

THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

12th January, 2022

1.30 p.m. – 4.15 p.m.

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

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

APOLOGY FOR ABSENCE: Councillor Brian Thomson.

326. DECLARATIONS OF INTEREST

Councillor Heer declared an interest in Para 329. - '21/02110/PPP - Land between Millflat and Leckiebank Road, Auchtermuchty' - having been present at a Community Council meeting at which the developer gave a presentation on the proposed development. However, having applied the objective test, Councillor Heer decided his interest was not significant as he had not expressed an opinion on the proposed development, therefore, would remain and participate in the meeting.

Councillor Lothian declared an interest in Para. 329. - '21/02110/PPP - Land between Millflat and Leckiebank Road, Auchtermuchty' - having also been present at the Community Council meeting attended by Councillor Heer, however, Councillor Lothian was personally acquainted with a number of the objectors.

Councillor Lothian also declared an interest in Para. 330. - 21/03220/FULL - Cottage, Pillars of Hercules, Falkland' - as he was personally acquainted with the applicant and a number of the objectors.

327. MINUTE

The Committee considered the minute of meeting of the North East Planning Committee of 15th December, 2021.

Decision

The Committee agreed to approve the minute.

328. 20/02315/FULL - 73 TAY STREET, NEWPORT ON TAY, FIFE

The Committee considered a report by the Head of Planning relating to an application for the erection of a garage and self-contained accommodation.

Decision/

Decision

The Committee:-

- (1) agreed to refuse the application on the grounds that the proposed development did not comply with:
 - (a) Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; Historic Environment Scotland Policy Statement (2019); Historic Environment Scotland's Managing Change in the Historic Environment; Historic Environment Scotland – New Design in the Historic Setting (2010); Scottish Planning Policy (Valuing the Historic Environment (2014); Policies 1, 10 and 14 of the Adopted FIFEplan (2017); Making Fife's Places Supplementary Planning Guidance (2018); and the Newport-on-Tay Conservation Area Appraisal and Management Plan (2017) - in the interests of protecting the character, setting and appearance of the designated Newport-on-Tay Conservation Area and surrounding historic environment by virtue of its inappropriate design, form, scale and choice of materials together with its detrimental visual impact on the designated conservation area, streetscape, prevailing pattern of development and historic environment due to its form, design and choice of materials; and
 - (b) Scottish Planning Policy (2014); Policies 1, 10 and 14 of the Adopted FIFEplan (2017); and Making Fife's Places Supplementary Guidance (2018) - in the interests of protecting visual amenity having regard to its scale, massing and design resulting in an overdevelopment of the application site as well as having a character and appearance not in keeping with the surrounding area/streetscape. Further, it was considered that the Application Proposal did not make a positive contribution to the surrounding townscape, immediate environment and built environmental quality by virtue of its form, scale, design and choice of materials; and
- (2) to delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to finalise the full reasons for refusal in order to ensure that a decision on the application was not unduly delayed.

Councillor Porteous joined the meeting following consideration of the above item.

Prior to consideration of the following 2 items, Councillor Lothian, having declared an interest, left the meeting at this point and Councillor Verner, Vice-Convener took the Chair.

329. 21/02110/PPP - LAND BETWEEN MILLFLAT AND LECKIEBANK ROAD, AUCHTERMUCHTY

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for a residential development of 15 dwellinghouses, formation of new vehicular accesses and associated works.

Motion/

Motion

Councillor MacDiarmid, seconded by Councillor Holt, moved to refuse the application on the grounds that the proposed development did not comply with Scottish Planning Policy (2014), Policies 1 and 3 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018), on the basis that the proposed development would result in increased levels of traffic on the surrounding road network which would have a detrimental impact on road safety.

Amendment

Councillor Porteous, seconded by Councillor Miklinski, moved as an amendment to approve the application subject to the 8 conditions and for the reasons detailed in the report; and the conclusion of a planning obligation relating to the provision of an affordable housing contribution.

Roll Call Vote

For the motion - 4 votes

Councillors Heer, Holt, Marjoram and MacDiarmid.

For the amendment - 8 votes

Councillors Brett, Connor, Docherty, Liston, Miklinski, Porteous, Tepp and Verner.

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

Decision

The Committee agreed:-

- (1) to approve the application subject to the 8 conditions and for the reasons detailed in the report and following the conclusion of a planning obligation relating to the provision of an affordable housing contribution; and
- (2) that authority was delegated to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligation.

The Committee adjourned at 3.20 p.m.

The Committee reconvened at 3.25 p.m.

330. 21/03220/FULL - COTTAGE, PILLARS OF HERCULES, FALKLAND

The Committee considered a report by the Head of Planning relating to the formation of an access road, junction and car parking with associated landscaping, SUDS and erection of information hut (Section 42 Application to vary Condition 1 of 19/02723/FULL to reduce visibility splay from 6m to 3m).

Decision/

Decision

The Committee agreed to refuse the Section 42 application to vary condition one of planning permission 19/02723/FULL, to reduce the visibility splay from 6m to 3m, in the interests of road safety.

Councillor Lothian re-joined the meeting prior to consideration of the following item and Councillor Verner left the meeting at this time.

331. 21/00692/FULL - THE INN AT KINGSBARNES, 5 MAIN STREET, KINGSBARNES

The Committee considered a report by the Head of Planning relating to an application for external alterations including installation of a dormer extension, rooflights, extraction vents, flue, bay window with patio doors and replacement windows and doors.

Decision

The Committee agreed to approve the application subject to the one condition and for the reason detailed in the report.

332. 21/00694/LBC - THE INN AT KINGSBARNES, 5 MAIN STREET, KINGSBARNES

The Committee considered a report by the Head of Planning relating to Listed Building Consent for internal and external alterations including installation of a dormer extension, rooflights, extraction vents, flue, bay windows with patio doors and replacement windows and doors.

Decision

The Committee agreed to approve the application unconditionally.

333. 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 29th November to 26th December, 2021
