

West and Central Planning Committee

Committee Room 2, 5th Floor, Fife House, North Street,
Glenrothes – Blended Meeting



Wednesday 29 January 2025 - 2.00 p.m.

AGENDA

Page Nos.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

In terms of Section 5 of the Code of Conduct, members 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 the Meeting of West and Central Planning Committee of 18 December 2024. 4 - 6

4. 24/02631/PPP - 82 THIMBLEHALL DRIVE DUNFERMLINE FIFE 7 - 20

Planning permission in principle for erection of dwellinghouse and formation of access.

5. APPLICATION FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS

<https://www.fife.gov.uk/kb/docs/articles/planning-and-building2/planning/planning-applications/weekly-update-of-applications2>

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services

Fife House
North Street
Glenrothes
Fife, KY7 5LT

22 January, 2025

If telephoning, please ask for:
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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.

THE FIFE COUNCIL - WEST AND CENTRAL PLANNING COMMITTEE

Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes

18 December 2024

2.00 pm – 2.50pm

PRESENT: Councillors David Barratt (Convener), David Alexander, Alistair Bain, John Beare, James Calder, Ian Cameron, Altany Craik, Derek Glen, James Leslie, Carol Lindsay, Derek Noble, Gordon Pryde, Sam Steele and Andrew Verrecchia

ATTENDING: Mary Stewart, Service Manager, Major Business and Customer Service, Natasha Cockburn, Planner, Development Management; Scott Simpson, Planner, Development Management, Planning Services; Stephen Paterson, Solicitor and Elona Thomson, Committee Officer, Legal and Democratic Services.

APOLOGIES FOR ABSENCE: Councillor(s) Dave Dempsey

214. DECLARATIONS OF INTEREST

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

215. MINUTE

The committee considered the minute of the West and Central Planning Committee of 20 November 2024.

Decision

The committee agreed to approve the minute.

216. 24/00248/FULL -LAND TO NORTH OF SETON TERRACE KENNOWAY

The committee considered a report by the Head of Planning Services relating to a residential development (137 dwellings) with associated infrastructure including accesses, landscaping, drainage, SUDS and engineering works.

Members were advised of an amendment to condition 18. The condition should read: -

" The. hereby approved, landscaping scheme (Plan References: 54A, 55A, 56A, 57A and 58A) shall be implemented within the first planting season following the completion or occupation of the development, whichever is sooner. All planting carried out on site shall be maintained by the developer in accordance with good horticultural practice for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually."

Decision

The committee agreed: -

- (1) to approve the application subject to the 19 conditions and for the reasons detailed in the report;
- (2) that authority is delegated to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude a legal agreement to secure;
 - (a) 10% of the total units on site to be provided as affordable housing as per the definition contained within Fife Councils Affordable Housing Supplementary Guidance (2018). This would equate to 14 units out of the 137 units;
 - (b) £38,868 towards strategic transport intervention measures in Kirkcaldy/Glenrothes outer zone;
 - (c) £58,800 towards Cotlands Park and open space/play park area to the west; and
 - (d) the land as highlighted on "insert name" drawing shall be kept aside for a potential connection between the northern and southern part of the overall allocated site (FIFEplan (2017) allocation: KEN002) and passed to any future developer of the northern part of the allocated site at no cost to the future developer;
- (3) that should no agreement be reached within 6 months of the committee's decision, authority is delegated to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to refuse the application.

217. 24/01822/ARC - LAND EAST OF RIVER LEVEN ELM PARK LEVEN

The committee considered a report by the Head of Planning Services relating to the approval of matters specified in conditions (Condition 2 a) to e) and h) to y)) of planning permission in principle 23/02125/PPP for infrastructure works including drainage (engineering) works, installation of boardwalks, fencing and associated landscaping and planting.

Decision

The committee agreed to approve the application subject to the 10 conditions and for the reasons detailed in the report.

218. 24/02333/ARC - LAND EAST OF RIVER LEVEN ELM PARK LEVEN

The committee considered a report by the Head of Planning Services relating to the approval of matters specified in conditions (Conditions 2 a) to d), e) to h) and

2024 WCPC 95

j) to y)) of planning permission in principle 23/02125/PPP for formation of active travel network (Phase 2b)

Decision

The committee agreed to approve the application subject to the 7 conditions and for the reasons detailed in the report.

219. APPLICATION FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS

The committee noted the applications dealt with under delegated powers since the last meeting.

Committee Date: 29 January 2025

Agenda Item No. 4

Application for Planning Permission in Principle **Ref: 24/02631/PPP**

Site Address: **82 Thimblehall Drive Dunfermline Fife**

Proposal: **Planning permission in principle for erection of dwellinghouse and formation of access**

Applicant: **Mr S Gruitt, 82 Thimblehall Drive Dunfermline**

Date Registered: **24 October 2024**

Case Officer: **Petra Surplus**

Wards Affected: **W5R03: Dunfermline Central**

Reasons for Referral to Committee

This application requires to be considered by the Committee because the application has attracted six or more separate individual representations which are contrary to the officer's recommendation.

Summary Recommendation

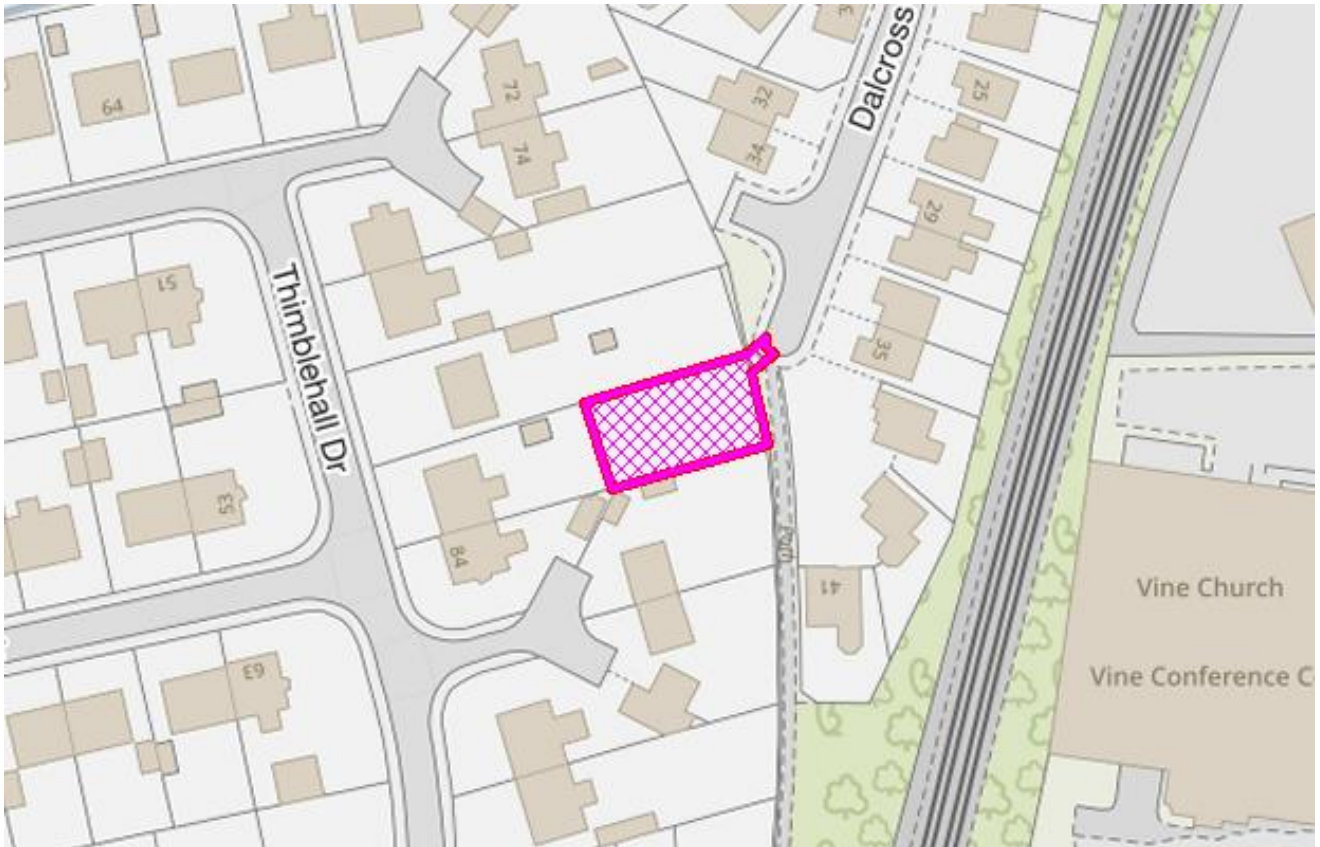
The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

1.1.1 This application relates to an area of ground forming part of the rear garden of the single storey dwelling at 82 Thimblehall Drive. Vehicular access would be from the end of the existing residential cul-de-sac at Dalcross Way, on the eastern boundary of the site. The application site includes a small area of land between the existing garden and Dalcross Way. A public footpath connecting to Dalcross Way runs along the Eastern boundary of the site whilst garden ground of other properties on Thimblehall Drive adjoin the Northern and Southern boundaries. The development site is located within an established residential area and is set amongst properties of a varying architectural form and scale.

1.1.2 LOCATION PLAN



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1.2 The Proposed Development

This application seeks planning permission in principle for the erection of a dwellinghouse and the formation of an access from Dalcross Way. This would include the subdivision of a current residential plot.

1.3 Relevant Planning History

There is no relevant planning history for the site.

1.4 Application Procedures

1.4.1 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. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017).

1.4.2 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.

1.4.3 Physical site visits were undertaken in relation to the assessment of this application on the 12/11/2024 and 03/12/2024. All other information has been collated digitally to allow the full consideration and assessment of the application. The following digital evidence was used to inform the assessment of this proposal: Google imagery (including Google Street View and Google satellite imagery), GIS mapping software, and photos taken by the case officer. It is considered that the evidence and information available to the case officer, supplemented by a visit to site, is sufficient to determine the proposal.

1.5 Relevant Policies

National Planning Framework 4 (2023)

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 3: Biodiversity

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy 4: Natural places

To protect, restore and enhance natural assets making best use of nature-based solutions.

Policy 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

Policy 14: Design, quality and place

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

Policy 15: Local Living and 20 minute neighbourhoods

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

Policy 16: Quality Homes

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland

Policy 22: Flood risk and water management

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Adopted FIFEplan (2017)

Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts.

Policy 2: Homes

Outcomes: An increase in the availability of homes of a good quality to meet local needs. The provision of a generous supply of land for each housing market area to provide development opportunities and achieve housing supply targets across all tenures. Maintaining a continuous five year supply of effective housing land at all times.

Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life.

Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

Policy 12: Flooding and the Water Environment

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved.

Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

Policy 14: Built and Historic Environment

Outcomes: Better quality places across Fife from new, good quality development and in which environmental assets are maintained, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

Supplementary Guidance

Supplementary Guidance: Making Fife's Places (2018)

- Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

Supplementary Guidance: Low Carbon Fife (2019)

- Low Carbon Fife Supplementary Planning Guidance provides guidance on:
assessing low carbon energy applications

demonstrating compliance with CO2 emissions reduction targets and district heating requirements;

requirements for air quality assessments.

Planning Policy Guidance

Fife Council Planning Customer Guidelines on Garden Ground

Fife Council's Planning Customer Guidelines on Daylight and Sunlight

Fife Council's Planning Customer Guidelines on Minimum Distances between Window Openings

Fife Council Transportation Development Guidelines

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements

2.0 Assessment

2.1 Relevant Matters

The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design and Layout/Visual Impact
- Residential Amenity
- Garden Ground
- Transportation/Road Safety
- Flooding and Drainage
- Natural Heritage and Trees
- Low Carbon
- Houses in Multiple Occupation

2.2 Principle of Development

2.2.1 Policies 15 and 16 of National Planning Framework 4 (2023) (NPF4) and Policies 1 and 2 of the Adopted FIFEplan - Fife Local Development Plan (2017); the LDP apply.

2.2.2 As the proposal lies within the Dunfermline settlement boundary, as defined in the Adopted FIFEplan (2017) there is a general presumption in favour of development subject to satisfactory details. Moreover, the development site would be easily accessible via public transport, being less than a 5-minute walk from two different bus stops, therefore, the proposal would be served by sustainable modes of transport. The principle of the development would, therefore, be considered acceptable. However, the overall acceptability of such a development must also meet other policy criteria which are considered in detail below.

2.3 Design and Layout / Visual Impact

2.3.1 The relevant provisions of NPF4 policies 14 and 16 and FIFEplan Policies 1 and 10 and Making Fife's Places Supplementary Guidance (2018) apply.

2.3.3 Representations received raised concerns regarding the position of the proposed dwellinghouse, the resulting density of development, and the proposals impact on the character of the surrounding area. As this application seeks planning permission in principle, specific detailed design matters would not form part of the overall assessment of this application, however, consideration can be given to the prevailing layout, overall scale of the development, and the impact of the proposal on the existing pattern of development.

2.3.4 The surrounding area is characterised by properties of varying architectural form and scale ranging from single storey to two-storey detached properties. Therefore, a detached property would be considered appropriate within this context. Moreover, given the density of housing within the surrounding environment it is considered the proposal would not have a significant detrimental impact on the pattern of development. Furthermore, there is a mix of single and two storey properties with varied finishing materials within the surrounding area, therefore, the proposal could be designed in a manner to appropriately respond to its surrounds. The proposed dwellinghouse would front onto Dalcross Way, which is a predominantly residential street, so the proposal would not appear out of place. Overall, details regarding the final design and external finishes etc. would form part of a future detailed submission, which would also allow interested parties to make further written comments. However, in principle, the proposal would respect the character of the area and meet policy requirements, in principle.

2.3.5 In light of the above, the proposal, subject to an appropriate detailed design, would be considered acceptable and would not have a significant detrimental impact on the surrounding residential environment.

2.4 Residential Amenity

2.4.1 The relevant provisions of NPF4 policy 16 and FIFEplan Policies 1 and 10 and Making Fife's Places Supplementary Guidance (2018) apply. Fife Council Planning Services Garden Ground and Daylight and Sunlight, Customer Guidelines also apply.

2.4.2 Representations received raised concerns regarding construction impacts, in particular noise, dust, and increased construction traffic. Given the development site would be situated within an established residential area the proposal would, therefore, be compatible with its surrounds in terms of land use and would not raise any significant noise concerns. Moreover, any amenity issues raised during the construction phase would be temporary in nature and could be controlled under separate legislation.

2.4.3 Representations received raised concerns regarding loss of privacy. However, the indicative drawings show that a house could be designed and positioned in a way that avoids creating adverse privacy impacts. Whether this takes the form of a single storey dwellinghouse, with suitable boundary treatments or a two storey dwelling with windows positioned to avoid creating any privacy issues would be subject to further assessment at the detailed application stage. The detailed application would also afford a further opportunity for public comments to be submitted.

2.4.4 Representations received also raised concerns regarding overshadowing resulting from the proposal. However, again the indicative drawings confirm that a house could be designed and sited in a way to ensure that there would be no significant detrimental impact on the level of sunlight reaching neighbouring amenity spaces. This aspect would also be fully assessed at the

detailed application stage and third parties would have a further opportunity to comment as part of that application process.

2.4.5 In light of the above, it is considered the proposal could be designed in a manner which would comply with the above guidance regarding residential amenity. However, these issues would be fully assessed at detailed application stage.

2.5 Garden Ground

2.5.1 Fife Council's Planning Customer Guidelines on Garden Ground applies in this instance and advises that for all new detached dwellinghouses the ratio of buildings to garden must be at least 1:3 and the dwellinghouse must be served a minimum of 100 square metres of useable private garden ground.

2.5.2 From the indicative site layout provided, the plot ratios for both the existing and proposed dwellinghouses would comply with the guidance. Both plots would have a ratio of buildings to garden of at least 1:3 and would have a minimum of 100m² of usable private garden ground each. 2.5.3 In light of the above, the proposal would be considered acceptable and would meet the standards outlined within Fife Council's Garden Ground Guidance.

2.6 Transportation/Road Safety

2.6.1 Policies 13, 14, and 15 of NPF4, Policies 1, 3, and 10 of the LDP and Making Fife's Places Supplementary Guidance apply.

2.6.2 Representations received raised concerns regarding vehicular access onto Dalcross Way, parking provision, visibility concerns, pedestrian safety (especially children's safety), proximity to a footpath (the footpath would be located in close proximity to the vehicular access from the site onto Dalcross Way), construction traffic, ownership of access, and general road safety.

2.6.3 Fife Council's Transportation Development Management Team (TDM) was consulted and advised that the proposed vehicular access from Dalcross Way has a reasonably steep gradient, sloping down towards Dalcross Way (approximately 0.8m difference in level), and considered that if required, a retaining wall could be introduced to address level differences. Drivers taking access to the proposed new driveway in a forward gear would have excellent visibility of any pedestrians (including children on scooters or bikes) using the footpath link. However, it was recommended that due to the location of the proposed access, a turning area for a car must be provided within the curtilage of the site to ensure that drivers of vehicles exiting the proposed vehicular access would also have acceptable visibility. A revised site layout was provided confirming that the provision of a turning facility outwith the proposed parking areas was submitted. TDM also advised that the provision of a turning area would, the driveway should be positioned so as to be as close to perpendicular to the footpath as possible and this is also shown in the submitted revised layout. As such, TDM consider the proposal to be acceptable in principle, providing the applicant funds and provides staggered pedestrian barriers on the footpath link at the frontage of the application site to safeguard child pedestrian safety. The exact design and position of these barriers on the footpath link would be assessed as part of the future detailed submission, as per condition 5 below. Therefore, TDM raised no objections to the proposal, subject to the imposition of the recommended conditions. Furthermore, any traffic generated during the construction phase would be temporary in nature and TDM have not raised the requirement for a construction management plan at this stage.

2.6.4 As shown with the land ownership certificate submitted on 11.12.2024, the applicant does not own the intervening land between the development site and Dalcross Way. This land is required to create the vehicular access from the site onto Dalcross Way. The approval of planning permission does not convey rights over land, and it will be a civil matter for the applicant to secure any permission required of the land owner before works commence.

2.6.5 The access for the proposal would be onto a residential street with traditional traffic movements that would relate to the proposal. Whilst pedestrian safety is a concern for this proposal, with regards to the access, the inclusion of staggered pedestrian barriers would mitigate this concern. In light of the above, the proposal subject to conditions, would be considered acceptable and would be in compliance with Policy 13 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines.

2.7 Flooding and Drainage

2.7.1 The relevant provisions of NPF4 policy 22 and FIFEplan Policies 1, 3 and 12 apply. Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) also applies.

2.7.2 Scottish Environment Protection Agency (SEPA) flood maps have been analysed and show that the development site is not located within an area of known river, coastal or surface water flood risk. The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) requires that a Sustainable Drainage System (SuDS) is installed for all new developments where surface water discharges to ground or water to prevent pollution, with the exception of runoff from a single dwelling or discharge to coastal waters. However, as outlined within Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements, for single dwellings where no surface water treatment is required, surface water attenuation must be provided in line with criteria set out in this guidance. As such, a surface water management plan as set out within Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements shall be submitted with any further application(s) for certain matters (Approval of Matters Required by Condition), as per condition 2(k) below. Furthermore, Scottish Water has been consulted and raised no objections to the proposal.

2.7.3 In light of the above, it is considered the site is of a sufficient size to comply with any drainage requirements and the proposal could be designed to comply with Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements. Again, these issues would be assessed at the detailed application stage.

2.8 Natural Heritage and Trees

2.8.1 The relevant provisions of NPF4 policies 3 and 4 and FIFEplan Policies 1 and 13 apply. Making Fife's Places Supplementary Guidance is also relevant.

2.8.2 Representations have mentioned the removal of trees prior to the submission of this application. This site is not within a conservation area, nor are there any Tree Protection Orders covering the site. Therefore, there is no requirement for permission for tree removal and this proposal can only be assessed on what has been provided within the plans submitted and the biodiversity currently provided on the site.

2.8.3 The development site currently has minimal biodiversity cover, with only a few trees to the west of the site, however, as per the indicative drawings provided, there is scope for increased

planting in the future which could, therefore, enhance the biodiversity on the site and adhere to the above policies and guidance. Making Fife's Places Supplementary Guidance (2018), states that no new buildings or gardens should be built within the falling distance of the tree at its final canopy height, this is again, something that would be taken into consideration at detailed application stage.

2.8.4 In light of the above, it is considered the proposal could be designed in a manner which would comply with the above policies and guidance regarding the enhancement of biodiversity on the site.

2.9 Low Carbon

2.9.1 The relevant provisions of NPF4 policies 1 and 2 and FIFEplan Policies 1 and 11 apply. Fife Council's Low Carbon Supplementary Guidance (2019) is also relevant.

2.9.2 A low carbon sustainability checklist and statement have been submitted in support of this application detailing the proposal will be designed to meet the minimum building standards requirements, will source materials from local/sustainable suppliers where possible, will provide facilities for the separate collection of waste including food and recyclables and will incorporate an appropriate scheme for the attenuation of surface water. As per the policies and guidance above, proposals should include the implementation of renewable technologies. Therefore, detailed plans and specifications showing the inclusion of renewable technology in the proposal shall be submitted and assessed at the detailed application stage, as per condition 2(g & j) below.

2.9.3 In light of the above, the proposal would be considered acceptable and would be in compliance with Policies 1 and 11 of the Adopted FIFEplan (2017) and the relevant policies of NPF4.

2.10 Houses in Multiple Occupation

2.10.1 The relevant provisions of FIFEplan Policy 2 apply.

2.10.2 The proposal is not intended for HMO use at this time and a condition is recommended to ensure that the property will not be used as an HMO in the future unless a further application for that use is submitted for consideration.

3.0 Consultation Summary

Scottish Water

No Objections

TDM, Planning Services

No Objections Subject to Conditions

4.0 Representation Summary

4.1 18 representations have been received for this proposal, all of which are objection comments.

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Design and Layout/Visual Impact	2.3
b. Residential Amenity	2.4
c. Transportation/Road Safety	2.6
d. Natural Heritage and Trees	2.8

4.2.3 Other Concerns Expressed

Issue	Comment
a. Inaccuracy of plans	The concern regarding any inaccuracy in the submitted plans for this application were taken into consideration and a second site visit was carried out to ensure the plans submitted were accurate. This again, would be ensured at any detailed application stage.
b. Land Ownership	The concern regarding the land ownership of the intervening land between Dalcross Way and the application site was investigated and a legal agreement would be required with any approval.

5.0 Conclusions

The proposal, subject to detailed design, would not have a significant detrimental impact on the surrounding residential environment. It is also determined that the proposal could be designed in a manner which would comply with the relevant guidance regarding residential amenity. Concerns raised regarding road safety can be addressed with the installation of pedestrian barriers, implementation of a vehicular turning circle, and gradient guidance within any detailed application submitted. Therefore, the proposal would be considered acceptable in principle and would be in compliance with the relevant national and local policies.

6.0 Recommendation

It is accordingly recommended that the application be approved subject to the following conditions and reasons:

PRE-COMMENCEMENT CONDITIONS:

3. BEFORE ANY WORKS START ON SITE,, 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. Access to the site shall only be taken from the access point as detailed in Condition 4.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

4. BEFORE ANY OTHER WORKS START ON SITE, the access driveway located along the Northern boundary of the site shall be provided and available for use to enable all vehicles to access / egress the site, perpendicular to the adjoining pedestrian footpath link. The access driveway shall be 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). Thereafter the access shall be retained for the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

CONDITIONS:

1. The development to which this permission relates must be commenced no later than 5 years from the date of this permission.

Reason: In order to comply with the provisions of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. A further application(s) for certain matters (Approval of Matters Required by Condition) shall be submitted for the requisite approval of this Planning Authority, together with the detailed plans and supporting information which shall include: -

(a) A location plan of all the site to be developed to a scale of not less than 1:2500, showing generally the site, any existing trees, hedges, walls (or other boundary markers) layout of the roads and sewers, and the position of all buildings.

(b) A detailed plan to a scale of not less than 1:500 showing the site contours, the position and width of all proposed roads and footpaths including public access provision, the siting of the proposed buildings, finished floor levels, new walls and fences and details of proposed landscape treatment.

(c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, together with details of the proposed method of drainage and the colour and type of materials to be used externally on walls and roofs.

(d) Details of the existing and proposed ground levels as well as the finished floor levels all related to a fixed datum point. The details shall specify the extent and height of any areas of mounding and the height and extent of any retaining structures.

(e) A supporting statement illustrating the developments' compliance with National Planning Framework 4 (2023) and Fife Council's Planning Policy - Making Fife's Places Supplementary Guidance Document (2018) - including reference and proposals relating to the design, layout, green network infrastructure and biodiversity enhancement.

(f) Detailed drawings illustrating the developments' compliance with Fife Council's Planning Customer Guidelines on Daylight and Sunlight, Window to Window distances, Garden Ground requirements and car parking requirements.

(g) A sustainability statement illustrating the developments' compliance with Fife Council's Planning Policy - Low Carbon Fife Supplementary Guidance Document (2019). The sustainability statement shall address all of the matters set out in Appendix B of Fife Council's Low Carbon Fife Supplementary Guidance (January 2019).

(h) Detailed plans showing the provision of staggered pedestrian barriers on the Dalcross Way/Garvock Hill footpath link close to the point it meets Dalcross Way.

(i) Detailed plans showing the design, alignment and finished levels of the access to the site, including the access driveway, as set out in Condition 4..

(j) Detailed plans and specifications showing the inclusion of renewable technology in the proposed dwelling.

(k) A surface water management plan as set out within Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements.

Reason: To ensure compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.

5. BEFORE CONSTRUCTION OF THE DWELLING COMMENCES, a turning area shall be provided within the curtilage of the site. The turning area shall be formed outwith the parking areas, in accordance with guidelines, and shall thereafter be retained throughout the lifetime of the development.

Reason: In the interest of road safety; to ensure that all vehicles taking access to and egress from the site can do so in a forward gear.

6. BEFORE CONSTRUCTION OF THE DWELLING COMMENCES, staggered pedestrian barriers shall be installed on the Dalcross Way/Garvock Hill footpath link, close to the point it meets Dalcross Way, as per condition 2(h), and shall thereafter be retained for the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate measures to prevent conflicts with child pedestrians.

7. PRIOR TO THE OCCUPATION OF THE DWELLING, off-street parking shall be provided in accordance with the current Fife Council Making Fife's Places Appendix G. The parking spaces shall thereafter 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.

8. The residential dwelling provided on site shall be used solely as a residence for (a) a single person or by people living together as a family; or, (b) not more than 5 unrelated residents living together. For the avoidance of doubt, the dwelling hereby approved shall not be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Adopted FIFEplan - Fife Local Development Plan Policy 2 (Homes) or any subsequent revision or amendment of this document.

7.0 Background Papers

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Development Plan:

National Planning Framework 4: Adopted (February 2023)

The Adopted FIFEplan Local Development Plan (2017)

Other Guidance:

Making Fife's Places Supplementary Guidance (2018)

Fife Council's Planning Customer Guidelines on Daylight and Sunlight

Fife Council's Planning Customer Guidelines on Minimum Distances Between Window Openings

Fife Council's Planning Customer Guidelines on Garden Ground

Fife Council Transportation Development Guidelines

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements

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

Report prepared by Petra Surplus, Development Management

Report reviewed and agreed by Mary Stewart, Service Manager and Committee Lead