sub-Soils: The natural underlying sub-soils have an upper mantle of firm brown and grey CLAY becoming soft dark grey CLAY with organic debris below 0.80-0.95m depths proved to 1.50m.

Bedrock: Bedrock was not encountered during the investigation.

Groundwater Observations

Groundwater was encountered around 0.95m below existing ground levels in the lower area.

Existing Lade

It is considered that during the investigation and excavations a former lade was encountered. Evidence of the lade was seen by very well pointed flat stones at 450mm below existing ground levels and 'traced' using divining methods across the site and under the lowest part of the public road and carrying on towards the watercourse to the east.

The internal condition of the lade has not been inspected but 'running water' was heard from inside the lade. The exit point of the lade could not be verified after online research.

DISCUSSION

The very clayey nature of the underlying strata and the very poor results from the percolation and infiltration testing confirmed the very poor natural draining properties of the sub-soils.

The investigation carried out concludes that the underlying strata are not considered suitable for the construction of a 'standard' sub-surface stone-filled soakaway system for the discharge of foul waters from a septic tank or treatment plant.

An alternatively and appropriately designed and constructed discharge system should be designed which will be effective in all-weather conditions and are not pose a risk to local water supplies and the ground water.

It is proposed to utilise the upper topsoil layer with the installation for the discharge of the foul waters to the ground.

It is proposed to use the Puraflo Treatment System for the treatment and discharge of foul waters from the development.

It is proposed to utilise the existing lade for the discharge of the surface waters from the development. Attenuation prior to discharge may be required to control the quality and quantity of the surface waters.

DRAINAGE RECOMMENDATIONS

Sewage Treatment & Foul Water Discharge

Proposed Waste Water Treatment & Foul Water Discharge System

- ***PSTP to a 'Puraflo Treatment Systems' and Discharge to the Ground***

The 'Puraflo Wastewater Treatment System' is an extremely effective, cost efficient system that uses bio-fibrous peat, housed in modules to treat wastewater which sit above a soakaway in the topsoil strata and has been developed where the ground conditions present the following problems:

- **Sub-Soil Percolation Value is very poor, i.e. $V_p > 120s/mm$.**
- High Ground water table i.e. $<2.00m$ begl.
- Shallow depth to bedrock i.e. $<2.0m$ begl.

This system has been widely used under these circumstances and is generally acceptable with Building Standards Officers in many regions and with SEPA. This system is also easier to maintain and service.

The average topsoil percolation value, **$V_p = 31.1s/mm$** .

Therefore, in accordance with the regulations the minimum base area, A, for the soakaway located directly below the modules is derived from **$A = PE \times 3.6$** , see the following table: -

Proposed Development	Population Equivalent (as defined in BW COP:18.11/14)	Soakaway Min. Base Area (m²) With PSTP + 6 No. Puraflo Modules
Holiday Lodges	18 (5 No 2-bedroom units x 0.9)	65

SEPA

The following table indicates the required treatment standard for the discharge from the treatment system prior to discharge: -

	BOD (mg/l)	SS (mg/l)	NH4-N (mg/l)
Treatment / Standard Required by SEPA	20	30	≤ 5

It is recommended to install a package sewage treatment plant (PSTP) tested and certified to EN12566 Part 3. It is recommended that for up to a 18PE a package sewage treatment plant (PSTP) with a minimum capacity of 5,240-litres for up to 18PE is installed.

SuDS & Surface Waters

The disposal of surface waters from the development needs to be assessed in terms of both the quantity and the quality of the discharge for Building Regulations and SEPA.

Using the SIA tool, the land use run-off quality has been determined, see following summary below: -

Land Use Type	Non-Commercial Roofing	Access & Parking
Pollution Hazard Level	Very Low	Low
Pollution Hazard Indices		
TSS	0.2	0.5
Metals	0.2	0.4
Hydrocarbons	0.05	0.4
SuDS Component Proposed Component 1	Detention Basin (discharging to watercourse – Existing Lade)	
SuDS Pollution Mitigation Indices		
TSS	0.5	0.5
Metals	0.5	0.5
Hydrocarbons	0.6	0.6
Groundwater Protection Type	None	
Combined Pollution Mitigation Indices		
TSS		
Metals	0.5	0.5
Hydrocarbons	0.5	0.5
	0.6	0.6
Acceptability of Pollution Mitigation		
TSS	Sufficient	Sufficient
Metals	Sufficient	Sufficient
Hydrocarbons	Sufficient	Sufficient

The above assessment confirms the formation of a detention basin provides sufficient quality mitigation for the surface water run-off from the roof areas and permeable access and parking areas for the proposed development prior to disposal to the lade and onto watercourse.

The quantity of the discharge has to be controlled so that the proposed development does not have a detrimental effect on the flow of the watercourse.

The design dimensions of the proposed detention basin take into account: -

- the total impermeable surface areas of the development including all roof areas, access road and parking areas
- 30-year return period
- +39% climate change (Tay Region)

The optimum dimensions for the surface water detention basin are shown on the following table:

Impermeable Areas (m ²)	Detention Basin L x W (m)		Storage depth (m)	Filter Base
Cabin Roof Areas, Access Roads & Parking Total area up to 700m²	10	7.30	0.30	300mm

It is also recommended to provide an 300mm high x 1m wide overtopping bund around the detention basin.

The overflow pipe from the detention basin to join the existing lade.

INDICATIVE DRAINAGE LAYOUT

The proposed drainage layout is shown on Fig 3. with indicative soakaway installation shown on Fig. 4. along with the certificates all in Appendix A.

SYSTEM MAINTENANCE

Sewage Treatment System

All servicing and maintenance should be undertaken in full accordance with the manufacturer's literature or by a responsible qualified person. The PSTP should be regularly inspected and 'desludged' (emptied) when appropriate to ensure solids and silts do not 'clog' the soakaway or make their way to the discharge outlet.

Soakaways/Ponds

These are designed for the lifetime of the proposed development if they are not allowed to silt up nor the pipework to be blocked.

If a soakaway fails to due blockages or silting it should be excavated and reconstructed with fresh clean stone, new pipework and renewed terram.

During the development of the site, and the excavation of the infiltration fields and pond any field drains be found within 10m of the soakaway they should be realigned or relocated accordingly.

REGULATIONS

SEPA and Building Regulations require that infiltration systems (soakaways) are located at least:

- 50m from any spring, well or borehole used as drinking water supply
- 10m horizontally from any water course (including any inland or coastal waters), permeable drain (including culvert), road or railway
- 5m from all buildings
- 5m from boundaries (*reduced distance to boundaries may also be subject to agreement from adjacent land owners where the soakaway is considered not to be detrimental to the adjacent property*)

FOUNDATION RECOMMENDATIONS

Safe Bearing Capacity

The in-Situ SPT 'N' values are in the range 10-13.

It is recommended that the foundations should be taken down through the topsoil to rest on the firm clays at a minimum depth of below 0.60m below existing ground levels.

A safe bearing capacity of 75kN/m² at 0.60m may be applied for the design of the foundations.

Excavations

Due to the clayey nature of the sub-soils all excavations, if left exposed, should be protected from rain and run-off waters to maintain the soils strength.

Settlement

It is considered that the firm nature of the sub-soils and low building loads will provide settlement within tolerable design limits.

De-Watering

It is not anticipated that de-watering of excavations will be required during construction above 1.00m in the higher ground. Some dewatering measures may be required in the lower parts of the site.

APPENDIX A

Site Plans	Fig. 1. General & Site Location Plans Fig. 2. Proposed Site Layout & Test Location Plan
Trial Pit Logs	FW1 & SW1
Drainage	Fig. 3. Proposed Drainage Layout Fig. 4. Schematic of Wastewater Treatment & Discharge Installation Fig. 5. Indicative Detention Basin Formation
Certificates	Foul Water Discharge Surface Water Disposal

Fig. 1. GENERAL & SITE LOCATION PLANS

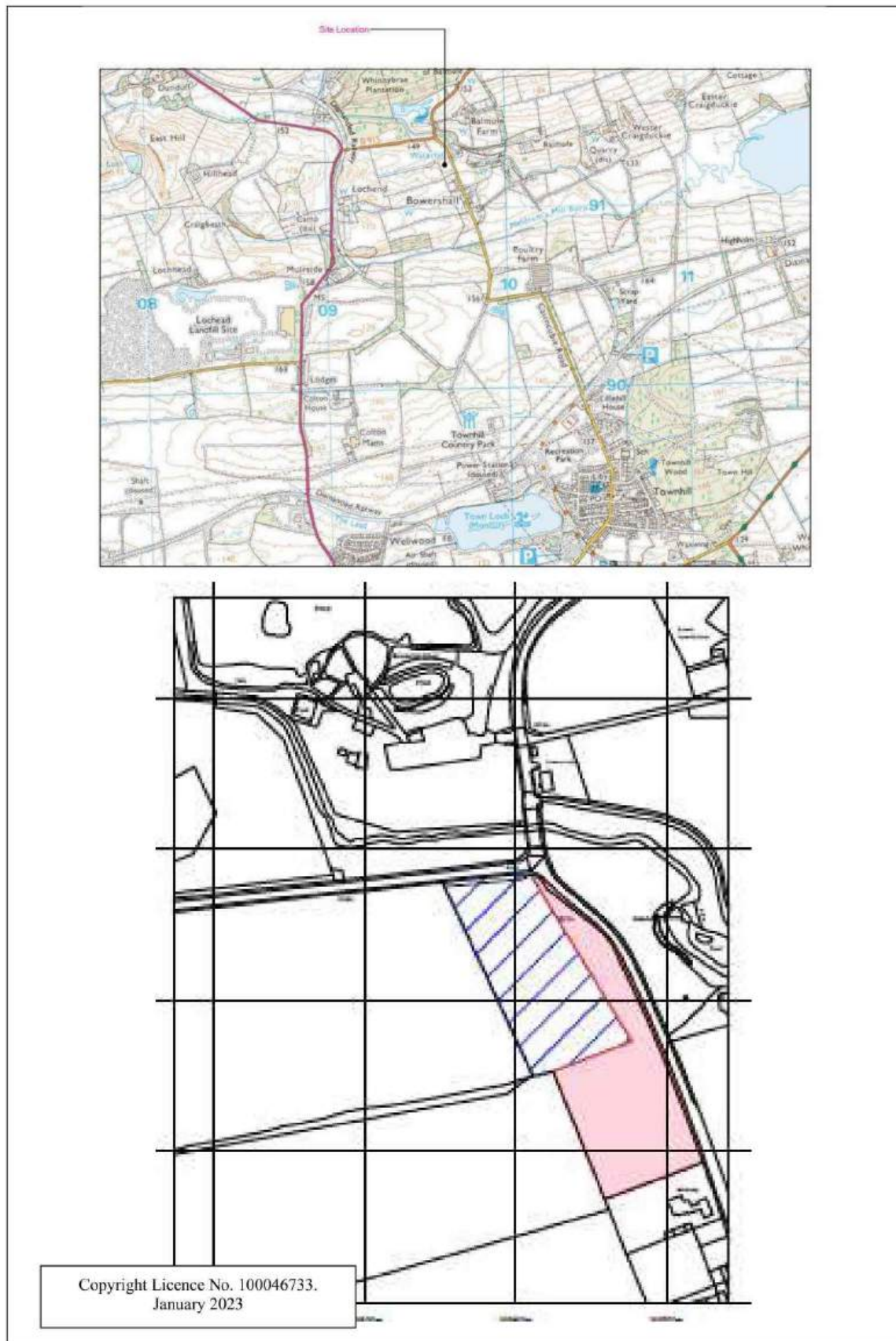
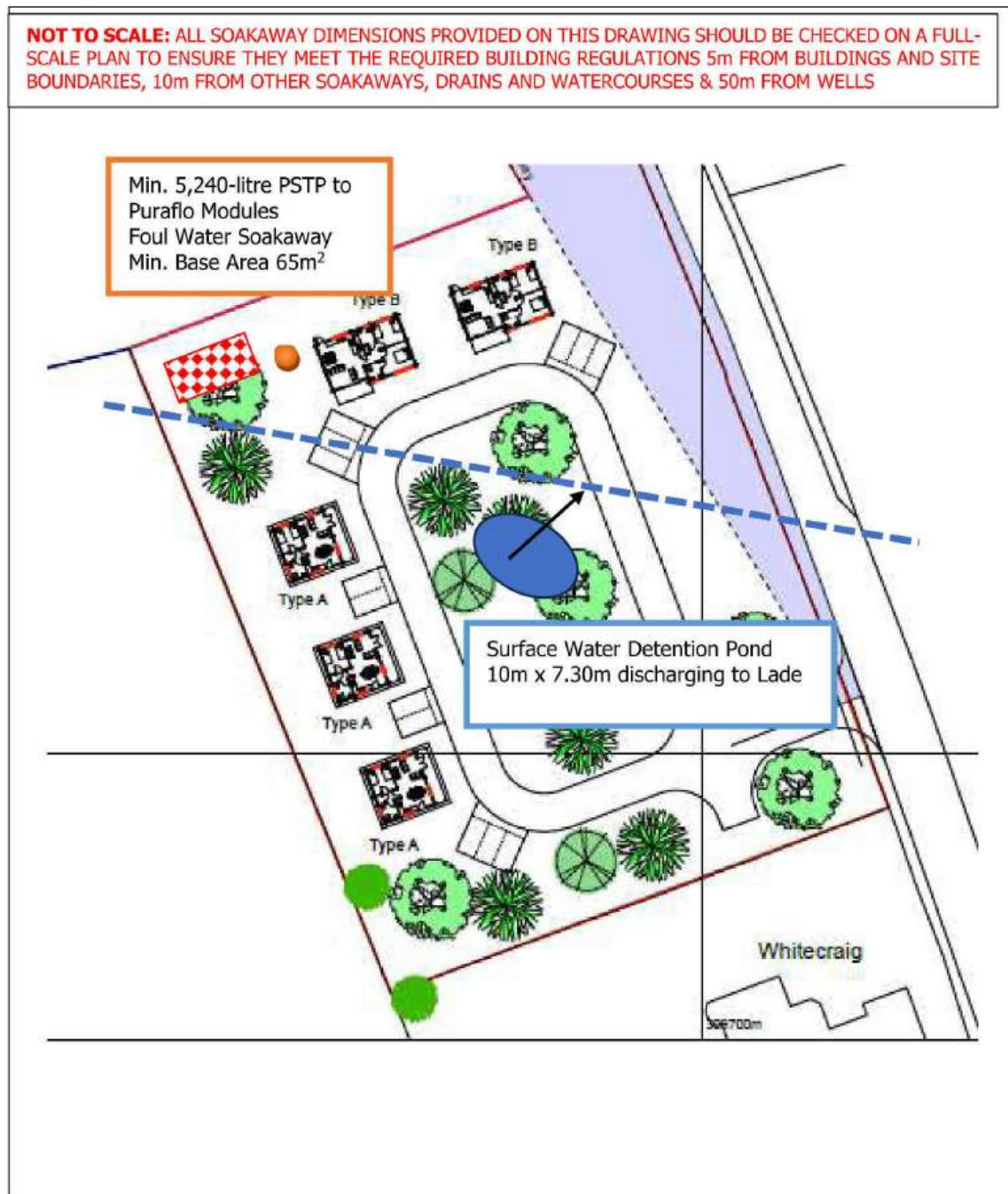


Fig. 2. PROPOSED SITE LAYOUT & TEST LOCATION PLAN



Fig. 3. PROPOSED DRAINAGE LAYOUT



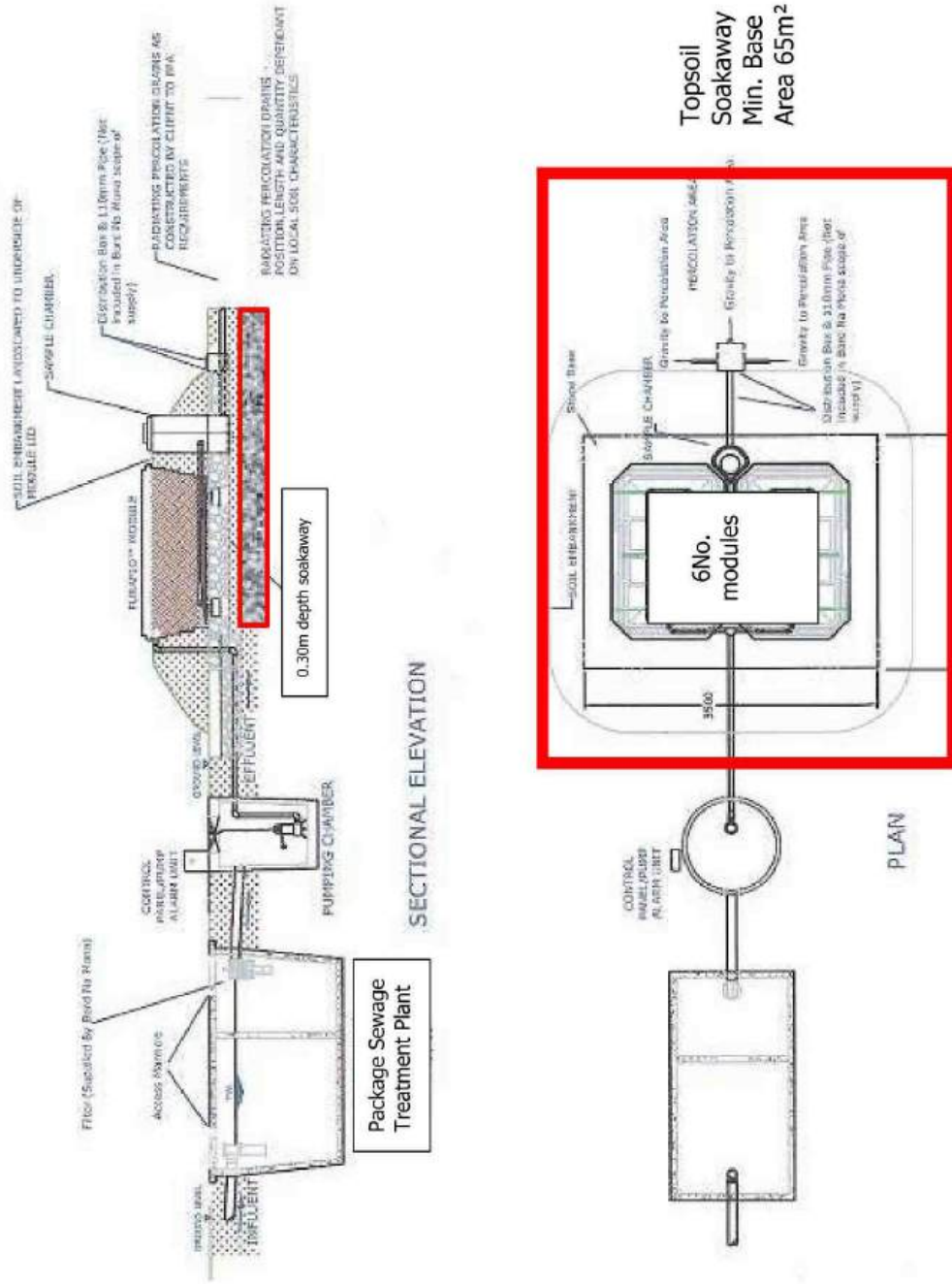
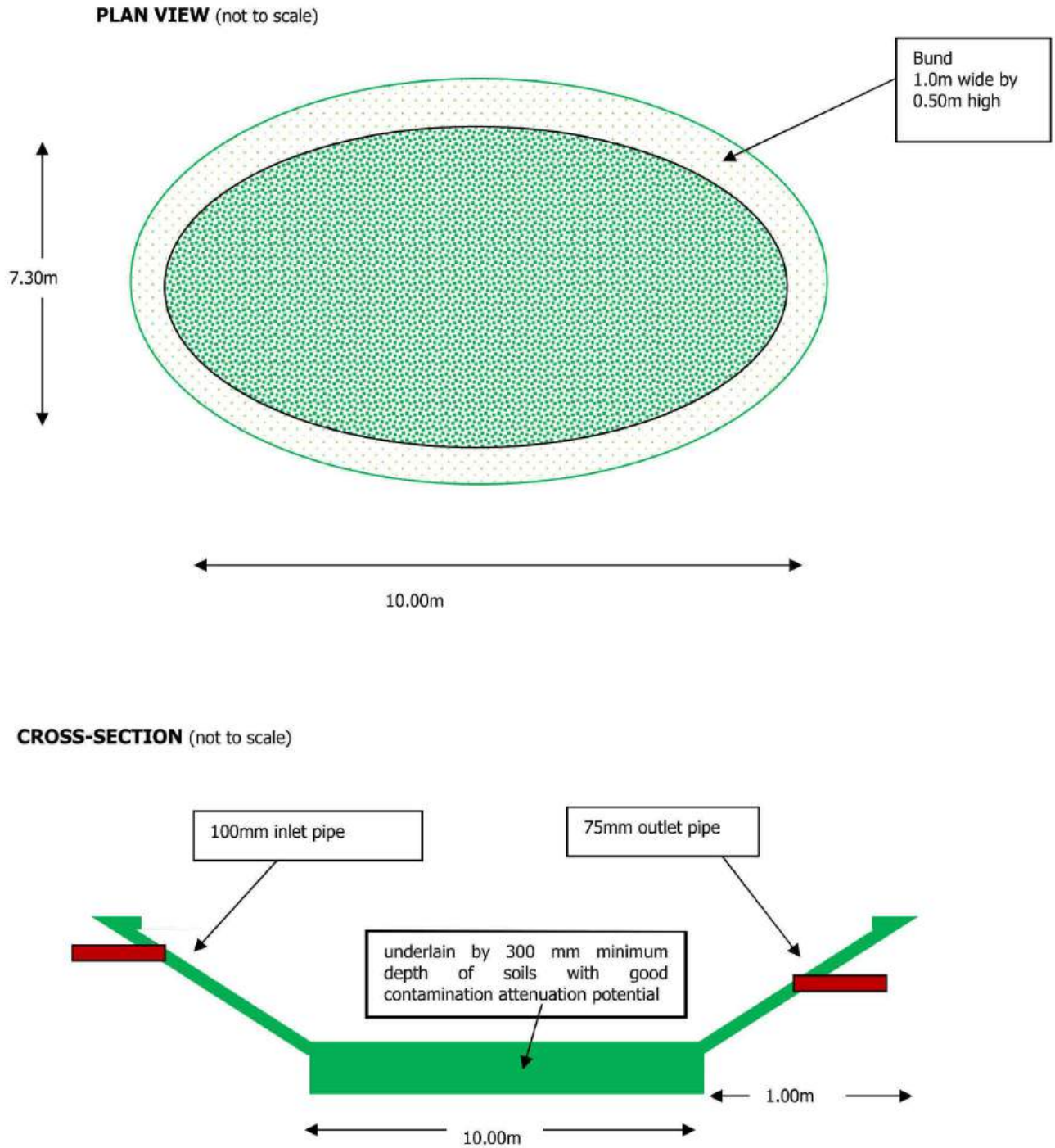


Fig. 4. SCHEMATIC OF PROPOSED WASTE WATER TREATMENT SYSTEM & FOUL WATER DISCHARGE (NOT TO SCALE)

Fig. 5. INDICATIVE DETENSION BASIN FORMATION



CERTIFICATE FOR PROPOSED FOUL WATER SUB-SURFACE DISCHARGE

Two tests are normally required to demonstrate the suitability of the proposed drainage scheme:

1. A trial pit must be excavated to a depth of 1 metre below the proposed invert of the drain to establish whether the water table will interfere with the operation of the soakaway
- and
2. A percolation test must be carried out to determine the area of the ground required.

Certificate

Client: Mr Patrick Slattery

Architect: Mantell Ritchie Chartered Architects

Site Address: Land at Bowershall, Balmule, Dunfermline, Fyfe, KY12 0RZ

Date of Test: 7/4/2023 **Time:** from 1pm **Weather:** Dry & sunny

Encountered Ground Conditions

Topsoil: The site is overlain by 300-450mm thickness of topsoil. **Natural Sub-Soils:** The natural underlying sub-soils have an upper mantle of firm brown and grey CLAY becoming soft dark grey CLAY with organic debris below 0.80-0.95m depths proved to 1.50m. **Bedrock:** Bedrock was not encountered during the investigation.

Groundwater Observations

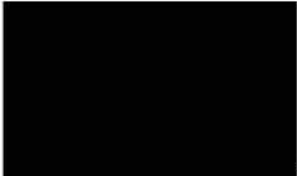
Groundwater was encountered around 0.95m below existing ground levels in the lower area.

Wells: no known wells used for supply of potable water within 50m of site.

Percolation Tests

	FW1 A	B	C
Depth of Drains	0.50m	n/a	GL
Time Taken (mean of three times), secs	>18000	--	4665
Average TOPSOIL Percolation Values, Vp, s/mm	--	--	31.1
Population Equivalent	18		
Minimum Floor Area of Soakaway	65m²		

I hereby certify that I have carried out the above assessment in accordance with procedures specified within the Domestic Scottish Building Standards Technical Handbook (Environmental Standard 3.9 Infiltration Systems) and SEPA A WAT-RM-04, the results of which are tabulated above, and that the proposed drainage scheme detailed on the attached plans and report has been designed considering the recommendations in the standards and regulatory standards.

Signed 
Name / Company S. A. M Gregor
Address Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN
Qualification B.Eng (Civil Engineering).

Date...28 June 2023

CERTIFICATE FOR PROPOSED SURFACE WATER DISPOSAL

Client: Mr Patrick Slattery
Architect: Mantell Ritchie Chartered Architects
Site Address: Land at Bowershall, Balmule, Dunfermline, Fyfe, KY12 0RZ
Date of Test: 7/4/2023 **Time:** from 1pm **Weather:** Dry & sunny

Encountered Ground Conditions

Topsoil: The site is overlain by 300-450mm thickness of topsoil. **Natural Sub-Soils:** The natural underlying sub-soils have an upper mantle of firm brown and grey CLAY becoming soft dark grey CLAY with organic debris below 0.80-0.95m depths proved to 1.50m. **Bedrock:** Bedrock was not encountered during the investigation.

Groundwater Observations

Groundwater was encountered around 0.95m below existing ground levels in the lower area.

Wells: no known wells used for supply of potable water within 50m of site.

Infiltration Test

SW1

Soil Infiltration Rate, f (m/s) $<1 \times 10^{-6}$
Surface Area of Development up to **700m²**

Recommendation: -

Surface Water Detention Basin with overflow to Lade

Detention Basin L x W (m)		Storage depth (m)	Filter Base
10	7.30	0.30	300mm

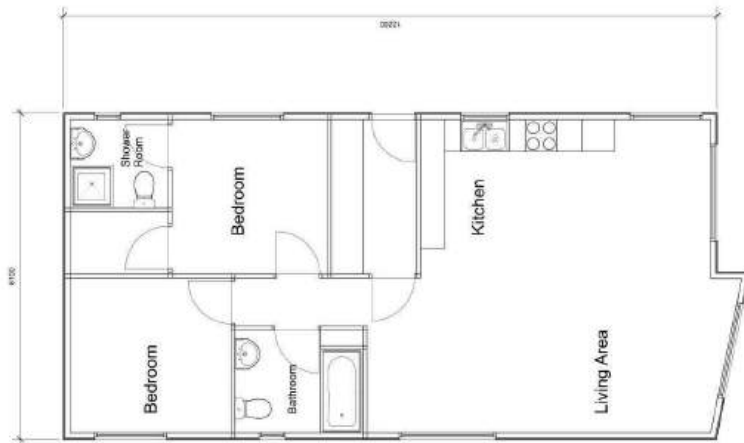
I hereby certify that I have carried out the above assessments and calculations in accordance with BRE Digest 365 and in conjunction with the full requirements set out within the Domestic Scottish Building Standards Technical Handbook. The results of which are tabulated above, and that the proposed drainage scheme detailed within this report has been designed considering the recommendations in the standards.

Signed



Date... 28 June 2023

Name / Company S. A. McGregor
Address Serenje, Kingsford Steadings, Alford, Aberdeenshire, AB33 8HN
Qualification B.Eng(Civil Engineering).

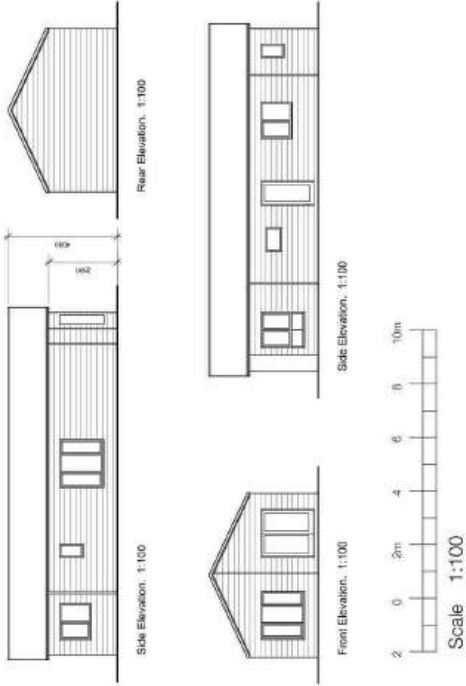


Typical Ground Floor Plan. 1:50



Scale 1:50

NB No Changes in Ground Level



Finishes:
 Walls - Vinyl Horizontal Cladding - White
 Roof - Sheet Metal Tiles - Grey
 Windows/Doors - UPVC - White

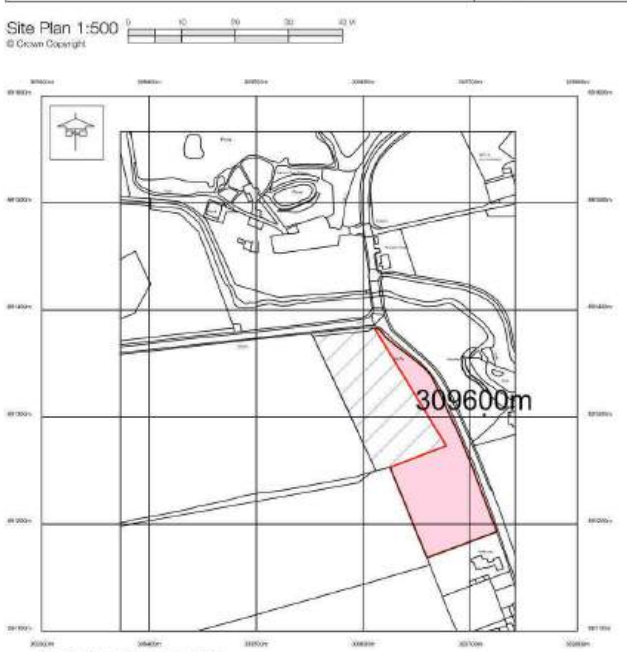
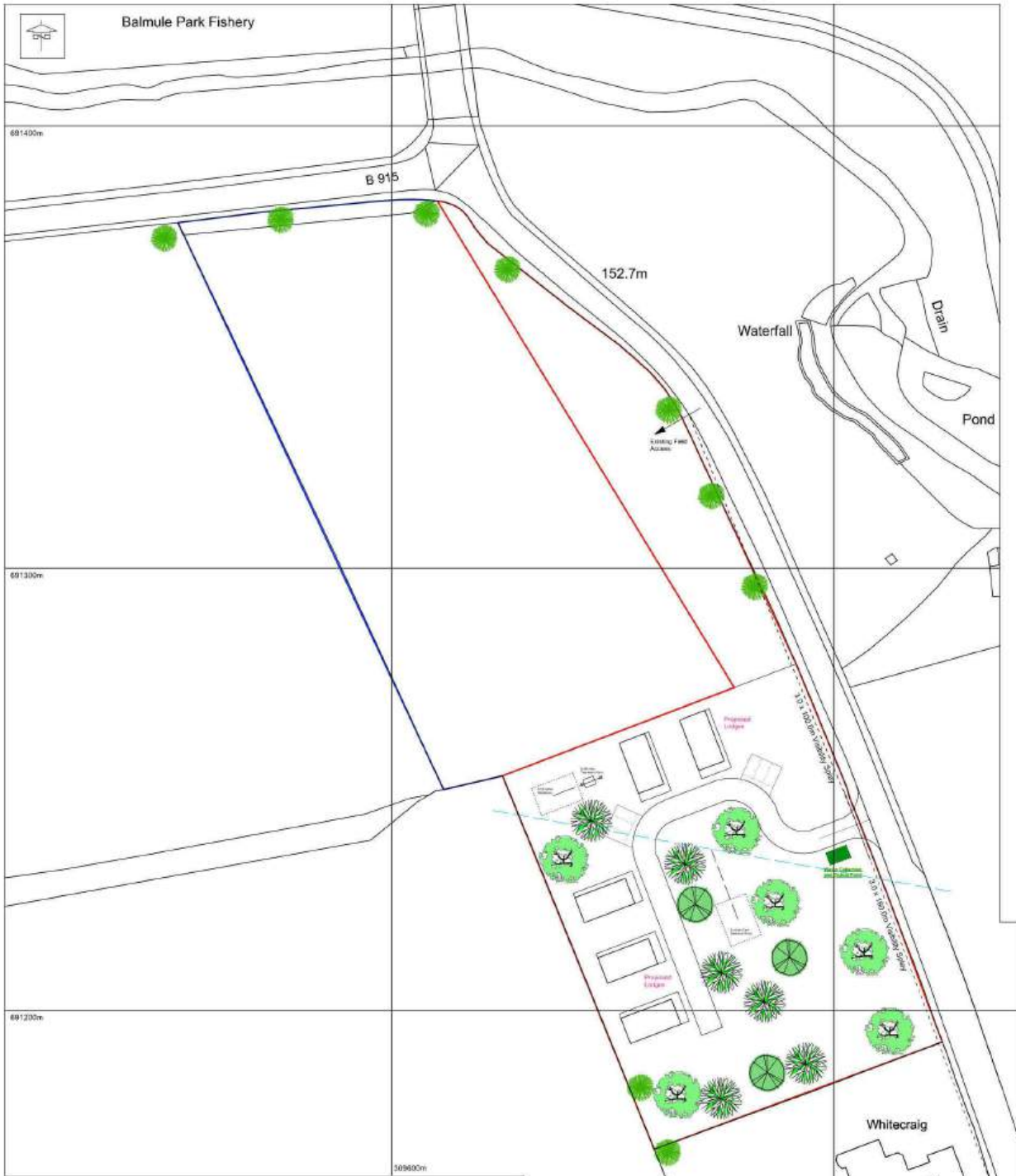
No	Revisions	Date	Initials

Copyright of Mantell Ritchie - Chartered Architect.
MANTELL RITCHIE
Chartered Architects
 (Formerly Madsen & Norrish)
 27A High Street, BANFF AB95 1AN
 Tel: Banff (01261) 812267
 Fax: Banff (01261) 812554
 Email: info@mantellritchie.co.uk
 Web Site: www.mantellritchie.com

project:
**Land at Bowershall,
 Dunfermline, FIFE.**
 Proposed Holiday Lodges
 for
 Patrick Slattery

content:
 Typical Floor Plan and Elevations

scale:	drawn by:	size:	date:
1:50, 1:100	MR	A1	03.04.24
ref: 22133			06



KEY

- Existing Trees
- Proposed Tree Planting

0	Amended Proposals	02.04.24	MR
1	Drainage Infrastructure	11.03.23	MR
No	Revisions	Date	Initials

MANTELL RITCHIE
Chartered Architects

27A High Street, BANFF
AB91 1AA
Tel: 01591 812067
Email: info@mantellritchie.co.uk
www.mantellritchie.com

Copyright of Mantell Ritchie, Chartered Architect.

project
**Land at Bowershall,
Dunfermline, FIFE.**
Proposed Holiday Lodges

for
Patrick Slattery

content
Location Plan

scale
1:2500, 1:500

drawn by MR	size A1	date 09.02.23
----------------	------------	------------------

ref **22133** **02B**

Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications v
------------------------	------------------------	-----------	--

<p><u>Energy and Climate Change</u> Demonstrate that the application meets the CO² emissions reduction targets currently in place and that the required proportion of that reduction is met by low and zero carbon generation technologies.</p> <p>Improve the energy efficiency of both domestic and non-domestic buildings to minimise total whole-life energy consumption.</p> <p>Support the use of renewable energy rather than fossil fuel sources during concept/design as well as in-service phases with the ultimate aim of decarbonising the energy and heat supply. Improve resilience to climate change, including higher temperatures; changing patterns of precipitation; more frequent extreme weather events; rising sea levels. Impacts on flooding and water supply are addressed.</p>	<p>For Local Developments - Provide information of the energy efficiency measures taken and energy generating technologies associated with this application</p> <p>For Major Developments - An energy statement on intention is required. See Low Carbon Fife Supplementary Guidance page 59 for more information</p>	<p>Householder Application Proposals which are not heated or cooled (other than heating or frost protection).</p> <p>Conversion of buildings</p> <p>Small extensions in line with Building standards 6.1 exemptions</p> <p>Temporary buildings with an intended life of less than 2 years</p>	<p align="right"><input checked="" type="checkbox"/></p> <p>Details:</p>
<p><u>Materials</u> Materials sourced from local or sustainable sources</p>	<p>A statement should be included setting out that the development will endeavour to provide the materials from local or sustainable sources. Additional detail should be included if available. See Making Fife's Places Supplementary Guidance page 37 for more information.</p>	<p>Householder Applications</p>	<p align="right"><input checked="" type="checkbox"/></p> <p>Details:</p>

Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications v
<p><u>Sustainable Urban Drainage System (SUDS)</u> As our climate changes and more rainfall is predicted in many parts of the world, it is important that we control the impact of rainwater to prevent flooding or pollution of watercourses. Sustainable Urban Drainage measures need to be put in place to ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment.</p>	<p>We require Compliance and Independent Check Certificate's to be submitted as per Fife Council's Sustainable Drainage Systems (SUDS) - Design Criteria Guidance Note</p> <p>See Making Fife's Places Supplementary Guidance page 14 for more information.</p>	<p>Householder Applications</p> <p>Applications for erection of only one dwellinghouse</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p> <p>Details:</p>
<p><u>Waste</u></p> <p>Support applications that reduce the creation of waste. Facilities are provided for the separate collection of dry and recyclable waste and food waste. Drive the development of a plastic recycling facility</p>	<p>Planning Permission in Principle (PPP) Applications – A statement setting out that measures for the storage of dry recyclable waste and food waste will be provided as part of the development.</p> <p>Full Planning Permission Applications – Full details on how dry and recyclable waste and food waste will be stored.</p>	<p>Householder Applications</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p> <p>Details:</p>

Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications ✓
<p>District Heating</p> <p>All applications which create a heat demand or waste heat will be assessed to establish if district heating is likely to be a viable option. All applications for proposals which fit this description need to be tested against the district heating process map set out in section 3.2.2 of the Low Carbon Fife Supplementary Guidance (see page 64) - to establish if a further investigation into heat networks is required. To reduce the cost of heat supply and the carbon intensity of heat generation.</p>	<p>Depending on answers to the questions below will determine whether a further investigation is required</p> <p><i>Is the proposal within 1km of an existing or proposed heat network? (See Low Carbon Fife SG Appendix E for more information) If yes – has an indicative heat demand been provided for the development?</i></p> <p><i>Is further investigation into heat networks required? If yes - has a further investigation into heat networks been provided?</i></p> <p><i>Is the proposal for one of the following types of development?</i></p> <ul style="list-style-type: none"> • A public sector development; • A further education campus; • A proposal for over 10,000m² non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or building with a significant and heat demand) • A mixed use development – with at least 50 residential units and at least 10,000m² of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial <p><i>If yes – has information on the linear heat density of the development been provided? (see Low Carbon Fife SG section 3.2.2 for more information) Is the linear heat density 4 or over? (see Low Carbon Fife SG section 3.2.3 for more information) If yes – has further investigation into heat networks been provided?</i></p>	<p>Householder Applications</p> <p>Applications out-with 1km of existing or proposed heat network and is not one of the following developments:</p> <ul style="list-style-type: none"> • A public sector development; • A further education campus; • A proposal for over 10,000m² non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or indeed any other building with a significant and stable heat demand) • A mixed use development – with at least 50 residential units and at least 10,000m² of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial <p>And does not have a total aggregate thermal input exceeding 20Megawatts</p>	<p style="text-align: right;"><input type="checkbox"/></p> <p>Details:</p>

development.central@fife.gov.uk – www.fifedirect.org.uk/planning

03451 55 11 22 - Economy, Planning and Employability Services - Fife House - Glenrothes - KY7 5LT

Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
<p><u>Travel and Transport</u></p> <p>Developments make a positive contribution towards the improvement of sustainable transport network.</p> <p>Promoting sustainable transport modes in the following order of priority: walking, cycling, public transport, cars.</p> <p>Reducing car dependency.</p> <p>Minimising the amount of travelling required, thus reducing greenhouse gas emissions, especially for air and road travel</p>	<p>PPP Applications – A statement should be included setting out the intended measures to encourage and facilitate the use of sustainable transport focusing on the order of priority.</p> <p>Full Planning Permission Applications – Full details on how the development encourages and facilitates the use of sustainable transport focusing on the order of priority. (Demonstrated through a Transport Assessment or Green Travel Plan).</p>	<p>Householder Applications</p>	<p style="text-align: right;"><input checked="" type="checkbox"/></p> <p>Details:</p>
<p><u>Air Quality</u></p> <p>Address impacts on air quality by reducing congestion and address the poor air quality that already exists.</p>	<p>An Air Quality Impact Assessment is required where any of the following apply:</p> <ul style="list-style-type: none"> • For all applications subject to an Environmental Impact Assessment (listed in Environmental Impact Assessment (Scotland) Regulations 2017) or • 10 or more residential units or a site area of more than 0.5ha • More than 1,000m² of floor space for all other uses or a site area greater than 1ha <p>Coupled with any of the following:</p> <ul style="list-style-type: none"> • The development has more than 10 parking spaces • The development will have a centralised energy facility or other centralised combustion process <p>See Low Carbon Fife Supplementary Guidance Appendix D for more information</p>	<p>Householder Applications</p> <p>Less than 10 residential units or a site area of less than 0.5ha</p> <p>Less than 1,000m² of floor space for all other uses or a site area smaller than 1ha</p>	<p style="text-align: right;"><input type="checkbox"/></p> <p>Details:</p>

development.central@fife.gov.uk – www.fifedirect.org.uk/planning

03451 55 11 22 - Economy, Planning and Employability Services - Fife House - Glenrothes - KY7 5LT



Land 100M South, Balmule Cottage, Balmule, Fife
Erection of 5 Holiday Lodges (Static Caravans) and Formation of Access and Parking
Planning Ref No: 24/01267/FULL

Energy and Climate Change

The lodges (static caravans) are for holiday accommodation and will only be occupied for 11 months of the year and will not be occupied by one family for more than 4 weeks at a time.

The lodges will be heated by bottled gas so no heating infrastructure will be required for the same.

As the lodges are heated with bottled gas and cooking will be from the same, the ecological footprint is enhanced and the environmental impact minimised as no infrastructure is required.

A small photovoltaic system with back-up battery system may also be installed for lighting and power, again to limit infrastructural requirements.

Due to the constructional nature and manufacture of the lodges (being static caravans) once removed there will be little or no trace at the end of their life or if development ceases to continue.

Materials

The development will endeavour to use materials from local or sustainable sources.

As the lodges are manufactured off-site and are delivered to site in a completed state, there will be very limited requirement for construction materials on site for the development.

Sustainable Urban Drainage System (SUDS)

Compliance and Independent Check Certificates will be submitted by an appropriately qualified engineer. The surface water drainage will discharge to a surface water detention pond on site.

Waste

Waste storage and collection points shown on Drawing No. 22133 02B.

Travel and Transport

The holiday lodge development is located at Bowershall and is accessed off the C53 road between the B915 and Townhill to the South of Bowershall.

The site is located 5 kilometres north of Dunfermline and 4 kilometres south-west of Kelty and as such it is well related to public transport links of road and rail.

In advertising/marketing for the holiday lodges, public transport routes (rail, bus, etc) will be identified and promoted to encourage the use of less environmentally damaging transport such as private cars.



Land 100M South, Balmule Cottage, Balmule, Fife
Erection of 5 Holiday Lodges (Static Caravans) and Formation of Access and Parking
Planning Ref No: 24/01267/FULL

Energy and Climate Change

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As the lodges are heated with bottled gas and cooking will be from the same, the ecological footprint is enhanced and the environmental impact minimised as no infrastructure is required.

A small photovoltaic system with back-up battery system may also be installed for lighting and power, again to limit infrastructural requirements.

Due to the constructional nature and manufacture of the lodges (being static caravans) once removed there will be little or no trace at the end of their life or if development ceases to continue.

Materials

The development will endeavour to use materials from local or sustainable sources.

As the lodges are manufactured off-site and are delivered to site in a completed state, there will be very limited requirement for construction materials on site for the development.

Sustainable Urban Drainage System (SUDS)

Compliance and Independent Check Certificates will be submitted by an appropriately qualified engineer. The surface water drainage will discharge to a surface water detention pond on site.

Waste

Waste storage and collection points shown on Drawing No. 22133 02B.

Travel and Transport

The holiday lodge development is located at Bowershall and is accessed off the C53 road between the B915 and Townhill to the South of Bowershall.

The site is located 5 kilometres north of Dunfermline and 4 kilometres south-west of Kelty and as such it is well related to public transport links of road and rail.

In advertising/marketing for the holiday lodges, public transport routes (rail, bus, etc) will be identified and promoted to encourage the use of less environmentally damaging transport such as private cars.



Land 100M South, Balmule Cottage, Balmule, Fife
Erection of 5 Holiday Lodges, Formation of Access, Parking and Associated Works
Planning Ref No: 24/01267/FULL

STATEMENT OF REASONS FOR REVIEW

The proposed development is for 5 holiday lodges on a site approximately 2.4 kilometres North of the Dunfermline settlement boundary within a countryside location as defined within the Fife Local Development Plan (LDP) 2017.

The site is currently grassland located South of the B915 with Balmule Park Fishery to the North and open space/agricultural land to the East, South and West. There is a belt of trees between the agricultural land and the C53 road on the East of the site. The boundary of the small informal settlement of Bowershall is immediately to the South of the site.

The site to the North at Balmule Park Fishery has recently (and within this plan period) had approval for 4 holiday units (Planning Ref. No. 17/01648/FULL) and 8 further units more recently (Planning Ref. No. 22/01911/FULL).

In relation to the reasons for review, in our opinion the proposed development is in accordance with Policy 29 of NPF4 in that it is suitably scaled, sited and designed to be in keeping with the character of the area.

In terms of Policy 30 of NPF4, in relation to tourism related development, the proposals are compatible with the nature and scale of activity in the vicinity of the site i.e. the previously noted 12 holiday huts on the land at Balmule Park Fishery immediately to the North of the application site. In addition, the proposals will be accessible for disabled people which we understand the holiday huts may not be and thereby will offer a diverse opportunity for tourists.

In terms of Policy 1 of the Fife LDP (2017) the development ties in with Part A being in a location where the proposed use is supported by the LDP. The reason for this statement is that the aforementioned development has been supported by the LDP.

In terms of Part B of Policy 1, the development is in accordance with that part in that it will not entail the loss of infrastructure capacity; the loss of valuable agricultural, tourism and community resources; will not affect Fife's existing and allocated employment land; will not affect any town centres in relation to their attraction of people and be an appropriate use for the countryside, in this case tourism. In addition, the development has been designed to safeguard the character and quality of the surrounding landscapes in that the lodges, being on a mobile support structure, can be easily removed from site and the site would revert back to its original condition.

Under Part C, the layout of the site access and site roads has been designed to provide suitable and appropriate access within the site and the site access has been located to ensure the required visibility splays can be achieved should the development be approved. The visibility splays proposed are wholly within the ownership/control of our client.

A speed survey has been carried out to determine speeds on the road and thereby visibility requirements.

The drainage will be to a treatment plant discharging to a detention pond with an outfall to an existing lade.

The lodges will have heating and hot water provision by air source heat pumps.

Policy 1 of the Fife LDP (2017) supports development for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location. There is a proven need for tourism facilities in the area with the approved development at Balmule Park Fishery.

The holiday lodges will not be inhabited on a permanent basis which is similar to the approved development at Balmule Park Fishery, and they will only be occupied for 11 months of the year and can be removed from the site outwith these periods if that is a planning condition. As noted, the lodges are on mobile support structures so can easily be removed from site. Our client would be happy for a shorter occupation period, say 9 months if it was a condition for support.

On cessation of the holiday lodge usage, the lodges will be removed from the site so the impact on the landscape is at most, transitory.

Under Policy 7 of the Fife LDP (2017) the development also accords being a small scale employment opportunity, adjacent to the informal settlement of Bowershall, the development will assist with access to the countryside and being tourism facilities. The employment opportunity would be for 1 – 2 people for maintaining the lodges, cleaning and site maintenance, and managing the facilities.

Within Policy 13 – Natural Heritage and Access, the development is also in compliance as the existing trees on the outskirts of the site will be retained and additional appropriate planting will be carried out further allowing site to blend in with the surrounding landscape.

With regards Policy 14 of Fife LDP (2017), the lodges could be clad in horizontal timber cladding which is appropriate to the countryside and is approved at Balmule Park Fishery. We were never afforded the opportunity during the planning process to review the finishes as we had no contact from the planning officer in relation to any of the points raised in the report of handling for the application. Our client would be happy to agree to a condition, if the application was approved, for the external walls to be clad in timber. In terms of the height, the lodges are 2.58m high to eaves level with 4.0m being to the fridge which makes them low key, in our opinion.

The development being on the outskirts of the informal settlement of Bowershall is not visually prominent as the site is in a low lying area with a backdrop of Bowershall to the South and due to the contours of the land would not be visible from the B915 thereby having minimal impact on the surrounding landscape.

In terms of road safety the North visibility of 3.0 x 117m can be achieved (we noted 3.0 x 100m) and the South visibility splay of 3.0 x 172m (we noted 3.0 x 160m) whilst not fully achievable for full visibility (the lower section of cars may be slightly obscured) can be largely achieved. Full visibility to 3.0 x 145m can be achieved. In our opinion, the road safety concerns do not exist. Our client would be happy for a conditional approval in terms of the above visibility requirements.

In relation to the other comments in the report of handling, the development will have no detrimental impact on the amenity of neighbouring residential properties, is considered acceptable

in terms of Policy 3 of NPF4 and Policy 13 of the Fife LDP (2017) and will have no impact on surface water flooding.

We can also use low/zero carbon technologies to provide hot water and heating to the lodges via air source heat pumps. We note that this can be conditioned. The proposal is to use bottled gas.

Further low carbon technologies are also possible with photovoltaic panels for electricity generation.

In our opinion therefore the development accords with the relevant policies NPF4 and Fife LDP (2017) and there is also a precedent with the approval of the 12 holiday lodges at Balmule Park Fishery. There are also similarly approved developments within 5 kilometres of the site, a Lbtie Lodge and Craigduckie Shepherds Huts.



Appendix 1 - SuDS Design Compliance Certificate

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in designing the sustainable drainage system for the below named development in accordance with CIRIA C753: The SuDS Manual 2015, the current edition of Sewers for Scotland and Fife Council's – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.

ePlanning Reference No. 100617317 - 010

Planning Application No. (completed by Fife Council Planning Service) 24/01267/FULL

Roads Construction Consent No. (completed by Fife Council Planning Service) N/A

Name of Development HOLIDAY LODGE DEVELOPMENT

Name of Developer MR PATRICK SLATTERY

Name and Address of Designers Organisation S.A. MCGREGOR
GEOTECHNICAL & ENVIRONMENTAL ON-SITE SERVICES,
SERENJE, KINGSFORD STEADINGS, ALFORD
ABERDEENSHIRE, AB33 8HN

Name of Designer SARAH MCGREGOR

Position Held INDEPENDENT CONSULTANT

Engineering Qualifications² B.Eng (Civil Engineering)

Signed [Redacted Signature]

Date 25th August 2023

Drawing No's relative to this certificate

GROUND ASSESSMENT & DRAINAGE
RECOMMENDATION REPORT
Dated 28th June 2023 (SAM Ref 3347/23)

² Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.



Appendix 2 - SuDS Design – Independent Check Certificate

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in the below named development with a view to securing that:

1. It has been designed in accordance with CIRIA C753: The SuDS Manual 2015, Current Edition of Sewers for Scotland, Fife Council – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.
2. It shall be accurately translated into construction drawings and schedules.
3. I hereby confirm that I hold professional indemnity insurance for £5 million pounds.

ePlanning Reference No. 100617317 - 010

Planning Application No. (completed by Fife Council Planning Service) . 24/01267/FULL

Roads Construction Consent No. (completed by Fife Council Planning Service) N/A

Name of Development..... HOLIDAY LODGE DEVELOPMENT

Name of Developer..... MR PATRICK SLATTERY

Name and Address of Checker's Organisation

I. C. WILSON
 SANMILL CROFT
 TURRIFF, ABS3 4JY

Name of Checker..... IAN C. WILSON

Position Held..... CONSULTANT

Engineering Qualifications³..... BEng (MICE)

Signed [Redacted]

Date [Redacted]

24/8/2023

³ Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.



Appendix 5 - Confirmation of future maintenance of SuDS Apparatus

I hereby confirm that the future maintenance of the Sustainable Drainage Apparatus as detailed below and on the drawing numbered will be carried out in accordance with the attached maintenance schedule, by the undernoted organisation.

Planning Application No. (completed by Fife Council Planning Service) 24/01267/FULL

Roads Construction Consent No. (completed by Fife Council Planning Service) N/A

Name of Development..... HOLIDAY LODGE DEVELOPMENT

Name of Developer..... MR PATRICK SLATTERY

Name and address of maintenance organisation (including contact telephone number and e-mail address)

..... MR PATRICK SLATTERY

..... 19 KIRKBRAE

..... FRASERBURGH

Telephone: 01261 812267 Email: admin@mantellritchie.co.uk

Details of sustainable drainage apparatus to be maintained:

.....
.....
.....
.....

Signed

Name

Position Held

Name of Organisation.....

Date

Appendix 8 - Full Planning Application Checklist

Point	Description	Provided Y (Yes), N (No), N/A
3.0	Flood Risk Assessment.	N/A
4.4.1	A drainage layout.	Y
4.4.2	Confirmation of discharge rate.	Y
4.4.3	Calculations for any attenuation volume required.	Y
4.4.4	Soakaway information (i.e. ground investigation, porosity test).	Y
4.4.5	Pre-development and post-development flow path diagrams.	N/A
4.4.6	Confirmation of the SuDS treatment train.	Y
4.4.7	Assessment of the maximum groundwater level at the location of any underground attenuation features is applicable.	Y
4.4.8	Written evidence of Scottish Water's approval of the surface water drainage connection into their network at the rate agreed with Scottish Water.	N/A



Land 100M South, Balmule Cottage, Balmule, Fife
Erection of 5 Holiday Lodges (Static Caravans) and Formation of Access and Parking
Planning Ref No: 24/01267/FULL

Supporting Statement

The proposed development is for 5 holiday lodges on a site approximately 2.4 kilometres North of the Dunfermline settlement boundary within a countryside location as defined within the Fife Local Development Plan (LDP) 2017 .

The site is currently grassland located South of the B915 with the Balmule Valley Fishery to the North and open space/agricultural land to the East, North and West. The boundary of the small informal settlement of Bowershall is immediately to the South of the site.

In terms of policies of the Fife LDP (2017) the development ties in with Policy 1: Part A, being in a location where the proposed use is supported by the LDP. The development will also accord with Policy 1: Part B in that:-

- Will not entail the loss of infrastructure capacity.
- Will not entail the loss of valuable cultural, tourism and community resources.
- Will not affect Fife's existing and allocated employment land.
- Will not affect any town centres in relation to their attraction of people.
- Be an appropriate use for the countryside – tourism.
- Will not affect existing sports and recreation facilities and the amenity of the local community or businesses.
- Has been designed to safe guard the character and qualities of the surrounding landscape. The lodges being on a mobile support structure they can easily be removed from site and the site will easily revert back to its original condition.
- Will have no impact on flooding or impacts on the water environment.
- The drainage proposals will have no impact on the water environment.
- Will not affect natural resources.
- Will have no impact on the historic environment including archaeology, as there are no historic buildings or archaeology in the vicinity of the site.
- Will not compromise the performance or safety of strategic infrastructure.

And Part C in that:

- There is no requirement for affordable housing with the proposed development.
- The layout of the site accesses/roads has been designed to provide suitable and appropriate access within the site and the site access has been located to ensure the required visibility splays can be achieved, wholly within land under the control/ownership of our client. A speed survey has been carried out to determine speeds and visibility requirements.
- Waste collection and pick up points have been provided at the entrance to the development.

- The site is not within a settlement so green infrastructure is not required however the lodges can have heating/hot water from air source heat pumps if required.
- The drainage for the lodges will be via a 5000 litre Puraflo treatment plant discharging to a soakaway and a surface water detention pond with outfall discharging to an existing lade.
- There are no design briefs or development frameworks for the site.

Accord with Policy 13 – Natural Heritage and Access in that:

- Natural Heritage - the development has been sited to the outskirts of the informal settlement of Bowershall and existing trees will be retained/protected and the site will have additional appropriate tree planting for the area.
- The lodges can also be readily removed from site in the future and the site will revert to its original condition.
- Carbon-rich soils – there are no carbon-rich soils at the site.
- Woodland – existing trees will be protected.
- Green Networks – the site is outwith any settlements however the additional tree planting to the site will enhance the wildlife, recreational, landscape and access value of the area.
- Access – the development of the site has no impact on core paths, rights of way, etc.
- Provide for energy conservation in that the lodges will be well insulated and heating/hot water will be provided by bottled gas. As noted air source heat pumps are an alternative option.
- Electricity can also be generated for the lodges with photovoltaic panels on their roofs with battery back up for more economic use of the energy generated.

Based on the above, the development accords with Policy 1 in that it contributes to sustainable development introduced by Scottish Planning Policy.

The development will also accord with Policy 7 – Development in the Countryside in relation to items as follows:-

- 4 – It is a small scale employment opportunity adjacent to the informal settlement of Bowershall.
- 5 – Is facilities for access to the countryside as the accommodation will achieve this.
- 6 – The lodges are for tourism facilities which requires a countryside location.

The development is also of a scale and nature compatible with surrounding uses. The lodges are single storey so are low key. They are located on an existing roads infrastructure and will be well located for services connections, etc.

The existing trees at the site will be retained and protected and additional tree planting of appropriate local species will be planted to protect the overall landscape and environment quality of the area.

The site is not prime agricultural land.

Proposal Details

Proposal Name	100617317
Proposal Description	Proposed Holiday Lodge Development
Address	
Local Authority	Fife Council
Application Online Reference	100617317-012

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
22133 02B	Attached	A1
22133 05A	Attached	A1
22133 06	Attached	A1
SUDS Design Compliance Certificate	Attached	A4
Ground Assessment and Drainage Recommendation Report	Attached	A4
Car Speed Survey	Attached	A3
Low Carbon Checklist	Attached	A4
Low Carbon Statement	Attached	A4
Supporting Statement	Attached	A4
Statement of Reasons for Review	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-012.xml	Attached	A0

Agenda Item 4(4)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Representation(s)

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr Gregor Morgan

Address: Fitty View House Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development is inappropriate for this village. Creates an eye sore for surrounding neighbours. Would attract tourism which would cause nothing but disruptions to the surrounding area, which has no infrastructure to host said tourists.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr Ross Christie

Address: 4A Loch Street Townhill Dunfermline Fife KY12 0HH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the erection of the five proposed holiday lodges as it is not in keeping with the quiet feel of the hamlet of Bowershall. It would be a blot on the local landscape and raises concerns regarding holiday makers the mess they leave behind.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr Stewart Morgan

Address: Fitty View House Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Not natural with the surroundings. Eyesore and not appropriate for this small village.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mrs Gillian Morgan

Address: Fitty View House Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development as I have concerns regarding the safety of the proposed entrance to the site . Visibility is severely restricted due to blind summit to the south of the proposed entrance and blind corner to the north . I feel that the proposed lodges/static caravans are inappropriate for the surrounding village .

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mrs Rachel Christie

Address: 4A Loch Street Townhill Dunfermline Fife KY12 0HH

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development seems inappropriate as it does not keep with the surrounding environment. There is no infrastructure (i.e. bus stops, amenities etc) to support any tourism. Said tourists would also disrupt the village and environment. The road has a 40mph limit and is used extensively, introducing a new entrance/exit would pose as a risk for drivers as this is at the bottom of a blind hill.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr David Morgan

Address: Fittyview House Bowershall Dunfermline KY120RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to this application on the grounds that it does not fit with the surrounding area and the nature of the well established village of Bowershall, not as stated by the applicant agent as a small informal settlement !!

There is no requirement for the said Lodges/ static caravans within Bowershall as this will detract from the aesthetics of Bowershall. surely the change from the style of lodges from the applicants first application to this revised application with static caravans !!! does nothing to enhance his application. i would also like to say that i`m really interested to know how they are planning to achieve the visibility splays in both direction as there are blind summits in both North and south direction these maybe achieved if the road was dead flat and straight for as far as the eye can see, but looking on google maps ariel shot maybe the applicants hope to get this passed, so the general safety for road users and pedestrians would be compromised, the general aesthetics of the development are not in keeping and the hope of employment is very minimal and would most likely not be any resident of Bowershall.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr John Robinson

Address: Craigends Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The access into the site is too close to a blind summit in one direction, and a blind bend in the other. Planning decision makers must visit the site to fully understand this issue. Having had many near misses myself turning out onto this busy road, I think an increase in the number of vehicles turning will dramatically increase the likelihood of serious road traffic collisions. Particularly if these are holiday makers (supposedly), they won't be familiar with the area

The application is for Lodges. However, the description resembles caravans. The road from Kelty to Bowershall has numerous sites like this, none of which complement the surroundings. In fact they are an eyesore.

On these grounds, I strongly object to this development.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr Kenneth morgan

Address: 44 Dewar Street Dunfermline Fife KY12 8AD

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:i object

In the planning its states holiday lodges but in supporting statement from Mantell Ritchie they state holiday lodges (static caravans) again this is not in keeping with the hamlet of bowershall, the hamlet is not as stated in Ritchie Mantle statement a small informal settlement it dates back to 1600s AD in documents. the entrance to the site cannot have good visibility going north or south again a danger to on coming traffic from townhill (south) and from north from kelty and surrounding areas

i feel this is would not fit into bowershalls rural location !

Louise Morrison

From: Linda Pettie [REDACTED]
Sent: 02 July 2024 11:41
To: Development Central
Subject: Comments on planning application no. 24/01267/FULL
Attachments: deep flood on Road adjacent to proposed site.jpg; flooded road1.JPG; thumbnail_image_50403329.jpg; 2021-11-24-5.jpeg; 2021-11-24-4.jpeg; 2021-11-24-8.jpeg; 2021-12-12-1.JPG

Categories: In Progress

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Goodmorning

COMMENTS BY LINDA PETTIE, WHITECRAIG, BOWERSHALL ON PLANNING APPLICATION REF: 2401264/FULL

Myself and my family live just over the wall at Whitecraigs, to the south of Mr Slattery's land and proposed development. I object to this new application which follows on from the developer's failure to gain planning approval here in 2023. My reasons are as follows:

Not in keeping with the character of the surrounding area The accomodation can no longer be described as 'lodges' – they are large caravans. These units – (which must be sizeable as they accommodate 2 bedrooms, 2 bathrooms, lounge/kitchen) are indicated to be clad in white vinyl and have grey metal roofs. In the developer's agents' Supporting Statement they claim the development '*has been designed to safeguard the character and qualities of the surrounding landscape*'. I very much disagree. I believe these caravans would be an eyesore.

Extra volume of traffic onto existing road

The draughtsman has not marked out quite a few parking places that were on the 2023 submission. I assume that the unmarked parking areas will exist as before giving each of the units the same parking allowance as their neighbours? This could easily amount to ten cars, probably all of which will be exiting and entering the site as walking will be challenging. This is too much traffic unfamiliar with the road layout, entering this road at this point for safety I believe. Especially in heavy rain, with the new access road being so near the flood prone area. Short stay visitors will be unable in my opinion to assess fully the road risks.

Reasons given for Refusal of 1st application still hold

The developer's gathered traffic data makes no case for low traffic risk to holidaymakers. If this information is correct, the average speed travelling north is still too high considering the severely undulating unlit road and the rain water that fast-flows down the slope to the dip. *See images* Also although most drivers are considerate it only takes one speeding vehicle coming though in the dark to cause havoc for unwary holidaymakers. And we have definitely far more than one speeding vehicle.

I highly suggest that visibility is less than the visibility splays marked on the plans. Local residents have studied and measured. I very much hope that these splay measurements will be checked by planners, especially the splay looking south.

Despite the new potential to re-locate these static caravans at some point in the future, returning the field to more of its former state, they are possibly going to be here to stay indefinitely also. If permission is granted local residents have no power to have the developer remove them at any time in the future. Sporadic development of the countryside will occur in the same fashion. The risk of disturbing this long established nature corridor will be unchanged.

I note below some specific points:

Flooding: The new access road appears much closer to the lowest point in Bowershall where deep flooding occurs across the road as well as into the applicants's field. (see images). In heavy rain the slope downhill to this dip runs with fast flowing water. At this lowest point the surface of the gathering water misleads of its depth and cars do get stuck/break down at this point - a new added risk factor with the closer proximity of new access location.

Accidents do occur. Walls bordering this road though Bowershall are not infrequently breached, occasionally repaired to be breached again. Applicant's land has had wall/s breached. This is because it is a narrow -2 track road, unlit and undulating and drivers have nowhere to go if an accident is imminent but into these walls. It happened quite catastrophically at our adjacent property only a few years ago. Please see images attached.

Tree Planting

Plans on map show that tree planting close to the road is on the agenda. This risks being a visibility obstruction for exiting onto the road - for caravaners by car or also on foot.

Note: There are no footpaths directly from proposed units. Walking along road fraught with risk for unfamiliar visitors especially with children. Narrow sloping verges with long grass avoided as risk of wobbling onto road.

We at Whitecraigs risk having the same visibility obstruction from tree planting. We have lived here 20 years and have all that time ensured there is nothing at the road edge over 1 metre.

No 'Informal Settlement'

Bowershall, which the developer's agent calls 'a small informal settlement' is not accurately described here I believe. There has never been any informal or sporadic development in Bowershall.

It is a very long established small village – or hamlet (400 years). The locals here choose to live in peace, and quiet enjoyment of the countryside and its abundant wildlife.

Who benefits? The very small asset to tourism and the very small employment opportunity is far outweighed by this planned caravan site diminishing greatly the nature, wildlife and beauty of the area while also putting holidaymakers at traffic safety risk. And holidaymakers would find much to disappoint: no-where to walk in safety from the site into the surrounding countryside, no bus service, no local shop or playpark.

If this permission is granted we as a community here in the village will be powerless to stop this developer leaving these caravans on the site - till the caravans become delapidated in decades to come. You will see that there are quite a number of gapped tumbled stone areas all around the bordering walls of the applicant's land. These seem to go unattended to which does not bode well for future good management/maintenance. At least wooden lodges in a location that may fail as a business will deteriorate/erode naturally. Neither is desirable here, but the caravans are an even worse option. It is further a concern that as you know Mr Slattery owns the land right up to the road to the north. I feel there are already too many of these lodges and huts in the area - and some are truly an eyesore. There is a danger I feel that approval of this caravan application would risk opening the door to potentially more of the same on this land. The whole character of this rural area risks being altered by degrees.

I sincerely hope that permission will be refused so that the scattering of these accommodations can be curtailed and the beauty and peace of the area can be maintained – before it is too late

Sincerely,

Linda Pettie

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Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr Andrew Morgan

Address: 20 Oxcars Drive Dalgety Bay Dunfermline Fife KY11 9UG

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is just a rehash of the previous application but on a budget. Residential caravans are not in keeping with the village of Bowershall. Affecting the look & feel of the village. The traditional country village, which dates back centuries, is a close community who value the privacy & security that such a village provides. To have non residents that change constantly on the doorstep is a concerning issue which will affect these 2 valued aspects of the village. The blight of 'temporary' buildings that have popped up from the fishery to the M90 junction must stop here! With Balmule House setting a high standard that befits both that property & its land, as well as Bowershall village & it's surrounding fields upholding the traditional standards, this development would be a degrading addition to the countryside & the village. From portaloos & half finished sheds to a carpet dump, fields of old caravans & 2 sites with residential type caravans does the countryside really benefit from another such site?! Especially since it would seem that standards are very lax indeed & measures to ensure that these sort of developments are not required to be appropriately screened from view or monitored to ensure standards are met, upheld & that there is no 'creep' of further developments on these sites. This would be another opportunity to be flouted, when other things are already degrading our countryside. Road safety is also an issue as any possible visitors from the site would not have good visibility to access or exit the site to & from a road which is used by a large number of lorries, as well as other vehicles. This site would provide more benefit to the community & local area if it was planted with appropriate trees & other flora to help encourage wildlife & enhance the countryside.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mrs Victoria Hayes

Address: Marlfield Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Informal Settlement:

I am very concerned about this proposal for a static caravan site. Bowershall is not an informal settlement as implied by the proposer of this development, and can be seen on the Roy Military Map dated 1747-1752. Every part of it has been carefully controlled by the planning department, and the inhabitants take great pride in it both in choice of materials, form, design and traffic safety which has been a concern for me and my family personally for over 30 years, as we live adjacent to the blind summit.

As summarised by planning department further to previous application for development of this site, which was refused, the proposed caravan site would be another sporadic development and an eye sore, totally out of keeping with Bowershall. There are already too many of these to the north of the village, and this area is beginning to look akin to a shantytown.

Caravans are for the convenience of the owner:

There has been absolutely no sign of the owner taking any care of this land since he acquired it. The walls have not been repaired further to traffic incidents, and the trees on the land have been left to fall onto the overhead cables and through the boundary walls. If this project proved to be a failure, which I suspect it would, I can see no incentive for the owner to clear the land, and the prospect of deteriorating and collapsing caravans is not a good one. The only realistic intention for using mobile units is likely to be to enable further development on this site and the adjacent property in the future. A foothold for further development.

The new access proposal:

I question the measurements given on the plans for the visibility splays submitted by the applicant. They are far too optimistic. Also, with regards to the average speed, this is not an average bit of road. It's winding, narrow, has a huge dip where the exit is proposed, no pavement or lighting, and

a steep and lumpy verge that is impossible to walk on and that in some places is really non-existent. It's used routinely by huge skip carriers and lorries that completely fill the lane, and have a large stopping distance especially with the gain in momentum that they experience on descending into the dip and which they use to get out of the same. Pedestrians have to walk on the road, and this is scary even for residents who are rarely seen taking that risk.

When entering and exiting the proposed site, there is a period in the manoeuvre when car lights are not visible to oncoming traffic, and in periods of darkness, users are at higher risk of collision. When unwary visitors first look for the entrance, they will be unsure and slow, as they don't know the area. This situation will arise frequently. This happened a couple of years ago along this very same stretch of road, when a bad collision occurred even when the driver causing was not exceeding the speed limit.

The area around the proposed exit floods more deeply and much more frequently than it used to (climate change?). This can really hinder traffic badly. The water on the road trying to drain away can create a breaking slip hazard in downpours. I worry about those huge and heavy vehicles and their braking distance when they approach the proposed exit.

I also have concerns about that sewerage from the soak away might flood onto the public highway, as the land also floods at this point.

There is nowhere to walk from the proposed caravan site without taking risks on this dangerous bit of highway. To see the horses in the field across the road, eager children would have to cross and walk on it. They would be standing just inches from passing heavy lorries or hyped-up Knockhill drivers that use this route as a matter of course. (I wonder if the traffic surveys covered any Knockhill event days?) There are no public footpaths, pavement or buses. To go anywhere, the car must be used which adds to the risks for other drivers and has environmental impact. Unwary holiday makers either on foot or in car will be put at risk.

Further to all this, the field itself is a haven for wildlife. Over the years, hares and red squirrels have come back to Bowershall. It's always good to see trees planted anew, but the loss of a relatively rare, unspoilt bit of land with valuable wildlife habitat (that I feel really isn't the right spot for development and tourism), is surely not in the spirit of the government's objectives for conservation and promotion of wildlife habitat. Packed with all kinds of flora and fauna which supports a more diverse ecosystem, it is a wildlife corridor, and further, delineates the boundary of an old and beautiful rural settlement.

On balance, destroying this habitat, putting caravans there instead, and then planting a few well-intentioned trees as a replacement doesn't contribute to welfare, safety or visual amenity.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mrs Elaine Hutton

Address: East Bowershall Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object in the strongest possible terms to what will be a glorified campsite! I wholeheartedly agree with all the comments submitted by my neighbours

PLANNING APPLICATION NO. 24/01267/FULL – COMMENTS

Jasper Pettie

My family and I live at Whitecraig, the property adjacent to the proposed caravan site (south of the field owned by the applicant). We have lived at this address for the past 19 years.

I refer to the above Planning Application to install five static caravans on this field owned by Mr Slattery. This proposal plans to be developed adjacent to the north wall of our garden.

Firstly I note that the address on our Notification Letter of this proposed development is 'Land 100m south of Balmule Cottage, Balmule Fife', and indeed a long narrow strip of Mr Slattery's plan is delineated to extend and taper to a point at the crossroads to the north, which is '100m south of Balmule Cottage'. But I must point out that this proposed development is wholly within the boundaries of the long-established village of Bowershall and not at all adjacent to Balmule Cottage (or Balmule Fishery and the huts and lodges that have been built there). In my opinion this proposed development constitutes an unacceptable development of open countryside.

It is here, in the village of Bowershall that the impact of these large static caravans will be felt, and the thoroughfare through our village which will have to deal with the extra volume of traffic exiting and entering the site onto our severely undulated, unlit road with no pavements. A regular type of frequent traffic are the skip carriers fully loaded and heading to the recycling centre, and long curtain siders which can have difficulty passing each other. Coming down the slope they tend to pick up speed to see them up the next hill. This is the point where the new access road has been chosen. Vehicles with heavy loads struggle to break quickly as we have witnessed. It is clearly a danger, especially for unwary holidaymakers finding their way and turning right (or left) into the site.

Secondly, our Notification Letter describes the accommodation as 'Holiday Lodges'. One wonders if there is an attempt to conceal the fact that this accommodation is in fact not at all the holiday lodges on the 2023 application but comprises five static caravans of white vinyl and grey metal roofs? These are obviously going to be an eyesore, are ecologically unfriendly and far from in keeping with the surrounding countryside.

This plan is an obvious mar on the village of Bowershall's long established surrounding rural landscape and will impact the natural rural environment. I am sure this would be keenly felt by the village residents in general. But, one of my primary objections to this application being approved relates to their re-located access road from the main road which in my opinion would constitute a major and dangerous traffic hazard given the obvious volume of vehicles entering and exiting the road at this point. There is no safe exit on foot from this field for a visitor unaware of the risks.

The new entrance to this development appears to be much closer to the lowest point in the village which can flood after heavy rain and washes over the road, sometimes to a considerable depth. Rainwater streams down the hill and afterwards there is the added hazard of ice to contend with in winter. But deep flooding occurred most recently last month (June) and several cars were stranded for a period. There is much possibility that with climate change upon us more extreme weather can cause increased hazard. **(see flood photos 8 – 10 here)**

This main road running through Bowershall is narrow for some types of traffic regularly using it - and is unlit. It is an alternative route from Dunfermline to Kelty bypassing the M90 and is used by much heavy traffic, sometimes travelling at unwise speed for the road, to and from a local

recycling centre, all day on a regular basis and also car traffic heading for Knockhill. Moreover, there is no pavement on either side of this undulating roadway, just banked grass verges making it impossible for pedestrians to walk other than into the path of oncoming traffic. Just to the south of our house there is a blind summit and in order to improve safety for entry and exit to and from our property we erected a traffic mirror which enables us to see over the brow of this hill for oncoming traffic. As the road slopes down to where the access to this complex is proposed it would be impossible to observe oncoming traffic at any distance and safely enter or exit the complex, in my opinion. The visibility splays provided by the applicant are do not hold out. Visibility is less than stated. And because of the undulating nature of the road, headlights can be blocked from view until a vehicle is quite near.

There have in fact been a number of accidents since we have been at Whitecraig caused, in my opinion, by drivers travelling too fast for the local terrain and not appreciating they may suddenly see someone or something ahead and have very little notice to take evasive action. A few years ago a car stopped on the road below the brow of the hill and was immediately hit from behind by another car coming over the hill, not stopping in time and rendering the first car a write-off.

The most serious incident however occurred on 24 November 2021. Just before 7 a.m. a van belonging to Fife Council swerved to avoid a taxi reversing into our drive and getting stuck straddling the road. The truck smashed through our boundary wall then ploughed on headlong finally smashing our heating oil tank with a concussed driver at the wheel. This ruptured tank contained some 1000 litres of oil which spilled out into the ground, contaminating a large area including a small burn some 50m distant. My wife Linda witnessed the accident taking place, and helped the injured van driver out of his vehicle. He was very fortunate not to have severe injury. Police, Ambulance, Fire Brigade and SEPA all attended and while ultimately the damage was repaired, the resultant contamination was dealt with, this all resulted in considerable cost to Fife Council. I attach images of the damage to our property. **(see accident photos 1-7 here)** Unfortunately this proposed development could have the potential to give rise to similar incidents, with a clear risk of injury or fatality.

It is therefore my considered opinion that if this development were allowed to go ahead it would be to the detriment of the area generally, would be a traffic risk for holidaymakers and would undoubtedly create a precedence for other such schemes to proliferate in the area.

07/24







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you at
scot/elc
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Riaghaidh na h-Alba
gov.scot

SERVICES

TRANSIT

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Fife
COUNCIL















Welcome to
RSHALL
Drive carefully

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr Scott Mckinnon

Address: Waulkmill Cottage Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The road

Colin Cowper

From: JOHN JONES <[REDACTED]>
Sent: 07 July 2024 11:53
To: Development Central
Subject: Planning application 24/01267/FULL

Categories: In Progress

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern

Planning application 24/01267/FULL

OBJECTION

I was surprised to see the applicant reapply after having been refused permission on his original application 23/00492/full.

I have serious concerns re road safety.

No footpaths in the area for safe walking.

Young children would especially be at risk.

The design of the lodges is now for caravans, this will totally alter the character of the hamlet of Bowershall.

The population in the area is becoming skewed, taking into account the other huts/holiday air B&B's springing up in the vicinity.

Other developments like Yellowstone Country Park near by satisfy the need for people to access the country.

Will this development if approved remain at 5 units or will further development of this piece of land take place in the future as as happened with Balmule huts..

Yours faithfully

John David Jones

Balmule Cottage

Dunfermline

Fife

KY12 0RZ



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Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mr John Hayes

Address: Marfield Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have several objections to the proposed holiday caravan site on the field at the north west corner of Bowershall. The main objection is safety. There is inadequate visibility from both the north and south approaches as the proposed entrance is in a dip with blind summits at each end. The plan shows visual splays of 160m to the south and 100m to the north making a total of 260m. I have paced this out and have measured only 225 paces which means considerably less in meters. Therefore, the approaching vehicles have inadequate visibility and braking time. There has been a very serious crash on this stretch of road recently resulting in considerable damage and injury.

Pedestrian access to the site is non-existent as there is no pavement nor is there any lighting. This would make any visitors to the site feel restricted and unsafe.

There is also a question mark over the safety of the road from severe weather as we have frequently experienced heavy rainfall over the last decade which results in the road flooding in the dip adjacent to the proposed entrance.

I am also very concerned about the impact on nature and biodiversity. This field has remained uncultivated and undisturbed for many years. This has resulted in a rich biodiversity of flora and fauna, including a wide variety of native plants and insects, birds and mammals. The UK countryside has one of the most depleted wildlife/biodiversity in Europe and we need to preserve as much of it as we possibly can otherwise it may be lost forever.

I noticed that the proposers have described Bowershall as an informal settlement which seems a strange way to describe a place that has been in existence for 100s of years as can be seen by its existence on the Roy Military map of 1745. People come to live here for different reasons, some for professional art work and some to protect their vulnerable family from the strains of the outside world, but mostly for the peace and quiet, beauty and friendly neighbours. I fear that a holiday park may attract some people who will not respect the residents way of life, manifesting itself in late night noise and litter.

The proposers have previously put forward an application for holiday lodges on this site which was rejected by the council on grounds that it is inappropriate and not in keeping with the area. Since the application has changed little, they have proposed caravans instead of lodges, I cannot see how the council can accept the plan as this would contradict the previous ruling which would make no sense.

Comments for Planning Application 24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Customer Details

Name: Mrs Sarah McKinnon

Address: Waulkmill Cottage Bowershall Dunfermline Fife KY12 0RZ

Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objections are.

The road - unlit, current excessive usage and speed by large vehicles .

The impact on natural environment.

Colin Cowper

From: JOHN JONES [REDACTED]
Sent: 10 July 2024 12:30
To: Development Central
Subject: Planning application 24/01267/full

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

OBJECTION

Mrs Lindsay Jones

Balmule Cottage

Dunfermline

Fife

KY12 0RZ

The access to the development is close to a blind support ,even though the new plans show it in a new position.

Poor visibility for for properties all ready near this location of the new proposed access will be a contributing factor in making the road less safe.

The new design submitted will detract from the character of the Hamlet of Bowershall.If successful will it be expanded further in the future ?

There are no public transport links,the nearest access point being in Townhill.

There is no shop or public park in Bowershall for the residents of the new development to take advantage of.The nearest one being Townhill.

If the speed limit is altered on this stretch of road C915 ,how will it be monitored to make it effective ?

There are very few safe walking areas in the vicinity.

Yours faithfully

Mrs Lindsay Jones

This email was scanned by Fife Council

Agenda Item 4(4)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Consultee Comments

Tuesday, 18 June 2024



Local Planner
Fife House
North Street
Glenrothes
KY7 5LT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Land 100M South Balmule Cottage, Balmule, Fife, KY12 0RZ
Planning Ref: 24/01267/FULL
Our Ref: DSCAS-0112004-YTQ
Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works.

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Glendevon Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the

development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.

Development Services Analyst

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Consultee Comments for Planning Application

24/01267/FULL

Application Summary

Application Number: 24/01267/FULL

Address: Land 100M South Balmule Cottage Balmule Fife

Proposal: Erection of 5 holiday lodges, formation of access, parking and associated works

Case Officer: Emma Baxter

Consultee Details

Name: Mr Mark Berry

Address: Fife House, North Street, Glenrothes, Fife KY7 5LT

Email: Not Available

On Behalf Of: Natural Heritage, Planning Services

Comments

NHO comment for (refused) application 23/00492/FULL was issued on 11/09/2023: landscape planting detail and tree protection details were needed, plus an indication of how the biodiversity enhancement requirements were to be satisfied. The planting and tree protection aspects were addressed with a landscape plan (dated 18/09/2023) subsequent to NHO comment , but no further detail on biodiversity enhancement was provided.

This new application has a similar site layout (re: lodge locations), but with a changed access arrangement (plus very minor changes to the previous tree planting layout). The landscape plan identifies the tree species and specification, their locations and the tree protection arrangement for the retained component. While it can be assumed that the proposals will support more biodiversity than the extant agricultural grassland, detail to demonstrate how site biodiversity enhancements will satisfy the Policy requirements is still lacking (ideally part of the Design Statement).

With confirmation of the biodiversity enhancement initiatives to be used, in addition to some tree planting (e.g. use of wildflower grasslands), no further NHO comment would be required.

Planning Authority Name	Fife Council
Response Date	26th June 2024
Planning Authority Reference	24/01267/FULL
Nature of Proposal (Description)	Erection of 5 holiday lodges and formation of access and parking
Site	Land 100M South Balmule Cottage Balmule Fife
Site Postcode	N/A
Site Gazetteer UPRN	000320333311
Proposal Location Easting	309633
Proposal Location Northing	691308
Area of application site (Ha)	
Clarification of Specific Reasons for Consultation	
Development Hierarchy Level	N/A
Supporting Documentation URL	http://planning.fife.gov.uk/online/applicationDetails.do?activeTab=documents&keyVal=SDKXGXHFK0000
List of Available Supporting Documentation	As above URL
Date of Validation by Planning Authority	22nd May 2024 Development Type: Local - Business and General Industry
Date of Consultation	12th June 2024
Governing Legislation	Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006
Consultation Type	Full Planning Permission
PA Office	Kingdom House, Kingdom Avenue, Glenrothes, KY7 5LY
Case Officer	
Case Officer Phone number	03451 55 11 22

Planning Services Internal Assessment Sheet

Team	Trees, Planning Services
Application Ref Number:	24/01267/FULL
Application Description:	Erection of 5 holiday lodges and formation of access and parking
Date:	25/06/2024

Important Note

This is an internal planning assessment response provided from within Planning Services. It forms part of the overall assessment to be carried out by Staff on behalf of Fife Council as Planning Authority. The internal assessment is a material consideration in the determination of the application but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course.

Assessment Summary

1 POLICIES:

1.0.0 Town and Country Planning (Scotland) Act 1997 - Part VII Special Controls, Chapter 1 Trees: Section 159: It shall be the duty of the planning authority to ensure, whenever it is appropriate, that in granting planning permission for any development adequate provision is made, by the imposition of conditions, for the preservation or planting of trees, and to make such orders under section 160 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise.

1.1.0 Adopted FIFEPlan (2017) Spatial Strategy: Section 26: Fife’s rich natural, built and cultural heritage assets attract tourism to the area and encourage investment. These assets are protected by policies in the Plan. Preserving the local character of settlements and landscapes across Fife, (particularly where these are considered to have distinct and special qualities), and avoiding the loss or degradation of natural resources are fundamental principles of the Plan.

1.1.1 Adopted FIFEplan Policy 1 (Part B (7)); Policy 10 (7 and 8); and Policy 13: Proposals should safeguard the character and qualities of the local and natural environment and wider landscape, proposals should not lead to the loss of amongst others protected trees and woodland. Further guidance on how these qualities will be

interpreted and addressed are provided in Fife Council's Making Fife's Places Supplementary Guidance document. Policy 13 of FIFEplan also reiterates that development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of local importance including in this amongst others listed woodlands and trees and hedgerows that have a landscape, amenity or natural conservation value.

1.2.0 Making Fife's Places, Policy 13: Where large semi-mature/mature trees are present on and adjacent to a development site, distances greater than the British Standard will be expected and no new buildings or gardens should be built within the falling distance of the tree at its final canopy height. Woodland planting and individual trees should be planted in accordance with British Standards BS 5837:2012 Trees in relation to design, demolition and construction.

1.3.0 Scottish Government Policy Statement Creating Places: An emphasis should be placed on creating a 'sense of place' and taking cognisance of the context of the surrounding area and wider environment. Local Development Plans should have regard to the need to improve the quality of life in local communities by conserving and enhancing the natural and built environment to create more healthy and attractive places to live, and ensure proposals have regard to the need for high quality design, energy efficiency and the use of sustainable building materials.

1.4.0 NPF4, Policy 6: A) Development proposals that enhance, expand and improve woodland and tree cover will be supported. B) Development proposals will not be supported where they will result in: iii. Fragmenting or severing woodland habitats, unless appropriate mitigation measures are identified and implemented in line with the mitigation hierarchy. C) Development proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected to be delivered.

1.5.0 Scottish Government's Policy on Control of Woodland Removal: Woodland removal, without a requirement for compensatory planting, is most likely to be appropriate where it would contribute significantly to: • enhancing priority habitats and their connectivity; • enhancing populations of priority species; • enhancing nationally important landscapes, designated historic environments and geological Sites of Special Scientific Interest (SSSI); • improving conservation of water or soil resources; or • public safety.

1.5.1 Woodland removal, with compensatory planting, is most likely to be appropriate where it would contribute significantly to: • helping Scotland mitigate and adapt to climate change; • enhancing sustainable economic growth or rural/community development; • supporting Scotland as a tourist destination; • encouraging recreational activities and public enjoyment of the outdoor environment; • reducing natural threats to forests or other land; or • increasing the social, economic or environmental quality of Scotland's woodland cover.

1.6.0 Fife Forestry & Woodland Strategy 2013-18: WR1 Encourage the delivery of at least 60 - 100 hectares per year of new woodland across Fife, in accordance with the aims of the Fife Forestry and Woodland Strategy; WR3: Promote targeted expansion of existing woodlands through native woodland planting to strengthen existing forest habitat networks, thereby creating an interconnecting biodiverse network of woodland; WR7: Through the planning system, including master planning, ensure that new development and regeneration proposals include provision of high quality greenspace and woodland

creation; WR8: Promote woodland creation to enhance existing and new greenspace initiatives in urban and urban fringe areas, to encourage greater community involvement, opportunities for recreation and creating better links to the countryside.

1.6.1 Fife Forestry & Woodland Strategy 2013-18: CC1: For new development, ensure that due consideration is given through the planning system, to the Scottish Government policy on the Control of Woodland Removal; CC5: Raise awareness of the importance of trees in urban areas, including street trees and greenspaces, in reducing localised flooding and surface water flow; CC6: Promote the use of trees and woodland as part of new greenspaces and Sustainable Urban Drainage Systems (SUDS) in urban areas.

1.6.2 Fife Forestry & Woodland Strategy 2013-18: EQ1: Encourage the positive management of woodlands and trees where they are an important contributor to natural heritage and landscape quality; EQ2: Create and expand new woodland in areas that have become degraded through past industrial activities; EQ3: Ensure that trees and woodlands are considered as an integral part of development proposals through the planning system, including supplementary guidance, development briefs and masterplans; EQ5: Ensure the protection and management of existing woodland and the creation of new native woodland to safeguard and improve biodiversity and habitat connectivity; EQ8: Promote the protection, planting and management of policy woodlands, hedges and hedgerow trees where they will contribute to the appearance and diversity of the agricultural landscape; EQ9: Encourage long term plans for the sustainable management of woodland within Designed Landscapes.

2.0 CONTEXT

2.1 The site “Land 100M South Balmule Cottage Balmule Fife” is unaffected by any statutory protections of trees such as Tree Preservation Orders or Conservation Areas, and is unaffected by designations such as Ancient Woodland.

3.0 OVERALL ASSESSMENT

3.1 Regarding the proposed development site, existing tree cover is minimal, and limited to site edges. Development is only proposed within the southern site area, and in reference to this the only existing trees are to the south-west corner. Plans have been provided which identify these trees, show where protective fencing will be installed, the type of fencing to be used, and show that proposed lodges will be installed away from the root zones of these trees. This is sufficient to meet tree protection requirements.

3.2 With regards to landscape planting, plans have been provided which identify the location of new planting, the species to be planted, and heights at time of planting. Species range consisting of Rowan, Silver Birch and Oak, will utilise native broadleaf species and be sensitive to nearby woodland compositions. Since this area is within a woodland dispersal zone, utilising these species will bring biodiversity value.

3.3 The information to which the points above refer are sufficient in meeting tree planting and protection requirements. The only additional requirement is a statement on ongoing tree maintenance: who will undertake tree planting and replacement care and pruning for the next 5 years and how will this be approached.

4.0 CONCLUSION

4.1 Further information is required regarding ongoing tree planting management.

Important note

The above internal planning assessment response has been prepared at officer level within the Planning Services team responsible for the specific topic area .It is an assessment of the specific issue being consulted upon but it is important to remember that the response cannot be considered in isolation and outwith the overall assessment of the proposal under consideration. Fife Council as Planning Authority, in considering all the material considerations in an individual application can legitimately give a different weighting to the individual strands of the assessment, including consultation responses and the final assessment is based on a comprehensive and balanced consideration of all the aspects under consideration.

Signed by J Treadwell, Tree Protection Officer, Policy & Place Team
Date: 25/06/2024 E-mail: james.treadwell@fife.gov.uk

Planning Portfolio Internal Assessment Sheet

EPES Team	Transportation Development Management
Application Ref Number:	24/01267/FULL
	Erection of 5 Holiday Lodges and Formation of Vehicular Access and Parking at Land 100 Metres South of Balmule Cottage, C53, Balmule
Date:	31st July 2024
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input checked="" type="checkbox"/> Non-statutory
Consultation Summary	FILE:

Important Note

This is an internal planning assessment response provided from within Planning Services. It forms part of the overall assessment to be carried out by staff on behalf of Fife Council as Planning Authority. The internal assessment is a material consideration in the determination of the application but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course. The assessment will not be made publicly available until the case officer has completed the overall planning assessment.

Assessment Summary

1.0 OVERALL ASSESSMENT

- 1.1 This application is for the erection of 5 holiday lodges and the formation of a new vehicular access from the C53 public road. A previous application (23/00492/full) for a similar proposal was refused.
- 1.2 Policy 13 of NPF4 addresses sustainable transport and states that development proposals will be supported where it can be demonstrated that they provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks and will be accessible by public transport ideally supporting the use of existing services.

The remote location of the site means that vehicular trips would have the greatest modal share of person trips by prospective holiday makers and their visitors. There are no public footways on either side of the C53 and the road does not have any street lighting.

Whilst the site is adjacent to a National Cycle Route, this cycle route is more suited to experienced cyclists and would not be attractive for the use of recreational cyclists including children. Therefore, the lodges would not be situated within a sustainable location for the majority of prospective users and nearly all person trips to and from the site would therefore be undertaken by private cars. This does not comply with Policy 13 of NPF4.

Holiday developments must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips.

1.3 Transportation Development Management has a policy against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas. For clarification purposes, the built-up area, from a transportation point of view, is defined as the area within a 20, 30 or 40mph speed limit. The reason for this policy is that such vehicular accesses introduce, or increase, traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring, to the detriment of road safety.

1.4 The C53 public road is subject to a 60mph speed limit and according to the current Fife Council Making Fife's Places Appendix G, 3m x 210m visibility splays must be provided and maintained clear of all obstructions exceeding 1 metre in height above the adjoining road channel level, at the junction of the proposed vehicular access and the public road. In addition, a driver of a vehicle turning right into the proposed access from the C53 must have 210 metre forward visibility of northbound vehicles. Finally, drivers travelling southbound on the C53 must have 210 metre forward visibility of any stationary waiting to turn right into the proposed access.

A speed survey has been submitted in support of this application, with the recorded 85th percentile of traffic speeds being 47.9mph Northbound and 33.6mph southbound respectively. A table from an unspecified document (appears to be the Design Manual for Road and Bridges) has been used to derive the visibility splay requirements. However, for the avoidance of doubt, the relevant document for visibility splays for this type of development within Fife is Fife Council's Making Fife's Places Appendix G.

In terms of the required oncoming visibility splay (south direction), the recorded 85th percentile of traffic speeds was 47.9mph and according to Appendix G, the splay for a road with a 50mph speed limit is 3m x 180m. Therefore, when factoring in the results of the survey, the exact oncoming splay that would be necessary is 3m x 172m (47.9/50mph x 180m).

The necessary visibility splay in the other direction (North) would be 3m x 117m for the recorded 85th percentile of 33.6 mph (33.6/40mph x 140m). The nearest applicable standard within Appendix G being 3m x 140m for a rural road with a 40mph limit.

1.5 The submitted site plan Drawing No 2B shows the provision of a 3m x 160m oncoming visibility splay and a 3m x 100m visibility splay in the other direction (North), which would be sub-standard in terms of the splays required in point 1.4 above. In any case, the annotated oncoming splay on the plan does not take account of the significant blind summit in the public road to the south of the proposed access junction nor the height of the wall and land within the curtilage of the house to the South (Whitecraig). I will comment further on the issues with the visibility splays in point 1.6 below.

1.6 I recently visited the site again to assess the junction visibility splays and forward visibility that would be achievable at the proposed location for the new vehicular access.

An approximate oncoming visibility splay of 3m x 115m could be achieved, due to the summit in the public road obscuring visibility beyond this point. This splay is sub-standard when compared against the necessary 3m x 172m splay (32% deficient).

1.7 An approximate 3m x 102m visibility splay could be achieved in the other direction (North), due to the geometry of road. Again, this splay is sub-standard when compared against the necessary 3m x 117m splay in this direction.

1.8 Forward visibility for the driver of a vehicle turning right into the proposed new access from the public road would be approximately 115 metres, due to the summit in the public road obscuring visibility beyond this point. 172m forward visibility must be provided. Finally, a driver of another southbound vehicle on the C53 public road would have approximate forward visibility of 102 metres of any stationary vehicle waiting to turn right into the proposed access.

1.9 To summarise, the junction visibility splays, forward visibility for right turning drivers and forward visibility of stationary right turning vehicles would all be sub-standard at the junction of the proposed new access with the public road, to the detriment of road safety.

2.0 CONCLUSIONS

2.1 The proposals are unacceptable to TDM, as they would result in a development with no safe opportunities for person trips via walking, cycling and public transport, which is unsustainable and contrary to Policy 13 of NPF4

2.2 In addition, the necessary 3m x 172m oncoming visibility splay and 172m forward visibility for right turning drivers cannot be provided, as they are both significantly obscured by the blind summit in the public road. The junction visibility splay in the North direction and forward visibility of stationary right turning drivers are also sub-standard.

The proposals would result in the creation of a new junction which has sub-standard visibility splays in both directions, sub-standard forward visibility for a driver of a vehicle turning right into the site from the C53 public road and finally sub-standard forward visibility of a stationary right turning vehicle for other drivers travelling southbound on the C53, all to the detriment of road safety.

2.3 The proposal would result in the formation of a new vehicular access onto classified road which has sub-standard visibility (particularly in the oncoming direction and forward visibility for right turning drivers) and the resultant increase in traffic turning manoeuvres would conflict with through traffic movements and so increase the probability of accidents occurring, all to the detriment of road and pedestrian safety.

3.0 RECOMMENDATIONS

3.1 Refusal for the reasons detailed above.

Important note

The above internal planning assessment response has been prepared at officer level within the Planning Service team responsible for the specific topic area. It is an assessment of the specific issue being consulted upon but it is important to remember that the response cannot be considered in isolation and

outwith the overall assessment of the proposal under consideration. Fife Council as Planning Authority, in considering all the material considerations in an individual application can legitimately give a different weighting to the individual strands of the assessment, including consultation responses and the final assessment is based on a comprehensive and balanced consideration of all the aspects under consideration.

Author: Andy Forrester, Technician Engineer, Transportation Development Management

Date: 31/07/2024

Agenda Item 4(6)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Further Representations

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Your ref MMc/J8.36.403
Date: 07 November 2024 17:31:43

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Michelle,

Thank you for your letter of 5th November 2024 concerning the application for review of the decision made by the Fife Council to refuse planning permission for Application No. 24/01267/FULL, at Balmule Fife.

I wholeheartedly agree with the council's decision on all accounts, and my objections raised against the proposed development still stand.

Further to the last objection I submitted, with regards to the road safety issues, I was approached by a person sent by the council asking for some local knowledge of the topography of the road and land with regards to flooding. When I offered to accompany him along the road to the proposed exit site of the development, he refused my offer citing that he could see that the road was too unsafe for us to walk on, and he couldn't take the responsibility of accompanying me there due to the road safety issues.

Kind regards
Victoria Hayes

This email was scanned by Fife Council

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Re: Application Ref. 24/01267/FULL - Land south of Balmule Cottage, Balmule, Dunfermline
Date: 15 November 2024 15:20:07

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Michelle,

Would you please submit a further comment on this subject on my behalf?
As follows:

Location of the Development:

- The proposed site is very much a field in Bowershall. The road sign saying 'Welcome to Bowershall' is sited adjacent to the proposed exit, and the field boundary is almost entirely in Bowershall. It is so much closer to Bowershall than Balmule, and clearly any reference to Balmule is simply to further the cause of the developer in trying to distance its' huge impact on Bowershall where it is in reality proposed to be sited to all intents and purposes.
- Hence, the development does not 'tie up' with Balmule as it has much more impact on the amenities of Bowershall in terms of anything meaningful, such as lack of road safety, facilities, or visual amenity. The visual amenity of some of the huts at Balmule are questionable, and I do not agree that because these huts have been erected, that they should in any way set precedence for a caravan site at or immediately adjacent to Bowershall. It is a different scenario entirely, and contrary to the statement in the review request, I am not aware of any lodges having received planning permission at Balmule.
- The topography of the road at Bowershall and its adjacent structures are outwith the remit of the site owner, and so are the visibility splays. As are the Infrastructure Capacity in terms of lack of sufficiently safe roads, street lighting, pavements and facilities such as public transport.
- Trying to shoehorn tourism and all that goes with it into a field with access designed at a time when horses and carts were prevalent, whilst destroying the precious resources of fresh air, relative peace and quiet, adding to the already existing road safety concerns with a site providing poor visual amenity, noise, litter and pollution will certainly affect the local community and desirability of property within the area. It won't fit in with the surrounding landscape of Bowershall in character or quality and will not contribute to any safe guarding of the surrounding area, nor the existing wildlife corridor on the site, which will be destroyed.

- Waste contractors would be operating at a seriously dangerous position, especially in winter.
- - We already have had repeated surface water flooding issues with the existing lade which occurs when there are downpours which are becoming more frequent. This is without the extra demand this development would bring. Consequently, sewerage could end up on the road. There is also risk of freezing water increasing breaking distance (especially for those heavy vehicles that frequently use this road), and so this flood and freeze risk could increase significantly in the dip of the road where the exit is proposed, and is directly over this flood risk site which doesn't show in any of the plans, but is plainly visible in some of the photos I sent with my objections.
- - 'Employment opportunity' is so very small.

Many thanks
Victoria Hayes

From: [REDACTED]
To: [Michelle McDermott](#)
Cc: [REDACTED]
Subject: Planning application 24/01267/FULL
Date: 13 November 2024 11:25:26

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Michelle,

Thank you for notifying my wife and I of the Appeal lodged regarding the above planning application.

The speed limit has recently been lowered on the C53 yet we believe that our concerns re road safety regarding the site in question are still valid.

The gated access at the junction with the B915 /C53 was created when a car missed the right hand bend carried straight on and demolished wall.

The owner of the land at the time replaced wall with a gate !

The applicant has made much of the conditions he is prepared to adhere to if the original decision is overturned.If this proves to be the case what strategy does the planning department have in place to ensure the conditions are adhered to ?

Yours faithfully,

Mr John David Jones & Mrs Lindsay Jones,

Balmule Cottage

Dunfermline

KY12 0RZ

This email was scanned by Fife Council

From: [Andy Forrester](#)
To: [Michelle McDermott](#)
Cc: [Development Central](#); [Steve Iannarelli](#)
Subject: Application Ref. 24/01267/FULL - Land 100m south of Balmule Cottage, Balmule, Dunfermline
Date: 11 November 2024 09:11:04

Morning Michele,

I refer to your recent email regarding the applicant for the above application requesting a review of the decision to the Fife Planning Review Body.

I note that the review statement advises that an oncoming visibility splay (south direction) of 3m x 145m is achievable at the junction of the proposed vehicular access with the public road and a 3m x 117m splay can be achieved in the other direction. However, Fife Council's Planning Service Transportation Development Management team do not agree with this statement and for simplicity, I have cut and pasted the relevant sections relating to junction visibility and forward visibility from my previous response below: -

"Transportation Development Management has a policy against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas. For clarification purposes, the built-up area, from a transportation point of view, is defined as the area within a 20, 30 or 40mph speed limit. The reason for this policy is that such vehicular accesses introduce, or increase, traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring, to the detriment of road safety.

The C53 public road is subject to a 60mph speed limit and according to the current Fife Council Making Fife's Places Appendix G, 3m x 210m visibility splays must be provided and maintained clear of all obstructions exceeding 1 metre in height above the adjoining road channel level, at the junction of the proposed vehicular access and the public road. In addition, a driver of a vehicle turning right into the proposed access from the C53 must have 210 metre forward visibility of northbound vehicles. Finally, drivers travelling southbound on the C53 must have 210 metre forward visibility of any stationary waiting to turn right into the proposed access.

A speed survey has been submitted in support of this application, with the recorded 85th percentile of traffic speeds being 47.9mph Northbound and 33.6mph southbound respectively. A table from an unspecified document (appears to be the Design Manual for Road and Bridges) has been used to derive the visibility splay requirements. However, for the avoidance of doubt, the relevant document for visibility splays for this type of development within Fife is Fife Council's Making Fife's Places Appendix G.

In terms of the required oncoming visibility splay (south direction), the recorded 85th percentile of traffic speeds was 47.9mph and according to Appendix G, the splay for a road with a 50mph speed limit is 3m x 180m. Therefore, when factoring in the results of the survey, the exact oncoming splay that would be necessary is 3m x 172m ($47.9/50\text{mph} \times 180\text{m}$). The necessary visibility splay in the other direction (North) would be 3m x 117m for the recorded 85th percentile of 33.6 mph ($33.6/40\text{mph} \times 140\text{m}$). The nearest applicable standard within Appendix G being 3m

x 140m for a rural road with a 40mph limit.

The submitted site plan Drawing No 2B shows the provision of a 3m x 160m oncoming visibility splay and a 3m x 100m visibility splay in the other direction (North), which would be sub-standard in terms of the splays required in point 1.4 above. In any case, the annotated oncoming splay on the plan does not take account of the significant blind summit in the public road to the south of the proposed access junction nor the height of the wall and land within the curtilage of the house to the South (Whitecraig).

I recently visited the site again to assess the junction visibility splays and forward visibility that would be achievable at the proposed location for the new vehicular access. An approximate oncoming visibility splay of 3m x 115m could be achieved, due to the summit in the public road obscuring visibility beyond this point. This splay is sub-standard when compared against the necessary 3m x 172m splay (32% deficient). An approximate 3m x 102m visibility splay could be achieved in the other direction (North), due to the geometry of road. Again, this splay is sub-standard when compared against the necessary 3m x 117m splay in this direction.

Forward visibility for the driver of a vehicle turning right into the proposed new access from the public road would be approximately 115 metres, due to the summit in the public road obscuring visibility beyond this point. 172m forward visibility must be provided. Finally, a driver of another southbound vehicle on the C53 public road would have approximate forward visibility of 102 metres of any stationary vehicle waiting to turn right into the proposed access.

To summarise, the junction visibility splays, forward visibility for right turning drivers and forward visibility of stationary right turning vehicles would all be sub-standard at the junction of the proposed new access with the public road, to the detriment of road safety.”

The agents also advise in their statement that in their opinion the road safety concerns do not exist, TDM do not share this opinion.

I trust the above clarifies TDM's position in relation to the notice of review to the Fife Planning Review Body.

Regards
Andy Forrester
Fife Council
Planning Service, Transportation Development Management
3rd Floor West, Fife House
Glenrothes

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Response to Statement of Reasons for Review 2401264/FULL
Date: 14 November 2024 13:52:11

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Michell McDermott

Please find below my comments on the Agent's justifications for Review. I would be grateful if you would acknowledge that you receive this. Many Thanks.

Planning Application Reference: 2401264/FULL

Land 100m South, Balmule Cottage, Balmule Fife, Erection of 5 holiday Lodges.

From Linda Pettie, Whitecraig, Bowershall, KY12 0RZ

The below comments are in response to the Agent's Statement of Reasons for Review

Not Lodges but Static Caravans (See Spec on Drawing Ref 22133-06) White UPVC cladding/Grey Metal Roofs. I feel I need to emphasise this at the outset as they are described repeatedly as lodges throughout the documents. Caravans are not lodges, even with the addition of suggested cosmetic wood slat additions. They are extremely un-eco-friendly also I would suggest. They additionally state that these are in keeping with the character of the area. I disagree.

Accurately defining the proposed location of the development:

The site plan shows a narrow triangular boundary line for the development which reaches to a fine point at the crossroads to the north, adjacent to Balmule Fishery allowing the misleading description of the development's location as *100m South, Balmule Cottage* which is not the case. Their description gives the impression the proposed caravan location is a mere a stone's throw from Balmule Cottage and the Fishery. Note: The description of the proposed development states that it has Balmule Park Fishery *immediately to the north*. The Fishery is immediately to the north of the applicant's land but *not* the proposed development.

There is a large long established and beautiful open vista of rough grassland (a nature corridor) between the B915 to the north and the village of Bowershall to the south. This land is now owned by Mr Slattery and it is at the far, southern end, within the boundary of the village of Bowershall that the proposal is to locate caravans. Bowershall is a long established hamlet of around 400 years and has never had any informal or sporadic development. In other words it is not the 'informal settlement' repeatedly referred to throughout the documents as such by the agent.

The site plan that first appears on the current documents is the site plan for the actual lodges of the 2023 application!

This Review is surely for the 2024 refused application which changed the accommodation to static caravans, altered location of access road (closer to the flood area) and I believe changed the sewage drainage system. To say this is perhaps misleading is a big understatement in my opinion.

I believe that the 2023 refused application drawings, plans and specifications should not appear anywhere in this Review of the refused 2024 application.

The Developer's Justifications for these Accommodations

The applicant holds much stock in the fact that Balmule Fishery north of the B915 already has 'holiday lodges'. Firstly I would suggest that most of these are merely huts as that is what I believe is permissible at that location : 'Hutting". All are without any services – no sewage system, water or electricity. I would be pleased if Planners had the time to view the area as requested and see for themselves if what is already in the area of Balmule Fishery is any asset to tourism, or the character of the area but is instead mostly an eyesore. The logic of 'here already, why not more?' should be considered with much caution in my opinion, before the whole character and beauty of the area becomes erased by degrees.

Description of the caravans *'The lodges' are single storey and will be built off site.* A reminder here that they are actually talking about caravans. I personally have never heard of two storey caravans and I have also never heard of caravans being constructed in the field where they are to reside. This is another example of an attempt to make these caravans appear as something else.

The Agents states that *The impact on the land is at most transitory.* Who has the power to remove these caravans, once they are here?

Drainage The efficiency of the 'outfall to the existing lade' from the proposed detention pond cannot be guaranteed I would suggest. This is on private land to the east. Is there capacity? This is also close to the deep flood area – the lowest point in Bowershall.

A Barely Visible Development? The Agent's claim that due to the topography of the land the units would not be visible from the B915 to the north thereby affording minimal impact. Surely it is more important to consider the locals in Bowershall who will most certainly notice the visual impact of these units every single day as they would clash with the whole character of the surrounding landscape while also creating additional jeopardy on this undulating road from the extra volume of traffic entering and exiting the site.

Public Transport. In response to the Developer's proposed initiative to promote use of public transport to holidaymakers to the site thereby creating less dependence on car traffic, we have received an informed opinion from Mr Douglas Robertson, Managing Director, Stagecoach East Scotland which can be forwarded in full if requested. He firstly comments that there has not been a bus service through the village since 1981. He further remarks that public funding would be necessary for such a service and he considers that it is extremely unlikely this would be offered any time in the future due to budget constraints. Mr Roberston comments also that a **bus would not be permitted to stop in Bowershall** as it is too dangerous due to the undulating topography throughout the village and consequent blind summits.

Therefore I think the developer will be unable to promote any public bus service facility for proposed holidaymakers as he suggests. **The use of vehicles to enter and exit the site and the consequent jeopardy of this must be considered to be the almost universal option.**

Disabled Visitors

The agent further claims this site would be a preferred option for the disabled, having disabled access to the accommodations. Is it not also the case the disabled are more likely to require to exit and enter the site by a vehicle?

Road Safety

I note that the developer and agent live in Aberdeenshire. I feel that if they were local they would not make the comment that '*road safety concerns do not exist.*' Or as they appear to suggest that although their visibility splays do not quite comply, they are adequate. This is in my opinion only sponsored by the desire to turn a profit on purchased land at all costs. Attempting to locate in an unwise and risky location is taking precedence over risk to the visitors they hope to attract.

I can only emphasise again what I stated in my original objections: *There is a danger of serious injury, even loss of life to people accessing or exiting at the proposed access road.* I have personally witnessed alarming accidents on this road some of which I described in my original objections. As I type this I look out my window at the recent 40mph signage and observe many vehicles (sadly) roaring past as they ever did. Whatever the speed limit, there are always vehicles which will rush through the village of Bowershall as they opt for an unmonitored alternative route to the motorway. Heavy vehicles, and laden skip transportation struggle to lower their speeds as they begin to travel downhill, south to north where they would pass the planned access road on the same side of the road. I often observe large heavily laden vehicles 'tailgating' cars who are travelling at moderate speeds. They do this either unavoidably or deliberately. It is the variance of the vehicles which also causes jeopardy, from tractors, to boy racers, all not being seen till they are over the blind summit to the south, which is too near to gauge risk with confidence, especially for holidaymakers unfamiliar with the speed and visibility dangers. A final reminder: we have no pavements or street lighting.

I hope the above will be useful when the Review takes place.

Kind Regards

Linda Pettie

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Mac/J8.36.403
Date: 14 November 2024 11:33:51

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning Michelle,

I am emailing you regarding the appeal by Mr Patrick Slattery for the erection of 5 holiday caravans at Bowershall/Balmule.

I strongly agree with the councils reasons for refusal.

There are several points in his supporting statement for appeal that I would disagree with.

The design will not safeguard the character and qualities of the surrounding landscape. Quite the reverse.

I can never envisage the easy reverting to its original condition! By whom?

There is an on going water drainage and flooding issue. It frequently floods at times of heavy rain and this will only be made worse by the development.

The change from a fallow, disused field of poor agricultural value that has been left to rewild over the years to the benefit of the local wildlife to a caravan site with a few trees planted, will not enhance nature.

I do not feel that the scale and nature compatible with surrounding uses.

Access is by car only and there are no pavements from the development. The blind summits on both sides of the proposed entrance make this very dangerous.

Kind regards

John Hayes

Sent from my iPad

This email was scanned by Fife Council

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Fwd: Application ref 24/01267/FULL
Date: 18 November 2024 15:42:29

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I refer to the above application.

Mr Slattery, appears to be an individual determined to profit from an area of untouched nature.

To my knowledge, he is not a local resident and is therefore not able to appreciate the simplicity of an untouched field . In contrast to the simplicity he wants to create a development which only serves to benefit himself financially.

We have already submitted 2 objections to his proposals and he has appeared not to respect either the residents of Bowershall or Fife Councils well thought out decision.

I could in this email go over previously raised points re the road but I will just highlight that having a 40 mile/hour speed restriction does not deter road users driving at excessive speed. There are still individuals using this road who deem it an extension of Knockhill.

A proposed initiative to promote use of public transport through Bowershall seems unfeasible due to undulations in the road. We struggle to access our driveway safely so I fail to see how adding a bus stop on any stretch of the road is a safe option.

I lie in bed at night and often I am woken up by the roar of a speeding car, in the morning i am woken from 5.45am from the rumble and clanking of numerous skip lorries. I have to overtake barely visible cyclists in all weather and darkness.

I have to access my property with precise consideration for vehicles coming over a blind summit. I would suggest that our lived experience of the road and it's dangers is far greater than Mr Slattery.

It has been highlighted that the visibility splays "do not quite comply but are adequate" they either fully meet guidelines or they don't.

As obvious by this email we are both fully opposed and disappointed at the determined path of one individual to go to great lengths for purely financial gain despite having his application refused twice.

Sarah/Scott McKinnon.

Waulkmill cottage
Bowershall

This email was scanned by Fife Council

Agenda Item 4(7)

**Land 100m south of Balmule Cottage, Balmule,
Dunfermline**

Application No. 24/01267/FULL

Response to Further Representations

From: [Admin](#)
To: [Michelle McDermott](#)
Subject: RE: Application Ref. 24/01267/FULL - Land south of Balmule Cottage, Balmule, Dunfermline
Date: 02 December 2024 09:13:11

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dictated by Michael Ritchie

Dear Michelle,

Further to receipt of copies of the representations received in relation to the Notice of Review, we would respond as follows:-

- Transportation Development Management has a policy regarding new vehicular accesses out with established built-up areas. Built-up areas from a Transportation point of view are areas with a 20,30 or 40mph speed limit. The site is within the defined settlement boundaries (signage) of Bowershall. When the application was submitted early in 2024 there was no defined speed limit hence the speed survey that was carried out. However, since then from the representations received signage of '40mph' has been erected. The site access will therefore accord with Transportation requirements for accesses in built-up areas.
- The 40mph speed limit applies to the whole settlement of Bowershall, which also includes the application site. The site access is within the settlement signage. This being the case, the visibility splay requirements in a Southbound direction would in fact be 3.0 x 140.0m. As per our Statement of Reasons for Review, full visibility of 3.0 x 145.0m is available in this direction.
In any case, without the signage, and based on the speed survey, if visibility of 3.0 x 172.0m at Southbound direction is required, this can be achieved although full visibility is less.
- We are unsure as to what information the representees receive but the site address came from the planning service, not ourselves i.e. Land 100m South of Balmule Cottage, Balmule. The site is however within the signage for the outskirts of Bowershall.
- Although the proposed units are on transportable frames, they can be clad in timber as 'lodges' but can easily be removed from site on cessation of the lodge usage, say a conditional approval was granted.
- We note on our statement, a typo, the height to ridge is 4.0m (not fridge).
- Drainage tests have been carried out to show the site can be serviced with the outfall to an existing lade.
- We note that currently there is no bus service through Bowershall. However, the site is in close proximity to public service routes on the A823. So site users/tourists would be made aware of appropriate public services if available.

We trust the above can be included in the report to the Review Body.

Kind regards,

Michael Ritchie
Principal Architect

Shelley Marnoch
Secretary

Mantell Ritchie
Chartered Architects
27A High Street
BANFF
AB45 1AN

Tel. (01261) 812267

Email. admin@mantellritchie.co.uk

Website. www.mantellritchie.com

Agenda Item 5(1)

**Land to south of Somerville Avenue,
Dunfermline, KY12 8DB
Application No. 24/00739/PPP**

Planning Decision Notice

DMT Davidson Associates
Douglas Davidson
DMT Davidson Associates
4 The Square
Torphichen
Bathgate
United Kingdom
EH48 4LY

Planning Services

Emma Baxter

development.central@fife.gov.uk

Your Ref:

Our Ref: 24/00739/PPP

Date 19th July 2024

Dear Sir/Madam

Application No: 24/00739/PPP
Proposal: Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works
Address: Land To South Somerville Avenue Dunfermline Fife

Please find enclosed a copy of Fife Council's decision notice made on behalf of **Mr David Gray**, indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal or local review procedure should you wish to follow that course.

Should you require clarification of any matters in connection with this decision please get in touch with me.

Yours faithfully,

Emma Baxter, Planner, Development Management

Enc



DECISION NOTICE PLANNING PERMISSION IN PRINCIPLE

Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 **REFUSES PLANNING PERMISSION IN PRINCIPLE** for the particulars specified below

Application No: 24/00739/PPP
Proposal: Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works
Address: Land To South Somerville Avenue Dunfermline Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 24/00739/PPP on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interest of safeguarding the delivery of DUN035 Strategic Land Allocation. The proposed development could prejudice the future delivery of the DUN035 Strategic Land Allocation and no development framework/masterplan has been submitted with this application. . The proposed development is therefore contrary to Policy 1: Development Principles of the Adopted FIFEplan Local Development Plan.

Dated:19th July 2024

Derek Simpson

For Head of Planning Services

PLANS

The plan(s) and other submissions which form part of this decision are: -

Reference	Plan Description
01	Location Plan
02	Supporting Statement
03	Low Carbon Sustainability Checklist
04	Report
05	Report

Dated: 19th July 2024

Derek Simpson

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

ADVISORY NOTES TO APPLICANT

1Under the Coal Industry Act 1994 any intrusive activities, including initial site investigation boreholes, and/or any subsequent treatment of coal mine workings/coal mine entries for ground stability purposes require the prior written permission of The Coal Authority, since such activities can have serious public health and safety implications. Failure to obtain permission to enter or disturb our property will result in the potential for court action. In the event that you are proposing to undertake such work in the Forest of Dean local authority area our permission may not be required; it is recommended that you check with us prior to commencing any works. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at:www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property

2In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

To check your site for coal mining features on or near to the surface the Coal Authority interactive map viewer allows you to view selected coal mining information in your browser graphically. To check a particular location either enter a post code or use your mouse to zoom in to view the surrounding area

LOCAL REVIEW

If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 by notice sent within three months of the date specified on this notice. Please note that this date cannot be extended. The appropriate forms can be found following the links at www.fife.gov.uk/planning. Completed forms should be sent to:

Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT
 or emailed to local.review@fife.gov.uk

LAND NOT CAPABLE OF BENEFICIAL USE

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be

rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V Town and Country Planning (Scotland) Act, 1997.

Agenda Item 5(2)

**Land to south of Somerville Avenue,
Dunfermline, KY12 8DB
Application No. 24/00739/PPP**

Report of Handling

REPORT OF HANDLING
APPLICATION DETAILS

ADDRESS	Land To South, Somerville Avenue, Dunfermline		
PROPOSAL	Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works		
DATE VALID	07/05/2024	PUBLICITY EXPIRY DATE	27/06/2024
CASE OFFICER	Emma Baxter	SITE VISIT	None
WARD	Dunfermline Central	REPORT DATE	17/07/2024

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

1.0 Background

1.1 Description

1.1.1. This application relates to an area of land measuring approximately 780m² located with the Dunfermline settlement boundary. The site is currently part of an arable field and is bounded by agricultural land to the south and west, Somerville Avenue to the north and a private vehicle road to the east. The site would be accessed via Sommerville Avenue to the north.

1.2 The Proposal

1.2.1. This application seeks planning permission in principle for the erection of a dwellinghouse and associated works.

1.3 Planning History

1.3.1. The relevant planning history for the site and surrounding area is as follows:

Outline planning permission for formation of 6 serviced house plots (08/02749/WOPP) was refused November 2008 due to constituting unjustified development within the countryside.

Planning permission in principle (09/02600/PPP) for erection of dwellinghouse) was refused January 2010 due to constituting unjustified development within the countryside. This decision was upheld by the Planning Review Body in April 2010.

1.4. A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal. The following evidence was used to inform the assessment of this proposal

- Google imagery (including Google Street View and Google satellite imagery);
- GIS mapping software; and
- Site photos

2.0 Assessment

2.1 The issues to be assessed against the Development Plan and other guidance are as follows:

- Principle of Development
- Design / Visual Impact
- Residential Amenity
- Road Safety / Transportation
- Natural Heritage/Biodiversity
- Land Stability
- Drainage / Flooding
- Low Carbon

2.2. Principle of Development

2.2.1. Policy 16 of NPF4 states that development proposals for new homes on land allocated for housing in LDPs will be supported. Furthermore, Policy 15 states that development proposals will contribute to local living including, where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to:

sustainable modes of transport including local public transport and safe, high quality walking, wheeling and cycling networks;

employment;

shopping;

health and social care facilities;

childcare, schools and lifelong learning opportunities;

playgrounds and informal play opportunities, parks, green streets and spaces, community gardens, opportunities for food growth and allotments, sport and recreation facilities;

publicly accessible toilets;

affordable and accessible housing options, ability to age in place and housing diversity

2.2.2. Policy 1 of the adopted FIFEplan (2017) stipulates that the principle of development will be supported if it is either (a) within a defined settlement boundary and compliant with the policies for this location; or (b) is in a location where the proposed use is supported by the Local Development Plan.

2.2.3. As the proposal is situated within the settlement envelope of Dunfermline, there is a presumption in favour of development within FIFEplan. Furthermore, the site is situated within

close proximity to various amenities including convenience store, public house/restaurant, supermarket, primary school, play parks/open space and community centre and therefore would be considered consistent with Policy 15 of NPF4 and the 20 minute-neighbourhood principle. The site however is also situated within DUN035 strategic land allocation for Dunfermline north/west/southwest. Whilst the proposal is small scale, it is considered that the proposal could detrimentally impact the future delivery of this area of the SLA given that there is no overarching development framework/masterplan in place and the needs/locations of the strategic infrastructure currently remain unknown. Furthermore an undesirable precedent could be set which could lead to the incremental development of this site in the absence of a masterplan.

2.2.4. Overall, the site is situated within close proximity to various amenities and therefore is considered to be consistent with NPF4 Policy 15. Notwithstanding this, it is considered that the proposed development could detrimentally impact the future delivery of the DUN035 Strategic Land Allocation and is therefore contrary to FIFEplan Policy 1.

2.3. Design / Visual Impact

2.3.1. NPF4 Policy 14 applies and states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.

2.3.2. Policies 1 and 10 of the adopted FIFEplan (2017) states that development will only be supported if it does not have a significant detrimental impact with respect to visual amenity.

2.3.3. As this is an application for Planning Permission in Principle, detailed design aspects do not form a key part of the current application assessment and no indicative plans have been provided at this stage. Whilst the design and visual impact of the proposal will be fully considered at ARC stage, it is considered that a dwellinghouse in this location could be designed in such a way to be sympathetic to its surrounding setting and to negate any significant impact on the visual amenity of the surrounding area. Care ought to be taken when considering the design of any future proposal to ensure that the development is in keeping with the nearby pattern of development. With any full application, detailed plans including elevational drawings of the buildings and the wider site, details of proposed boundary treatments/landscaping as well as a list of external finishing materials would need to be submitted. Further details on good design and how this should relate to its context is contained in the guidance 'Making Fife's Places Supplementary Guidance' (2018).

2.3.4. In light of the above, subject to details and specification of the proposed materials and design being suitably addressed through the ARC process, it is considered that the proposal is acceptable in terms of visual amenity.

2.4. Residential Amenity

2.4.1. Policies 1 and 10 of the adopted FIFEplan (2017) state that new development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the local area are not adversely affected. Fife Council Planning Customer Guidelines on Minimum Distance Between Window Openings, and Daylight and Sunlight (2018) also apply.

2.4.2. Given the layout of the site and wider area, as well as the proximity to surrounding buildings, it is considered that the proposal could be designed in such a way to avoid any

significant detrimental impact in terms of daylight, sunlight and privacy levels. With any future planning application, detailed drawings demonstrating the proposals compliance with Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018) and Minimum Distance Between Window Openings should be provided.

2.4.3. Fife Council's Planning Customer Guideline on Garden Ground advise that all new dwellinghouses should be served by a minimum of 100 square meters of private usable garden space and that a building footprint of 1:3 will be required. It is considered that the site would be able to accommodate a sufficient area of garden ground for the proposed dwellinghouse. Where departure from Fife Council guidelines is proposed, this would need to be fully justified in any future design statement.

2.4.4. In light of the above, it is considered that the proposal would likely be acceptable in terms of amenity.

2.5. Road Safety / Transportation

2.5.1. Policy 13 of NPF4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- Will be accessible by public transport, ideally supporting the use of existing services;
- Integrate transport modes;
- Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- Adequately mitigate any impact on local public access routes

2.5.2. Policies 1 and 3 of the adopted FIFEplan 2017 state that development will only be supported where it has no road safety impacts. Making Fife's Places Transportation Development Guidelines (2018) also apply.

2.5.3. Fife Council's Transportation Development Management team were consulted on this application and advised that they have no objections to the proposal subject to the imposition of conditions regarding the construction of driveways, vehicular crossings, visibility splays and off-

street parking. Furthermore, and as outlined in paragraph 2.2.3. above, the site is situated in a sustainable location in close proximity to various amenities.

2.5.4. In light of the above, it is considered that the proposal subject to submission of satisfactory details as part of any application for approval of matters specified in conditions, would have no significant detrimental impact with regard to road safety and therefore complies with the Adopted FIFEplan (2017) and NPF4 in this regard.

2.6. Natural Heritage/Biodiversity

2.6.1. Policy 3 of NPF4 advised 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. Proposals should also integrate nature-based solutions, where possible.

(c) Proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

d) Any potential adverse impacts, including cumulative impacts, of development proposals on biodiversity, nature networks and the natural environment will be minimised through careful planning and design. This will take into account the need to reverse biodiversity loss, safeguard the ecosystem services that the natural environment provides, and build resilience by enhancing nature networks and maximising the potential for restoration.

2.6.2. Policies 1 and 13 of the adopted FIFEplan 2017 state that development proposals will only be supported where they protect or enhance natural heritage and access assets including (but not limited to) Local Landscape Areas, woodlands, trees and hedgerows that have a landscape, amenity or natural conservation value and landscape character and views. Furthermore, Policy 13 stated that development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets.

2.6.3. The site itself comprises of an area of an arable field. Fife Council's Natural Heritage Officer was consulted on this application and advised that for this application, a full ecological assessment is not considered appropriate. However, as indicated by the Supporting Statement (DMT Davidson Associates, March 2024) submitted with the application, the proposal provides an opportunity to enhance the ecological value of an otherwise low-value arable field (though with the loss of a small area of agriculturally productive land). Compliance with the biodiversity priorities will require to be demonstrated by submission of a biodiversity enhancement and management plan including details of mitigation and enhancement measures and future management arrangements for their long-term retention and monitoring.

2.6.4. In light of the above, subject to submission of satisfactory details as part of any application for approval of matters specified in conditions, the development proposals are considered to accord with the above provisions of policy and guidance in relation to biodiversity and natural heritage.

2.7. Land Stability

2.7.1. Policy 9 of NPF4 states that where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use. Moreover, Policies 1 and 10 of the Adopted FIFEplan advise that development proposals must not have a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.7.2. Policies 1 and 10 of the adopted FIFEplan (2017) states that Development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Furthermore, development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.7.3. The Land and Air Quality Team were consulted on the proposal and raised no objections. However they have requested that a preliminary risk assessment be undertaken, and any additional sampling/analysis or remedial measures recommended be carried out. Moreover, they request that Development Management should be notified should any unexpected materials or conditions be encountered during the development.

2.7.3. The application site is defined as located within a Coal Authority Development High Risk Area. The Coal Authority was consulted on this application and raised no objections to the proposed development subject to the imposition of conditions requiring the undertaking of additional investigatory works and remedial actions (where necessary) and the submission of a declaration/statement by a suitably qualified person confirming that the site has been made suitable and stable for development. They have also requested the inclusion of two informative notes.

2.6.4. In light of the above, the proposal subject to conditions would be considered acceptable in terms of contaminated land.

2.8. Drainage / Flooding

2.8.1. Policy 22 of NPF4 states that development proposals will:

- i. not increase the risk of surface water flooding to others, or itself be at risk.
- ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing bluegreen infrastructure.
- iii. seek to minimise the area of impermeable surface

2.8.2. Policies 1 and 3 of FIFEplan state that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by

adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Furthermore Policy 12 advises that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.8.3. It is considered that any future detailed proposal could be designed to incorporate sufficient measures to adequately deal with surface water attenuation. This matter would, however, be fully assessed at the ARC stage and a condition is recommended requiring that full details relating to surface water attenuation are submitted with any future ARC application. SEPA Flood Maps confirm that the site is not at risk of flooding and Scottish Water also advise that they have no objections to the proposal.

2.8.4. Overall, subject to submission of satisfactory SuDS details (as set out in Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (March 2022) as part of any application for approval of matters specified in conditions, the development proposals are considered to accord with the above provisions of policy and guidance in relation to drainage and flood risk.

2.9. Low Carbon

2.9.1 Policy 1 of NPF4 states that when considering all development proposals, significant weight will be given to the global climate and nature crises. In addition, Policy 2 states that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change.

2.9.2. Policy 1 and 11 of Fifeplan 2017 states that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction targets; construction materials come from local or sustainable sources; and water conservation measures are in place. Fife Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support.

2.9.3. The applicant has submitted a low carbon sustainability checklist which states that the proposed development would include low and zero carbon generating technologies in order to meet the standards of Policy 11 with regard to energy performance.

2.9.4. In light of the above, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

CONSULTATION RESPONSES

Scottish Water	No objections
TDM, Planning Services	No objections subject to conditions
Natural Heritage, Planning Services	No objection
Land And Air Quality, Protective Services	No objection subject to conditions
The Coal Authority	No objection subject to conditions

REPRESENTATIONS

None

CONCLUSION

The development is contrary to the provisions of policy and guidance relating to the principle of development but accords with those provisions relating to residential amenity, design/visual impact, land stability & contamination, drainage/flooding and road safety. Overall, it is considered that the proposed development is contrary to the development plan, with no relevant material considerations of sufficient weight to justify departing therefrom. The application is therefore recommended for refusal.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interest of safeguarding the delivery of DUN035 Strategic Land Allocation. The proposed development could prejudice the future delivery of the DUN035 Strategic Land Allocation and no development framework/masterplan has been submitted with this application. . The proposed development is therefore contrary to Policy 1: Development Principles of the Adopted FIFEplan Local Development Plan.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan:

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Guidance (2018)

National Planning Framework 4 (2023)

Other Guidance:

Fife Council Planning Customer Guidance on Minimum Distance Between Window Openings (2016)

Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)

Agenda Item 5(3)

**Land to south of Somerville Avenue,
Dunfermline, KY12 8DB
Application No. 24/00739/PPP**

Notice of Review



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.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 100665271-003

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:	DMT Davidson Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	DMT Davidson Associates
Last Name: *	Davidson	Building Number:	4
Telephone Number: *	01506 632888	Address 1 (Street): *	The Square
Extension Number:		Address 2:	Torphichen
Mobile Number:		Town/City: *	Bathgate
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH48 4LY
Email Address: *	mail@archiscot.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" value="Cathlaw Grange"/>
First Name: *	<input type="text" value="David"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Gray"/>	Address 1 (Street): *	<input type="text" value="Cathlaw Lane"/>
Company/Organisation	<input type="text" value="Gray Construction"/>	Address 2:	<input type="text" value="Torphichen"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Bathgate"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text" value="07802667692"/>	Postcode: *	<input type="text" value="EH48 4PE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="ddgray100@gmail.com"/>		

Site Address Details

Planning Authority:

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 to the south of Somerville Avenue Dunfermline KY12 8DB"/>
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Northing	<input type="text" value="687905"/>	Easting	<input type="text" value="308064"/>
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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)

Planning permission in principle for the erection of a dwellinghouse (class 9) and associated works

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.

The applicant requests a review of the decision to refuse planning permission in principle on the basis of the arguments set out in document GRAYCON_24--FRPB 01 attached as a supporting document

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)

Document GRAYCON_24--Fife Planning Review Body submission incorporating referenced public documents

Application Details

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

24/00739/PPP

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

19/03/2024

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

19/07/2024

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

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

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: Mr Douglas Davidson

Declaration Date: 30/09/2024

DMT

davidson associates

chartered architect

No 4 The Square Torphichen Bathgate West Lothian EH48 4LY
Phone 01506 632 888 Mobile Phone 07979 450 929
E-mail mail@archiscot.co.uk web <http://www.archiscot.co.uk>

Planning permission in principle for the erection of a dwellinghouse
(Class 9) and associated works at land to the south of Somerville
Avenue, Dunfermline KY12 8DB

Application 24/00739/PPP refused planning permission on 19 July 2024

Submission statement for consideration by
Fife Planning Review Body

On behalf of
Mr David Gray

Doc ref___*GRAYCON24_FPRB 01*

Application 24/00739/PPP

Planning permission in principle for the erection of a dwellinghouse (Class 9) and associated works at land to the south of Somerville Avenue, Dunfermline KY12 8DB

Application refused planning permission on 19 July 2024

The applicant seeks a review of the planning permission refusal and questions the validity of the reason for refusal because the applicant considers the imposition to be unreasonable and the decision flawed for the following reasons:

- **The site is within the defined settlement boundary;**
- **The proposed use is compatible with the LDP and is consistent with Policy 15 and 16 of NFP 4; and**
- **The proposals meet the requirements of, and comply with, the gateway Policy 1 of the FIFEplan Local Development Plan.**

The reason for refusal cites:

'In the interest of safeguarding the delivery of DUN035 Strategic Land Allocation. The proposed development could prejudice the future delivery of the DUN035 Strategic Land Allocation and no development framework/masterplan has been submitted with this application. The proposed development is therefore contrary to Policy 1: Development Principles of the Adopted FIFEplan Local Development Plan.'

It is our submission that the application complies with gateway parts A, B and C of Policy 1: Development Principles.

- Part A** The site is in the adopted plan and within the defined settlement boundary.
- Part B** The development impact of the single house proposal complies with the relevant criteria and supporting policies. The impact of the proposal is therefore manageable.
- Part C** The planning application submission demonstrated the proposal will comply with the appropriate criteria and supporting policies where relevant to the requirements of the development.

The applicant is not aware of any clause, sub-clause, header or specification contained within Policy 1: Development Principles of the Adopted FIFEplan LDP that requires the application site to contain, provide or comply with any development framework/masterplan. This may be a matter for the larger strategic land allocation and if the planning authority require to test the application against this criteria, then perhaps Fife Council require to have a development framework, masterplan or design brief in place, or produce one, against which the application can be tested. In the absence of such information there is no reasonable test that should be considered or actioned in strategic terms against this application.

National Planning Framework 4

NPF 4 states. 'It is a legislative requirement that planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise'.

It is submitted that by no stretch of the imagination could a 'perhaps', 'maybe' or 'possible' future occurrence seriously be deemed to be a material consideration. If potential future developments were deemed to be a material consideration then no planning application on any site could ever be granted without regard to the 'what ifs' or 'maybes' of the surrounding area. This really would be a nonsensical planning land management scenario. The premise of a fair and reasonable planning system is that every application must be considered and determined on its merits and not be sanctioned because someone thinks that somewhere down the line another development, which might never happen, could be affected.

The Local Review Body cited strategic land allocation protection in 2010 as a reason for denying development on the application site yet here we are again, some 14 years later, debating the same reasoning. Only now it is put forward by the planning officer as a reason to refuse an application, that accords with, and meets the test criteria of the FIFEPlan local development plan. This is surely the use of an unreasonable and unsubstantiated argument that cannot, in the fairness of the due process of planning, be deemed to be acceptable.

House of Lords Judgement 1998

The matter of development plan approval is reinforced by the House of Lords judgement on the City of Edinburgh Council v The Secretary of State (1998) wherein the following interpretation is provided:

'If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted.'

Annex A of Planning Circular 3 (2022) Development Management Procedures makes clear reference to Defining a Material Consideration and is appended.

Please note that this is an application for planning permission in principle to erect one house.

Reference to the planning case officer's Report of Handling indicates that the application proposals meet the planning tests of acceptable development in accordance with the LDP. In terms of the DUN035 land allocation, the site area is extremely small (780 m² or 0.024% of the land allocation of [326.7 Ha] 3,267,000 m²) and does not occupy a strategic location. The planning officer however considers that granting permission for a single house could prejudice or detrimentally impact the 'future delivery' of DUN035 to provide up to 4,200 houses and associated development. There appears to be no logical basis for suggesting a scenario where such a small insignificant development parcel could prejudice, stymie or cause effect on the implementation of the major landholding development. This application site does not occupy a strategic or landlocking position that could ever have any effect on the implementation of the FIFEPlan DUN035 development process.

Prejudice to development

Government advice that was contained within SPP 2014 suggested that ‘prejudice’ or such similar circumstances are only likely to apply where the development proposed is so substantial, or its cumulative effect would be so significant that to grant permission could undermine the fulfilment of the development plan intentions. That cannot possibly be the interpretation in this situation as this is a single house plot aligning with the existing development of Somerville Avenue and on the extreme edge of the DUN035 land allocation

A Planning Service

A core value of the planning service is that it should be plan-led, inclusive, proportionate and make decisions in a transparent and fair way to provide and create a supportive environment for development.

The overriding premise of planning is that all applications must be considered and determined on their merits and the information available. This process should not be influenced by something that might or might not happen in the future.

The DUN035 land allocation has been around since the LDP adoption in September 2017 and development is sought through private initiative. There has not been a suggestion of development in the last 7 years and there is no surety of site progression in the next 7, or even, 20 years.

It is unreasonable to sterilise an adjacent site that is capable of being easily undertaken within an existing adopted road development with both foul and surface water drainage in place on the plot and in accordance with the FIFEPlan LDP on the basis of nothing more than a future ‘maybe’ or a ‘perhaps’.

Evidence of detriment

There is no concrete evidence provided or even suggested by Fife Council Planning Services that can show how the application site could prejudice or detrimentally impact on any future delivery of the DUN035 Strategic Land Allocation.

National Planning Framework 4 adopted in 2023 (page 96 para 1 Plan Led Approach) clearly states:

‘it is a legislative requirement that planning decisions must be made in accordance with the development plan, unless material considerations indicate otherwise’.

NPF 4 (page 98 para 5 National Planning Policy part 2) again re-affirms this requirement.

There are two main tests in deciding whether a consideration is material and relevant:

1. It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land, and
2. It should relate to the particular application.

No material reasons against this application have been cited.

Planning precedent

The planning officer Report of Handling Para 2.2.3 indicates that granting permission could potentially lead to an undesirable precedent being set which could lead to incremental development of the larger land holding. Precedent is not a material consideration that is deemed acceptable in determining any planning application and precedent creation cannot therefore be suggested as a possible reason for refusing an application.

Policy 16 of NPF 4 states that development proposals for new homes on land allocated for housing in LDPs will be supported. The proposal complies with Policy 16 and also complies with Policy 15 as contributing to local living.

CONCLUDING STATEMENT

The application was registered on 07 May 2024 and the type of development was registered by Planning Services as LOCAL-HOUSING

At no point during the application validation process, or during the determination period, was there any suggestion that the application papers were incomplete by the non-provision of any development framework or masterplan relative to the DUN035 Strategic Land Allocation.

- The application was registered without any development framework/masterplan details.
- No information on development framework/masterplan detail was ever requested.

This suggests the Council did not consider that the application was should provide any such information and it was always viewed as a local, single house application.

- No request for further information was ever made by Planning Services during the determination period of the application.

The application submitted on Behalf of Mr David Gray was designed to establish a planning use in principle, was registered by Fife Council Planning Services as a PPP application and the adopted FIFEPlan LDP identifies the locus as appropriate for housing and associated infrastructure. The adopted FIFEPlan LDP identifies and thereby accordingly approves the land use in principle. To go against the adopted plan determination use must therefore question the legality of the Council decision in refusing permission for this application.

In terms of a proper legal process it must surely follow that:

- A use identified by the Council LDP for the land area cannot, and should not, be refused permission for that use in a subsequent PPP application that does not seek to vary that use.

It is therefore requested that the Fife Planning Review Body overturn and set aside the decision dated 19 July 2024, made by Derek Simpson for Head of Planning Services, to refuse Planning Permission in Principle for the application 24/00739/PPP at land to the south of Somerville Avenue Dunfermline KY12 8DB, and to grant Planning Permission in Principle for the development.

Personal statement by the applicant

About 20 years ago my company Gray Construction built the Somerville Avenue development.

I did make an application for consent on this the application site around 18 years ago and despite indications that it would be approved, it was refused. I have waited a long time for this ground to be adopted in to the local plan for development.

Despite meeting all reasonable development conditions, planning permission has been refused yet again. It is suggested that it does not fit in with the Council view of the strategic land allocation, yet there is no plan basis on which this can be assessed or reviewed.

It is as though I am about to go to a concert. The concert hall is open and I am the first to arrive.

The usher tells me that I cannot take my seat until everyone else has taken their seat.

I just happen to be the first one there.

Whether you decide in your review to grant permission or refuse permission, I will still own that piece of ground and any future developer will still have to design a masterplan layout excluding this piece of ground.

When I built the Somerville Avenue development, Fife Council transportation services made it clear that because of the visibility splay at the junction with the main road (William Street) that they did not want to see an increase in the traffic at that junction. It therefore follows that access to the huge SLA development area, that currently has no development plan, will most probably have to be taken from elsewhere.

It is almost impossible for this one small area to cause any hindrance to the larger development plan if and whenever that happens.

There is a distinct lack of single house plots for private individuals all over Scotland.

I therefore ask that you grant permission for this site.

David Gray.

EXTRACT FROM PLANNING CIRCULAR 3 DEVELOPMENT MANAGEMENT PROCEDURES

Annex A

Defining a Material Consideration

1. Legislation requires decisions on planning applications to be made in accordance with the development plan (and, in the case of national developments, any statement in the National Planning Framework made under section 3A(5)³⁴) unless material considerations indicate otherwise. The House of Lords' judgement on *City of Edinburgh Council v the Secretary of State for Scotland* (1998) provided the following interpretation. If a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.

2. The House of Lords' judgement also set out the following approach to deciding an application:

- Identify any provisions of the development plan which are relevant to the decision,
- Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies,
- Consider whether or not the proposal accords with the development plan,
- Identify and consider relevant material considerations for and against the proposal, and
- Assess whether these considerations warrant a departure from the development plan.

3. There are two main tests in deciding whether a consideration is material and relevant:

- It should serve or be related to the purpose of planning. It should therefore relate to the development and use of land, and
- It should relate to the particular application.

4. The decision maker will have to decide what considerations it considers are material to the determination of the application. However, the question of whether or not a consideration is a material consideration is a question of law and so something which is ultimately for the courts to determine. It is for the decision maker to assess both the weight to be attached to each material consideration and whether individually or together they are sufficient to outweigh the development plan. Where development plan policies are not directly relevant to the development proposal, material considerations will be of particular importance.

³⁴ Pending the adoption of National Planning Framework (NPF) 4, from which point the NPF itself will be part of the development plan.

5. The range of considerations which might be considered material in planning terms is very wide and can only be determined in the context of each case. Examples of possible material considerations include:

- Scottish Government policy and UK Government policy on reserved matters;
- Scottish Government circulars, planning advice notes and chief planner letters;
- Local Place Plans;
- Planning policies which do not form part of the statutory development plan;
- National Park Plans;
- Draft policies which are proposed to form part of the statutory development plan;
- Environmental impacts of the proposed development;
- Design of the proposed development and its relationship to its surroundings;
- Infrastructure impacts of the proposed development;
- Planning history of the site;
- Views of statutory and other consultees; and
- Legitimate public concern or support expressed on relevant planning matters.

6. The planning system operates in the long-term public interest. It does not exist to protect the interests of one person or business against the activities of another. In distinguishing between public and private interests, the basic question is whether the proposal would unacceptably affect the amenity and existing use of land and buildings which ought to be protected in the public interest, not whether owners or occupiers of neighbouring or other existing properties would experience financial or other loss from a particular development.

REFERENCES & BACKGROUND PAPERS

Planning application for Planning Permission in Principle (24/00739/PPP)
dated 19 March 2024

Fife Council Letter of Acknowledgement registering application (24/00739/PPP)
dated 13 May 2024

24/00739/PPP Decision Notice refusing Planning Permission in Principle dated 19/07/2024

24/00739/PPP Fife Council Report of Handling for the application dated 17/07/2024

Adopted FIFEPlan (2017)

Making Fife's Places Supplementary Guidance (2018)

National Planning Framework 4 (2023)

Planning Circular 3 (2022) Development Management Procedures

Scottish Planning Policy (2014)

DMT

davidson associates

chartered architect

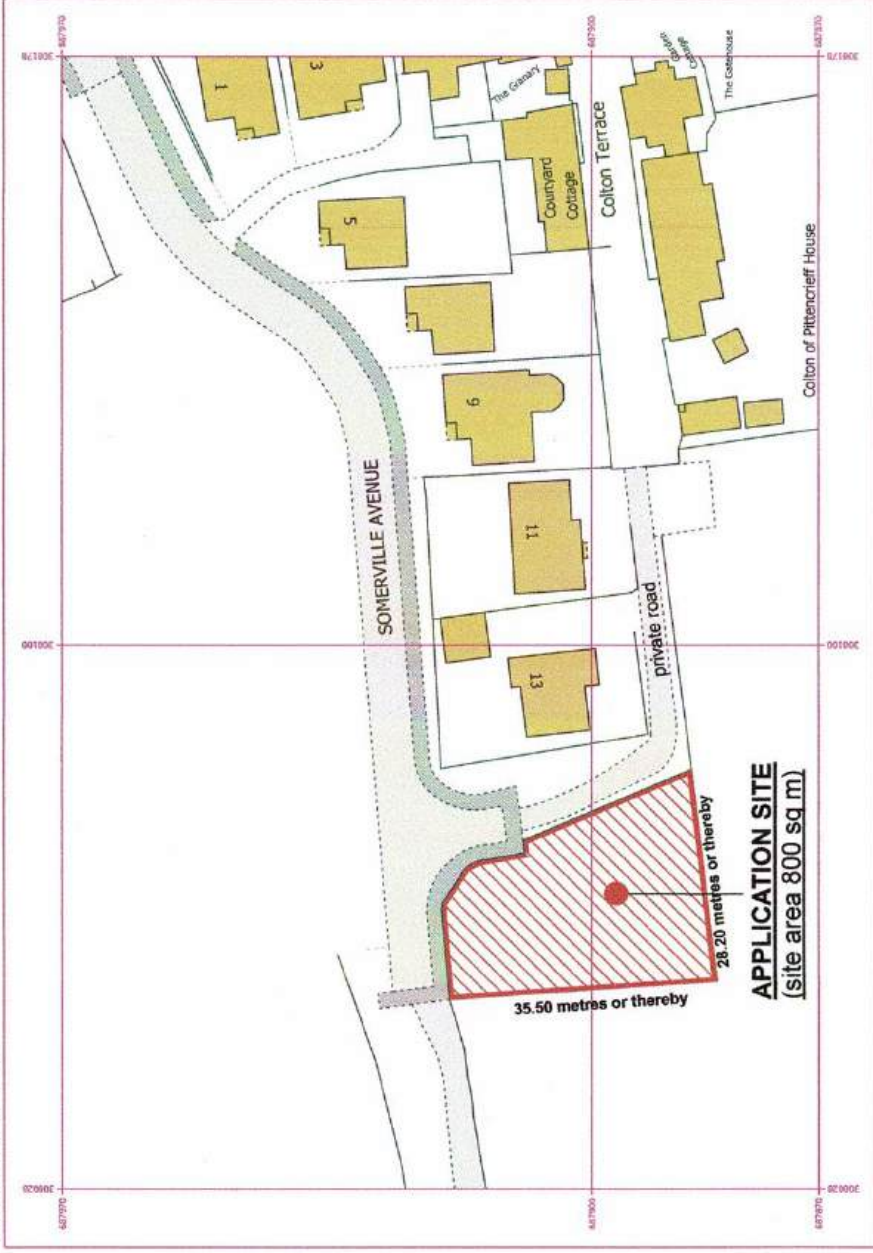
No 4 The Square Torphichen Bathgate West Lothian EH48 4LY

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scale 1:1000 @ A4

location plan 1:1000

Application for planning permission in principle
Land to the south of Somerville Avenue, Dunfermline KY12 8DB

Document GRAYCON24--LOC 01

Proposal Details

Proposal Name	100665271
Proposal Description	Planning Permission in Principle for the erection of a dwelling-house
Address	
Local Authority	Fife Council
Application Online Reference	100665271-003

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
GRAYCON_24--FPRB 01	Attached	A4
GRAYCON_24--LOC 01	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

Agenda Item 5(4)

**Land to south of Somerville Avenue,
Dunfermline, KY12 8DB
Application No. 24/00739/PPP**

Consultee Comments

Consultation Request Notification

Please use updated template attached for your response

Planning Authority Name	Fife Council
Response Date	27th May 2024
Planning Authority Reference	24/00739/PPP
Nature of Proposal (Description)	Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works
Site	Land To South Somerville Avenue Dunfermline Fife
Site Postcode	N/A
Site Gazetteer UPRN	000320297999
Proposal Location Easting	308067
Proposal Location Northing	687893
Area of application site (Ha)	
Clarification of Specific Reasons for Consultation	
Development Hierarchy Level	N/A
Supporting Documentation URL	http://planning.fife.gov.uk/online/applicationDetails.do?activeTab=documents&keyVal=SALR63HFGSK00
List of Available Supporting Documentation	As above URL
Date of Validation by Planning Authority	7th May 2024 Development Type: Local - Housing
Date of Consultation	13th May 2024
Governing Legislation	Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006
Consultation Type	Planning Permission in Principle
PA Office	Kingdom House, Kingdom Avenue, Glenrothes, KY7 5LY
Case Officer	
Case Officer Phone number	03451 55 11 22

Planning Services Internal Assessment Sheet

Team	Natural Heritage, Planning Services
Application Ref Number:	24/00739/PPP
Application Description:	Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works
Date:	27/05/2024
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input type="checkbox"/> Non-statutory
Consultation Summary	

Important Note

This is an internal planning assessment response which has been prepared at officer level within the Planning Service team responsible for the specific topic area. It is an assessment of the specific issue being consulted upon, but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course.

Assessment Summary

1.0 POLICY CONTEXT

National Planning Framework 4

The Scottish Parliament voted to approve Scotland's fourth National Planning Framework (NPF4) on 11 January 2023. Provisions of the Planning (Scotland) Act 2019 were enacted on 12 February 2023, with NPF4 being subsequently adopted on 13 February 2023 at 9am. Upon adoption, NPF4 superseded the 2014-issued Scottish Planning Policy.

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of a planning application is to be made in accordance with the development plan unless material considerations indicate otherwise.

Policies of relevance to this application include:

Policy 3 Biodiversity

This Policy aims to “...*protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.*” The targeted result is for development to enhance biodiversity and ensure better connections through strengthened nature networks and use of nature-based solutions.

Policy 4 Natural places

This Policy aims to “...*protect, restore and enhance natural assets, making best use of nature-based solutions.*” The targeted result is for development to ensure natural places are protected and restored and that natural assets are managed in a sustainable way such that their essential benefits and services are both maintained and grown.

Policy 6 Forestry, woodland and trees

This Policy aims to “...*protect and expand forests, woodland and trees.*” The aim is to protect existing trees and woodlands, expanding the cover and ensure that these resources are sustainably managed on development sites. There is a focus on habitat enhancement, or expansion to prevent fragmentation and improve ecological connectivity. Policy for woodland removal and compensatory planting is also covered.

Policy 20 Blue and Green Infrastructure

This Policy aims to “...*protect and enhance blue and green infrastructure and their networks.*” The defined result is to ensure blue and green infrastructure are integral to development design from an early stage in the process and are designed to deliver multiple functions, including climate mitigation, nature restoration, biodiversity enhancement, flood prevention and water management. An additional benefit identified for communities is the increased access to high quality blue, green and civic spaces.

Policy 22: Flood risk and water management Policy Principles

This Policy aims to “...*to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.*” The defined result is to ensure places are resilient to current and future flood risks; efficient and sustainable water resource use; and promote wider use of natural flood risk management to benefit people and nature. This will involve utilisation of the blue green infrastructure.

FIFEplan

Policy 1 (Part B) 7, 8 and 9: Development Principles

Development proposals must address their development impact by complying with the following relevant criteria and supporting policies, where relevant:

7. Safeguard the character and qualities of the landscape.
8. Avoid impacts on the water environment.
9. Safeguard or avoid the loss of natural resources, including effects on internationally designated nature conservation sites.

Policy 12 – Flooding and the Water Environment

Development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively:

3. Detrimentally impact on water quality and the water environment, including its natural characteristics, river engineering works, or recreational use.
4. Detrimentally impact on future options for flood management.

Policy 13 – Natural Environment and Access

Development proposals will only be supported where they protect or enhance natural heritage and access assets. Where adverse impacts on existing assets are unavoidable we will only support proposals where these impacts will be satisfactorily mitigated.

Development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets, as detailed in *Making Fife's Places Supplementary Guidance*.

In the particular case of development proposals that affect national sites, such proposals will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised or where any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

The application of this policy will require to safeguard (keeps open and free from obstruction) core paths, existing rights of way, established footpaths, cycleways, bridleways and access to water-based recreation. Where development affects a route it must be suitably re-routed before the development commences, or before the existing route is removed from use.

2.0 CONTEXT

2.1 The application area is on the margin of an arable field, on the western edge of Dunfermline.

3.0 OVERALL ASSESSMENT

3.1 FIFEplan states that all development should be considered through Policy 1. Examination of FIFEplan and review of the various publicly available interactive Council natural heritage mapping resources indicates that the site is within the settlement envelope and, additionally, located inside the boundary of a Strategic Land Allocation: *DUN035 Dunfermline N/W/SW*. This location is also identified as *Open spaces* on the Green Space record

3.2 The Fife Green and Blue Network and Ecosystem Services Map identifies an area of woodland adjacent to the north of Somerville Avenue (Asset GNA04834), associated with the wider riparian corridor/network report area of the Tower Burn (DUNGN03; N.B. this connectivity is provided by the Baldrige Burn, which crosses the route of William Street to the north of the site). The site itself is on the route of a network opportunity (GNOPP0056) for linking the Lyne Burn network (DUNGN01), Baldrige Burn network (DUNGN02) and the Broomhall SLA network (DUNGN05); an active travel route potential is also noted.

3.3 There are no other development or natural heritage priorities (sites designated for nature conservation, green space records, TPOs, etc.) within either close proximity or a Zone of Influence of the application site.

3.4 No potential access issues, relating to the Core Path Network, have been identified; however, a Local Path LP02 Crossford 2 passes along Somerville Avenue and will therefore require consideration.

3.5 The standard requested approach to natural heritage site assessment for planning applications is as follows:

- *Making Fife's Places Supplementary Guidance* provides information on the site assessment which must be submitted for natural heritage and biodiversity. A habitat survey should be undertaken and be used to help inform what further surveys are required. Any Protected Species (European and UK/Scotland) found to be present should be assessed with appropriate surveys undertaken and impacts and mitigation identified. All surveys should be carried out by suitably qualified professionals, following recognised current UK/Scottish guidelines and methodologies and the approach taken must be consistent. Surveys should be reported in full, with mapping provided as appropriate.

- Documents and plans should clearly identify existing natural heritage assets and how they are being retained and protected (e.g. any trees). A suitable buffer must be maintained between these and any development. No buildings or garden ground should be included in the buffer area.
- As required by policy and as detailed in *Making Fife's Places Supplementary Guidance*, biodiversity enhancement should be considered throughout the design process and details of this must be provided with the application. A proposed development will need to demonstrate an integrated approach to natural heritage and biodiversity, landscaping and Sustainable Drainage System (SuDS) design.
- To maximise biodiversity, native species of local or Scottish origin should be specified for landscaping. Also expected would be use of some of the following: native species-rich hedgerows, swales, plot raingardens, integrated bat roost boxes, integrated bird nesting boxes, and wildflower grassland instead of amenity grassland. *Making Fife's Places Supplementary Guidance* covers the integration of biodiversity enhancement into design. Further guidance is available from NatureScot in the form of their publication *Developing with Nature Guidance*¹, which is set within the framework of NPF4 Policy 3 and provides details of how to take nature into account when submitting a planning application and the types of enhancement available.
- From the Natural Heritage perspective, there is a design preference for surface water management to be removed from pipes as far as possible, as this provides an opportunity to create wildlife-friendly, visually attractive SuDS features that integrate with landscaping and amenity and deliver biodiversity enhancement.
- With regards to access and public rights of way, the responsibilities of land managers (and any appropriate provisions that may be required) are detailed in the Scottish Outdoor Access Code (SOAC), under the terms of the Land Reform (Scotland) Act 2003, as amended in 2016.

4.0 CONCLUSIONS/RECOMMENDATIONS

- 4.1 The Environmental report (Groundsure, March 2024) indicates Grade 4 moderate quality agricultural land capability, with adjacent land identified as grade 3.2 suitable for arable cropping.
- 4.2 For this application, a full ecological assessment is not considered appropriate. However, as indicated by the Supporting Statement (DMT Davidson Associates, March 2024) submitted with the application, the proposals provide an opportunity to enhance the ecological value of an otherwise low-value arable field (though with the loss of a small area of agriculturally productive land). Compliance with the biodiversity priorities will require to be demonstrated by submission of a suitably detailed landscape design. At this stage (i.e. the SLA is not currently being brought forward for development), it would be appreciated if the ornamental planting of the garden ground avoids potentially invasive species. Annex B to the 2022 NatureScot guidance includes a list of unsuitable species and a definition of “native” is provided below.
- 4.3 For the application to be compatible with the aims of the FIFEplan policies relating to the natural environment, access, flooding and the water environment, it must address the matters noted above and be supported by the information identified and as detailed in *Making Fife's Places Supplementary Guidance*. Compatibility with the relevant NPF4 policies will also require to be considered, as summarised above.

¹ NatureScot (2022). *Developing with Nature Guidance. Guidance on securing positive effects for biodiversity from local development to support NPF4 policy 3(c)*. Available online at: [Developing with Nature guidance | NatureScot](#)

Signed by: M Berry MCIEEM PIEMA, Natural Heritage Officer
Date: 27 May 2024
E-mail: mark.berry-ps@fife.gov.uk
Number: 03451 555555 extension: 474548

Note on “Native Species”:

When considering “native” species, this has two possible interpretations: those species of UK origin or those of Scottish origin. When referring to native species in the context of landscape planting in Scotland, this should be taken to mean plants native to Scotland. The Scottish Government Non-native species: code of practice² definition for a non-native species is as follows:

***Non-native** Animals and plants that have been moved to a location outwith their native range by human action, whether intentionally or not, are considered to be non-native. The term “native” is used in this Code to describe plants and animals that are within their native range.*

It is appreciated that formal landscape planting designs will generally include both UK and non-UK species; however, when emphasising use of native species for informal planting areas, these are to be of Scottish origin and therefore species outwith their typical range should be avoided.

² [Non-native species: code of practice - gov.scot \(www.gov.scot\)](https://www.gov.scot/non-native-species-code-of-practice)

Planning Portfolio Internal Assessment Sheet

EPES Team	Transportation Development Management
Application Ref Number:	24/00739/PPP
	Planning Permission in Principle for the Erection of Dwellinghouse at Land to the South of Somerville Avenue, Dunfermline
Date:	3rd June 2024
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input checked="" type="checkbox"/> Non-statutory
Consultation Summary	FILE:

Important Note

This is an internal planning assessment response provided from within Planning Services. It forms part of the overall assessment to be carried out by staff on behalf of Fife Council as Planning Authority. The internal assessment is a material consideration in the determination of the application but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course. The assessment will not be made publicly available until the case officer has completed the overall planning assessment.

Assessment Summary

1.0 OVERALL ASSESSMENT

- 1.1 This application is for the erection of a dwelling on a piece of land on the western side of Somerville Avenue's turning head.
- 1.2 An application for a similar proposal was previously submitted under reference (09/02600/PPP) and the application was subsequently refused, although, TDM had no objections subject to the imposition of suggested planning conditions.

2.0 CONCLUSIONS

2.1 Therefore, TDM have no objections to approval being granted, subject to the imposition of the following conditions.

3.0 RECOMMENDATIONS

- 3.1 Prior to the occupation of the dwelling, the construction of the vehicular crossing of the footway shall be carried out in accordance with the current Fife Council Making Fife's Places Appendix G. The vehicular access shall not be formed on the radius of the turning head. Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.
- 3.2 Prior to the occupation of the dwelling, all access driveways shall be constructed at a gradient not exceeding 1 in 10 (10%) and shall have appropriate vertical curves to ensure adequate ground clearance for vehicles. The first two metre length of the driveway to the rear of the public footway shall be constructed in a paved material (not concrete slabs). Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.
- 3.3 Prior to the occupation of the dwelling, visibility splays 2m x 25m shall be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at the junction of the vehicular access and the public road, in accordance with the current Fife Council Making Fife's Places Appendix G. The visibility splays shall be retained for the lifetime of the development. Reason: In the interest of road safety; to ensure the provision of adequate visibility at road junctions etc.
- 3.4 Prior to the occupation of the dwelling, off-street parking shall be provided in accordance with the current Fife Council Parking Standards contained within the current Fife Council Making Fife's Places Appendix G. The parking spaces shall be retained for the lifetime of the development. Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.
- 3.5 Prior to the occupation of the dwelling, the frontage of any garage shall be located at least six metres from the road boundary. Reason: In the interest of road safety; to ensure the provision of adequate space for vehicles to stand clear of the public road.

Important note

The above internal planning assessment response has been prepared at officer level within the Planning Service team responsible for the specific topic area. It is an assessment of the specific issue being consulted upon but it is important to remember that the response cannot be considered in isolation and outwith the overall assessment of the proposal under consideration. Fife Council as Planning Authority, in considering all the material considerations in an individual application can legitimately give a different weighting to the individual strands of the assessment, including consultation responses and the final assessment is based on a comprehensive and balanced consideration of all the aspects under consideration.

Author: Andy Forrester, Technician Engineer, Transportation Development Management

Date: 03/06/2024

MEMORANDUM

TO: Emma Baxter, Planner, Development Management
FROM: Donald Payne, Technical Officer, Land & Air Quality
DATE: 5 June 2024
OUR REF: PC009040C2 **YOUR REF:** 24/00739/PPP
SUBJECT: Erection of Dwellinghouse at Somerville Avenue Dunfermline

Thank you for your consultation on the above application.

Planning conditions are required to ensure the safe development of the site.

Air Quality

No comment.

Land Quality

I refer to GeolInvestigate 'Coal Mining Risk Assessment G24115' dated 7 May 2024.

It is noted drilling investigation is required to further assess the risks (Section 3).

If remedial measures are required to ensure safe development of the site, the applicant should submit a Remedial Action Method Statement detailing the measures that will be used to mitigate against potential risks. The statement must include a verification plan specifying when, how and by whom remedial measures will be inspected. The remediation statement must be submitted to and accepted in writing by the council before development work begins on site. A Verification Report would be required on completion and before occupation of any property.

On completion of investigation, it is recommended all boreholes are made safe by following SEPA 2010, 'Good practice for decommissioning redundant boreholes and wells' and verified to ensure no preferential pathway for ground gases is inadvertently created, see www.sepa.org.uk.

All land contamination reports should be prepared in accordance with LCRM or similar, PAN 33 and 'Advice for Developing Brownfield Sites in Fife', online at www.fife.gov.uk/contaminatedland.

Should Development Management approve an application for the site, it is advised that the contaminated land conditions LQC1 to LQC3 (attached) be utilised to ensure the site would be developed in accordance with the relevant technical guidance including PAN 33.

Please note that we are not qualified to comment on geotechnical matters relating to ground stability or foundation design. This response is from the Land & Air Quality team; our colleagues in Public Protection may submit their own response in relation to noise, odour or dust nuisance. Should you require any further information or clarification regarding the above comments, please do not hesitate to contact this office.

Model Planning Conditions for Land Quality

LQC1

NO DEVELOPMENT SHALL COMMENCE ON SITE until the risk of actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study) has been submitted by the developer to and approved in writing by the local planning authority. Where further investigation is recommended in the Preliminary Risk Assessment, no development shall commence until a suitable Intrusive Investigation (Phase II Investigation Report) has been submitted by the developer to and approved in writing by the local planning authority. Where remedial action is recommended in the Phase II Intrusive Investigation Report, no development shall commence until a suitable Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures and a Verification Plan specifying how, when and by whom the installation will be inspected.

All land contamination reports shall be prepared in accordance with LCRM, PAN 33 and the Council's Advice for Developing Brownfield Sites in Fife documents or any subsequent revisions of those documents. Additional information can be found at www.fife.gov.uk/contaminatedland.

Reason: To ensure potential risk arising from previous land uses has been investigated and any requirement for remedial actions is suitably addressed.

LQC2

NO BUILDING SHALL BE OCCUPIED UNTIL remedial action at the site has been completed in accordance with the Remedial Action Statement approved pursuant to condition. In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement — or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site — all work on site (save for site investigation work) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the local planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement — or any approved revised Remedial Action Statement — a Verification Report shall be submitted by the developer to the local planning authority.

Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement — or the approved revised Remedial Action Statement — and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

Reason: To provide satisfactory verification that remedial action has been completed to the planning authority's satisfaction.

LQC3

IN THE EVENT THAT CONTAMINATION IS ENCOUNTERED that was not identified by the developer prior to the grant of this planning permission, all development works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Sunday, 19 May 2024



Local Planner
Fife House
North Street
Glenrothes
KY7 5LT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

South Somerville Avenue, Dunfermline, KY12 8DT
Planning Ref: 24/00739/PPP
Our Ref: DSCAS-0109973-T27
Proposal: Planning permission in principle for the erection of dwellinghouse (Class 9) and associated works

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application. The applicant should be aware that this does not confirm that the proposed development can currently be serviced.

Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

- There is currently sufficient capacity in the Glendevon Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- There is currently sufficient capacity for a foul only connection in the Iron Mill Bay Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works. When planning permission has been granted and a formal connection application has been submitted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should refer to our guides which can be found at <https://www.scottishwater.co.uk/Help-and-Resources/Document-Hub/Business-and-Developers/Connecting-to-Our-Network> which detail our policy and processes to support the application process, evidence to support the intended drainage plan should be submitted at the technical application stage where we will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

Next Steps:

Single house developments, unless utilising private water or drainage sources, are required to submit a Water Connection Application and Waste Water Application via our Customer Portal to allow us to fully appraise the proposals. Please note that Single House developments are not required to submit a Pre-Development Enquiry form (PDE) however local network capacity will be assessed on receipt of application forms.

Further information on our application and connection process for Single Household development can be found on our website <https://www.scottishwater.co.uk/Business-and-Developers/NEW-Connecting-to-Our-Network/Single-Household-Customers>

I trust the above is acceptable however if you require any further information regarding this matter, please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Supplementary Guidance

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - Site Investigation Services (UK) Ltd
 - Tel: 0333 123 1223
 - Email: sw@sisplan.co.uk
 - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Development Operations department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or a Sustainable Drainage System (SUDS) proposed to vest in Scottish Water is constructed.
- Please find information on how to submit application to Scottish Water at our Customer Portal



200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119 (Planning Enquiries)
E: planningconsultation@coal.gov.uk
W: www.gov.uk/coalauthority

For the attention of: Case Officer

Fife Council

[By email: development.central@fife.gov.uk]

21 May 2024

Dear Sir or Madam

Re: Planning application 24/00739/PPP

Planning permission in principle for the erection of a dwellinghouse (Class 9) and associated works at Land to South, Somerville Avenue, Dunfermline, Fife

Thank you for your notification of 13 May 2024 seeking the views of the Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority response: MATERIAL CONSIDERATION

The application site falls within the Coal Authority's defined Development High Risk Area. Therefore, within the site and surrounding area there are coal mining features present at surface or shallow depths. The risk these features may pose should be considered as part of the planning process.

More specifically, the Coal Authority's information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. Voids and broken ground associated with such workings can pose a risk of ground instability and may give rise to the emission of mine gases.

The application is accompanied by a Coal Mining Risk Assessment report (7 May 2023, prepared by Geoinvestigate Ltd). Based on a review of coal mining and geological information, the report identifies the potential for unrecorded shallow mine workings to pose a potential risk of instability to new development at the site. As such, it goes on to recommend the drilling of boreholes to depths of up to 30.0m bgl in order to establish ground conditions and to confirm the presence or otherwise of coal seams/workings beneath the site.

The Coal Authority Planning & Development Team welcomes the recommendation for the undertaking of intrusive site investigations. These should be designed and carried out by competent persons, in cognisance of the conclusions of the Coal Mining Risk Assessment report, and should be appropriate in terms of assessing the ground conditions in order to establish the coal-mining legacy present and the risks it may pose to the proposed development.

The report does not outline what measures may be required in the event that mine workings are encountered within influencing distance of the surface. The results of the investigations should therefore be reviewed by competent persons and used to inform any remedial works and/or mitigation measures that may be necessary to ensure the safety and stability of the proposed development as a whole. Such works/measures may include grouting stabilisation works and foundation solutions.

The applicant should note that Permission is required from our Permitting & Licensing Team before undertaking any activity, such as initial ground investigation works and subsequent remedial works, which may disturb Coal Authority property. Any comments that the Coal Authority may have made in a Planning context are without prejudice to the outcomes of a Permit application.

Mine Gas

It should be noted that wherever coal resources or coal mine features exist at shallow depth or at the surface, there is the potential for mine gases to exist. These risks should always be considered by the LPA. The Planning & Development Team at the Coal Authority, in its role of statutory consultee in the planning process, only comments on gas issues if our data indicates that gas emissions have been recorded on the site. However, the absence of such a comment should not be interpreted to imply that there are no gas risks present. Whether or not specific emissions have been noted by the Coal Authority, local planning authorities should seek their own technical advice on the gas hazards that may exist, and appropriate measures to be implemented, from technically competent personnel.

SuDS

Where SuDS are proposed as part of the development scheme consideration will need to be given to the implications of this in relation to the stability and public safety risks posed

by coal mining legacy. The developer should seek their own advice from a technically competent person to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability, including the implications this may have for any mine workings which may be present beneath the site.

The Coal Authority Recommendation to the LPA

The Coal Authority's Planning & Development Team notes the conclusions of the Coal Mining Risk Assessment report; that coal mining legacy potentially poses a risk to the proposed development and that investigations are required, along with possible remedial and mitigatory measures, in order to ensure the safety and stability of the proposed development.

As such, should planning permission be granted for the proposed development, we would recommend that the following conditions are included on the Decision Notice:

- 1. *No above ground development shall commence until;***
 - a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and***
 - b) any remediation works and/or mitigation measures to address land instability arising from past coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.***

The intrusive site investigations, remedial works and mitigatory measures shall be carried out in accordance with authoritative UK guidance.
- 2. *Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the Local Planning Authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.***

The Coal Authority therefore has **no objection** to the proposed development **subject to the imposition of the above conditions**. This is our recommendation for condition wording. Whilst we appreciate that you may wish to make some amendment to the choice of words, we would respectfully request that the specific parameters to be satisfied are not altered by any changes that may be made.

We also request that the following Informative Notes are included on any planning permission decision notice:

1 - Ground Investigations and groundworks

Under the Coal Industry Act 1994 any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority since these activities can have serious public health and safety implications. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain permission to enter or disturb our property will result in the potential for court action. Application forms for Coal Authority permission and further guidance can be obtained from The Coal Authority's website at: www.gov.uk/get-a-permit-to-deal-with-a-coal-mine-on-your-property.

2 - Shallow coal seams

In areas where shallow coal seams are present caution should be taken when carrying out any on site burning or heat focused activities.

Please do not hesitate to contact me if you wish to discuss the above matters further.

Yours faithfully

James Smith

James Smith BSc. (Hons), Dip.URP, MRTPI
Planning and Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.

Agenda Item 6(1)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Planning Decision Notice

Gateside Design
James Watters
34 Millhill
Street
Dunfermline
Scotland
KY11 4TG

Planning Services

Brian Forsyth

development.central@fife.gov.uk

Your Ref:

Our Ref: 24/00214/FULL

Date 18th October 2024

Dear Sir/Madam

Application No: 24/00214/FULL
Proposal: Erection of dwellinghouse (Class 9) and associated development including formation of access on land adjacent to Plot 5
Address: Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife

Please find enclosed a copy of Fife Council's decision notice made on behalf of **Mr James Thomson**, indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal or local review procedure should you wish to follow that course.

Should you require clarification of any matters in connection with this decision please get in touch with me.

Yours faithfully,

Brian Forsyth, Planner, Development Management

Enc



DECISION NOTICE FULL PLANNING PERMISSION

Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **REFUSES PLANNING PERMISSION** for the particulars specified below

Application No: 24/00214/FULL
Proposal: Erection of dwellinghouse (Class 9) and associated development including formation of access on land adjacent to Plot 5
Address: Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 24/00214/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of residential amenity and business continuity; this development in close proximity to an existing commercial kennels predicted to benefit from an unsatisfactory noise environment, in turn prejudicial to operation of the kennels; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.
2. In the interests of residential amenity; the applicant having failed to adequately assess the effects of dog barking from the nearby dog kennels on the proposed amenity space to serve the development; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.
3. In the interests of safeguarding the rural character and qualities of the Cullaloe Hills and Coast Local Landscape Area from unplanned, unjustified, sporadic, ad hoc development; the development expected to contribute to the gradual erosion of that character and those qualities; contrary to the provisions of adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles, 7: Development in the Countryside, 8: Houses in the Countryside and 13: Natural Environment and Access; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place, 16 Quality Homes, 17 Rural Homes and 29 Rural Development; and Making Fife's Places Supplementary Guidance (2018).
4. In the interests of road safety; the development expected to lead to the intensification of use of an access onto an unrestricted distributor road outwith an established built-up area, which intensifications increase traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1:

Dated: 18th October 2024

Chris Smith

For Head of Planning Services

Development Principles and 3: Infrastructure and Services; and the adopted Making Fife's Places Supplementary Guidance (2018).

5. In the interests of management of flood risk; no evidence having been submitted to demonstrate that the existing SuDS system has capacity for the additional dwelling; the development thereby standing to be considered contrary to adopted FIFEplan Fife Local Development Plan Policies 1: Development Principles and 12: Flooding and the Water Environment; and adopted National Planning Framework 4 (2023) policies 1: Tackling the Climate and Nature Crises, 2: Climate Mitigation and Adaptation, and 14: Design, Quality and Place.

Dated: 18th October 2024

Chris Smith

For Head of Planning Services

Decision Notice (Page 2 of 3) Fife Council

PLANS

The plan(s) and other submissions which form part of this decision are: -

Reference	Plan Description
01	Location Plan
02	Proposed Block Plan
03	Proposed Site Plan
04	Proposed various - elevation, floor etc
05	Specifications
06B	Noise Report
07	Drainage statement/strategy
08	Low Carbon Sustainability Checklist
09	Report
10	Statement

Dated:18th October 2024

Chris Smith

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 by notice sent within three months of the date specified on this notice. Please note that this date cannot be extended. The appropriate forms can be found following the links at www.fife.gov.uk/planning. Completed forms should be sent to:

**Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT**

or emailed to local.review@fife.gov.uk

LAND NOT CAPABLE OF BENEFICIAL USE

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V Town and Country Planning (Scotland) Act, 1997.

Agenda Item 6(2)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Report of Handling

REPORT OF HANDLING
APPLICATION DETAILS

ADDRESS	Whitehill Sawmill, Parkend, Crossgates		
PROPOSAL	Erection of dwellinghouse (Class 9) and associated development including formation of access on land adjacent to Plot 5		
DATE VALID	02/02/2024	PUBLICITY EXPIRY DATE	06/03/2024
CASE OFFICER	Brian Forsyth	SITE VISIT	None
WARD	Cowdenbeath	REPORT DATE	15/10/2024

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise.

National Planning Framework 4 (NPF4) was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application process and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan Fife Local Development Plan (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

Section 24(3) of the Town and Country Planning (Scotland) Act 1997 states that where there is any incompatibility between a provision of the National Planning Framework and a provision of a Local Development Plan, whichever of them is the later in date is to prevail. The Chief Planner's letter adds that provisions that are contradictory or in conflict would likely be considered incompatible.

1.0 BACKGROUND

1.1 This approximately 0.1 hectare application site relates to both a plot of brownfield land adjoining the north side/hammerhead end of the development originally the subject of planning permission in principle 17/03923/PPP/approval of matters specified conditions 18/02191/ARC and to the thereby approved private access road leading to the plot off the east side of the C26 Mill Farm Road, midway between Crossgates and Aberdour. The plot and development referred to were the site of a former sawmill. The plot is approximately 300 square metres in area. Adjoining the plot to the south is a house on Plot 5 of the aforementioned development, across the hammerhead to the east are houses on Plots 6 and 7 of the development, and there are dog kennels and an associated house to the west with the passing Mill Farm Road beyond.

1.2 Full planning permission is sought for the erection of a two-storey dwellinghouse (Class 9) and associated development. This is a revised scheme to that refused planning permission under ref. 22/02516/FULL, as detailed in 1.3 below.

1.3 The following relevant site history is listed in the Council's electronic register: -

- Planning permission in principle for residential development (ref. 13/01616/PPP) of the sawmill site was approved subject to conditions on 2 August 2013
- Planning permission in principle for residential development (renewal of planning permission in principle 13/01616/PPP) (ref. 17/03923/PPP) of the sawmill site was approved on 19 January 2018
- Approval of matters specified by condition for the erection of 9 dwellinghouses (17/03923/PPP) (ref. 18/02191/ARC) on the sawmill site was approved subject to conditions on 28 January 2019
- Planning permission for the erection of a dwellinghouse with associated access and parking on Plot 7 (ref. 20/01014/FULL) was approved subject to conditions on 1 August 2020
- Substitution of house type on Plot 6 (amendment to application reference 18/02191/ARC) (ref. 21/00763/FULL) was approved subject to conditions on 15 December 2021
- Planning permission for the erection of dwellinghouse (Class 9) and associated development (substitution for that for Plot 5 in approval of matters specified in conditions 18/02191/ARC) (ref. 22/00113/FULL) was approved subject to conditions on 20 April 2022
- Planning permission for erection of dwellinghouse (Class 9) and associated development on land adjacent to Plot 5 of adjacent development (ref. 22/02516/FULL) was refused on 12 January 2023.

1.4 A physical site visit has not been undertaken for this planning application. All necessary information has been collated digitally to allow for the full assessment of the proposal. A risk assessment has been carried out and it is considered given the evidence and information

available to the case officer, this is sufficient to determine the proposal. Online interactive panoramas provide good coverage of the site.

2.0 ASSESSMENT

2.1. The issues to be assessed against the Development Plan and other guidance are as follows: -

- Principle of Development
- Design/Visual Impact
- Residential Amenity
- Road Safety/Transportation
- Ground Conditions
- Flood Risk and Water Management
- Building Sustainability

2.2 Principle of Development

2.2.1 NPF4 states that a plan-led approach is central to supporting the delivery of Scotland's national outcomes and broader sustainable development goals, reinforcing the provisions of Section 25 of the Act.

2.2.2 NPF4 Policy 1 Tackling the Climate and Nature Crises states that when considering all development proposals significant weight will be given to the global climate crisis. NPF4 Policy 13 Sustainable Transport states that development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area. NPF4 Policy 14 Design, Quality and Place states that proposals that are inconsistent with the qualities of successful places, including connected and sustainable, will not be supported. NPF4 Policy 16 Quality Homes states that proposals for new homes on land not allocated for housing in the local development plan, such as is the case here, will only be supported where, amongst other things, the proposal is consistent with plan spatial strategy and other relevant policies including local living, 20 minute neighbourhoods, and rural homes. NPF4 Policy 17 Rural Homes states that proposals for new homes in rural areas will be supported where the development involves, amongst other things, reuse of brownfield land where a return to a natural state has not or will not happen without intervention, with proposals for new homes in rural areas to consider how the development will contribute to local living.

2.2.3 In terms of FIFEplan, the site lies within an area of countryside. FIFEplan identifies control over development in open countryside as a component of the plan's spatial strategy, Policies 1: Development Principles, 7: Development in the Countryside and 8: Houses in the Countryside collectively not supporting development of houses in the countryside, except where (Policy 8 refers):

1. It is essential to support an existing rural business;
2. It is for a site within an established and clearly defined cluster of five houses or more;
3. It is for a new housing cluster that involves imaginative and sensitive re-use of previously used land and buildings, achieving significant visual and environmental benefits;
4. It is for the demolition and subsequent replacement of an existing house provided the following all apply:
 - a) the existing house is not listed or of architectural merit;

- b) the existing house is not temporary and has a lawful use; or
 - c) the new house replaces one which is structurally unsound and the replacement is a better quality design, similar in size and scale as the existing building, and within the curtilage of the existing building.
5. It is for the rehabilitation and/or conversion of a complete or substantially complete existing building;
 6. It is for small-scale affordable housing adjacent to a settlement boundary and is required to address a shortfall in local provision, all consistent with Policy 2: Homes;
 7. A shortfall in the 5 year effective housing land supply is shown to exist and the proposal meets the terms of Policy 2: Homes;
 8. It is a site for Gypsy/Travellers or Travelling Showpeople and complies with Policy 2: Homes; or
 9. It is for an eco-demonstration project proposal that meets the strict requirements of size, scale, and operation set out in Figure 8.1 below.

2.2.4 Planning Services' Transportation Development Management team (TDM) recommends refusal of planning permission as the proposal would be sited within an unsustainable remote location and would therefore not be compliant with NPF4 Policy 13 Sustainable Transport, the remote location meaning that trips by car would account for almost all person trips by prospective residents and their visitors to and from the site.

2.2.5 Criterion '2' above of FIFEplan Policy 8 is of relevance here. Supporting text states that for housing proposed in a cluster to be acceptable, it must address the following requirements:

- It will require to be located within a clearly defined gap within the cluster and should incorporate other built development on at least two sides, forming a continuous, interconnected grouping. Housing proposed clearly outwith or on the edge of the group will not be permitted.
- The new houses should not result in ribbon development (that is, building houses alongside a transport route) or coalescence (joining up) of the group with a nearby settlement/another housing cluster.

2.2.6 The proposed dwellinghouse is adjacent to the cluster originally approved under 17/03923/PPP and 18/02191/ARC. There would be built development on at least two sides of the plot, to the east and south, and would round off the existing cluster. As such, the proposal is considered to accord with the above provisions of FIFEplan policy relating to the principle of development and, in turn, those of NPF4 relating to the principle of development.

2.3 Design/Visual Impact

2.3.1 NPF4 policy 14 Design, Quality and Place states that proposals will be designed to improve the quality of an area, with proposals that are poorly designed, detrimental to the amenity of the surrounding area, or inconsistent with the qualities of successful places, not supported. These qualities include in relation to designing for scale, built form and sense of place. Collectively, NPF4 policies 16 Quality Homes, 17 Rural Homes and 29 Rural Development state that development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.2 Collectively, FIFEplan Policy 1: Development Principles, 7: Development in the Countryside and 8 Houses in the Countryside state that development must be of a scale and

nature compatible with surrounding uses and located and designed to protect the overall landscape and environmental quality of the area. FIFEplan Policy 10: Amenity states that development proposals must demonstrate that they will not lead to a significant detrimental impact on, amongst other things, visual amenity. Making Fife's Places Supplementary Guidance (2018) is also relevant here.

2.3.3 The site lies within the Cullaloe Hills and Coast Local Landscape Area.

2.3.4 In terms of materials and detailed aspects of design, it is considered that the proposal would be in keeping with the adjacent housing cluster, in the context of which it would be read. However, compared to the plots within the cluster, this plot is relatively small, irregularly shaped, and has a poor physical relationship with the cluster. The resulting proposal within would have an underscaled and cramped appearance, with poor visual connectivity with the cluster, at odds with the prevailing pattern of development, reading as incongruous viewed from both within the cluster and from Hill Farm Road. As such, it is considered that the proposal would have a significant adverse impact on the character of the Cullaloe Hills and Coast Local Landscape Area and visual amenity generally, contrary to the above provisions of policy and guidance in relation to design/visual impact.

2.4 Residential Amenity and Business Continuity

2.4.1 NPF4 policy 14 Design, Quality and Place states that development proposals that are inconsistent with the policies of successful places, including in relation to mitigating against noise, will not be supported. NPF4 policy 23 Health and Safety states that development proposals that are likely to raise unacceptable noise issues will not be supported; a noise impact assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. The agent of change principle Impacts on the operation of existing or proposed businesses and commercial operations applies to noise sensitive development.

2.4.2 Collectively, FIFEplan Policies 1: Development Principles and 10: Amenity state that development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity, including in relation to noise, privacy, sunlight and daylight, and impacts on the operation of existing businesses and commercial operations. Fife Council Garden Ground, Minimum Distance Between Window Openings, and Daylight and Sunlight Planning Customer Guidelines also apply. Fife Council Policy for Development and Noise 2021 and Scottish Government Planning Advice Note 1/2011 Planning and Noise also apply.

2.4.3 Two representations have been received by and on behalf of the proprietors of the nearby dog kennels. Concerns are expressed in relation to noise.

2.4.3 Taking into particular account the above Customer Guidelines, it is considered that the proposal would accord with the above provisions of policy and guidance relating to plot ratio, garden ground, natural light and privacy.

2.4.4 Given the proximity of the site to the neighbouring dog kennels to the west (closer than the dwellinghouses within the cluster), the applicant submitted a noise report. The Council's Environmental Health (Public Protection) team (EH(PP)) notes that the report recommends a 'closed window' solution for proposed habitable rooms, which solution EH(PP) does not consider appropriate for this development. Moreover, EH(PP) does not consider that the effects of dog barking from the kennels on the proposed amenity space have been adequately assessed.

EH(PP) is also concerned as to the effects the proposal would have on the licenced kennels. EH(PP) finds that it cannot support the proposal and recommends refusal.

2.4.5 In relation to EH(PP)'s position on a 'closed window' solution, standing advice from EH(PP) is that the REHIS Briefing Note 017 Noise Guidance for New Developments advises only in exceptional circumstances should satisfactory internal noise levels only be achievable with windows closed and other means of ventilation provided; for the purposes of that guidance, exceptional circumstances are considered to be proposals which aim to promote sustainable development and transport within the local authority area and which would provide benefits such as: (a) reducing urban sprawl; (b) reducing uptake of greenfield sites; (c) promoting higher levels of density near transport hubs, town and local centres; and (d) meeting specific needs identified in the local development plan; exceptional circumstances generally applying only to sites which are small to medium in scale, within urban areas; EHPP advising the matter of exceptional circumstance is a matter for the case officer to consider.

2.4.6 In relation to noise, the case officer agrees with EH(PP) that this is not a circumstance where a 'closed window' solution is justified, recognising that there are no exceptional circumstances here of the kind referred to in standing advice from EH(PP)/REHIS. Taking this into account, that the applicant has failed to satisfy EH(PP) in relation to noise impacts on the proposed amenity space, and recognising more generally that noise levels from commercial kennels are uncontrollable and that the proposal would be contrary to the agent of change principle, the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to noise.

2.4.7 In light of the above, the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to residential amenity.

2.5 Road Safety/Transportation

2.5.1 Collectively, FIFEplan Policies 1: Development Principles and 3: Infrastructure and Services require that development infrastructure and services are adequate, including in terms of local transport and safe access, with impacts on the local road network and road safety demonstrated; utilising the guidance in Making Fife's Places Supplementary Guidance (2018).

2.5.2 Planning Services' Transportation Development Management team (TDM) explains that it has a presumption against the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas; for clarification purposes, the built-up area, from a transportation point of view, is defined as the area within a 20, 30 or 40mph speed limit; the reason for this policy that such intensification increases traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring, to the detriment of road safety. TDM states that normally the landowner/original developer would construct any access roads, turning areas and other infrastructure including SUDS and other drainage, prior to any houses being constructed on individual plots, reminding that in this case there are no conditions attached to the original planning permission for the cluster to ensure that any roads, footways and street lighting etc. must be built to an adoptable standard in accordance with the current Fife Council Making Fife's Places Appendix G; therefore, all the roads, footways and street lighting will remain private with all future maintenance costs being borne by either the applicant or the new residents. TDM recommends refusal, stating that the proposal would result in an intensification of vehicle turning movement at an access (when it is eventually constructed) which is located on an unrestricted road outwith the established built-up area, all to the detriment of road safety.

2.5.3 The TDM officer noted at their site visit that while the level of the access road will be higher (once it is eventually completed), a fence had been erected which would still be higher than the prescribed height of 1 metre when measured from the public road channel line. They estimated that the visibility splay in the south direction to both the nearside and far side channel lines of the public road is approximately 4.5m x 15m which is very sub standard and clearly unsuitable to serve the new development.

2.5.4 TDM's concerns in relation to obstruction of the above splay can be addressed through enforcement of the condition cited. In relation to TDM's concerns regarding the standard of the service road to serve the proposal, such upgrade as is justified in this case can be provided for by a condition requiring upgrade in advance of occupation. Taking into particular account TDM's view that the proposal would lead to an intensification of use of an access onto an unrestricted distributor road outwith an established built-up area, which would increase traffic turning manoeuvres giving rise to a potential conflict with through traffic movements and so increase the probability of accidents occurring, it is agreed that the proposal stands to be considered to the detriment of road safety, contrary to the above provisions of policy and guidance in relation to same.

2.6. Ground Conditions

2.6.1 Collectively, FIFEplan Policies 1: Development Principles and 10: Amenity state that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Further, development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area. Scottish Government Planning Advice Note 33: Development of Contaminated Land is also relevant here.

2.6.2 The site is not within an area notified to the planning authority as requiring statutory consultation with the Coal Authority.

2.6.3 The Council's Land and Air Quality team (L&AQ) were consulted on the proposal and advise that given the property is located on the site of a former sawmill, a site-specific risk assessment should be undertaken, details any remedial measures required in light of said assessment submitted through a remedial action statement to the planning authority for approval. Further, it is advised that the planning authority should be notified should any unexpected materials or conditions be encountered during the development. Subject to conditions of planning permission recommended by L&AQ, the proposal is considered to accord with the above provisions of policy in relation to ground conditions.

2.7 Flood Risk and Water Management

2.7.1 Collectively, FIFEplan Policies 1: Development Principles and 12: Flooding and the Water Environment state that development proposals will only be supported where they can demonstrate that they will not: increase flooding or flood risk; detrimentally impact on water quality and the water environment. Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) is also relevant here. NPF4 policy 22 Flood Risk and Water Management states that development proposals will: i. not increase the risk of surface water flooding to others, or itself be at risk; ii. manage all rain and surface water through sustainable urban drainage systems (SUDS), with a presumption of no surface water

connection to the combined sewer; and with proposals supported if they can be connected to the public water mains.

2.7.2 The site is not within an area shown liable to flooding in the Scottish Environment Protection Agency flood maps.

2.7.3 Scottish Water raises no objection in relation to the availability of a public potable water supply or otherwise. Fife Council's Flooding, Shoreline & Harbours team has not provided a consultation response.

2.7.4 The applicant has not submitted the pre-determination drainage information required in terms of the above design criteria guidance. As such, the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to flood risk and water management.

2.8 Building Sustainability

2.8.1 NPF4 Policy 1 Tackling the Climate and Nature Crises states that significant weight will be given to the global climate crisis. NPF4 Policy 2 Climate Mitigation and Adaptation states that proposals will be sited and designed to minimise lifecycle greenhouse gases as far as possible. NPF4 Policy 14: Design, Quality and Place states that proposals will be supported where they are compliant with the qualities of successful places, including 'Sustainable', i.e. including supporting the efficient use of resources.

2.8.2 FIFEplan Policy 1: Development Principles adds that proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 adds that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, green infrastructure complying with Making Fife's Places Supplementary Guidance (2018) and low and zero-carbon generating technologies in accordance with Policy 11: Low Carbon Fife of FIFEplan. Policy 1: Development Principles states that proposals must be supported by information requirements to demonstrate that they will comply with relevant criteria and supporting policies, including providing for energy conservation and generation in layout and design; contributing to national climate change targets; and complying with Policy 11: Low Carbon Fife. FIFEplan Policy 11 adds that planning permission will only be granted for new development where it has been demonstrated that the incorporation of low and zero carbon generating technologies will contribute to meeting the Building Standards Target Emissions rate, construction materials come from local or sustainable sources, water conservation measures are in place, acceptable SuDS measures are in place, and facilities are provided for the separate collection of dry recyclable waste and food waste. Fife Council's Low Carbon Fife Supplementary Guidance (2019) is also relevant here.

2.8.3 A satisfactorily completed Fife Council Planning Low Carbon Sustainability Checklist has been submitted in connection with this application. Heat pump technology is proposed. As such, the proposal is considered to accord with the above provisions of policy and guidance in relation to building sustainability.

CONSULTATION RESPONSES

Environmental Health (Public Protection)
Land And Air Quality, Protective Services
TDM, Planning Services

Scottish Water

Objection on noise grounds.
No objection subject to conditions.
Objection on road safety and sustainable
transport grounds.
No objection.

REPRESENTATIONS

Two representations have been received by and on behalf of the proprietors of the nearby dog kennels. Concerns are expressed in relation to noise and land ownership.

Officer response: Noise is addressed in the main body of the report. Land ownership is not a material planning consideration.

CONCLUSION

Subject to conditions, the development accords with the provisions of policy and guidance in relation to the principle of development, ground conditions and building sustainability. However, the development is contrary to the provisions of policy and guidance relating to design/visual impact, residential amenity, road safety/transportation, and flood risk and water management. The development is contrary to the Development Plan overall, with no material considerations of sufficient weight to justify departing therefrom.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of residential amenity and business continuity; this development in close proximity to an existing commercial kennels predicted to benefit from an unsatisfactory noise environment, in turn prejudicial to operation of the kennels; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.

2. In the interests of residential amenity; the applicant having failed to adequately assess the effects of dog barking from the nearby dog kennels on the proposed amenity space to serve the

development; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.

3. In the interests of safeguarding the rural character and qualities of the Cullaloe Hills and Coast Local Landscape Area from unplanned, unjustified, sporadic, ad hoc development; the development expected to contribute to the gradual erosion of that character and those qualities; contrary to the provisions of adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles, 7: Development in the Countryside, 8: Houses in the Countryside and 13: Natural Environment and Access; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place, 16 Quality Homes, 17 Rural Homes and 29 Rural Development; and Making Fife's Places Supplementary Guidance (2018).

4. In the interests of road safety; the development expected to lead to the intensification of use of an access onto an unrestricted distributor road outwith an established built-up area, which intensifications increase traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 3: Infrastructure and Services; and the adopted Making Fife's Places Supplementary Guidance (2018).

5. In the interests of management of flood risk; no evidence having been submitted to demonstrate that the existing SuDS system has capacity for the additional dwelling; the development thereby standing to be considered contrary to adopted FIFEplan Fife Local Development Plan Policies 1: Development Principles and 12: Flooding and the Water Environment; and adopted National Planning Framework 4 (2023) policies 1: Tackling the Climate and Nature Crises, 2: Climate Mitigation and Adaptation, and 14: Design, Quality and Place.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan

Adopted National Planning Framework 4 (2023)
Adopted FIFEplan Fife Local Development Plan (2017)
Adopted Making Fife's Places Supplementary Guidance (2018)
Adopted Low Carbon Fife Supplementary Guidance (2019)

Other

Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017)
Fife Council Policy for Development and Noise 2021
Fife Council Design Criteria Guidance for Flooding and Surface Water Management Plan Requirements (2022)

Fife Council Planning Services Garden Ground, Daylight and Sunlight, and Minimum Distance
Between Window Openings Customer Guidelines
The Royal Environmental Health Institute of Scotland Briefing Note 017 (2020)

Agenda Item 6(3)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Notice of Review



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.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 100658686-011

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:	Gateside Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	
Last Name: *	Watters	Building Number:	34
Telephone Number: *	07745305509	Address 1 (Street): *	Millhill
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY11 4TG
Email Address: *	gatesidedesign50@yahoo.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" value="Ferry View"/>
First Name: *	<input type="text" value="James"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Thomson"/>	Address 1 (Street): *	<input type="text" value="Whitehill Sawmill"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Parkend"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Cowdenbeath"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="uk"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="ky4 8ex"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="jgw09@hotmail.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="Fife 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

Site adjacent plot 5 Whitehills

Northing

Easting

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)

Erection of dwelling house(class 9) and associated development including formation of access on land adjacent to plot 5 Whitehill Sawmill Parkend Cowdenbeath Fife

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.

See attached Appeal Statement Document.

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)

Application form Location plan Block plan Site plan Proposed plans and elevations Drainage statement Noise impact assessment Further noise impact assessment Heat pump spec part 1 Heat pump spec part 2 Transport consultants report. Low carbon checklist Email from Acoustic consultant Further email from acoustic consultant Refusal document Appeal statement

Application Details

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

24/00214/FULL

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

25/01/2024

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

18/10/2024

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

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

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: Mr James Watters

Declaration Date: 31/10/2024



PROPOSED BLOCK PLAN



Scale in Meters - 1:500



GATESIDE DESIGN

Gateside Design
22 Viewfield Terrace
Dunfermline
FIFE
KY12 7HZ
tel: 017748 305509
e-mail: Gatesidedesign51@yahoo.co.uk

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TITLE
Erection of dwelling house at
Whitehills
By Aberdeen
KY4 8EX

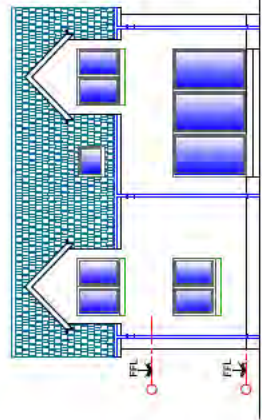
CLIENT
Mr + Mrs J Thompson
File Location
C:/Finished Drawing/

DRAWN BY	January 2024
DATE	1 / 10 / 2023
SCALE	A3
DRAWN No.	GC/AS/02
Revision No.	

PROPOSED EXTERNAL FINISHES

Roof Tiles - Synthetic Slate
 Render - Smooth cement or White
 Base coats - Thin bed cementitious slurry
 Finish - Soften PVC Acrylics (G1)
 External walls - PVC Cladd
 Windows - PVC
 External doors - PVC Cladd

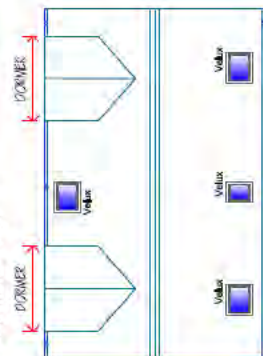
NOTES
 All windows to be fitted with double glazed units with multiple panes, low E, argon gas and UV protection. All windows to be finished with the same finish as the external walls.



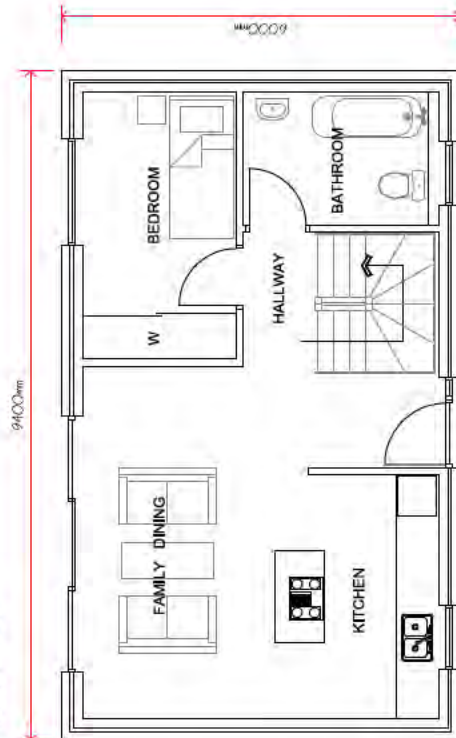
REAR ELEVATION 1:100 (south west)



Scale in Meters = 1:100



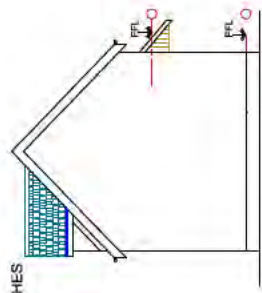
ROOF PLAN 1:100



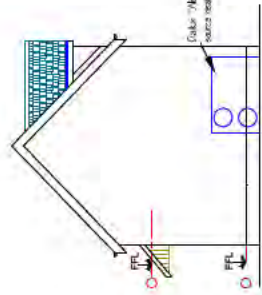
GROUND FLOOR PLAN 1:50



Scale in Meters = 1:50

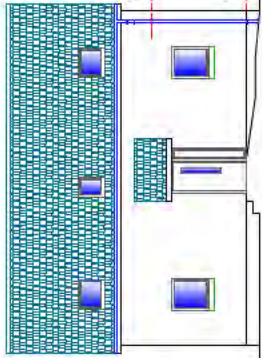


SIDE ELEVATION 1:100 (south east)

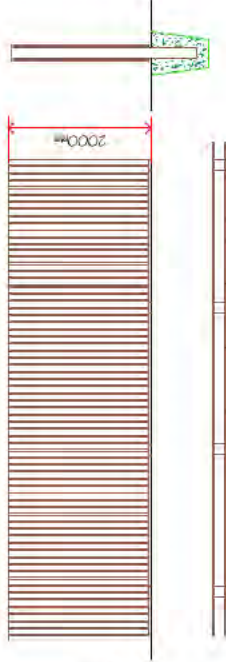


SIDE ELEVATION 1:100 (north west)

Colour "Monocolor" or related wall paper



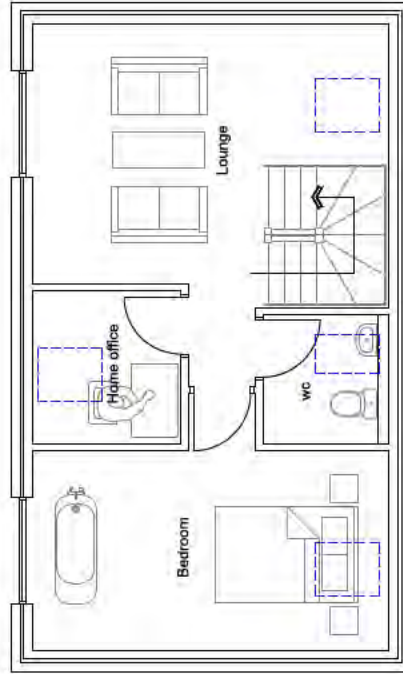
FRONT ELEVATION 1:100 (north east)



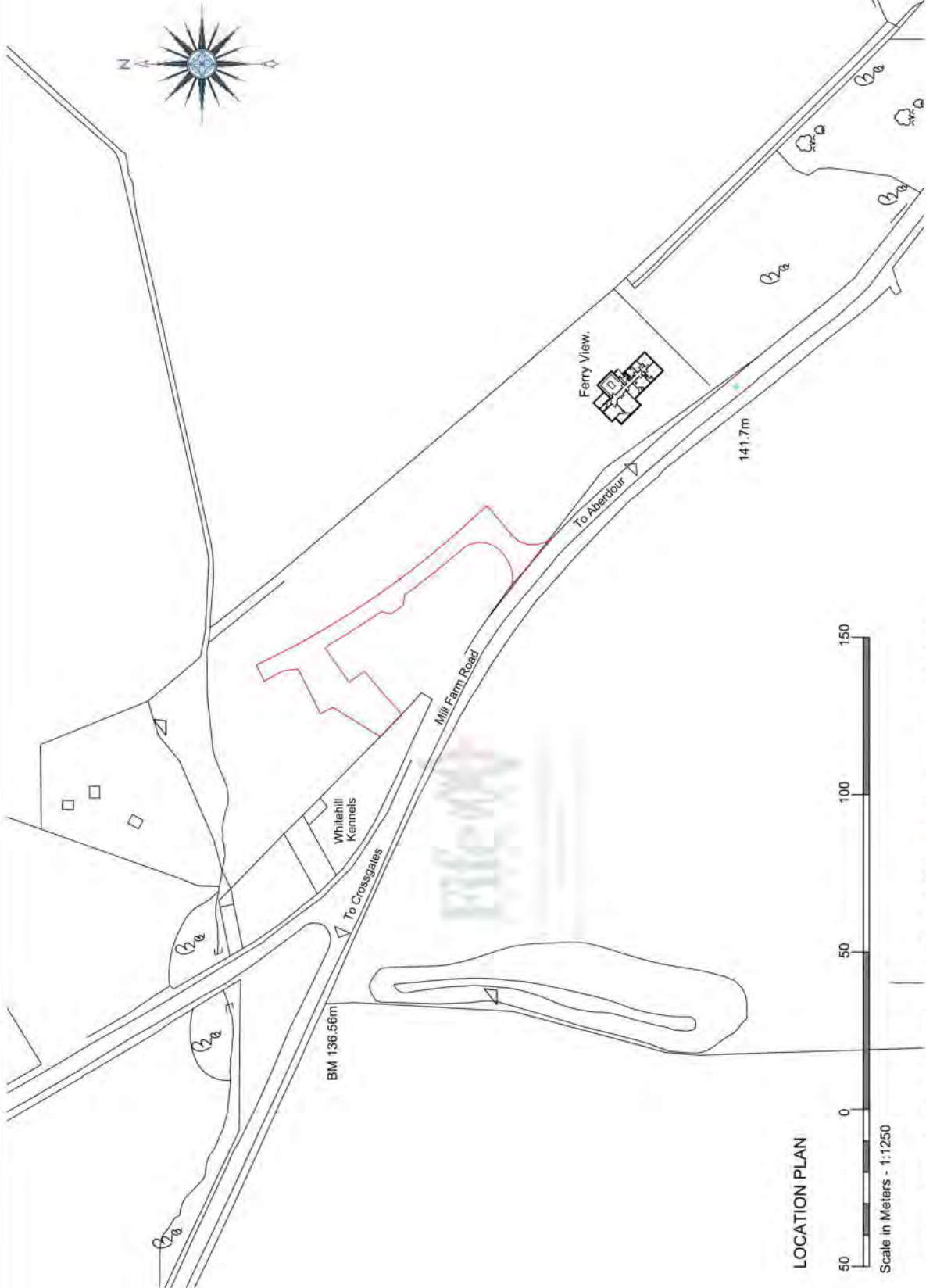
BOUNDARY FENCE DETAILS 1:50

Timber screen fence between plots 1 & 2
 1000mm high, 100mm deep, 100mm wide
 Posts set at 2m intervals, 100mm
 square top and bottom to take 100mm x 100mm
 slatted timber board, staggered boarding.

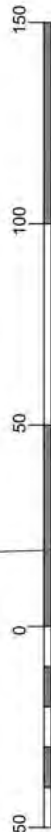
<p>GATESIDE DESIGN</p>	
Gateside Design 22 Vennfield Terrace Dunfermline Fife KY12 7JZ Tel: 01774 333309 Email: gatesidedesign@bt.com	Project: Erection of dwelling house at Whitehills By Aberdour KY4 8EX Client: Mr + Mrs J Thompson
Scale: 1:100 Date: 1:50 Drawn: JCW	File Location: C:\A\Finished Drawings\
Proposed plans + elevations Sheet No. GCAS04 Rev: -	



FIRST FLOOR PLAN 1:50



LOCATION PLAN



Scale in Meters - 1:1250

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GATESIDE DESIGN

Gateside Design
 22 Viewfield Terrace
 Dunfermline
 FIFE
 KY12 7HZ
 tel: 01774830509
 e-mail: gatesidedesign50@yahoo.co.uk

TITLE
**Erection of dwelling house at
 Whitehills
 By Aberdour
 KY4 8EX**

CLIENT
Mr + Mrs J Thompson
 File Location
 C:/Finished Drawings/

DRAWN BY	January 2024
DATE	
SCALE	1:1250
DRAWG. No.	GC/AS/02
Revision No.	A3



1:1000 @ 1:60
1:1000 @ 1:60

[1.003] ← 150mmØ @ 1:24

New connection to storm drainage S4/S5 system
New connection to foul drainage system

Water NS
biobloc

Tree planting

2 off street parking spaces

Porous pavilour finish to drive way

Concrete slab bin storage area.

Existing screen fencing and wall

Rear garden 102sqm

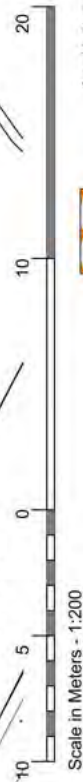
New timber screen fencing

PLOT 5
Rear garden area 220 sqm

Stone wall (h=0.7)

FARM ROAD

PROPOSED SITE PLAN



Gateside Design
22 Viewfield Terrace
Dunfermline
FIFE
KY12 7HZ
tel: 01748 305509
e-mail: Gatesidedesign51@yahoo.co.uk

GATESIDE DESIGN

TITLE
Erection of dwelling house at
Whitehills
By Aberdour
KY4 8EX

CLIENT
Mr + Mrs J Thompson
File Location
C:/Finished Drawing/

DRAWN BY	GC/AS/03
DATE	January 2024
SCALE	1/200
REVISION No.	A3
PROJECT No.	GC/AS/03
Revision No.	-

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STATEMENT

Notice of review

Erection of dwelling house (class 9) and associated development including formation of access on land adjacent to plot 5 at Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife

Application reference 24/00214/FULL

Introduction

This Notice of Review is submitted following the refusal of planning permission 24/00214/FULL under delegated powers on the 18th October 2024

The reasons for refusal are outlined below –

1. In the interest of residential amenity and business continuity; this development in close proximity to an existing commercial kennels; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1 : Development Principles and 10 Amenity; adopted National Planning Framework 4 (2023) POLICIES 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.
2. In the interests of residential amenity; the applicant having failed to adequately assess the effects of dog barking from the nearby kennels on the proposed amenity space to serve the development, the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1; Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.
3. In the interests of safeguarding the rural character and qualities of the Cullaloe Hills and Coast Local Landscape Area from unplanned, unjustified, sporadic, ad hoc development; the development expected to contribute to the gradual erosion of that character and those qualities; contrary to the provisions of adopte FIFEplan Fife Local DevelopmentPlan (2017) Policies 1: Development

- Principles, 7: Development in the Countryside, 8 Houses in the Countryside and 13; Natural Environment and Access; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place, 16 Quality Homes, 17 Rural Homes and 29 Rural Development; and Making Fife Places Supplementary Guidance (2018).
4. In the interests of road safety; the development expected to lead to the intensification of use of an access onto an unrestricted distributor road outwith an established built-up area, which intensifications increase traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring; contrary to adopted FIFEplan Fife Local Development Plan(2017) Policies 1 Development Principles and 3: Infrastructure and Services; and the adopted Making Fife Places Supplementary Guidance(2018)
 5. In the interests of management of flood risk; no evidence having been submitted to demonstrate that the existing SuDS system has capacity for the additional dwelling; the development thereby standing to be considered contrary to adopted FIFEplan Fife Local Development Plan Policies 1: Development Principles and 12; Flooding and the Water Environment; and adopted National Planning Framework 4 (2023) policies 1: Tackling the Climate and Nature Crises, 2: Climate Mitigation and Adaptation, and 14: Design, Quality and Place

In response to this we would argue that:-

- 1.The proposed dwelling house is technically further away from the kennels than the house on plot 6. 4 of the dwellings in the development are already occupied and there are as far as we can ascertain no complaints sitting with the councils Public Protection team.
2. Various reports by Ethos Environmental were submitted for consideration by the Councils Environmental Health officer. Their review of these did not however seem to satisfy them and despite a detailed email response from Ethos they stuck by their recommendation to refuse. Two requests to have this posted on the portal were declined so therefore a copy is submitted with this notice of review. The erection of an acoustic fence along the Northern boundary would minimise any noise from the kennels.
3. The proposed dwelling whilst smaller than the other houses in the development uses similar materials and sits well within the group formed by the development and adjoining kennels. It will have no overall effect on the Cullaloe Hills and Coastal Landscape Area or at least no more so than the recently approved Ground Mounted Solar PV farm on 31 acres to the east of the site (Ref 22/02982/FULL) and the parade of sporadic livery units to the north along the roadside leading to Donibristle village.
4. A report from ECS Transport Planning Ltd was submitted explaining the adequacy of the access and that the addition of 1 further dwelling would not have a detrimental effect on road safety. This could be demonstrated by speed monitoring on the road allowing a relaxation of Fife Councils standards.

5. With regards to the Suds arrangements for the proposed dwelling house a letter from D R Murray Consulting Engineers who carried out the drainage design for the entire development was submitted with the application. This clearly states that the designed system for both foul and surface water discharge has adequate capacity. No further information was requested in regards to this throughout the planning process.

James G Watters

On behalf of

Gateside Design



Energy for Change

Achieve a greener home with Daikin





For home comfort
without compromise

Trust Daikin



There are many things which make up the perfect home. Living with people you care about. Feeling secure. Being comfortable. And at Daikin, we're helping UK homeowners achieve complete home comfort, with our high-performing heat pump technology.

We've been dedicated to technological excellence for almost 100 years, offering the most efficient heating, ventilation and air conditioning solutions on the market – for purer air and tailored comfort in your home. Plus, all our world-leading technology is built with reliability in mind, meaning you can enjoy peace of mind that lasts for years to come.

We're not just committed to the future of home comfort: we're committed to the future of our planet. And we're doing everything we can to make a positive change.

By choosing our innovative heat pump technology, you'll be at the forefront of the UK's renewable heat movement.

More than 900,000 Daikin Altherma renewable heating systems have already been sold across Europe – and millions more homeowners have already placed their trust in Daikin for their home comfort needs.

When you choose a Daikin Sustainable Home specialist to install one of our heat pumps, not only can you save money in the long run: you'll be making a powerful change for a better future – for you, for your family, and for the planet.

Experience complete comfort without compromise, with Daikin technology. Together, we can all make a difference, and discover our own energy for change.

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The path to a better future

The science on climate change is clear: human activity has already led to global temperatures rising by more than 1°C. While it might not sound like much, without swift action the impact of crises such as rising sea levels, crop failures and loss of biodiversity will be felt worldwide.

But positive change is already in motion.

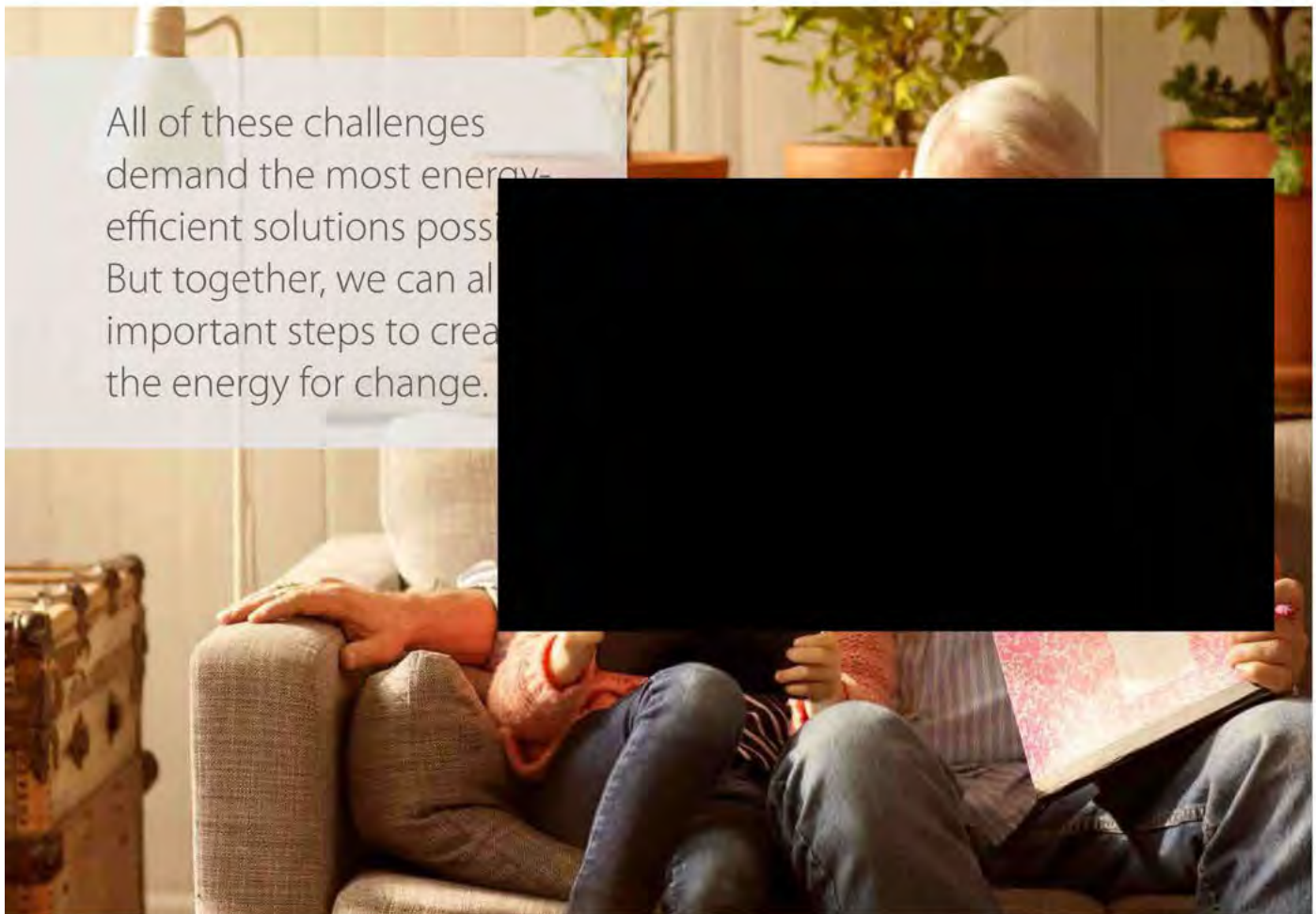
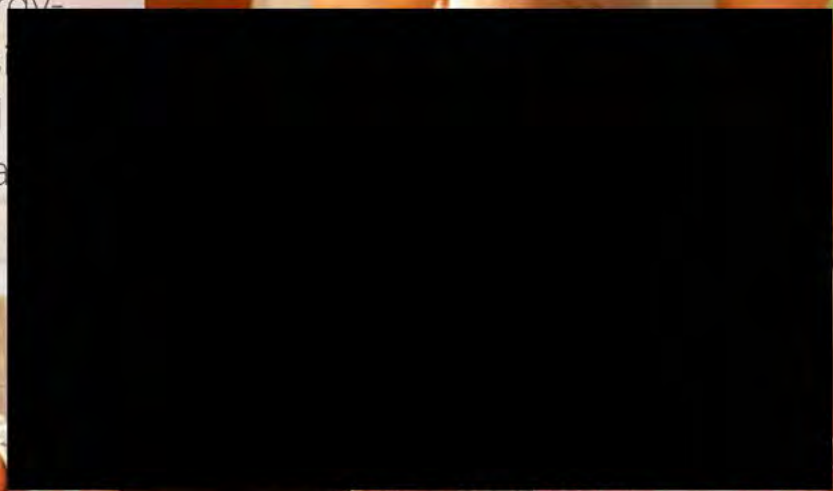
Many of us are already doing our part to live more sustainably. You might recycle, compost your leftovers, cycle a little more or consume a little less.

And by 2050, the UK Government has set a target for our nation's greenhouse gas emissions to be cut by 80%. So low-carbon electricity generation is on the rise. Renewable wind and solar energy generation is growing. Already it's all helping us experience cleaner air, improved wellbeing and a healthier planet.

To ensure we reach our climate goals on time, more and more of our homes will rely on electricity and renewables for our heating and hot water, as we make the transition to low-carbon heating.

At the same time, better insulation, hotter summers and more people working from home all mean that comfort cooling is becoming an increasing necessity. And ongoing concerns about healthy indoor air mean that air purification technologies are more important than ever.

All of these challenges demand the most energy-efficient solutions possible. But together, we can all take important steps to create the energy for change.





Heating or cooling your home?

It's time for change

You can kickstart positive change, today, by making the switch to **Daikin heat pump technology**.

By using an energy-efficient heat pump to warm or cool your home, you'll enjoy all the comfort and control you expect, and save energy, while minimising your impact on the planet.

Whether you're retrofitting our technology to an older property, or looking to improve the carbon footprint of your modern home, we have a range of solutions designed to suit your needs – and our experts are on-hand to guide you at every stage.

In this brochure, you'll find answers to the most common questions our customers ask, including:

- › How do I know a heat pump is right for my home?
- › How do I decide which technology is best for me?
- › How do I get started?

Plus, we've included information about our full range of Daikin products, how they're installed and what support is available to help you make this change.

**Because together, we can all do the right thing:
for people, the planet and our future.**

How do heat pumps work?

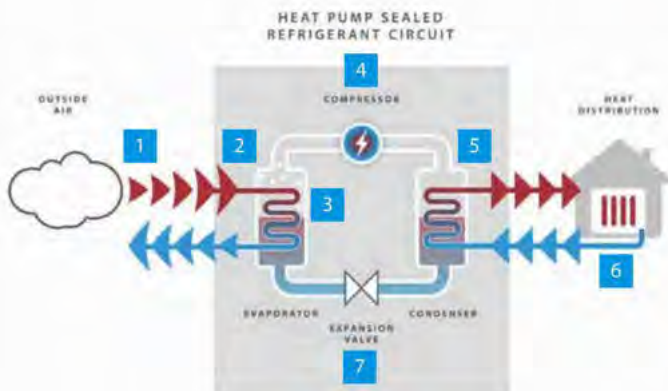
A heat pump extracts energy from one place – either from the air, the ground or a body of water – and transfers it to your home in an effective, sustainable way.

To make your home cooler, a heat pump operates similarly to your fridge, which extracts heat from inside and transfers it to the outside – that's why the back of your fridge feels warm.

To provide home heating, this process is simply reversed, and your heat pump will **extract heat from the ground, water or air outside your home** before transferring it inside, making your home warmer.

In the UK, it's rare for homes to be next to a large body of water, and ground-source heat pumps can be costly and disruptive to install in the ground around your home. That's why Daikin produces a range of **air-source heat pumps** with only a simple unit needed outside your home in combination with your heating system.

Here's a diagram explaining how our Daikin air-source heat pumps work in more detail:



1. Daikin's air-source heat pumps include an outdoor unit which extracts 'hidden heat' from the outdoor air. This isn't the type of heat we can feel – it's actually energy that's 'hidden' in the air's matter, and it needs to go through a specific process to be released.
2. In our air-source heat pumps – both air-to-air and air-to-water models – the outdoor unit extracts air from outside your home, which is then blown across an evaporator. Here, the air's hidden heat energy is absorbed by a sealed refrigerant circuit.
3. The heat energy increases the temperature of the refrigerant inside the circuit, before evaporating from a liquid to a gas. During this evaporation process, more energy is released, captured and stored.
4. The resulting refrigerant gas passes through a compressor and is pressurised, increasing its temperature even more.
5. The pressurised gas then passes into a condenser where the refrigerant cools and condenses back into a liquid, releasing the heat energy.
6. This heat energy is then released into your home, either via your radiators, convectors, air conditioning or hot water systems, depending on whether you've chosen an air-to-air or air-to-water model.
7. The liquid refrigerant passes back through an expansion valve to begin the whole process again.

The eco-friendly answer to heating your home

There are a few different types of heat pump. But they all have one thing in common: they're powered mainly by renewable energy, making them one of the most economical and eco-friendly heating solutions available today.

At Daikin, we recommend air-source heat pumps for UK homeowners looking to make a positive change.

We design some of the world's most eco-friendly, powerful air-to-water and air-to-air heat pumps – for minimum disruption to your everyday, and maximum benefit for your family.

Why choose a Daikin heat pump?

A Daikin air source heat pump extracts energy from the air and either connects to your central heating system (an air-to-water heat pump) or to indoor units that circulate air (an air-to-air heat pump). And the one that's right for you depends on whether you want heating, cooling, hot water, or a combination of options for your home.

Air-to-water heat pumps

An **air-to-water heat pump** is a renewable technology that replaces your boiler and connects to your central heating system to provide heating, hot water and optional cooling. It's a sustainable, environmentally friendly solution for your home – and its benefits will last for generations to come.

Four million homes in the UK today are already not connected to mains gas. That number will continue to rise, as gas boilers are phased out of new homes during the 2020s – and banned from existing homes the decade after.

Daikin heat pumps are a reliable, eco-friendly and high performance alternative to fossil fuel heating. So there's no need to compromise on comfort, quality, or on your commitment to the environment.

Reduce your carbon emissions for good

By using renewable heat from a Daikin heat pump to heat your home instead of a boiler, you're significantly reducing your environmental impact. In fact, you could reduce your home's carbon footprint by 4.0 tonnes every year compared with using an oil boiler¹ – that's a massive impact, even more than living car free, which saves an average of 2.04 tonnes of CO₂ equivalent per person annually.²

Air-to-air heat pumps

An **air-to-air heat pump** can provide versatile heating, cooling, air purification and humidification, to offer a complete climate solution for your home. Our versatile systems achieve A+++ efficiency in both heating and cooling – the highest rating available in the market – for optimal performance.

Because air-to-air heat pumps use air rather than water to circulate heat in your home, they are not used to provide hot water. And although air-to-air heat pumps are highly efficient and powered by 80% renewable energy from the air, they are not classed as a renewable technology eligible for government funding.

However, if you're currently using an electric heating system, an air-to-air heat pump offers one combined heating and cooling system that's working for you and your family 12 months a year, rather than separate, inefficient alternatives. So it's an energy-efficient solution to all your indoor climate needs.



Did you know...

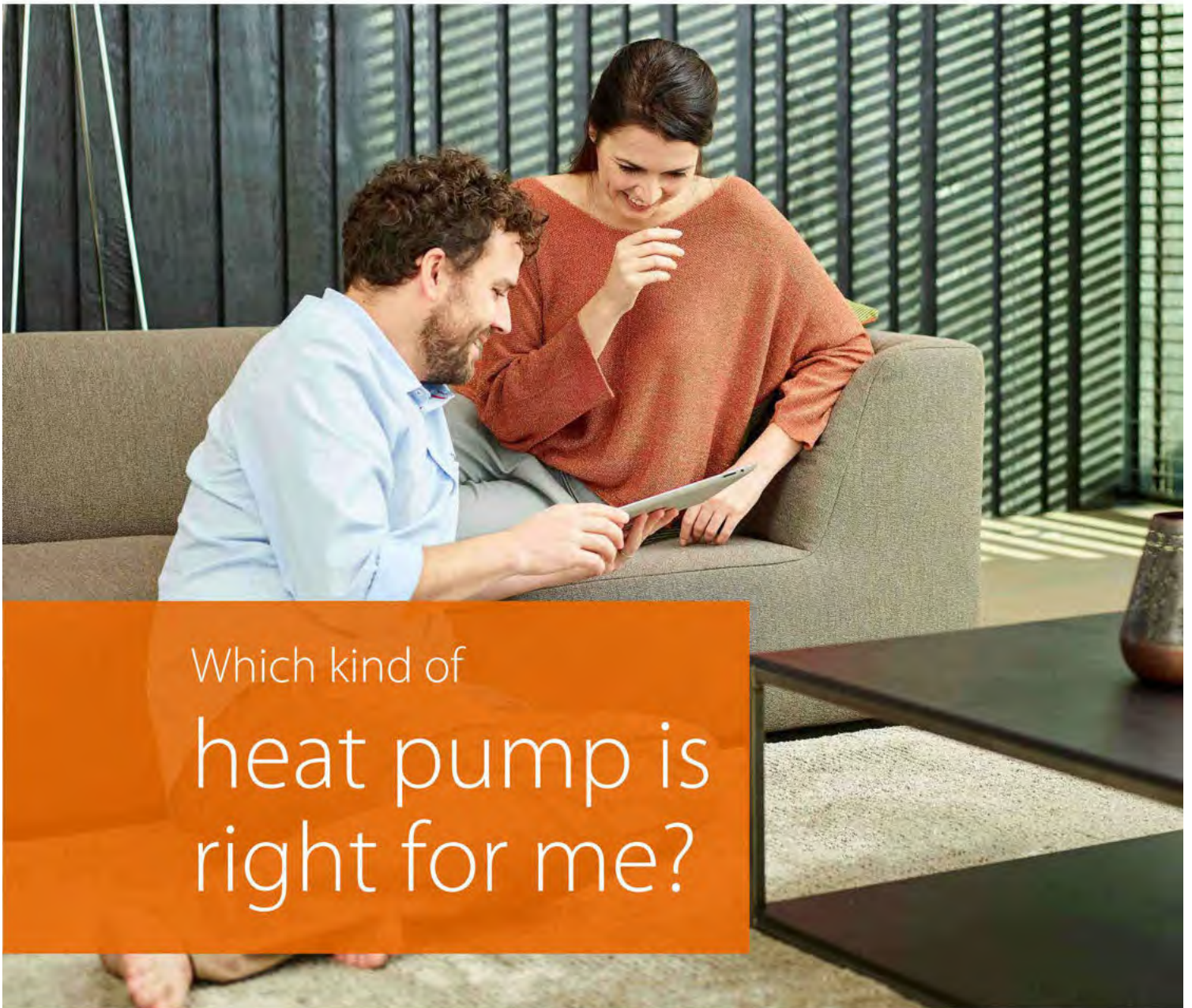
You can take our free heat pump check online today and find out if your home is ready for change in just a few minutes.

Visit daikin.co.uk/ismyhomeready

It could be the answer to making your home more energy efficient and environmentally friendly for generations to come.

¹ Carbon savings calculated in Daikin Heating Solutions Navigator report, based on the capacity requirements of a two storey, four-bedroom detached house, 150 sq.m, built between 1991-2005, in the Midlands, with a heat loss of 8.86 kW.

² Source: Centre for Research into Energy Demand Solutions



Which kind of heat pump is right for me?



Hybrid system

- › For heating and hot water
- › Powered by an optimal combination of air, electricity and gas depending on seasonal conditions and energy prices
- › Ideal for renovations and replacing old gas boilers



Air-to-water – high temperature

- › For heating, hot water and cooling
- › Typically powered by 80% air and 20% electricity
- › Optional solar support
- › Connects to existing piping system and high temperature radiators



In the UK, we live in houses of differing ages, shapes and designs – situated in a wide variety of environments – and we each have different hopes and dreams for our futures and individual plans for our home.

All of the following factors affect which heat pump system might be your best option.

Is your home on or off the gas grid?

Heat pumps can be fitted in homes both on and off the gas grid, but homes off the grid are usually more expensive to heat with higher carbon emissions. Off-grid homes have the most potential to save on fuel bills and decrease carbon emissions.

Are you planning a full property renovation, or light refurbishment?

Do you want a whole new heating system, or simply to replace your boiler? This will affect your choice of technology.

How old and energy efficient is your property? Is it well insulated?

This will affect your choice of technology. In a new or recently built home which is well insulated, there is less heat loss from your property, so the heat pump can heat your home effectively at relatively low temperatures.

Are you undertaking a self-build project to create your dream home?

If so, you may have more options about which technology you choose in order to create the most versatile and efficient system to future proof your dream home.

Will you be keeping your existing radiators and other 'heat emitters'?

This will affect your choice of technology. If you are keeping your existing radiators, they may operate at higher temperatures than modern heat systems, so you may need a heat pump that can achieve relatively high temperatures to heat your home effectively.

Are you looking for heating, cooling or both?

Many of our air-to-air and air-to-water units support both heating and air conditioning.



Air-to-water – low temperature

- › For heating, hot water and optional cooling
- › Typically powered by 80% air and 20% electricity
- › Optional solar support
- › Ideal for new homes and energy efficient buildings



Air-to-air

- › For cooling and heating
- › Typically powered by 80% air and 20% electricity
- › Ideal for new homes, energy efficient buildings and replacing old electric heating systems
- › Not used to provide hot water

Helping you make the right decision

Take a look at our decision guide, to help you choose the best system for your property type, your lifestyle and your home environment.

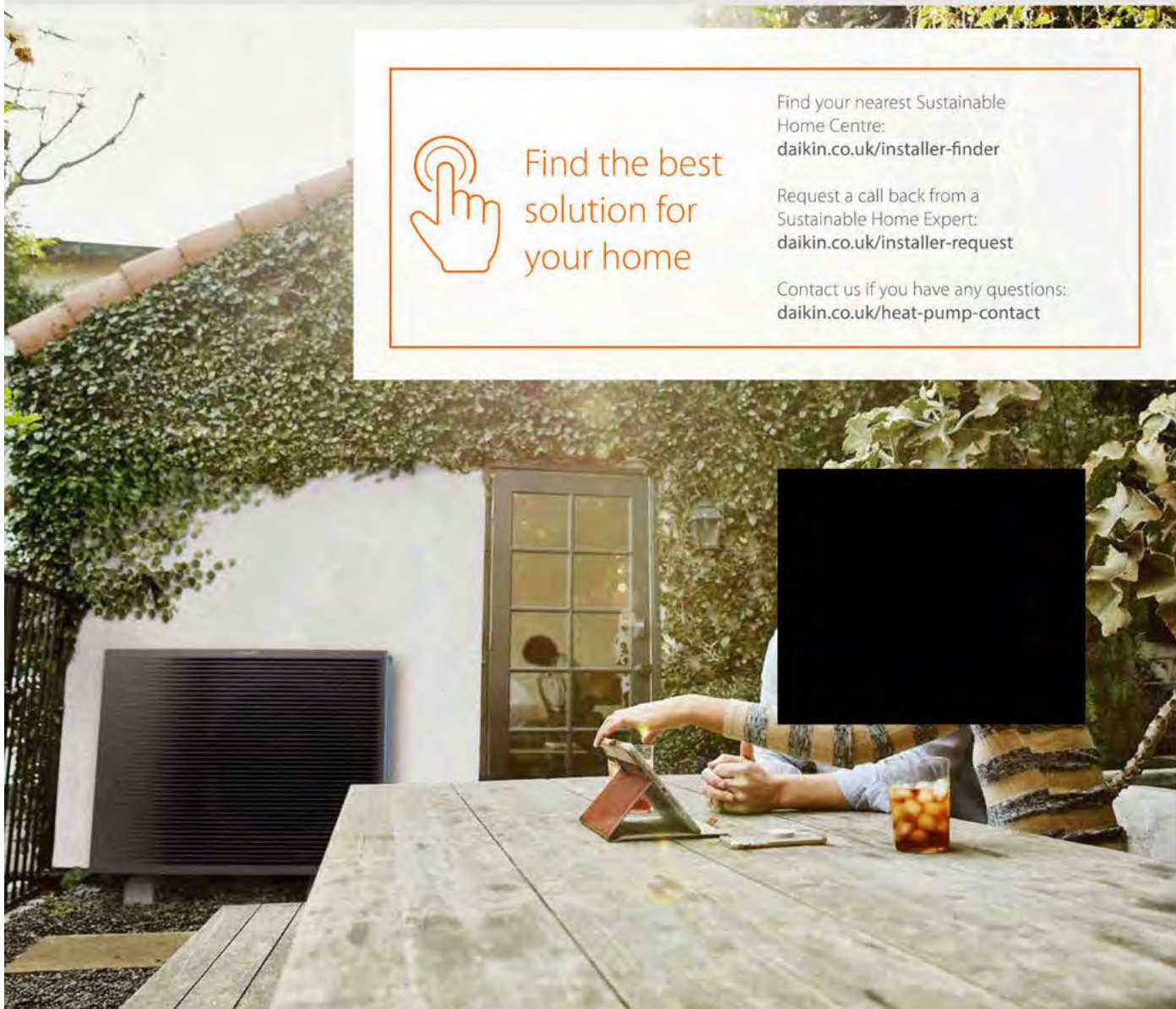


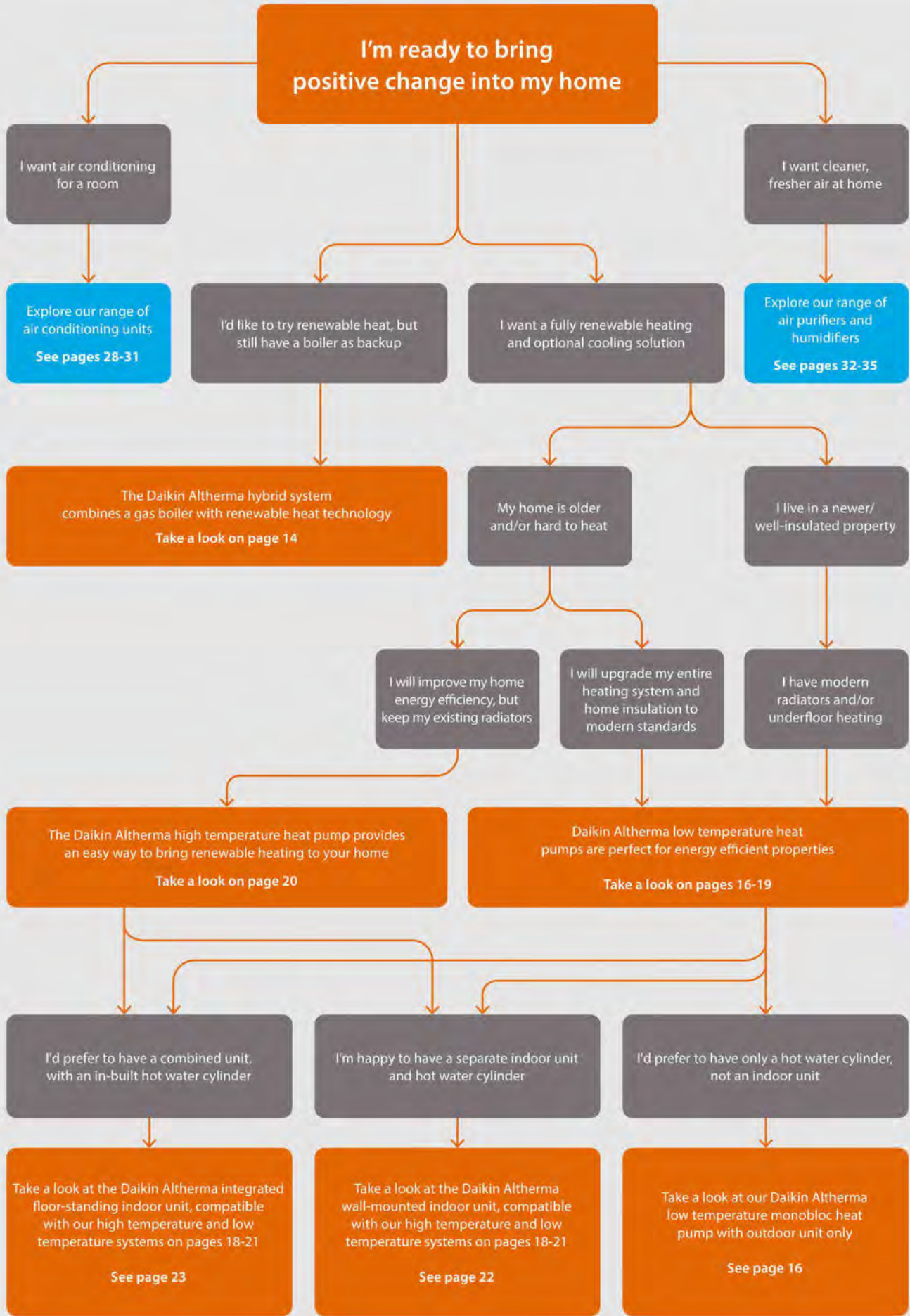
Find the best
solution for
your home

Find your nearest Sustainable Home Centre:
daikin.co.uk/installer-finder

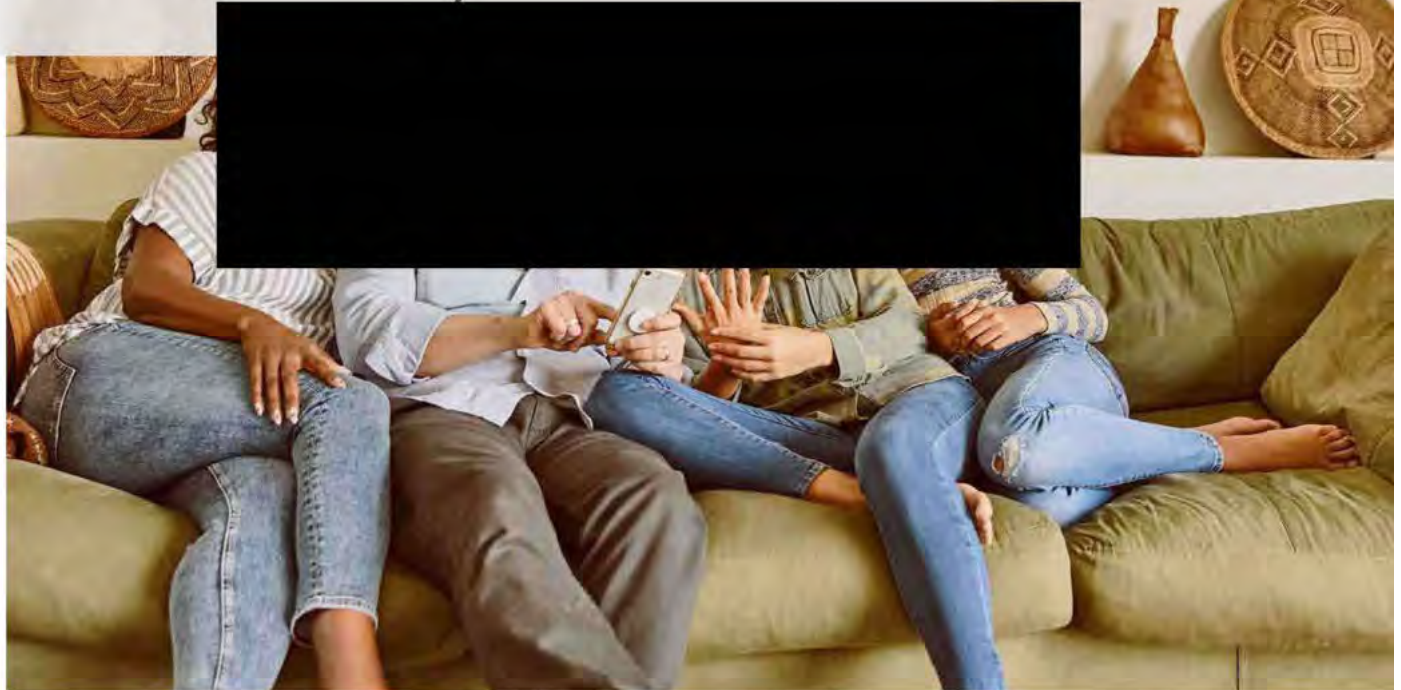
Request a call back from a Sustainable Home Expert:
daikin.co.uk/installer-request

Contact us if you have any questions:
daikin.co.uk/heat-pump-contact





Understanding the funding available



Because making a change and choosing fossil fuel alternatives is so critical, the government is incentivising homeowners who choose renewable energy sources to heat their homes. And that includes those choosing to install a Daikin heat pump.

Here are two funding schemes available to offset the cost of your installation depending on where you live.

England and Wales: Boiler Upgrade Scheme

The Boiler Upgrade Scheme (BUS) is a UK Government initiative launched in Spring 2022 to encourage householders in England and Wales to switch to low-carbon heating systems in place of existing gas or oil heating. The scheme offers up to £5,000 to assist with the upfront costs of upgrading to air source heat pumps. The BUS is part of a wider Heat and Buildings Strategy, which aims to change the way we heat our homes and help meet the UK's net-zero carbon emissions target by 2050.

For more information, search “UK Boiler Upgrade Scheme”

Scotland: Home Energy Scotland Loan

Scotland has a separate Heating Grants system, called the Home Energy Scotland Loan. This scheme allows homeowners to apply for up to two home renewables systems per home, up to £17,500 in total, plus an energy storage system up to a maximum of £6,000. This can include up to £11,750 cashback funding (including a £500 incentive for installing a heat meter alongside a heat pump).

Further information: <https://www.homeenergyscotland.org/find-funding-grants-and-loans/interest-free-loans/overview/>

Key questions about the Boiler Upgrade Scheme

Is my home eligible for the Boiler Upgrade Scheme (BUS)?

The BUS is open to people living in England and Wales. All existing domestic and non-domestic buildings are eligible, including custom builds. As with previous grant schemes, there will be a requirement for any basic energy efficiency measures to have been completed prior to the heat pump installation.

The BUS will only provide support to properties that do not have recommendations on their EPC for loft or cavity wall insulation to be installed. There are some limited circumstances where this requirement does not apply, such as where there are exemptions.

What funding is available?

Grants of £5,000 will be available for air source heat pumps. The grants will be offered at a flat rate and will not vary by the capacity of the installation.

Which systems are included in the scheme?

The Boiler Upgrade Scheme includes:

- › ASHPs (air source heat pumps)
- › GSHPs (ground source heat pumps), including water source heat pumps
- › OR Biomass boilers where replacing fossil fuel heating systems

What are the eligibility requirements for the scheme?

- › Biomass plants in urban regions and areas connected to the gas grid
- › Biomass plant or heat pumps greater than 45kwth
- › Process heating not permitted
- › Social landlords not permitted

What is the application process?

1. Installer receives instruction from the property owner to carry out installation and apply for BUS grant
2. Installer applies to Ofgem for a voucher, providing all necessary information
3. Ofgem contacts property owner and they confirm their consent
4. Ofgem assess the application and once satisfied, and property owner consent confirmed, issue a voucher to the installer
5. Installer completes installation
6. Installer applies to redeem the voucher, and Ofgem assess redemption application
7. Ofgem pays grant to installer

Daikin Altherma hybrid heat pump system



The best of both worlds

Daikin Altherma hybrid heat pump systems are designed for those looking to take their first step into the world of eco-friendly home heating.

This two-in-one combination of a familiar gas boiler and renewable heat pump technology make this the smart solution for homeowners looking to make a positive change.

It means during the colder months you'll still have the reassurance that having a gas boiler provides, knowing you can boost your home heating quickly and effectively when needed. And during the warmer seasons, you'll experience peak performance with minimum running costs.

A hybrid heat pump is an innovative smart solution for all your heating and hot water needs. So, whether you're looking for a more economical way of heating your home, or you're ready to make a more ecological choice, the Daikin Altherma hybrid heat pump system provides a solution without compromise.

How does it work?

The Daikin Altherma hybrid heat pump system is available in two different configurations.

In true hybrid configuration, the system automatically selects the most efficient mode of operation, choosing between the heat pump or gas boiler, or a hybrid operation of the two. So it offers the perfect balance between the gas boiler and the heat pump to provide your home heating and hot water.

Alternatively, the Daikin Altherma hybrid outdoor unit can be paired with your existing boiler (or a boiler from another manufacturer) as a 'bi-valent' system so you can switch between the heat pump or the boiler, but not run both in hybrid operation.

- › Heating and hot water
- › For homes connected to the gas grid
- › Two-in-one combination of heat pump technology plus a gas condensing boiler
- › Year-round efficiency, plus the added security of a gas-powered boost in colder months
- › An ideal way to introduce the energy for change into your home

Introduce renewable energy into your home

When working in heat pump mode, the Daikin Altherma hybrid is powered by renewable energy extracted from the air, and can achieve up to A++ energy efficiency.

It's the optimum combination of renewable and traditional energy to heat and provide your home with hot water.

World-leading technology

Engineered with our unique dual heat exchanger, the Daikin Altherma hybrid heat pump's patented condensing technology produces heating and domestic hot water 10 to 15% more efficiently than gas condensing boilers. So you can save on cost – and on your carbon emissions too.

Easy and affordable installation

The Daikin Altherma hybrid heat pump's compact design means it only requires minimal installation space. Built to integrate seamlessly with your existing piping and radiators, it's perfect for renovation projects or replacing your old boiler. You can either buy the complete Daikin Altherma hybrid two-in-one heat pump and gas condensing boiler combination. Or if you already have a gas or LPG boiler, simply add the heat pump to create a hybrid system. Either way, you can enjoy the energy efficiency of a heat pump without having to replace your entire system.



Daikin Altherma

low temperature monobloc
heat pump



Our most compact heat pump ever

For homes where your space is at a premium, investing in a new heating system can feel like an even bigger decision. But the interior layout of your home shouldn't mean missing out on world-leading technology.

The Daikin Altherma low temperature monobloc packs maximum performance into one compact outdoor unit. It's powerful, it's efficient, and it's the perfect way to introduce positive change into your home.



- › Heating and hot water in one compact system
- › Quick and simple installation, connecting to your existing water pipes
- › No indoor unit necessary – ideal for homes where space is limited
- › Total frost protection for complete peace of mind
- › Perfect for new builds, minimalist homes or those looking for a discreet heating system

How does it work?

If you're looking for a simple system that saves on space as well as on energy, the Daikin Altherma low temperature monobloc is an ideal solution. This simple system has a single outdoor unit and no indoor unit, with only water pipes running indoors from the outdoor unit.

The outdoor unit combines everything you need, in one quiet, neat system. And while it may be small in size, it's big on efficiency, with an A++ efficiency rating for its heating performance, and up to A+++ on hot water, too.

Compact, with a big impact

An all-in-one system, the Daikin Altherma low temperature monobloc heat pump uses heat from the outside air to warm your home's central heating and hot water system. Even if it's below freezing outside, you can expect peak performance – and total efficiency too.

Ready to boost your energy for change even further? By combining your Daikin Altherma low temperature monobloc with solar support, up to 70% of your hot water can come from renewable energy, too.

Understated but powerful

Whether you're looking to maximise your living space, or simply preserve your open plan or minimalist interior, the Daikin Altherma low temperature monobloc was created to be a modest solution – with a positive impact on your home.

Your all-in-one solution

Perfect for a well-insulated new property, the Daikin Altherma low temperature monobloc is also suited for replacing older heating systems. But wherever it finds a home, it will keep your heating bills low, while helping to reduce your carbon emissions and environmental impact.



Daikin Altherma

low temperature system



For the ultimate in energy-efficient heating, hot water and optional cooling, the Daikin Altherma low temperature heat pump system offers an incredibly versatile solution.

The Daikin Altherma low temperature system offers the ultimate in quiet home comfort. With both heating and optional cooling capabilities, you can create a completely tailored home environment.





BLUEEVOLUTION

Kinder to the environment

The Daikin Altherma low temperature system uses our revolutionary Bluevolution™ technology, combining highly efficient compressor technology developed by Daikin, together with the future of refrigerants: R32.

R32 refrigerant has low global warming potential, meaning you can rest assured of its minimum environmental impact.

High performance, even in low temperatures

The Daikin Altherma low temperature system provides all your home comfort needs – even when temperatures fall.

In fact, the system's heating capacity is as much as 35% higher than previous models, with its outdoor unit remaining fully operational in weather as cold as -28°C. So you never need to compromise on your comfort.

Economical and eco-friendly

Thanks to the use of R32 refrigerant, this unit is efficient and economical too, giving you the very highest energy performance, proved by its A+++ rating for heating efficiency.

Easy integration and configuration

To fit perfectly into your home, the Daikin Altherma low temperature system can be configured with a Daikin **wall-mounted indoor unit** (see page 22) and separate domestic hot water cylinder (see page 24) or a **floor-standing** unit with integrated domestic hot water cylinder (see page 23).

Daikin Altherma

high temperature heat pump

The future of home heating

At Daikin, we're leading the change when it comes to lowering our impact on the climate. And when we designed the Daikin Altherma high temperature heat pump, we compounded our commitment to delivering high-performance home heating with eco-friendly benefits.

When you choose the Daikin Altherma high temperature heat pump, you're choosing comfort and energy savings, even if you don't want to replace your whole heating system to achieve it.

This air-to-water heat pump delivers heating, hot water and optional cooling – and uses less energy to do it. So not only will you benefit from a greener home, you'll also be choosing a more cost-effective solution, too.

How does it work?

Made up of a compact indoor unit, and sleek, outdoor unit, the Daikin Altherma high temperature heat pump delivers water temperatures of up to 70°C, so it's fully compatible with older radiators that require a higher temperature flow.

That means that, while it's always important to improve the energy efficiency and insulation of your home as much as possible, there's no need to replace your existing radiators, making it the perfect upgrade to your home.

Best of all, it offers year-round efficiency – even in the coldest temperatures.

Your choice of configuration

To suit the individual layout of your home, the Daikin Altherma high temperature system can be configured with a Daikin **wall-mounted indoor unit** (see page 22) and separate domestic hot water cylinder (see page 24) or as a **floor-standing unit** with integrated domestic hot water cylinder (see page 23).



BLUEVOLUTION

- › Heating, instant hot water and optional home cooling
- › Ideal for straightforward boiler replacement as works with your existing radiators
- › Designed specifically for European climates – for high-performance heating in temperatures as low as -28°C
- › Revolutionary Bluevolution™ technology uses a refrigerant with low global warming potential for minimum environmental impact
- › Award-winning design, for seamless integration into your home
- › The perfect match for older and less insulated properties

Quiet comfort ideal for rural or urban living

Whether you live in an urban residential area, or a rural location, our near-silent heating system is a welcome addition. With two sound modes to choose from, the Daikin Altherma high temperature heat pump is perfect for any environment.

In Standard Mode, the outdoor unit's sound pressure is just 38 dBA at three metres – that's around the same as a quiet library. While with Low Sound Mode, that sound pressure drops to just 35 dBA – not much more than a whisper.

Innovative technology. Fit for today and tomorrow

We developed the Daikin Altherma high temperature heat pump in Europe, specifically for European climates. It's complete with the very latest heating, ventilation and air-conditioning (HVAC) technologies.

From a single high-capacity fan for the lowest ambient noise, to its innovative compressor delivering instant hot water without compromising on efficiency, get ready to upgrade your traditional boiler to the future of home heating – fit for generations to come.

Award-winning design for a seamless fit

Clean, minimal and uncomplicated is the best way to describe the latest Daikin Altherma high temperature heat pump.

The outdoor unit's black front horizontal grill makes the fan invisible inside, while the matt grey casing blends in discreetly with surrounding environment.

And when it comes to your indoor unit, there's no compromise here either. The slim and stylish design ensures it's a seamless fit, while its easy-to-use interface means you can take full control of your heating schedule. For high-performance technology, without compromise.





Daikin Altherma

wall-mounted indoor unit

Both the Daikin Altherma low temperature system featured on page 18 and Daikin Altherma high temperature heat pump featured on page 20 are available with a wall-mounted indoor unit, as seen on this page, and a separate hot water cylinder, as seen on page 24.

Flexible installation for the modern home

The sleek design of the Daikin Altherma wall-mounted indoor unit means it blends perfectly with your other household appliances, for a subtle but powerful addition to your home. We've designed this unit specifically for homeowners looking for a low-maintenance, space-saving solution fit for your modern property.

The slim and stylish design ensures it's a seamless fit, while its easy-to-use interface means you can take full control of your heating schedule.

It can also be connected to a stainless steel domestic hot water tank (see page 24) to deliver hot water for all of your household needs.

Now that's high-performance technology, without compromise.

- › Home heating and optional cooling, with hot water connection available
- › Includes an intuitive interface, with Daikin eye technology for at-a-glance reassurance
- › Award-winning design, for seamless integration into your home



Daikin Altherma

integrated floor-standing unit

Alternatively, both the Daikin Altherma low temperature system featured on page 18 and Daikin Altherma high temperature heat pump featured on page 20 are available with an all-in-one floor-standing indoor unit with integrated hot water cylinder.

Future-ready technology with a modern feel

The Daikin Altherma integrated floor-standing indoor unit includes an integrated hot water cylinder, all in one. With a small footprint requiring just 600 x 600 mm floor space, it's an excellent option when you don't have space for, or prefer not to have, a separate hot water cylinder.

How does it work?

The floor-standing indoor unit option includes a hot water tank of either 180 litre or 230 litre capacity, providing plenty of hot water for the whole family.

With the same contemporary style as our wall-mounted model, our next-generation floor unit is designed to integrate with your existing home fittings, creating first-class comfort throughout your home.

- › Your all-in-one heating and hot water unit, for a significant space saving
- › Instant hot water for the whole family, available in 180 and 230 litre capacities

Domestic hot water cylinders



Reliable, efficient, and ready for your home

At Daikin, we don't just offer world-leading heat pump technology. We've spent 40 years developing an entire range of energy efficient technologies that are ready for the home.

Our hot water cylinders* are an example of some of the innovative solutions we can offer to complete your sustainable home. Designed as the perfect partner to our Daikin Altherma heat pump systems, all of our hot water cylinders include the same best-in-class technology standards you expect from Daikin.

Each one comes fitted with a 3 kW immersion heater as standard, for water that can be heated from 10°C to 50°C in just 60 minutes. Its efficiency offers complete peace of mind, so you can enjoy living with the highest levels of comfort, energy efficiency and reliability.

- › Available in 150, 180, 200, 250 and 300 litres, fit for every family
- › Efficient and well-insulated, for fast temperature increases with minimal heat loss
- › Designed for safety, providing fresh hot water with anti-bacterial protection
- › Compatible with solar panels for a renewable system – reduce your energy costs and carbon emissions by up to 70%

* Unavailable with the Daikin Altherma hybrid system in bi-valent configuration.



Heat emitting technology

Tomorrow's home heating, today

Traditional radiators aren't the only way to heat your home. Many homeowners choose alternatives such as underfloor heating, heat pump convectors and fan coils.

All of our products in the Daikin Altherma range are designed to help homeowners find the perfect balance of comfort, efficiency and control.

Underfloor heating

Daikin offers underfloor heating designed to work seamlessly and efficiently with the Daikin Altherma range. When partnered with a heat pump, Daikin underfloor heating can provide a wonderfully warm home climate, even at low flow temperatures, so you can enjoy uncompromising comfort, together with attractively low running costs.

Daikin Altherma heat pump convectors

A heat pump convector is in many ways similar to a radiator.

Traditional radiators heat your home by running hot water through their pipes. Daikin Altherma heat pump convectors simply speed up this process with the use of a small fan behind the unit, to create the same room temperature as a traditional radiator – with the added bonus that your system's water temperature doesn't need to be as high. So you'll benefit from direct energy savings too.

With a sleek, modern design and silent operation, Daikin Altherma heat pump convectors are the perfect addition to your home comfort ecosystem.



- › Slim design, for flexible installation
- › High-capacity heating and cooling, for a powerful addition to your home
- › Energy efficient, for savings on your energy costs and on your environmental impact
- › Discreet and understated, just as your home heating should be

Control your home climate with ease



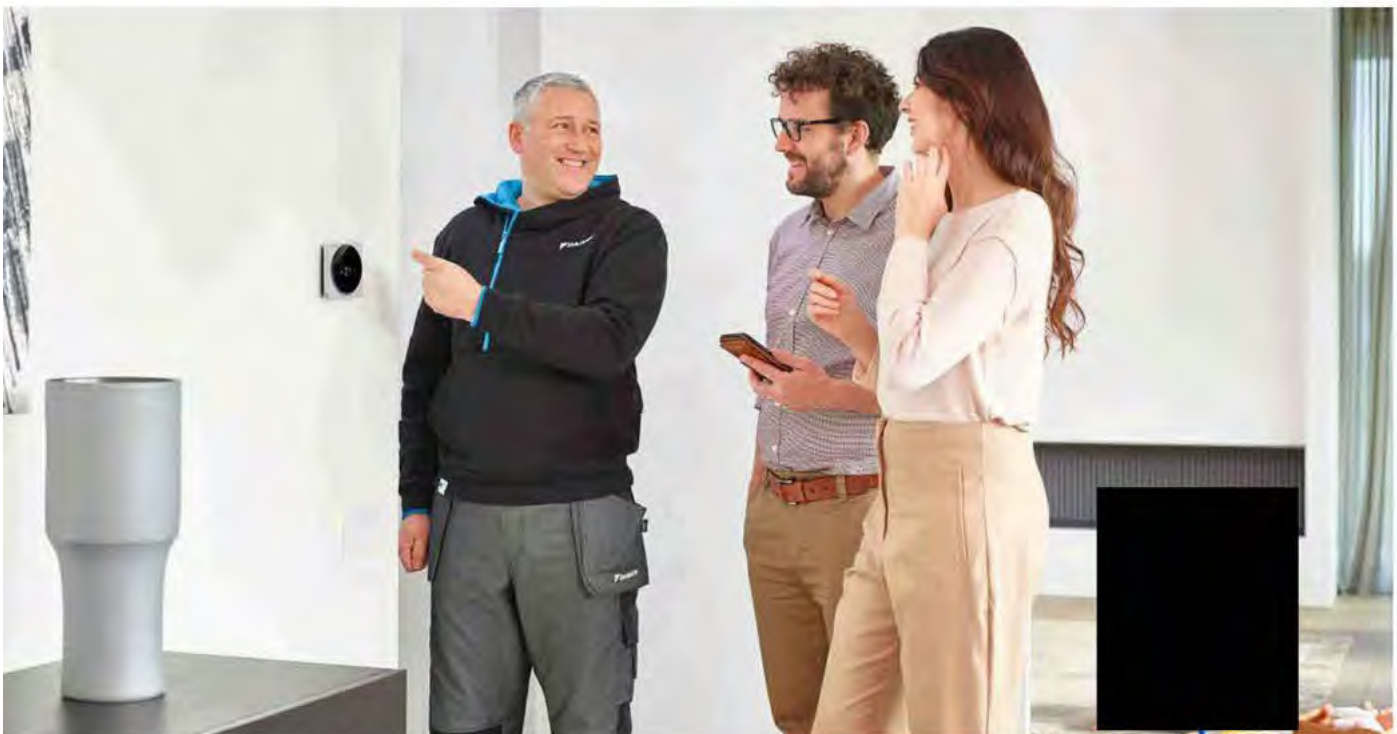
No more over-complicated programming. No more thermostat guesswork. We're world-leaders in designing intuitive, simple control systems. Creating your ambient home has never been easier.

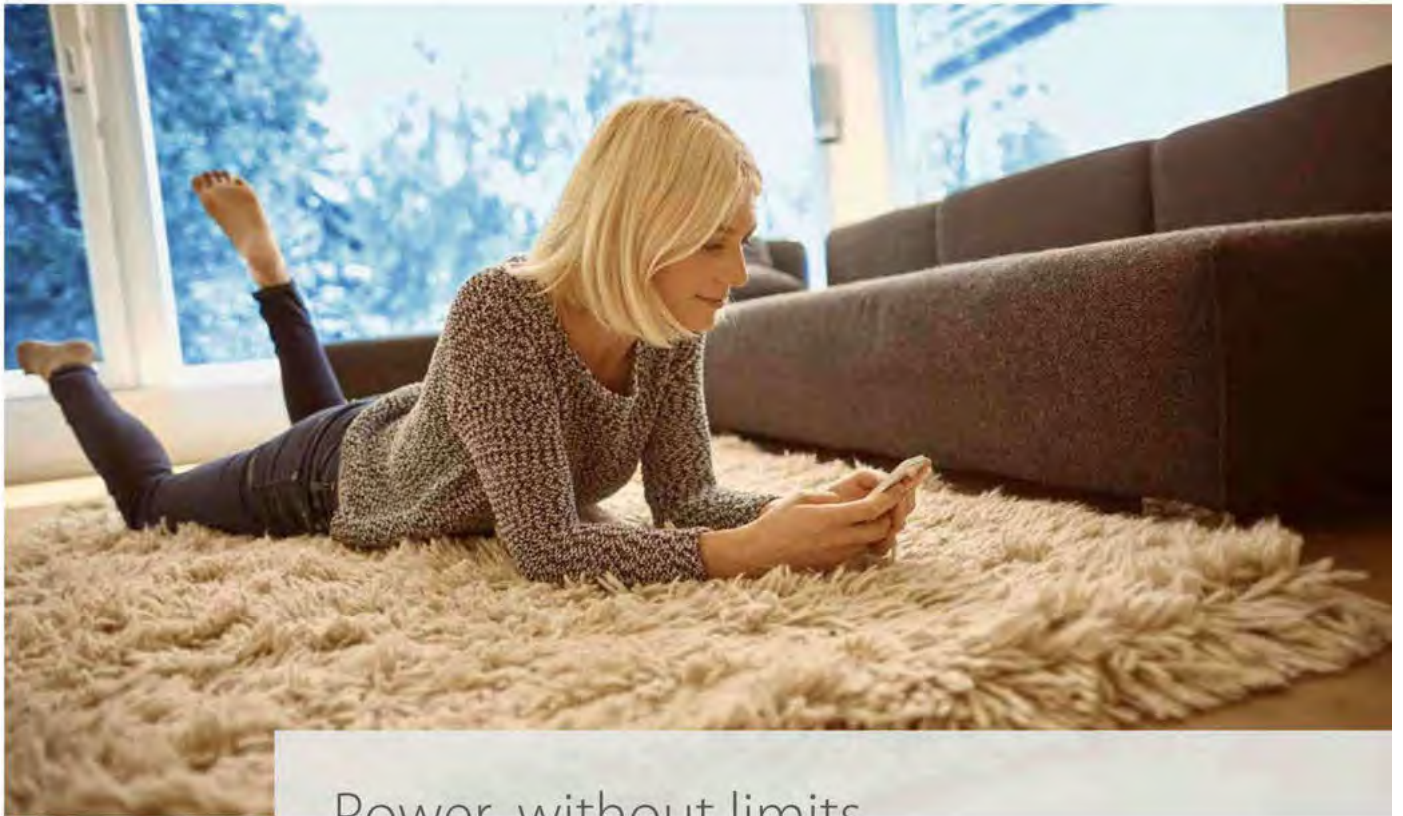
Daikin controls

The sleek, stylish design of Daikin controls are only the beginning of their benefits. With a simple touch, you can access your home heating schedule, and additional controls are available via our complementary, easy-to-use smartphone app.* Housed in a compact, wall-mounted unit, there's never been a better fit for home comfort.



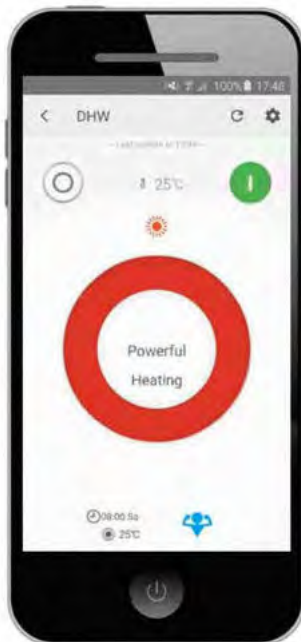
- › Range of colour options, for a seamless fit with your interior
- › Multiple award-winning innovative design
- › Daikin Eye technology in selected controllers makes it easy to see how your system is performing, with its red and blue 'traffic light' system
- › Our newest heat pump models combined with the latest controls ensure your system is smart grid ready, when the energy network allows





Power, without limits

Daikin Onecta App



Now, you have the power to control your home environment, anywhere at any time. Simply connect your Daikin heating or air conditioning unit to your home Wi-Fi and download the Daikin Onecta App.*

You can change and set your thermostat, create temperature schedules and review your energy consumption. It's year-round climate control in the palm of your hand.

› **Set individual climates for separate rooms** for full family satisfaction

› **Gain a complete overview of your home comfort system**, from its efficiency to its energy consumption

› **'If this, then that'** programming options give you the power to make your own rules – for home comfort that suits your lifestyle



onecta

* Unavailable with the Daikin Altherma hybrid system in bi-valent configuration.

Air conditioning technology

Energy efficient and future-ready

If you're looking to heat and cool your home, all year round, look no further than Daikin's technology.

Our air-to-air heat pump technology can provide both heating and cooling for your home, allowing you to enjoy warmth when it's needed, and cool conditions when it's not.

The system is far more cost-effective than traditional electrical heating systems, and means you have one combined system that's working for you and your family 12 months a year, rather than separate, expensive alternatives.

Efficiency and reduced impact

Powered by 80% renewable energy extracted from the air and 20% electricity, our air-to-air heat pumps use R32 refrigerant, which has low global warming potential, and are A+++ efficient, the highest rating on the market. So you can be sure you're doing all you can to minimise your impact on the planet.





Fit for any home

Whether you're renovating your home or just want to inject a breath of fresh air into your existing one, a Daikin air-to-air heat pump is a logical solution for your cooling needs.

Our air-to-air heat pumps are easy to install and are ideal for replacing old electric systems. You might be looking for a solution suitable for a bedroom, a garden office or conservatory, or a system for your entire home. Whatever the case, our flexible units accommodate any floor plan – and the needs of your family, too.

Save energy costs with our inverter technology

Daikin's signature inverter technology is an energy saving innovation that efficiently controls the motor speed of your unit, reducing energy consumption by up to 30%. Rather than using additional energy to start and stop as your room reaches the desired temperature, our inverter technology simply adjusts the speed of the motor – meaning it runs continuously and more efficiently in the long run.

It's just one of the reasons our air conditioning systems have A+++ energy efficiency ratings and satisfy all green building requirements.

Daikin Emura

Cool, heat and purify your home



Meet the coolest design trend in air conditioning.

Now, you can cool, heat and purify using the Daikin Emura's revolutionary air-to-air heat pump technology. Available in white and silver, our award-winning design is discreet and sleek, to suit houses of all styles.

Your total climate solution

The Daikin Emura includes a two-area motion detection sensor, to direct and optimise your system's air flow for better performance. Able to intelligently detect when a room is empty, the Daikin Emura will automatically enable energy-saving mode to save you even more on your energy bills.

A perfect fit for every household

Available for just one room, or up to as many as five, the choice is yours when it comes to creating a tailored home comfort solution. The Daikin Emura has been expertly designed to fit in seamlessly with your family life – whatever that might look like.



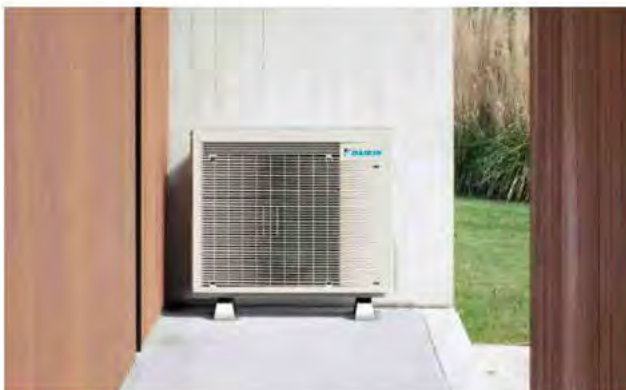
A clean and healthy home

Airborne allergens such as dust and pollen, along with viruses, bacteria and even cigarette smoke are a thing of the past, with the Daikin Emura.

Its titanium apatite deodorising filter neutralises bothersome odours, while its silver allergen removal and air purifying filter eliminates harmful particles – for a home that's fresh and clean.

Always in control

Download the Daikin Onecta app, connect your Daikin Emura to Wi-Fi and control your climate from anywhere. It's that easy.



You'll enjoy these benefits with every **Emura** or **Stylish** air conditioning unit

Daikin Stylish

Innovation meets creativity



The Daikin Stylish is the latest addition to the Daikin air conditioning family, providing all you need from a premium climate solution.

The system's ultra-quiet fan delivers focused airflow, creating an even air and temperature distribution, while its humidifying and purifying properties mean your whole family can enjoy fresh, clean air.

If you're looking for a balance between function and aesthetics, the Daikin Stylish is your answer.

Stylish by name and nature

Just as the name might suggest, our Stylish unit has won awards for its compact, innovative design, with curved corners and texture variations offering a sleek addition to any room.

Available in four colours – white, silver, black and black wood – our unit guarantees a flawless finish which fits with every interior.

Intelligent humidity control

Because comfort isn't just about your indoor air quality or temperature; it's also about humidity. Moisture levels in the air can have a significant impact on our health and wellbeing.



Stylish uses a number of different settings to automatically and intelligently adjust its fan and compressors, creating a harmonious balance between temperature and humidity.

Smart climate control wherever you go

You can manage the Stylish using your smartphone by downloading the Daikin Onecta app. So you can start creating your perfect climate in minutes.

BLUEEVOLUTION

- › One-room or full-home solutions available, with our split or multi-split system options
- › Integrated options, for in-built cooling and heating as you need it
- › Wall-mounted and available in a variety of finishes, for a discreet addition to your home

- › Individual room programming, for total family satisfaction
- › With world-leading energy efficiency and our low carbon Bluevolution™ technology, there's no need to compromise on your climate goals

Air purifiers

For a clean, fresh, healthy home

Fresh air shouldn't be reserved for when we spend our summer months outdoors. Bring the outside in with a **Daikin Air Purifier**, perfect your home climate.

We promise you air that's three times cleaner, healthier and fresher with our advanced air purifiers. And what's more, our patented Streamer technology inactivates 99.98% of the human coronavirus HCoV-229E* – giving you pure peace of mind.

A cleaner, healthier home

According to Allergy UK, we spend around 90% of our time indoors. But our indoor spaces can be as much as 10 times more polluted than the air outside.

Our purification technology helps to minimise asthma and allergy symptoms by capturing fine particles from the air in your home. From dust to pollen, to airborne irritants caused by smoking, cleaning and building works, our humidifiers provide extra protection from dry air and viruses, promoting healthy skin and airways too.

Proven to protect

We all want to keep our families safe – especially when it comes to the very young, the elderly, allergy sufferers and those with chronic health conditions. Our range of air purifiers has been designed with your whole family's safety in mind, offering extra protection for the people you care about.

Our patented Streamer technology has been proven to inactivate airborne bacteria and viruses – including up to 99.98% of the human coronavirus HCoV-229E.*



* Source: Institut Pasteur de Lille test report 2021.

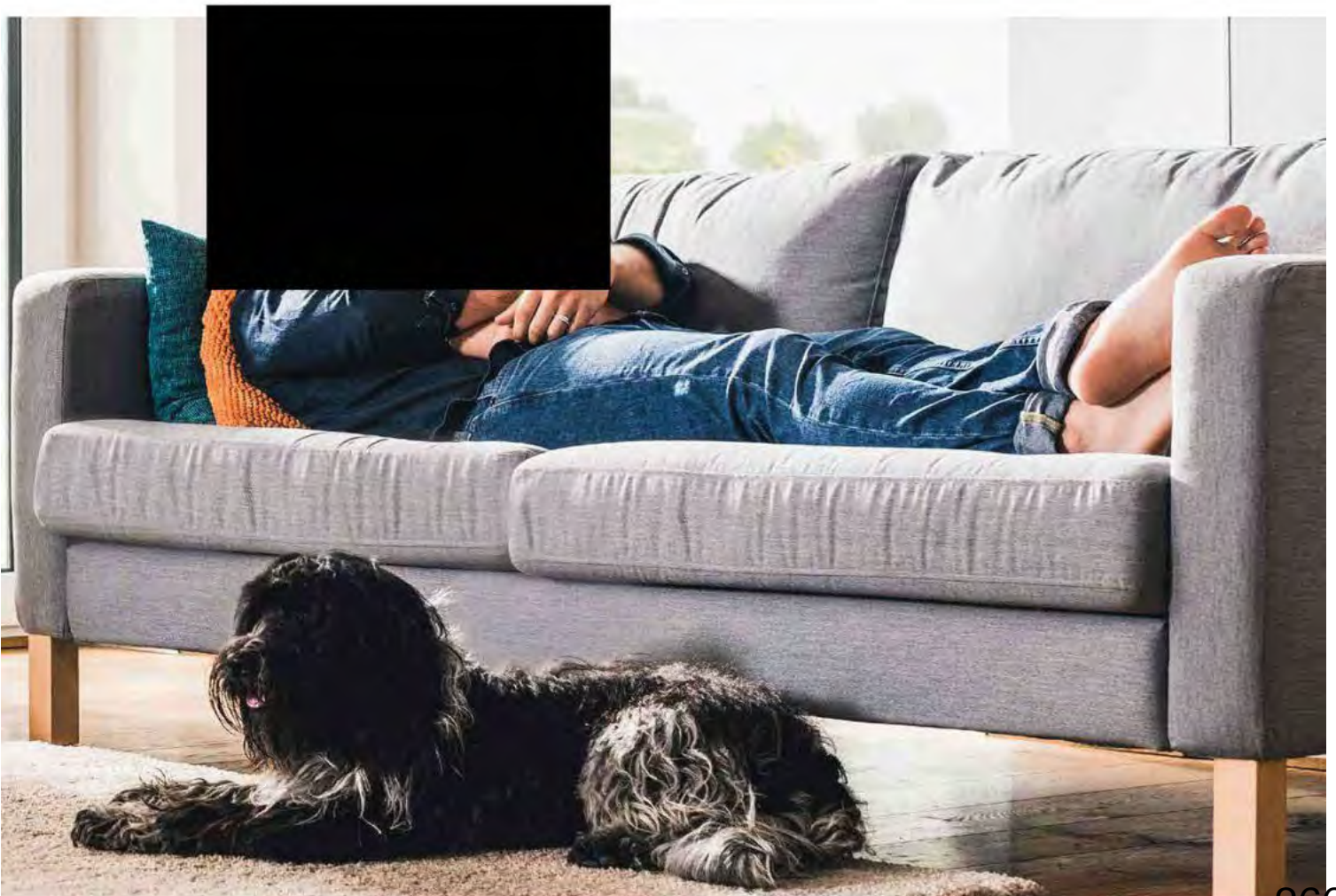
Testing laboratory Institut Pasteur de Lille France, evaluated the effectiveness of Daikin's Air Purifiers against respiratory viruses:

- HCoV-229E (of the same family as SARS-CoV-2, the coronavirus causing the COVID-19 pandemic)
- Influenza A virus subtype H1N1 (causing seasonal flu)



Daikin Air Purifiers have the Allergy UK Seal of Approval for their efficiency, eliminating all the most common airborne pollutants in your home.

- › Bacteria and viruses – including up to 99.98% of human coronavirus HCoV-229E*
- › Contamination from sneezing and coughing
- › Dust, allergens and debris from building materials
- › Odours and vapours from cleaning products
- › Outdoor pollution, including pollen and traffic fumes



Daikin Air Purifiers



Our patented streamer technology is a revolution in air purification technology. Designed for near-silent but powerful cleaning capability in a compact unit, you no longer need to open windows and doors for fresh air – just switch your unit on for instant peace of mind.



- › Whisper-quiet powerful filtration for spaces of up to 41m²
- › Small, compact, space-saving design
- › Powerful suction, for fast, efficient air purification
- › Up to 10-year lifespan on dust filters
- › No complicated cleaning – simply use a vacuum or damp cloth





Daikin Humidifying Air Purifiers



With exceptional cleaning power, the Daikin Humidifying Air Purifier is quiet but effective. Its built-in humidifier has been engineered to create a balanced home environment that offers extra protection from airborne viruses.

- › Simultaneous purifying and humidifying ability
- › Compact, space-saving design
- › 'Econo mode' feature – for budget-friendly performance
- › Up to 10-year lifespan on dust and humidifying filters
- › Powerful humidification for extra protection from dry air and viruses





Sustainable
Home Network

Sustainable

Home Network

By choosing heat pump technology, you're making a decision that will have a positive impact for generations to come. And at Daikin, we want to reassure you at every step of the journey.

That's why we have the Sustainable Home Network of heat pump specialists, trained to the very highest standards.

From your initial consultation, system design and heat pump installation, to your annual maintenance check and servicing down the line, you can trust our Sustainable Home Network to meet the highest standards of excellence.

It's just one more way we ensure you have everything you need to lead the UK's change for good.

Sustainable Home Centres

We design some of the world's most eco-friendly, powerful air-to-water and air-to-air heat pumps. But don't just take our word for it. We have a growing network of Daikin Sustainable Home Centres nationwide, so you can see and touch our eco-friendly technology first-hand.



Come and experience our technology
for yourself

Each one of these showrooms features the latest Daikin technology – from renewable heating and hybrid solutions to energy-efficient air conditioning and air purification solutions. So you can understand more about the most suitable options for your home.

Plus we have trained experts on hand to offer advice and guidance. So visit us, and discover how we can transform your home comfort – with minimum disruption to your everyday, and maximum benefit for your family.



Kick start your
change today

Find your nearest Sustainable Home Centre:
daikin.co.uk/installer-finder

Request a call back from a Sustainable
Home Expert:
daikin.co.uk/installer-request

Contact us if you have any questions:
daikin.co.uk/heat-pump-contact

Start your journey today

By choosing Daikin, you're choosing more than our world-leading technology. More than our commitment to innovation. Even more than high-powered home comfort for your family. You're choosing to lead the UK's renewable heat movement.



Find the best solution for your home

Find your nearest Sustainable Home Centre:
daikin.co.uk/installer-finder

Request a call back from a Sustainable Home Expert:
daikin.co.uk/installer-request

Contact us if you have any questions:
daikin.co.uk/heat-pump-contact



Step 1



Find a Sustainable Home Installer in your area

Installing a heat pump isn't a do-it-yourself project. That's why we've built a network of Daikin-trained Sustainable Home specialists up and down the country, ready to help.

Your Daikin Sustainable Home specialists will assess your home and living arrangements to ensure that choosing one of our heat pumps is the best decision for you.

We work with the country's most skilled installers who are specifically trained to the highest standards of heat pump system design, installation and commissioning – and who have all the relevant Gas Safe and F-gas certifications for the systems they're installing.

Step 2



Discover the perfect fit for your home

Your Daikin Sustainable Home Installer will work closely with you, so together, you can pick the heat pump technology that's right for your home.

If you've already performed the heat pump check, or followed our Decision Guide on page 11, you can discuss these initial indications with your Sustainable Home specialist. They'll discuss your options with you, and provide their technical expertise so you can make a choice that's right for your home's heating and cooling requirements.

Then, they'll prepare a system design and customised quote which takes your budget into account. Now is a good time to discuss what Government funding is available with your installer, so they can help you access this if relevant.

Gateside Design
James Watters
34 Millhill
Street
Dunfermline
Scotland
KY11 4TG

Planning Services

Brian Forsyth

development.central@fife.gov.uk

Your Ref:

Our Ref: 24/00214/FULL

Date 18th October 2024

Dear Sir/Madam

Application No: 24/00214/FULL
Proposal: Erection of dwellinghouse (Class 9) and associated development including formation of access on land adjacent to Plot 5
Address: Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife

Please find enclosed a copy of Fife Council's decision notice made on behalf of **Mr James Thomson**, indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal or local review procedure should you wish to follow that course.

Should you require clarification of any matters in connection with this decision please get in touch with me.

Yours faithfully,

Brian Forsyth, Planner, Development Management

Enc

DECISION NOTICE
FULL PLANNING PERMISSION

Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **REFUSES PLANNING PERMISSION** for the particulars specified below

Application No: 24/00214/FULL
Proposal: Erection of dwellinghouse (Class 9) and associated development including formation of access on land adjacent to Plot 5
Address: Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 24/00214/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of residential amenity and business continuity; this development in close proximity to an existing commercial kennels predicted to benefit from an unsatisfactory noise environment, in turn prejudicial to operation of the kennels; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.
2. In the interests of residential amenity; the applicant having failed to adequately assess the effects of dog barking from the nearby dog kennels on the proposed amenity space to serve the development; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 10: Amenity; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place and 23 Health and Safety; and Fife Council Policy for Development and Noise 2021.
3. In the interests of safeguarding the rural character and qualities of the Cullaloe Hills and Coast Local Landscape Area from unplanned, unjustified, sporadic, ad hoc development; the development expected to contribute to the gradual erosion of that character and those qualities; contrary to the provisions of adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles, 7: Development in the Countryside, 8: Houses in the Countryside and 13: Natural Environment and Access; adopted National Planning Framework 4 (2023) policies 14 Design, Quality and Place, 16 Quality Homes, 17 Rural Homes and 29 Rural Development; and Making Fife's Places Supplementary Guidance (2018).
4. In the interests of road safety; the development expected to lead to the intensification of use of an access onto an unrestricted distributor road outwith an established built-up area, which intensifications increase traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring; contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1:

Dated: 18th October 2024

Chris Smith

For Head of Planning Services

Development Principles and 3: Infrastructure and Services; and the adopted Making Fife's Places Supplementary Guidance (2018).

5. In the interests of management of flood risk; no evidence having been submitted to demonstrate that the existing SuDS system has capacity for the additional dwelling; the development thereby standing to be considered contrary to adopted FIFEplan Fife Local Development Plan Policies 1: Development Principles and 12: Flooding and the Water Environment; and adopted National Planning Framework 4 (2023) policies 1: Tackling the Climate and Nature Crises, 2: Climate Mitigation and Adaptation, and 14: Design, Quality and Place.

Dated:18th October 2024

Chris Smith

For Head of Planning Services

PLANS

The plan(s) and other submissions which form part of this decision are: -

Reference	Plan Description
01	Location Plan
02	Proposed Block Plan
03	Proposed Site Plan
04	Proposed various - elevation, floor etc
05	Specifications
06B	Noise Report
07	Drainage statement/strategy
08	Low Carbon Sustainability Checklist
09	Report
10	Statement

Dated:18th October 2024

Chris Smith

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 by notice sent within three months of the date specified on this notice. Please note that this date cannot be extended. The appropriate forms can be found following the links at www.fife.gov.uk/planning. Completed forms should be sent to:

**Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT**

or emailed to local.review@fife.gov.uk

LAND NOT CAPABLE OF BENEFICIAL USE

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V Town and Country Planning (Scotland) Act, 1997.



● William Hay

From: [REDACTED]

To: James Watters

Cc: Scott Carlin



Thu, 18 Apr at 10:50 ☆

Hi Jim,

My thoughts on the EHO comments are as follows:

1. There is no specific guidance relating to noise from kennels. BS8233 provides absolute levels for comfortable internal and outdoor amenities, ultimately derived from the WHO “Guidelines for Community Noise 1999”; which is applicable when deriving the noise impact on this proposed dwelling for sources other than the kennel – BS8233 is not exclusive to traffic noise. As BS4142 clearly states, the assessment of noise generated from domestic animals is outwith the scope of the standard which is to be used only for rating **industrial** sources. Therefore, as stated in the report, the assessment of noise from the kennels was focused on the L_{Amax} levels from when barks were heard (thought best to capture the acoustic characteristic of barking) instead of the L_{Aeq} in which BS8233 and BS4142 use in their measurement procedure, in our opinion potentially underrating the acoustic feature and true impact. Guidance on L_{Amax} levels, internal and external, are given in WHO “Guidelines for Community Noise 1999”.
2. It is unreasonable to presume that only periods during school holidays are **representative** of the noise environment at the proposed; it is reasonable to expect kennel occupancy to increase the week of the Easter Holidays beginning. If EH require monitoring over school holidays, additional time over the 14 days stipulated is expected to be provided as six days’ notice of the remaining Easter Holidays is not realistic to commission site work (confirmation with kennel, availability etc.) – this NIA assessing the kennel noise was available for submission and EH review on 19/01/2024 for the previous application, and reissued on 01/03/2024 for the current application. Another methodology could be followed without another site visit but would need confirmed with the EHO beforehand. Although, in the interest of consistency and precedence, Plot 6 – closer to the kennel and its outdoor activity area – has seen no conflict in this matter.
3. It should also be noted that generally, dogs in such kennels are domesticated and well cared for (business driven) with barking at a minimum, unlike dog rescue kennels where barking is more common.

To avoid another site visit, information on the maximum occupancy of the kennels and maximum occupancy in the outdoor activity area would be required, to model absolute worst case noise levels at receiver with known bark noise levels from the Ethos Environmental library of noise levels (or from standardised levels from the following guidance itself). This method would follow the *Supplementary Planning Guidance (1999) – Location Of Premises For The Boarding And Breeding Of Dogs And Other Animals* produced by the South Holland District Council. This guidance provides a means of assessing the suitability of new proposals for noise-sensitive uses in the vicinity of kennels. This method offers an alternative approach to ours as it looks at the L_{Aeq} of a percentage of dogs barking at one time in the outdoor areas. The assessment method is as follows:

- | | |
|----------|---|
| Stage 1. | Determine background levels at NSRs. |
| Stage 2. | Determine the number of dogs for boarding purposes. |

- Stage 3. Determine activity noise level at 10m (Figure D1 in the guidance).
- Stage 4/5/6. Determine attenuation (distance, ground and barrier effect).
- Stage 7. Determine the specific noise level at receiver.
- Stage 8. Assess the specific against background noise levels.
- Stage 9. Recommend noise control if necessary.

We request that the above strategy is agreed by EH before commissioning.

Kind regards,

William Hay

Show original message

Good afternoon, Brian.

I am writing, on behalf of our client, in relation to planning application: 24/00214/FULL. If you could pass on these comments to the officer overseeing this application that would be appreciated.

There seems to be some misunderstanding with the NIA submitted when referencing the EH response (both attached for your convenience). I think its important to preface my response by addressing a previous response to EH comments on the 18th of April 2024:

*“There is no specific guidance relating to noise from kennels. BS8233 provides absolute levels for comfortable internal and outdoor amenities, ultimately derived from the WHO “Guidelines for Community Noise 1999”; which is applicable when deriving the noise impact on this proposed dwelling for sources other than the kennel – BS8233 is not exclusive to traffic noise. As BS4142 clearly states, the assessment of noise generated from domestic animals is outwith the scope of the standard which is to be used only for rating **industrial** sources. Therefore, as stated in the report, the assessment of noise from the kennels was focused on the L_{Amax} levels from when barks were heard (thought best to capture the acoustic characteristic of barking) instead of the L_{Aeq} in which BS8233 and BS4142 use in their measurement procedure, in our opinion potentially underrating the acoustic feature and true impact. Guidance on L_{Amax} levels, internal and external, are given in WHO “Guidelines for Community Noise 1999”.”*

The scope of BS 4142 clearly states its purpose and limitations. Even though the dog kennel may be a licensed commercial business, BS 4142 cannot be used to rate the noise impact of animals as per paragraph 1.3 of the scope.

The report recommends a glazing set which provides required attenuation while trickle vents are open; this is a very common and valid solution to meet internal criteria, which provides no justification for refusal. The specification for the window sets is determined by road traffic, with predicted dog noise at façade less than road traffic (paragraph 6.4).

Additional extended monitoring was completed to satisfy council concerns. To summarise these findings:

1. Garden amenity less than the desirable threshold of 50dB $L_{Aeq, 16-hour}$,
2. Maximum sound pressure levels less then 45dB L_{AFmax} internally for daytime and night-time resting,
3. The continuous sound level less than 35dB $L_{Aeq, 16 hours}$ during the day and 30dB $L_{Aeq, 8 hours}$ during the night for internal amenities and,
4. Adequate ventilation available (**closed window with trickle vents open**).

To address the full impact of the source, maximum and continuous levels have been assessed to protect amenity as per the guidelines, providing acoustic feature penalties where relevant. When considering the above, I am unsure where the concern lies; with no change to legislation regarding kennel noise since Plot 6 approval, and assumed consistent consideration given to kennel noise by the council, I find the reasons for recommended refusal seriously lacking.

Please let me know your thoughts; specifically what would convince you amenity is protected as per the relevant guidance.

Kind regards,

William Hay



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.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 100658686-001

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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of dwelling house and installation of air sourced heat pump

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? Yes No
(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

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:	Gateside Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	
Last Name: *	Watters	Building Number:	34
Telephone Number: *	07745305509	Address 1 (Street): *	Millhill
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY11 4TG
Email Address: *	gatesidedesign50@yahoo.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Ferry View
First Name: *	James	Building Number:	
Last Name: *	Thomson	Address 1 (Street): *	Whitehill Sawmill
Company/Organisation		Address 2:	Parkend
Telephone Number: *		Town/City: *	Cowdenbeath
Extension Number:		Country: *	uk
Mobile Number:		Postcode: *	ky4 8ex
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Fife Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site adjacent plot 5 Whitehills

Northing

687164

Easting

316685

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

304.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Former Sawmill yard

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

New/Altered septic tank.

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

To existing treatment plant

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Slab bin storage area as shown on drawing GC/AS/03

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: James Watters

On behalf of: Mr James Thomson

Date: 25/01/2024

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. * Yes N/A

A Design Statement or Design and Access Statement. * Yes N/A

A Flood Risk Assessment. * Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Yes N/A

Drainage/SUDS layout. * Yes N/A

A Transport Assessment or Travel Plan Yes N/A

Contaminated Land Assessment. * Yes N/A

Habitat Survey. * Yes N/A

A Processing Agreement. * Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr James Watters

Declaration Date: 25/01/2024

Payment Details

Pay Direct

Created: 25/01/2024 13:21

Proposal Details

Proposal Name	100658686
Proposal Description	Plot adjacent plot 5 Whitehills
Address	
Local Authority	Fife Council
Application Online Reference	100658686-011

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
Application form	Attached	Not Applicable
Rural location plan	Attached	A4
Block plan	Attached	A3
Site plan	Attached	A3
Proposed plans and elevations	Attached	A2
Low Carbon Checklist	Attached	Not Applicable
Heat pump spec sheet 1	Attached	Not Applicable
Heat pump spec sheet 2	Attached	Not Applicable
Noise impact assessment March 2024	Attached	Not Applicable
Noise impact assessment report August 2024	Attached	Not Applicable
Email from noise consultant March 2024	Attached	Not Applicable
Further email from Noise consultant	Attached	Not Applicable
Transport Consultants Report	Attached	Not Applicable
Refusal decision	Attached	Not Applicable
Appeal statement	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-011.xml	Attached	A0

<p><u>Energy and Climate Change</u> Demonstrate that the application meets the CO² emissions reduction targets currently in place and that the required proportion of that reduction is met by low and zero carbon generation technologies.</p> <p>Improve the energy efficiency of both domestic and non-domestic buildings to minimise total whole-life energy consumption.</p> <p>Support the use of renewable energy rather than fossil fuel sources during concept/design as well as in-service phases with the ultimate aim of decarbonising the energy and heat supply. Improve resilience to climate change, including higher temperatures; changing patterns of precipitation; more frequent extreme weather events; rising sea levels. Impacts on flooding and water supply are addressed.</p>	<p>For Local Developments - Provide information of the energy efficiency measures taken and energy generating technologies associated with this application</p> <p>For Major Developments - An energy statement on intention is required. See Low Carbon Fife Supplementary Guidance page 59 for more information</p>	<p>Domestic Applications Proposals which are not heated or cooled (other than heating or frost protection).</p> <p>Conversion of buildings</p> <p>Small extensions in line with Building standards 6.1 exemptions</p> <p>Temporary buildings with an intended life of less than 2 years</p>	<p>The dwelling house proposed in this application for planning consent will employ sustainable technologies in order to fully comply with any SAP calculation requirements that are produced to support a future building warrant application. These will include renewable technology.</p>
<p><u>Materials</u> Materials sourced from local or sustainable sources</p>	<p>A statement should be included setting out that the development will endeavour to provide the materials from local or sustainable sources. Additional detail should be included if available. See Making Fife's Places Supplementary Guidance page 37 for more information.</p>	<p>Domestic Applications</p>	<p>It will be the applicants intention to construct the proposed dwelling house from locally sourced materials where available and from sustainable sources where practical.</p>

<p><u>Sustainable Urban Drainage System (SUDS)</u> As our climate changes and more rainfall is predicted in many parts of the world, it is important that we control the impact of rainwater to prevent flooding or pollution of watercourses. Sustainable Urban Drainage measures need to be put in place to ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment.</p>	<p>We require Compliance and Independent Check Certificate's to be submitted as per Fife Council's Sustainable Drainage Systems (SUDS) - Design Criteria Guidance Note</p> <p>See Making Fife's Places Supplementary Guidance page 14 for more information.</p>	<p>Domestic Applications</p> <p>Applications for erection of only one dwellinghouse</p>	<p>A SUDS arrangement is proposed by draining the storm water from the dwelling houses to an existing SUDS arrangement already approved. The design has been carried out by a qualified engineer. Road surfaces will be self draining.</p>
<p>Waste treatment</p>			<p>The proposals will have suitable provision and space on site for the necessary waste storage and recycling bins as supplied by the local authority.</p>

<p><u>Travel and Transport</u></p> <p>Developments make a positive contribution towards the improvement of sustainable transport network.</p> <p>Promoting sustainable transport modes in the following order of priority: walking, cycling, public transport, cars.</p> <p>Reducing car dependency.</p> <p>Minimising the amount of travelling required, thus reducing greenhouse gas emissions, especially for air and road travel</p>	<p>PPP Applications – A statement should be included setting out the intended measures to encourage and facilitate the use of sustainable transport focusing on the order of priority.</p> <p>Full Planning Permission Applications – Full details on how the development encourages and facilitates the use of sustainable transport focusing on the order of priority. (Demonstrated through a Transport Assessment or Green Travel Plan).</p>	<p>Domestic Applications</p>	<p>Suitable provision for domestic cycle storage will be provided within the curtilage of the property this along with the fact that the site lies on a main public transport route will reduce the need for car dependency.</p>
<p><u>Air Quality</u></p> <p>Address impacts on air quality by reducing congestion and address the poor air quality that already exists.</p>	<p>An Air Quality Impact Assessment is required where any of the following apply:</p> <p>For all applications subject to an Environmental Impact Assessment (listed in Environmental Impact Assessment (Scotland) Regulations 2017)</p> <p>or</p> <p>10 or more residential units or a site area of more than 0.5ha</p> <p>More than 1,000m² of floor space for all other uses or a site area greater than 1ha</p> <p>Coupled with any of the following:</p> <p>The development has more than 10 parking spaces</p> <p>The development will have a centralised energy facility or other centralised combustion process</p> <p>See Low Carbon Fife Supplementary Guidance Appendix D for more information</p>	<p>Domestic Applications</p> <p>Less than 10 residential units or a site area of less than 0.5ha</p> <p>Less than 1,000m² of floor space for all other uses or a site area smaller than 1ha</p>	<p>N/A</p>

<p>District Heating</p> <p>All applications which create a heat demand or waste heat will be assessed to establish if district heating is likely to be a viable option. All applications for proposals which fit this description need to be tested against the district heating process map set out in section 3.2.2 of the Low Carbon Fife Supplementary Guidance (see page 64) - to establish if a further investigation into heat networks is required. To reduce the cost of heat supply and the carbon intensity of heat generation.</p>	<p>Depending on answers to the questions below will determine whether a further investigation is required</p> <p><i>Is the proposal within 1km of an existing or proposed heat network? (See Low Carbon Fife SG Appendix E for more information) If yes – has an indicative heat demand been provided for the development?</i></p> <p><i>Is further investigation into heat networks required? If yes - has a further investigation into heat networks been provided?</i></p> <p><i>Is the proposal for one of the following types of development?</i> <i>A public sector development;</i> <i>A further education campus;</i> <i>A proposal for over 10,000m2 non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or building with a significant and heat demand)</i> <i>A mixed use development – with at least 50 residential units and at least 10,000m2 of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial</i> <i>If yes – has information on the linear heat density of the development been provided? (see Low Carbon Fife SG section 3.2.2 for more information) Is the linear heat density 4 or over? (see Low Carbon Fife SG section 3.2.3 for more information) If yes – has further investigation into heat networks been provided?</i></p>	<p>Domestic Applications</p> <p>Applications out-with 1km of existing or proposed heat network and is not one of the following developments:</p> <ul style="list-style-type: none"> • A public sector development; • A further education campus; • A proposal for over 10,000m2 non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or indeed any other building with a significant and stable heat demand) • A mixed use development – with at least 50 residential units and at least 10,000m2 of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial <p>And does not have a total aggregate thermal input exceeding 20Megawatts</p>	<p>N/A</p>
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ethosenvironmental

TECHNICAL REPORT P8795

**LAND ADJACENT TO PLOT 5
 WHITEHILL SAWMILL
 MILL FARM ROAD
 ABERDOUR
 24/00214/FULL**

NOISE IMPACT ASSESSMENT

James Watters
Gateside Design

Prepared For

GATESIDE DESIGN
 22 Viewfield Terrace
 Dunfermline
 KY12 7HZ

Prepared By

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Gateside Design		March 2024

DOCUMENT VERIFICATION

Project Title		P8795 Noise Impact Assessment, Aberdour		Project Number	
				P8795	
Document Title		Technical Report - Noise Impact Assessment		Site Work Complete	Initial Report Issued
				27/03/2023	06/09/2023
Revision	Date	Filename	P8795 Technical Report NIA		
1.1	28/04/23	Description	1 st Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature			
1.2	01/03/24	Description	2 nd Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature			
1.3	14/03/24	Description	3 rd Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature			

Amendments made to the following:

- [Section 6](#) – 6.5 and 6.6 (inclusion of ASHPs).
- [Appendix 2](#) (assessment of ASHP).

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EXECUTIVE SUMMARY

A noise impact assessment has been undertaken at the site of the proposed residential development at:

Land Adjacent to Plot 5
Whitehill Sawmill
Mill Farm Road
Aberdour

Attended site monitoring was completed during the day and night-time periods for locations at the outdoor activity area for the dog kennel, garden area facing the kennels and at the roadside of the proposed development.

Results suggest that the 16-hour daytime average will exceed the 35dB $L_{Aeq,16hr}$ threshold for any noise sensitive room. Results also suggest a possible risk that the 45dB L_{AMax} threshold will be exceeded during the night.

In order to reach the standard for any noise-sensitive rooms within the development the window glazing set will require to deliver a noise attenuation performance of approximately $D_{n,e,w}$ 23dB.

An open window can only be expected to deliver 12dB attenuation at best. In order to comply with Scottish Building Standards requirements for ventilation, recommendations are therefore made for suitable glazing sets with acoustically attenuated (“trickle”) ventilation.

The inclusion of a heat pump to the North-West of the proposed development is considered unlikely to present a noise nuisance to residents of neighbouring dwellings, to the Whitehill Kennels and to the proposed dwelling itself.

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1.0 INTRODUCTION

1.1 At the request of Mr James Watters, Gateside Design Ltd, a noise impact assessment was undertaken for the proposed construction of a residential development at:

Land Adjacent to Plot 5
Whitehill Sawmill
Mill Farm Road
Aberdour

1.2 The noise assessment was conducted in the garden space of land adjacent to Plot 5, Whitehill Sawmill.

1.3 The assessment was carried out to ascertain if the dwellings will be impacted by noise arising from the neighbouring activities.

1.4 This report is prepared by William Hay, Acoustic Technician, and is reviewed by Mr Chris Flynn, Acoustic Consultant, Ethos Environmental Ltd.

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2.0 SITE DESCRIPTION

2.1 The site is located at: Land Adjacent to Plot 5, Whitehill Sawmill.

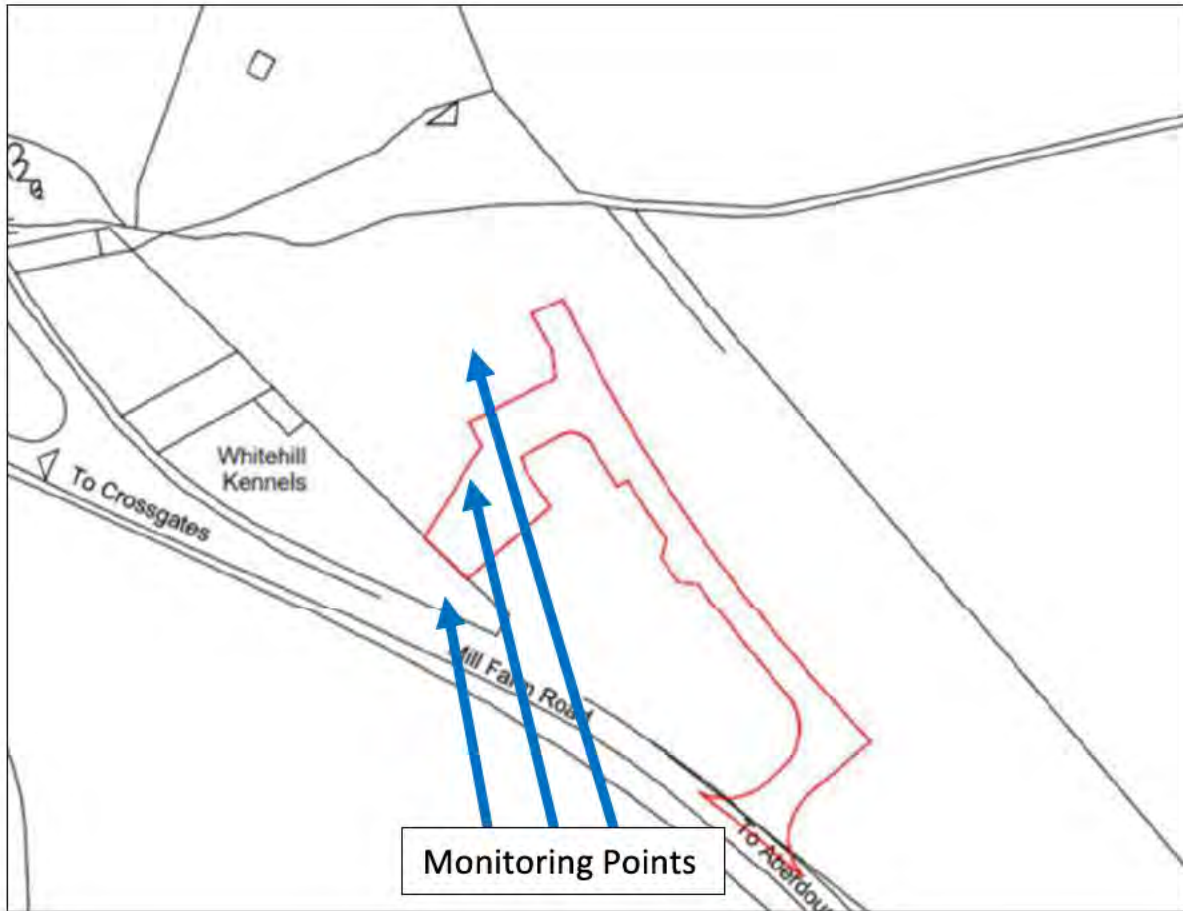
2.2 The client has requested a Noise Impact Assessment for the erection of dwellinghouse (Class 9) and associated development on land adjacent to Plot 5. After reading over the information contained in the planning application, 24/00214/FULL, (previously 22/02516/FULL) and with consideration to the EHO's noise nuisance concerns of the adjacent kennels, the following methodology was carried out.

Figure 1: Ariel View, Proposed Development



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Figure 2: Ariel View, Existing Site Plan.



3.0 METHODOLOGY

The purpose of the noise assessment is to establish whether the noise from the Whitehill Kennels on Mill Farm Road, as well as road traffic, will present a noise nuisance to residents occupying the proposed development.

The following monitoring was completed:

- The current L_{Aeq} , L_{AMax} and L_{A90} noise levels were measured at three monitoring positions.
- Assess in-bedroom noise level both with an open and closed window.
- Assess if noise from the adjacent road will meet the guidelines in the WHO Noise Guidelines.
- Assess if noise from the kennels will present a nuisance with consideration to the design of the proposed development.
- Assess if internal noise levels comply with the level detailed in BS8233.

The following site measurements were undertaken as part of this project:

- Background noise levels (L_{A90}) will be monitored at the proposed development location.
- Ambient noise levels (L_{Aeq}) all-encompassing noise level including traffic noise.

Due to the constantly variable nature of background noise levels during the day and night-time, and due to the highly subjective nature of inaudibility, it is our opinion that the assessment should be carried out relative to an objective criterion.

With noise generated from the dogs in the Whitehall Kennels, this assessment will focus on the L_{Amax} levels recorded at the site against the WHO guidelines for indoor levels, as this source has regular individual noise events and assessing to L_{Aeq} ambient levels would be ineffective (*Note 4, BS8233*).

A Norsonic NOR140 Class 1 sound level meter was utilised for this, calibrated on-site against site calibrator maintained within a calibration system and traceable to UKAS calibration laboratory.

The Nor140 sound and vibration analyser is supplied with ½” preamplifier Nor1209 and the ½” measurement microphone Nor1225. It conforms to the latest revision of the following National and International standard including amendments, all Class 1; IEC 61672, IEC 60651, IEC 60804, IEC 61260, DIN 45657, ANSI S1.4, ANSI S1.11, and ANSI S1.43.

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From this, the impact on internal noise levels to the proposed development could be predicted and referenced against WHO standards, as detailed in BS8233:2014: *Guidance on sound insulation and noise reduction for buildings*, with recommendations made where appropriate for suitable noise attenuation (including ventilation if required) to meet these standards, as follows:

- a. $35\text{dB}_{16\text{hr LAeq}}$ between 0700 and 2300 hours in any noise sensitive rooms in the development.
- b. $30\text{dB}_{8\text{hr LAeq}}$ between 2300 and 0700 hours inside any bedroom in the development.
- c. 45L_{AMax} dB between 2300 and 0700hrs inside any bedroom in the development.
- d. $50\text{dB}_{16\text{hr LAeq}}$ between 0700 and 2300 hours in any external amenity space.

The inclusion of a heat pump on Plot 5A also warranted a BS4142 assessment be carried out to evaluate its noise generating impact on near-by noise sensitive receivers.

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4.0 RESULTS

4.1 Measurement Data

Noise measurements obtained are presented in Table 1.

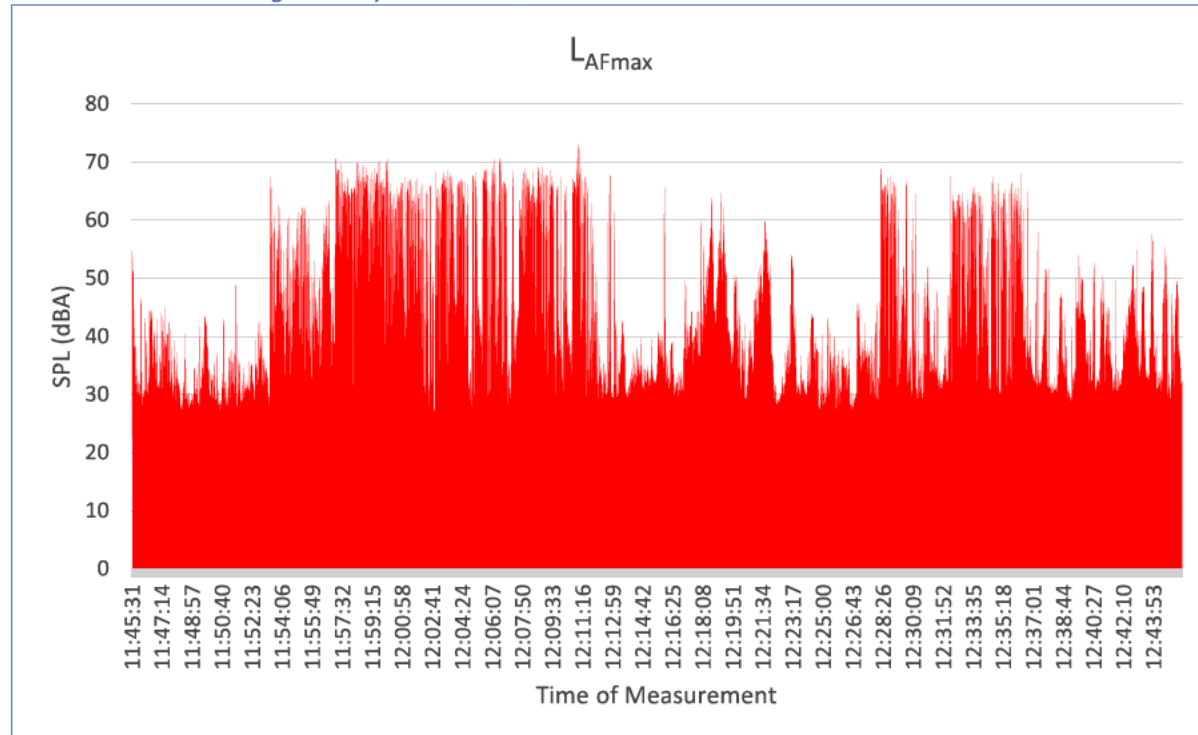
Table 1: Measured Noise Levels in respect to Plot 5A.

Meas. Ref.	Location/Description	Date/Time	Noise Level (dB)		
			L _{Aeq}	L _{A90}	L _{Amax}
Daytime					
1	Outdoor Dog Activity Area	27/03/2023 (11:45-12:45)	52.1	28.1	73.2
2	Garden Area Facing Kennels	27/03/2023 (12:51-13:51)	47.5	29.1	78.3
3	Roadside of Plot 5A	27/03/2023 (13:54-14:35)	59.4	31.1	59.4
Night-time					
4	Roadside of Plot 5A	27/03/2023 (23:38-00:25)	34	32	48.4

Time histories (L_{Aeq}) are presented in [Appendix 1](#) for each measurement.

4.2 L_{AFmax} Time history at Outdoor Dog Activity Area Position

Chart 1: Outdoor Dog Activity Area L_{AFmax}



The period of time between 11:50 and 12:20 measured the noise level generated from the Outdoor Dog Activity Area when dogs were in an agitated state. This is clearly seen in the graph above and was the only time when dogs were audible, as observed on site. The main source of noise in this area was from activities from the barn to the rear of the kennels, which included occasional tractor movements and noise from livestock.

4.3 Plot 5A Garden Area facing Kennels

Determination of the impact of kennel noise at this location was not possible as traffic noise dominated the spectrum, and was the only noise source that could be heard when on site

Noise levels at the nearest part-glazed façade could, however, be predicted from the highest L_{AFmax} level recorded at the Outdoor Dog Activity Area position (73.2dBA). Since the façade facing the kennels is not to contain glazing, the predicted level was calculated on the North-East partition, at a distance of 32m from the Outdoor Activity Area. The resulting level, a likely overestimation as attenuators such as barriers and ground absorption were not considered, is predicted to be 61.2dBA. An additional 4dBA has been applied to give the source a **rated level of 65.2dBA** to compensate for the unpredictability and intermittency of the source.

4.4 Road Position

The most consistent source of noise impacting the proposed development was road traffic on Mill Farm Road. The noise was only significant during the daytime, with no traffic observed during night-time monitoring. The resultant noise level is predicted to be 52.4dBA at the nearest façade.

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5.0 Discussion of Results and Qualitative Assessment

5.1 Outdoor Dog Activity Area

Noise levels measured at the Outdoor Dog Activity Area do not suggest a risk of noise nuisance at the proposed development during the daytime.

It is reasonable to assume that dogs will not use the Activity Area, be moved, fed or visited during night-time hours (where possible); kennels are also designed to remove any line of sight from dog-to-dog, reducing the chance of contagious barking. This should ensure that the chances of night-time noise activity are low, however, due to the unpredictable nature of the source and its potential to disrupt sleep, further attenuation over an open window will be required.

The noise levels recorded during the day at this area present a risk that the noise sensitive rooms of the development could be exposed to 65.2dBA L_{AFmax} during the night. This would exceed the 45dB L_{AFmax} threshold, requiring 21dBA attenuation.

5.2 Garden Area Position

Measured noise levels in the garden suggest the amenity's ambient level will be below the $L_{Aeq,16h}$ 50dB for outdoor living areas. No windows of the proposed development are to makeup the façade which faces the garden and therefore, should achieve an 18dBA attenuation without further design.

5.3 Roadside Position

The estimated noise level incident on the nearest façade, from measured data, at the proposed development will exceed both the daytime and night-time thresholds for noise sensitive rooms and bedrooms set out in BS8233:2014 of 35dB $L_{Aeq,16h}$ and 30dBA $L_{Aeq,8h}$ respectively. This will require a 23dBA attenuation.

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6.0 CONCLUSIONS & RECOMMENDATIONS

6.1 In order to satisfy Scottish Building Standards, windows require to be openable for ventilation purposes; an open window must be assumed to provide at best 12dB¹ (Waters-Fuller & Lurcock, 2007) attenuation, with negligible regard to glazing type or acoustic performance. However, this is dependent upon the correct window type being selected, which may not be possible for planning constraints.

6.2 It is recommended, therefore that the client consider the installation of noise-attenuated passive (“trickle”) ventilation to allow the rooms to be ventilated without the requirement to open the window. This will attenuate any break-in noise from road traffic on Mill Farm Road and reduce the risk of impact from the nearby Whitehill Kennels.

6.3 Double glazing sets with acoustically treated passive ventilation can provide attenuation of up to a $D_{n,e,w}$ 44dB when the trickle vents are open. It is recommended that a glazing unit which provides a sound reduction of at least 23dBA is specified for all windows serving the property, which will attenuate sufficiently the L_{AFmax} values predicted at the property from the Kennels and the L_{Aeq} measured at the roadside. [Appendix 3](#) provides examples from one supplier but there are many suitable options on the market capable of delivering attenuation performance when open.

6.4 It was understood that exposure to the noise generated from the Whitehall Kennels was a primary concern for this development. From attended monitoring, the dogs were only audible during their exercise period. It can be assumed any barking occurring inside the kennel housing will be less than the outdoor levels monitored, affirming the recommended passive ventilation will provide sufficient attenuation as to be below all the aforementioned thresholds. It should be concluded that should the windows be upgraded to provide at least 23dBA attenuation when closed with the trickle vent open, noise generated from the Kennels and Mill Farm Road should not adversely impact the residents of the proposed development.

6.5 The air source heat pump assessment and discussion are included in [Appendix 2](#), which concludes a low risk of nuisance to NSRs from noise generated from the pump (Rating Level of [Table 2](#)). Conclusions on the noise impact on the proposed development with the addition of the heat pump do not change, with attenuation measures recommended, and the location of the pump on a façade without windows, sufficient to reduce internal levels below the BS8233 and WHO thresholds for continuous and impulsive sources.

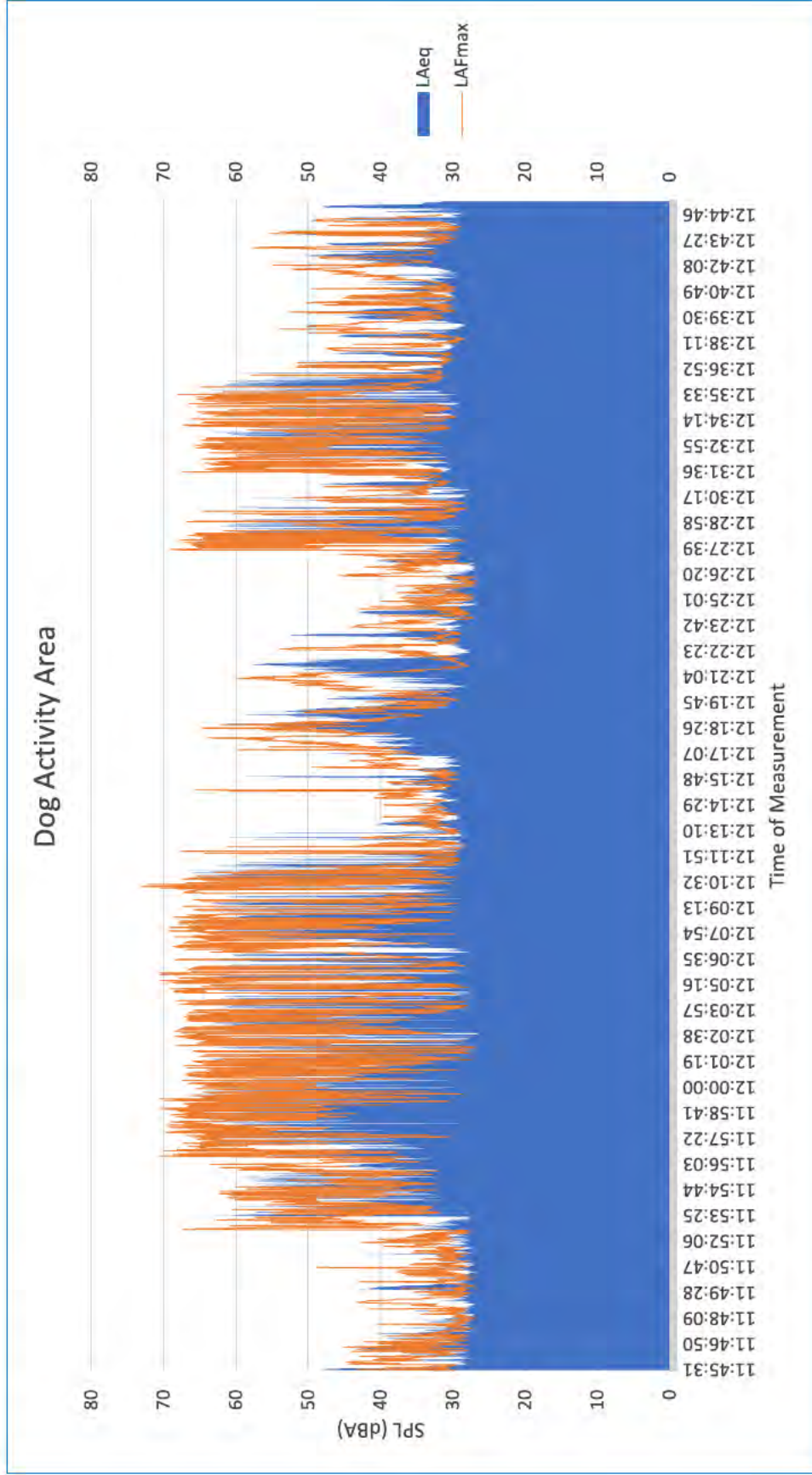
¹ NANR116: ‘Open/Closed Window Research’ Sound Insulation Through Ventilated Domestic Windows: The Building Performance Centre School of The Built Environment Napier University

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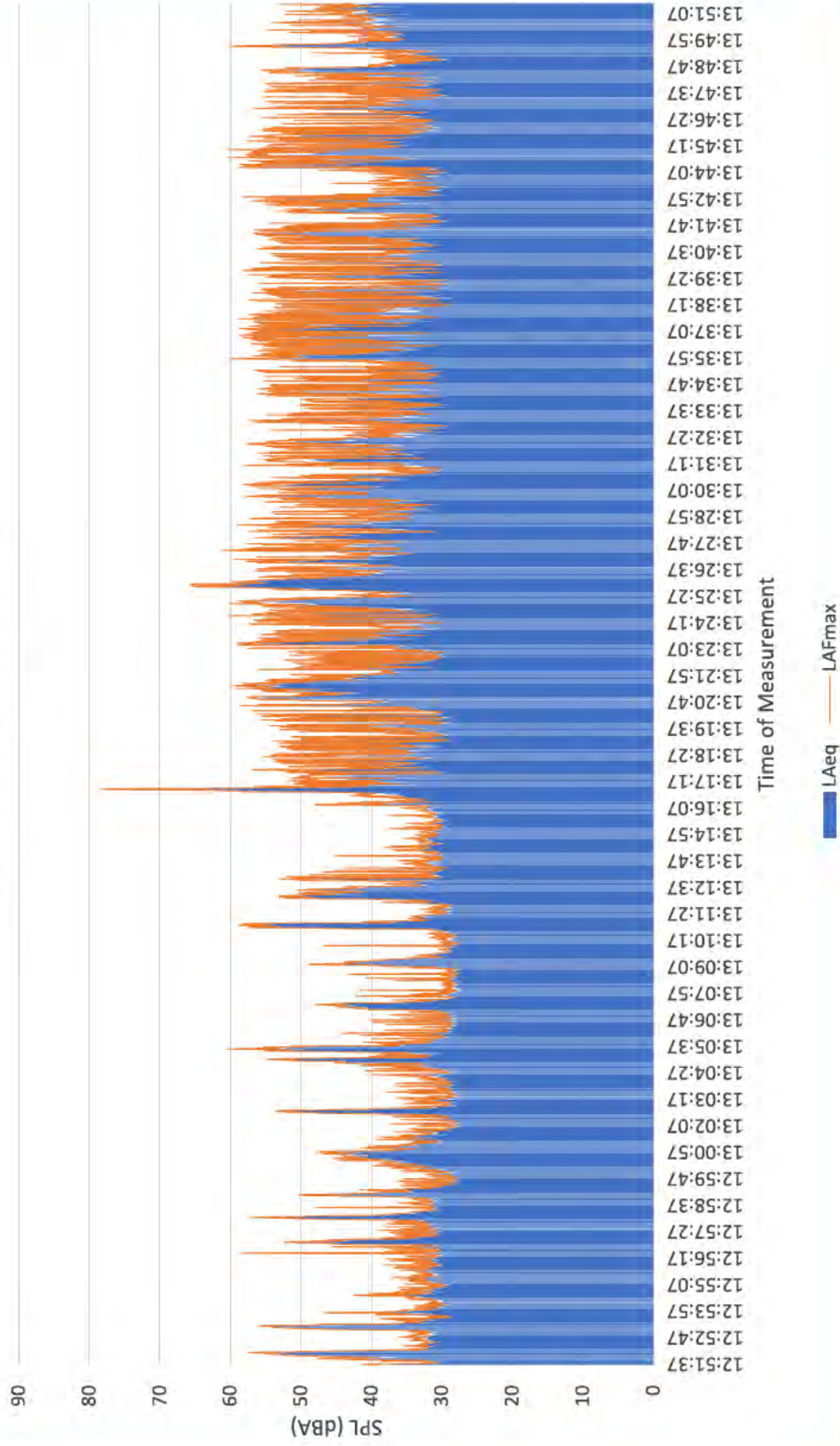
6.6 The air source heat pumps are recommended to be installed with vibration-isolation mounts where coupled to the wall. This will reduce the risk of exciting the partition which could result in generating structure-borne noise.

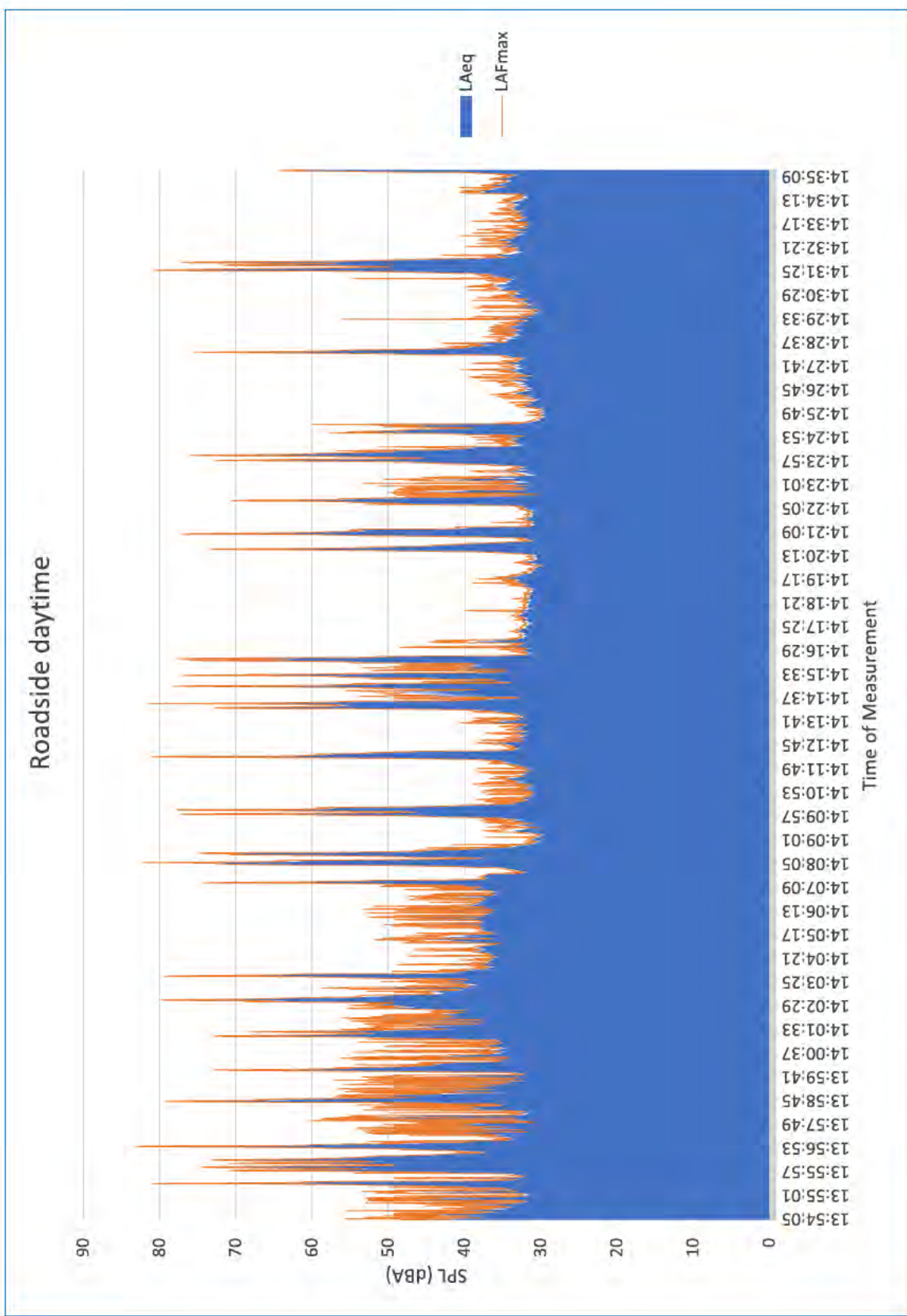
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APPENDIX 1. Time History Noise Data

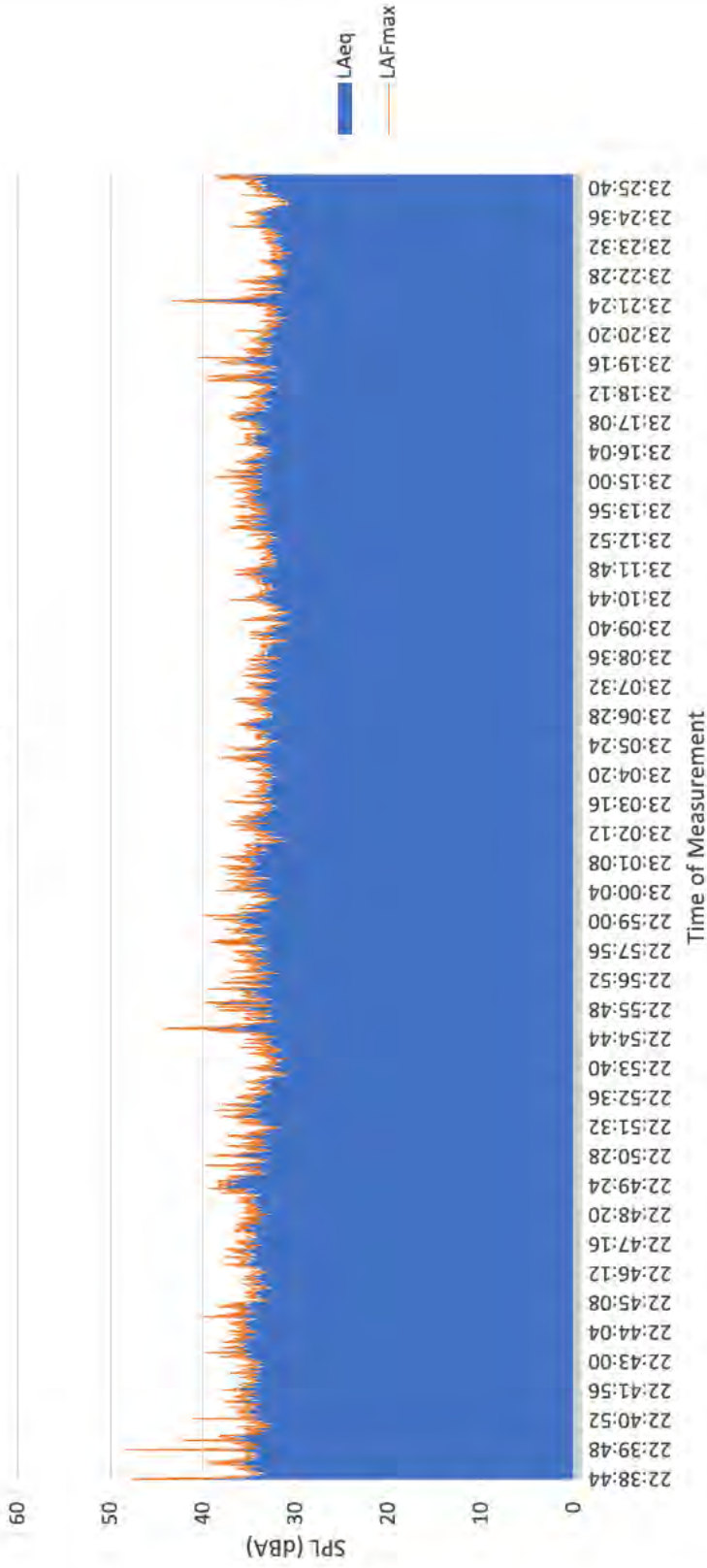


Garden Area Facing Kennels





Roadside Night-time



APPENDIX 2. Air Source Heat Pump Assessment

A BS4142 assessment was completed to evaluate the impact on the amenity of neighbouring properties from the noise generated from the proposed heat pump at the chosen location on Plot 5A (North-West façade). Those concerned are the other plots of the development to the North and East, and the Whitehill Kennels to the West. The lowest background (L_{A90}) level recorded during the site visit was used as a worst case (quietest) scenario to derive impact on amenity. This assessment assumes a slightly perceived tonality at receivers due to the compressor of the pump.

Table 2: BS4142 Assessment

Building	SSL ² (dBA)	Background (dBA)	Tonality	Rating Level
Kennel	20.3	28.1	3	-4.8
Kennel Housing	21.6	28.1	3	-3.5
Kennel Shelter	22.2	28.1	3	-2.9
Plot 3	-4.1	28.1	3	-29.2
Plot 4	4	28.1	3	-21.1
Plot 5	10	28.1	3	-15.1
Plot 6	19	28.1	3	-6.1
Plot 7	8.9	28.1	3	-16.2
Plot 8	0.3	28.1	3	-24.8
Plot 9	-8.1	28.1	3	-33.2

The noise levels at receiver were modelled using CadnaA software. See images of model below.

² Specific Source Level (SSL) modelled at nearest façade of noise sensitive receiver. Information on sound power level of the wall mounted heat pump to be installed (62 dBA) was taken from [Daikin Altherma 3 - Product Flyer](#)

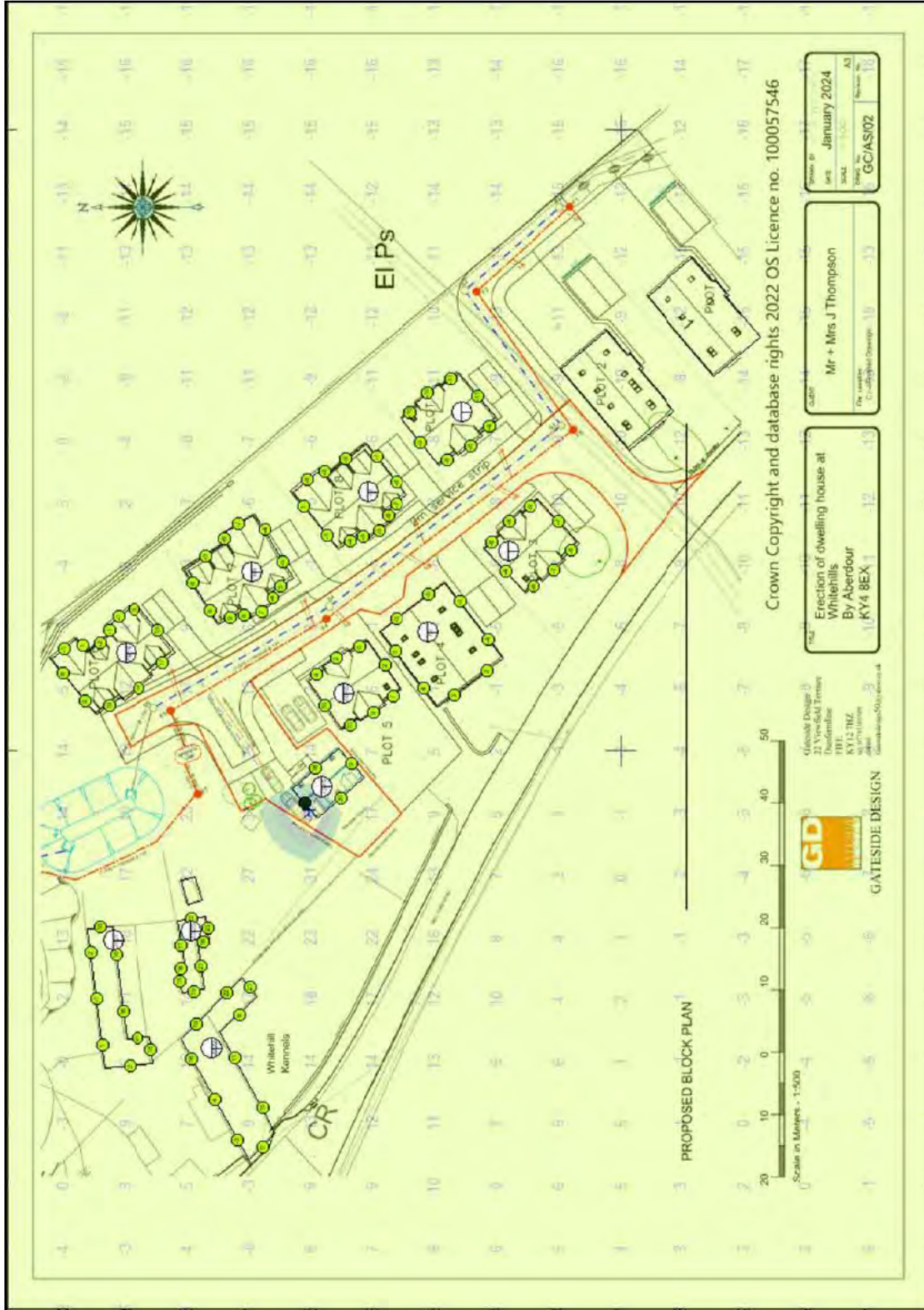


Figure 1: Aerial Noise Map – 1: 500



Figure 2: Aerial Noise Map – 1: 350



Figure 3: 3D View of Development

Sound Attenuating Ventilation Improved Product Solutions

Cutting down on noise entering a property is very difficult whilst attempting to achieve required ventilation levels. The very fact that ventilation requires making a hole or holes in the building fabric means that external noise is liable to reach the dwelling occupants more easily.

There are a number of products on the market that claim to achieve high sound reduction figures however it is important all are checked with acoustic consultants. This is because the quoted sound reduction level for a trickle ventilator isn't measured in the same way as a window. For instance, a window with a sound reduction of 35dB used with a background ventilator giving a sound reduction of 35dB will result in somewhat less than 35dB. If more than one vent is required, the attenuation level becomes progressively worse.



At Titon we have worked hard to develop products which perform to the highest sound attenuation levels possible, but we appreciate we cannot change the laws of physics and acoustics. We always try to make people aware of the pitfalls rather than claim that our sound attenuation products are going to solve every problem.

We have a range of products, from basic slot vents, which could perform satisfactorily in certain situations (all of our main ranges have been tested for sound attenuation), through dedicated sound attenuating vents, to mechanical products with much higher sound attenuating properties. Some products are suitable for retrofitting.

Below is a list of the main products in our ventilation portfolio, including their sound attenuating capabilities.

Trimvent Select XS13

Fits on the window, passive.
Sizes: 4400EA or 5000EA.

Ventilation Strategy:
System 1 (extract fans and background ventilators) or
System 3 (central mechanical extract with background ventilators)

Sound Attenuation level:

	Open	Closed
4400EA version (vent and canopy)	Dn,e,w (C;Ctr) 32 (0;-1)dB	Dn,e,w (C;Ctr) 41 (0;-1)dB
5000EA version (vent and canopy)	Dn,e,w (C;Ctr) 32 (-1;0)dB	Dn,e,w (C;Ctr) 35 (0;0)dB

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SF Xtra Sound Attenuator - Improved Sound Attenuation Performance

Fits on the window, passive.

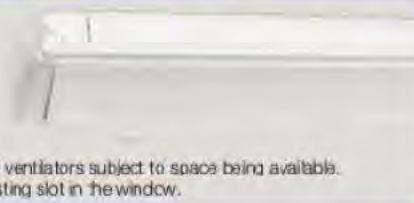
Sizes: All combinations below offer 2500EA.

Ventilation Strategy:

System 1 (extract fans and background ventilators) or

System 3 (central mechanical extract with background ventilators).

This product can also be retrofitted to a property in place of standard background ventilators subject to space being available. Acoustic and ventilation performance will vary according to the size of the pre-existing slot in the window.



Sound Attenuation level:

	Open	Closed
V75 + C75	Dn,e,w (C;Ctr) = 44 (-2;-3)dB	Dn,e,w (C;Ctr) = 55 (-1;-5)dB
V75 + C50	Dn,e,w (C;Ctr) = 42 (-1;-2)dB	Dn,e,w (C;Ctr) = 55 (-2;-5)dB
V75 + standard canopy	Dn,e,w (C;Ctr) = 40 (-1;-2)dB	Dn,e,w (C;Ctr) = 53 (-1;-4)dB
V50 + C25	Dn,e,w (C;Ctr) = 39 (-1;-2)dB	Dn,e,w (C;Ctr) = 65 (-2;-6)dB
V50 + standard canopy	Dn,e,w (C;Ctr) = 38 (-1;-2)dB	Dn,e,w (C;Ctr) = 55 (-2;-5)dB
V25 + C25	Dn,e,w (C;Ctr) = 36 (-0;-2)dB	Dn,e,w (C;Ctr) = 55 (-1;-5)dB
V25 + standard canopy	Dn,e,w (C;Ctr) = 35 (-0;-1)dB	Dn,e,w (C;Ctr) = 54 (-1;-4)dB
Standard vent + C25	Dn,e,w (C;Ctr) = 35 (-0;-1)dB	Dn,e,w (C;Ctr) = 55 (-1;-5)dB
Standard vent + standard SF canopy	Dn,e,w (C;Ctr) = 32 (-1;-0)dB	Dn,e,w (C;Ctr) = 52 (-2;-1)dB

Sonair

Fits through the wall, mechanical supply with filter.

Ventilation Strategy:

System 1 (extract fans and background ventilators) or

System 3 (central mechanical extract with background ventilators)

This product can also form part of a Sonair system, approved to comply with Part F of the building regulations.



Sound Attenuation level:

	Open
Sonair A+	Dn,e,w 52 (-1;-3)dB G32 or F6
Sonair F+	Dn,e,w 55 (-2;-4)dB F6 Dn,e,w 56 (-2;-6)dB G6

Sometimes the best way to achieve the best acoustic performance in new build applications is to upgrade from a traditional ventilation strategy, e.g. Extract fans in bathrooms and trickle vents in windows, to a central extract system, mechanical extract with fewer - sound attenuating - vents, or all the way to mechanical ventilator with heat recovery. The latter system means there are no direct apertures to the outside in living areas of the property.

Circular Silencer

Fits to the ducting to reduce noise levels generated by whole house systems. For sizes, please see the table below.

Ventilation Strategy:

System 3 (central mechanical extract with background ventilators) or

System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

Part No.	Connection Ø mm	Silencer Ø mm	Length mm	Frequency Hz							
				63	125	250	500	1k	2k	4k	8k
CA100300	100	200	600	1	7	12	25	43	48	35	20
CA125300	125	225	600	1	5	10	22	39	37	26	16
CA125300	125	225	900	1	7	14	30	30	50	37	21
CA1251200	125	225	1200	2	9	18	39	30	50	47	26
CA150300	150	260	600	1	4	8	19	37	28	17	11

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Rectangular Silencer

Fits to the ducting to reduce noise levels generated by whole house systems. For sizes, please see the table below.

Ventilation Strategy:

System 3 (central mechanical extract with background ventilators) or System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

Material	Static Insertion Loss - dB							
	63	125	250	500	1k	2k	4k	8k
204x60mm x 0.5m Long Duct Silencer	-1	-3	5	6	12	18	12	9
204x60mm x 1.0m Long Duct Silencer	-1	0	11	12	13	37	23	15
204x60mm x 1.5m Long Duct Silencer	5	6	15	20	32	47	35	20
204x60mm x 0.5m Long Hi-Flow Duct Silencer	1.1	1.4	2.4	6	10.9	17.9	22.9	24.9
204x60mm x 1.0m Long Hi-Flow Duct Silencer	1.8	0.3	3.3	11.1	21.4	33.9	35.9	25.2
204x60mm x 1.5m Long Hi-Flow Duct Silencer	3.8	2.1	7	16	28.6	39.8	37.2	25.8
220x90mm x 0.5m Long Duct Silencer	1.9	2.7	3	6.5	9.8	16.6	25.4	26.7
220x90mm x 1.0m Long Duct Silencer	1.4	4.6	4.1	13	18.2	34.5	43.1	34
220x90mm x 1.5m Long Duct Silencer	0.1	1.8	3.1	18.1	26.6	43.7	46.1	34.3

Sound Attenuators - Semi Flexible (for use with Titor HRV Q Plus Range)

Designed for Titor's MVHR range.

Reduces both duct and breakout sound levels.

Provides both acoustic and thermal insulation.

Isolates unit to ducting to help prevent noise transmission through vibrations.



In line attenuation figures - Length 300mm

Dn (mm)	L (mm)	Attenuation, dB - Mid-frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
125	500	6.3	7.1	15.2	19.9	20.3	26.1	17.1	12.9
150	500	8.3	9.3	18.8	19.4	16.7	25	19.8	13.8

In line attenuation figures - Length 1000mm

Dn (mm)	L (mm)	Attenuation, dB - Mid-frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
125	1000	12.4	20.1	33.6	29.8	29.5	33.5	32.1	23.6
150	1000	11.1	11.8	34.2	28.5	26.3	34.9	27.2	21.8

CME2 Q Plus

Fits whole house ducted system (with background ventilators), extracting from the wet rooms.

Sizes: One model, SAP Appendix C Best Practise performance.

Ventilation Strategy:

System 3 (central mechanical extract with background ventilators) or System 4 (mechanical extract with heat recovery). This system can also form part of a Sonair system, approved to comply with Part F of the Building Regulations.



Sound Attenuation level:

	Inlet Inlet	Standard running speed casing breakout
CME 2 Q Plus	30dBA @0m	33dBA @ 3m

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HRV Q Plus

Fits whole house ducted system (with background ventilators), extracting from the wet rooms and recovering the heat from the extracted air. This heat is then re-distributed to the habitable rooms. Sizes: Six models, SAP Appendix Q Best Practise performance.

Ventilation Strategy: System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

Product	% of Max flow	dB(A) @ 3m Hemispherical			dB(A) @ 3m Spherical	
		Airflow	Induct Inlet	Induct Outlet	Casing Breakout	Casing Breakout
HRV1.25 Q Plus Eco	40%	23/s @ 10Pa	26	41	23	17
	61%	34/s @ 23Pa	36	49	28	25
	100%	56/s @ 50Pa	42	57	35	32
HRV1.35 Q Plus Eco	37%	23/s @ 2Pa	28	29	19	16
	65%	30/s @ 38Pa	40	52	29	26
	100%	60/s @ 100Pa	47	61	36	33
HRV1.75 Q Plus Eco	39%	30/s @ 8Pa	26	36	22	18
	60%	47/s @ 47Pa	31	46	22	18
	100%	78/s @ 100Pa	40	54	30	27
HRV2 Q Plus Eco	33%	27/s @ 8Pa	20	29	16	13
	70%	57/s @ 56Pa	35	51	32	29
	100%	81/s @ 100Pa	41	66	37	34
HRV2.85 Q Plus Eco	31%	29/s @ 7Pa	22	23	11	11
	66%	61/s @ 40Pa	34	47	24	21
	100%	93/s @ 100Pa	42	56	34	31
HRV3 Q Plus Eco	33%	36/s @ 10Pa	26	36	21	18
	68%	73/s @ 48Pa	36	49	29	26
	100%	108/s @ 100Pa	45	57	37	34
HRV10 Q Plus Eco	41%	44/s @ 22Pa	27	38	27	24
	69%	75/s @ 51Pa	36	48	37	34
	100%	108/s @ 100Pa	45	57	51	48
HRV10M Q Plus Eco	41%	44/s @ 22Pa	27	38	23	20
	69%	75/s @ 51Pa	36	48	33	30
	100%	108/s @ 100Pa	43	57	48	43
HRV10.25 Q Plus Eco	39%	56/s @ 22Pa	32	47	35	32
	66%	95/s @ 44Pa	43	62	45	42
	100%	144/s @ 100Pa	48	70	54	51
HRV10.25M Q Plus Eco	39%	56/s @ 22Pa	32	47	30	27
	66%	95/s @ 44Pa	43	62	39	36
	100%	144/s @ 100Pa	48	70	49	46
H200 Q Plus Eco	47%	30/s @ 20Pa	26	37	25	22
	64%	53/s @ 37Pa	30	41	31	28
	100%	83/s @ 100Pa	36	54	41	38

Trimbox NO₂ Filter

Effective in reducing pollutants in the home, improving Indoor Air Quality (IAQ) and reducing the risk of Toxic Home Syndrome. Compatible with Titen's range of MVHR units. Sizes: 2 models (with 3 or 4 carbon filters)

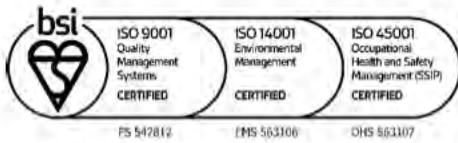
Ventilation Strategy: System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

	Octave Band (Hz) Static Insertion Loss, dB							
	63	125	250	500	1000	2000	4000	8000
Trimbox NO ₂ (3 filter) unit	7	8	5	9	16	27	33	36
Trimbox NO ₂ (4 filter) unit	6	7	5	10	19	35	35	40

Inlet and outlet levels are Inlet (S5 EN 13141-7 clause 6.1.2 requirement, casing breakout is hemispherical - for spherical subtract 3dB). Titen acoustic data is independently tested at Sound Research Laboratories. Data is specifically tested for the Eco unit (100% bypass) - non bypass variants with despot heat exchangers will offer lower acoustic levels. The full acoustic results at various speed settings are available on request, or visit www.titen.co.uk



ethosenvironmental

**TECHNICAL REPORT P9022
 (P8795.04)**

**LAND ADJACENT TO PLOT 5
 WHITEHILL SAWMILL
 MILL FARM ROAD
 ABERDOUR
 24/00214/FULL**

NOISE IMPACT ASSESSMENT

James Watters
Gateside Design

Prepared For

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DOCUMENT VERIFICATION

Project Title		P8795 Noise Impact Assessment, Aberdour		Project Number	
				P8795	
Document Title		Technical Report - Noise Impact Assessment		Site Work Complete	Initial Report Issued
				27/03/2023, 13/08/2024	06/09/2023
Revision	Date	Filename	P8795 Technical Report NIA		
1.1	28/04/23	Description	1 st Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature	[REDACTED]		
1.2	01/03/24	Description	2 nd Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature	[REDACTED]		
1.3	14/03/24	Description	3 rd Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature	[REDACTED]		
1.3	19/08/24	Description	4 th Version		
		Author	Prepared By	Approved By	
		Name	William Hay	Chris Flynn	
		Signature	[REDACTED]		

Amendments made to P8795.03:

Appendix 3 **Additional Dog Activity Noise Monitoring**
Section 6 **Paragraph 6.3, 6.4, 6.5**

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EXECUTIVE SUMMARY

A noise impact assessment has been undertaken at the site of the proposed residential development at:

Land Adjacent to Plot 5
Whitehill Sawmill
Mill Farm Road
Aberdour

Attended site monitoring was completed during the day and night-time periods for locations at the outdoor activity area for the dog kennel, garden area facing the kennels and at the roadside of the proposed development.

Results suggest that the 16-hour daytime average will exceed the 35dB $L_{Aeq,16hr}$ threshold for any noise sensitive room. Results also suggest a possible risk that the 45dB L_{AMax} threshold will be exceeded during the night.

In order to reach the standard for any noise-sensitive rooms within the development the window glazing set will require to deliver a noise attenuation performance of approximately $D_{n,e,w}$ 24dB.

An open window can only be expected to deliver 12dB attenuation at best. In order to comply with Scottish Building Standards requirements for ventilation, recommendations are therefore made for suitable glazing sets with acoustically attenuated (“trickle”) ventilation.

The inclusion of a heat pump to the North-West of the proposed development is considered unlikely to present a noise nuisance to residents of neighbouring dwellings, to the Whitehill Kennels and to the proposed dwelling itself.

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1.0 INTRODUCTION

1.1 At the request of Mr James Watters, Gateside Design Ltd, a noise impact assessment was undertaken for the proposed construction of a residential development at:

Land Adjacent to Plot 5
Whitehill Sawmill
Mill Farm Road
Aberdour

1.2 The noise assessment was conducted in the garden space of land adjacent to Plot 5, Whitehill Sawmill.

1.3 The assessment was carried out to ascertain if the dwellings will be impacted by noise arising from the neighbouring activities.

1.4 This report is prepared by William Hay, Acoustic Consultant, and is reviewed by Mr Chris Flynn, Senior Acoustic Consultant, Ethos Environmental Ltd.

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2.0 SITE DESCRIPTION

2.1 The site is located at: Land Adjacent to Plot 5, Whitehill Sawmill.

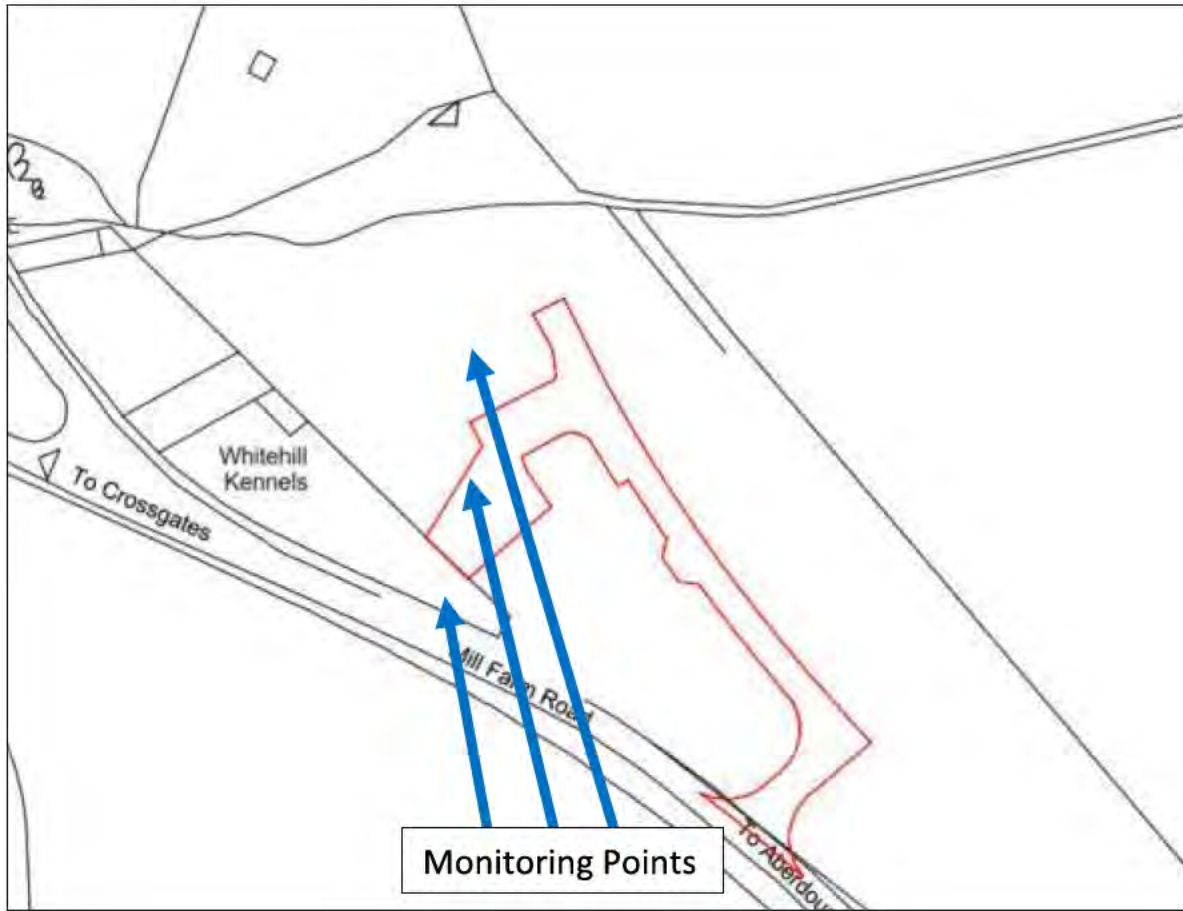
2.2 The client has requested a Noise Impact Assessment for the erection of dwellinghouse (Class 9) and associated development on land adjacent to Plot 5. After reading over the information contained in the planning application, 24/00214/FULL, (previously 22/02516/FULL) and with consideration to the EHO's noise nuisance concerns of the adjacent kennels, the following methodology was carried out.

Figure 1: Ariel View, Proposed Development



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Figure 2: Ariel View, Existing Site Plan.



3.0 METHODOLOGY

The purpose of the noise assessment is to establish whether the noise from the Whitehill Kennels on Mill Farm Road, as well as road traffic, will present a noise nuisance to residents occupying the proposed development.

The following monitoring was completed:

- The current L_{Aeq} , L_{AMax} and L_{A90} noise levels were measured at three monitoring positions.
- Assess in-bedroom noise level both with an open and closed window.
- Assess if noise from the adjacent road will meet the guidelines in the WHO Noise Guidelines.
- Assess if noise from the kennels will present a nuisance with consideration to the design of the proposed development.
- Assess if internal noise levels comply with the level detailed in BS8233.

The following site measurements were undertaken as part of this project:

- Background noise levels (L_{A90}) will be monitored at the proposed development location.
- Ambient noise levels (L_{Aeq}) all-encompassing noise level including traffic noise.

Due to the constantly variable nature of background noise levels during the day and night-time, and due to the highly subjective nature of inaudibility, it is our opinion that the assessment should be carried out relative to an objective criterion.

With noise generated from the dogs in the Whitehall Kennels, this assessment will focus on the L_{Amax} levels recorded at the site against the WHO guidelines for indoor levels, as this source has regular individual noise events and assessing to L_{Aeq} ambient levels would be ineffective (*Note 4, BS8233*).

A Norsonic NOR140 Class 1 sound level meter was utilised for this, calibrated on-site against site calibrator maintained within a calibration system and traceable to UKAS calibration laboratory.

The Nor140 sound and vibration analyser is supplied with ½" preamplifier Nor1209 and the ½" measurement microphone Nor1225. It conforms to the latest revision of the following National and International standard including amendments, all Class 1; IEC 61672, IEC 60651, IEC 60804, IEC 61260, DIN 45657, ANSI S1.4, ANSI S1.11, and ANSI S1.43.

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From this, the impact on internal noise levels to the proposed development could be predicted and referenced against WHO standards, as detailed in BS8233:2014: *Guidance on sound insulation and noise reduction for buildings*, with recommendations made where appropriate for suitable noise attenuation (including ventilation if required) to meet these standards, as follows:

- a. $35\text{dB}_{16\text{hr LAeq}}$ between 0700 and 2300 hours in any noise sensitive rooms in the development.
- b. $30\text{dB}_{8\text{hr LAeq}}$ between 2300 and 0700 hours inside any bedroom in the development.
- c. 45_{LAMax} dB between 2300 and 0700hrs inside any bedroom in the development.
- d. $50\text{dB}_{16\text{hr LAeq}}$ between 0700 and 2300 hours in any external amenity space.

The inclusion of a heat pump on Plot 5A also warranted a BS4142 assessment be carried out to evaluate its noise generating impact on near-by noise sensitive receivers.

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4.0 RESULTS

4.1 Measurement Data

Noise measurements obtained are presented in Table 1.

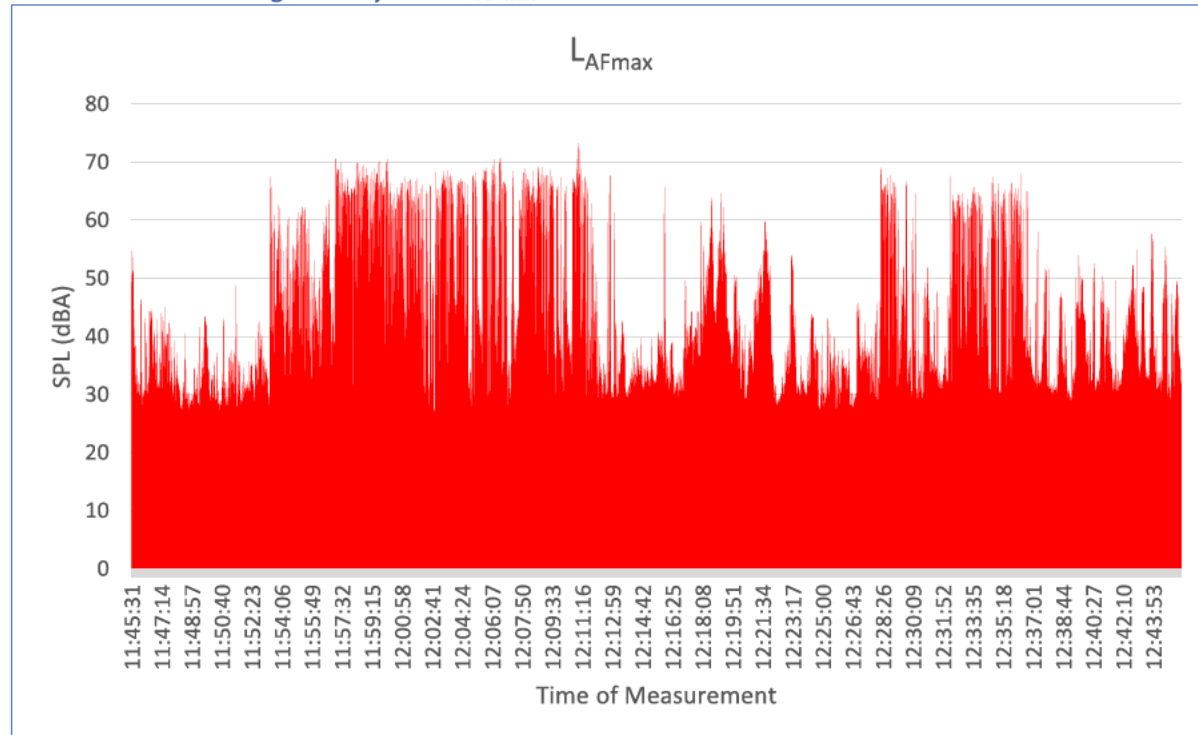
Table 1: Measured Noise Levels in respect to Plot 5A.

Meas. Ref.	Location/Description	Date/Time	Noise Level (dB)		
			L _{Aeq}	L _{A90}	L _{Amax}
Daytime					
1	Outdoor Dog Activity Area	27/03/2023 (11:45-12:45)	52.1	28.1	73.2
2	Garden Area Facing Kennels	27/03/2023 (12:51-13:51)	47.5	29.1	78.3
3	Roadside of Plot 5A	27/03/2023 (13:54-14:35)	59.4	31.1	83
Night-time					
4	Roadside of Plot 5A	27/03/2023 (23:38-00:25)	34	32	48.4

Time histories (L_{Aeq}) are presented in [Appendix 1](#) for each measurement.

4.2 L_{AFmax} Time history at Outdoor Dog Activity Area Position

Chart 1: Outdoor Dog Activity Area L_{AFmax}



The period between 11:50 and 12:20 measured the noise level generated from the Outdoor Dog Activity Area when dogs were in an agitated state. This is clearly seen in the graph above and was the only time when dogs were audible, as observed on site. The main source of noise in this area was from activities from the barn to the rear of the kennels, which included occasional tractor movements and noise from livestock.

4.3 Plot 5A Garden Area facing Kennels

Determination of the impact of kennel noise at this location was not possible as traffic noise dominated the spectrum, and was the only noise source that could be heard when on site

Noise levels at the nearest part-glazed façade could, however, be predicted from the highest L_{AFmax} level recorded at the Outdoor Dog Activity Area position (73.2dBA). Since the façade facing the kennels is not to contain glazing, the predicted level was calculated on the North-East partition, at a distance of 32m from the Outdoor Activity Area. The resulting level, a likely overestimation as attenuators such as barriers and ground absorption were not considered, is predicted to be 61.2dBA. An additional 4dBA has been applied to give the source a **rated level of 65.2dBA** to compensate for the unpredictability and intermittency of the source.

4.4 Road Position

The most consistent source of noise impacting the proposed development was road traffic on Mill Farm Road. The noise was only significant during the daytime, with no traffic observed during night-time monitoring. The resultant noise level is predicted to be 52.4dBA at the nearest façade.

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5.0 Discussion of Results and Qualitative Assessment

5.1 Outdoor Dog Activity Area

Noise levels measured at the Outdoor Dog Activity Area do not suggest a risk of noise nuisance at the proposed development during the daytime provided there is no daytime sleeping.

It is reasonable to assume that dogs will not use the Activity Area, be moved, fed or visited during night-time hours (where possible); kennels are also designed to remove any line of sight from dog-to-dog, reducing the chance of contagious barking. This should ensure that the chances of night-time noise activity are low, however, due to the unpredictable nature of the source, its potential to disrupt sleep and to consider the possibility of daytime sleeping, further attenuation over an open window will be required.

The noise levels recorded during the day at this area present a risk that the noise sensitive rooms of the development could be exposed to 65.2dBA L_{AFmax} during the day and night. This would exceed the 45dB L_{AFmax} threshold, requiring 21dBA attenuation.

Further assessment of this source of noise is discussed in [Appendix 3](#) and concluded in [Section 6](#).

5.2 Garden Area Position

Measured noise levels in the garden suggest the amenity's ambient level will be below the $L_{Aeq,16h}$ 50dB for outdoor living areas. No windows of the proposed development are to makeup the façade which faces the garden and therefore, should achieve an 18dBA attenuation without further design.

5.3 Roadside Position

The estimated noise level incident on the nearest façade, from measured data, at the proposed development will exceed both the daytime and night-time thresholds for noise sensitive rooms and bedrooms set out in BS8233:2014 of 35dB $L_{Aeq,16h}$ and 30dBA $L_{Aeq,8h}$ respectively. This will require a 23dBA attenuation.

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6.0 CONCLUSIONS & RECOMMENDATIONS

6.1 In order to satisfy Scottish Building Standards, windows require to be openable for ventilation purposes; an open window must be assumed to provide at best 12dB¹ (Waters-Fuller & Lurcock, 2007) attenuation, with negligible regard to glazing type or acoustic performance. However, this is dependent upon the correct window type being selected, which may not be possible for planning constraints.

6.2 It is recommended, therefore that the client consider the installation of noise-attenuated passive (“trickle”) ventilation to allow the rooms to be ventilated without the requirement to open the window. This will attenuate any break-in noise from road traffic on Mill Farm Road and reduce the risk of impact from the nearby Whitehill Kennels.

6.3 Double glazing sets with acoustically treated passive ventilation can provide attenuation of up to a $D_{n,e,w}$ 44dB when the trickle vents are open. It is recommended that a glazing unit which provides a sound reduction of at least 24dBA is specified for all windows serving the property, which will attenuate sufficiently the L_{AFmax} values predicted at the property from the Kennels and the L_{Aeq} measured at the roadside. [Appendix 4](#) provides examples from one supplier but there are many suitable options on the market capable of delivering attenuation performance when open. It is understood; however, that no windows on this side of the development are proposed in the design.

6.4 For glazing sets without line-of-sight to the kennels, a barrier correction of 10dB is taken to give a revised minimum attenuation of 14dB for such positions. Due to the variability of the noise source, this minimum attenuation is raised to 18dB for windows providing ventilation for glazing sets without line-of-sight to the kennels. At this location, noise from the road remains the greatest source of noise and the 24dBA glazing mentioned above will satisfy criteria for internal sleeping levels described in *BS 8233:2014* and *WHO Guidelines for community noise* for continuous and impulsive sources.

6.5 It was understood that exposure to the noise generated from the Whitehall Kennels was a primary concern for this development. From attended monitoring, the dogs were only audible during their exercise period and time in the outdoor activity area. It can be assumed any barking occurring inside the kennel housing will be less than the outdoor levels monitored, affirming the recommended passive ventilation will provide sufficient attenuation as to be below all the aforementioned thresholds. It should be concluded that should the windows be upgraded to provide at least 24dBA attenuation when closed with the trickle vent open, noise generated from

¹ NANR116: ‘Open/Closed Window Research’ Sound Insulation Through Ventilated Domestic Windows: The Building Performance Centre School of The Built Environment Napier University

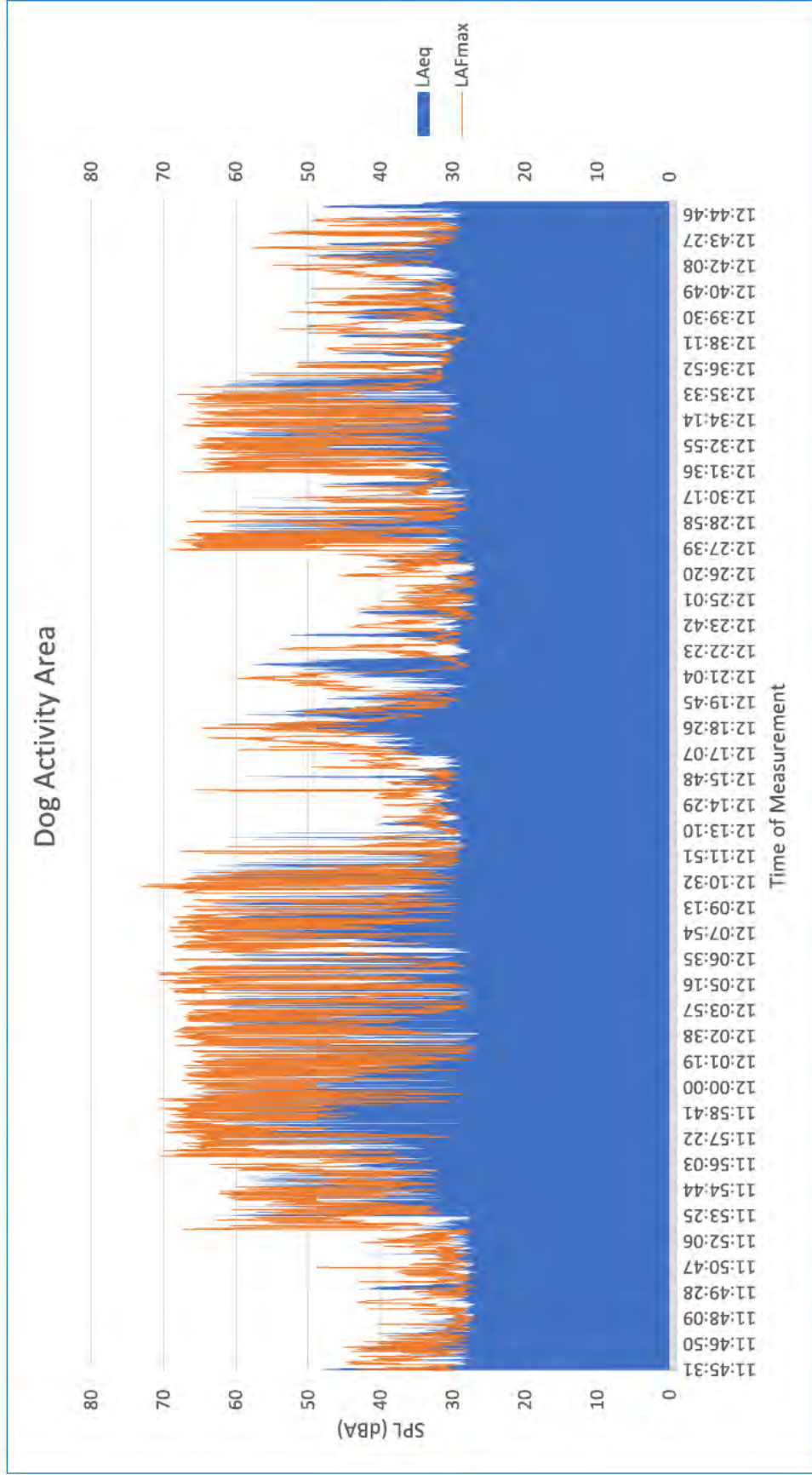
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the Kennels and Mill Farm Road should not adversely impact the residents of the proposed development.

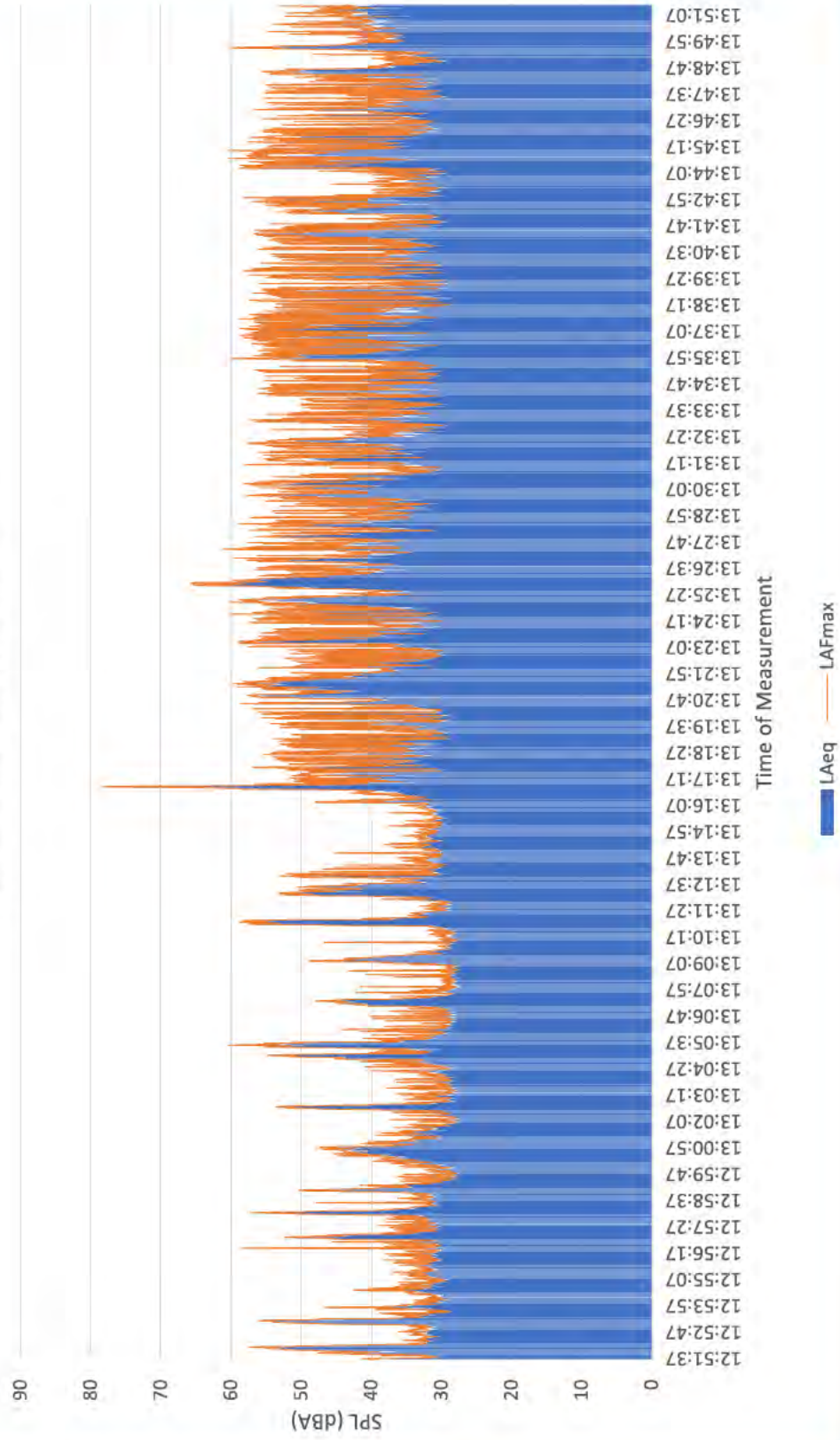
6.6 The air source heat pump assessment and discussion are included in [Appendix 2](#), which concludes a low risk of nuisance to NSRs from noise generated from the pump (Rating Level of [Table 2](#)). Conclusions on the noise impact on the proposed development with the addition of the heat pump do not change, with attenuation measures recommended, and the location of the pump on a façade without windows, sufficient to reduce internal levels below the BS8233 and WHO thresholds for continuous and impulsive sources.

6.7 The air source heat pumps are recommended to be installed with vibration-isolation mounts where coupled to the wall. This will reduce the risk of exciting the partition which could result in generating structure-borne noise.

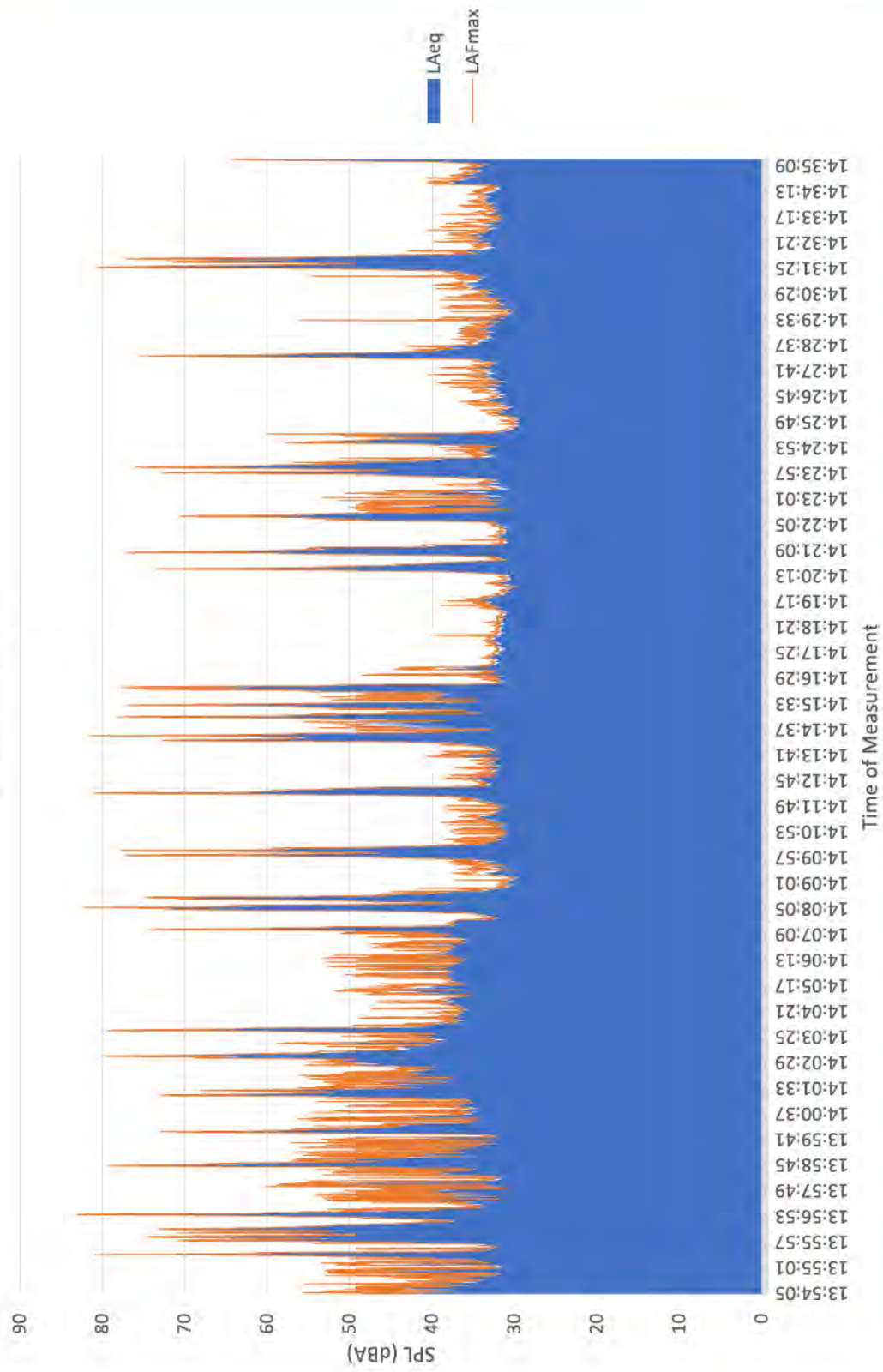
APPENDIX 1. Time History Noise Data



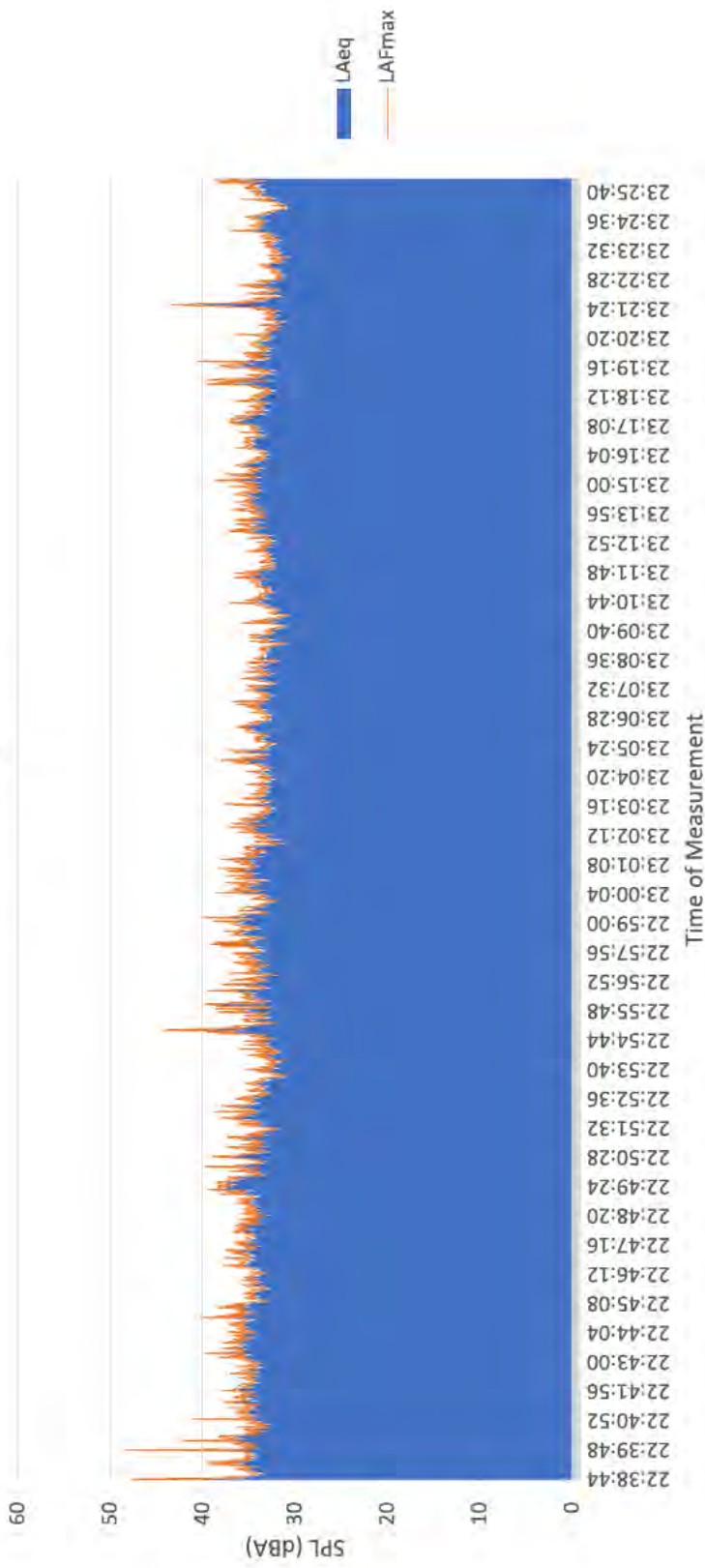
Garden Area Facing Kennels



Roadside daytime



Roadside Night-time



Garden Area Facing Kennels 13/08/2024



APPENDIX 2. Air Source Heat Pump Assessment

A BS4142 assessment was completed to evaluate the impact on the amenity of neighbouring properties from the noise generated from the proposed heat pump at the chosen location on Plot 5A (North-West façade). Those concerned are the other plots of the development to the North and East, and the Whitehill Kennels to the West. The lowest background (L_{A90}) level recorded during the site visit was used as a worst case (quietest) scenario to derive impact on amenity. This assessment assumes a slightly perceived tonality at receivers due to the compressor of the pump.

Table 2: BS4142 Assessment

Building	SSL ² (dBA)	Background (dBA)	Tonality	Rating Level
Kennel	20.3	28.1	3	-4.8
Kennel Housing	21.6	28.1	3	-3.5
Kennel Shelter	22.2	28.1	3	-2.9
Plot 3	-4.1	28.1	3	-29.2
Plot 4	4	28.1	3	-21.1
Plot 5	10	28.1	3	-15.1
Plot 6	19	28.1	3	-6.1
Plot 7	8.9	28.1	3	-16.2
Plot 8	0.3	28.1	3	-24.8
Plot 9	-8.1	28.1	3	-33.2

The noise levels at receiver were modelled using CadnaA software. See images of model below.

² Specific Source Level (SSL) modelled at nearest façade of noise sensitive receiver. Information on sound power level of the wall mounted heat pump to be installed (62 dBA) was taken from [Daikin Altherma 3 - Product Flyer](#)

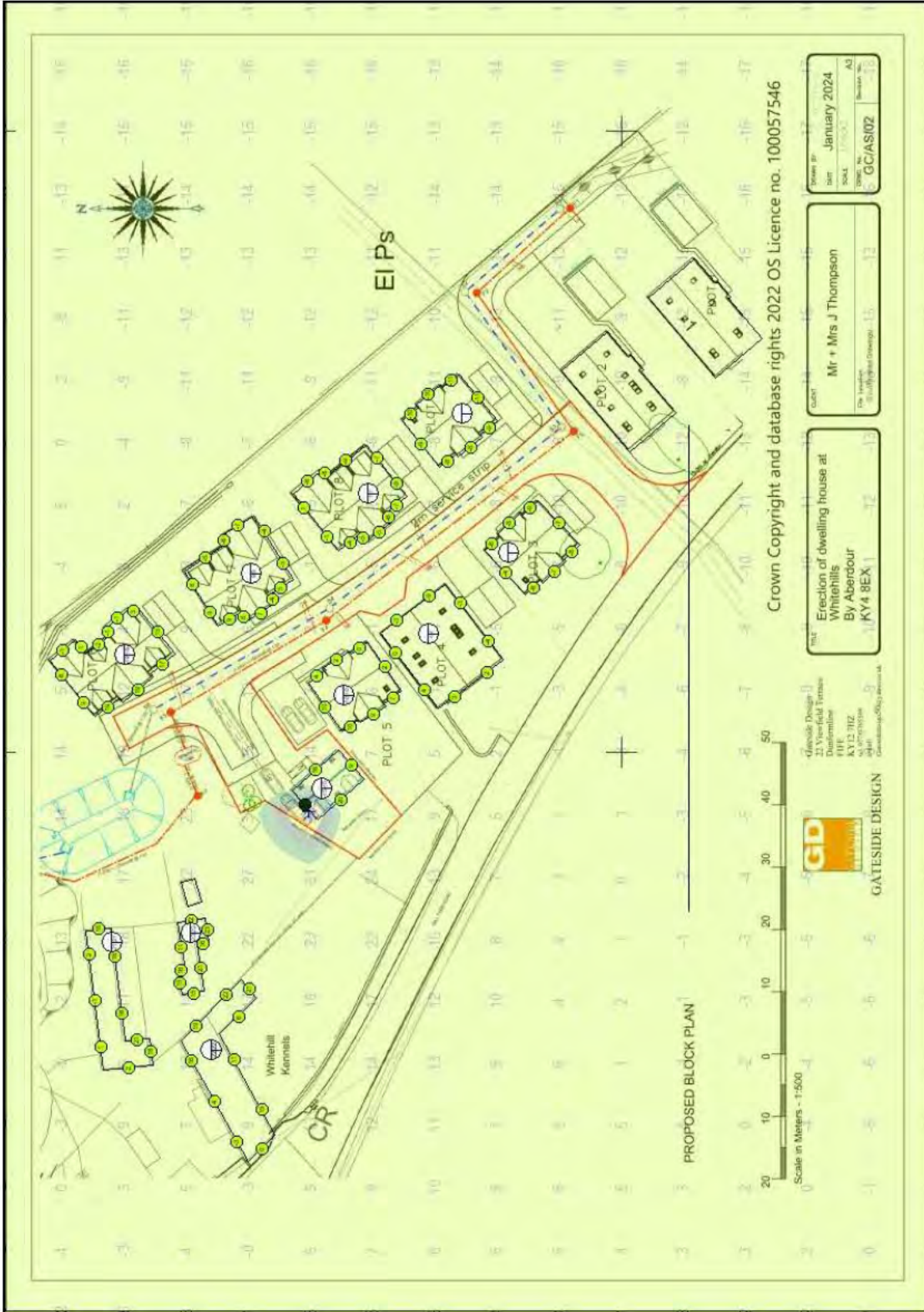


Figure 1: Aerial Noise Map - 1: 500

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Figure 2: Aerial Noise Map – 1: 350



Figure 3: 3D View of Development

APPENDIX 3. Additional Dog Activity Noise Monitoring

Additional monitoring was completed on the 13th of August 2024. This is assumed to be a busy time of year for the kennels during the summer holidays.

The monitoring location was chosen to be in line with the proposed garden perimeter facing the outdoor activity area, with only light foliage separating the microphone and the activity area.

Weather conditions were recorded with a handheld anemometer before and after the monitoring:

Conditions at 10:43

- Wind speed – 0.8 m/s
- Temperature – 17.4 Celsius

Conditions at 13:33

- Wind speed – 2.7 m/s
- Temperature – 18.9 Celsius

Periods of light precipitation were present during the monitoring period; these data points have been removed from the time history:

- 10:59-11:07
- 11:15-11:26
- 11:49-11:59

AP3.1 Measurement Data

Table 3 below displays whole-data results for the monitoring on 13/08/2024.

Table 3: Extended Dog Activity Monitoring

Meas. Ref.	Location/ Description	Date/Time	Noise Level (dB)		
			L _{Aeq}	L _{A90}	L _{Amax}
5	Garden Area Facing Kennels	13/08/2024 (10:29-13:31)	48.6	38.1	82.8

Continuous barking was heard at the monitoring location throughout the measurement period.

As the development is still an active construction site, sources of noise other than the current residual environment impacted on the measurement. Efforts were made to exclude site-related sources of noise such as cement mixers and HGVs entering site (10:44-10:51 and 12:09-12:20 respectively – both removed); however, occasional hammering could be heard which was not removed from the time history.

With reference to the time history in Appendix 1, dog barking at this position generally buffers between L_{AFmax} 55-65 dBA. The table below displays the ten highest L_{AFmax} levels during the three-hour monitoring period.

Table 4: Highest L_{AFmax} Levels Recorded

Time of Measurement (hh:mm:ss)	L_{Aeq} (dB)	L_{Amax} (dB)
10:37:03	49.4	82.8
13:32:17	62.2	68.9
13:32:15	58.5	66.9
10:35:57	58.6	66.0
10:36:03	58.4	65.8
10:35:58	53.5	65.5
11:46:44	59.2	65.1
10:59:47	58.2	64.8
11:30:36	57.5	64.6
11:32:07	58.9	64.3

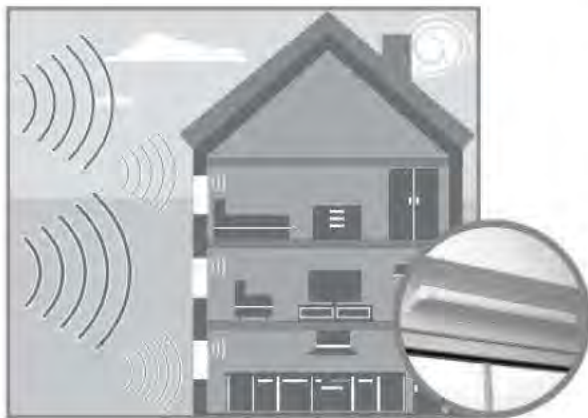
All but the first event (road traffic) are considered to be dog related. 7622 L_{AFmax} events were recorded during the monitoring period on 13/08/2024; only six levels exceeded the rated level of L_{AFmax} 65.2 dB given in Section 4.3. When considering possible daytime sleeping, it would be prudent to use worst-case noise levels (considering only kennel noise generation at this stage) for the assessment of impact on amenity – void of a standardised method. As such, taking L_{AFmax} 68.9 dB as the external noise level, the window set would be required to provide a minimum 24dB attenuation, for glazing sets facing the kennels, to achieve a maximum internal L_{AFmax} 45 dB.

For glazing sets without line-of-sight to the kennels, a barrier correction of 10dB is taken to give a revised minimum attenuation of 14dB for such positions. Due to the variability of the noise source, this minimum attenuation is raised to 18dB for windows providing ventilation for glazing sets without line-of-sight to the kennels.

Sound Attenuating Ventilation Improved Product Solutions

Cutting down on noise entering a property is very difficult whilst attempting to achieve required ventilation levels. The very fact that ventilation requires making a hole, or holes, in the building fabric means that external noise is liable to reach the dwelling occupants more easily.

There are a number of products on the market that claim to achieve high sound reduction figures however it is important all are checked with acoustic consultants. This is because the quoted sound reduction level for a trickle ventilator isn't measured in the same way as a window. For instance, a window with a sound reduction of 35dB used with a background ventilator giving a sound reduction of 35dB will result in somewhat less than 35dB. If more than one vent is required, the attenuation level becomes progressively worse.



At Titon we have worked hard to develop products which perform to the highest sound attenuation levels possible, but we appreciate we cannot change the laws of physics and acoustics. We always try to make people aware of the pitfalls rather than claim that our sound attenuation products are going to solve every problem.

We have a range of products, from basic slot vents, which could perform satisfactorily in certain situations (all of our main ranges have been tested for sound attenuation), through dedicated sound attenuating vents, to mechanical products with much higher sound attenuating properties. Some products are suitable for retrofitting.

Below is a list of the main products in our ventilation portfolio, including their sound attenuating capabilities.

Trimvent Select XS13

Fits on the window, passive.
Sizes: 4400EA or 5000EA.

Ventilation Strategy:
System 1 (extract fans and background ventilators) or
System 3 (central mechanical extract with background ventilators)

Sound Attenuation level:

	Open	Closed
4400EA version (vent and canopy)	Dn,e,w (C;Ctr) 32 (0;-1)dB	Dn,e,w (C;Ctr) 41 (0;-1)dB
5000EA version (vent and canopy)	Dn,e,w (C;Ctr) 32 (-1;0)dB	Dn,e,w (C;Ctr) 35 (0;0)dB

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SF Xtra Sound Attenuator - Improved Sound Attenuation Performance

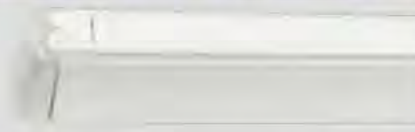
Fits on the window, passive.

Sizes: All combinations below offer 2500EA.

Ventilation Strategy:

System 1 (extract fans and background ventilators) or
System 3 (central mechanical extract with background ventilators).

This product can also be retrofitted to a property in place of standard background ventilators subject to space being available. Acoustic and ventilation performance will vary according to the size of the pre-existing slot in the window.



Sound Attenuation level:

	Open	Closed
V75 + C75	Dn,e,w (C;Ctr) = 44 (-2;-3)dB	Dn,e,w (C;Ctr) = 55 (-1;-5)dB
V75 + C50	Dn,e,w (C;Ctr) = 42 (-1;-2)dB	Dn,e,w (C;Ctr) = 55 (-2;-5)dB
V75 + standard canopy	Dn,e,w (C;Ctr) = 40 (-1;-2)dB	Dn,e,w (C;Ctr) = 53 (-1;-4)dB
V50 + C25	Dn,e,w (C;Ctr) = 39 (-1;-2)dB	Dn,e,w (C;Ctr) = 55 (-2;-5)dB
V50 + standard canopy	Dn,e,w (C;Ctr) = 38 (-1;-2)dB	Dn,e,w (C;Ctr) = 55 (-2;-5)dB
V25 + C25	Dn,e,w (C;Ctr) = 36 (-0;-2)dB	Dn,e,w (C;Ctr) = 55 (-1;-5)dB
V25 + standard canopy	Dn,e,w (C;Ctr) = 35 (-0;-1)dB	Dn,e,w (C;Ctr) = 54 (-1;-4)dB
Standard vent + C25	Dn,e,w (C;Ctr) = 35 (-0;-1)dB	Dn,e,w (C;Ctr) = 55 (-1;-5)dB
Standard vent + standard SF canopy	Dn,e,w (C;Ctr) = 32 (-1;-0)dB	Dn,e,w (C;Ctr) = 52 (-2;-4)dB

Sonair

Fits through the wall, mechanical supply with filter.

Ventilation Strategy:

System 1 (extract fans and background ventilators) or
System 3 (central mechanical extract with background ventilators).

This product can also form part of a Sonair system, approved to comply with Part F of the building regulations.



Sound Attenuation level:

	Open
Sonair A+	Dn,e,w 52 (-1;-3)dB G2 or F6
Sonair F+	Dn,e,w 55 (-2;-4)dB F6 Dn,e,w 56 (-2;-6)dB G6

Sometimes the best way to achieve the best acoustic performance in new build applications is to upgrade from a traditional ventilation strategy, e.g. Extract fans in bathrooms and trickle vents in windows, to a central extract system, mechanical extract with fewer - sound attenuating - vents, or all the way to mechanical ventilation with heat recovery. The latter system means there are no direct apertures to the outside in living areas of the property.

Circular Silencer

Fits to the ducting to reduce noise levels generated by whole house systems.
For sizes, please see the table below.

Ventilation Strategy:

System 3 (central mechanical extract with background ventilators) or
System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

Part No.	Connection Ø mm	Silencer Ø mm	Length mm	Frequency Hz							
				63	125	250	500	1k	2k	4k	8k
CA100600	100	200	600	1	7	12	25	43	48	35	20
CA125600	125	224	600	1	5	10	22	39	37	26	16
CA125900	125	224	900	1	7	14	30	50	50	37	21
CA1251200	125	224	1200	2	9	18	39	50	50	47	26
CA150600	150	260	600	1	4	8	19	37	28	17	11

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Rectangular Silencer

Fits to the ducting to reduce noise levels generated by whole house systems.
For sizes, please see the table below.

Ventilation Strategy:
System 3 (central mechanical extract with background ventilators) or
System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

Material	Static Insertion Loss - dB							
	63	125	250	500	1k	2k	4k	8k
204x60mm x 0.5m Long Duct Silencer	-1	-3	5	6	12	18	12	9
204x60mm x 1.0m Long Duct Silencer	-1	0	11	12	13	37	23	15
204x60mm x 1.5m Long Duct Silencer	5	6	16	20	32	47	35	20
204x60mm x 0.5m Long Hi-Flow Duct Silencer	1.1	1.4	2.4	6	10.9	17.9	22.9	24.9
204x60mm x 1.0m Long Hi-Flow Duct Silencer	1.8	0.3	3.3	11.1	21.4	33.9	35.9	25.2
204x60mm x 1.5m Long Hi-Flow Duct Silencer	3.6	2.4	7	16	28.6	39.8	37.2	25.8
220x90mm x 0.5m Long Duct Silencer	1.9	2.7	3	6.5	9.8	18.6	25.4	26.7
220x90mm x 1.0m Long Duct Silencer	1.4	4.6	4.1	13	18.2	34.5	43.1	34
220x90mm x 1.5m Long Duct Silencer	0.1	1.8	3.1	18.1	26.6	43.7	46.1	34.3

Sound Attenuators - Semi Flexible (for use with Titon HRV Q Plus Range)

Designed for Titon's MVHR range.
Reduces both duct and breakout sound levels.
Provides both acoustic and thermal insulation.
Isolates unit to ducting to help prevent noise transmission through vibrations.



In line attenuation figures - Length 500mm

Dn (mm)	L (mm)	Attenuation, dB - Mid-frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
125	500	6.3	7.1	15.2	19.9	20.3	26.1	17.1	12.9
150	500	8.3	9.3	18.8	19.4	16.7	25	19.8	13.8

In line attenuation figures - Length 1000mm

Dn (mm)	L (mm)	Attenuation, dB - Mid-frequency, Hz							
		63	125	250	500	1000	2000	4000	8000
125	1000	12.4	20.1	33.6	29.8	29.5	33.6	32.1	23.6
150	1000	11.1	11.8	34.2	28.5	26.3	34.9	27.2	21.8

CME2 Q Plus

Fits whole house ducted system (with background ventilators), extracting from the wet rooms.
Sizes: One model, SAP Appendix Q Best Practise performance.

Ventilation Strategy:
System 3 (central mechanical extract with background ventilators) or
System 4 (mechanical extract with heat recovery). This system can also form part of a Sonair system, approved to comply with Part F of the Building Regulations.



Sound Attenuation level:

	In duct inlet	Standard running speed casing breakout
CME 2 Q Plus	30dBA @3m	33dB(A) @ 3m

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HRV Q Plus

Fits whole house ducted system (with background ventilators), extracting from the wet rooms and recovering the heat from the extracted air. This heat is then re-distributed to the habitable rooms. Sizes: Six models, SAP Appendix Q Best Practise performance.

Ventilation Strategy: System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

Product	% of Max flow	Airflow	dB(A) @ 3m Hemispherical			dB(A) @ 3m Spherical
			Induct Inlet	Induct Outlet	Casing Breakout	Casing Breakout
HRV1.25 Q Plus Eco	40%	22/s @ 10Pa	28	41	20	17
	61%	34/s @ 23Pa	36	49	28	25
	100%	56/s @ 50Pa	43	57	36	33
HRV1.35 Q Plus Eco	37%	22/s @ 12Pa	28	39	19	16
	65%	39/s @ 38Pa	40	52	29	26
	100%	60/s @ 100Pa	47	61	36	33
HRV1.75 Q Plus Eco	39%	30/s @ 18Pa	26	36	22	19
	60%	47/s @ 47Pa	31	46	22	19
	100%	78/s @ 100Pa	40	54	30	27
HRV2 Q Plus Eco	33%	27/s @ 8Pa	20	33	16	13
	70%	57/s @ 56Pa	35	51	32	29
	100%	81/s @ 100Pa	41	56	37	34
HRV2.85 Q Plus Eco	31%	29/s @ 7Pa	22	33	14	11
	66%	61/s @ 40Pa	34	47	24	21
	100%	93/s @ 100Pa	42	56	34	31
HRV3 Q Plus Eco	33%	36/s @ 10Pa	25	35	21	18
	68%	73/s @ 48Pa	36	49	29	26
	100%	108/s @ 100Pa	45	57	37	34
HRV10 Q Plus Eco	41%	44/s @ 22Pa	27	38	27	24
	69%	75/s @ 51Pa	36	48	37	34
	100%	108/s @ 100Pa	43	57	51	48
HRV10M Q Plus Eco	41%	44/s @ 22Pa	27	38	23	20
	69%	75/s @ 51Pa	36	48	33	30
	100%	108/s @ 100Pa	43	57	46	43
HRV10.25 Q Plus Eco	39%	56/s @ 12Pa	32	47	35	32
	66%	95/s @ 44Pa	43	62	45	42
	100%	144/s @ 100Pa	48	70	54	51
HRV10.25M Q Plus Eco	39%	56/s @ 12Pa	32	47	30	27
	66%	95/s @ 44Pa	43	62	39	36
	100%	144/s @ 100Pa	48	70	49	46
H200 Q Plus Eco	47%	39/s @ 20Pa	25	37	25	22
	64%	53/s @ 37Pa	30	41	31	28
	100%	83/s @ 100Pa	39	54	41	38

Trimbox NO₂ Filter

Effective in reducing pollutants in the home, improving Indoor Air Quality (IAQ) and reducing the risk of Toxic Home Syndrome. Compatible with Titon's range of MVHR units. Sizes: 2 models (with 3 or 4 carbon filters)

Ventilation Strategy: System 4 (mechanical extract with heat recovery).



Sound Attenuation level:

	Octave Band (Hz) Static Insertion Loss, dB							
	63	125	250	500	1000	2000	4000	8000
Trimbox NO ₂ (3 filter) unit	7	8	5	9	16	27	33	36
Trimbox NO ₂ (4 filter) unit	6	7	6	10	19	35	35	40

Inlet and outlet levels are Induct (BS EN 13141-7 clause 6.4.2 requirement), casing breakout is hemispherical - for spherical subtract 3dB. Titon acoustic data is independently tested at Sound Research Laboratories. Data is specifically tested for the Eco unit (100% bypass) - non bypass variants with deeper heat exchangers will offer lower acoustic levels. The full acoustic results at various speed settings are available on request, or visit www.titon.co.uk

Direct Tel: 0844 443 0934
Direct Email: michael.summers@ecstransport.co.uk
Our Ref: 24027/001
Your Ref:
Date: 27th March 2024

Fife Council Planning Service
Fife House
North Street
Glenrothes
KY7 5LT

(Email Only)

Dear Sir / Madam,

ERECTION OF 2 STOREY DWELLINGHOUSE AND FORMATION OF OFF-STREET PARKING AT WHITEHILL SAWMILL, PARKEND, CROSSGATES

ECS Transport Planning Ltd has been appointed to consider the transportation aspects of the above proposed residential development at Whitehill Sawmill, Parkend, Crossgates. Fife Council's Transportation Development Management (FC-TDM) team has submitted a consultation response on the application dated 29th February 2024 and we would take the opportunity to respond to each of the points raised.

National Planning Framework 4

With respect to Policy 13, FC-TDM indicate the following:

A sustainable housing development requires links with the surrounding existing communities to ensure the site has full access to local facilities (shops, post office, schools, etc.) and is fully accessible to public transport and will therefore encourage walking, cycling and public transport use in preference to the private car. The nearest significant settlement Crossgates is over 1.5 km away and there are no footways, footpaths, cyclepaths or bus services (apart from school buses) within the area.

The above interpretation of Policy 13 would exclude any development in rural areas which is clearly not the intention of NPF4. NPF4 is a wide reaching policy which is intended to consider the diverse nature of Scotland given the urban and rural areas in most Local Authority boundaries. Policy 13 indicates the following:

"d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area."

The above section makes a clear distinction between significant travel generating uses and those which would result in minimal impact on the transportation network. The proposed development of a single dwelling would, by any standard, be considered a non-significant travel generating use. Therefore, the application of this policy and the full requirements for sustainable travel as would be comparable to a large development in an urban area is not appropriate. On this basis, withholding support for a single dwelling based on Policy 13 is not considered consistent with sub-section d).

Vehicle Access

We appreciate that Transportation Development Management has a presumption against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas. However, as per the Local Review Body decision on the original application, there are numerous examples where this policy is not a requirement of the wider

council. Indeed, it should be recognised that this policy is unique to Fife Council and is not a requirement of any other Local Authority within Scotland.

Nevertheless, it is evident that a single dwelling would not result in a material intensification of the access junction resulting in an unacceptable road safety risk. Therefore, we would contend that the access junction which was acceptable to support 9 dwellings is appropriate to accommodate the minimal traffic associated with an addition single dwelling.

The applicant has confirmed that the access junction is on course to be delivered by June 2024. Any required consultation with Roads will be undertaken by the relevant parties.

Should you wish to discuss any aspect of the above please don't hesitate to get in touch.

Yours Sincerely,



Michael Summers
Director

Cc

Mr Jim Watters – Gateside Design



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.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 100658686-012

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.

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

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:	Gateside Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	
Last Name: *	Watters	Building Number:	34
Telephone Number: *	07745305509	Address 1 (Street): *	Millhill
Extension Number:		Address 2:	Street
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY11 4TG
Email Address: *	gatesidedesign50@yahoo.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Ferry View
First Name: *	James	Building Number:	
Last Name: *	Thomson	Address 1 (Street): *	Whitehill Sawmill
Company/Organisation		Address 2:	Parkend
Telephone Number: *		Town/City: *	Cowdenbeath
Extension Number:		Country: *	uk
Mobile Number:		Postcode: *	ky4 8ex
Fax Number:			
Email Address: *	jgw09@hotmail.com		

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

Yes No

Application Details

Please select which application(s) the new documentation is related to.

Application: *

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

Yes No

Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr James Watters

Declaration Date: 31/10/2024

Partners STEVEN R. MURRAY
B.Sc., C.Eng., F.I.C.E., M.I.Struct.E.
HARRY ALLAN
B.Sc., C.Eng., M.I.C.E., M.I.Struct.E.
ALASTAIR DICK
B.Eng., C.Eng., M.I.Struct.E.

Associates NICK HENDERSON
B.Sc. (Hons), M.Sc.
DAVID MILLER
EngTech, T.I.Struct.E.
ROY BEECHING
B.Sc., I.Eng., A.C.I.B.S.E.
MICHAEL KEARNEY
M.Sc., C.Eng., M.I.Struct.E.



Our Ref : E11775/MW

Your Ref :

Date: 25th May 2023

For the attention of James Watters

Gateside Design
22 Viewfield Terrace
Dunfermline
KY12 7HZ

Dear Sirs

PROPOSED DEVELOPMENT
WHITEHILL SAWMILL, WHITEHILL FARM
CROSSGATES

We would confirm having reviewed the proposals outlined within the above application for the addition of a further house.

Our review was solely to check that the drainage scheme as currently designed had sufficient capacity to accept the additional surface water and foul discharge.

We can confirm that both systems have sufficient capacity to accept the additional flows.

We trust you find this to be in order.

Yours faithfully

DAVID R MURRAY & ASSOCIATES



150 St. John's Road
Edinburgh
EH12 8AY
Tel: (0131) 334 0765
Fax: (0131) 316 4540
E-Mail:
drme@davidmurray.co.uk

10 Eyre Place
Edinburgh
EH3 5EP
Tel: (0131) 556 5155
Fax: (0131) 556 9147
E-Mail:
drmc@davidmurray.co.uk

20 Viewfield Terrace
Dunfermline
KY12 7HZ
Tel: (01383) 726075
Fax: (01383) 730605
E-Mail:
drmd@davidmurray.co.uk



Proposal Details

Proposal Name	100658686
Proposal Description	Plot adjacent plot 5 Whitehills
Address	
Local Authority	Fife Council
Application Online Reference	100658686-012

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete

Attachment Details

Post Submission Additional Documents	System	A4
Drainage Statement	Attached	A4
Post_Submission_Additional_Docum-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Post Submission Additional Documents-012.xml	Attached	A0

Agenda Item 6(4)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Representation(s)

Laura Robertson

From: Karen Sapsed <karen@gorriedavidson.co.uk>
Sent: 21 February 2024 15:37
To: Development Central
Subject: Application No: 24/00214/FULL - James Thomson

Categories: LR

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good afternoon,

We act on behalf of Mr and Mrs David Hyslop who are proprietors of Whitehill Kennels, Donibristle, Cowdenbeath, KY4 8EX. They have been served with a Neighbour Notification in regard to a planning application on behalf of James Thomson per the above number. Our clients wish to object to this and would refer the planners to the fact that an application in virtually identical terms was made by the applicant under application number 22/02516/FULL in September 2022. Our clients objected on 13.9.2022 and thereafter a Noise Impact Assessment was carried out and on this basis among others, the application was refused.

In connection with the current application, a Noise Impact Assessment was carried out on 27 March 2023. This is of course during the winter and the kennels are relatively quiet at that time and we respectfully suggest it might be more advantageous to carry out a Noise Impact Assessment in mid-Summer when the kennels are full. When the present assessment was carried out the kennels were quieter than normal but throughout the rest of the year they are virtually fully occupied and the noise of the dogs is naturally quite considerable. We therefore urge the planners to take this into account and perhaps revisit the question of the Noise Impact Assessment.

We trust that, if necessary, further noise assessment can be carried out as it will reveal that the Whitehill Kennels are exceptionally busy throughout the year but particularly in the non-mid Winter months and it is noted that the Noise Impact Assessment in regard to the previous application was carried out in March when the kennels are likely to be somewhat quieter than normal. Throughout the rest of the year, they are virtually fully occupied and the noise of the dogs is naturally quite considerable. We therefore urge the planners to take this into account and to check the Noise Impact Assessment once more.

In general terms, the kennels were actually at only some 31% capacity at the time of the last Noise Impact Assessment but the said noise increases significantly as boarders themselves increase from April onwards throughout the year until mid-Winter. As it happens, the timing of the Noise Impact Assessment was when the dogs had been fed and exercised and were resting in their kennels when the recording of noise was being monitored and there was more noise from lambs and sheep at that time than the dogs themselves.

It is stated that the most consistent noise affecting development is road traffic from Mill Farm Road which is utterly inaccurate. The traffic on the road is particularly quiet and the only noise that will affect this particular development will be that of the dogs throughout the year. We therefore urge the planners to take this into account.

A further point which we wish to make is that the ground in question is burdened by a titular right of access in favour of the neighbouring property previously owned by our clients. This is a general right of access which is not restricted to any particular area and any development would impact on the title and could lead to legal complications by way of litigation if access were denied. Please note that this right of access is not a personal right to Mr and Mrs Hyslop but is a right within the title and is therefore enforceable at large.

The proposed house will overlook the exercise area for the dogs which are housed within the kennels. It will be extremely close to them which will obviously affect the dogs also and we trust this can be taken into account. The dog exercise yard was deliberately chosen to be at a distance from any occupied property and this will change

completely if the proposed house is actually built and will lead to a potential for uncertainty and confusion amongst the dogs when exercising. It is also noted that the applicants have altered the block plan of plot 5 to accommodate this application by making it a smaller plot.

Given the fact that the previous application was rejected and there is no discernible change in the terms of the present application, we object on the basis that there is no grounds whereby the Planning Committee can vary their position at this time.

Kind regards,

Ian Donaldson
Gorrie & Davidson
Solicitors
26 Viewfield Terrace
Dunfermline
Fife
KY12 7LB
T: 01383 723618
F: 01383 620367
DX DF66 DUNFERMLINE

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Cybercrime Alert: Bank Details: Please be aware that there is a significant risk posed to cyber fraud, specifically affecting email account and bank account details. **NOTE our bank account details are permanent and WILL NOT CHANGE during the course of your transaction.**

This email was scanned by Fife Council

Comments for Planning Application 24/00214/FULL

Application Summary

Application Number: 24/00214/FULL

Address: Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife KY4 8EX

Proposal: Erection of dwellinghouse (Class 9) incorporating air source heat pump; and associated development including formation of access

Case Officer: Brian Forsyth

Customer Details

Name: Mr STUART HYSLOP

Address: Whitehill Kennels Donibristle Cowdenbeath Fife KY4 8EX

Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this planning application 24/00214/FULL for the following reasons.

The location of this plot of land is directly where I have a right of vehicular and pedestrian access and egress as set out in the original disposition of GRS (Fife) 9 APR 1987 and under Burden 7 of the ScotLIS title sheet information for title FFE71562. I also have a right to carry mains services through or under the subjects of this area of ground mentioned. Granting planning permission would directly block my right of access.

The applicant is fully aware of this and there is currently legal proceedings taking place regarding this right of access.

The plot of land in this application is in close proximity of a boarding kennels business. Disruptive noise from the kennels could very much be a factor here. The applicants noise assessment report was carried out at one of the quietest times of year for boarding kennels. Its findings cannot be relied upon.

Furthermore this plot of land has had permission refused on 12 January 2023. Application 22/02516/FULL

There is no valid reason as to why planning permission should be granted at any time.

Agenda Item 6(4)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Consultee Comments

Friday, 09 February 2024



Local Planner
Fife House
North Street
Glenrothes
KY7 5LT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Whitehill Sawmill Parkend, Crossgate, Cowdenbeath, KY4 8EX
Planning Ref: 24/00214/FULL
Our Ref: DSCAS-0103275-3CB
Proposal: Erection of dwellinghouse (Class 9) incorporating air source heat pump; and associated development including formation of access

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Glendevon Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
-

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the

development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

MEMORANDUM

TO: Brian Forsyth, Planner, Development Management

FROM: Donald Payne, Technical Officer, Land & Air Quality

DATE: 08 February 2024

OUR REF: PC220149C2 **YOUR REF:** 24/00214/FULL

SUBJECT: Erection of dwellinghouse at Land Adjacent to Plot 5 Whitehill Sawmill Crossgates

Thank you for your consultation on the above application.

The Land & Air Quality Team recommends refusal until such time as a suitable contaminated land risk assessment has been submitted and accepted in writing.

The same situation applies to Plot 2 (22/01740/FULL), Plot 3 (18/02191/ARC), Plot 5 (22/00113/FULL), Plot 6 (19/03681/FULL) and Plot 7 (20/01014/FULL).

Air Quality

No comment.

Land Quality

The site was formerly occupied by a sawmill. It is advised that an appropriate contaminated land site-specific risk assessment should be undertaken. In the first instance, this would comprise desk-based research to ensure the site would be developed safely taking into account the proposed new land use.

If the preliminary risk assessment recommends sampling and analysis of soils, waters, gases and/or vapours, this must be undertaken in accordance with the technical guidance to characterise adequately the potential type(s), nature and scale of contamination associated with the site.

If remedial measures are required to ensure safe development of the site, these must be described in a Remedial Action Method Statement detailing the measures that will be used to mitigate against potential risks. The statement must include a verification plan specifying when, how and by whom remedial measures will be inspected. The remediation statement must be submitted to and accepted in writing by the council before any development work begins on site. A Verification Report would be required on completion and before occupation of any property.

On completion of investigation, it is recommended all boreholes are made safe by following SEPA 2010, 'Good practice for decommissioning redundant boreholes and wells' and verified to ensure no preferential pathway for ground gases is inadvertently created.

All land contamination reports should be prepared in accordance with CLR 11, PAN 33 and 'Advice for Developing Brownfield Sites in Fife', online at www.fife.gov.uk/contaminatedland.

Should Development Management approve an application for the site, it is advised that the contaminated land conditions LQC1 to LQC3 (attached) be utilised to ensure the site would be developed in accordance with the relevant technical guidance including PAN 33.

Please note that we are not qualified to comment on geotechnical matters relating to ground stability or foundation design. This response is from the Land & Air Quality team; our colleagues in Public Protection may submit their own response in relation to noise, odour or dust nuisance. Should you require any further information or clarification regarding the above comments, please do not hesitate to contact this office.

Model Planning Conditions for Land Quality

LQC1: NO DEVELOPMENT SHALL COMMENCE ON SITE until the risk of actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study) has been submitted by the developer to and approved in writing by the local planning authority. Where further investigation is recommended in the Preliminary Risk Assessment, no development shall commence until a suitable Intrusive Investigation (Phase II Investigation Report) has been submitted by the developer to and approved in writing by the local planning authority. Where remedial action is recommended in the Phase II Intrusive Investigation Report, no development shall commence until a suitable Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures and a Verification Plan specifying how, when and by whom the installation will be inspected. All land contamination reports shall be prepared in accordance with CLR 11, PAN 33 and the Council's Advice for Developing Brownfield Sites in Fife documents or any subsequent revisions of those documents. Additional information can be found at www.fife.gov.uk/contaminatedland.

Reason: To ensure potential risk arising from previous land uses has been investigated and any requirement for remedial actions is suitably addressed.

LQC2: NO BUILDING SHALL BE OCCUPIED UNTIL remedial action at the site has been completed in accordance with the Remedial Action Statement approved pursuant to condition. In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement — or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site — all work on site (save for site investigation work) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the local planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement — or any approved revised Remedial Action Statement — a Verification Report shall be submitted by the developer to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement — or the approved revised Remedial Action Statement — and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

Reason: To provide satisfactory verification that remedial action has been completed to the planning authority's satisfaction.

LQC3: IN THE EVENT THAT CONTAMINATION IS ENCOUNTERED that was not identified by the developer prior to the grant of this planning permission, all development works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Planning Portfolio Internal Assessment Sheet

EPES Team	Transportation Development Management
Application Ref Number:	24/00214/FULL
	Erection of 2 Storey Dwellinghouse and Formation of Off-street Parking at Whitehill Sawmill, Parkend, Crossgates
Date:	29th February 2024
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input checked="" type="checkbox"/> Non-statutory
Consultation Summary	FILE:

Important Note

This is an internal planning assessment response provided from within Planning Services. It forms part of the overall assessment to be carried out by staff on behalf of Fife Council as Planning Authority. The internal assessment is a material consideration in the determination of the application but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course. The assessment will not be made publicly available until the case officer has completed the overall planning assessment.

Assessment Summary

1.0 OVERALL ASSESSMENT

1.1 A similar planning application was recently refused under reference 22/02516/full. In addition, I am aware that planning consent was previously granted via a Fife Planning Review Body (now LRB) decision for a residential development of 9 dwellings on the overall site. This historical decision overturned Planning Service's recommendation of refusal for residential development on this site.

It is important to note that this application is for an additional house plot when compared against the 9 plots previously approved by LRB.

1.2 Policy 13 of NPF4 addresses sustainable transport and states that development proposals will be supported where it can be demonstrated that they provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks and will be accessible by public transport ideally supporting the use of existing services.

The remote location of the site means that trips by car would account for almost all person trips by prospective residents and their visitors to and from the site.

A sustainable housing development requires links with the surrounding existing communities to ensure the site has full access to local facilities (shops, post office, schools, etc.) and is fully accessible to public transport and will therefore encourage walking, cycling and public transport use in preference to the private car. The nearest significant settlement Crossgates is over 1.5 km away and there are no footways, footpaths, cyclepaths or bus services (apart from school buses) within the area.

1.3 Transportation Development Management has a presumption against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas. For clarification purposes, the built-up area, from a transportation point of view, is defined as the area within a 20, 30 or 40mph speed limit. The reason for this policy is that such vehicular accesses introduce, or increase, traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring, to the detriment of road safety.

1.4 Normally the landowner/original developer would construct any access roads, turning areas and other infrastructure including SUDS and other drainage, prior to any houses being constructed on individual plots. The previous LRB consent and subsequent renewal did not include conditions ensuring that any roads, footways and street lighting etc. serving the proposed housing site must be built to an adoptable standard in accordance with the current Fife Council Making Fife's Places Appendix G. Therefore, all the roads, footways and street lighting will remain private with all future maintenance costs being borne by either the applicant or the new residents via their title deeds etc.

I recently passed the site and at that time, dwellings were completed and presumably occupied. However, no works had even commenced on the formation of the new vehicular access and road junction, which was concerning, particularly as these works were meant to be complete prior to the occupation of the first dwelling.

2.0 CONCLUSIONS

2.1 The proposed dwelling would be sited within an unsustainable remote location and would therefore not be compliant with Policy 13 of NPF4.

2.2 In addition, the proposed dwelling would result in an intensification of vehicle turning manoeuvres at an access (when it is eventually constructed), which is located on an unrestricted road outwith the established built-up area, all to the detriment of road safety.

3.0 RECOMMENDATIONS

3.1 Refusal.

Important note

The above internal planning assessment response has been prepared at officer level within the Planning Service team responsible for the specific topic area. It is an assessment of the specific issue being

consulted upon but it is important to remember that the response cannot be considered in isolation and outwith the overall assessment of the proposal under consideration. Fife Council as Planning Authority, in considering all the material considerations in an individual application can legitimately give a different weighting to the individual strands of the assessment, including consultation responses and the final assessment is based on a comprehensive and balanced consideration of all the aspects under consideration.

Author: Andy Forrester, Technician Engineer, Transportation Development Management

Date: 29/02/2024

E-mail: andy.forrester@fife.gov.uk

Number: 03451 555555 extension 480211

Louise Morrison

From: Brian Forsyth
Sent: 30 April 2024 08:04
To: Development Central
Subject: FW: 24/00214/FULL Erection of dwellinghouse (Class 9) incorporating air source heat pump; and associated development including formation of access at Whitehill Sawmill, Parkend, Crossgates, fife

Categories: In Progress

Please upload below as TDM consultation response.

Brian

From: Andy Forrester <Andy.Forrester@fife.gov.uk>
Sent: Tuesday, April 23, 2024 2:27 PM
To: Brian Forsyth <Brian.Forsyth@fife.gov.uk>
Cc: Mark Barrett <Mark.Barrett@fife.gov.uk>
Subject: RE: 24/00214/FULL Erection of dwellinghouse (Class 9) incorporating air source heat pump; and associated development including formation of access at Whitehill Sawmill, Parkend, Crossgates, fife

Afternoon Brian,

I have reviewed the content of ECS Transport Planning Ltd's letter dated 27th March 2024 and note the contents.

The interpretation of Policy 13 of NPF4 is subjective in terms of any development proposals.

However, I can confirm that none of the points raised in their letter would result in TDM altering their previous recommendation for refusal dated 29th February 2024.

Regards

Andy Forrester

Fife Council

Planning Service, Transportation Development Management

3rd Floor West, Fife House

Glenrothes

From: Brian Forsyth <Brian.Forsyth@fife.gov.uk>
Sent: Wednesday, April 3, 2024 12:36 PM
To: Andy Forrester <Andy.Forrester@fife.gov.uk>
Subject: 24/00214/FULL Erection of dwellinghouse (Class 9) incorporating air source heat pump; and associated development including formation of access at Whitehill Sawmill, Parkend, Crossgates, fife

Hi Andy,

I've reconsulted you here as the applicant's transport consultant has commented on your initial response.

Cheers,

Brian



Protective Services

**Town and Country Planning (Scotland) Act 1997
Application for Permission to Develop Land**

Response from Environmental Health (Public Protection)

PPT Reference No:	24/05379/CONPLA		
Name of Planning Officer dealing with the matter:	Brian Forsyth		
Application Number:	24/00214/FULL		
Proposed Development:	Erection of dwellinghouse		
Location:	Whitehill Sawmill, Parkend		
Date Required By Planning:	---	Decision Notice Required?	---

COMMENTS
<p>I have read the noise report provided by Ethos Environmental dated 6th September 2023.</p> <p>I have some concerns regarding the report:</p> <ul style="list-style-type: none"> • BS 8233 was used instead of 41542:2014. 8233 should only be used for transport noise, not noise from commercial premises. • It looks like the survey for the kennels noise was carried out over a lunchtime on Monday 27th March 2023. This should have been carried out over a holiday period. The school holidays started on the following Friday. • I can't see any description of weather conditions during the survey. • I can't see where the consultation has spoken to the kennels to check operating conditions and a timetable of noisiest activities. <p>The operators of the kennels have pointed out separately, that the survey was carried out at a particularly quiet time of day and a quiet time of the year.</p>

Therefore, I do not believe that the noise report has adequately assessed the existing noise climate, especially the noise from the kennels; and as such I cannot support the application in its current form.

These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN 51, the Land & Air Quality Team will provide comment for those issues.

Date:	9/4/24	Officer:	Don Taylor
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Protective Services

**Town and Country Planning (Scotland) Act 1997
Application for Permission to Develop Land**

Response from Environmental Health (Public Protection)

PPT Reference No:	24/14473/CONPLA		
Name of Planning Officer dealing with the matter:	Brian Forsyth		
Application Number:	24/00214/FULL		
Proposed Development:	Erection of dwellinghouse (Class 9) incorporating air source heat pump		
Location:	Whitehill Sawmill, Parkend, Crossgates		
Date Required By Planning:	---	Decision Notice Required?	---

COMMENTS
<p>I have read the noise report produced by Ethos Environmental dated August 2024 (Ref:P8795.04). The consultant has assessed the dog barking against an L_{Max} of 45dB, rather than BS4142:2014. Even using this parameter, the consultant has identified issues within habitable rooms from dog barking and has recommended closed windows and a window specification.</p> <p>Also, I still am not convinced that the effects of dog barking have been adequately assessed for the amenity space.</p> <p>The adjacent kennels is a licensed premises and I am concerned of the affect that this proposal would have on the operation of the business.</p> <p>Therefore, as I do not consider closed windows to be appropriate for this development, and that I am seriously concerned about the affect of dog barking to the amenity space, I cannot support this application and would recommend refusal.</p>

These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN 51, the Land & Air Quality Team will provide comment for those issues.

Date:	16/9/2024	Officer:	Don Taylor
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Colin Cowper

From: Andy Forrester
Sent: 31 July 2024 15:49
To: Brian Forsyth
Cc: Eloise Griffin; Development Central
Subject: CONS 24/00214/FULL Erection of dwellinghouse (Class 9) incorporating air source heat pump; and associated development including formation of access at Whitehill Sawmill, Parkend, Crossgates, fife
Attachments: 20240730_114413.jpg; 20240730_114518.jpg; 20240730_114526.jpg

Hi Brian,

I visited the above site yesterday and I am afraid the picture does not look good.

Some of the kerbing has been laid for the private internal access road, however, it has only been constructed to formation level and there is still a significant amount of work to be undertaken before the access roads would be close to resembling the type of road that is normally available to serve new dwellings within a live construction site. Please see attached photos.

During my site visit, I also noted a significant road safety concern in terms of the available junction visibility splay when leaving the site onto the public road. Unfortunately, the owner of Plot 2 has erected a front boundary fence adjacent to the access junction on its south side.

Condition 4 of the planning approval (18/02191/ARC) for the 9 dwellings on the site required that "Prior to the occupation of the first dwellinghouse visibility splays 4.5m x 210m shall be provided and maintained clear of all obstructions exceeding 1 metre in height above the adjoining road channel level, at the junction of the vehicular access and the public road, in accordance with the FCTDG (now known as Making Fife's Places Appendix G) and as shown on approved Drawing No 3B. The visibility splays shall be retained for the lifetime of the development."

Even taking account of the fact that the level of access road will be higher (once its eventually completed), the fence is still higher than the prescribed height of 1 metre when measured from the public road channel line. I would estimate that the available visibility splay in the south direction to both the nearside and far side channel lines of the public road is approximately 4.5m x 15m which is very sub-standard and clearly unsuitable to serve the new development.

I have enclosed a site photo showing the fence within the visibility splay for your information.

Regards

Andy Forrester

Fife Council

Planning Service, Transportation Development Management

3rd Floor West, Fife House

Glenrothes







Agenda Item 6(6)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Further Representations

From: [Andy Forrester](#)
To: [Michelle McDermott](#)
Cc: [Development Central](#)
Subject: RE: Application Ref. 24/00214/FULL - Whitehill Sawmill, Parkend, Crossgates, Cowdenbeath
Date: 13 November 2024 16:31:22

Afternoon Michelle,

I refer to your recent email advising that the applicant has made an application for a review by the Fife Planning Review Body of the decision to refuse the above application.

Having read the submitted review statement, I can confirm that none of the content would address any of TDM's previous reasons for refusal contained within our response 29th February 2024.

Kind Regards
Andy Forrester
Fife Council
Planning Service, Transportation Development Management
3rd Floor West, Fife House
Glenrothes

From: [Karen Sapsed](#)
To: [Michelle McDermott](#)
Subject: RE: Application Ref. 24/00214/FULL - Whitehill Sawmill, Parkend, Crossgates, Cowdenbeath
Date: 18 November 2024 09:24:01
Importance: High

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning,

We act on behalf of Mr and Mrs David William Hyslop who reside at Whitehill Kennels, Crossgates, Cowdenbeath, KY4 8EX. On their behalf, we lodged objections to the above application which was refused and to which there has now been lodged an application for a review. We have noted the reasons for refusal dated 18 October 2024 and the terms of your email below allowing 14 days for comments upon the terms of the application for review. Please note the following as representing the position. We adopt the numbered paragraphs contained in the application for review for these purposes.

1. There are 2 shipping containers permanently located between plot 6 and the kennels. Further, the 4 houses already occupied are at the far end of the development and are some distance away from the kennels.
2. The environmental noise company was asked to contact the kennels about capacity of the kennels and when they were busiest and mostly occupied. No contact with this company has ever been made with Mr and Mrs Hyslop who would have been able to demonstrate exactly how the noise problem would arise and when.
3. Our clients board dogs on behalf of Fife Council, Police Scotland and various rescue organisations as well as private owners. The kennels have been in operation for many years and the operators have long since learned, which is obvious, that the noise of dogs cannot be controlled. The operators also have no direct control when boarding dogs for organisations on the nature and breed of the dogs concerned.
4. When planning permission was first granted in 2013, it was made clear that a total of 9 houses was the maximum number which could be build on the site and operated safely in terms of road traffic matters. There are already 9 plots with permission to build and if this application is granted it would increase the number to 10 which exceeds what was granted in 2013. The number of houses for which permission was given was carefully calculated taking into account all of the factors regarding services, density and access and it is submitted that there are no circumstances proposed by the applicant in the review which suggests that the original grant should be disturbed.

The applicant erected a wall between his property and the kennels in May 2022. No mention is made in the vague reference to the erection of an acoustic fence as to how it would affect this wall and no detail on the said acoustic fence has been provided.

Mr and Mrs Hyslop adhere to their original objections and wish to supplement them by the terms of this email and they request the Review Board to adhere to their original decision and reject the application for review.

Kind regards,

I W Donaldson

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Application Ref.24/00214/FULL-Whitehill Sawmill
Date: 18 November 2024 14:44:02

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

To whom it may concern,

With regards to the application submitted for review I submit the following statements, following up my previous objection.

1. This proposed dwelling would be the closest dwelling to the kennels, situated in the line of noise. Plot 6 is situated off to the side of the kennels, further away with large shipping containers and a 6ft fence between the kennels and plot 6. The 4 occupied dwellings are some distance away from the kennels hence why there was no issue with their planning permission.
2. The applicants noise assessment company, Ethos Environmental were instructed in detail by Fife Council Environmental Health as to what needs to be done regarding a sufficient noise assessment. This has never been done. I suspect this is due to the fact, the applicant is well aware of the negative impact such a properly conducted noise assessment would have on the application. No one from Ethos Environmental has made contact with the kennels by any means. The noise assessment submitted is a very poor reflection of the type of conditions that can occur. In communications from William Hay of Ethos Environmental and the applicants agent on 18 April 2024, Mr Hay states "It should also be noted that generally, dogs in such kennels are domesticated and well cared for (business driven) with barking at a minimum, unlike dog rescue kennels where barking is more common". This shows that Ethos Environmental have no clue about these kennels. Assumptions have been made. The kennels has boarders, various dog rescues, Fife Council MHO, Fife Council Social Work and Police Scotland. This proposed additional dwelling could have a negative impact on the kennels being able to be run as they are, serving various bodies. Thus restricting a thriving local business and restricting any future expansion.
3. The access road and visibility splays have not been constructed prior to occupation of the original dwellings even though this was a planning permission condition. The first dwelling has been occupied for a number of years. A few kerb stones have been placed to try to appease the relevant authority.

Regards
Stuart Hyslop
Whitehill Kennels

Agenda Item 6(7)

**Whitehill Sawmill, Parkend, Crossgates,
Cowdenbeath**

Application No. 24/00214/FULL

Response to Further Representations

GATESIDE DESIGN
34 Millhill Street
Dunfermline
KY114TG

**Fife Council
Committee Officer
Legal and Democratic Services
Fife House
North Street
Glenrothes
KY7 5LT**

FAO Michelle McDermott

Ref Local Review Body Erection of dwelling house (class 9) and associated development including formation of access on land adjacent to plot 5 at Whitehill Sawmill Parkend Crossgates Cowdenbeath Fife

Application reference 24/00214/FULL

I refer to the above and the responses from Mr Ian Donaldson on behalf of Mr and Mrs D Hyslop + Mr S Hyslop and would like to respond as follows.

A site plan is enclosed showing the relationship between the kennels and the proposed dwelling and plot 6.

The shipping containers and fence referred to are the property of the applicant and their location is not permanent. They have been moved around the development as and when it was necessary to allow the plot owners to develop their sites. They are used to store materials and equipment and once the site is developed out they will be removed..

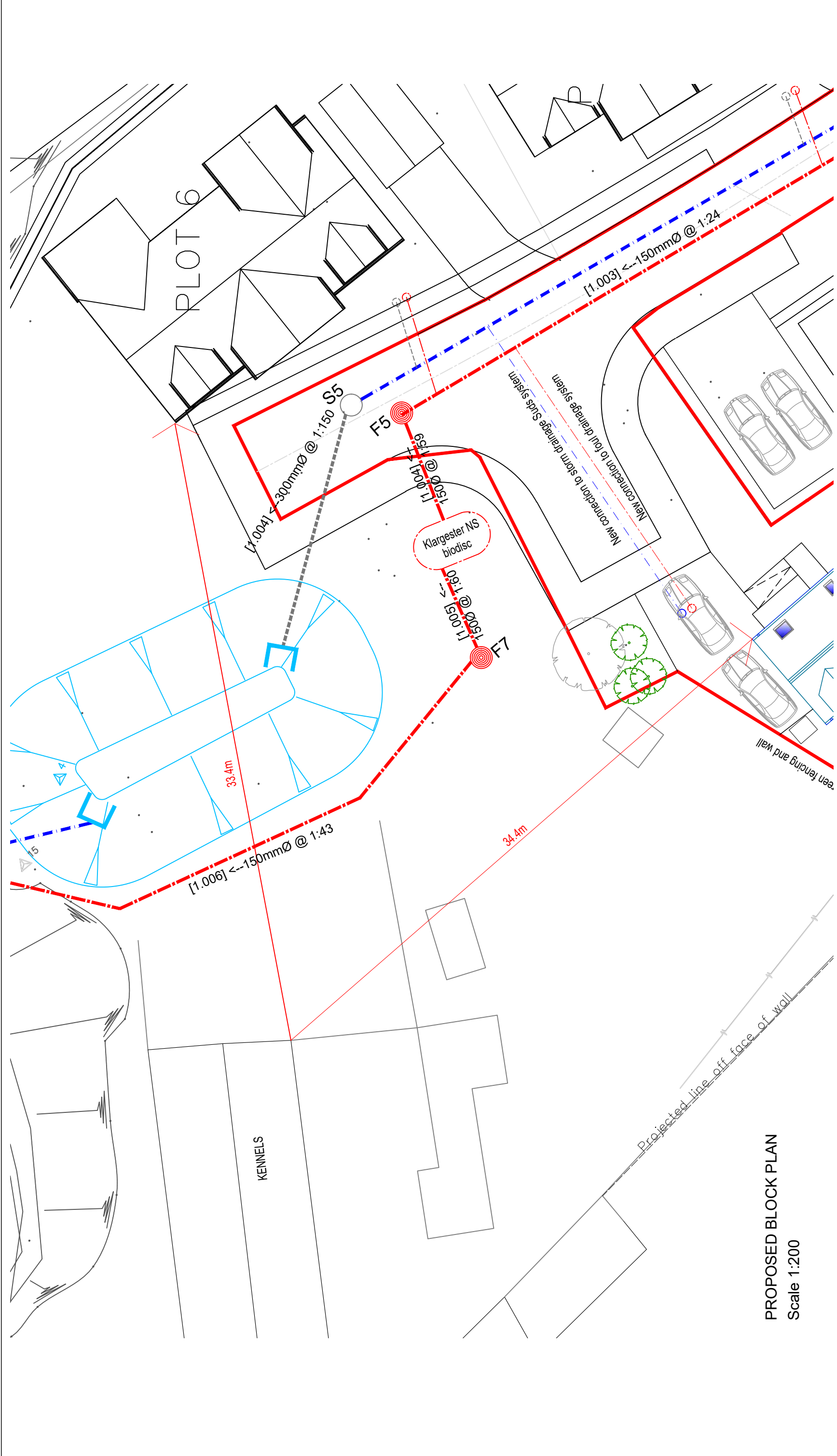
An email is enclosed from William Hay at Ethos Environmental for your consideration in answer to the matters raised regarding sound and the development of his reports.

The transport consultant engaged has expressed his opinion that the small increase in development would have no adverse effects on road safety. As is the case with most small self build developments the completion of roads, footpaths etc is never an easy task. However the applicant has laid out a timescale for these works .

James G Watters

On behalf of

Gateside Design



PROPOSED BLOCK PLAN
Scale 1:200

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GATESIDE DESIGN

Gateside Design
22 Viewfield Terrace
Dunfermline
FIFE
KY12 7HZ
tel. 07745305509
e-mail
Gatesidedesign50@yahoo.co.uk

TITLE
Erection of dwelling house at
Whitehills
By Aberdour
KY4 8EX

CLIENT
Mr + Mrs J Thompson
File Location
C:/Finished Drawings/

DRAWN BY J G Watters	
DATE	
SCALE	
DRWG. No.	Revision No.



● William Hay

From: william@ethosenvironmental.co.uk

To: James Watters



Wed, 20 Nov at 10:25



Hi Jim,

I'm offshore just now so won't be able to put together a full response. What I can say now however is that attempts were made to contact the kennels on their listed number, with no answer unfortunately; an additional assessment methodology was proposed and passed by the EHO which, as per Brian Forsyth's email addressed to you (09/08/24, 08:26), was agreed upon.

My last response addressing the decision regarding the latest NIA summarises the findings/recommendations made compared to the contradicting refusal statements with reference to the prior.

The comments received from Fife Council throughout the application were misinformed regarding standardised assessment of kennel noise - there is none - and the use of other commonly used assessment standards (again, this has already been addressed in previous responses). The comment taken onboard was the time of year in which monitoring was conducted; as such, additional monitoring was completed during the summer school holidays in which environmental health agreed to.

The results from the most recent assessment seem to have been misinterpreted under EH review; clarification would have been offered by Ethos Environmental should we have been consulted.

From discussion with the client and yourself around the extent of land ownership and the perimeter of the outdoor activity area, it was my understanding that Plot 6 was closer to the outdoor activity area than the proposed. I'm afraid the 6-foot fence and two shipping containers would not have sufficed in satisfying the same noise impact concerns of Fife Council if a similar approach to the proposed development was taken - which should be noted, has no windows facing the kennels. The primary source of noise with potential to impact internal amenities was found to be road traffic at the proposed development.

I think everything can be summed up by the following points:

1. The council agreed to an assessment methodology.
2. The NIA found that noise impact would be negligible, using multiple criteria, with basic, common, attenuating solutions.

As this development is a Noise Sensitive Development (NSD) it is the local authority's responsibility to set an appropriate noise target. At no point throughout this application was this addressed by Fife Council and therefore Ethos Environmental compared absolute noise levels, across two dates, to a continuous and a maximum noise level target from recognised methods.

Ethos Environmental are completely impartial on this matter, there is no benefit/cost weighing on the decision of this application. Had the assessment found an adverse impact on the proposed amenities beyond reasonable attenuation then that would have been the reported result. Despite reasonable findings and responses to council's comments, this application has failed to progress. The council may have other reasons for refusal, but noise is certainly not one of them when considering the assessments undertaken.

Kind regards,

William Hay
Acoustic Consultant
Ethos Environmental Ltd
Tel: 0131 453 5111