

## North East Planning Committee

Due to Scottish Government guidance relating to COVID-19, this meeting will be held remotely.



Wednesday, 17th November, 2021 - 1.30 p.m.

---

### 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 North East Planning Committee of 20th October, 2021. 3 – 6
4. **20/02891/FULL - WOODLAND HOLIDAYS, KINCAPLE, ST ANDREWS** 7 – 18  
Erection of 18 no. holiday lodges, reception and accommodation, and installation of biomass plan with associated access, parking and landscaping.
5. **20/03277/FULL - MOUNTCASTLE QUARRY, MELVILLE LODGES, BOW OF FIFE** 19 – 31  
Installation of 25 fishing platforms, pontoon, reception building, ranger's lodge and associated works.
6. **21/01264/FULL - 8 BELLS WYND, KINGSBARN, ST ANDREWS** 32 – 39  
Erection of one and a half storey dwellinghouse.
7. **21/01312/FULL - LAND TO SOUTH OF BELMORE, WESTFIELD ROAD, CUPAR** 40 – 48  
Erection of dwellinghouse with associated car parking.
8. **21/01411/PPP - LAND 400 M SOUTH OF FARMHOUSE, TEUCHATS FARM, GREENSIDE, FIFE** 49 – 57  
Planning Permission in Principle for a single dwellinghouse for agricultural occupation.
9. **APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**  
List of applications dealt with under delegated powers for the period 2nd to 29th October, 2021.

Note - these lists are available to view with the committee papers on the Fife.gov.uk website.

**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

10th November, 2021

If telephoning, please ask for:  
Diane Barnet, Committee Officer, Fife House  
Telephone: 03451 555555, ext. 442334; email: [Diane.Barnet@fife.gov.uk](mailto:Diane.Barnet@fife.gov.uk)

Agendas and papers for all Committee meetings can be accessed on  
[www.fife.gov.uk/committees](http://www.fife.gov.uk/committees)

**THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING**

20th October, 2021

1.30 p.m. – 3.30 p.m.

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

**ATTENDING:** Alastair Hamilton, Service Manager - Development Management; Martin McGroarty, Lead Professional - Minerals, Economy, Planning & Employability Services; Steven Paterson, Solicitor; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Tim Brett and Brian Thomson.

**304. DECLARATIONS OF INTEREST**

Councillor Lothian declared an interest in Para. 306. - '21/00913/FULL - Pitmedden Farm, Fife' - as he had had some involvement relating to animal welfare concerns relative to the application site.

Councillors Holt and Nolan declared an interest in Para. 308. - '20/00568/EIA - Land at Kenly Farms, Kippo, Kingsbarns' - as Councillor Holt had led a campaign against wind farm/turbine developments prior to being elected as a Fife Councillor; and Councillor Nolan had previously expressed a view in principle on applications of this nature.

**305. MINUTE**

The Committee considered the minute of the North East Planning Committee of 22nd September, 2021.

**Decision**

The Committee agreed to approve the minute.

*Prior to consideration of the following item, Councillor Lothian, having declared an interest, left the meeting at this point and Councillor Verner, Vice-Convener took the Chair.*

**306. 21/00913/FULL - PITMEDDEN FARM, FIFE**

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

**Motion/**

**Motion**

Councillor Heer, seconded by Councillor MacDiarmid, moved to refuse the application on the grounds that the proposed development was contrary to SPP (2014), Policy 1 of TAYplan and Policies 1, 7 and 8 of the adopted FIFEplan 2017, as the proposed development at this rural/countryside location was not considered to be justified and essential to support the existing needs of the rural business.

**Amendment**

Councillor Porteous, seconded by Councillor Tepp, moved as an amendment, to approve the application subject to the six conditions and for the reasons detailed in the report.

**Roll Call Vote**

**For the Motion** - 8 votes

Councillors Docherty, Heer, Holt, Marjoram, MacDiarmid, Nolan, Miklinski and Verner.

**For the Amendment** - 3 votes

Councillors Liston, Porteous and Tepp.

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 SPP (2014), Policy 1 of TAYplan, and Policies 1, 7 and 8 of the adopted FIFEplan 2017, as the proposed development at this rural/countryside location was not considered to be justified and essential to support the existing needs of the rural business; and
- (2) delegated 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.

*Prior to consideration of the following item, Councillor Lothian re-joined the meeting.*

**307. 21/01091/FULL - LAND 300M SOUTH OF BALMULLO FARM, MOONZIE MILL, BALMULLO**

The Committee considered a report by the Head of Planning relating to an application for engineering operations to construct an agricultural lagoon for the storage of farm derived digestate.

**Motion/**

**Motion**

Councillor Tepp, seconded by Councillor Liston, moved to refuse the application in the interests of residential amenity on the grounds that the proposed development, due to its scale, siting and proximity to nearby residential properties, would detrimentally impact their residential amenity due to odour/malodour and was therefore contrary to Policies 1 and 10 of the adopted FIFEPlan 2017.

**Amendment**

Councillor Miklinski, seconded by Councillor Verner, moved as an amendment to approve the application subject to the two conditions and for the reasons detailed in the report.

**Roll Call Vote**

**For the Motion** - 4 votes

Councillors Docherty, Holt, Liston and Tepp.

**For the Amendment** - 8 votes

Councillors Heer, Lothian, Marjoram, MacDiarmid, Nolan, Miklinski, Porteous and Verner.

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 two conditions and for the reasons detailed in the report.

**308. 20/00568/EIA - LAND AT KENLY FARMS, KIPPO, KINGSBARNES**

The Committee considered a report by the Head of Planning relating to an application under Regulation 11 for renewal of planning permission 16/01425/EIA - erection of 6 wind turbines (100m to tip) and ancillary development including control building, construction of access roads, upgrading of existing access road and temporary construction compound (Section 42 application to vary planning conditions 13, 14, 15, 16, 17, 18, 37 and 38) at land at Kenly Farms, Kippo, Kingsbarns, Fife.

**Decision**

The Committee agreed to approve the application for renewal of planning permission 16/01425/EIA subject to the 38 conditions and for the reasons detailed in the report.

**309./**

**309. 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 6th September to 1st October, 2021.

**ITEM NO: 4**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/02891/FULL**

**SITE ADDRESS: WOODLAND HOLIDAYS KINCAPLE ST ANDREWS**

**PROPOSAL : ERECTION OF 18NO. HOLIDAY LODGES, RECEPTION AND ACCOMMODATION AND INSTALLATION OF BIOMASS PLANT WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING**

**APPLICANT: ST ANDREWS FOREST LODGES LTD.  
19 OSPREY DRIVE PIPERDAM DUNDEE**

**WARD NO: W5R18  
St. Andrews**

**CASE OFFICER: Declan Semple**

**DATE 05/02/2021  
REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

The application has attracted 60 representations including the Strathkinness Community Council as a statutory consultee objecting to the application contrary to the case officer recommendation.

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

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.

## 1.0 BACKGROUND

1.1 The application relates to an established holiday lodges site located to the south of the village of Kincaple. As per FIFEplan Local Development Plan (2017), the site is identified as being countryside land, and forms part of the defined St Andrews Greenbelt with St Andrews around 3km south east of the site. The existing holiday lodge site is occupied by 17 lodges and a reception building. All lodges are pitched roof single storey, finished with timber cladding and concrete roof tiles. The wider application site to the north east of the existing lodges is open fields bound by mature woodland to the north and west. The grounds of Category B listed Kincaple House and Category C listed stable cottages are to the north.

1.2 The proposal is for planning permission for the change of use of a 1.5ha area of agricultural land to the north east of the existing site to extend the holiday park. The land would accommodate an additional 18 holiday lodges, a reception/manager's accommodation and biomass heating plant with associated access and landscaping. A new access would be formed from the public road to the north of the site and provide access to the wider site. The proposed lodges and holiday accommodation would be predominantly timber clad with pitched roofs. Additional landscaping would be incorporated around the perimeter of the site and throughout the layout to provide screening.

1.3 Relevant planning history associated with the application site is as follows:-

14/03683/FULL - Planning permission was granted for the erection of eleven holiday units and a district biomass plant building on the existing holiday lodge site - March 2015

19/01437/FULL - Planning permission was granted for alteration and extension to six holiday lodges - October 2019.

## 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
- Amenity
- Trees and Landscaping
- Transport
- Flooding and Drainage
- Sustainability

### 2.1 PRINCIPLE OF DEVELOPMENT

2.1.1 Scottish Planning Policy (2014) and Policies 1 Development Principles, 7 Development in the Countryside and 9 Green Belt of the Adopted FIFEplan Local Development Plan (2017) apply with regards to the principle of development for this proposal. Scottish Planning Policy (SPP) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Town and Country Planning (Scotland) Act (1997). SPP states that greenbelts are intended to support the spatial strategy by directing development to the most appropriate locations and supporting regeneration; protecting and enhancing the character, landscape setting and identity of the settlement; and protecting and providing access to open space.



2.1.2 TAYplan Policy 1 Location Priorities Part D. Green Belts requires Local Development Plans to protect and provide access to open space and safeguard the countryside from encroachment and define the type and scale of development appropriate within the green belt based on Scottish Planning Policy. Policy 9 Managing TAYplan's Assets Part C. Safeguarding the Integrity of Natural and Historic Assets requires Local Development Plans to safeguard the integrity of natural assets by allowing development where it does not adversely impact on assets.

2.1.3 FIFEplan Policy 1 sets out the requirements for development principles. This policy supports development proposals providing they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. It further states the development will only be supported if it is in a location where the proposed use is supported by the Local Development Plan. In the instance of development on greenbelt land, the proposed development must be appropriate for the location through compliance with the relevant policies. This proposal is for development in the countryside and therefore, the proposed use must be supported by policies 7 and 9 of the Local Development Plan

2.1.4 Policy 7 of FIFEplan states that development proposals in the countryside will only be supported where, amongst a range of criteria, it is for the extension of an established business. Additionally, all development proposals must be of a scale and nature compatible with surrounding use; be well located in respect of available infrastructure; and must not result in an overall reduction in the landscape and environmental quality of the area. Policy 9 of FIFEplan sets out that development in the St Andrews greenbelt is managed to protect and enhance the town's character, landscape settings, and identities. Like Policy 7, Policy 9 states that development in designated greenbelts will only be supported where, amongst a range of criteria, it is for the intensification of established uses. In all cases development in the greenbelts must: be of a scale and nature compatible with surrounding uses; maintain the setting and the key views to and from the historic core of St Andrews; improve the landscape and environmental quality of the greenbelt; improve local infrastructure, which may include improving opportunities for public access between the town and countryside by linking green spaces; and be of a high quality design.

2.1.5 Representations have been received regarding the proposed land use and loss of prime agricultural land. The proposal relates the extension of an existing holiday lodge business which has operated in Kincaple for at least 40 years and therefore, the proposal relates to an established business. The business model of the holiday lodge accommodation is providing tourist accommodation within the countryside and the demand for this type of holiday destination demonstrates a proven need for a countryside location. Whilst the land is currently graded as prime agricultural land, the land is not utilised for food production and forms a small portion of a larger area of prime agricultural land. The change of use is directly linked to an existing rural business and in this instance, the loss of prime agricultural land is justified. Overall, the proposal is for the intensification of an established use and the scale and nature is compatible with the surrounding uses. Therefore, the principle of the change of use of part of the land to form an extension to the holiday park is compatible with policy 1, 7 and 9 of FIFEplan and is acceptable, subject to the detailed considerations below.

## 2.2 Design/Visual Impact

2.2.1 FIFEplan Policies 1 Development Principles and 10 Amenity. Policy 1 supports development that will safeguard the character and qualities of the landscape and provide a layout and design that demonstrates adherence to the six qualities of successful places as set out in the Scottish Government's Creates Places policy. Policy 10 supports proposals where there is no significant detrimental impact on the visual impact of the development on the surrounding area.

2.2.2 Representations have been received regarding the scale and visual impact. The application site is currently a vacant area of prime agricultural land and bound to the north and west by mature woodland that provides an attractive screening to the village of Kincaple. The proposal relates to the erection of 18 holiday lodges with a reception/manager's building and biomass plant on the site. Access to the site will be taken from east approach road towards Kincaple from land immediately east of the mature woodland. The 18 holiday lodges will be spread evenly across the site with a circular one-way route providing access to the lodges with open space surrounding the units and a connection to the existing business to the south. The reception and manager's accommodation building is proposed to the north east of the site.

2.2.3 The lodges are single storey, rectangular units clad in redwood timber with grey tiled pitched roofs. The lodges have rectangular windows with triangular and circular windows to the gable elevations. The reception/manager's house is also single storey with a pitched roof and the same finishing materials as the proposed lodges. The extension of the existing holiday accommodation site proposed by this application will change the view of the existing site and woodland when viewed from Kincaple, however, the mature woodland will maintain a visual prominence maintaining an attractive setting to the village. The proposed lodges would be screened through a robust planting scheme that will limit the visual impact of the proposal. The site area is large in comparison to the existing village although the visual impact would be significantly reduced through planting and natural level changes on the site. The accommodation is self-contained within the site and therefore, the additional lodges would not significantly alter the character of the existing village. This is an extension to an existing holiday lodge business and the location of lodges within closer proximity to the village will be well screened by the mature woodland surrounding the site. Leisure uses in the countryside are supported by the adopted FIFEplan, and the use of traditional building materials and landscaping will maintain the countryside character of the site. Accordingly, the proposal would be visually acceptable and maintain the countryside character of the existing village. Accordingly, the proposal is compatible with FIFEplan Policies 1 and 10 and Making Fife's Places Supplementary Guidance in terms of visual impact.

## 2.3 Amenity

2.3.1 FIFEplan Policy 1 Development Principles Part B requires development proposals to protect the amenity of the local community. Policy 10 Amenity supports proposals which will provide a satisfactory residential environment for future occupiers and existing neighbours in relation to noise, privacy, sunlight and daylight. Planning Advice Note (PAN) 1/2011 provides guidance on how the planning system helps to prevent and limit the adverse effects of noise.

2.3.2 Representations have been received regarding the impact on neighbouring amenity. The proposed lodges will be at least 80m from the existing residential properties within Kincaple. The proposal includes the installation of a biomass plant and therefore, an Air Quality Screening Assessment has been submitted to support the application. The biomass plant will be a potential

source of noise therefore, a condition has been added to limit the potential impact of noise to neighbouring residents. Land and Air Quality have been consulted and have no objections to the application. Public and Environmental Protection have been consulted and have no objection to the application, subject to a condition restricting noise levels from the proposed biomass heating system. Therefore, a satisfactory residential environment for neighbours of the site will be maintained in accordance with FIFEplan Policies 1 and 10 and Planning Advice Note (PAN) 1/2011.

## 2.4 Trees, Landscaping and Ecology

2.4.1 FIFEplan Policy 1 Development Principles Part B requires development safeguard the character and qualities of the landscape and safeguard or avoid the loss of natural resources. Policy 13 Natural Environment and Access supports development proposals that protect natural heritage including trees and hedgerows that contribute towards the landscape and amenity of the area. Proposals must also protect biodiversity in the wider environment and contribute towards the countryside character and views.

2.4.2 Representations have been received regarding the impact on mature woodland and ecology. A Tree Survey has been submitted as background information with the application which contains a Locational Survey and Constraints Plan. The Tree Survey confirms the main area of arboriculture interest lies within the linear area of mature, mixed woodland located along the northern and north west site boundary. The woodland is recorded by NatureScot as a 1.66ha area of ancient woodland. The woodland is dominated by mature and early mature Sycamore, with other species including Lime, Beech, Poplar and Oak with a mixed Holly hedgerow running parallel to the woodland edge. The area is subject to a group Tree Preservation Order which aims to protect woodlands which have particular amenity value and make a significant contribution to the landscape. The trees are variable in terms of species, age and condition. The woodland provides significant amenity value and the majority of trees are categorised as A or B. C and U categorised trees have a limited life expectancy.

2.4.3 The tree population is of generally good quality with 80% of the trees recorded as category A or B. One tree has been recorded as Category U and suffering from basal decay associated with infection and could fail. Three trees are recommended to be removed as part of general maintenance of the existing woodland including the category U tree and two category C trees. Other works including felling, stem/branch removal, crown reduction and monitoring work are also to be undertaken. A further four trees including two category C trees and two category B trees would be removed to accommodate this development. The category B trees are large Poplars with significant defects. Replacement tree planting would be undertaken as part of the development to maintain the visual amenity and provide screening to the site. At least 12 new trees would be planted along the east site boundary including Lime, Sycamore, Oak, Rowan and Birch. Additional internal tree planting would include at least nine small trees including Rowan, Cherry or Apple trees and supplemented by additional hedgerow. Overall, the layout and design has taken account of the woodland setting and would not impact on any category A trees and majority of the category B trees will be maintained and protected. There would be no loss to the woodland canopy. The proposed development and associated works to the trees protected by the group TPO would not detract from the overall appearance of the woodland planting and therefore would not undermine the landscape character or compromise the original justification of the designation of the TPO.

2.4.4 In terms of ecology, bats are European Protected Species and therefore a preliminary assessment of potential bat roost features has been carried out within the woodland. Two trees were assessed to have potential roost features of low suitability in the woodland habitat where tree felling is planned. One potential bat roost feature is within 30m of trees proposed for felling. Felling will be planned to avoid or minimise damage to other trees and woodland habitat. If bats are found, all work in the vicinity of the bats will cease and next steps agreed with NatureScot. Pre-commencement badger surveys will be undertaken and if any active setts are identified within 30m of the development footprint an application to NatureScot for a licence will be made and a Badger Management Plan implemented.

2.4.5 Fife Council's Natural Heritage Officer was consulted on the application and has no objection to the application. NatureScot has been consulted and have no objection to the application. Overall, the proposal will maintain and protect the majority of trees on the site with only a small number removed that are off a poor quality. Replacement tree planting will compensate for the small number of trees lost and maintain an attractive tree line boundary to the site. Adequate mitigation will be included to protect and maintain the remaining trees. If any protected species are identified on the site further consultation will be undertaken with NatureScot to secure adequate licences before works commence. Therefore, the proposal complies with Policy 1 and 13 of FIFEplan.

## 2.5 Transport

2.5.1 Policy 1 Development Principles, Part C, Criterion 2 states that development proposals must provide the required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 Infrastructure and Services advises that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Further detailed technical guidance relating to this including parking requirements, visibility splays and street dimensions are contained within Appendix G (Transportation Development Guidelines) of Making Fife's Places Supplementary Guidance (2018).

2.5.2 Representations have been received regarding the impact on road safety. Vehicular access is to be taken from a new access directly onto the C4 classified public road. The existing access will be closed off to all vehicular traffic. The C4 public road is a single lane road that connects with the A91 Classified public road. Visibility for drivers is currently poor at the junction, however the applicant has submitted drawings that demonstrate improvements to the C4/A91 intersection including the formation of 6m x 180x visibility splays and the formation of passing places along the C4 road. The newly formed access to the site will include from the C4 road will include 3m x 25m visibility splays. These measures will enhance the existing road safety and provide satisfactory access to the site. The site is not accessible by walking, cycling and public transport however, given the nature of the proposal for holiday accommodation in a countryside location, visitors are likely to arrive by car. Transportation Development Management have been consulted and have no objection to the proposal subject to conditions relating to road safety. Therefore, the proposal complies with FIFEplan Policy 1 and 3 and the Making Fife's Places Supplementary Guidance.

## 2.6 Flooding and Drainage

2.6.1 FIFEplan Policy 1: Development Principles requires new development avoid flooding impacts on the water environment. Policy 3 Infrastructure and Services requires development to deliver the required level of infrastructure including foul and surface water drainage including Sustainable Urban Drainage Systems. Policy 12 Flooding and the Water Environment requires proposals to demonstrate they will not individually or cumulatively increase flooding or flood risk on the site or elsewhere. Proposals should not detrimentally impact on a water body's natural characteristics, engineering works or recreational uses.

2.6.2 Representations have been received regarding the impact on drainage infrastructure. A Flood Risk Assessment has been submitted alongside the application as background information. The report assesses flood risk in relation to coastal, fluvial, overland flow, infrastructure failure, sewer and groundwater flooding. Flood risk from overland flow, infrastructure failure, sewer flooding and groundwater flooding has been assessed as low. Residual flood risk to the development from these sources will be mitigated by setting the finished floor levels above surrounding ground by at least 300mm and profiling ground levels to route flood water away from buildings. In addition, a SUDS drainage system will be incorporated to mitigate the risk of increased runoff from the site. Drainage from the site is to be provided through a surface water pipeline connecting into an existing manhole and surface water discharging into the existing drainage system. Flooding, Shoreline and Harbours have been consulted on the application and have no objection to the proposed flooding and drainage mitigation.

## 2.7 Sustainability

2.7.1 FIFEplan Policy 1 Development Principles requires new development provide energy generation and generation in the layout and design and contribute to achieving an area's full potential for electricity and heat from renewable sources. Policy 11 Low Carbon Fife supports new development to incorporate low carbon energy schemes.

2.7.2 A Low Carbon Checklist has been submitted alongside the application that confirms that the lodges will utilise biomass heating generated onsite. Buildings will be insulated exceeding minimum standards with materials sources locally. Therefore, the proposals comply with FIFEplan Policy 1 and 11.

## CONSULTATIONS

Transportation and Environmental Services - Operations Team	No objections subject to conditions.
Environmental Health (Public Protection)	No objections subject to conditions.
Natural Heritage, Planning Services	No objections.
Land and Air Quality, Protective Services	No objections.
Built Heritage, Planning Services	No objections.
Structural Services - Flooding, Shoreline and Harbours	No objections.
Trees, Planning Services	No objections.
NatureScot	No objections.
Community Council	Objected in relation to scale, road safety

and insufficient information.

## REPRESENTATIONS

60 objections were received including an objection from the Strathkinness Community Council who responded as a Statutory Consultee. Concerns and comments related to the following matters:

- Land use; this is addressed in section 2.1.
- Loss of arable land; this is addressed in section 2.1.
- Noise; this is addressed in section 2.3.
- Ecology; this is addressed in section 2.4.
- Road Safety; this is addressed in section 2.5.
- Drainage; this is addressed in section 2.6.

Non-material planning issues raised:

- Litter;
- Laundry services included;
- Use by locals;
- Ownership;
- Operation of biomass system; and
- Light pollution.

## CONCLUSIONS

The application is for planning permission for an extension to the existing holiday lodge accommodation, it is compatible with the policies noted above in FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018). The proposal will provide additional holiday accommodation associated with an established business within a countryside setting, improving accessibility to open space and the countryside. The proposal will improve the local road network through improvements to the existing junction and can be developed to protect road safety. The proposal would have no detrimental impact on the mature woodland at the site which is protected by a TPO and in addition a robust landscaping scheme to mitigate any visual impact is proposed. Subject to the conditions noted in the report the proposal complies with the development plan.

## RECOMMENDATION

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

1. BEFORE ANY WORK STARTS ON SITE, details of the specification and colour of the proposed external finishes shall be submitted for approval in writing by this Planning Authority.

Reason: For the Planning Authority to consider.

2. BEFORE ANY WORKS START ON SITE, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for approval in writing by this Planning Authority. The scheme as approved shall be implemented within the first

planting season following the completion or occupation of the development, whichever is the sooner.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

3. All landscaping works and open space provision shall be completed in accordance with the details as required by the terms of this planning permission PRIOR TO THE OCCUPATION of any of the approved holiday lodges in the approved development.

Reason: To ensure landscaping works are completed at an appropriate stage in the development of the site.

4. The total noise from all plant, machinery or equipment shall be such that any associated noise complies with NR 25 in bedrooms, during the night; and NR 30 during the day in all habitable rooms, when measured within any noise sensitive property, with windows open for ventilation.

Reason: In order to protect the amenity of adjoining and nearby residents.

5. Prior to any works starting in the development site, an access bellmouth shall be constructed at the junction of the proposed development site and the C4 public road. This access bellmouth shall be constructed with a minimum throat width of 6.0 metres with 7.5 metre radius kerb for a length of 10.0 from the adjoining road channel line in accordance with the current Fife Council Transportation Development Guidelines. The proposed access is to be operational prior to the letting of the first lodge on the proposed site. The existing access to the Forest Lodges, as shown on Drawing No. 03 Revision G, shall be closed off to all vehicular traffic prior to the operation of the new access and all vehicular traffic shall use the newly formed access as shown on this drawing.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction and to ensure that only one access exists to both holiday lodge sites.

6. Prior to any construction works starting on site, passing places shall be provided along the length of the C4 public road from Kincapple to the A91 classified public road. All passing places shall be intervisible with each other and shall be no more than 150m apart.

Reason: In the interest of road safety; to avoid undesirable manoeuvres on and in the vicinity of the public road, and to avoid the possibility of conflict of vehicle movement on narrow carriageway.

7. Prior to any works starting on site, visibility splays of 2.4m x 25m shall be provided to the left and to the right at the junction of the vehicular crossing at the development site access and the C4 public road and thereafter maintained in perpetuity, clear of all obstructions exceeding 1.05 metres above the adjoining carriageway level, in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access and the public road.

8. Prior to any works starting on site, visibility splays of 6m x 180m shall be provided to the East and to the West at the road junction where the C4 meets with the A91 classified public road as is shown on Drawing No. 04 Revision B. These visibility splays shall thereafter be maintained in perpetuity, clear of all obstructions exceeding 1.05 metres above the adjoining carriageway level, in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access and the public road.

## **STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS**

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

National Guidance  
Scottish Planning Policy (2014)  
PAN 1/2011 - Planning and Noise

Regional Guidance  
TAYplan – Strategic Development Plan (2016)

Local Guidance  
Adopted FIFEplan - Fife Local Development Plan (2017)

Supplementary Guidance  
Making Fife's Places Supplementary Guidance (2018)

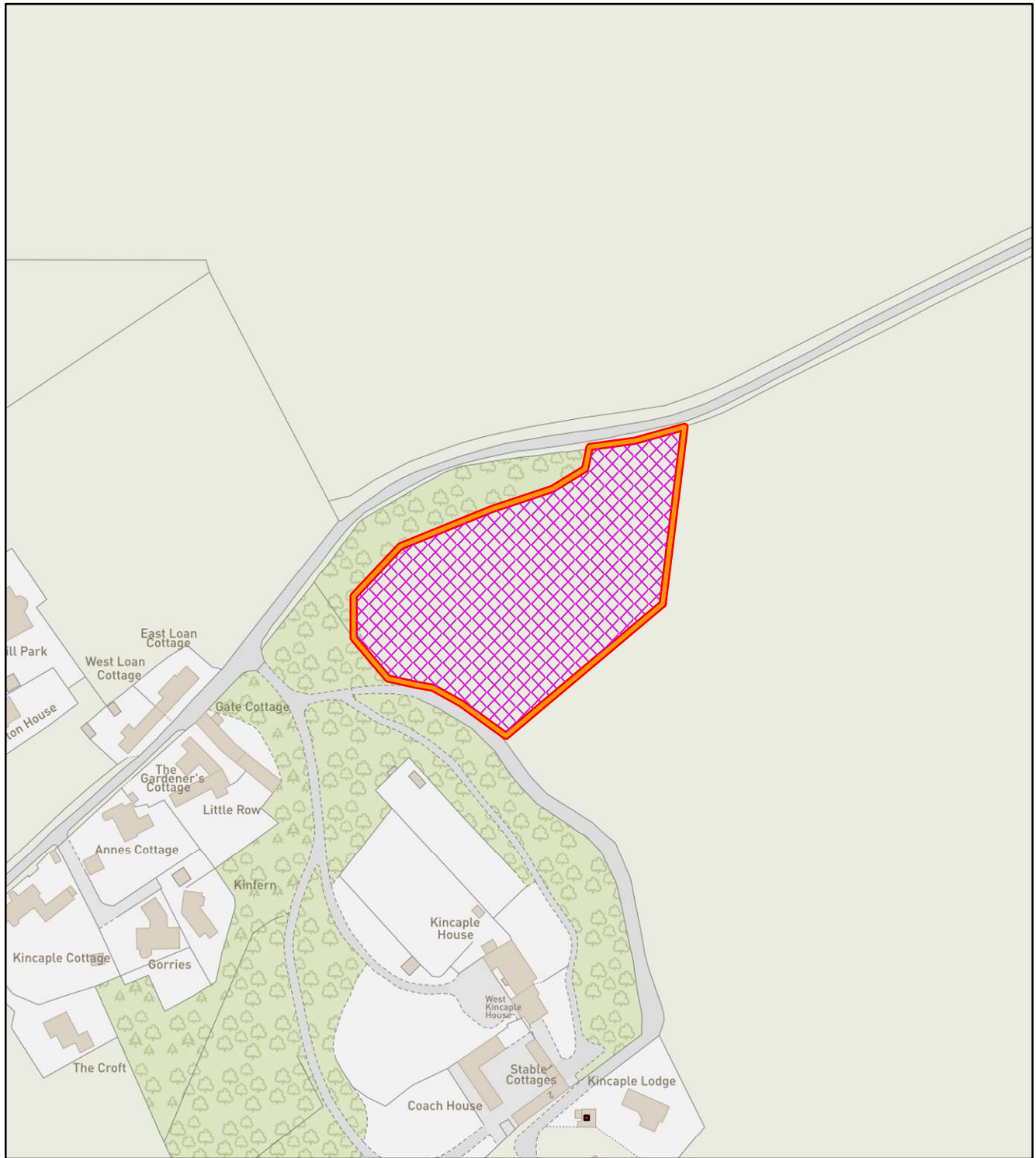
Report prepared by Declan Semple, Lead Officer  
Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 8/11/21.

Date Printed 20/10/2021



# 20/02891/FULL

## Woodland Holidays Kincaple St Andrews

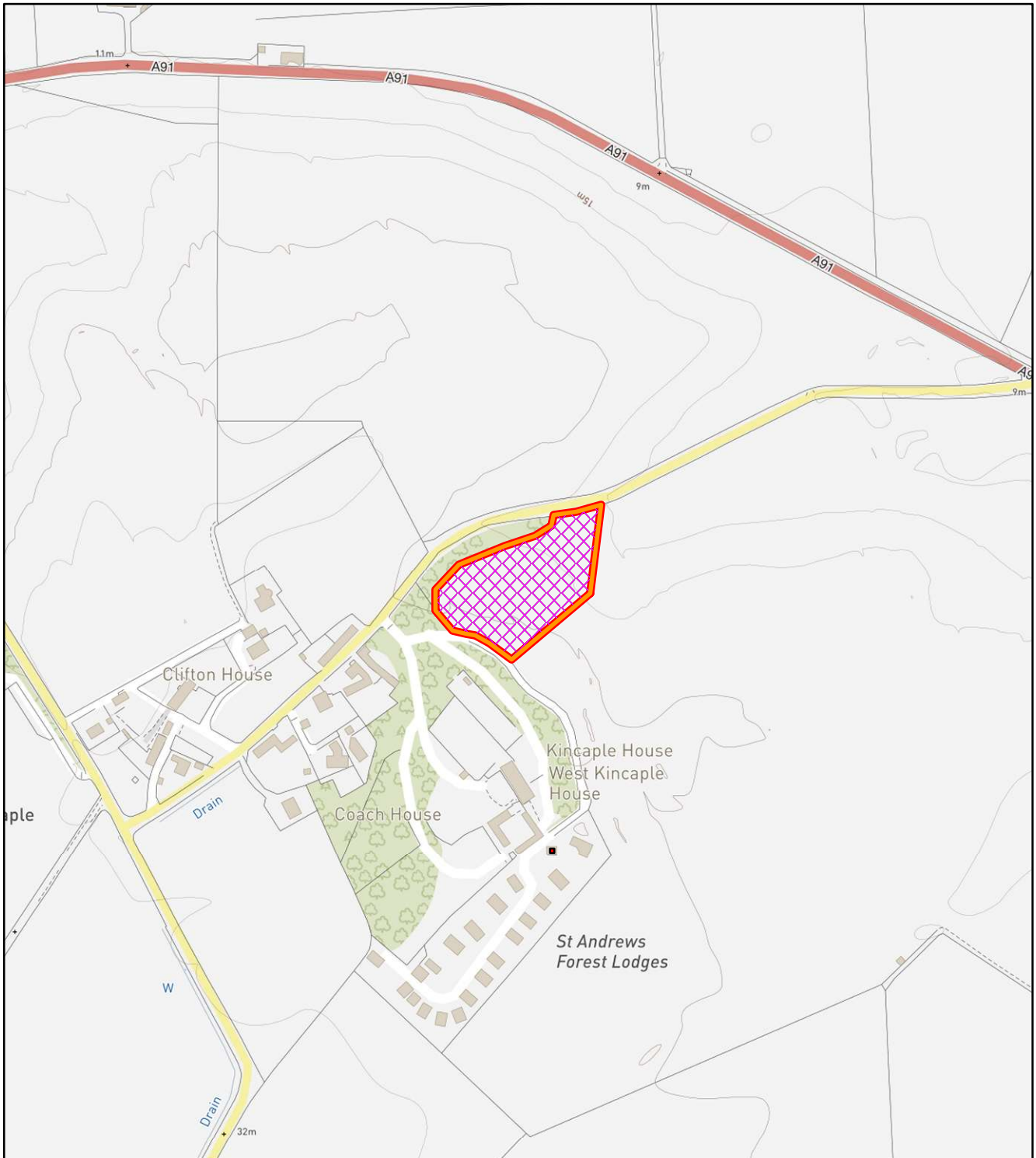


Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>			
	<b>Application Boundary</b>		

# 20/02891/FULL

## Woodland Holidays Kincaple St Andrews



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>			
	<b>Application Boundary</b>		

**ITEM NO: 5**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/03277/FULL**

**SITE ADDRESS: MOUNTCASTLE QUARRY MELVILLE LODGES BOW OF FIFE**

**PROPOSAL: INSTALLATION OF 25 FISHING PLATFORMS, PONTOON,  
RECEPTION BUILDING, RANGER'S LODGE AND  
ASSOCIATED WORKS**

**APPLICANT: EDEN MUIR LIMITED  
C/O PPCA LIMITED 39 DUNIPACE CRESCENT DUNFERMLINE**

**WARD NO: W5R16  
Howe of Fife and Tay Coast**

**CASE OFFICER: Scott McInroy**

**DATE 25/01/2021  
REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 5 objections contrary to officers' recommendation

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL  
CONSIDERATIONS**

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.

## 1.0 BACKGROUND

1.1 The application site relates to an area of land (0.37ha) within the former Mountcastle sand and gravel Quarry, south east of the village of Letham, accessed via a single access track off the A92 trunk Road. The wider Mountcastle Quarry site extraction has ceased, and the site landscaped and restored in compliance with the post extraction landscape plan approved in previous minerals consents for the site. As part of that landscape plan a series of lochans now exist throughout the site. This application bounds the north, west and east of the banks of a water feature known as Lochan 1 which sits to the north of the application site and bounds the north of Eden Muir Loch which sits to the south of the application site. The existing access track falls within the application boundary as far as the existing car park which sits in the middle of the wider former Mountcastle quarry area. No natural heritage designations are in place; however, the quarry has become naturalised over the years since the quarry use ended with trees and shrubs establishing. There are no designated or recorded rights of way on site, however, a number of man-made paths and tracks have also been created through the wider area and these are used by members of the public for recreational uses. These were also set out in the post extraction landscape restoration plan.

1.2 The application as originally applied for was for full planning permission for the installation of 25 small fishing platforms set into the lochan bank edge, a floating pontoon for landing boats, a reception building to manage on-site operations, ranger's residential lodge and other associated works as part of a proposed fishing recreation facility. As discussed further in the issues sections below the proposal has subsequently been amended since submission to reduce the number of proposed fishing platforms from 25 to 19 and the proposed ranger's accommodation has also been removed from the proposal presented to committee for determination. The waterbodies would be filled with Triploid Trout. The proposed development consists of small wooden fishing platforms (approximately 1.2m by 1.2m or 1.8m by 1.8m footprints with timber handrails) around the northern perimeter of Lochan 1 and a floating fishing pontoon located at Eden Muir Loch to the south. A maximum of 50 permit holders will be allowed on site and only 15 boats would be allowed onto Eden Muir Loch at any one time. The small-scale single storey reception building which would be of timber construction and have a footprint of approximately 30 square metres would be located to the north west of Eden Muir Loch near the existing car park facilities. Other ancillary elements proposed include a small storage shed, the siting of toilets and a covered bicycle storage shelter. The applicant has confirmed that the Rangers lodge which was originally part of this application will no longer form part of this proposal. This is due to the fact that, in so far as the commercial recreational business has yet to be established, residential accommodation would not comply with the Houses in the Countryside FIFEplan policy criteria for residential proposals associated with established rural businesses. If the current proposal is approved, then the applicant may submit a proposal at a later date accompanied by supporting information relating to the needs of the business which can then be more properly considered against the relevant housing in the countryside policy criteria. Concerns have been raised regarding development already starting on site. This is not a material consideration regarding the assessment of this application. Any concerns regarding this should object formally through Fife councils Planning Enforcement process.

1.3 The previous planning history of this site is as follows:

- 99/00710/EFULL - Vary Conditions 3/5/12 on 01940226 re Dewater/Dry Work of Block 3, Extraction Rate, Hours of Working - approved 16/12/1999
- 03/03718/EFULL - Variation of Conditions 4 and 36 of Consent 01/90/0684 re dewater/dry work of Block 4 and 5, and revised landscaping scheme - approved 01/04/2004

- 04/00010/EEPN - Erection of 11kv overhead power line - approved 04/02/2004
- 06/00727/EEIA - Sand and gravel extraction and restoration to form formal woodland and parkland including public car park and foot paths. - approved 24/04/2009
- 07/03037/EEIA - Formation of sand and gravel quarry (extension to existing) - approved 02/09/2009
- 07/03961/EFULL - Extension to sand and gravel quarry - approved 02/06/2008
- 10/01344/FULL - Variation of condition 3 of planning permission 03/03718/EFULL to extend period of extraction of sand and gravel - approved 14/07/2010

## 2.0 ASSESSMENT

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

- Principle of Development
- Natural Heritage
- Design/Visual Impact on the Countryside
- Transportation/Access
- Contamination

## 2.2 PRINCIPLE OF DEVELOPMENT

2.2.1 Scottish Planning Policy (2014) and Policies 1 and 7 of the Adopted FIFEplan Local Development Plan (2017), apply with regard to the principle of development for this proposal.

2.2.2 Scottish Planning Policy 2014 (SPP) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Town and Country Planning (Scotland) Act (1997) [the Act]. The SPP seeks to promote the use of previously developed land and better access by sustainable transport modes within existing settlements. However, it also recognises the increased demand for new types of development in rural areas.

2.2.3 The Adopted FIFEplan (2017) Policy 1 sets out the requirements for development principles. This policy supports development proposals providing they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. It further states the development will only be supported if it is in a location where the proposed use is supported by the Local Development Plan. In the instance of development in the countryside, the proposed development must be appropriate for the location through compliance with the relevant policies; in this instance, Policy 7.

2.2.4 Policy 7 of FIFEplan advises that development in the countryside will only be supported where it:

1. is required for agricultural, horticultural, woodland, or forestry operations;
2. will diversify or add to the above land-based businesses to bring economic support to the existing business;
3. is for the extension of established businesses;
4. 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;
5. is for facilities for access to the countryside;
6. is for facilities for outdoor recreation, tourism, or other development which demonstrates a

proven need for a countryside location; or  
7.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.

2.2.5 The proposal concerns a previous quarry located outwith any defined settlement envelope and is therefore located within the countryside as defined in the Adopted FIFEplan (2017). The proposed fishery use of the existing lochans is considered by the Planning Authority to represent an outdoor recreational activity, which, given the specific requirements of the activity, requires and has a proven need for a countryside location. As such, the proposed development is considered to be acceptable in simple land use terms, meeting the requirements of Policies 1 and 7 of FIFEplan (2017). Furthermore, (as detailed further later in this report) the proposed fishery use and associated infrastructure is considered to be compatible with the surrounding countryside land; be well-located in respect to existing infrastructure given its proximity to the public road; and would not harm the overall landscape and environment quality of the area. Concerns have been raised regarding the need for the Rangers lodge as part of this application. Again, Members should note that the proposed residential Ranger's lodge element has been withdrawn from consideration and therefore consideration of a residential unit within the countryside is no longer required to be considered (e.g. under Policy 8 - Houses in the Countryside). Concerns regarding the potential future uses of the site are not a material consideration with regards this application.

2.2.6 In this instance, it is considered that the proposed development meets the requirements of the policies outlined above and is deemed to be acceptable in principle in a countryside location. The overall acceptability of any such development must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report.

## 2.3 NATURAL HERITAGE

2.3.1 Policies 1, 10, 12 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018), Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), Wildlife and Countryside Act 1981 (as amended) and Wildlife and Natural Environment (Scotland) Act (2011) apply in this instance with regard to natural heritage protection.

2.3.2 Policy 12 of FIFEplan (2017) sets out that development which detrimentally impacts on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use shall not be supported. To minimise or avoid a detrimental impact on ecological quality of the water environment, development proposals should demonstrate that they are designed and managed in a manner that will, wherever possible, leave ecological quality of the water environment in its natural state for example, avoiding engineering activities such as culverts, bridges, watercourse diversions, bank modifications, or dams.

2.3.3 Policy 13 of the FIFEplan (2017) states that a proposed development will only be supported where it protects or enhances natural heritage assets, including designated sites of international and national importance, i.e. Natura 2000 sites and Sites of Special Scientific Interest (SSSI). Where adverse impacts on existing assets are unavoidable the Planning Authority 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 (2018). Where the proposed development would potentially impact on natural heritage assets (including species), a detailed study must be undertaken by a suitably qualified person detailing the potential impact of the development. 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. Making Fife's Places Supplementary Guidance (2018) sets out that natural heritage assets should be protected with appropriate buffers applied, e.g. 10m either side of watercourses or woodland.

2.3.4 The application site is itself is not designated as a natural heritage asset, however, given the two bodies of water (Eden Muir Loch and Lochan 1) which this application will affect, it is considered that the proposed development may have the potential to impact on the locally important natural heritage asset. Fife Council therefore consulted with NatureScot (formerly SNH) on the application. NatureScot identified that the application site was within the zone of influence of nationally designated sites such as the Firth of Tay and Eden Estuary, Cameron Reservoir and Loch Leven Special Protection Areas and Ramsar site. NatureScot concluded however that the proposal would not adversely affect the integrity of these sites because of the available foraging and roosting resources in the local and wider areas.

2.3.5 Concerns have been raised in objections regarding the impact this development would have on the ecology/loss of habitat and biodiversity of the site and impact on species using the site. Fife Council's own Natural Heritage Officer was consulted on this application due to the potential disturbance and displacement to breeding and wintering wetland and waterbirds of Regional Value. From the online British Trust for Ornithology (BTO) Wetland Bird Survey information, of the 66 Fife sites with data Records indicate that Mountcastle Quarry is ranked 14th of the 66 sites with a five-year average of 956 birds. Fife Council's Natural Heritage Officer concluded that with boat fishing, and formal and informal bank fishing this could ultimately lead to more intensive, regular disturbance than at present, potentially adversely affecting the breeding and non-breeding bird population of the site and the site's biodiversity. To mitigate for these concerns, the applicant has provided a Good Management Principles and Additional Mitigation and Compensation Measures report. The mitigation measures proposed include no fishing exclusion zones on the southern section of Eden Muir Loch and on the southern and central section of Lochan 1. Two artificial waterfowl islands are proposed on Lochan 1 to provide enhanced breeding habitat for certain species. A site ranger will be employed to brief all users of the proposed fishery and to police the area to ensure the site rules are adhered to. With regards to Eden Muir Loch, the number of fishing boats will be restricted to 15. Fishing boats will not be allowed into the exclusion zones or allowed to land on the islands or the shore, boats will only be allowed to moor up on the proposed pontoon. All boats will be powered by electric motors to reduce any potential pollution hazards. With regards to Lochan 1 it is proposed to reduce the amount of fishing platforms from 25 to 19 and these will be located around the western and southern banks. Additionally, the applicant has agreed a lease with the owner of the Letham pools area which sits to the north of the application site. From the online BTO Wetland Bird Survey information, of the 66 Fife sites with data Records indicate that Letham Pools is ranked 10th of the 66 sites with a five-year average of 2297 birds. The applicant has agreed to manage this area and provide a wildlife hide, this would be subject to a Management Plan and this will help provide compensatory areas for any displaced birds through the development of the Mountcastle site.

2.3.6 Although concerns have been raised by Fife Councils Natural Heritage Officer and several objectors (which are both still standing), given the amendments to the scheme to reduce the number of fishing platforms and restrictions to the usage of Eden Muir Loch to mitigate against impact on species and the proposed habitat enhancements, whilst there still being a number of waterbodies in the wider Mountcastle Quarry area and surrounding areas, it is considered that there would not be a significant impact on the natural heritage assets of this site.

2.3.7 With regard to the Making Fife's Places requirement for landscaping and biodiversity enhancement, such features are not considered necessary in this instance as the application site is already considered to be ecologically rich, with the proposed associated features not having any impact on this, whilst it is also noted that the site is surrounded by woodland.

2.3.8 SEPA were also consulted on this application to provide comment on the application given the potential impact on the loch and its surrounds; SEPA have advised that they have no objections to its construction and operation as a proposed fishery.

2.3.9 In conclusion, it is considered that the proposed use of the application site as a fishing facility would not have a significant adverse impact on the local natural habitat assets to merit a refusal. In this instance, the proposed use would be limited to specific areas of some of the local waterbodies therefore other water features not forming part of this scheme remain available for any temporary displacement of birds and with the proposed mitigation plan and reduction of designated fishing areas, cumulatively it is considered that these measures would not result in significant disturbance nor large-scale displacement of wildlife to merit a refusal.

2.3.10 In light of the above, conditions are recommended to ensure the formal Management Plan is in place and adhered to at all times. This would include the above proposed mitigation measures to minimise potential impacts on the ecology of the area. This plan would have to be agreed with Fife Council to ensure all proposed mitigation measures are acceptable and provided on site prior to first operation. Draft conditions have been included for Members' consideration should they be minded to approve the application.

## 2.4 DESIGN/VISUAL IMPACT ON THE COUNTRYSIDE

2.4.1 As the application site is located within the countryside, further consideration must be given to the potential visual impact of the proposal. FIFEplan Policies 1, 7 and 10 and the Making Fife's Places Supplementary Guidance Document (2018) apply with regard to the design and visual impact of the proposal.

2.4.2 Policies 1 and 10 of FIFEplan (2017) aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area.

2.4.3 As defined previously, Policy 7 of FIFEplan (2017) advises that development proposals on countryside land must be of a scale and nature that is compatible with surrounding uses; be well-located in respect of available infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area.

2.4.4 Making Fife's Places Supplementary Guidance (2018) sets out the expectation 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. The document also illustrates how developments proposals can be evaluated to ensure compliance with the six



qualities of successful places - distinctive; welcoming; adaptable; resource efficient; safe and pleasant; and easy to move around and beyond. Further to this, Appendix B and D of Making Fife's Places Supplementary Guidance (2018) set out site appraisal information in relation to landscape and identifies key actions and guidance that should be followed by developers. An appropriate site appraisal (including appropriate mitigation measures where required), following the identified actions within this policy document should be submitted for assessment as part of any planning application.

2.4.5 The proposed development would comprise the installation of small-scale timber constructed fishing platforms, a pontoon, reception building, and other small-scale ancillary associated works.

2.4.6 The proposed single storey reception building, storage shed, shelter and toilet facilities would all be located in the centre of the site just off the access track and would be of timber construction with shingle roofs. The floor area of the reception building (the largest of the proposed structures) would be approximately 30 square metres. Located in the centre of the site adjacent to the existing access road, it is considered that the positioning, small scale nature and use of traditional external finishing materials of the proposed reception building and storage hut etc would not have any adverse impact on views from the core path network at this location nor have any detrimental impact on the overall visual character of this countryside location. The clustered nature of the structures would also minimise any visual impact on the immediate area.

2.4.7 As stated in paragraph 1.2, the applicant has confirmed that the Rangers lodge which was originally part of this application will no longer form part of this proposal. Therefore, this element has not been assessed any further in this regard as it no longer forms part of this proposal. An appropriate condition removing this element from the overall submission has been included in this report for members consideration.

2.4.8 A total of 25 fishing platforms were originally proposed on Lochan 1, however through discussion with the applicant and the need for natural habitat mitigation measures this has been reduced to 19 and would be located on the north, west and east banks of Lochan 1 only. The platforms would consist of 2 accessible fishing platforms and 17 fishing platforms. The accessible fishing platforms would timber decking and timber handrail and would have a footprint of 3.6 square metres. The other 17 fishing platforms would consist of a timber decking with a footprint of 2.4 square metres. Overall, it is considered that the proposed fishing platforms and boat jetty would be sufficiently spread out around the edge of the reservoir to avoid any one part of the reservoir from being visually overdeveloped, whilst the design and scale of the proposed features are considered to be typical for the proposed fishery use of the site. Through their finishing materials, style, scale and positioning the proposed platforms are considered to be appropriate for the location and would have no adverse visual impact on the countryside. A condition has been included in the recommendation to limit the number of proposed fishing platforms to 19.

2.4.9 A floating fishing pontoon is proposed on the north eastern bank of Eden Muir Loch which sits to the south west of the wider site. The floating pontoon would be in a 'T' shape and would extend approximately 15m out onto Eden Muir Loch. The pontoon would comprise of fully welded galvanised steel frames, heavy lay-up GPR floats, choice of mini-mesh or hardwood decking, rubber on all external sides with stainless steel mooring cleats and anchor points. Through the finishing materials, style, scale and positioning the proposed platforms are considered to be appropriate for the location and would not have an adverse visual impact on the countryside.

2.4.10 In conclusion, it is considered that the proposed infrastructure and outbuildings to facilitate the proposed fishery use of the application site would be well sited and would not have an adverse visual impact on the countryside. Thus, it is determined that the proposed works would be well-located in respect of available infrastructure whilst protecting the overall landscape and environmental quality of the area.

## 2.5 TRANSPORTATION/ACCESS

2.5.1 Policies 1, 3, 10 and 13 of the Adopted FIFEplan Local Development Plan (2017) and Fife Council Transportation Development Guidelines (contained within Making Fife's Places Supplementary Guidance) apply with regard to this proposal.

2.5.2 Policy 1 of FIFEplan states that development proposals must provide the required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 of FIFEplan advises that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments. Policy 13 advises that access to natural environment sites and access assets, as a whole, should be protected and enhanced and any impacts should be appropriately mitigated for.

2.5.3 Fife Council's Transportation Development Management (TDM) Team were consulted on this application. Substantial works were done to form a suitable access to the site from the A92 when the quarry was operational, and this still remains and will be utilised for this proposal. TDM have advised that they do not have any objections to the proposed development subject to condition regarding the appropriate visibility splays being provided at the access to the site. Due to the site being accessed via a trunk road (A92), Transport Scotland were consulted and confirmed they have no objection to this proposal and have advised of the works that are necessary within the trunk road boundary such as signage and road lining at the existing junction. Walking and cycling to this site is also encouraged with appropriate storage paths available. Concerns have been raised regarding the loss of access to the site by people using the site for other leisure activities. The proposed use would also not cause any anticipated conflict with walkers using the path network already available throughout the site and access to the site would not be shut off the wider public. Concerns have been raised regarding informal parking and informal toilet facilities. An existing car park is already available on site and toilet facilities are proposed as part of this application. A ranger is proposed to be employed to monitor the site and advise users of their Responsibilities. It is therefore concluded that the proposal would comply with the Fife Council Transportation Development Guidelines and relevant development plan policies

## 2.6 CONTAMINATION

2.6.1 Planning Advice Note (PAN) 33 Development of Contaminated Land (2000) and Policies 10 and 12 of FIFEplan Local Plan (2017) apply with regards to land stability in this instance.

2.6.2 PAN 33 advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use. Policy 10 of FIFEplan advises development proposals involving sites where land instability or the presence of contamination is suspected, the developer is required to submit details of site investigation to assess the nature and extent of any risks presented by land stability or contamination which may

be present and where risks are known to be present, appropriate mitigation measures should be agreed with the Council.

2.6.3 FIFEplan Policies 1, 10 and specifically 12 state that proposals not supported if they increase flooding or flood risk. Further to that Policy 12 (3) makes specific reference to the need to avoid any detrimental impact on the ecological quality of the water environment.

2.6.4 Fife Councils Land and Air Quality team were consulted on this application and have requested that a suitable condition be added regarding the requirement for a site-specific risk assessment should any unexpected conditions be encountered during development. In terms of potential water pollution and with specific relevance to changes in water nitrate levels, Scottish Environment Protection Agency (SEPA) were consulted. Based on the water levels and water flow routes and rates, they raised no objections. The levels of fish stocks proposed and the flow rate through all the water courses etc. would not significantly change pollution/nitrate levels within the site nor would they cause any significant elevation of levels recorded in adjacent linked watercourses in the local area.

2.6.5 In conclusion, it is deemed that the proposal would be compliant with the above legislation, subject to meeting the requirement of appropriate conditions as recommended by the Fife Council's Land and Air Quality Team. The proposal would continue to retain the existing water level arrangements to ensure the site and its surrounds would not be at risk from flooding. In terms of water quality, the proposal would not cause any significant changes to water quality or its ability to sustain the local aquatic ecology and associated biodiversity/foodchain.

## CONSULTATIONS

Scottish Water	
Transport Scotland	No objection
Land and Air Quality, Protective Services	No objection subject to condition
Environmental Health (Public Protection)	No objection
Natural Heritage, Planning Services	Object
Transportation, Planning Services	No objection subject to conditions
Community Council	Object
NatureScot	No objection
Scottish Environment Protection Agency	No objection

## REPRESENTATIONS

41 letters of objection have been received in relation to this application. The material considerations relating to these concerns have been addressed under sections 2.3 (Natural Heritage) and 2.5 (Transportation/Access) of this report of handling.

64 supporting comments have also been received

## CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the Development Plan, relevant National Guidance and relevant Fife Council Customer Guidelines. The proposal is compatible with the area in terms of land use, design and scale and will not cause any detrimental impact to the natural habitat of the area nor the amenity of the surrounding area, and is therefore considered to be acceptable and comply with the relevant policy context of the LDP as outlined and assessed above.

## RECOMMENDATION

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

1. PRIOR TO THE OPERATIONAL OPENING OF THE DEVELOPMENT, a Good Management Principles and Additional Mitigation and Compensation Measures Plan report shall be submitted for the written approval of Fife Council as Planning Authority. All work on site shall be carried out in full accordance with the approved Plan report for the lifetime of the development, unless otherwise agreed in writing with this Planning Authority. For the avoidance of doubt the Plan report must be submitted no less than 2-months before the commencement of development, and no works shall commence until such time as the Plan report has been agreed in writing.

Reason: In the interests of protecting the surrounding ecology, ornithology and water environment during the construction and operation of the site and the enhancement of the wider environment.

2. For the avoidance of doubt the proposed Ranger's Lodge residential unit (as shown on Drawing Number 01A) is not hereby approved and shall NOT be installed/sited on site.

Reason: In the interests of protecting the countryside from unjustified residential development

3. Prior to the first operations of the Fishery, visibility splays of 6m x 210m be provided to the North and to the South at the junction of the vehicular crossing and the A92 public road and thereafter maintained in perpetuity, clear of all obstructions exceeding 1.05 metres above the adjoining carriageway level, in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access and the public road.

4. 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.

Reason: To ensure all contamination on site is dealt with

## **STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS**

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

### National Guidance:

Scottish Planning Policy (2014)

Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)

Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)

Wildlife and Countryside Act 1981 (as amended)

Wildlife and Natural Environment (Scotland) Act (2011)

### Development Plan:

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance Document (2018)

### Other Guidance:

Fife Council Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note

Fife Council Transportation Development Guidelines

Report prepared by Scott McInroy (Planner, Development Management)

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 8/11/21.

Date Printed 22/10/2021

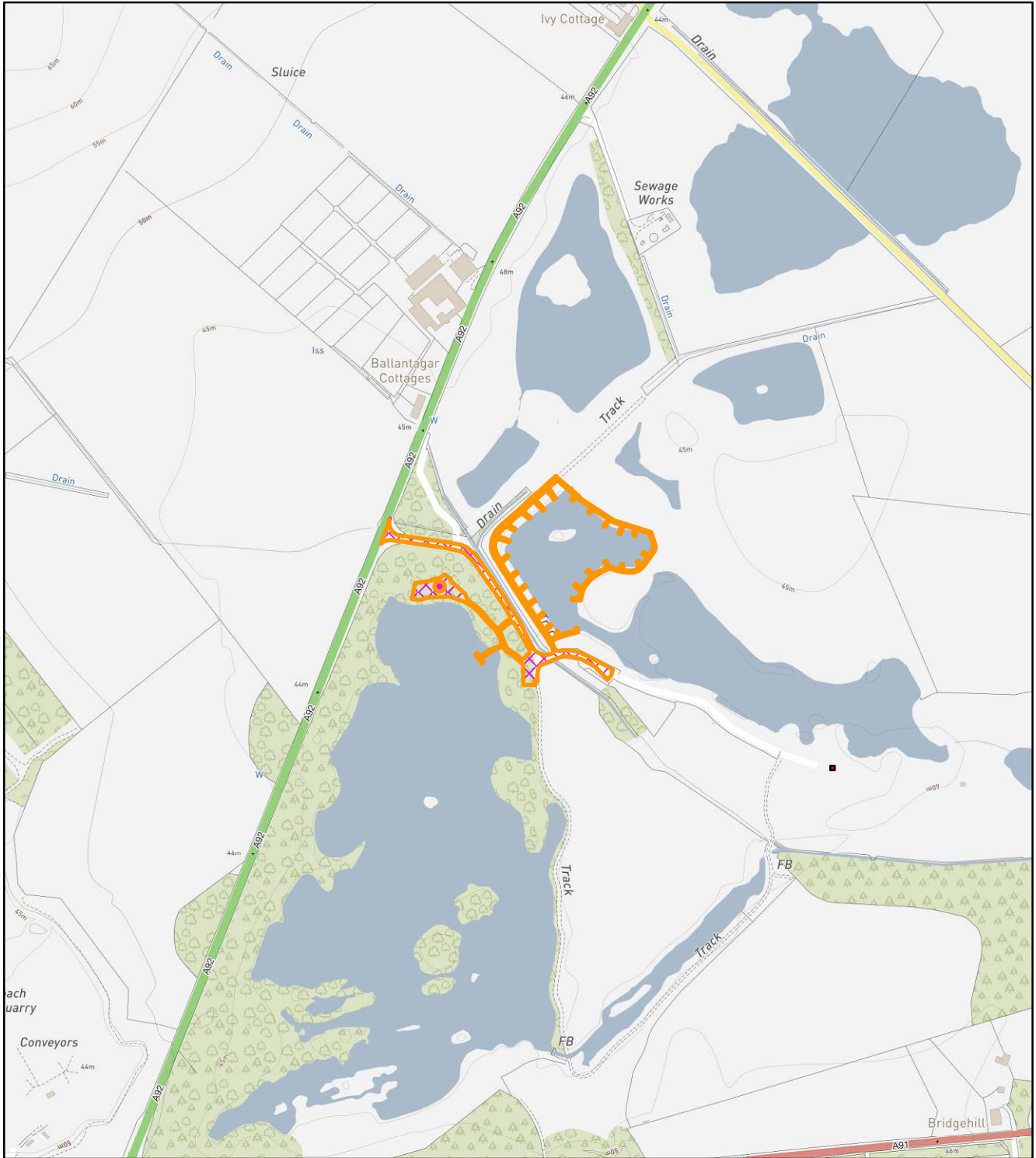
## Mountcastle Quarry Melville Lodges Bow Of Fife



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>	
 Application Boundary	
	
 Economy, Planning & Employability Services	

## Mountcastle Quarry Melville Lodges Bow Of Fife



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>			
	<b>Application Boundary</b>		

**ITEM NO: 6**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 21/01264/FULL**

**SITE ADDRESS: 8 BELLS WYND KINGSBARNES ST ANDREWS**

**PROPOSAL: ERECTION OF ONE AND A HALF STOREY DWELLINGHOUSE**

**APPLICANT: MS EMMA MORLEY  
8 BELL'S WYND KINGSBARNES SCOTLAND**

**WARD NO: W5R19  
East Neuk And Landward**

**CASE OFFICER: Scott McInroy**

**DATE REGISTERED: 01/06/2021**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 5 objections contrary to officers' recommendation

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

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. Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.



## 1.0 Background

1.1 The application site relates to the garden area associated with 8 Bells Wynd which is located within the conservation area and settlement boundary of Kingsbarns as designated in the adopted FIFEplan (2017). The application site is bound by residential properties (a B Listed building to the rear) and associated garden ground to the north, east and south, while Bells Wynd itself where the site is accessed from sits to the west. The application site itself is enclosed by mature planting and hedges along its boundaries.

1.2 The proposal is for the erection of one and a half storey dwellinghouse. The proposed new dwelling would be a one and a half storey 4-bedroom property. The proposed dwelling would be finished in white render to the front and rear with stone brick, the gables would be fully stone. The roof would be natural slate, while the windows and doors would be dark grey coloured g timber alu-cad, while the roof lights would be conservation style. The rainwater goods would be dark grey aluminium.

1.3 There previous planning history for this site is as follows:

- 06/03555/EFULL - Replacement windows - approved 06/02/2007
- 19/00264/FULL - Single storey extensions to rear of dwellinghouse, installation of rooflights and erection of domestic outbuilding - approved 15/04/2019

## 2.0 Assessment

2.0.1 The issues to be assessed against the development plan and other guidance are as follows:-

- Principle of Development
- Design/Visual Amenity Impact on the Conservation Area
- Residential Amenity
- Garden Ground
- Transportation
- Rights of Way
- Trees
- Low Carbon

### 2.1 PRINCIPLE OF DEVELOPMENT

2.1.1 The Scottish Planning Policy (2014) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Act.

2.1.2 Policy 1, Part A, 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 Team. Policy 2 of FIFEplan supports the development of unallocated sites for housing provided they do not prejudice the housing land supply strategy of the Local Development Plan and proposals comply with the policies for the location.

2.1.3 Concerns have been raised by objectors regarding the principle of development in this location. In simple land use grounds, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within the settlement boundary of Kingsbarns within the Adopted FIFEplan and being located in a predominantly residential area. Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

## 2.2 DESIGN/VISUAL AMENITY IMPACT ON THE CONSERVATION AREA

2.2.1 Policies 1 and 10 of FIFEplan (2017) aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area. Policy 14 (Built and Historic Environment) advises that proposals should safeguard the characteristics of the historic environment, proposals should not lead to a significant visual detrimental impact on their surrounds.

2.2.2 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. These documents encourage a design-led approach to development proposals through placing the focus on achieving high quality design. These documents also illustrate how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.2.3 Concerns have been raised regarding the design of the proposed dwelling and its impact on the Conservation area and adjacent listed building. The application site sits in the garden area of 8 Bells Wynd, within the Kingsbarns Conservation Area. The proposed new dwelling would be a one and a half storey 4-bedroom property. The proposed finishes to the dwelling are set out in paragraph 1.2. The site itself is well screened by the existing shrub boundary so the majority of the proposed dwelling would not be seen from the public streetscene and therefore wouldn't significantly impact on the wider conservation area. The proposed dwellinghouse geometry is traditional and its front elevation similar to that of the existing dwellinghouse at 8 Bells Wynd.

2.2.4 The conservation area of Kingsbarns covers the majority of the settlement and there is a mix of architectural styles and house types, the scale of the proposed dwelling is in keeping with the conservation area of Kingsbarns and its surrounding buildings where there is a mix single/two-storey dwellings and old and new style of dwellinghouses. The proposal would incorporate an acceptable design which would not impact on its location and setting. With regards to view from the public streetscene, only the gable end to the west will be visible and the design and massing of this gable end which would be finished in stone and broken up with windows at ground and first floor level which adds traditional features and adds to the visual interest of Bells Wynd. Given the design, external finishes and scale of the proposal there is no detrimental impact and the proposed house is an appropriate development within Kingsbarns Conservation Area.

2.2.5 It is considered that the design, scale and finishes of the proposed development, are suitable in terms of proportion and scale and overall it would respect the character and appearance of the Conservation Area. Therefore, complies with the relevant policies and guidelines relating to design and visual impact

## 2.3 RESIDENTIAL AMENITY

2.3.1 Policy 1 and 10 of the adopted FIFE plan supports development proposals where they are compatible with neighbouring uses and protect personal privacy and amenity.

2.3.2 Fife Council's Planning Customer Guidelines on Daylight and Sunlight seeks to ensure that adequate levels of natural light are achieved in new developments and unacceptable impacts on light to nearby properties are avoided.

2.3.3 Concerns have been raised regarding the impact this proposal may have on the residential amenity of the surrounding properties. The main consideration in this instance relates to the consideration of any impact arising from the proposed dwellinghouse in relation to overlooking, loss of privacy and loss of daylight on existing neighbouring properties. The gable elevation to the west does not look onto any residential properties, therefore there is no residential amenity concerns from this elevation. The rear elevation faces onto 6 Bells Wynd however there are no windows at first floor. A 1.8m timber boundary fence is proposed to separate the two properties, therefore the ground floor windows of the proposed dwelling on the rear elevation will not create any overlooking as they will be screened by the boundary fence. There are no windows at first floor level other than conservation style roof lights as part of the lounge, the void above the stairwell and the main bathroom, therefore as these are not habitable rooms, they would not impact on the privacy of 6 Bells Wynd or create any overlooking. The existing boundary treatment in this area already impacts any daylight and sunlight that this property receives. Given that there is no back-garden area at 6 Bells Wynd and only Velux windows on the roof that is adjacent the application site, the proposed dwelling would not create any significant impact on the daylight and sunlight this property would receive and would not create any over shadowing in this area. The gable elevation to the east has no windows at ground floor level and two at first floor level. The first-floor windows would introduce overlooking into the adjacent property so a condition has been added that these windows should be opaque to mitigate against any overlooking. The proposed dwelling will introduce an element of overshadowing to the back garden areas of 15 & 17 Seagate but given that the main useable garden areas of 15 & 17 Seagate are adjacent to the gable ends to the north and south of these properties respectively, they won't be detrimentally affected by the proposed new dwelling., The proposed dwelling would not create any significant impact on the daylight and sunlight this property would receive and would not create any significant over shadowing in the area.

2.3.4 It is considered that the proposal by way of its size, design and orientation would not have a detrimental impact on the residential amenity of the surrounding properties. The proposal therefore complies with the relevant policies and guidelines relating to residential amenity.

## 2.4 GARDEN GROUND

2.4.1 Fife Council's Planning Customer Guidelines on Garden Ground apply in this instance.

2.4.2 Fife Council's Planning Customer Guidelines on Garden Ground advises that all new detached dwellings should be served by a minimum of 100 square metres of private useable garden space and that a building footprint to garden space ratio of 1:3 is required.

2.4.3 Concerns have been raised regarding the amount of garden ground that the proposed dwelling and existing would have. Taking into account the size of the application site and the proposed footprint of the dwellinghouse, both the proposed dwelling and existing house would

have over 140m<sup>2</sup> of private useable garden space. This application is therefore considered to comply with Fife Council's Planning Customer Guidelines on Garden Ground.

## 2.5 TRANSPORTATION

2.5.1 Policies 3 and 10 of the Adopted FIFEplan (2017) and Making Fifes Places Supplementary Guidance (2018) apply with regard to this proposal.

2.5.2 Objectors have raised concerns regarding parking provision and road safety. Fife Council's Transportation Development Management (TDM) Officers were consulted on this application. Access to the development site is proposed to be taken directly from within the existing driveway which services the existing dwellinghouse. Off street parking will be required to accommodate the proposed dwellinghouse and the existing dwellinghouse. The current driveway area is of sufficient size to accommodate the required off street parking for both dwellings. Although one additional house in this location would add additional traffic, given that it is within a residential area, it is considered that this would not significantly impact on the road safety off this area. Therefore, TDM have no objections subject to a condition regarding parking spaces and driveway materials.

## 2.6 RIGHTS OF WAY

2.6.1 Policy 13 of the Adopted FIFEplan (2017) and Making Fifes Places Supplementary Guidance (2018) apply with regard to this proposal.

2.6.2 Concerns have been raised about the impact the development would have on a "right of way" that runs to the north east of the application site. This "right of way" is not an approved right of way but a local path, this local path is outwith the application boundary so therefore development here wont impact on the use of this path.

## 2.7 TREES

2.7.1 Policy 13 of FIFEplan supports proposals where they protect or enhance natural heritage assets which include trees. Supplementary guidance for policy 13 states that new development should be kept outwith the falling distance of a tree.

2.7.2 Concerns have been raised regarding the impact of the Hawthorn Tree that sits within the application site at the north west boundary. As the application site is within the Kingsbarns Conservation Area, trees in this area require consent to be removed. The applicant has confirmed that this tree will remain in situ.

## 2.8 LOW CARBON

2.8.1 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state 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 target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The 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. The applicant has submitted a low carbon checklist which states that the development will be designed and built using a "fabric first" approach to provide a high level of thermal comfort which will reuse heating demand and in turn lower carbon emissions. Construction materials will also be sourced locally where possible.

2.8.2 As such, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

## CONSULTATIONS

Transportation, Planning Services	No objection subject to conditions
Land and Air Quality, Protective Services	No comment
Community Council	Object

## REPRESENTATIONS

30 objections received. The material planning considerations relating to these concerns have been addressed under sections 2.2 (Design/Visual impact on the conservation area), 2.3 (Residential Amenity), 2.4 (garden ground) and 2.5 (Transportation) of this report of handling.

Comments regarding other applications in this vicinity, size of the existing road at Bells Wynd, impact on house prices, future changes to any approved design and safety of users of the playpark are not material planning considerations with regards this application.

Neighbour notification was carried out as per planning guidance

As the application site is currently garden ground this proposal will not result in the loss of public open space.

## CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the Development Plan, relevant National Guidance and relevant Fife Council Customer Guidelines. The proposal is compatible with the area in terms of land use, has been designed, scaled and finished in such a way to respect the architectural and built heritage character of the area (conservation area). Further to this it would not undermine the need to protect the local amenity nor would it cause any road safety issues and ultimately it has been designed and scaled to respect the setting of the built heritage assets locally and is therefore considered to be acceptable.

## RECOMMENDATION

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

1. The windows at first floor level on the eastern gable end as indicated on approved drawing 05A shall be obscurely glazed upon installation and shall be maintained as such in perpetuity.

Reason: In the interests of safeguarding residential amenity, to ensure that the windows in this vicinity do not cause any additional loss in privacy to adjacent properties.

2. Prior to the occupation of the proposed dwellinghouse, there shall be 3 No. off street parking spaces provided for that dwellinghouse within the curtilage of the site in accordance with the current Fife Council Transportation Development Guidelines. The parking spaces shall be retained throughout the lifetime of the development for the purposes of off-street parking.

Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.

3. Prior to the occupation of the proposed dwellinghouse, the first two metre length of the existing driveway to the rear of the public road at Bells Wynd, shall be constructed in a paved material (not concrete slabs).

Reason: In the interest of road safety; to ensure that no deleterious material is dragged on to the public road.

4. The residential unit provided on the 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 in a dwellinghouse. For the avoidance of doubt none of the residential units hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Policy 2 of the Adopted FIFEplan 2017.

## **STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS**

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

National Policy and Guidance

Scottish Planning Policy (2014)

Historic Environment Scotland's Historic Environment Policy for Scotland (2019)

Development Plan

Adopted FIFEplan - Fife Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance

Fife Council's Planning Customer Guidelines on Daylight and Sunlight

Fife Council's Planning Customer Guidelines on Window to Window Distances apply.

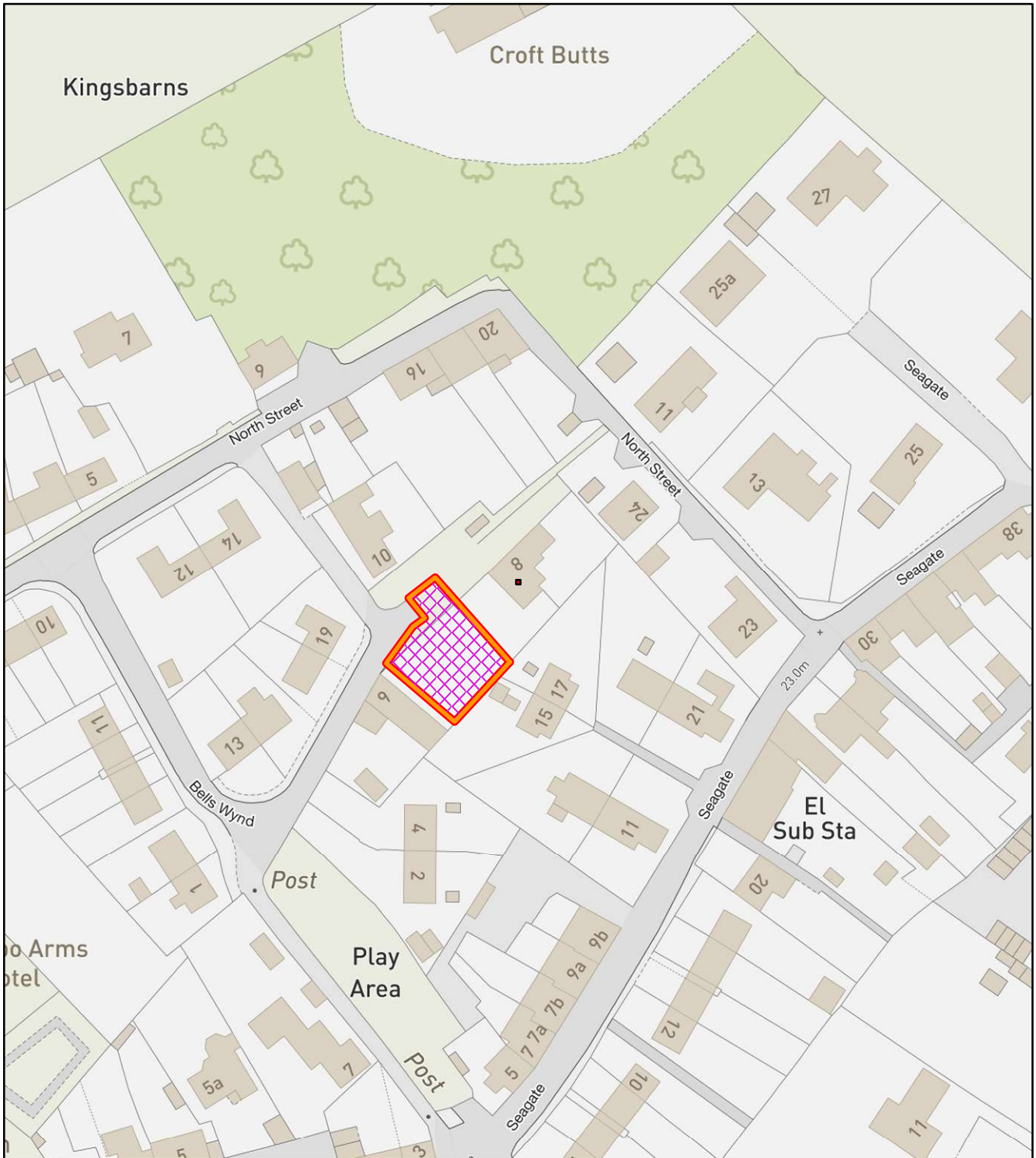
Report prepared by Scott McInroy (Planner, Development Management)

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 8/11/21.

Date Printed 13/10/2021

# 21/01264/FULL

8 Bells Wynd Kingsbarns St Andrews



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>			
	Application Boundary		

**ITEM NO: 7**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 21/01312/FULL**

**SITE ADDRESS: LAND TO SOUTH OF BELMORE WESTFIELD ROAD CUPAR**

**PROPOSAL: ERECTION OF DWELLINGHOUSE WITH ASSOCIATED CAR PARKING**

**APPLICANT: MR TOM SMITH  
62 CUPAR MILLS CUPAR FIFE**

**WARD NO: W5R20  
Cupar**

**CASE OFFICER: Scott McInroy**

**DATE REGISTERED: 01/07/2021**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 5 objections contrary to officer's recommendation

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

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.



## 1.0 Background

1.1 The application site forms part of the larger garden ground associated with the existing two storey traditional residential property known as Belmore Lodge, situated just off Westfield Road. The site is located within the settlement boundary of Cupar as defined in the FIFEplan Local Development Plan (2017). The site measures approximately 0.122 hectares. The site borders a public pathway at the south side of the site and the full length of the boundary is defined by a traditional stone-built wall. To the north, east and west are residential properties set in large gardens. At present there are four trees protected by a Tree Preservation Order (TPO) within the site. Works to remove two other TPO trees on the site were previously granted permission by Fife Council.

1.2 The proposal is for the Erection of a dwellinghouse with associated car parking. The proposed development comprises the erection of a 1 ½ storey, 2 bedrooms, dwellinghouse, located within the garden ground of Belmore Lodge, set back from the footway behind an existing 1.6-metre-high stone wall which will be retained. The proposed dwelling would be finished in white scrapped render to the rear and gable elevations, to the front it would be finished in white scrapped render with natural stone with timber cladding around the door. The roof would be grey concrete tiles with velux roof windows, while the windows and doors would be grey UPVC. The north east elevation would have a glass Juliet balcony at first floor and framed upvc sliding doors and windows at ground floor level.

1.3 There previous planning history for this site is as follows:

- 12/02928/TPO - In 2012, an application for works to TPO trees on the site were approved.
- 16/03043/PPP - In 2017, planning permission in principle was approved for the erection of a single storey dwellinghouse with associated parking and access within the site.
- 19/03550/PPP - In 2020, planning permission in principle for erection of single storey dwellinghouse and associated car parking (renewal of planning permission 16/03043/PPP).

## 2.0 Assessment

2.1 The issues to be assessed against the development plan and other guidance are as follows:

-

- Principle of Development
- Design and Visual Impact
- Residential Amenity
- Garden Ground
- Transportation
- Trees
- Low Carbon

### 2.1 Principle of Development

2.1.1 The Scottish Planning Policy (2014) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Act.

2.1.2 Policy 1, Part A, 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 Team. Policy 2 of FIFEplan supports the development of unallocated sites for housing provided they do not prejudice the housing land supply strategy of the Local Development Plan and proposals comply with the policies for the location.

2.1.3 Concerns have been raised regarding the principle of development in this location. In simple land use grounds, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within the settlement boundary of Cupar within the Adopted FIFEplan and being located in a predominantly residential area. Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

## 2.2 Design and Visual Amenity

2.2.1 Policy 1 and Policy 10, criterion 7, of FIFEplan supports development where it does not have a significant detrimental impact on amenity in relation to the visual impact of the development on the surrounding area.

2.2.2 Fife Council's Making Fife's Places Supplementary Guidance (2018) encourages a designed approach to development proposals, focussed on achieving high quality design through careful consideration of the needs of users and future users to create buildings which are fit for purpose.

2.2.3 The proposed development comprises the erection of 1 ½ storey, 2 bedrooms, dwellinghouse, located within the garden ground of Belmore Lodge, set back from the footway behind an existing 1.6-metre-high stone wall which will be retained. The building would sit comfortably within the site. The proposed one and a half storey building would be acceptable within the wider residential context, which is characterised by predominantly 2 storey houses. The design details, proposed with, for example, vertically orientated windows, white render walls with facing brick, grey concrete roof tile finish, grey upvc windows, are reflective of the surrounding residential area. It is therefore considered that the proposal would fit within its suburban location. The design of the building would represent a positive contribution to the area. The application therefore meets the requirements of the Development Plan relating to design and visual impact.

2.2.4 It is considered that the proposal respects the character, appearance and prevailing pattern of the area in terms of density, scale, design and external finishes and. It is considered that the design, scale and finishes of the development, are suitable in terms of proportion and scale and overall it would respect the character and appearance of the area. The proposal is considered to comply with the relevant policies and guidelines relating to design and visual impact relating to residential development.

## 2.3 Residential Amenity

2.3.1 Policy 1 and 10 of the adopted FIFEplan supports development proposals where they are compatible with neighbouring uses and protect personal privacy and amenity.

2.3.2 Fife Council's Planning Customer Guidelines on Daylight and Sunlight seeks to ensure that adequate levels of natural light are achieved in new developments and unacceptable impacts on light to nearby properties are avoided.

2.3.3 Concerns have been raised regarding the impact this proposal will have on the residential amenity of the surrounding properties. The main consideration in this instance relates directly to any impact the proposed dwellinghouse would have on the adjacent residential properties in relation to overlooking, loss of privacy and loss of daylight. There would be no new overlooking of existing neighbouring gardens from the ground floor windows of the proposed house as the garden is screened by new fencing or existing boundary planting. The juliet balcony at first floor is screened from neighbouring properties by the existing mature tree boundary to the north east. Concerns have been raised regarding impact on the residential property to the south east. The south east elevation will front onto Westfield Road, the nearest residential dwellings garden boundary would be over 12m to the south east, with the actual dwelling being over 25m away on the opposite side of the road. The windows at first floor level would introduce an element of overlooking into the curtilage of the adjacent dwelling but given the size of the garden area of this dwelling the overlooking would only occur to the area immediately adjacent the road so therefore overlooking would not be significant. Given that the window to window distance in this location is over 18m there would be no impact on the privacy of the dwelling itself. Concerns have been raised regarding the impact on the adjacent dwelling to the south west. The ground floor and first floor windows on the south west elevation serve a shower room and a dressing room and therefore are not habitable rooms, therefore this proposal would not impact on the residential amenity of the adjacent dwelling to the south west. Concerns have been raised regarding the impact on the adjacent dwelling to the north west. The north west elevation would be 12m away from the adjacent dwelling. At present there is a hedge and mature tree boundary in this location. The hedge is proposed to be grown up to 3m. At first floor level there will be two velux roof windows, these windows would be located in a dressing room and stairwell and therefore are not habitable rooms, therefore it is considered that they would not cause a significant impact on the privacy of the adjacent dwelling. Given the proposed dwelling would only be 1 and a half storey and given the existing mature trees and hedgerow boundary treatment between the proposed dwelling and the adjacent dwelling to the north west, the proposed dwelling would not create a significant impact on the amount of daylight and sunlight the existing dwelling and garden area would receive.

2.3.4 It is considered that the proposal by way of its size, design and materials would not have a detrimental impact to the character of the building and adjacent properties and street scene in this location. It therefore complies with the relevant policies and guidelines relating to residential amenity.

## 2.4 Garden Ground

2.4.1 Fife Council's Planning Customer Guidelines on Garden Ground apply in this instance.

2.4.2 Fife Council's Planning Customer Guidelines on Garden Ground advises that all new detached dwellings should be served by a minimum of 100 square metres of private useable garden space and that a building footprint to garden space ratio of 1:3 is required.

2.4.3 Concerns have been raised regarding the amount of garden ground that the proposed dwelling and existing would have. Taking into account the size of the application site and the proposed footprint of the dwellinghouse, both the proposed and existing house would have over 150sqm of private useable garden. This application is therefore considered to comply with Fife Council's Planning Customer Guidelines on Garden Ground.

## 2.5 Transportation

2.5.1 Policies 3 and 10 of the Adopted FIFEplan (2017) and Making Fifes Places Supplementary Guidance (2018) apply with regard to this proposal.

2.5.2 Concerns have been raised regarding site lines from the proposed development onto Westfield Road. Fife Council's Transportation Development Management (TDM) Officers were consulted on this application have advised that the required visibility splays can be achieved in the location. Fife Council TDM have no objections subject to conditions regarding driveway material, parking spaces, turning areas and visibility splays.

## 2.6 Trees

2.6.1 Policies 1, 10 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018) and British Standard (BS) 5837:2012 Trees in relation to Design, Demolition and Construction apply with regard to the potential impact on trees and ecology as a result of this development.

2.6.2 Policies 10 and 13 of FIFEplan and Making Fife's Places Supplementary Guidance Document (2018) set out that development proposals will be only be supported where they protect or enhance natural heritage assets, including trees which have a landscape, amenity or nature conservation value. 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.

2.6.3 Concerns have been raised regarding the loss of mature trees. The trees on site are protected by Tree Preservation Orders (TPO), as such the applicant has submitted a tree report alongside this application. Only one tree is recommended to be removed on site due to the health of the tree. One of the trees on site is within 2/3 falling distance of the proposed dwelling, although this doesn't wholly comply with Fife Councils guidance, the tree report has concluded that the condition of this tree is not declining and the threat of the whole tree failure of the significant retained trees remains very low. From advice from Fife Councils tree officer, the applicant has amended the location of the garage so that it won't impact on one of the existing trees on site. Fife Councils tree officer was consulted and concurs with the findings of this tree report subject to conditions. Therefore, in this instance it is acceptable to set aside part of in terms development plan policies.

## 2.7 Low Carbon

2.7.1 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state 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 target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The 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. The applicant has submitted a low carbon

checklist which states that the proposed dwelling would have high insulation levels with all windows being double glazed with energy efficient glass. Construction materials will also be sourced locally where possible.

2.7.2 As such, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

## CONSULTATIONS

Environmental Health (Public Protection)	No objection
Transportation, Planning Services	No objection subject to conditions
Trees, Planning Services	No objection subject to conditions

## REPRESENTATIONS

7 objections have been received. The material planning considerations relating to these concerns have been addressed under sections 2.2 (Design/Visual impact on the conservation area), 2.3 (Residential Amenity), 2.5 (Transportation) and 2.6 (Trees) of this report of handling.

The impact of this application on future plans for extensions to adjacent properties, the views of existing properties and the impact on site lines of the wider stretch of Westfield Road are not a material planning consideration in terms of the assessment of this planning application.

This application is not related to the extant planning permission in principle consent; therefore, the proposal does not have to conform to this consent and is assessed on its own merits.

Concerns regarding future changes to design of the proposed dwelling are not material planning considerations in terms of the assessment of this planning application.

## CONCLUSIONS

The proposal is considered acceptable in meeting the adopted Development Plan and modified, proposed FIFEplan as well as other related Policies and Guidance, the proposal would not detrimentally affect the amenity of adjacent residential properties or create road safety issues which cannot otherwise be addressed by conditions. In light of the above the proposal is recommended for approval subject to relevant conditions so as to comply with relevant policy.

## RECOMMENDATION

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

1. BEFORE ANY WORK STARTS ON SITE, a Scheme of Supervision for the arboricultural protection measures shall be submitted for the approval in writing with Fife Council as Planning Authority and the agreed scheme shall be carried out in full. For the avoidance of doubt the scheme shall be appropriate to the scale and duration of the works and shall include details of the following:

- (a) Induction and personnel awareness details of arboriculturist matters,
- (b) Details of the identity of individual responsibilities and key personnel,
- (c) A statement of the delegated powers afforded to key personnel,
- (d) Details of the timing and methods of site visiting and record keeping, and
- (e) Details on the updates procedures for dealing with variations and incidents.

Reason: In the interests of visual amenity and the protection of local ecology; to ensure that all trees worthy of retention are satisfactorily protected before and during construction works and to avoid disturbance during bird breeding seasons.

2. BEFORE ANY WORKS START ON SITE, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during development operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the demolition/development operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

Reason: In the interests of visual amenity and the protection of local ecology; to ensure that all trees worthy of retention are satisfactorily protected before and during construction works and to avoid disturbance during bird breeding seasons.

3. PRIOR TO THE COMPLETION OF DEVELOPMENT the hedgerow to the rear of the proposed dwellinghouse as shown on Drawing Number 03A shall be increased to 3 metres in height and maintained at that minimum height for the lifetime of the development, unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of visual amenity and effective landscape management; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

4. Prior to the occupation of the proposed dwellinghouse, the first 2 metres of the driveway behind the adjoining public footway shall be constructed in a paved material (not concrete slabs).

Reason: In the interest of road safety; to eliminate the deposit of deleterious material on public roads or footways.

5. Prior to the occupation of the proposed dwellinghouse, there shall be 2 No. off street parking spaces provided for that dwellinghouse within curtilage in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.

6. Prior to the occupation of the proposed dwellinghouse, there shall be provided within the curtilage of the site a turning area for vehicles suitable for use by the largest size of vehicle expected to visit or be used by occupants of the premises to allow a vehicle to enter and exit the driveway in a forward gear. The turning area shall be formed outwith the parking areas and shall 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.

7. Prior to occupation of the proposed dwellinghouse, visibility splays of 2m x 43m shall be provided to the left and to the right at the junction of the vehicular crossing and the public road and thereafter maintained in perpetuity, clear of all obstructions exceeding 600mm above the adjoining carriageway level, all in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access and the public road.

8. Each residential unit provided on the 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 in a dwellinghouse. For the avoidance of doubt none of the residential units hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Policy 2 of the Adopted FIFEplan 2017.

## **STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS**

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

National Guidance-

Scottish Planning Policy (2014)

Development Plan-

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Guidance (2018)

Low Carbon Fife, Supplementary Guidance (2019)

Other Guidance-

Fife Council Planning Customer Guidelines: Garden Ground (2014)

Fife Council Planning Customer Guidelines: Daylight and Sunlight (2014)

Fife Council's Planning Customer Guidelines on Window to Window Distances.

Report prepared by Scott McInroy (Planner, Development Management)

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 8/11/21)

Date Printed 07/10/2021

# 21/01312/FULL

## Land To South Of Belmore Westfield Road Cupar



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>			 <b>Fife</b> COUNCIL Economy, Planning & Employability Services
	<b>Application Boundary</b>		



**ITEM NO: 8**

**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE REF: 21/01411/PPP**

**SITE ADDRESS: LAND 400M SOUTH OF FARMHOUSE TEUCHATS FARM  
GREENSIDE FIFE**

**PROPOSAL: PLANNING PERMISSION IN PRINCIPLE FOR A SINGLE  
DWELLINGHOUSE FOR AGRICULTURAL OCCUPATION**

**APPLICANT: MR & MRS JOHN AND EMMA LYLE  
COTTAGE 2 NETHER PRATIS LEVEN**

**WARD NO: W5R19  
East Neuk And Landward**

**CASE OFFICER: Scott McInroy**

**DATE REGISTERED: 16/06/2021**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 5 representations have been submitted which are contrary to officers' recommendation

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS**

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.

## 1.0 BACKGROUND

1.1 The application site relates to an area of land over 4km to the north of Lower Largo in an area of land belonging to Teuchats Farm and is designated as countryside as per the adopted FIFEplan (2017). The application site is currently arable farmland that is bounded by a wire fence post boundary, with a hedge row boundary to the north. To the south, east and west of the site is arable farmland, to the North is the C60 road where the site would be accessed from. The area of the application site is approximately 0.2ha.

1.2 This application is for Planning permission in principle for a single dwellinghouse for agricultural occupation

1.3 There is no previous planning history for this 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 on the Countryside
- Residential Amenity
- Garden Ground
- Transportation
- Land Stability/Contamination
- Low Carbon

### 2.2 PRINCIPLE OF DEVELOPMENT

2.2.1 Scottish Planning Policy (2014) and Policies 1, 7 and 8 of the adopted FIFEplan (2017), apply with regards to the principle of development for this proposal.

2.2.2 Scottish Planning Policy (SPP) 2014 promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Town and Country Planning (Scotland) Act (1997). The SPP seeks to promote the use of previously developed land and better access by sustainable transport modes and advises that new residential units should primarily be concentrated within existing settlements. However, recognises the increased demand for new types of development in rural areas. SPP further highlights that, through supporting policies, demand for new housing in the countryside can still be met in a way which can bring social, environmental and economic benefits.

2.2.3 Adopted FIFEplan (2017) Policy 1 sets out the requirements for development principles. This policy supports development proposals providing they conform to other relevant Development Plan policies and proposals and address their individual and cumulative impacts. It further states the development will only be supported if it is in a location where the proposed use is supported by the Local Development Plan. In the instance of development in the countryside, the proposed development must be appropriate for the location through compliance with the relevant policies; in this instance, Policies 7 and 8.

2.2.4 Policy 7 of FIFEplan advises that development in the countryside will only be supported in certain instances. One such circumstance is that the proposal is in line with Policy 8 (Houses in the Countryside). However, it further sets out that all development must be of a scale and nature that is compatible with surrounding uses; be well-located in respect of available infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Moreover, in occurrences where development is proposed on prime agricultural land, Policy 7 states that development will not be supported unless it is essential.

2.2.5 The final policy taken into consideration with regards to the principle of development for this application is Policy 8 of FIFEplan which sets out specific requirements for the siting of new housing in the countryside. However, (in line with Policy 7) all development must be of a scale and nature that is compatible with surrounding uses; be well-located in respect of available infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area.

2.2.6 The application site is currently arable farmland that sits immediately to the south of the C60 road. At present the applicant is a partner in the family farming business at Nether Pratis Farm. The existing business is restructuring with the applicant's parents retiring and the applicant's brother taking over the business at Nether Pratis Farm while the applicant will be farming independently at Teuchats Farm. The land at Teuchats Farm is over 31ha in size and has no house or properties on site and is approximately 3 miles from Nether Pratis farm. At present the applicant lives in one of the properties at Nether Pratis Farm, while the other properties in this location are let out on assured tenancy or private tenancy. These properties will provide a source of income for other members of the family after the splitting up of the original business. Concerns have been raised regarding the principle of development of this proposal. The applicant was asked to provide a supporting statement as part of this application to provide more detail on the existing business and how it was run and what the requirements were for onsite staffing, the applicant subsequently submitted a supporting agricultural justification.

2.2.7 The supporting statement shows that as part of the restructuring of the existing business at Nether Pratis the applicant will be responsible for the farming operation on the area of land at Teuchats Farm, which will include sheep, beef cattle, silage & hay and grazing land. The labour requirement for this is estimated at 2.7 labour units. At present there is no on-site accommodation at Teuchats Farm. The supporting statement sets out that as the main elements of the applicant's business following the restructuring of the overall family business are intensive cattle and sheep, they will require an onsite presence. This in turn would ensure that the welfare of the livestock is maximised and ensures that practical management issues are dealt with more quickly and more effectively than would otherwise be the case.

2.2.8 The proposed site of the new dwelling is adjacent to the existing access and farm track to the wider farmland, which would provide additional security for the machinery and livestock on site. There have been instances of wildlife crime in this area and the applicant believes that by locating the house here rather than residing elsewhere this will be a deterrent to potential criminal activity. The applicant has also provided detailed accounts to show that they have the funds to build this proposed dwellinghouse without affecting the viability of the existing business. As the applicant has provided a detailed agricultural justification, it is considered in this instance that the proposal complies with criterion 1 of Policy 8 of the adopted FIFEplan (and therefore complies with criterion 7 of Policy 7) in that the proposed dwellinghouse is essential to support the existing rural business that is run from this landholding. The overall acceptability of any such development must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report.

## 2.3 DESIGN/VISUAL IMPACT ON THE COUNTRYSIDE

2.3.1 FIFEplan Local Development Plan (2017) Policies 1, 7, 8 and 10 and Making Fife's Places Supplementary Guidance (2018) apply with regard to the design and visual impact of the proposal.

2.3.2 Policies 1 and 10 of FIFEplan (2017) aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area.

2.3.3 Policy 7 of FIFEplan advises that development in the countryside will only be supported where it is for housing which complies with Policy 8 and is of a scale and nature which is compatible with surrounding uses and will result in an overall enhancement to the landscape and the environmental quality of the area.

2.3.4 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. These documents encourage a design-led approach to development proposals through placing the focus on achieving high quality design. These documents also illustrate how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.3.5 As this is an application for Planning Permission in Principle, detailed design aspects do not form a key part of the current application assessment. The applicant has submitted a block plan showing an indicative footprint, garden ground and site access with this application. It is considered that the site is of a sufficient size to accommodate a dwellinghouse and that a dwellinghouse could be designed and sited within the site to respect the surrounding settlement pattern and visual amenity of the area. Concerns have been raised regarding the impact on the environment of this proposal. Due to this application being for planning permission in principle, aspects of the proposed development relating to the design and visual impact of the any proposed dwellinghouse on the surrounding area and landscape setting would be assessed at the subsequent detailed Approval Required by Conditions application stage.

## 2.4 RESIDENTIAL AMENITY

2.4.1 Policies 1 and 10 of the Adopted FIFEplan (2017) Fife Council Customer Guidelines on Daylight and Sunlight Fife Council's Customer Guidelines on Garden Ground apply in terms of residential amenity. The details of these will be assessed as part of the consideration of any future ARC (Application Required by Condition) Given the nearest third-party property is some 400m to the north of the proposed site there will be no materially detrimental impacts on other residential property

## 2.5 TRANSPORTATION

2.5.1 Policies 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines apply with regard to this proposal.

2.5.2 Fife Council's Transportation Development Management Officers were consulted on this application and have recommended that they do not support development in unsustainable locations that will create intensification of traffic onto unrestricted distributor roads. The introduction of a further residential dwelling will result in a further increase in vehicular traffic over a rural access, which again, is against Fife Council road safety policy and Scottish Planning Policy due to the development being erected in an unsustainable location and being car dominant. There is no availability of short cycling or walking trips to local amenities etc. Full visibility standard may not be able to be met in this location, however, there is a significant length of road in both directions clearly visible to users of the access. Concerns have been raised regarding the impact on the condition of the access road. Given that there are already 6 houses in this location, it is considered that an additional house will not significantly add to the intensification of the access track and would not generate enough vehicle movements to suddenly make a significant and detrimental impact on road safety in this area.

Whilst the Transportation Development Management Team has objected to this proposal, it is considered given the above context and the agricultural need which has been demonstrated, that the concerns raised by TDM do not outweigh the merits of the wider policy considerations in relation to the development of accommodation for agricultural workers.

## 2.6 LAND STABILITY/CONTAMINATION

2.6.1 PAN33 advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use. Policy 10 of the Adopted FIFEplan advises development proposals will only be supported where there is no 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.

2.6.2 Concerns have been raised about the land stability in this area. Fife Councils Land and Air Quality team were consulted on this application and have requested that a suitable condition be added regarding the requirement for a site-specific risk assessment should any unexpected conditions be encountered during development.

## 2.7 LOW CARBON

2.7.1 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state 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 target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The 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. As this application is for planning permission in principle the applicant has provided a statement on low carbon sustainability issues providing as much information as they can at this stage without having the full detail of the design and layout of the proposed dwellinghouse.

2.7.2 Subject to a condition of planning permission requiring submission of the above checklist, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

## CONSULTATIONS

Land and Air Quality, Protective Services	No objection subject to condition
Environmental Health (Public Protection)	No objection.
Transportation, Planning Services	Object in principle
Transportation and Environmental Services - Operations Team	No comments
Scottish Water	No objection- comments

## REPRESENTATIONS

8 letters of objection have been received in relation to this application including one from the Largo Area Community Council (some parties submitted multiple objections however these only count as one objection). The material considerations relating to these concerns have been addressed under sections 2.2 (Principle of Development), 2.3 (Visual Amenity), 2.6 (Road Safety) and 2.7 (Land Stability/Contamination) of this report of handling.

Concerns regarding the future uses of the land and impact of these future uses on the watercourses, environment and roads are not a material consideration with regards this application.

14 supporting comments have also been received to this application.

## CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the Development Plan, relevant National Guidance and relevant Fife Council Customer Guidelines. The proposal is compatible with the area in terms of land use, whilst it could be designed in such a way to not cause any detrimental impact to the amenity of the surrounding area and is therefore considered to be acceptable.

## RECOMMENDATION

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

1. 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 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, hedges and boundary treatments, details of proposed landscape treatment and the phasing of development;

- (c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, and their relationship to adjacent land and/or buildings, together with details of 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;
- (e) A supporting statement illustrating the developments' compliance with 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) 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);

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

2. The dwellinghouse hereby approved 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 in a dwellinghouse. For the avoidance of doubt the dwellinghouse 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 Policy 2 of the Adopted FIFEplan 2017.

## **STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS**

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

National Guidance:  
Scottish Planning Policy (2014)

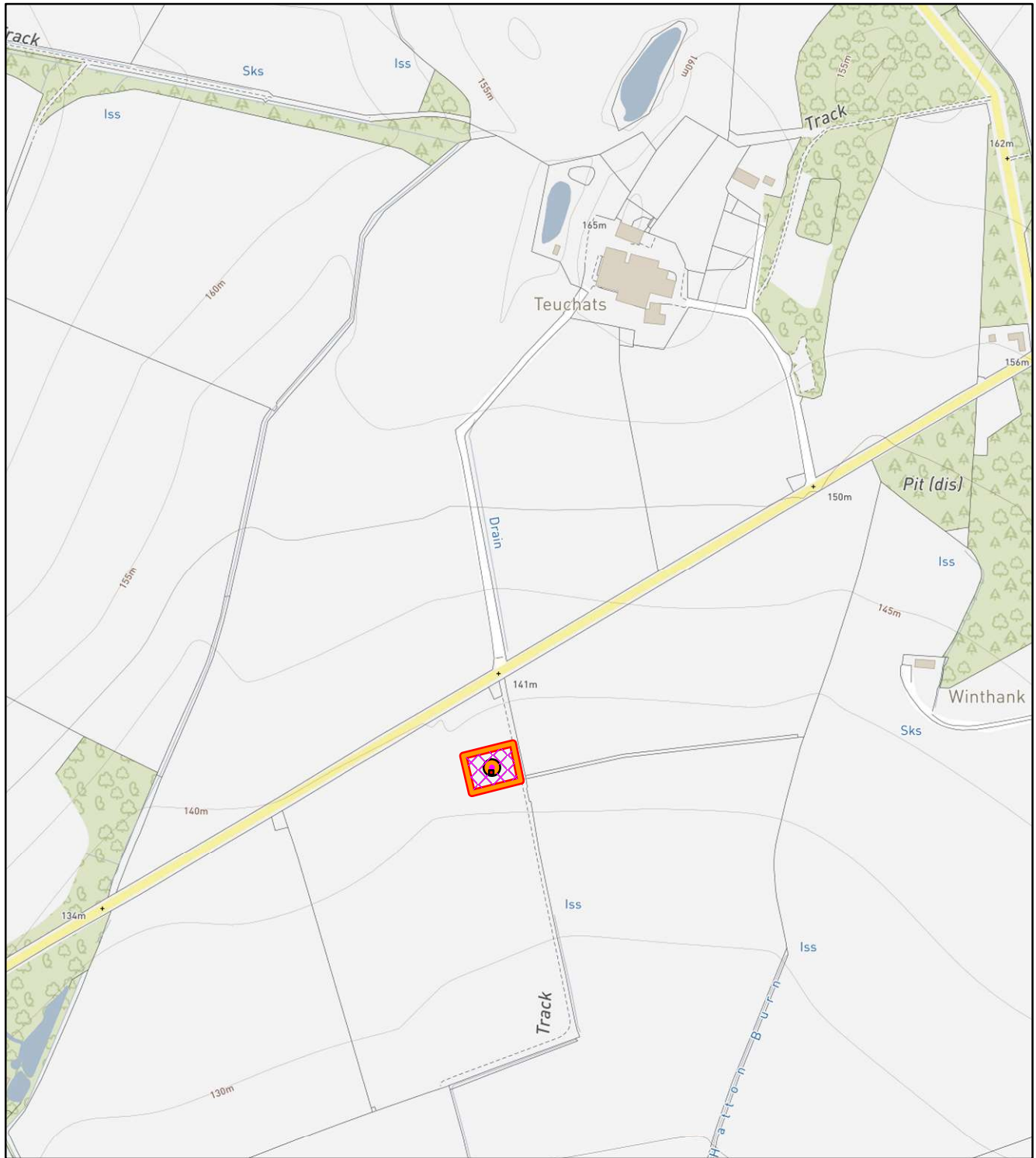
Development Plan:  
FIFEplan Local Development Plan (2017)  
Making Fife's Places Supplementary Guidance (2018)  
Low Carbon Fife Supplementary Guidance (2019)

Other Guidance:  
Fife Council Planning Customer Guidelines on Garden Ground (2016)

Report prepared by Scott McInroy (Planner, Development Management)  
Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 8/11/21  
Date Printed 23/09/2021

# 21/01411/PPP

## Land 400M South Of Farmhouse Teuchats Farm Greenside



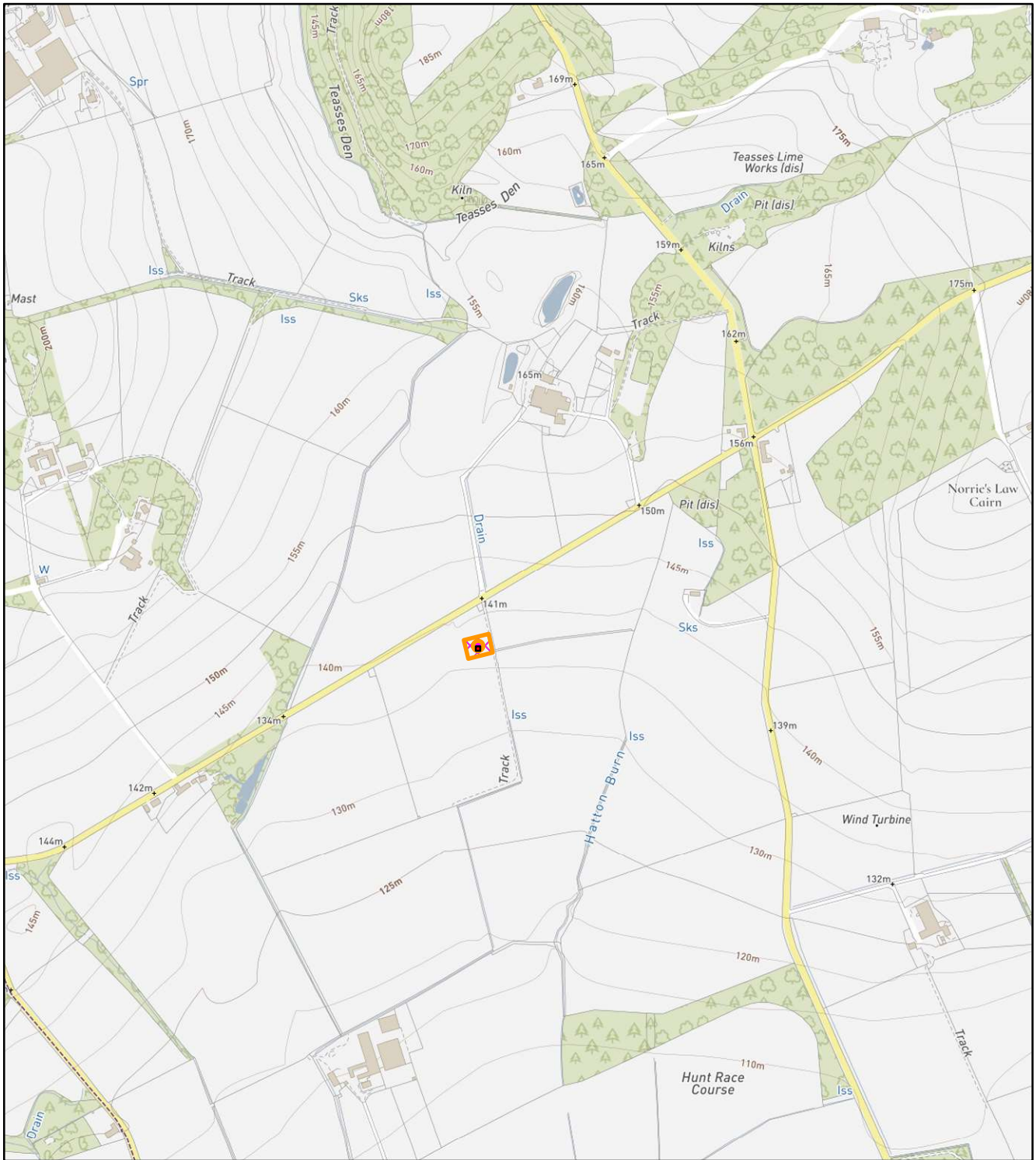
Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>	
 Application Boundary	
	
 Fife COUNCIL Economy, Planning & Employability Services	



# 21/01411/PPP

## Land 400M South Of Farmhouse Teuchats Farm Greenside



Reproduced from the Ordnance Survey map with permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2016. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

<b>Legend</b>	
 Application Boundary	
	
 Economy, Planning & Employability Services	