

THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

17th November, 2021

1.30 p.m. – 5.10 p.m.

PRESENT: Councillors Donald Lothian (Convener), Tim Brett, John Docherty, Andy Heer, Jane Ann Liston, David MacDiarmid, Karen Marjoram, Tony Miklinski, Dominic Nolan, Bill Porteous, Jonny Tepp, Brian Thomson and Ann Verner.

ATTENDING: Alastair Hamilton, Service Manager - Development Management, Economy, Planning & Employability Services; Steven Paterson, Solicitor and Diane Barnett, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Bill Connor, Linda Holt and Margaret Kennedy.

310. DECLARATIONS OF INTEREST

No declarations of interest were submitted in terms of Standing Order No. 7.1.

311. MINUTE

The Committee considered the minute of meeting of the North East Planning Committee of 20th October, 2021.

Decision

The Committee agreed to approve the minute.

312. 20/02891/FULL - WOODLAND HOLIDAYS, KINCAPLE, ST ANDREWS

Councillor Nolan joined the meeting after the Planning Officer's detailed presentation of the application and, having not had the benefit of the presentation, was not entitled to participate in the debate or vote on this item.

The Committee considered a report by the Head of Planning relating to an application for the erection of 18 no. holiday lodges, reception and accommodation and installation of biomass plant with associated access, parking and landscaping.

Motion

Councillor Liston, seconded by Councillor MacDiarmid, moved to refuse the application on the grounds that the proposed development was contrary to:-

- (1) Scottish Planning Policy (2014), Policy 1 of the TAYplan Strategic Development Plan (2016) and Policies 1, 7 and 9 of the Adopted FIFEplan (2017) in the interests of safeguarding the visual amenity, the character and protecting the environmental quality of the designated St Andrews Green Belt as the form, scale and layout of the proposed development, by virtue of introducing a significant level of built form into the generally open area, would result in a density of development and urban appearance significantly out of character for the area - impacting negatively on the existing/

2021 NEPC 188

existing established settlement and having a detrimental impact on visual amenity and environmental quality of the designated St Andrews Green Belt, undermining its objectives and character;

- (2) Scottish Planning Policy (2014), Policies 1, 3 and 7 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) in the interests of road safety and sustainable travel - due to the application site being located where more sustainable modes of transport were not readily and safely available, necessitating the need for the use of private vehicles to access local amenities; and
- (3) Scottish Planning Policy (2014), Policies 1 and 3 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) in the interests of road safety having regard to the introduction of additional traffic movements utilising the local minor roads network onto the main public road and by virtue of limited visibility splays due to the increased movement of vehicular traffic as a result of the proposed development.

Amendment

Councillor Porteous, seconded by Councillor Miklinski, moved as an amendment to approve the application subject to:-

- (1) the 8 conditions and for the reasons detailed in the report; and
- (2) an additional condition relating to a Pre-Commencement Survey of potential bat roosts and badger setts in the woodland habitat.

Roll Call Vote

For the Motion - 8 votes

Councillors Docherty, Heer, Liston, Marjoram, MacDiarmid, Tepp, Thomson and Verner.

For the Amendment - 4 votes

Councillors Brett, Lothian, Miklinski and Porteous.

Having received a majority of votes, the motion to refuse the application was carried.

Decision

The Committee:-

- (1) agreed to refuse the application on the grounds that the proposed development was contrary to:-
 - (i) Scottish Planning Policy (2014), Policy 1 of the TAYplan Strategic Development Plan (2016) and Policies 1, 7 and 9 of the Adopted FIFEplan (2017) in the interests of safeguarding the visual amenity, the character and protecting the environmental quality of the designated St Andrews Green Belt as the form, scale and layout of the/

2021 NEPC 189

the proposed development, by virtue of introducing a significant level of built form into the generally open area, would result in a density of development and urban appearance significantly out of character for the area - impacting negatively on the existing established settlement and having a detrimental impact on visual amenity and environmental quality of the designated St Andrews Green Belt, undermining its objectives and character;

- (ii) Scottish Planning Policy (2014), Policies 1, 3 and 7 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) in the interests of road safety and sustainable travel - due to the application site being located where more sustainable modes of transport were not readily and safely available, necessitating the need for the use of private vehicles to access local amenities; and
- (iii) Scottish Planning Policy (2014), Policies 1 and 3 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) in the interests of road safety having regard to the introduction of additional traffic movements utilising the local minor roads network onto the main public road and by virtue of limited visibility splays due to the increased movement of vehicular traffic as a result of the proposed development.

- (2) agreed to delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to finalise the full reasons for refusal in order to ensure that a decision on the application was not unduly delayed.

313. **20/03277/FULL - MOUNTCASTLE QUARRY, MELVILLE LODGES, BOW OF FIFE**

The Committee considered a report by the Head of Planning relating to an application for the installation of 25 fishing platforms, pontoon, reception building, ranger's lodge and associated works.

Motion

Councillor Miklinski, seconded by Councillor MacDiarmid, moved to refuse the application on the grounds that the proposed development did not comply with Policies 1, 7, 12 and 13 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) in the interests of protecting the natural environment and biodiversity, as there was insufficient justification for development of this nature and, further, due to the detrimental impact of the proposed development on the natural environment, biodiversity and ecology due to its scale, layout, design and proposed use.

Amendment

Councillor Porteous, seconded by Councillor Brett, moved as an amendment to approve the application subject to:-

- (1) the 4 conditions and for the reasons detailed in the report;
- (2)/

2021 NEPC 190

- (2) an additional condition restricting the development to 19 fishing platforms in the interests of protecting the countryside from overdevelopment; and
- (3) an Advisory in relation to signage and road markings in the interests of road safety.

Roll Call Vote

For the Motion - 7 votes

Councillors Docherty, Heer, Liston, Lothian, MacDiarmid, Nolan and Miklinski.

For the Amendment - 6 votes

Councillors Brett, Marjoram, Porteous, Tepp, Thomson and Verner.

Having received a majority of votes, the motion to refuse the application was carried.

Decision

The Committee agreed to:-

- (1) refuse the application on the grounds that the proposed development did not comply with Policies 1, 7, 12 and 13 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) in the interests of protecting the natural environment and biodiversity as there was insufficient justification for development of this nature and, further, due to the detrimental impact of the proposed development on the natural environment, biodiversity and due to its scale, layout, design and proposed use;
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to finalise the full reason for refusal in order to ensure that a decision on the application was not unduly delayed; and
- (3) enforcement action requiring the application site to be restored to its original state prior to any development related to the application taking place.

Councillors Marjoram and Miklinski left the meeting following consideration of the above application.

The Committee adjourned at 3.40 p.m.

The Committee reconvened at 3.50 p.m.

314. 21/01264/FULL - 8 BELLS WYND, KINGSBARNES, ST ANDREWS

The Committee considered a report by the Head of Planning relating to an application for the erection of a one and a half storey dwellinghouse.

Motion/

Motion

Councillor Porteous, seconded by Councillor Docherty, moved to refuse the application on the grounds that the proposed development did not comply with Policies 1 and 14 of the Adopted FIFEplan (2017), Making Fife's Places Supplementary Guidance (2018) and the Kingsbarns Conservation Area and Management Plan in the interests of protecting visual amenity as it was considered that the proposed form, scale and design of the development was considered to be overdevelopment of the application site and would have a detrimental impact on the visual amenity of the designated conservation area.

Amendment

Councillor Brett, seconded by Councillor Lothian, moved as an amendment to approve the application subject to the 4 conditions and for the reasons detailed in the report.

Roll Call Vote

For the Motion - 4 votes

Councillors/

Councillors Docherty, Liston, MacDiarmid and Porteous.

For the Amendment - 7 votes

Having received a majority of votes, the amendment to approve the application was carried.

Decision

The Committee agreed to approve the application subject to the 4 conditions and for the reasons detailed in the report.

315. 21/01312/FULL - LAND TO SOUTH OF BELMORE, WESTFIELD ROAD, CUPAR

The Committee considered a report by the Head of Planning relating to an application for the erection of a dwellinghouse with associated car parking.

Decision

The Committee agreed to approve the application subject to the 8 conditions and for the reasons detailed in the report.

316. 21/01411/PPP - LAND 400 M SOUTH OF FARMHOUSE, TEUCHATS FARM, GREENSIDE, FIFE

The Committee considered a report by the Head of Planning relating to an application for Planning Permission in Principle for a single dwellinghouse for agricultural occupation.

Decision/

Decision

The Committee:-

- (1) noted, in relation to land stability and contaminated land, the application had been assessed against Scottish Government PAN33 (Revised) and not PAN33 as detailed in the report;
- (2) agreed to approve the application subject to the 2 conditions and for the reasons detailed in the report;
- (3) agreed that Condition 1 be amended to include, as standard, the requirement that the applicant submits a report relating to contaminated land, as part of the further planning application, to address any potential impacts on the site and the surrounding area should contamination be an issue; and
- (4) agreed to delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to draft and formulate an appropriately worded amended Condition 1 to take cognisance of potential impacts on the site and surrounding area relating to contaminated land.

317. APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS

Decision

The Committee noted the lists of applications dealt with under delegated powers for the period 2nd to 29th October, 2021.
