

## 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. **MINUTES** – Minutes of meeting of Fife Planning Review Body of 16th and 22nd August, 2022. 5 - 7
4. **APPLICATION FOR REVIEW - LAND TO NORTH OF MEADOWSIDE ROAD, CUPAR (APPLICATION NO. 21/01559/FULL)** – Erection of dwellinghouse and formation of associated access and parking
  1. Notice of Review 8 – 16
  2. Decision Notice and Report of Handling 17 – 31
  3. Representations 32 – 52
  4. Consultee Comments 53 – 60
  5. Further Representations 61 – 64
  6. Response to Further Representations 65 - 67
5. **APPLICATION FOR REVIEW - 10 SWAN ROAD, KIRKCALDY (APPLICATION NO. 22/01652/FULL)** – Installation of replacement windows and door
  1. Notice of Review 68 – 94
  2. Decision Notice and Report of Handling 95 – 104
6. **APPLICATION FOR REVIEW - FORMER HAGGIS HOUSE, SALINE SHAW, SALINE, DUNFERMLINE (APPLICATION NO. 21/01556/FULL)** – Erection of a single storey detached dwellinghouse
  1. Notice of Review 105 – 194
  2. Decision Notice and Report of Handling 195 – 209
  3. Consultee Comments 210 - 219

**Plans and papers relating to the applications and the review can be viewed online at [www.fife.gov.uk/committees](http://www.fife.gov.uk/committees).**

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

17th October, 2022.

If telephoning, please ask for:  
Michelle McDermott, Committee Officer, Fife House, North Street, Glenrothes  
Telephone: 03451 555555, ext. 442238; email: [Michelle.McDermott@fife.gov.uk](mailto:Michelle.McDermott@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)

## Local Review meeting

### Guidance Notes on Procedure

#### 1. Introduction by Convener

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

#### 2. Minutes of previous meeting

Review Body requested to approve minute of last meeting

#### 3. Outline of first item - Convener

#### 4. Powerpoint presentation of photos/images of site

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

#### 5. Procedural agreement.

Members discuss application and decide whether –

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

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

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

a) Convener asks the LRB to consider

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

to establish the key issues pertinent to this case

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

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

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

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

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

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

**9. Closure of meeting or on to next item**

Version 5  
31.10.2017

**THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY – REMOTE MEETING**

16th August, 2022.

4.00 p.m. – 4.05 p.m.

**PRESENT:** Councillors David Barratt, Ken Caldwell, Fiona Corps, Alycia Hayes, Robin Lawson, Jane Ann Liston, Lynn Mowatt and Andrew Verrecchia.

**ATTENDING:** Mary McLean, Team Manager (Legal Services) and Michelle McDermott, Committee Officer, Legal and Democratic Services, Finance and Corporate Services.

**APOLOGIES FOR ABSENCE:** Councillors Colin Davidson and Derek Noble.

**1. MEMBERSHIP OF COMMITTEE**

**Decision**

The Committee noted its membership as detailed on the agenda.

**2. APPOINTMENT OF CONVENER**

Councillor Lynn Mowatt, seconded by Councillor Alycia Hayes, proposed that Councillor David Barratt be appointed as Convener.

**Decision**

There being no other nominations, Councillor Barratt was appointed Convener of the Fife Planning Review Body.

**3. APPOINTMENT OF DEPUTE CONVENER**

**Decision**

There being no nominations put forward for Depute Convener, it was agreed that the Appointment of Depute Convener be added to the agenda of a future meeting.

**THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY – REMOTE MEETING**

22nd August, 2022.

2.00 p.m. – 4.50 p.m.

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

**ATTENDING:** Mary McLean, Team Manager (Legal Services), Legal and Democratic Services; Steve Iannarelli, Strategic Development Manager and Bryan Reid, Lead Professional, Planning and Employability Services.

**APOLOGY FOR ABSENCE:** Councillor Colin Davidson.

**4. DECLARATIONS OF INTEREST**

Councillor Lynn Mowatt declared an interest at para. 6 – Application for Review – Belfield Farm Steading, Milton of Balgonie, Glenrothes – as she was a Councillor within the ward which the application had been submitted.

**5. APPLICATION FOR REVIEW - CUFFABOUT HOUSE, CUPAR ROAD, LEVEN (APPLICATION NO. 21/02350/FULL)**

The Review Body considered the Application for Review by Andrew Megginson Architecture, on behalf of Glenview Caravan Park Limited, in respect of the decision to refuse planning permission for the siting of six holiday pods with associated infrastructure and parking (Application No. 21/02350/FULL).

**Decision**

The Review Body agreed:-

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

*Councillor Mowatt left the meeting prior to consideration of the following item, having earlier declared an interest.*

**6. APPLICATION FOR REVIEW - BELLFIELD FARM STEADING, MILTON OF BALGONIE, GLENROTHES (APPLICATION NO. 19/02655/FULL)**

The Review Body considered the Application for Review by Claymore Timber Frame Ltd., on behalf of Ms. Alyson Anderson, in respect of the decision to refuse planning permission for the erection of four dwellinghouses (Class 9), formation of hardstanding, parking and associated infrastructure (Application No. 19/02655/FULL).

*Councillor Mowatt rejoined the meeting following consideration of the above item.*

**Decision**

The Review Body agreed:-

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

**7. APPLICATION FOR REVIEW - 19 WOODLAND GAIT, CLUNY, KIRKCALDY (APPLICATION NO. 21/01090/FULL)**

The Review Body considered the Application for Review by Fouin and Bell Architects Ltd., on behalf of Mr. and Mrs. Paterson, in respect of the decision to refuse planning permission for a change of use from agricultural land to private garden ground and erection of decking and play equipment (all retrospective) (Application No. 21/01090/FULL).

**Decision**

The Review Body agreed:-

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

**8. APPLICATION FOR REVIEW - LAND TO WEST OF GREENMOUNT ROAD NORTH, BURNTISLAND (APPLICATION NO. 20/03131/ARC)**

The Review Body considered the Application for Review by JJF Planning, on behalf of Mrs. Stevenson, in respect of the decision to approve planning permission, with conditions, for erection of 11 dwellinghouses (Application No. 20/03131/ARC).

**Decision**

The Review Body agreed:-

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

**Agenda Item 4(1)**

**Land adjacent to 48 Meadowside Road, Cupar,  
KY15 5DD**

**Application No. 21/01559/FULL**

**Notice of Review**



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100414692-010

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Home		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Daniel	Building Name:	
Last Name: *	Eaton	Building Number:	47
Telephone Number: *	01334479999	Address 1 (Street): *	Learmonth Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	St Andrews
Fax Number:		Country: *	Fife
		Postcode: *	KY16 8XF
Email Address: *	enquiries@homestandrews.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Proff"/>	Building Name:	<input type="text" value="Balmeadie Steading"/>
First Name: *	<input type="text" value="Georgina"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Follett"/>	Address 1 (Street): *	<input type="text" value="Newburgh"/>
Company/Organisation	<input type="text" value="Balmeadowside Ltd"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Cupar"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Fife"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY14 6JG"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land to the North of Meadowside Road Cupar KY15 5DD"/>
--

Northing

Easting

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

21/01559/FULL | Erection of dwellinghouse and formation of associated access and parking | Land Adjacent To 48 Meadowside Road Cupar Fife

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see 'Supporting Documents' relating to this appeal.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Supporting Document 01

## Application Details

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

21/01559/FULL

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

19/05/2021

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

11/03/2022

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Daniel Eaton

Declaration Date: 10/06/2022

## **Supporting Document 01 - Application No: 21/01559/FULL – ‘Refused’**

**Proposal:** Erection of dwellinghouse and formation of associated access and parking

**Address:** Land Adjacent To 48 Meadowside Road Cupar Fife

### **REFUSE FOR THE FOLLOWING REASON(S):**

**Item 1.** In the interests of road and pedestrian safety; the proposal does not comply with Policies 1 and 10 of the Adopted FIFEplan (2017) as it would not meet the requirements laid down by Fife Council's Transportation Development Guidelines in that off-street parking cannot be provided due to the restrictive size of the development site. A distance of 6m is required behind the heel of the public footway to allow a vehicle to sit completely clear of the public footway. With this space being unavailable, this would only cause increased on street parking which would be detrimental to road and pedestrian safety. Visibility Splays of at least 2m x 25m are required in directions, to the East and West at the access from the site onto the adjacent public road. Visibility would be unacceptably obstructed for vehicles leaving the proposed access onto the public road by permanent features which are outwith the applicant's control. Splay goes over the neighbouring land to the East and will be blocked by the proposed dwelling to the West. This would be detrimental to the safety and convenience of all road users. Finally, The position of the proposed dwelling will reduce the visibility splay currently enjoyed by motorist encountering the T-Junction when travelling North and then turning East along Meadowside Road.

#### **Redress Item 1: -**

We acknowledge and appreciate the concerns regarding the visibility splay currently enjoyed by motorists however the development of the site will maintain the existing pavement and that is the only 'visibility splay' that can reasonably be enforced. There are many instances of access and egress in the locality that have more restricted space, are rather more dangerous and difficult for motorist and pedestrians to safely negotiate.

Meadowside is a 20 MPH zone and there are existing traffic calming measures to lower the speed of vehicles in the area, ensuring safe vehicle speeds, and the street is a dead end which prevents it from being used as a through route to multiple vehicles. The proposal has a garage parking space similar to all the existing properties in the street; the driveway provides an additional 'visitor parking space' and its use will be infrequent. As a nation we are moving away from dependence on motor vehicles, and are promoting a more sustainable modes of transportation including electric bikes and cars. The development is intended to provide accommodation for local people in Cupar and it is envisaged that while car ownership is probable, the householder is likely to commute to work in the local area on foot or by sustainable methods.

**Item 2.** The proposal is contrary to Policies 1 and 10 of the FIFEplan (2017) Local Development Plan and the associated Fife Council Customer Guidelines on Garden Ground. The proposed dwellinghouse would have a detrimental impact on the visual amenity of the surrounding area and result in overdevelopment of the plot. Further to that the proposal would not meet the minimum standards expected for the provision of usable outdoor amenity space for a development of this type and scale.

#### **Redress Item 2: -**

The site area is 136 Sq. M

The building footprint is 51 Sq. M

Resultant amenity space is 85 Sq. M

We would like to propose that if you are minded to approve the abovementioned application, we would adjust our submission to provide additional amenity space by way of balconies for the main two bedrooms while maintaining the visual integrity of the building, we would propose these are 2.5 Sq. M and would add an additional 5 Sq. M to our proposed amenity space. This is a reasonable amount of external space, and provides good amenity space for a young family and is a better space than many existing properties in Cupar and the surrounding areas.

**Item 3.** In the interests of visual amenity; the proposed development, by virtue of its massing and architectural style, would appear incongruous in relation to the already approved adjacent dwellinghouses, harming the character and appearance of the street scenes within which it would be viewed, having a significant detrimental effect on the visual amenity of the area, contrary to Policies 1 and 10 of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018). A

**Redress Item 3: -**

If you are minded to approve the proposal we will seek approval on all external fenestration, prior to construction. The current proposal matches the design, massing and material finishes of the surrounding properties from paving, stone detail and colour, render colour, window detail, scale and proportion.

### Proposal Details

Proposal Name	100414692
Proposal Description	Proposed 3-bed detached house and associated parking to the North of Meadowside Road Cupar KY15 5DD.
Address	
Local Authority	Fife Council
Application Online Reference	100414692-010

### Application Status

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

### Attachment Details

Notice of Review	System	A4
Supporting_Document_01_Application_No_21_01559_FULL_Refused DE	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-010.xml	Attached	A0

**Agenda Item 4(2)**

**Land adjacent to 48 Meadowside Road, Cupar,  
KY15 5DD**

**Application No. 21/01559/FULL**

**Planning Decision Notice**

**Report of Handling**

Home  
Daniel Eaton  
47 Learmonth Place  
St Andrews  
Fife  
KY16 8XF

---

**Planning Services**

---

Andy Taylor  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 21/01559/FULL

Date 11th March 2022

Dear Sir/Madam

**Application No:** 21/01559/FULL  
**Proposal:** Erection of dwellinghouse and formation of associated access and parking  
**Address:** Land Adjacent To 48 Meadowside Road Cupar Fife

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

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

Yours faithfully,

Andy Taylor, Planner, Development Management

**Enc**





## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 21/01559/FULL  
**Proposal:** Erection of dwellinghouse and formation of associated access and parking  
**Address:** Land Adjacent To 48 Meadowside Road Cupar Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/01559/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interests of road and pedestrian safety; the proposal does not comply with Policies 1 and 10 of the Adopted FIFEplan (2017) as it would not meet the requirements laid down by Fife Council's Transportation Development Guidelines in that off-street parking cannot be provided due to the restrictive size of the development site. A distance of 6m is required behind the heel of the public footway to allow a vehicle to sit completely clear of the public footway. With this space being unavailable, this would only cause increased on street parking which would be detrimental to road and pedestrian safety. Visibility Splays of at least 2m x 25m are required in directions, to the East and West at the access from the site onto the adjacent public road. Visibility would be unacceptably obstructed for vehicles leaving the proposed access onto the public road by permanent features which are outwith the applicant's control. Splay goes over the neighbouring land to the East and will be blocked by the proposed dwelling to the West. This would be detrimental to the safety and convenience of all road users. Finally, The position of the proposed dwelling will reduce the visibility splay currently enjoyed by motorist encountering the T-Junction when travelling North and then turning East along Meadowside Road.
2. The proposal is contrary to Policies 1 and 10 of the FIFEplan (2017) Local Development Plan and the associated Fife Council Customer Guidelines on Garden Ground. The proposed dwellinghouse would have a detrimental impact on the visual amenity of the surrounding area and result in overdevelopment of the plot. Further to that the proposal would not meet the minimum standards expected for the provision of usable outdoor amenity space for a development of this type and scale.
3. In the interests of visual amenity; the proposed development, by virtue of its massing and architectural style, would appear incongruous in relation to the already approved adjacent dwellinghouses, harming the character and appearance of the streetscenes within which it would be viewed, having a significant detrimental effect on the visual amenity of the area, contrary to Policies 1 and 10 of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).

Dated: 11th March 2022

Chris Smith

For Head of Planning Services

**Decision Notice (Page 1 of 2)** Fife Council

**PLANS**

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

<b>Reference</b>	<b>Plan Description</b>
01	Location Plan
02	Proposed various - elevation, floor etc
03	Details
04	Details
05	Low Carbon Sustainability Checklist
06	Photographs
07	Photographs

Dated:11th March 2022

Chris Smith

**Decision Notice (Page 2 of 2)** For Head of Planning Services  
Fife Council

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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

**REPORT OF HANDLING**
**APPLICATION DETAILS**

ADDRESS	Land Adjacent To 48, Meadowside Road, Cupar		
PROPOSAL	Erection of dwellinghouse and formation of associated access and parking		
DATE VALID	18/08/2021	PUBLICITY EXPIRY DATE	28/09/2021
CASE OFFICER	Andy Taylor	SITE VISIT	None
WARD	Cupar	REPORT DATE	08/03/2022

**SUMMARY RECOMMENDATION**

The application is recommended for:

Refusal

**ASSESSMENT**

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

### 1.0 BACKGROUND

1.1 The application relates to an area of open space measuring 136 sqm located on a corner of Meadowside Road within Cupar settlement boundary. The site is covered in heavy shrubbery. The surrounding area is a mix of modern residential properties of varying sizes. The site rises sharply from west to east.

1.2 This applicant seeks planning permission for the erection of a 3-bedroom dwellinghouse. The dwelling would be two-storey on the south elevation rising to three-storeys on the north elevation with integral garage.

1.3 There is no previous recent planning history on this site.

1.4 A physical site visit has not been undertaken for this planning application. All necessary information has been collated digitally to allow for the full assessment of the proposal. A risk assessment has been carried out and it is considered given the evidence and information available to the case officer, this is sufficient to determine the proposal. The current Covid restrictions also mean that Fife Council is unable to guarantee that site notices will be displayed on every relevant application site and a site notice has not been displayed at this site, however all site notices are published at [www.tellmescotland.gov.uk/notices](http://www.tellmescotland.gov.uk/notices) .

## 2.0 PLANNING ASSESSMENT

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

- Principle of Residential Development
- Design/Visual Impact
- Residential Amenity
- Garden Ground
- Road Safety
- Low Carbon

### 2.2 Principle of Residential Development

2.2.1 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.

2.2.2 Policy 1, Part A, of the Adopted Local Plan 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 the Adopted Local Plan supports 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.

2.2.3 Objections have been received relating to the loss of open/green spaces/ common ground. The application site is not a protected open space, however when properly maintained provides an attractive green space within the immediate residential area. However, this is not a deciding factor in the assessment of this planning application.

2.2.4 In simple land use grounds, the principle of the residential development meets the requirements of the Development Plan and national guidance by virtue of the site being situated within the settlement boundary of Cupar in an area that is predominately characterised by residential properties. 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.

### 2.3 Design/Visual Impact

2.3.1 Policy 1 of the Adopted Local Plan advises that development proposals will be supported if they conform to relevant Development Plan policies and proposals address their individual and cumulative impacts. Policy 10 of the Adopted Local Plan, amongst other criteria, sets out

the criteria to be used in assessing the design and visual impact of new developments within settlement boundaries. More specifically, criterion 7, of Policy 10 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.

2.3.2 Policy 14 of the Adopted Local Plan and Fife Council's Making Fife's Places Supplementary Guidance (2018) set 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.

2.3.3 Objections have been received regarding the overdevelopment of this site as well as design issues such as the proposed windows. From the policies identified above, it is important to consider the visual impact the proposed development would have in terms of the local built form within the area. In this particular case, the development, as detailed in section 1.2.1, has been designed in a manner that generally respects its immediate built form in terms of the style of the dwelling within the established residential area. However, in terms of the proposed dwellinghouse, by virtue of its massing and location, would appear incongruous in relation to the existing adjacent dwellinghouses, harming the character and appearance of the streetscenes within which it would be viewed and is overdevelopment of this small corner site.

## 2.4 Residential Amenity

2.4.1 Policies 1 and 10 of the Adopted Local Plan states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to a variety of issues including: the loss of privacy, sunlight and daylight and overshadowing.

2.4.2 Fife Council's Planning Customer Guidelines on Daylight and Sunlight provides detail to ensure that adequate levels of natural light are achieved in new and existing developments. In addition, Fife Council's Minimum Distance between Window Openings guidance advises that there should be a minimum of 18 metres distance between windows that directly face each other, however, this distance reduces where the windows are at an angle to each other.

2.4.3 Objections have been received regarding overlooking to neighbouring residential properties. In addition, concerns have been raised in relation to issues arising from construction noise. The main consideration in this instance relates directly to any impact the proposed development would have on the existing houses within the immediate area. Sufficient information in the form of the scale drawings which demonstrates that the proposed dwellinghouse has been designed in a manner that ensures the amenity of the aforementioned neighbouring properties would not be significantly detrimentally affected from the proposed development in regards to intrusion of privacy or loss of sunlight/ daylight has been provided. To the west, No 48 is located approximately 6 metres from the proposed dwellinghouse, the amenity levels would not be significantly detrimentally affected due to a combination of the orientation of the proposed site and the design and internal layout of the proposed dwellinghouse. Construction noise can be an issue, however, where construction noise is unacceptable, Environmental Health, Public Protection Officers have the power under Environmental Legislation to restrict or control operating hours etc. In addition, objections have been raised in relation to the proposed heat source pumps. Had the application been

acceptable, a condition may have been imposed to ensure appropriate manufacture operating levels and maintenance.

2.4.4 Overall and taking into account the context of the site and the size and orientation of the plot, the proposed dwellinghouse, although considered to be overdevelopment on the application site, the proposed dwelling has been designed in a manner that ensures there would be no significant detrimental residential amenity issues raised. The application therefore meets the requirements of the Development Plan and other guidance in this regard. This however is not the main determining factor in this instance.

## 2.5 Garden Ground

2.5.1 Policies 1 and 10 of the Adopted Local Plan requires new development to provide a layout that contributes to successful places. Fife Council's Planning Customer Guidelines on Garden Ground requires all new residential properties to be served by garden ground sufficient in quantity, quality and usability to provide for normal needs and activities of future residents. This means all new dwellinghouses must have a minimum of 100 square metres of useable private garden ground and to provide a plot ration of 1:3.

2.5.2 Objections have been received regarding the overdevelopment of this site and the lack of garden provision. In this instance the proposed dwellinghouse does not meet the requirements of policy 1 and the supplementary guidance described above. From the scaled plans provided the proposed dwellinghouse would not comply with the 1:3 plot ratio and offers garden ground area well below what would be expected of a dwellinghouse of this size. The proposed layout offers only a thin strip of landscaped garden around the house and a small area allocated for parking. The proposal therefore fails to comply with the Development Plan and Supplementary Guidance in this respect.

## 2.6 Road Safety

2.6.1 Policy 1, Part C, criterion 2, requires development proposals to provide on-street infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 of the Adopted Local Plan, amongst other criteria, continues that development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Accordingly, development proposals are required to demonstrate how they address any impacts on road safety. Policy 10 of the Adopted Local Plan supports development where it does not have a significant detrimental impact on the amenity of existing or proposed land uses in relation to traffic movements. Further detailed technical guidance relating to this including parking requirements, visibility splays and street dimensions are contained within Making Fife's Places Supplementary Guidance and Fife Council's Transportation Development Guidelines.

2.6.2 Objections have been received in relation to road safety issues such as the lack of parking and vehicle movements associated with the proposed house. Fife Council's Transportation Development Management Team (TDM) has been consulted and have confirmed that the proposed integral garage is shown to have internal dimensions which meet with the standards for the provision of a single parking space. The area to the East of the proposed dwellinghouse however, is not large enough to accommodate a vehicle and meet with the 6m standards required to ensure any vehicle is completely clear of the adjacent footway. In addition, visibility splays of 2m x 25m in directions East and West are required where the vehicular access meets with the adjacent public road. These cannot be met due to obstructions that are not within the

control of the applicant. TDM conclude that the required off-street parking cannot be provided due to the restrictive size of the development site. A distance of 6m is required behind the heel of the public footway to allow a vehicle to sit completely clear of the public footway. With this space being unavailable, this would only cause increased on street parking which would be detrimental to road and pedestrian safety. Visibility Splays of at least 2m x 25m are required in directions, to the East and West at the access from the site onto the adjacent public road. Visibility would be unacceptably obstructed for vehicles leaving the proposed access onto the public road by permanent features which are outwith the applicant's control. Splay goes over the neighbouring land to the East and will be blocked by the proposed dwelling to the West. This would be detrimental to the safety and convenience of all road users. Finally, The position of the proposed dwelling will reduce the visibility splay currently enjoyed by motorist encountering the T Junction when travelling North and then turning East along Meadowside Road.

2.6.3 Taking these factors in account, the proposed dwellinghouse does not comply with relevant polices and guidance in terms of road safety.

## 2.7 Low Carbon

2.7.1 The SPP notes that the planning system should support the transition to a low carbon economy consistent with national objectives and targets. To achieve this, planning authorities should seek to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:

- Energy efficiency;
- Heat recovery;
- Efficient energy supply and storage;
- Electricity and heat from renewable sources; and
- Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

2.7.2 Policies 1 and 11 of the Adopted Local Plan states that planning permission will only be granted for new development where it has been demonstrated that:

- The proposal meets the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards), and that low and zero carbon generating technologies will contribute at least 15% of these savings from 2016 and at least 20% from 2020. Statutory supplementary guidance will provide additional advice on compliance with this requirement;
  - Construction materials come from local or sustainable sources;
  - Water conservation measures are in place;
  - Sustainable urban drainage measures will ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment; and
  - Facilities are provided for the separate collection of dry recyclable waste and food waste.
- All development should encourage and facilitate the use of sustainable transport appropriate to the development, promoting in the following order of priority: walking, cycling, public transport, cars.

2.7.3 Fife Council's Low Carbon Fife Supplementary Guidance 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. In addition,

planning application applicants are expected to submit a completed sustainable building statement (Appendix B of the guidance).

2.7.4 The agent has provided a Low Carbon Checklist to set out how they consider that the proposed development would meet the low carbon/sustainability targets mentioned above. It is noted that the dwellinghouse would have also incorporated solar panels and air source heat pumps. The proposal is therefore acceptable in this instance and complies with the Development Plan and supplementary guidance in this regard. This however is not the main determining factor in this instance for the reasons identified above.

## CONSULTATION RESPONSES

Scottish Water  
Transportation, Planning Services

No objection  
Object for various reason.

## REPRESENTATIONS

Fourteen representation have been received in relation to the application objecting on the following grounds;

- Land ownership issues

This is not a material planning consideration

- Title deed issues

This is not a material planning consideration

- Road Safety Issues

See section 2.6

- Overdevelopment

See Sections 2.3 and 2.5

- Windows not in keeping with other houses in the area.

See section 2.3

- Loss of open/green spaces/ common ground

- Inadequate garden ground

See section 2.5

- Noise from proposed Heat Pump

See section 2.4.3

- Loss of Daylight/sunlight

See section 2.3

- Overlooking

See section 2.3

- Construction noise

See section 2.4

## CONCLUSION

The proposed dwellinghouse generally complies with local and national guidance and policies in terms of principle, the style and low carbon build. However, the proposal does not meet all relevant policies and guidelines in terms of road safety, scale and garden ground.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of road and pedestrian safety; the proposal does not comply with Policies 1 and 10 of the Adopted FIFEplan (2017) as it would not meet the requirements laid down by Fife Council's Transportation Development Guidelines in that off-street parking cannot be provided due to the restrictive size of the development site. A distance of 6m is required behind the heel of the public footway to allow a vehicle to sit completely clear of the public footway. With this space being unavailable, this would only cause increased on street parking which would be detrimental to road and pedestrian safety. Visibility Splays of at least 2m x 25m are required in directions, to the East and West at the access from the site onto the adjacent public road. Visibility would be unacceptably obstructed for vehicles leaving the proposed access onto the public road by permanent features which are outwith the applicant's control. Splay goes over the neighbouring land to the East and will be blocked by the proposed dwelling to the West. This would be detrimental to the safety and convenience of all road users. Finally, The position of the proposed dwelling will reduce the visibility splay currently enjoyed by motorist encountering the T-Junction when travelling North and then turning East along Meadowside Road.

2. The proposal is contrary to Policies 1 and 10 of the FIFEplan (2017) Local Development Plan and the associated Fife Council Customer Guidelines on Garden Ground. The proposed dwellinghouse would have a detrimental impact on the visual amenity of the surrounding area and result in overdevelopment of the plot. Further to that the proposal would not meet the minimum standards expected for the provision of usable outdoor amenity space for a development of this type and scale.

3. In the interests of visual amenity; the proposed development, by virtue of its massing and architectural style, would appear incongruous in relation to the already approved adjacent dwellinghouses, harming the character and appearance of the streetscenes within which it would be viewed, having a significant detrimental effect on the visual amenity of the area, contrary to Policies 1 and 10 of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

### National Guidance

SPP - Scottish Planning Policy (2014)

### Development Plan

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Guidance (2018)

Fife Council's Transportation Development Guidelines

### Other Guidance

Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2017)

Fife Council's Planning Customer Guidelines on Garden Ground (2016)

Fife Council's Minimum Distance between Windows Guidance



**Agenda Item 4(3)**

**Land adjacent to 48 Meadowside Road, Cupar,  
KY15 5DD**

**Application No. 21/01559/FULL**

**Representation(s)**

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Ms Alexandra Meekison

Address: 74 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are two pieces of land on Meadowside Road which were previously refused planning permission when the houses were built this and a piece further along opposite number 70. The houses we bought were on the basis that this was environmental land which we have maintained following the collapse of the builders. A property removes our green space, prevents the ecological growth and benefits to our area and our mental health. The plot in question is also a difficult junction which will be further blocked by a property. I fail to see what has changed since the original planning application was turned down. I am very much against this development.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr Alun Rees

Address: 70 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Four areas of objection

1- the title deeds specifically state that common ground on meadowside road formerly Churchill view are to " remain open and Un-built in all time coming " per the title deeds of our property and the original planning consent of the developer at the time " Castle gait homes"- please confirm this is still the case or did the subsequent purchase of meadowside road land in March 2017 by Balmeadowside Ltd somehow remove this clause?

2- At the moment the nominated land is adjacent to at best a cautious junction and at worst a dangerous one especially in the winter where many cars and vans have skidded down the road outside the proposed property. In addition the erection of this proposed dwelling will render a cautious bend into a blind bend on a hill hence creating further risk of injury and accident - the vegetation in the location of the proposed property is maintained by the residents to minimise the blind corner.

3- the size of the proposed property will consume all of the available land and hence minimise the driveway space - experience of living here shows that where there is a built in garage and minimal drive space cars tend to spill out onto the pavement - the police have been engaged on several occasions to ask residents to move cars with larger drives than this hence it is inevitable this will cause pavement constriction for the many young children in the area

4- it is assumed that Balmeadowside limited have purchased all of the common ground in meadowside road and hence this being the first of many applications - originally rejected by the council back in 2002/1 - why would an application rejected back in this year be suddenly approved when the land is clearly unsuitable for any dwelling hence left as common ground by Castlegait the original developer?

Kindest regards and thank you for your consideration in this matter

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr Donald Jenks

Address: 52 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have a number of observations/objections to this planning application.

1. Ownership and responsibility for the maintenance of this land.

In my Land Register of Scotland Land Certificate the land marked for this development is listed as Common Ground (see title number. FFE62553) and is specifically listed in the Burdens section. While it is noted that the developer retained ownership and no longer exists, I understand they went out of business, I have never received any notification of a change of ownership of this land. The 16 properties forming the development have a joint responsibility for the maintenance of this area of land. Any current owner has made no known contact to discuss the maintenance of this area of land. Which I have been doing for some years to ensure road safety at the junction to the south east of the property (see below @ 2). Further to this our deeds state this common ground will not be built on for all time.

2. Road Safety - Visibility Splay

Each individual resident in the development have a responsibility to ensure the maintenance of good visibility splays from their properties, this is also listed in the burdens section of the land certificate.

The junction to the south east of the proposed development has poor visibility for vehicles turning into and out of the top section of Meadowside Road.

There have been a number of near misses on that corner. To maintain good visibility I have regularly cut back the vegetation to maintain the visibility splay across the corner and down/up the hill so as to give warning of other vehicles approaching the junction.

The erection of a 2/3 storey house on this limited sized plot would impact negatively on road safety, particularly as the property is shown in the plans as being very close to the pavement. This would be further reduced if any property boundary was added to provide an area of private garden ground (see below @ 3)

### 3. Plot size not suitable for the proposed development.

The detailed plans show that this development takes up most of the ground space available with very limited private garden ground. It would be largely overlooked by the property at Number 50 Meadowside Road and partly overlook from my property thus providing little privacy. A substantial boundary fence would be required to provide this privacy as at the properties at 44-48.

This would impact on 2 as stated above.

### 4. Appearance

The detailed plans state white uPVC windows would be used in keeping with adjacent properties. No properties in the area have white uPVC windows. All are natural wood stained to a mahogany like colour.

In conclusion the proposed development is unsuitable on a number of grounds, road safety, amenity/privacy and removal of common ground from the existing development residents.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr Harvey Walker

Address: 7 Tarvit Drive, Cupar, Fife KY15 5BG

## Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern,

I would like to formally object to the proposed plans for the reasons listed below.

The proposed driveway is a safety concern as it is to be located very close to the junctions with Oak Vale, Meadowside Road, and to the existing driveways of the existing properties. It is also due to be built on a bend where visibility will be poor for both existing and proposed new residents. Visibility will also be impacted further by the position of the proposed building.

I also have some concerns regarding the accuracy of the plans, in addition to the fact that the proposed plans would mean the loss of a valued area of landscaped open space, which was created as part of the original development. The plans state that there are currently no trees on the landscaped area, when there are actually three substantial trees on the site. These are valued and have been present as long as the residential area has been here. Similarly, the plans include a report from SEPA which appears to have no bearing on the site in question, and refers to another development altogether.

The plan amounts to over-development of the site, and so would lead to a development that, regardless of the planned outside rendering, does not respect the character and appearance of the surrounding properties.

As a result of the above, I request that planning permission is refused.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Dr Helen Cammack

Address: 30 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This plot is far too small for a house. Meadowside Road benefits from green spaces interspersed with the buildings. This is one of the things that attracted me to the area, and it would be a great shame to lose it. Cramming houses into tiny plots isn't the way to solve the area's housing issues.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr Ian Craig

Address: 64 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting to the application on the following grounds:

Contrary to the local plan - The housing density & green spaces in this estate are dictated by the topography (steeply sloped). The plans were only approved by the council less than 20 years ago and nothing has changed in the interim.

Location - the plot is located on a steep hill and on a 180 degree bend. The bend is dangerous due to the narrowness of the road which is further reduced by the the number of cars already parked there.

The plot is too small for any development and the plan proposed would result in a loss of amenity to neighbouring properties.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr James Honeyman

Address: 28 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Development of this small area of land is completely inappropriate. It is an existing landscaped area forming part of the greater Meadowside Road area and was identified as such in an earlier planning consent by Fife Council. In these environmentally sensitive times it is important that we retain this community space rather than this proposed overdevelopment.

On a practical basis the now well established bushes require to be trimmed on a regular basis to maintain good vehicle sight lines on what is a steep and tight corner - building a house on this restricted area of land will result in greater danger to pedestrians and particularly to the many children in the local neighbourhood.

As a Council I feel strongly that you have an obligation to protect the environment and resist careless in-fill development of established open space. For these reasons I strongly object to this ill thought out application.

Jim Honeyman.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr James Lorimer

Address: 50 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We wish to object to the erection of the dwelling house and formation of associated access and parking on the land adjacent to 48 Meadowside Road Cupar Fife (Application reference - 21/01559/FULL). We received a Neighbour Notification relating to this application and object based on the following reasons.

1. Title Deeds of 50 Meadowside Road, Cupar, KY15 5DD - TITLE NUMBER - FFE60310

We purchased this property on 24 November 2020 at which point the Title Deeds were updated to reflect our ownership. Given the content and inclusions in the Title Deed I object as follows:

In the Title Deeds the area of land to which the planning application refers is described as 'Common Ground' (Section 7) and it is stated clearly that it 'will remain open and unbuilt upon in all time coming'.

We object on the grounds that the application to build is a direct contradiction to this

The Title Deeds state that Castlegait Homes Ltd are the developers and owners of the common ground and not the applicant. The Title Deeds also state that all residents in the 16-house development should be consulted prior to ownership changing. We do not believe this happened. Surely if ownership had changed there would be an amendment to the Title Deeds to reflect this?

The 16 Houses in the development have a burden in the title deeds to maintain the common land under the ownership of Castlegait Homes Ltd.

We recently met with a representative from Fife Council together with our local Councillor

regarding the maintenance of the Common Ground. It was noted by them that the burden of the residents maintaining the land remains and they had no knowledge of any change in ownership. Following on from this meeting we have subsequently incurred cost to clear land adjacent to our house.

We object to the development based on the fact that we were not informed of the change in ownership or subsequent changes to the burdens.

The original planning, and the town plan, included the common grounds as green spaces and we object to this development as it removes this amenity from the residents.

## 2. Road Safety

Currently the corner on which the house is to be built is a blind corner where oncoming cars are unseen when making the very sharp turn left at the junction. The current residents maintain and cut back the bushes and shrubs to improve the sight lines; however, it still often causes risk and oncoming traffic is hard to see. To build a house on this corner will be detrimental to the current position making the turning of the corner and sight of oncoming traffic even more of a risk. If a boundary fence or shrubs are then planted, visibility will be seriously restricted.

Currently 2 roads join the Meadowside Road at this blind corner making it more treacherous. The application plans show that the driveway to the house will enter the road directly opposite the current junction.

We object to the development as the proposed property driveway will cause significant increase to the risk of collision which already exists.

## 3. Resident and Guest parking.

Currently resident parking is very limited, with some houses having a driveway for 2 cars but others rely on communal parking space which is already not sufficient. Any visiting guests are limited to parking on the street where they can, making the situation even worse. Adding another property will be detrimental to an already very oversubscribed parking situation.

We object to the development based on the impact it would have on the already inadequate resident and guest parking facilities.

## 4. Building of the Development

We strongly feel that the plot of land the applicant proposes to build on is not nearly large enough or suitably placed for any development. The logistics would be impossible to sustain the building of

the proposed development given the lack of space surrounding the plot of land (see previous points regarding limited parking and the dangerous corner).

We object to the development as the existing risks and problems with road safety and parking would be exacerbated during the construction period by the general building disruption and the storage of materials and skips etc. being stored on the public road.

5. Proposed property will overlook our property and impede on our privacy (as we will theirs).

Currently the properties are set out with maximum privacy in mind. The proposed situation of this property will impact on several other houses as well as our own. In our own case we are concerned that we will be able to see directly into some of the rooms as will they with us.

We object on the grounds that an infringement of our existing privacy is unacceptable.

We wish to object based on the points raised above and hope that you will consider our issues as pertinent in your assessment of the application. If any further information or clarification is required, please do not hesitate to contact us.

Kind Regards

James Lorimer & Carol Harrower

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Miss Lauren Taylor

Address: 48 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sir/Madam,

We reside at 48 Meadowside Road and would like to formally object to the proposed plans for the reasons listed below.

The proposal would result in the loss of a valued and valuable area of landscaped open space, which would have been provided as a requirement of the original residential development.

The proposed access is a road safety concern, given it would be located in close proximity with the junction with Oak Vale, and located on a bend where sufficient visibility splays could not be provided in order to ensure vehicles could enter and exit the site in a safe manner. It is my understanding, from a Roads Construction Consent process, that any new junction should be at least 15m from any access and so this should not be accepted for the safety of all residents in the area.

In addition, it is likely that the proposed driveway would not be of sufficient length to ensure that vehicles could park within the curtilage of the site. The siting of the dwelling would also likely impact on the visibility of vehicles from the properties to the rear when leaving the properties to the south. The proposal is therefore also a road safety concern.

The proposal would fail to provide a sufficient level of garden ground for the proposed occupants and would therefore fail to comply with the Council's adopted guidance in relation to Garden Ground. In terms of the above guidance, the rear garden would not be of a "good size", would not be "big enough for everyday activities such as hanging washing and allowing children to play" and would not "fit the needs of the people who live there". The ratio of garden ground to house would

also fail to comply with the ratio of building plot at either 1:3 or 1:4 as per the guidance. The garden would not be at least 9m deep and would not provide 100sqm of garden ground (for a detached dwelling).

It is also noted that the above guidance contains further information relating to "infill developments", which this could also potentially be described. The plot ratio would fail to comply with those in the surrounding area, is not in an area identified for physical regeneration and would not be high quality in terms of design. As mentioned above, the site is a landscaped area associated with the wider residential development and could also not be described as "poor quality land" that would "significantly improve the local area".

The proposed development would result in over development of the plot and would therefore result in a development that failed to respect the character and appearance of the surrounding residential area.

The development of a three-storey dwelling in this location has the potential to have an overbearing impact on the rear garden ground of the our property at 48 Meadowside Road. In addition, the proposed development would likely result in an unacceptable impact in terms of loss of daylight/ sunlight to the rear garden ground of our property. Furthermore, it would likely result in an unacceptable impact in terms of noise disturbance due to the extremely close proximity of both the building and associated heat pump to the rear garden ground of our property.

As a result of the above, it is considered that the proposal fails to comply with Policies 2 (Homes), 3 (Infrastructure and Services), 10 (Amenity) and 13 (Natural Environment and Access) of FIFE plan. There are no material planning considerations, which I can see, which would warrant a departure from planning policy in this instance and, as a result, I would respectfully request that planning permission is refused in this instance.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Dr Nicola Allison

Address: 66 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We write to raise our concerns about this proposed housing development. We live at 66 Meadowside Road. We object to a house being built on this site on 2 grounds:

1. The proposed build is on one of the areas of common ground along Meadowside Road. These areas of open space were agreed in the original planning application to build the final houses in Meadowside Road (02/00452/EFULL) and are now laid to trees, shrubs and grass. The areas of common ground within the Meadowside Road development are maintained by the residents of the road e.g. litter picking, grass cutting, pruning. These areas are maintained for the benefit of the local community. In the deeds to our property it states that the areas of common ground will remain open and un-built upon in all time coming. Building on these areas is inconsistent with the burdens in our deeds and those of our neighbours in Meadowside Road. Our deeds state that residents of Meadowside Road have a shared amenity to this land. These areas provide an amenity and benefit to all the properties along Meadowside Road and Oak Vale. The common ground areas provide land for wildlife and provide screening between properties. These areas should not be built upon.

2. The proposed build is at a steep curve in the road. At the point of the build Meadowside Road follows a 180 degree turn. It is difficult to see if other vehicles are using the road when exiting the top part of Meadowside Road at this bend. At the moment several householders prune the shrubs on the proposed housing development site to improve the visibility for drivers. If a house is built on this plot then it will be impossible to maintain this visibility. This will make the road unsafe.

Nicola Allison and Adrian Finch

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr Paul Williamson

Address: 60 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have serious concerns regarding the road safety due to the close proximity of the proposed dwelling to the steep blind bend, which is the only access road to my property.

The bend is already a safety concern due to how sharp and steep it is. If a dwelling is built on the corner it will only further obstruct the view of any vehicles or pedestrians coming from the opposite direction.

There are many young children living in the area who use this path up the hill regularly and I would have concerns about their safety due to drivers restricted vision.

## Dawn Batchelor

---

**From:** rachel.scott [REDACTED]  
**Sent:** 27 September 2021 11:10  
**To:** Development Central  
**Subject:** 21/01559/FULL - Planning Application

**Categories:** In Progress

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

---

Dear Fife Council

I have received a neighbour notification regarding a planning application on land adjacent to 48 Meadowside Road. I live at number 47 Meadowside Road and I would like to oppose this application on the following grounds. The proposed build is directly in front of my house and I am concerned regarding the following:

1. The land for the proposed build is very small. Therefore I am concerned that the house will be tall rather than wide therefore overshadow the front of my house and garden and obstruct my view as my house looks directly onto the plot.
2. I work from home and I am concerned regarding the noise levels of the build during working hours.
3. The plot of land is on a blind corner. I am concerned construction traffic / parking will cause a dangerous hazard to my children and pets and to neighbourhood parking in general.
4. I am concerned that the extra house on the corner will block drivers views making an already dangerous corner worse. I believe this causes safety concerns.

I am really concerned about this development on such a small piece of land. If you were to stand in my livingroom you would be able to appreciate more the impact this house-build would have on our view and how close the build would be to us. We are in the unfortunate position that the positioning of our house would directly face onto the large side of the new build.

I hope you take these points into consideration when making your final decision. I would be grateful if you could acknowledge receipt.

Kind regards,  
Rachel Scott  
47 Meadowside Road, Cupar

Get [Outlook for iOS](#)

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mr Tim Legge

Address: 72 Meadowside Road, Cupar KY15 5DP

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to object to the planning reference 21/01559FULL.

I have 3 main issues with this application.

### 1. The road safety.

Having looked at the plans, it is apparent that the building will obscure the view for road users and pedestrians on what is already a precarious corner of road.

I have often had to break hard to avoid a collision with another vehicle driving in the opposite direction due to the tight road junction and due to cars parked on the road opposite.

This build will increase the risk of an accident involving vehicles and/or pedestrians as the vision for each will be significantly reduced.

The size of the driveway in the plans does not appear to be big enough to park a car without the vehicle overhanging the pavement, potentially endangering pedestrians and pavement users.

### 2. Previous Rejected Planning Application.

I am aware of a previous planning application by Castlegait Homes to build more than 16 dwellings on this site having been rejected. Planning was granted for only 16 dwellings. I would expect this application be rejected on the same grounds.

### 3. Green spaces.

I value the importance of green spaces within our community and the benefits they offer.

More than ever, we are being asked to connect with nature and protect and promote our mental health and wellbeing and there is much evidence to support local green spaces being valuable if not vital in helping us achieve this. Areas like these serve as a valuable connection to nature for many who live in the area; reducing natural space is likely to negatively on wellbeing.

Mindful of our need to protect nature and support local ecology, this areas such as these also

provide a habitat for nature and the flora supports the health of the natural environment we enjoy living in.

# Comments for Planning Application 21/01559/FULL

## Application Summary

Application Number: 21/01559/FULL

Address: Land Adjacent To 48 Meadowside Road Cupar Fife

Proposal: Erection of dwellinghouse and formation of associated access and parking

Case Officer: Andy Taylor

## Customer Details

Name: Mrs Wendy Hooley

Address: 58 Meadowside Road, Cupar, Fife KY15 5DD

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On checking my deeds, this house development is on a plot that is deemed to be common ground - we are all aware that we have shared access to this and are responsible for its maintenance. In the burdens section at para 7 - "Common ground....will remain open and un-built upon in all time coming and be maintained in a clean & tidy condition.

I am extremely concerned with the proposed erection of this house on that small plot. It raises road safety concerns due to the fact that this house would totally block visibility. It is a dangerous corner already for traffic entering & exiting the street and we have all had "near misses" with traffic coming up the hill & round the bend. If this plot is given building consent, then corner would become even more dangerous given that the view would be blocked completely by this house.

I am also concerned about the fact that the driveway/garage of this house would come right out onto the hill with limited visibility for all parties.

I feel that this planning application is entirely inappropriate for this piece of common ground and very dangerous for all road users.

**Agenda Item 4(4)**

**Land adjacent to 48 Meadowside Road, Cupar,  
KY15 5DD**

**Application No. 21/01559/FULL**

**Consultee Comments**

Wednesday, 01 September 2021



Local Planner  
Fife House  
North Street  
Glenrothes  
KY7 5LT

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

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Land Adjacent To 48, Meadowside Road, Cupar, KY15 5DD**  
**Planning Ref: 21/01559/FULL**  
**Our Ref: DSCAS-0047670-MLR**  
**Proposal: Erection of dwellinghouse and formation of associated access and parking**

**Please quote our reference in all future correspondence**

## **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

### **Water Capacity Assessment**

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

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

### **Waste Water Capacity Assessment**

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

## Please Note

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

## Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

- ▶ 1 x 150mm surface water sewer in the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

## Surface Water

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

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

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

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)

- ▶ Scottish Water’s current minimum level of service for water pressure is 1.0 bar or 10m head at the customer’s boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water’s procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
  - ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
  - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
  - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
  - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

## **Next Steps:**

### ▶ **All Proposed Developments**

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

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

### ▶ **Non Domestic/Commercial Property:**

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

### ▶ **Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises

from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.

- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

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

Yours sincerely,

**Angela Allison**

Development Operations Analyst

[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

### Scottish Water Disclaimer:

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

## Planning Portfolio Internal Assessment Sheet

<b>EPES Team</b>	<b>Transportation Development Management</b>
<b>Application Ref Number:</b>	<b>21-01559-FULL</b>
<b>Application Description:</b>	<b>Erection of dwellinghouse and formation of associated access and parking at Land adjacent to 48 Meadowside Road, CUPAR.</b>
<b>Date:</b>	<b>11/10/2021</b>
<b>Reason for assessment request/consultation</b>	<input type="checkbox"/> <b>Statutory</b> <input type="checkbox"/> <b>Non-statutory</b>
<b>Consultation Summary</b>	

### Important Note

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

### Assessment Summary

#### 1.0 OVERALL ASSESSMENT

- 1.1 The application is for the erection of a single dwellinghouse with the formation of an associated vehicle access and off street parking.
- 1.2 The proposal is to be located within a residential area within a heavily shrubbed area on the corner of the street, Meadowside Road.
- 1.3 The applicant proposes a 3 bedroom house which would require 2 No. off street parking spaces. The applicant shows one space to be within an integral garage and one space to the East of the dwellinghouse.
- 1.4 The garage is shown to have internal dimensions which meet with the standards for the provision of a single parking space. The area to the East of the proposed dwellinghouse however, is not large enough to accommodate a vehicle and meet with the 6m standards required to ensure any vehicle is completely clear of the adjacent footway.

1.5 Visibility splays of 2m x 25m in directions East and West are required where the vehicular access meets with the adjacent public road. These cannot be met due to obstructions that are not within the control of the applicant.

## **2.0 CONCLUSIONS**

2.1 Based on the above overall assessment, Transportation Development Management have **objections** in the interest of road and pedestrian safety as noted in the following paragraphs;

## **3.0 RECOMMENDATIONS (include any suggested conditions/planning obligations if considering approval)**

---

3.1 The required off street parking cannot be provided due to the restrictive size of the development site. A distance of 6m is required behind the heel of the public footway to allow a vehicle to sit completely clear of the public footway. With this space being unavailable, this would only cause increased on street parking which would be detrimental to road and pedestrian safety.

3.2 Visibility Splays of at least 2m x 25m are required in directions, to the East and West at the access from the site onto the adjacent public road.

Visibility would be unacceptably obstructed for vehicles leaving the proposed access onto the public road by permanent features which are outwith the applicant's control. Splay goes over the neighbouring land to the East and will be blocked by the proposed dwelling to the West. This would be detrimental to the safety and convenience of all road users.

3.3 The position of the proposed dwelling will reduce the visibility splay currently enjoyed by motorist encountering the T Junction when travelling North and then turning East along Meadowside Road.

### **Important note**

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

Author: George MacDonald, Technician Engineer, Transportation Development Management

Date: 11/10/2021

E-mail: [george.macdonald@fife.gov.uk](mailto:george.macdonald@fife.gov.uk)

**Agenda Item 4(5)**

**Land adjacent to 48 Meadowside Road, Cupar,  
KY15 5DD**

**Application No. 21/01559/FULL**

**Further Representation(s)**

**From:**   
**To:** [Michelle McDermott](#)  
**Subject:** Notice of review Ref: MMc/J8.36.363  
**Date:** 22 June 2022 11:25:32

---

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

---

Dear Sir/Madam,

I notice that a Local Review has been submitted for the recent application on neighbouring land, to which I previously objected. I can confirm that all of the matters raised previously still stand, but I have the following additional comments to make on the Notice of Review.

It is noted that Section 43B of the Town and Country Planning (Scotland) Act 1997 (as amended) restricts the ability of parties to introduce new matters at the review stage unless they are material to the determination of the case. This restriction does not apply to information on matters that were before the appointed officer at the time of the decision on the application or a notice of review relating to its non-determination .

Regulation 9(5) makes it clear that, apart from information in the notice of review and accompanying documents, the applicant will only be able to raise matters or submit further documents to the extent permitted by the Regulations. That is either where the local review body request further written evidence or where requested as part of a hearing session. These requirements are intended to ensure that the relevant matters and items of information are provided efficiently at the start of the review process, rather than at varying points throughout the process.

Given the matters on road safety and amenity considerations would have been considered by the appointed case officer, it is not appropriate for these to be addressed at this later stage. In particular, the provision of additional balconies on the residential properties would likely have an additional adverse impact on neighbouring properties by way of overlooking and subsequent loss of privacy. Relevant neighbours would not have been given the opportunity to object to this element at the time of the proposal. The road safety matters have previously been addressed by the Council's Roads Officers and nothing raised would appear to alter their concerns.

The matters raised should therefore not be taken into account by Councillors at this stage.

I would also remain in full agreement with the reasons for refusal from the appointed case officer.

Kind regards,  
Lauren Taylor

This email was scanned using Forcepoint Email filter

52 Meadowside Road  
Cupar  
Fife  
KY155DD  
21<sup>st</sup> June 2022

Dear Ms McDermott,

**Planning Application Reference 21/01559/Full - Land adjacent to 48 Meadowside Road, Cupar**

Thank you for your letter dated 17<sup>th</sup> June 2022 in relation to the above application and the request for a review of the refusal decision by the applicant.

I will not restate all of the comments made in my initial objection that was submitted online but stand by those comments and I see most were supported by other neighbours and importantly, in relation to road safety issues, by Fife Council Transportation Services.

I have looked at the applicant's responses to the Council's refusal and would offer the following additional comment.

**Redress Item 1**

The pavement is not the only visibility splay relevant to this application and plot of land.

As previously stated in my objection it is listed in the burdens of resident's deeds that they must maintain these areas of common ground. While I accept that such burdens are not a matter for planning they do lend support to the stance that this plot does require maintenance to ensure road safety.

Having lived in the area for many years I have regularly reduced the height of the vegetation on this area of land primarily to maintain the visibility splay at the T-junction leading to the dwellings on the top level of Meadowside Road. Failing to do so make this a particularly hazardous junction.

It is therefore inaccurate to state "the existing pavement...is the only visibility splay that can be reasonably enforced".

It is also inaccurate to state "there are many instances of access and egress in the locality that have more restricted space are rather more dangerous and difficult for motorists and pedestrians to safely negotiate".

Even if that were true, and I would dispute that, why would we add to a supposed existing road safety concern?

The second paragraph is so full of assumptions and supposition that I can barely bring myself to respond to it!

While not wishing to do the same it is almost certain that the occupiers will have at least one motorcar. Indeed having taken a walk last night around the area each similar property had at least 2 vehicles all parked in the driveways with additional vehicles parked on the roadway.

While we are moving towards more sustainable means of transport these will unquestionably include electric motorcars and hybrids that will inevitably need to park in driveways to charge in accordance with current Council policies.

We are still some 8 years away from the full electrification of the private car fleet and many more years away from the total replacement of existing ICE vehicles so it is premature to suggest that the occupants of this proposed property would not need to rely on private cars.

Transportation Services are far more eloquent than I and clearly demonstrated the road safety concerns this development would exacerbate in their submission.

### **Redress Item 2**

As has been stated by other objectors there is a concern about privacy both of the proposed development and adjacent properties. When standing in the lounge of a neighbours property you can look down directly onto this plot.

It has to be remembered this isn't a flat plot, the area is on a slope and the properties from number 50 onwards are elevated many feet above the site under discussion. The only way therefore to provide any privacy would be by means of substantial screening or fencing which in turn would further reduce any visibility splays.

Adding balconies to increase the usable garden ground would further reduce privacy for occupiers of the proposed dwelling and neighbours overlooking the property.

In conclusion I believe the Council were correct to refuse the application and the Review Body should confirm the refusal on the previously stated concerns of Road Safety, Scale of Development and Garden Ground provision.

Yours truly,

Donald Jenks

**Agenda Item 4(6)**

**Land adjacent to 48 Meadowside Road, Cupar,  
KY15 5DD**

**Application No. 21/01559/FULL**

**Response to Further Representation(s)**

## **Supporting Document 02 - Application No: 21/01559/FULL – ‘Objection’**

**Proposal:** Erection of dwellinghouse and formation of associated access and parking

**Address:** Land Adjacent To 48 Meadowside Road Cupar Fife

### **Objection 01**

Dear Sir/Madam,

I notice that a Local Review has been submitted for the recent application on neighbouring land, to which I previously objected. I can confirm that all of the matters raised previously still stand, but I have the following additional comments to make on the Notice of Review.

It is noted that Section 43B of the Town and Country Planning (Scotland) Act 1997 (as amended) restricts the ability of parties to introduce new matters at the review stage unless they are material to the determination of the case. This restriction does not apply to information on matters that were before the appointed officer at the time of the decision on the application or a notice of review relating to its non-determination .

Regulation 9(5) makes it clear that, apart from information in the notice of review and accompanying documents, the applicant will only be able to raise matters or submit further documents to the extent permitted by the Regulations. That is either where the local review body request further written evidence or where requested as part of a hearing session. These requirements are intended to ensure that the relevant matters and items of information are provided efficiently at the start of the review process, rather than at varying points throughout the process.

Given the matters on road safety and amenity considerations would have been considered by the appointed case officer, it is not appropriate for these to be addressed at this later stage. In particular, the provision of additional balconies on the residential properties would likely have an additional adverse impact on neighbouring properties by way of overlooking and subsequent loss of privacy. Relevant neighbours would not have been given the opportunity to object to this element at the time of the proposal. The road safety matters have previously been addressed by the Council’s Roads Officers and nothing raised would appear to alter their concerns.

### **Agents Response to Objection 01**

The development at Meadowside is cut into an existing hill and overlooking neighbouring properties is unavoidable throughout the existing housing scheme and is prevalent in many developments across Scotland and indeed the globe. This is often purposeful in town planning as it provides a deterrent to unsavoury characters as the property is watched from many sides by numerous neighbours, ipso facto ‘neighbourhood watch’.

The road safety issues have already been addressed in our initial appeal submission.

### **Objection 02**

#### **Redress Item 1**

The pavement is not the only visibility splay relevant to this application and plot of land.

As previously stated in my objection it is listed in the burdens of resident’s deeds that they must maintain these areas of common ground. While I accept that such burdens are not a matter for planning they do lend support to the stance that this plot does require maintenance to ensure road safety.

Having lived in the area for many years I have regularly reduced the height of the vegetation on this area of land primarily to maintain the visibility splay at the T-junction leading to the dwellings on the top level of Meadowside Road. Failing to do so make this a particularly hazardous junction.

It is therefore inaccurate to state “the existing pavement...is the only visibility splay that can be reasonably enforced”.

It is also inaccurate to state “there are many instances of access and egress in the locality that have more restricted space are rather more dangerous and difficult for motorists and pedestrians to safely negotiate”.

Even if that were true, and I would dispute that, why would we add to a supposed existing road safety concern?

The second paragraph is so full of assumptions and supposition that I can barely bring myself to respond to it!

While not wishing to do the same it is almost certain that the occupiers will have at least one motorcar. Indeed having taken a walk last night around the area each similar property had at least 2 vehicles all parked in the driveways with additional vehicles parked on the roadway.

While we are moving towards more sustainable means of transport these will unquestionably include electric motorcars and hybrids that will inevitably need to park in driveways to charge in accordance with current Council policies.

We are still some 8 years away from the full electrification of the private car fleet and many more years away from the total replacement of existing ICE vehicles so it is premature to suggest that the occupants of this proposed property would not need to rely on private cars.

Transportation Services are far more eloquent than I and clearly demonstrated the road safety concerns this development would exacerbate in their submission.

### **Redress Item 2**

As has been stated by other objectors there is a concern about privacy both of the proposed development and adjacent properties. When standing in the lounge of a neighbours property you can look down directly onto this plot.

It has to be remembered this isn't a flat plot, the area is on a slope and the properties from number 50 onwards are elevated many feet above the site under discussion. The only way therefore to provide any privacy would be by means of substantial screening or fencing which in turn would further reduce any visibility splays.

Adding balconies to increase the usable garden ground would further reduce privacy for occupiers of the proposed dwelling and neighbours overlooking the property.

In conclusion I believe the Council were correct to refuse the application and the Review Body should confirm the refusal on the previously stated concerns of Road Safety, Scale of Development and Garden Ground provision.

## **Agents Response to Objection 02**

This has largely been addressed in our initial appeal submission.

This is not an area of common ground it is privately owned.

Numerous properties in the area have boundary walls, fences and hedging that are built to the heel of the pavement and restrict the visibility splay considerably. This is most noticeable at the Junction with Carslogie Road (A91) – Balgarvie Road – Westfield Avenue (A913). The junction is difficult to negotiate due to the boundary walls and hedging overhanging and reducing the visibility splay on a main road, a significant junction and there are no speed reduction measures in place.

The intention is to move away from car ownership entirely and encourage the use of public transport and self sustaining methods of travel, car ownership facilitates the commuter corridor between employee and employer. This isn't the responsibility of the homeowner but a wider problem that requires addressing.

**From Objection 01** - The development at Meadowside is cut into an existing hill and overlooking neighbouring properties is unavoidable throughout the existing housing scheme and is prevalent in many developments across Scotland and indeed the globe. This is often purposeful in town planning as it provides a deterrent to unsavoury characters as the property is watched from many sides by numerous neighbours, ipso facto 'neighbourhood watch'.

**Agenda Item 5(1)**

**10 Swan Road, Kirkcaldy, KY1 1UZ  
Application No. 22/01652/FULL**

**Notice of Review**



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100569688-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="C"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text" value="Docherty"/>	Address 1 (Street): *	<input type="text" value="Swan Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kirkcaldy"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY1 1UZ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Fife Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="10 SWAN ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="KIRKCALDY"/>
Post Code:	<input type="text" value="KY1 1UZ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="691202"/>	Easting	<input type="text" value="327576"/>
----------	-------------------------------------	---------	-------------------------------------

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Installation of replacement windows and door

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

SEPARATE SHEET ATTACHED

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

APPLICATION DRAWINGS; APPLICATION FORM; DECISION NOTICE; REPORT OF HANDLING; REASONS FOR REVIEW;

## Application Details

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

22/01652/FULL

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

26/05/2022

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

26/07/2022

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

SITE VISIT REQUESTED TO ACCURATELY ASSESS THE PROPOSAL IN IT'S SURROUNDINGS

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr John Gordon

Declaration Date: 29/07/2022

# JOHN GORDON ASSOCIATES LTD



ARCHITECTURAL DESIGN &  
CONSTRUCTION MANAGEMENT

## **Reasons for Review**

Proposed Replacement Windows & Door  
at  
10 Swan Road, Kirkcaldy.

The existing property is a two storey, semi-detached dwelling situated within the Abbotshall & Central Kirkcaldy Conservation Area. The property frontage faces Northeast towards the properties on the opposite side of Swan Road. The rear of the property faces Southwest towards the rear garden of 193 Nicol Street and a group of private garages. The properties which make up Swan Road are mostly of the same styles and sizes with the exception of No.6 and No.8 Swan Road which are both semi-detached with each other and create a single storey-and-a-half building with a very unique appearance within the streetscape. No.10 Swan Road is set back from the pavement by approximately 7.5m, with a slabbed driveway to the front.



*10 Swan Road, Front Elevation*



*10 & 12 Swan Road, Rear Elevation*

The windows and doors currently installed at 10 Swan Road are of timber construction and the windows are sliding sash opening styles. There are a few windows at the rear of the building and within the rear extension which are aluminium construction, some of which are sliding sash and some are casement style. The front windows and door are all white in colour. The rear door is black with a white frame and the aluminium casement windows in the rear extension are silver in colour.

Travelling up and down Swan Road, David Street and Beveridge Road (immediately adjacent streets) will reveal varying styles and colours of windows and doors from one property to the next. There are many different coloured front doors and whilst most of the windows are white in colour, some are timber sliding sash, some are timber casement, some are UPVC casement, some are UPVC sliding sash, others are Aluminium, and even UPVC tilt and turn! The vast majority of windows do not have Georgian bar detailing with the exception of one or two properties here and there. The most notable of which is No. 8 Swan Road, immediately next door to No.10 which quite blatantly sits with white UPVC casement windows to the front and side elevations, some of the upper floor windows are UPVC tilt & turn.

The proposal seeks to replace all of the existing front windows with white UPVC sliding sash windows and the existing front door with a white composite door with a white UPVCV frame. All of the replacement products have been sympathetically designed to reflect the style of the original windows and doors. The proportions of the sliding sash windows will be retained as 50/50. The proposed front door has been designed and selected reflect the same style and appearance as the existing door.

No discussions were held during the Planning Application process over the suitability of the proposed windows and door and no opportunities were given to make any amendments to the proposal. As far as we are aware the case officer did not visit the site and instead relied upon Google Streetview which is up to 13 years old. The application was handled poorly in this regard.

The report of handling suggests the proposal to use 24mm double glazed units is contrary to Historic Environment Scotland policy for the Conservation Area, however we cannot find any reference to this other than for A & B Listed Buildings, which this property is not. There is no evidence to suggest any of the replacement windows in the surrounding streets and properties are of slimline design.

Upon further investigation it has been discovered a number of Planning Applications have been approved in the past for replacement windows and doors within nearby streets and the wider Conservation Area itself, these are detailed at the end of this document.

The home owner appreciates there has been much debate over the benefits of UPVC in comparison with timber and of course both have their benefits. However, comparing timber with UPVC comes down to personal preference and what is affordable. The proposed UPVC windows would clearly provide the home owner with the following benefits:

- Authentic bespoke design.
- Cost-effective and affordable window upgrade solution.
- Improve energy efficiency levels and running costs of heating system particularly in light of rising cost of fuel bills.

The First Minister of Scotland only recently said 'everyone in Scotland should have a warm, safe and affordable home' and this proposal is in line with that statement.

To conclude it is our opinion that a precedent has already been set in the Conservation Area, making particular reference to the approved Planning Applications, and in light of the surrounding dwellings which are already fitted with UPVC products, the proposed windows and doors proposed in this instance would not look out of place and would easily blend in to the street scene as a whole, whilst maintaining a high standard of quality and traditional appearance which has been ignored in many of the other, poorer examples.

*List of Approved Planning Applications*

*15/03444/FULL - 8 Novar Crescent - PVCU casement windows*

*17/02464/FULL - 7 Novar Crescent - PVCU casement windows*

*19/03696/FULL - 18 David Street - PVCU sliding sash windows*

*19/02725/FULL - 24 David Street - PVCU sliding sash windows & door*

*19/01373/FULL - 40 Beveridge Road - PVCU sliding sash windows*

*21/03675/FULL - 7 Swan Road - PVCU sliding sash windows*



Fife House North Street Glenrothes KY7 5LT Email: [development.central@fife.gov.uk](mailto:development.central@fife.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE      100569688-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Installation of replacement windows & door

Has the work already been started and/ or completed? \*

No    Yes - Started    Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant    Agent

## Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	C	Building Number:	10
Last Name: *	Docherty	Address 1 (Street): *	Swan Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Kirkcaldy
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	KY1 1UZ
Fax Number:			
Email Address: *	[REDACTED]		

## Site Address Details

Planning Authority:

Fife Council

Full postal address of the site (including postcode where available):

Address 1:

10 SWAN ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

KIRKCALDY

Post Code:

KY1 1UZ

Please identify/describe the location of the site or sites

Northing

691202

Easting

327576

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: John Gordon

On behalf of: Mrs C Docherty

Date: 26/05/2022

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

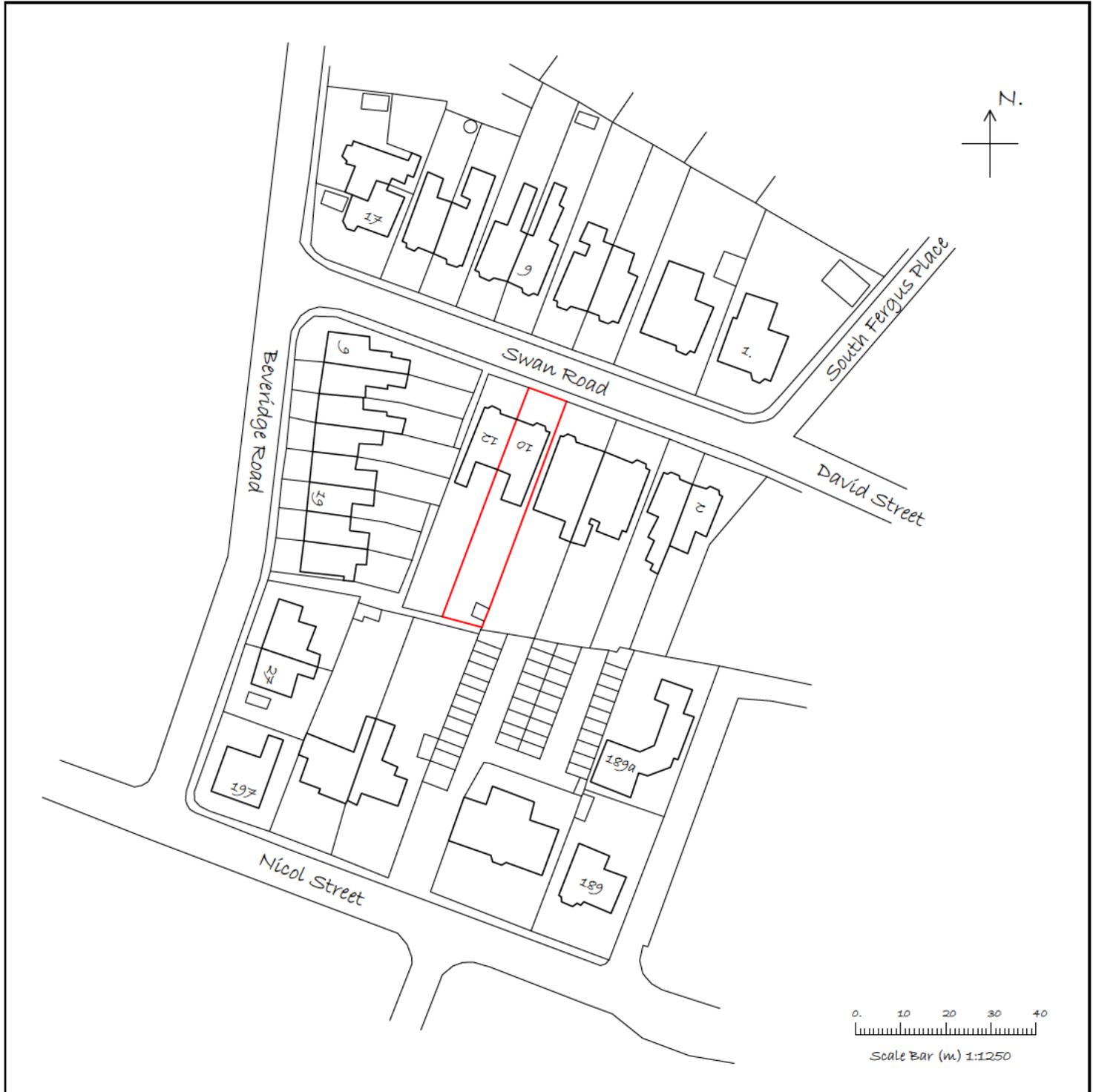
Declaration Name: Mr John Gordon

Declaration Date: 26/05/2022

## Payment Details

Online payment: ZPL-706897393  
Payment date: 26/05/2022 17:24:00

Created: 26/05/2022 17:24



Mrs. C. Docherty,  
 10 Swan Road,  
 Kirkcaldy. KY1 1UZ.

Location Plan

Scale: 1:1250 25/5/22

Ref: 34326/LP

**srjwindows**  
conservatories. sunrooms. windows. doors.

SRJ (Scotland) Ltd.  
 Macintosh House,  
 Innova Campus, Viking Way,  
 Rosyth, Fife. KY11 2UU.



Front Elevation

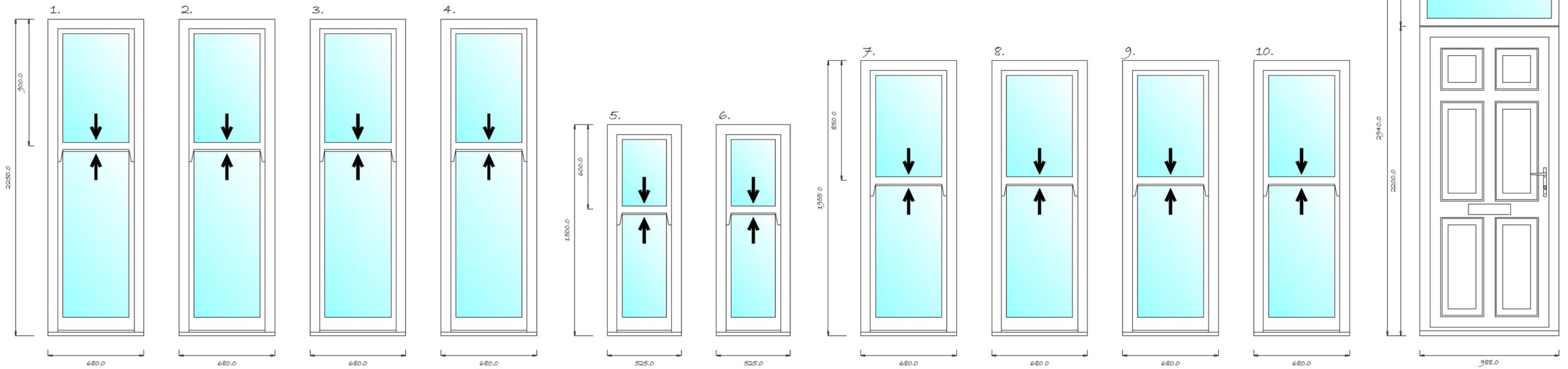
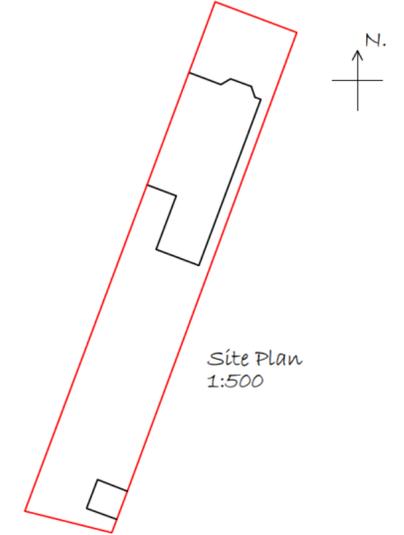


Front Elevation

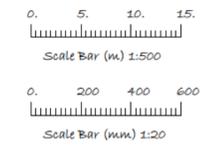


Front Elevation

10 windows & 1 door to be replaced in total.  
Existing windows & door are white painted timber. Windows are sliding sash.  
Proposed windows & door are white PVCU, double glazed. Windows are sliding sash.



Mrs. C. Docherty,  
10 Swan Road,  
Kirkcaldy. KY1 1UZ.  
Proposed Alterations  
Scale: 1:20 25/5/22  
Ref: 34326/1



**srjwindows**  
conservatories, sunrooms, windows, doors.

SRJ (Scotland) Ltd.  
Macintosh House,  
Innova Campus, Viking Way,  
Rosyth, Fife. KY11 2UU.

John Gordon Associates Ltd  
John Gordon  
3 Dean Acres  
Comrie  
Dunfermline  
Scotland  
KY12 9XS

---

**Planning Services**

---

Gary Horne  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 22/01652/FULL

Date 26th July 2022

Dear Sir/Madam

**Application No: 22/01652/FULL**  
**Proposal: Installation of replacement windows and door**  
**Address: 10 Swan Road Kirkcaldy Fife KY1 1UZ**

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

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

Yours faithfully,

Gary Horne, Planning Assistant, Development Management

**Enc**





## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 22/01652/FULL  
**Proposal:** Installation of replacement windows and door  
**Address:** 10 Swan Road Kirkcaldy Fife KY1 1UZ

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 22/01652/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interests of visual amenity and preserving the character of the Conservation Area; the proposed windows by virtue of their design, uPVC frames and 24mm thick glazing would not preserve or enhance the character of this traditional building and the surrounding Abbotshall and Central Kirkcaldy Conservation Area, contrary to Policies 1, 10 and 14 of the Approved FIFEplan (2017), Abbotshall and Central Kirkcaldy Conservation Area Appraisal and Management Plan (2005) and Fife Council Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018).

### **PLANS**

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

Reference	Plan Description
01	Location Plan
02	Various existing and proposed
03	Astragal Details
04	Astragal Details

Dated: 26th July 2022

Derek Simpson

For Head of Planning Services  
Fife Council

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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

## APPLICATION DETAILS

ADDRESS	10 Swan Road, Kirkcaldy, Fife		
PROPOSAL	Installation of replacement windows and door		
DATE VALID	26/05/2022	PUBLICITY EXPIRY DATE	21/07/2022
CASE OFFICER	Gary Horne	SITE VISIT	None
WARD	Kirkcaldy Central	REPORT DATE	25/07/2022

## ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. 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 This application relates to a traditional two storey semi-detached dwellinghouse situated within the Abbotshall and Central Kirkcaldy Conservation Area. The property, which is unlisted, includes a single storey extension to the rear and is externally finished with dressed stone, a hipped slated roof and timber sash and case windows. The development site is located within an established residential area set amongst traditional properties of a varying architectural form and scale.

1.2 This application seeks planning permission for the installation of 11no. replacement windows on the front elevation of the dwellinghouse and the installation of a replacement entrance door.

1.3 It is proposed to replace the existing timber sash and case windows with double-glazed uPVC equivalents. The existing timber panelled entrance door would also be replaced with a uPVC equivalent.

1.4 A physical site visit has not been undertaken in relation to the assessment of this application. Photographs of the site have been provided and it is considered that the information available to the case officer, including street view images, is sufficient to determine the proposal. Fife Council is unable to guarantee that site notices will be displayed on every relevant application site and a site notice has not been displayed at this site, however all site notices are published at [www.tellmescotland.gov.uk/notices](http://www.tellmescotland.gov.uk/notices) .

## 2.0 Assessment

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

a) Design / Impact upon the Setting of the Conservation Area

2.1 Design / Impact upon the Setting of the Conservation Area

2.2.1 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Policy for Scotland (2019), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), Fife Council's Windows in Listed Buildings and Conservation Areas (2018) and HES's Managing Change in the Historic Environment: Windows (2018) apply in this respect.

2.2.2 The proposed window replacements are unsuitable modern representations of traditional windows which would not be in keeping with the special character of the building. No justification for the removal of the existing timber sash and case windows has been provided and the windows do not appear to be beyond reasonable repair. The proposed modern style windows would include 24mm thick glazing units which significantly exceed the slim profile double-glazing as recommended by Historic Environment Scotland. The proposed modern uPVC door and uPVC fanlight would likewise replace a traditional timber door and fanlight which appear to be in good condition, with no justification provided for their replacement. Were the replacement of the windows and doors to be accepted then any replacements should match the existing traditional windows and door in terms of appearance, detailing and choice of materials. Unfortunately, in this instance, it is considered that the installation of inappropriate modern window and door replacements would erode the character of the surrounding Conservation Area and would set a dangerous precedent which would ultimately hinder the future preservation of this historic environment.

2.2.3 In light of the above, the proposal is considered unacceptable as it fails to respect the character and appearance of the Abbotshall and Central Kirkcaldy Conservation Area. The installation of double-glazed uPVC windows and a uPVC door would represent a form of inappropriate development, inconsistent with the Development Plan and Fife Council's and Historic Environment Scotland's guidance. As such the proposal cannot be considered to enhance and protect the special character of surrounding Conservation Area and therefore the proposal does not comply with the Development Plan and its associated guidance.

## CONSULTATION RESPONSES

None

## REPRESENTATIONS

No representations have been received in relation to this application

## CONCLUSION

The proposals would not protect or enhance the traditional character and appearance of the Abbotshall and Central Kirkcaldy Conservation Area within which the property is located. The proposals are therefore considered contrary to National Guidance relating to Conservation Areas, Development Plan policy and Fife Council's Planning Customer Guidelines on Windows on Listed Buildings and Conservation Areas.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of visual amenity and preserving the character of the Conservation Area; the proposed windows by virtue of their design, uPVC frames and 24mm thick glazing would not preserve or enhance the character of this traditional building and the surrounding Abbotshall and Central Kirkcaldy Conservation Area, contrary to Policies 1, 10 and 14 of the Approved FIFEplan (2017), Abbotshall and Central Kirkcaldy Conservation Area Appraisal and Management Plan (2005) and Fife Council Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018).

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

### National Guidance

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997  
Historic Environment Policy for Scotland (2019)  
Scottish Planning Policy (2014) (Historic Environment)

### Development Plan

Adopted FIFEplan Local Development Plan (2017)

## Other Guidance

Abbotshall and Central Kirkcaldy Conservation Area Appraisal and Management Plan (2005)  
Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas  
HES's Managing Change in the Historic Environment: Windows (2018)



### Proposal Details

Proposal Name	100569688
Proposal Description	SRJ
Address	10 SWAN ROAD, KIRKCALDY, KY1 1UZ
Local Authority	Fife Council
Application Online Reference	100569688-002

### Application Status

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

### Attachment Details

Notice of Review	System	A4
001	Attached	A2
LP	Attached	A4
PP APPLICATION	Attached	A4
PP REFUSAL	Attached	A4
REPORT OF HANDLING	Attached	A4
REASONS FOR REVIEW	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

**Agenda Item 5(2)**

**10 Swan Road, Kirkcaldy, KY1 1UZ  
Application No. 22/01652/FULL**

**Planning Decision Notice**

**Report of Handling**

John Gordon Associates Ltd  
John Gordon  
3 Dean Acres  
Comrie  
Dunfermline  
Scotland  
KY12 9XS

---

**Planning Services**

---

Gary Horne  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 22/01652/FULL

Date 26th July 2022

Dear Sir/Madam

**Application No: 22/01652/FULL**  
**Proposal: Installation of replacement windows and door**  
**Address: 10 Swan Road Kirkcaldy Fife KY1 1UZ**

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

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

Yours faithfully,

Gary Horne, Planning Assistant, Development Management

**Enc**





## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 22/01652/FULL  
**Proposal:** Installation of replacement windows and door  
**Address:** 10 Swan Road Kirkcaldy Fife KY1 1UZ

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 22/01652/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interests of visual amenity and preserving the character of the Conservation Area; the proposed windows by virtue of their design, uPVC frames and 24mm thick glazing would not preserve or enhance the character of this traditional building and the surrounding Abbotshall and Central Kirkcaldy Conservation Area, contrary to Policies 1, 10 and 14 of the Approved FIFEplan (2017), Abbotshall and Central Kirkcaldy Conservation Area Appraisal and Management Plan (2005) and Fife Council Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018).

### **PLANS**

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

Reference	Plan Description
01	Location Plan
02	Various existing and proposed
03	Astragal Details
04	Astragal Details

Dated: 26th July 2022

Derek Simpson

For Head of Planning Services  
Fife Council

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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

## APPLICATION DETAILS

ADDRESS	<b>10 Swan Road, Kirkcaldy, Fife</b>		
PROPOSAL	<b>Installation of replacement windows and door</b>		
DATE VALID	<b>26/05/2022</b>	PUBLICITY EXPIRY DATE	<b>21/07/2022</b>
CASE OFFICER	<b>Gary Horne</b>	SITE VISIT	<b>None</b>
WARD	<b>Kirkcaldy Central</b>	REPORT DATE	<b>25/07/2022</b>

## ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. 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 This application relates to a traditional two storey semi-detached dwellinghouse situated within the Abbotshall and Central Kirkcaldy Conservation Area. The property, which is unlisted, includes a single storey extension to the rear and is externally finished with dressed stone, a hipped slated roof and timber sash and case windows. The development site is located within an established residential area set amongst traditional properties of a varying architectural form and scale.

1.2 This application seeks planning permission for the installation of 11no. replacement windows on the front elevation of the dwellinghouse and the installation of a replacement entrance door.

1.3 It is proposed to replace the existing timber sash and case windows with double-glazed uPVC equivalents. The existing timber panelled entrance door would also be replaced with a uPVC equivalent.

1.4 A physical site visit has not been undertaken in relation to the assessment of this application. Photographs of the site have been provided and it is considered that the information available to the case officer, including street view images, is sufficient to determine the proposal. Fife Council is unable to guarantee that site notices will be displayed on every relevant application site and a site notice has not been displayed at this site, however all site notices are published at [www.tellmesotland.gov.uk/notices](http://www.tellmesotland.gov.uk/notices) .

## 2.0 Assessment

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

a) Design / Impact upon the Setting of the Conservation Area

2.1 Design / Impact upon the Setting of the Conservation Area

2.2.1 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Policy for Scotland (2019), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), Fife Council's Windows in Listed Buildings and Conservation Areas (2018) and HES's Managing Change in the Historic Environment: Windows (2018) apply in this respect.

2.2.2 The proposed window replacements are unsuitable modern representations of traditional windows which would not be in keeping with the special character of the building. No justification for the removal of the existing timber sash and case windows has been provided and the windows do not appear to be beyond reasonable repair. The proposed modern style windows would include 24mm thick glazing units which significantly exceed the slim profile double-glazing as recommended by Historic Environment Scotland. The proposed modern uPVC door and uPVC fanlight would likewise replace a traditional timber door and fanlight which appear to be in good condition, with no justification provided for their replacement. Were the replacement of the windows and doors to be accepted then any replacements should match the existing traditional windows and door in terms of appearance, detailing and choice of materials. Unfortunately, in this instance, it is considered that the installation of inappropriate modern window and door replacements would erode the character of the surrounding Conservation Area and would set a dangerous precedent which would ultimately hinder the future preservation of this historic environment.

2.2.3 In light of the above, the proposal is considered unacceptable as it fails to respect the character and appearance of the Abbotshall and Central Kirkcaldy Conservation Area. The installation of double-glazed uPVC windows and a uPVC door would represent a form of inappropriate development, inconsistent with the Development Plan and Fife Council's and Historic Environment Scotland's guidance. As such the proposal cannot be considered to enhance and protect the special character of surrounding Conservation Area and therefore the proposal does not comply with the Development Plan and its associated guidance.

## CONSULTATION RESPONSES

None

## REPRESENTATIONS

No representations have been received in relation to this application

## CONCLUSION

The proposals would not protect or enhance the traditional character and appearance of the Abbotshall and Central Kirkcaldy Conservation Area within which the property is located. The proposals are therefore considered contrary to National Guidance relating to Conservation Areas, Development Plan policy and Fife Council's Planning Customer Guidelines on Windows on Listed Buildings and Conservation Areas.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of visual amenity and preserving the character of the Conservation Area; the proposed windows by virtue of their design, uPVC frames and 24mm thick glazing would not preserve or enhance the character of this traditional building and the surrounding Abbotshall and Central Kirkcaldy Conservation Area, contrary to Policies 1, 10 and 14 of the Approved FIFEplan (2017), Abbotshall and Central Kirkcaldy Conservation Area Appraisal and Management Plan (2005) and Fife Council Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018).

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

### National Guidance

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997  
Historic Environment Policy for Scotland (2019)  
Scottish Planning Policy (2014) (Historic Environment)

### Development Plan

Adopted FIFEplan Local Development Plan (2017)

## Other Guidance

Abbotshall and Central Kirkcaldy Conservation Area Appraisal and Management Plan (2005)  
Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas  
HES's Managing Change in the Historic Environment: Windows (2018)



**Agenda Item 6(1)**

**Former Haggis House, Saline Shaw, Saline,  
Dunfermline**

**Application No. 21/01556/FULL**

**Notice of Review**



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100398046-009

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Shand Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stuart	Building Name:	Studio One
Last Name: *	Shand	Building Number:	
Telephone Number: *	01577840202	Address 1 (Street): *	Crook of Devon
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Kinross
Fax Number:		Country: *	UK
		Postcode: *	KY13 0UL
Email Address: *	stuart@shandarchitecture.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Stockman's Cottage"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Saline Shaw"/>
Company/Organisation	<input type="text" value="Saline Shaw Estate"/>	Address 2:	<input type="text" value="Saline"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Dunfermline"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY13 9UB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="scottseath@btinternet.com"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Fife Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Site of former Hags House, North of Saline Shaw"/>
--

Northing	<input type="text" value="693760"/>	Easting	<input type="text" value="299200"/>
----------	-------------------------------------	---------	-------------------------------------

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erection of new single storey detached house on site of former Higgs House. Integral garage.

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See Supporting Documents.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

1. Appeal Statement. 2. Refusal Notice from Fife Council 3. Original Agricultural Justification 4. Updated Justification 5. Supplementary information from Laurence Gould 6. Drawings and Design Statement submitted to Planning 7. Policy Review prepared by Brodies LLP 8. FIFEPlan Relevant Policies 9. Site photographs (see also link to drone footage - available in USB flash drive if required)

## Application Details

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

21/01556/FULL

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

18/05/2021

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

03/05/2022

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

An unaccompanied site visit is possible with advanced notice - the site is part of a working farm with electric gates at the entrance.

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Stuart Shand

Declaration Date: 30/07/2022



**SALINE SHAW**

FARM SHOP & CAFE

Proposed House

at

Haggs House, Saline Shaw, Saline, Fife

for

Saline Shaw Estate

**PLANNING APPEAL STATEMENT  
21/01556/FULL**

July 2022

## Introduction

- 1.1 The following statement constitutes the Grounds of Appeal to the Local Review Body by Saline Shaw Estate (“the Estate”) against the decision taken by Fife Council on **3<sup>rd</sup> May 2022** to refuse planning permission (**Reference 21/01556/FULL**) for the erection of a single storey detached house on the site of the former Higgs House, Saline Shaw, Fife (“the proposed development”).

## Reasons for Refusal

- 1.2 The two reasons for refusal are:

1. *In the interest of safeguarding the countryside from unjustified sporadic residential development; the essential need for a new dwellinghouse at this location to support the existing farming operation is not considered to be justified as there is considered to be sufficient existing on-site accommodation to provide the required on-site presence to meet the existing farming needs of the business. The application site lies out with any defined settlement boundary and the proposal does not meet any of the criterion as set out in the Scottish Planning Policy (2020); and is contrary to Policies 1, 2, 7 or 8 of the Adopted FIFEplan (2017)*
2. *In the interests of protecting the visual amenity and safeguarding the rural character of the surrounding area; due to the isolated nature of the dwellinghouse remote from the existing farm buildings, it cannot be considered to be of a scale, design and nature compatible with its surrounds or be located and designed to protect the overall landscape and environmental quality of the surrounding rural area; all contrary to Policies 1, 7, 8 and 10 of the Adopted FIFEplan (2017) and Making Fife’s Places Supplementary Guidance (2018).*

### 1.3 Reasons for Appeal

1. Mr and Mrs Seath, on behalf of the Estate, commissioned Rural Business Consultant, Kevin Stewart, of Laurence Gould Ltd to prepare an Agricultural Justification for the proposed house (the "Original Report"). The Original Report for the Stockman's house, dated August 2016, was updated in February 2022 (see attachments) (the "Update"). The latter shows a current **requirement of 3.83 labour units to run the farm**. As noted in the **supplementary letter dated 1<sup>st</sup> July 2022** from Laurence Gould, this labour requirement did not account for the labour requirement to operate the farm shop and café, which continues to thrive post Covid and now employs 15 staff and a manager (the applicants' daughter, Lauren) who is required to live on site to provide 24 hours a day presence for security, cover and farm shop deliveries.

Mr and Mrs Seath currently occupy Stockman's House. This is required for the stockman/manager. The farmhouse is currently occupied by the farm shop manager – the farm shop and access are both clearly seen from the farmhouse. It should be noted that the farm shop manager is closely involved in the day to day running of the farm and overall future strategy for building the business – see table below.

The proposed development will be occupied by Mr and Mrs Seath who jointly work on the farm. The house will operate as the laundry and additional stock room for the farm shop and café, as well as a secure store for valuable small items and vehicles. Within the house will be the Estate office and an internal and external area for orphaned lambs.

<b>Name</b>	<b>Role</b>	<b>Current residence</b>	<b>Proposed Residence</b>
Lauren Seath	Farm shop and café manager. Attends to night-time and early morning hours deliveries (milk, vegetables, bread etc.) Farm management Animal welfare Security matters	Saline Shaw Farmhouse	Saline Shaw Farmhouse
Mr & Mrs Seath	Estate and farm management. General maintenance and repairs. Animal welfare and feeding Security matters	Stockman's House	Haggs House
Stockman / Manager	Animal feeding and welfare Farm management Security matters	N/A. To be appointed	Stockman's House

2. The site for the proposed development was chosen carefully. The brownfield site was previously the location of the centuries old Haggs House, with the stone remains still clearly visible. The site is of poor agricultural quality, in contrast to the land surrounding the farm buildings which is of prime quality. Policy 7 of the Adopted Local Plan sets out a presumption against building on prime agricultural land, which the proposed development would comply with given its careful siting. Refer to the drone footage and site photographs.

The location plan and drone footage show how the proposed development will form a close triangle between the farm shop and farm/farmhouse, providing security to the north end of the estate. Access to the site is via an old tree lined avenue, suggesting this was once the principal house for the Estate.

The site boundaries are well defined, strong and long established. Mature woodland forms the north, west and east boundaries with the tree lined avenue, noted above, forming the southern approach. The site is not visible from the public road. The natural materials chosen for the construction will tie the house firmly to the site, including stone (from the former house) and vertical timber lining.

#### 1.4 Summary

Saline Shaw Estate is a thriving and growing local business. Already a major employer in the West Fife area with plans for expansion, the need for proper housing for key workers is an essential part of this expansion.

The Justification demonstrates the need for 3.83 labour units, **excluding** the farm shop. Evidence has been provided to show all relevant planning policies have been met. Now, more than ever, encouragement and valuable assistance needs to be made for businesses, such as Saline Shaw Estate, to thrive and grow.

In summary, it is considered that the proposed development is wholly consistent with the terms and relevant determining criteria/policy tests. A policy review paper has been prepared as part of the application (see document 7 'Policy Review prepared by Brodies LLP).

If the Review Board are minded to uphold this appeal, Mr and Mrs Seath, on behalf of Saline Shaw Estate, would be prepared to enter into a legal agreement to tie the house to the farm business.

## Appendix/Attachments

1. Link to drone footage showing aerial views of the farm, farm shop and proposed site:

[https://drive.google.com/file/d/1YQhpsAxWnnArMWuLO2\\_Otn-6ambQXmM9/view?usp=sharing](https://drive.google.com/file/d/1YQhpsAxWnnArMWuLO2_Otn-6ambQXmM9/view?usp=sharing)

2. Refusal Notice from Fife Council dated 3<sup>rd</sup> May 2022.
3. Original Agricultural Justification dated 27<sup>th</sup> September 2021 from Laurence Gould Partnership Ltd.
4. Updated Justification dated 28<sup>th</sup> February 2022 from Laurence Gould Partnership Ltd.
5. Supplementary information dated 1<sup>st</sup> July 2022 from Laurence Gould Partnership Ltd.
6. Drawings submitted to Fife Council Planning.

21-05-01A Location Plan

21-05-02A Existing Site Plan

21-05-06E Proposed Site Plan

21-05-05E Proposed Plan

21-05-07C Proposed Elevations

Design Statement

Consulting Engineer's information not attached but available if required

7. Policy Review prepared by Brodies LLP
8. Site Photographs

Shand Architecture  
30<sup>th</sup> July 2022

Shand Architecture  
Stuart Shand  
Studio One  
Crook of Devon  
Kinross  
UK  
KY13 0UL

---

**Planning Services**

---

Derek Simpson  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 21/01556/FULL

Date 3rd May 2022

Dear Sir/Madam

**Application No: 21/01556/FULL**  
**Proposal: Erection of a single storey detached dwellinghouse**  
**Address: Former Haggis House Saline Shaw Fife**

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

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

Yours faithfully,

Derek Simpson, Lead Officer, Development Management

**Enc**



## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 21/01556/FULL  
**Proposal:** Erection of a single storey detached dwellinghouse  
**Address:** Former Haggis House Saline Shaw Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/01556/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interest of safeguarding the countryside from unjustified sporadic residential development; the essential need for a new dwellinghouse at this location to support the existing farming operation is not considered to be justified as there is considered to be sufficient existing on-site accommodation to provide the required-on site presence to meet the existing farming needs of the business. The application site lies out with any defined settlement boundary and the proposal does not meet any of the criterion as set out in Scottish Planning Policy (2020); and is contrary to Policies 1, 2, 7 or 8 of the Adopted FIFEplan (2017).
2. In the interests of protecting the visual amenity and safeguarding the rural character of the surrounding area; due to the isolated nature of the dwellinghouse remote from the existing farm buildings, it cannot be considered to be of a scale, design and nature compatible with its surrounds or be located and designed to protect the overall landscape and environmental quality of the surrounding rural area; all contrary to Policies 1, 7, 8 and 10 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018).

### **PLANS**

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

Reference	Plan Description
01	Location Plan
02	Existing Site Plan
03	Proposed Site Plan
04	Floor Plan Proposed
05	Proposed Elevations
06	Design and/or Access Statement
07A	Additional Information
08	Low Carbon Sustainability Checklist
09	Drainage statement/strategy
10	Drainage Plan

Dated:3rd May 2022

Alastair Hamilton

For Head of Planning Services  
Fife Council

11	Additional Information
12	Additional Information
13	Schedule of Works
14	SUDs and Flood Risk Assessment Certs
15	SUDs and Flood Risk Assessment Certs
16	Statement

Dated:3rd May 2022

Alastair Hamilton

**Decision Notice (Page 2 of 2)** For Head of Planning Services  
Fife Council

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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

**APPEAL TO LOCAL REVIEW BODY**

**FORMER HAGGS HOUSE – APPLICATION REFERENCE 21/01556/FULL**

**PAPER APART – POLICY REVIEW**

**Brodies LLP  
110 Queen Street  
Glasgow G1 3BX  
T: 0141 248 4672  
F: 0141 221 9270  
DX GW11  
Glasgow-1  
FAS (BCS)1169/(LR)5569  
Ref: KLH/SEA121.4  
2022**



## POLICY REVIEW

### Introduction

This paper assesses the proposed development against key policies within the adopted Local Development Plan and concludes that it accords with those policies in all material respects. This gives rise to a presumption in favour of the development. There are no material considerations which outweigh this presumption. On the contrary the continued growth of this successful local business and employer strongly supports the grant of planning permission.

### 1 Policy 1: Development Principles

1.1 FIFEplan 2017 Policy 1 (a gateway policy to assess the principle of development) provides that development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts. Development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C.

1.2 Part A states that development outwith a defined settlement boundary can be supported if it is **"b) in a location where the proposed use is supported by the Local Development Plan."**

**Comment** – The proposed development, being housing in the countryside, accords with policies 7 and 8 of the Local Development Plan (as addressed below at sections 4 and 5) and therefore is in a location where the proposed use is supported by the Local Development Plan. It therefore complies with Part A of Policy 1.

1.3 Part B of the Policy notes that proposals must address development impact by complying with relevant criteria and supporting policies. Potentially relevant criteria from Part B are listed below -

1.4 **"1. Mitigate against the loss in infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure (see Policy 3 Infrastructure and Services, Policy 4 Planning obligations);**

**Comment** – Given the small scale of the development proposal (a single dwelling), no significant or unacceptable impacts on infrastructure capacity have been identified in the Report of Handling and the planning officer was satisfied on matters concerning drainage, flooding, energy, and transport (on transport matters this was subject to approval of the principle of development).

**5. In the case of proposals in the countryside or green belt, be a use appropriate for these locations (see Policy 2 Homes, Policy 7 Development in the Countryside, Policy 8 Houses in the Countryside, Policy 9 Green Belt and Policy 11: Low Carbon Fife);**

**Comment** – *As the development proposal complies with policies 7 and 8 (see sections 4 and 5 below), this criteria is met.*

**6. Protect sport and recreation facilities and the amenity of the local community and businesses** (See Policy 3 Infrastructure and Services and Policy 10 Amenity);

**Comment** – *The development proposal will not give rise to any adverse impacts on residential amenity, see discussion at section 6 below and section 2.3 of the Report of Handling.*

**7. Safeguard the character and qualities of the landscape** (see Policy 13 Natural Environment and Access, and Policy 15 Minerals);

**Comment** – *The previously developed development site was carefully chosen as the site of the former Haggis House. The Report of Handling acknowledges that "the new dwelling [single storey] would be reasonably well screened and would be finished using materials to complement the farm shop building" and re-using stone from the former Haggis House. The site is bounded to the north, west and east by mature woodland and the site is not visible from the public road.*

*The landscape is agricultural in nature and the proposed development is consistent with this, taking a traditional form and sympathetic to the surrounding farm buildings. The drone footage submitted with the Review shows clearly the site context, strong established boundaries and relationship with the existing buildings – the development forms a triangular pattern with the farm shop and farm/farmhouse.*

**8. Avoid flooding and impacts on the water environment** (see Policy 12 Flooding and the Water Environment)".

**Comment** – *Impacts of the proposed development on the water environment, including potential flood risk were judged acceptable by the planning officer, and no objection was made by the Council's Structural Services.*

- 1.5 Part C of Policy 1 provides that development proposals must be supported by information or assessments to demonstrate that they will comply with the relevant criteria and supporting policies where relevant. Potentially relevant criteria from Part C are listed below:

**5. Provide sustainable urban drainage systems in accordance with any relevant drainage strategies applying to the site or flood assessments** (see Policy 3 Infrastructure and Services);

**Comment** – *The Report of Handling recognises that SUDs are not required, and drainage and flooding impacts were found to be acceptable.*

**8. Provide for energy conservation and generation in the layout and design** (see Policy 3 Infrastructure and Services, Policy 11 Low Carbon Five, Policy 13 Natural Heritage, Woodland, and Access, and Policy 14 Built and Historic Environment);

**Comment** – *The Report of Handling notes that the low carbon checklist submitted with the proposal was acceptable, including proposed solar panels and air source heat pump.*

**9. Contribute to achieving the area's full potential for electricity and heat from renewable sources, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations** (see Policy 11 Low Carbon Fife).

**Comment** – *As above.*

- 1.6 Accordingly, the proposed development satisfies Policy 1, Parts A, B and C in so far as the criteria are relevant. Critically, the proposed development is required to provide on-site accommodation for farm workers. It will be occupied by Mr and Mrs Seath, freeing up Stockman's House for the farm manager and allowing the Seath's daughter, the full time farm shop manager, to reside on-site as required by the growing agricultural business, which employs up to 15 staff . It will meet an identified need as set out in the Appeal Statement and the Agricultural Justification for a Farm Managers House, September 2021 & 1 July 2022 update thereto ("the Agricultural Justification").

## **2 Other Local Development Plan Policies**

- 2.1 In the Report of Handling, the planning officer noted that Policies 2 (Houses), 3 (Infrastructure and Services), 7 (development in the Countryside), 8 (Houses in the Countryside), 11 (Low Carbon Fife) and 12 (Flooding and the Water environment) of the Plan were relevant to the assessment of the proposed development.
- 2.2 The officer satisfied himself that the proposed development satisfied the requirements and therefore complied with Policies 3, 10 (in respect of residential amenity – section 2.3 of Report of Handling), 11 and 12, together with related aspects of Scottish Planning Policy and associated guidance:
- 2.2.1 relevant to residential amenity (Policies 1 and 10): BRE's Site Layout Planning for Daylight and Sunlight: a guide to good practice (2011), Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018) and Minimum Distances between Window Openings (2011), and Fife Council's Planning Customer Guidelines on Garden Ground (2016);
- 2.2.2 relevant to transportation and infrastructure (Policies 1 and 3): Making Fife's Places – Transportation Development Management Guidelines (2018);
- 2.2.3 relevant to drainage (Policies 1 and 12): Fife Council's Low Carbon Fife Supplementary Guidance (January 2019), and
- 2.2.4 relevant to low carbon considerations (Policies 1 and 11: Fife Council's Low Carbon Fife Supplementary Guidance (January 2019).

The proposed development is assessed against the remaining policies at sections 3, 4 and 5 below.

### 3 Policy 2: Homes

- 3.1 Given the development proposal complies with Policies 7 and 8 (as housing in the countryside) it is considered that policy 2 is of limited relevance. However, to the extent that it is considered relevant, the development proposal accords with the policy.
- 3.2 Policy 2 aims to provide "*an increase in the availability of homes of a good quality to meet local needs*". The Policy states that "**Housing development will be supported... 2. on other sites provided the proposal is compliant with the policies for the location**". The policies relevant to the location of the proposed development are Policies 7 and 8. For the reasons outlined in sections 4 and 5 below, the proposed development meets the requirements of Policies 7 and 8, and so in turn accords with Policy 2. As a single dwelling, there is no affordable housing requirement.

### 4 Policy 7: Development in the Countryside

- 4.1 Policy 7 seeks to achieve a "**rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality**". It provides that development in the countryside will only be supported where it meets one of a number of possible criteria. The proposed development in fact meets several of the relevant criteria as follows:

**"1. is required for agricultural, horticultural, woodland, or forestry operations;**

**Comment** – *The proposed development is required in connection with agricultural operations, being the management of the farm shop which is an integral part of the appellants' farming business (as set out in the Appeal Statement and other supporting documentation).*

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

**Comment** – *As accommodation for farm workers, the proposed development has a proven need for a countryside location – specifically within the farm.*

**or**

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

**Comment** – *The proposed development complies with Policy 8 as set out below.*

**In all cases, development must:**

- **be of a scale and nature compatible with surrounding uses;**

**Comment** – *The scale of the development is consistent with other buildings on the farm and appropriate for the appellants' needs. The nature of the use is compatible with surrounding uses and no concerns regarding residential amenity have been identified. The one level building has been designed in the form of a traditional U-shaped farm steading. The widths and proportions, too, are traditional and stone from the former Haggs House will be re-used.*

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

**Comment** – No material infrastructure concerns or requirements have been raised, accordingly the development is considered to be well – located in this respect.

**and**

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

**Comment** – As discussed at 1.4 above, the development is single storey and will be reasonably well screened, bounded as it is on 3 sides by mature woodland. The Report of Handling refers to the character of the landscape as "open", but this ignores the mainly enclosed characteristics of the site itself which cannot be seen from the public road. This being the case, there will be no material impact on the landscape character nor have any adverse environmental impacts been identified. (See also comments on design above).

- 4.2 As the proposed development will not be situated on prime agricultural land, the 'Prime Agricultural Land' aspect of Policy 7 is not considered further.
- 4.3 The proposed development is required for the successful running of the business carried on at the Estate. The continuing success of the farm shop and the continued growth and diversification at the Estate requires the roles of the farm manager and farm shop manager to be carried out by two separate full-time employees, both of whom require their own accommodation on site. The farm shop manager requires to be present at or near the farm shop 24 hours a day for security, cover and delivery purposes. Similarly, the farm manager requires to be present on site to provide care and security for livestock. Further details are set out in the Agricultural Justification, and in the Appeal Statement. This in turn will allow the business to continue to grow and diversify, all of which will lend economic support to the existing business and the local area. The proposed development therefore satisfies the criteria in Policy 7, and in doing so also meets the requirements of Policy 1.

## **5 Policy 8: Houses in the Countryside**

- 5.1 Policy 8 provides that "**Development of houses in the countryside will only be supported where:**

**1. It is essential to support an existing rural business...**

**Comment** – this is satisfied as discussed above in relation to policy 7 and in the Appeal Statement and other supporting documentation.

**In all cases, development must be:**

- **of a scale and nature compatible with surrounding uses;**
- **well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and**
- **located and designed to protect the overall landscape and environmental quality of the area"**

**Comment** – these requirements mirror those contained in policy 7 and so are satisfied.

- 5.2 Policy 8 acknowledges the opportunity for small-scale housing proposals - generally, single houses - in the countryside. It has been demonstrated at section 3 that the proposed development is essential to support an existing rural business. In order to keep pace with recent expansion and future growth plans (as explained in detail in the Agricultural Justification and Appeal Statement), the proposed development is required in order to house the labour required by the Applicant's existing and growing business. The nature of the business requires continuous presence at the site, namely security, animal health and welfare, and the management and oversight of the farm shop, hence the need for the proposed development to accommodate workers employed in the business.
- 5.3 The Applicants are prepared to enter into a legal agreement tying the proposed development to the business, providing further evidence of its necessity to the running of the Estate.
- 5.4 Furthermore, the proposed development has been sited and designed so as to fulfil its intended purpose, located close to existing buildings, and to be in keeping with other buildings on the Estate, namely the farm shop. It would be single-storey and finished in the same materials as were used for the farm shop in order to reduce any visual impacts. It would be located within a short distance of the other properties on the Estate, forming a close triangle. Further details are noted in the Design Statement.
- 5.5 The Report on Handling notes that from environmental and infrastructure perspectives, the proposed development meets the requirements of the Local Development Plan. For the reasons set out in sections 3 and 4, the proposed development meets the requirements of Policy 8, thereby further satisfying the requirements of Policy 1.

## 6 Policy 10: Amenity

- 6.1 Policy 10 states that "***Development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to:***

***5. The loss of privacy, sunlight, and daylight.***

...

***7. The visual impact of the development on the surrounding area."***

The other criteria outlined in Policy 10 are not considered further as they do not apply to the proposed development.

- 6.2 As noted by the Report of Handling, the development would have no significant detrimental impact on daylight, sunlight or privacy. Furthermore, as set out in the Appeal Statement, the development has been designed so as to minimise visual impacts and to be in keeping with surrounding buildings.

It is reasonably well screened, surrounded on 3 sides by mature woodland and the site is not visible from the public road.

6.3 The proposed development therefore meets the criteria of Policy 10.

## **7 Conclusion**

7.1 For the reasons set out above, the proposed development meets the requirements of Policies 1, 2, 7, 8, and 10 of the Plan. No material considerations have been identified which outweigh the presumption in favour of the development. The appeal should be upheld and planning permission granted.

**Agricultural Justification  
for a  
Farm Managers House**

at  
Saline Shaw and Langfaulds Farm  
for  
Mr and Mrs Seath



**Prepared**

**by**

**Kevin Stewart**

**Rural Business Consultant  
Laurence Gould Partnership Ltd**

**September 2021**

Laurence Gould Partnership

1

## CONTENTS

<b>1. Summary</b>	<b>3</b>
<b>2. Introduction</b>	<b>5</b>
<b>3. Farming Business</b>	<b>6</b>
3.1 <i>Background</i>	6
3.2 <i>Land</i>	7
3.3 <i>Livestock</i>	7
<b>4. Labour requirement OF THE FARMING BUSINESS</b>	<b>8</b>
4.1 <i>Labour Assessment</i>	8
4.2 <i>Farming Year Calendar</i>	9
<b>5. Additional factors and issues relevant to the need for housing accommodation on the farm</b>	<b>12</b>
5.1 <i>Animal Welfare</i>	12
5.2 <i>Security</i>	12
5.3 <i>Farm Efficiency and Performance</i>	12
<b>6. Conclusions</b>	<b>13</b>
<b>7. Appendix 1</b>	<b>14</b>
<b>8. Appendix 2</b>	<b>17</b>

### Appendix 1

- a. Evidence of award of new entrant capital grant
- b. Evidence of award of Environmental management payments
- c. Evidence of registration to be a keeper of cattle on the land.

### Appendix 2 – Standard Labour Requirement Calculations

### 1. SUMMARY

---

- This report has been prepared in order to:
  1. *Review the farming activities carried out at Saline Shaw and Langfaulds Farm, Saline, to assess the annual labour requirement of the overall farm business.*
  2. *Consider additional factors and issues relevant to the need for housing accommodation on the farm.*
- Saline Shaw and Langfaulds farm was purchased in 2014 by Mr and Mrs Seath and is farmed in hand by the partnership of 'Saline Shaw Estate' consisting of Mr and Mrs Seath and their daughter Lauren.
- Saline Shaw and Langfaulds farm extends to 100.5 hectares (251 Acres) and is predominately a grassland farm used for the production of cattle and pedigree sheep. The business farms 350 pedigree breeding ewes in addition to a 'gimmer' operation of 125 Ewe Hoggs and 30 summering cattle (with calves).
- The farm is registered as an agricultural holding and the business received funding under the Scottish Government 'new entrant grant scheme' to expand the current farming enterprise. The grant was provided to assist new entrant farming businesses to maximise the profitability of the farm by increasing the productivity of the unit as well as helping to ensure a farm with high levels of environmental and biodiversity values. The business also secured LEADER funding to set up a farm shop.
- Since the business was established in 2014, the following has been achieved:
  - **Established a 350 Pedigree Lleyn sheep flock** (Registered with the Lleyn Sheep Society) selling pedigree livestock.
  - **Built and Operate 'Saline Shaw Farm Shop'** which is open 7 days a week, serving and selling locally produced food. The shop employs 18 full time and part time staff.
  - **Annually produce over 400 'fat lambs'** for the Farm shop and local suppliers.
  - **Entered a 5-year environmental contract** to improve the biodiversity of the farm through the establishment of wild bird seed areas, new hedgerows and water margins along the Black Devon River
  - **Produce over 500 bales** of Haylage for local equine businesses
- The labour requirement of the business is for over 3 full time farm labour units and a further 1 full time labour unit to manage the farm shop (which is managed by Lauren Seath).
- The need for a new dwelling by the business at Saline Shaw farm is required on the following (multiple) grounds:

## Saline Shaw and Langfaulds Farm - Agricultural Justification for New Dwelling

1. To allow the business to expand its current active farming operations by employing and housing an additional full-time farm manager
  2. To protect and grow the high value pedigree sheep business.
  3. To ensure a high level of security and animal health and welfare which is of paramount importance to the business.
- It is concluded that the provision of a new dwelling at Saline Shaw and Langfaulds farm can be justified on the strength of the diversified agricultural business continuing to be developed and its requirement for at least three full time farm labour units required to maintain animal welfare, best utilising the land and provide an element of security for the business which is in close proximity to the village of Saline.

## 2. INTRODUCTION

---

- Mr and Mrs Seath have requested that Kevin Stewart of Laurence Gould Partnership Rural Business Consultants undertake a Labour Requirement Assessment for Saline Shaw and Langfaulds Farm in order to demonstrate that the farming business urgently requires an on-site dwelling to allow the business to be developed and managed effectively.
- This assessment is based on information provided by the farmer, Mr Scott Seath, following a farm visit by Kevin Stewart and other background information provided by Mr and Mrs Seath, including the new entrant application made to the Scottish Government outlining the business development plan for the farming business.
- Laurence Gould Partnership has been in business for over 60 years and provides technical and strategic farm management advice to farmers and landowners across Scotland and the UK. Our Scottish office is based in Dunfermline.
- Kevin Stewart is a Director of the Company and has significant experience in providing farm business management advice to farmers and landowners across Scotland and the north of England. He comes from a family farming background in the Scottish Borders. His family have been livestock farmers for many years and he has considerable practical experience of working with both sheep and beef, along with arable farming.
- The purpose of the report is to:
  1. Review the farming activities carried out at Saline Shaw and Langfaulds Farm, Saline, to assess the annual labour requirement of the overall farm business.
  2. Consider additional factors and issues relevant to the need for housing accommodation on the farm.

### 3. FARMING BUSINESS

---

#### 3.1 BACKGROUND

- Saline Shaw and Langfaulds Farm is located 1 mile west of the village of Saline, Dunfermline, adjacent to the main road (B913).
- The farm was purchased by Scott and Lesley Seath on the 28th May 2014 and is farmed by 'Saline Shaw Estate' which consists of a partnership between Mr and Mrs Seath with their daughter Lauren holding the majority share at 51%.
- The business is managed in-hand by Mr and Mrs Seath and their daughter Lauren.
- The land at the farm is registered as an agricultural holding and the business received funding under the Scottish Government 'new entrant grant scheme' to expand the farming enterprise as well as LEADER funding to set up a farm shop.
- Since the business was established, it has grown and diversified into significant agricultural operation focusing on locally produce and providing local employment opportunities in the area. The business includes;
  - An **established 350 Pedigree Lleyn sheep flock** (Registered with the Lleyn Sheep Society) selling pedigree livestock.
  - **Built and Operate 'Saline Shaw Farm Shop'** which is open 7 days a week, serving and selling locally produced food. The shop **employs 18 full time and part time staff**.
  - **Annually produce over 400 'fat lambs'** for the Farm shop and local suppliers.
  - **Entered a 5-year environmental contract** to improve the biodiversity of the farm through the establishment of wild bird seed areas, new hedgerows and water margins along the Black Devon River
  - **Produce over 500 bales of Haylage** for local equine businesses



*Figure 1: Map of the land at Saline Shaw and Langfaulds farm which totals 100.5 hectares.*

## Saline Shaw and Langfaulds Farm - Agricultural Justification for New Dwelling

### 3.2 LAND

- The majority of the farm is classified as Grade 4(2) by the Macaulay Institute of Soil research which is very well suited for livestock farming (cattle and sheep).
- When the farm was purchased in 2014, the land was generally run down and neglected. Since then, the business has invested significantly in the farm to upgrade the fencing to make the unit stock proof as well as reseeding the grassland to improve the productivity and carrying capacity of the land.
- The breakdown of the land at Saline Shaw and Langfaulds is as follows:

Table 1: Saline Shaw and Langfaulds Farm Area

Land Designation	Hectare (Ha)	Area (Ac)
Improved Pasture/Arable	77	193
Rough Grazing (Woodland Grazing)	13	32
Woodland	10.5	26
<b>TOTAL</b>	<b>100.5</b>	<b>251</b>

- The farm is predominantly grassland with approximately 22 hectares (55 acres) cut for hay and silage each year to provide feeding for the livestock during the winter months and also to sell to local equine businesses.
- Due to the exceptionally wet winters being experienced, the business now houses all livestock from Mid-November – March. This is to enhance the welfare of the animals while allowing the business to minimise environmental damage.

### 3.3 LIVESTOCK

- Since the purchase of the farm, the business has been building up breeding livestock numbers with currently 350 pedigree breeding ewes and 125 breeding ewe hoggs (September 2021).
- Typically, good grazing land is capable of carrying 4 ewes and lambs per acre (including replacements) and a cow and calf require 1.5 acres.
- The breeding ewes are tugged pure to produce a high value pedigree lambs for pedigree breeding markets as well as for prime lambs to be sold through the farm shop.
- The sheep are wintered inside with provisions of hay and silage supplied.

## 4. LABOUR REQUIREMENT OF THE FARMING BUSINESS

### 4.1 LABOUR ASSESSMENT

- An assessment has been made of the labour requirement of the farming system at Saline Shaw and Langfaulds farm.
- These standard labour units are prepared on the basis of what a typical farm would require in terms of labour. The figures are taken from the UK Farm Classification Document (2014) which are published within the 2020/21 SAC Farm Management Handbook.
- The detail are as follows:

**Figure 3: Standard Labour Requirement for Saline Shaw and Langfaulds Farm**

	Area (Ha)	Hours per annum	Factor (for adjustment of time in year)	Total
<b>Crop and Grass</b>				
Maintenance of In-bye Grazing	88.67	3.1	1	274.88
Silage	22.00	12.00	1	264.00
Woodland Management	10.58	1.50	1	15.87
Sub Total for Crops				554.75
	Numbers	Hours per annum	Factor (for adjustment of time in year)	Total
<b>Livestock</b>				
Lleyn Pedigree Ewes*	350	6.76	1	2,366.00
Lleyn Pedigree Ewe Hoggs*	125	4.03	1	503.75
Lleyn Rams*	5	6.76	1	33.80
Store and Fat Lambs (for Farm Shop)	400	2.9	1	1,160.00
Suckler Cows	30	12	1	360.00
Growing Cattle	30	12	1	360.00
Sub Total for Livestock				4,783.55
Allowance for Record Keeping (10% of total time)				533.83
Allowance for Shows and Sales (10 days)				120.00
<b>TOTAL LABOUR HOURS</b>				<b>5,992.13</b>
<b>STANDARD MAN YEAR</b>				<b>1,900.00</b>
<b>TOTAL LABOUR REQUIREMENT OF FARM</b>				<b>3.15</b>

\*30% increase in time input relating to the pedigree stock.

- The calculation indicates the farm business has a clear requirement for over 3 labour units, demonstrating the level of commitment and resource required for the business to function effectively.

## Saline Shaw and Langfaulds Farm - Agricultural Justification for New Dwelling

- An allowance has been made for the extra work involved in managing pedigree stock. This includes birth notifications, weighing, retaining high health status, testing, show and sale entries (of which there are over 10 show and sale dates which are attended), export licences, insurances arranged for high value animals at sales, advertising stock (viewing evenings) and marketing from the farm gate and at sale yards. This has been assumed to be an additional 30% on top of the standard labour units from the 2020/21 SAC Farm Management Handbook.
- Since the establishment of the farm shop (which is open 7 days a week), this demands Lauren Seath's full time meaning a farm manager is required to manage the complex farming business. The shop manager has to be present 7 days a week to manage staff and deliveries.
- The business has reached a level whereby in order to expand and mitigate animal health and welfare issues, security and growing demand from the farm shop, a full-time on-site farm manager is required by the business.

### 4.2 FARMING YEAR CALENDAR

- Due to the diversity of jobs required to be done on the farm, the workload throughout the year is constant. April and May are particularly demanding due to the lambing and calving period which requires livestock to be monitored 24 hours per day.
- With the establishment of the farm shop, the business is transporting fat lambs on a weekly basis to the abattoir to supply the farm shop and local markets.
- The typical farming year at Saline Shaw and Langfaulds farm will involve the following tasks:
  1. **January:**
    - Feeding and bedding housed livestock.
    - Tending to sheep flock outside, including worming treatment.
  2. **February:**
    - Feeding and bedding housed livestock.
    - Tending to sheep.
    - Scanning ewes and separate ewes into scanned results (singles, twins and triplets).
    - Commence feeding ewe flock prior to lambing
  3. **March:**
    - Feeding and bedding housed livestock.
    - Tending to sheep flock
    - Feeding of ewe flock prior to lambing
    - 2<sup>nd</sup> Vaccination for ewe hoggs
    - Prepare shed for lambing (building nursery pens etc).

### 4. April:

- Begin lambing. The lambing period is over a 4-week period where the sheep are housed inside and monitored 24 hours per day to assist with any lambing difficulties.
- Ewes and young lambs put out to grass.
- Spreading manure on grassland.
- Spread fertiliser on the silage ground.
- Turning cattle out to grass.

### 5. May:

- Marking and recording lambs
- Tending to livestock and undertaking day to day farm repairs (fencing etc).
- Spray weeds (thistles etc).
- Complete subsidy forms for Scottish Government (IACS).

### 6. June:

- 1st cut silage made
- Bull runs with spring cows
- Attend pedigree shows and sales
- Checking livestock and carrying out worm count tests

### 7. July:

- Tending to livestock and moving stock to different pastures.
- Bulls run with spring calving cows.
- Shearing ewes and hoggs
- Attend pedigree shows and sales

### 8. August:

- Tending to livestock and moving stock to different pastures.
- Reseeding grass pastures.
- Wean lambs from ewes
- Begin selling fat lambs at market
- Attend pedigree shows and sales

### 9. September:

- Tending to livestock.
- Purchase straw for winter bedding
- Selling fat lambs at market
- Attend pedigree shows and sales

### 10. October:

- Inspect ewes and sell cast ewes at market
- Purchase breeding rams as required.
- Purchase replacement ewe hoggs.
- Vaccinate ewe hoggs.
- Attend pedigree shows and sales

### 11. November:

- Selling fat lambs at market
- Tending to ewe hoggs.
- Rams introduced to ewes for tugging. Rams and ewes inspected on a daily basis.
- Manage woodland areas (Thinning and replanting)

### 12. December:

- Sheep housed and injected to prevent various diseases.
  - Feeding and bedding housed livestock.
  - Selling fat lambs at market
  - Tending to ewe hoggs at Wintering
  - Rams with ewes for tugging. Rams and ewes inspected on a daily basis.
- 
- Throughout the year all livestock are checked daily by the farmer to ensure that they are in good health. Any medical attention is given immediately as required. Sheep are treated to prevent attack from various diseases and control lameness.
  - Supplementary hay and feeding is provided to ewe hoggs and ewes as necessary throughout the winter months.
  - In addition to the work involved with tending to livestock a substantial amount of time must also be spent undertaking day to day tasks including: sorting fences and walls, maintaining machinery, buying feed and other inputs, completing the huge amount of paperwork that is a requirement for all farmers with livestock, meeting professionals such as the accountant, consultant and bank manager, attending meetings, keeping up to speed with advances in the industry and making general management decisions.

## 5. ADDITIONAL FACTORS AND ISSUES RELEVANT TO THE NEED FOR HOUSING ACCOMMODATION ON THE FARM

---

In addition to the above labour requirement, in my view it is crucial that there is the facility to house a stockman on site throughout the year for the following reasons:

### 5.1 ANIMAL WELFARE

1. During the winter months when the sheep are housed, they require feeding daily, bedded two to three times per week and physically looked (inspected) to ensure that there are no problems within the herd at least twice per day.
2. It is crucial that there is a man on site during the lambing season (spring) as sheep require to be inspected regularly to ensure that any problems during calving and lambing are minimised and the welfare of the livestock maximised at all times.
3. Through the summer months, livestock will be looked at least daily in order to ensure that any potential disease issues, including mastitis, are minimised.

### 5.2 SECURITY

1. The farm has multiple entries, a dwelling at Saline Shaw will reduce the risk of the breakout of stock which is of primary importance considering the farm and grazing fields run adjacent to the main road B914. This is a significant risk with young lambs during the summer months of which there will be approximately ~700 lambs on the farm.
2. There is high value machinery and stock located at the farm stabling. This coupled with the fact the farm is located in close proximity to Saline means that security is of particular concern. The presence of a dwelling house adjacent to farm access will mitigate this risk.
3. With a number of high value breeding ewes and rams on the farm (the pedigree breeding flock is valued at over £100,000), it is critical that there is a presence on the farm at all times to minimise the risk of sheep being stolen
4. Since the farm was purchased in 2014, there has been 2 incidences involving wildlife crime and sheep worrying by dogs. The incidences were reported and recorded by the Police.

### 5.3 FARM EFFICIENCY AND PERFORMANCE

1. The success of any livestock enterprise depends on the quality of the stockman and the attention to detail they are able to give to the herd and flock. Good stockmen are able to run a herd and flock with a much higher level of animal welfare, leading to a more profitable and sustainable unit. It is crucial that they are on site throughout the year in order to ensure that any problems within the livestock can be dealt with quickly and effectively.

## 6. CONCLUSIONS

---

- Having assessed the farming activities at Saline Shaw and Langfaulds farm, Saline, the following conclusions can be made:
  1. The current farming operations at Saline Shaw and Langfaulds are of a significant scale, both in terms of land area and livestock numbers and type. Since the business was set up in 2014 by the Seath's, they have successfully followed their business plan which has included the award of a 'new entrant capital grant' from the Scottish Government to enable the business to further expand the successful livestock enterprise as well as setting up a farm shop which employs 18 full time and part time employees.
  2. It is clear from the labour unit calculation that the business can comfortably justify more than 3 full time farm labour units. Following the establishment of the farm shop, this has demanded an additional full-time employee on site to oversee the farm shop, including deliveries and security.
  3. In my view, it is clear that the management of a high-quality livestock enterprise requires close management to succeed and this level of management can only be administered by having management staff on site. This ensures that the welfare of the livestock is maximised and also ensures that practical management issues are dealt with more quickly and more effectively than when staff are off farm.
  4. At present there is no accommodation on the farm for a farm manager, meaning there is a risk that the welfare of the livestock could be compromised, particularly at calving and lambing time when it is crucial for stockmen to be on the holding at all times.
  5. Since the purchase of Saline Shaw and Langfaulds farm (2014), Mr and Mrs Seath have developed their business over the last year to the point where it is now being constrained by a lack of accommodation on site. There is a need for a new dwelling on site for a farm manager to enable them to take the business forward and continue to be a viable business employing significant numbers of people in the local community.
- The conclusion is therefore that the provision of a new dwelling **can be justified on the strength of the agricultural business** being operated and its requirement for at least three full time labour units in order to maintain animal welfare, best utilise the land and ensuring the security of the business.

## 7. APPENDIX 1

---

### a. Evidence of award of new entrant capital grant funding

Agriculture, Food and Rural Communities Directorate  
Rural Payments and Inspections Division

Tel No: 01738 602000  
E-mail: sgrpid.perth@scotland.gsi.gov.uk  
Date: 9th May 2016

Saline Shaw Estate  
c/o Laurence Gould Partnership  
Buchan House  
Carnegie Campus  
DUNFERMLINE  
KY11 8PL

Your Ref: 400/0017  
(Please quote this number in correspondence)

Dear Miss Seath,

#### YOUNG FARMERS START UP GRANT

I refer to your application dated 30th September 2015 for grant under the above Scheme in respect of the proposals detailed overleaf.

Please read the contract carefully, particularly the Standard Conditions of Contract Offer. If you are content with the contract then complete both copies of the signing page, **returning one copy of the contract offer to this office within 28 days of the date of this letter**, and retain the second copy for your own records. Failure to do so will result in the withdrawal of the offer and you will need to re-apply.

If you fail to comply with any condition of the Scheme; grant may be withheld or reduced, or you may be liable to repay grant which has been paid with interest.



10 MAY 2016

**b. Evidence of the award of an Environmental management funding**

Agriculture, Food and Rural Communities Directorate  
Rural Payments and Inspections Division  
Perth Office

T: 01738 602000  
E: SGRPID.perth@gov.scot



Saline Shaw Estate  
c/o Laurence Gould Partnership  
Buchan House  
Carnegie Campus  
DUNFERMLINE  
KY11 8PL

01 FEB 2016

BRN: 226974  
MLC:  
Application Ref.: 15AEC01156  
Application Title: River Black Devon Restoration Project 2016

29 January 2016

Dear Saline Shaw Estate,

**Agri-Environment Climate Scheme – Approval of Application**

We have considered your application for financial assistance under the Agri-Environment Climate Scheme and I am pleased to inform you that your application has been approved for funding.

c. Evidence of registration to be a keeper of cattle on the land



British Cattle Movement Service, Curwen Road, Workington, Cumbria CA14 2DD  
English Helpline: 0345 050 1234 Welsh speakers' helpline: 0345 050 3456  
Typetalk service: 18001 0345 050 1234  
Helpline open: 8.30am to 5pm weekdays  
Email: bcms-enquiries@bcms.rpa.gsi.gov.uk  
Fax: 01900 704308

Saline Shaw Estates  
C/O Laurence Gold Partnership  
Buchan House  
Carnegie Campus  
Dumfermline  
KY11 8PL  
01383 730538

Our ref: 15733334  
Your ref: 78/400/0017

04 December 2015

- 7 DEC 2015

Dear Sir or Madam

**New Keeper – CPH 78/400/0017**

Thank you for informing us that you're now keeping cattle. The Cattle Tracing System (CTS) has been updated and the details now show:

Holding Address	Postal Address
Saline Shaw Estate	Saline Shaw Estates
Saline Shaw Farm	C/O Laurence Gold Partnership
Paline	Buchan House
Dumfermline	Carnegie Campus
KY12 9UE	Dumfermline
	KY11 8PL
Tel: 01383 730538 Mobile:	Email: kevin@laurencegould.com

## 8. APPENDIX 2

### Standard Labour Requirements

<b>Enterprise CROPS (per hectare)</b>	<b>Hours/ annum</b>	<b>Enterprise LIVESTOCK (per animal)</b>	<b>Hours/ annum</b>
Cereals	18	Dairy cows	
Oilseeds	16	50 cows	42
Hops	60	100 cows	35
Sugar beet	33	150+ cows	28
Field beans and peas	16	Beef cows	26
Potatoes		Other cattle	12
early	200	Sheep	
main crop	110	ewes and rams (lowland)	5.2
Fodder crops	6	ewes and rams (LFA)	3.7
Miscanthus	16	other sheep (lowland)	2.9
Outdoor vegetables/salad	280	other sheep (LFA)	3.1
Other peas and beans	500	Pigs and poultry	
Vining peas	12	sows	28
Top and soft fruit	425	finishing and rearing pigs	2.3
Hardy nursery stock	1,900	piglets (<20 kg)	0.2
Fruit/vegetables under cover	7,000	broilers	0.09
Flowers/plants under cover	13,000	laying hens	0.36
Mushrooms	7,220	growing pullets	0.24
Fallow	2.9	other poultry	0.10
Grassland	3.1	Goats	12
Silage (made by farm)		Deer	15
1 <sup>st</sup> cut	12	Horses*	40
2 <sup>nd</sup> cut	10		
Rough grazing	1.5		

**Fife Council  
Planning Authority**

**1<sup>st</sup> July 2022**

To Whom It May Concern,

**PLANNING APPLICATION: 21/01556/FULL:** *Erection of a single storey detached dwellinghouse, Former Haggs House Saline Shaw Fife*

This letter is written to provide supplementary information regarding the need for an additional dwelling at Saline Shaw Estate. This letter follows on from the agricultural justification report which was uploaded to the planning portal on the 27th September 2021, along with the letter dated 28<sup>th</sup> February 2022. The report and letter concluded that there was a need for **3.83 Labour units to run the farm**. This however did not account for the labour requirement to operate the farm shop which continues to thrive post COVID and now employs 15 staff and a manager who is required to live on site to provide a 24 hour a day presences for security, cover and delivery purposes for the farm shop.

Due to the success of the farm shop and the continued growth of the farm, the role of the farm manager and farm shop manager has had to be split into 2 roles; both of which require accommodation on site.

Saline Shaw Estate therefore require 3 dwellings to accommodate the owners and key employees to operate the farming business which now consists of a thriving farm shop and a significant livestock enterprise. The dwellings are required on animal health and welfare grounds, as well as provide security across the Estate. There are currently 2 dwellings on Saline Shaw Estate (Saline Shaw Farmhouse and the Stockman's Cottage).

The requirements of the 3 houses are given below:

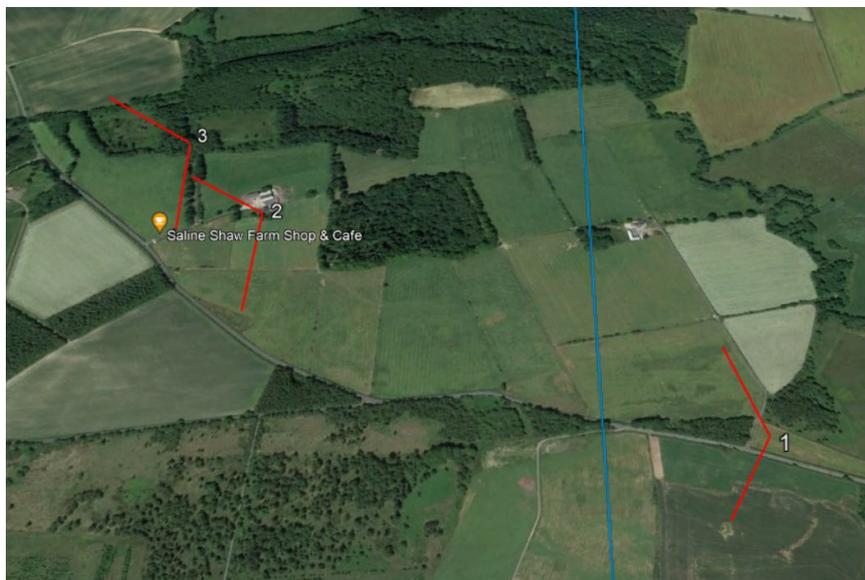
- (1) **Stockman House:** This is located at the east end of the Estate. The house is currently occupied by the Owners, Mr and Mrs Seath, which is blocking its required use as accommodation for an essential employee. It is required by the farm manager to ensure they live on site to ensure the health and welfare of the livestock. The location of the house just off the main road (B913) importantly provides security to the east end of the Estate.
- (2) **Saline Shaw Farmhouse:** This is located at the west end of the Estate within the Saline Shaw Farm steading. The house is within 160m of the farm shop. The house will be occupied by the farm shop manager. The house provides security for the farm steading but also has clear sight lines of the south and east entries of the farm shop.

**(3) Proposed Higgs House:** This will be occupied by owners, Mr and Mrs Seath, (resulting in the stockman’s cottage being freed up for the farm manager).

Mr and Mrs Seath oversee the overall business of both the farming operation and farm shop. The house site provides security to the northern end of the farm as well providing security to the northern side of the farm shop and farm steading.

The house site is proposed on a ‘brownfield’ site resulting in no agricultural land being lost by the proposed development.

A aerial image of Saline Shaw Estate is given below which illustrates the location of the 3 dwellings and their sight lines for providing security across the estate, but in particular to the main entry points to the estate, including the farm shop and farm steading.



**Figure 1:** Aerial Image of Saline Shaw Estate and the lines of sight of the 3 properties.

Along with the initial agricultural justification report, this further highlights the immediate and pressing need for additional skilled labour to be situated and housed on the farm.

If any further information is required, please do not hesitate to be in touch.

Your Sincerely



Kevin Stewart

**Director – Laurence Gould Partnership Ltd.**



**Fife Council  
Planning Authority**

**28<sup>th</sup> February 2022**

To Whom It May Concern,

**PLANNING APPLICATION: 21/01556/FULL:** *Erection of a single storey detached dwellinghouse, Former Haggis House Saline Shaw Fife*

&

*22/00221/APN Prior Notification for Farm-related Building Works (Non-residential); Saline Shaw Farmhouse Dunfermline Fife KY12 9UG*

This letter is written to provide additional information and evidence regarding the labour requirements in relation to the farming activities at Saline Shaw and Langfaulds Farm. This letters provides an update to the agricultural justification report which was uploaded to the planning portal on the 27th September 2021 for the above planning application.

Laurence Gould Partnership have been working with Saline Shaw Estate since the purchase of the farm in 2014 with the aim of developing a robust and sustainable rural business. Laurence Gould Partnership (LGP) is regarded as the best-known name in UK agricultural consultancy, having provided strategic, financial and technical advice to farmers, landowners and associated businesses since the 1960's.

Since the purchase of the farm, the business has invested significant capital in the farm to allow for a mixed farming business to be developed along with a large farm shop which is now a significant employer in the area whilst also being a marketing outlet for the farms sustainable locally produced produce.

Since the agricultural justification report for a managers house at Saline Shaw Estate was submitted in September 2021, the business has continued to develop at a pace due to growing demand for the farms produce and growth of the farm shop. This has put increased pressure on

the business and emphasised the immediate need to have an active farm manager situated on site to ensure the health and welfare of the growing number and type of livestock as well as provide additional security as the number and value of the livestock on farm continues to increase.

The main changes to the business following the agricultural justification report which was submitted in September 2021 are as follows:

- The business is looking to erect an agricultural shed 38m long by 18m wide (Total of 684m<sup>2</sup> roofed floor space) for housing animals during the winter months. This ensures the animals receive the highest standard of care through the winter but increases the daily requirements for feeding the livestock.
- As the shed allows for all the livestock to be inside and off the grass, this allows the ground to be ‘rested’ which increases the livestock carrying capacity of the farm by 80 breeding ewes. The farm has increased the ewe numbers from 350 to 430 lambing ewes for the 2022 lambing season.
- Due to the demand from the farm shop and the plan to erect a agricultural building, the farm is introducing a 500 bird chicken broiler enterprise to meet the demand of the Christmas market. The enterprise will utilise the farm building prior the sheep being brought in for winter.

The above actions have intensified the business and helped to increase the output and viability of the business but it has also increased the complexity and labour requirements needed to operate the farm business efficiently and to a high animal health and welfare standard.

An updated labour requirement assessment is given below.

	Area (Ha)	Hours per annum	Factor (for adjustment of time in year)	Total
<b>Crop and Grass</b>				
Maintenance of In-bye Grazing	88.67	3.1	1	274.88
Silage	22.00	12.0	1	264.00
Woodland Management	10.58	1.5	1	15.87
Sub Total for Crops				554.75
	Numbers	Hours per annum	adjustment of time in year)	Total
<b>Livestock</b>				
Lley Pedigree Ewes*	430	6.76	1	2,906.80
Lley Pedigree Ewe Hogs*	125	4.03	1	503.75
Lley Rams*	10	6.76	1	67.60
Store and Fat Lambs (for Farm Shop)	645	2.9	1	1,870.50
Suckler Cows	30	12.0	1	360.00
Growing Cattle	30	12	1	360.00
Boiler Chickens	500	0.09	1	45.00
Sub Total for Livestock				6,068.65
Allowance for Record Keeping (10% of total time)				662.34
<b>TOTAL LABOUR HOURS</b>				<b>7,285.74</b>
<b>STANDARD MAN YEAR</b>				<b>1,900.00</b>
<b>TOTAL LABOUR REQUIREMENT OF FARM</b>				<b>3.83</b>
*30% increase in time input due to pedigree stock				

The above labour requirement calculation has increased from 3.15 labour units (in the Agricultural report dated 27<sup>th</sup> September 2021) to over **3.83 labour units.**

Along with the initial agricultural justification report, this further highlights the immediate and pressing need for additional skilled labour to be situated and housed on the farm.

If any further information is required, please do not hesitate to be in touch.

Your Sincerely



Kevin Stewart

**Director – Laurence Gould Partnership Ltd.**

## Farm Manager's House, Saline Shaw + Langfaulds Farm, Saline, Fife

### DESIGN STATEMENT

#### AGRICULTURAL JUSTIFICATION

In August 2016 Laurence Gould Partnership prepared a report for a stockman's house on the estate. The house was approved and is currently under construction. The report identified the need for a second full time farmworker. This labour demand remains with the current stocking on the farm along with the business undertaking a pedigree breeding programme which requires additional animal husbandry and management time.

With the growing business and inclusion of the farm shop and café within the farm business, this has fully occupied one of the estate directors, Lauren Seath's, time (7 days a week) and, as such, she cannot fulfil both the shop and café manager and farm manager's position.

To that end, the business needs a house on the site to allow for a farm manager to be recruited to fill this vacancy, created by the establishment of the farm shop and café. The position of the house would also provide additional security for the farm steading and farm shop.

See Agricultural Justification by Laurence Gould Partnership

#### SITING

The position chosen for the house is on the site of a previous house dating back centuries and occupied until the early 20<sup>th</sup> century. Stone walls from the house remain and the tree lined avenue leading to the house is also intact. The avenue and positioning of the house suggest Hags House was at one time the principal house, and possibly predated the present Saline Shaw farmhouse.

The house will have clear views of several fields and will have a fenced area within the plot boundaries for close monitoring of orphaned lambs or calves.

Mature trees forming woodland to the west and north create and around the adjacent paddock form strong boundaries.

#### DESIGN AND MATERIALS

The one level building has been designed in the form of a traditional U-shaped farm steading. The widths and proportions, too, are traditional. The house will sit to the back of the courtyard with projecting wings on either side giving shelter and housing ancillary accommodation.

Stone from the previous Hags House will be re-used, predominantly on the gable facing the avenue. Wood lining will be used on the 'barn' building to the north side. The remaining walls will be in a wet dash render with smooth and flat, slate grey, roof tiles covering all three roofs.

Shand Architecture

18 May 2021

# FIFE plan



PEOPLE | ECONOMY | PLACE



## Fife Local Development Plan

### Adopted Plan

September 2017



**Policy 1: Development Principles****Policy 1: Development Principles**

**Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts. Such development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C.**

**Part A**

**1. The principle of development will be supported if it is either:**

- a) within a defined settlement boundary and compliant with the policies for the location; or**
- b) in a location where the proposed use is supported by the Local Development Plan.**

**2. If the proposal does not meet either of the criteria under 1, above, the principle of development may be supported if the development is for:**

- a) housing on a site which is not allocated for housing in this plan but which accords with the provisions of Policy 2: Homes; or**
- b) employment land for industrial or business use in a location where there is clear evidence of a shortfall in supply.**

**Part B**

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

- 1. Mitigate against the loss in infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure** (see Policy 3 Infrastructure and Services, Policy 4 Planning Obligations);
- 2. Avoid the loss of valuable cultural, tourism, and community resources** (see Policy 3 Infrastructure and Services);
- 3. Protect Fife's existing and allocated employment land** (see Policy 5 Employment Land and Property);
- 4. Make town centres the first choice for uses which attract a significant number of people, including retail, leisure, entertainment, recreation, cultural and community facilities, as well as homes and businesses, and accord with the town centres spatial frameworks** (see Policy 6 Town Centres First and settlement proposals)
- 5. In the case of proposals in the countryside or green belt, be a use appropriate for these locations** (see Policy 2 Homes, Policy 7 Development in the Countryside, Policy 8 Houses in the Countryside, Policy 9 Green Belt and Policy 11: Low Carbon Fife);
- 6. Protect sport and recreation facilities and the amenity of the local community and businesses** (See Policy 3 Infrastructure and Services and Policy 10 Amenity);

- 7. Safeguard the character and qualities of the landscape** (see Policy 13 Natural Environment and Access, and Policy 15 Minerals);
- 8. Avoid flooding and impacts on the water environment** (see Policy 12 Flooding and the Water Environment);
- 9. Safeguard or avoid the loss of natural resources, including effects on internationally designated nature conservation sites** (see Policy 13 Natural Environment and Access and Policy 15 Minerals);
- 10. Safeguard the characteristics of the historic environment, including archaeology** (see Policy 14 Built and Historic Environment);
- 11. Not compromise the performance or safety of strategic infrastructure or, alternatively, assist in the delivery of necessary improvements to mitigate impact arising from development** (see Spatial Strategy diagram).

### Part C

**Development Proposals must be supported by information or assessments to demonstrate that they will comply with the following relevant criteria and supporting policies, where relevant:**

- 1. Meet the requirements for affordable housing and Houses in Multiple Occupation** (see Policy 2 Homes);
- 2. Provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal** (see Policy 3 Infrastructure and Services);
- 3. Provide measures that implement the waste management hierarchy as defined in the Zero Waste Plan for Scotland** (see Policy 3 Infrastructure and Services);
- 4. Provide green infrastructure as required in settlement proposals and identified in the green network map** (see Policy 3 Infrastructure and Services);
- 5. Provide sustainable urban drainage systems in accordance with any relevant drainage strategies applying to the site or flood assessments** (see Policy 3 Infrastructure and Services);
- 6. Meet the requirements of any design briefs or development frameworks prepared or required for the site** (see Policy 13 Natural Environment and Access, Policy 14 Built and Historic Environment, and relevant settlement proposals tables);
- 7. Provide a layout and design that demonstrates adherence to the six qualities of successful places as set out in the Government's Creating Places policy** (see Policy 14 Built and Historic Environment);
- 8. Provide for energy conservation and generation in the layout and design** (see Policy 3 Infrastructure and Services, Policy 11 Low Carbon Fife, Policy 13 Natural Heritage, Woodland, and Access, and Policy 14 Built and Historic Environment).
- 9. Contribute to achieving the area's full potential for electricity and heat from renewable sources, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations** (see Policy 11 Low Carbon Fife).

**Applying Policy 1: Development Principles**

1. Fife Council will use this policy as a 'gateway policy' to assess the principle of development. The assessment will be made against the background of a presumption in favour of development that contributes to sustainable development introduced by Scottish Planning Policy. The other subject based policies in the Plan will also be applied where relevant in determining the acceptability of development.

## Please Note

Developers should bear in mind that development in former coalfield areas may be affected by, or may itself affect, any of a number of areas of concern arising as a legacy of coal mining. Such areas of concern may be related to problems of ground stability, minewater contamination or seepage of mine gases to the surface. For this reason, drilling or test-boring of old mineworkings, mine entries or coal seams requires the prior written approval of The Coal Authority. Prior extraction of coal should be facilitated and encouraged for any substantial new development sites, in line with national policy aimed at preventing sterilisation of coal.

In addition (and not restricted to coalfield areas) potential development sites may have been subject to mining operations other than coal, such as ironstones, limestone and oil shales for example. Development proposals will require to take account of these facts.

**Policy 2: Homes**

**Council Plan 2017 links:** Increasing Opportunity and Reducing Poverty & Inequality | Improving quality of life in local communities | Promoting a sustainable society.

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

**Policy 2: Homes**

**Housing development will be supported to meet strategic housing land requirements and provide a continuous 5-year effective housing land supply;**

- 1. on sites allocated for housing in this Plan; or**
- 2. on other sites provided the proposal is compliant with the policies for the location. (See *Affordable Housing*, below.)**

**Where a shortfall in the 5 year effective housing land supply is shown to exist within the relevant Housing Market Area, housing proposals within this Housing Market Area will be supported subject to satisfying each of the following criteria:**

- 1. the development is capable of delivering completions in the next 5 years;**
- 2. the development would not have adverse impacts which would outweigh the benefits of addressing any shortfall when assessed against the wider policies of the plan;**
- 3. the development would complement and not undermine the strategy of the plan; and**
- 4. infrastructure constraints can be addressed.**

**Development Requirements**

**All housing proposals must:**

- 1. meet the requirements for the site identified in the settlement plan tables and relevant site brief; and**
- 2. include provision for appropriate screening or separation distances to safeguard future residential amenity and the continued operation of lawful neighbouring uses in cases where there is potential for disturbance.**

## Policy 2: Homes

**Council Plan 2017 links:** Increasing Opportunity and Reducing Poverty & Inequality | Improving quality of life in local communities | Promoting a sustainable society.

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

### Policy 2: Homes

**Housing development will be supported to meet strategic housing land requirements and provide a continuous 5-year effective housing land supply;**

- 1. on sites allocated for housing in this Plan; or**
- 2. on other sites provided the proposal is compliant with the policies for the location. (See *Affordable Housing*, below.)**

**Where a shortfall in the 5 year effective housing land supply is shown to exist within the relevant Housing Market Area, housing proposals within this Housing Market Area will be supported subject to satisfying each of the following criteria:**

- 1. the development is capable of delivering completions in the next 5 years;**
- 2. the development would not have adverse impacts which would outweigh the benefits of addressing any shortfall when assessed against the wider policies of the plan;**
- 3. the development would complement and not undermine the strategy of the plan; and**
- 4. infrastructure constraints can be addressed.**

### Development Requirements

**All housing proposals must:**

- 1. meet the requirements for the site identified in the settlement plan tables and relevant site brief; and**
- 2. include provision for appropriate screening or separation distances to safeguard future residential amenity and the continued operation of lawful neighbouring uses in cases where there is potential for disturbance.**

### Affordable Housing

The development of sites adjacent to settlement boundaries, excluding green belt areas, solely for the provision of small scale affordable housing, may be supported where there is established and unmet local need and if no alternative site is available within a settlement boundary. In such instances, priority will be given to the redevelopment of brownfield sites. The scale of such adjacent development will reflect the character of the settlement – a maximum of 20 units for settlements with fewer than 200 households; a maximum of 30 units for settlements of between 200 and 1,000 households; and a maximum of 49 units for settlements of greater than 1,000 households.

Open market housing development must provide affordable housing at the levels shown in Figure 2.1 for each Housing Market Area (HMA), consistent with the *Affordable Housing Supplementary Guidance*. This should be fully integrated into new development and be indistinguishable from other forms of housing.

In order to achieve mixed and balanced communities, mixed tenure developments will be promoted: for example, social rented housing, mid-market rented housing, shared equity housing, and low cost housing for sale.

Figure 2.1 - Affordable Housing Contributions Required in Each Housing Market Area

HMA		Sub Areas	
Dunfermline	25%	Kelty	5%
		Benarty	5%
		Lochgelly	5%
		Cowdenbeath	5%
Cupar	20%		
St Andrews	30%		
Kirkcaldy	10%	Methil	5%
		Buckhaven	5%
		Kirkcaldy	15%

### **Houses in Multiple Occupation**

**Houses in multiple occupancy (HMO) will not be supported if:**

- 1. it is a new dwelling, unless purpose built for HMO use; or**
- 2. it is the conversion of an existing building in an area where restrictions on HMOs are in place.**

### **Care Homes**

**The Council, in consultation with other appropriate organisations, will seek to ensure that there is a justified distribution of nursing and residential care provision based on assessed local health and social care needs throughout Fife.**

**Such provision, covering both new development and change of use, should be in or adjacent to existing predominantly residential areas, but should not lead to a concentration of such facilities. The establishment of residentially based care in the community facilities in other areas will only be supported where a good residential environment can be assured and where there are no other locations available, or where other special circumstances prevail.**

**All proposals must:**

- 1. have good access to community facilities, emergency services and public transport;**
- 2. provide a good residential environment;**
- 3. be of a scale and character appropriate to the surrounding area; and**
- 4. have suitable access for elderly people and those with mobility problems.**

**There should be no land uses in the surrounding area that would adversely impact on the amenity of the proposed facility.**

### **Travellers**

**Sites for gypsy/travellers and/or travelling show people identified through the Development Plan or Local Housing Strategy will be supported provided:**

- 1. the site is not located within or adjacent to residential areas, employment land, or recreational area;**
- 2. the site does not create a danger to the health and safety of travellers;**

- 3. the proposal would not lead to excessive setting up or servicing costs for public authorities;**
  - 4. proper management of any site will be undertaken and maintained;**
  - 5. the site is accessible to community services required to meet the needs of the site occupants; and**
  - 6. the site is inconspicuous in views from major transport corridors, particularly Motorways and A roads.**
- Proposals for public or privately owned sites will be assessed against these criteria.**

### **Applying Policy 2: Homes**

#### **Maintaining a five year effective housing supply**

1. The strategic housing land requirement in this Plan is set out in the FIFEplan strategy and is based on the approved TAYpan and SESplan Strategic Development Plans and their respective housing need and demand assessment (HNDA) (1). Planning authorities should identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective (2) housing land at all times (See relevant Housing Land Audits which are prepared by the council on an annual basis). The levels of housing proposed through this plan are shown in Figure 2.3.

(1) <http://www.sesplan.gov.uk/get-involved> and <http://www.tayplan-sdpa.gov.uk>

(2) Land which is free or expected to be free of development constraints within the Plan period.

2. Figure 2.3A and 2.3B show a significant housing supply shortfall in both housing market areas in the SESplan area of Fife. There were however, at the time of the 2015 Housing Land Audit, a further 4,909 units on housing sites which were considered by the council to be ineffective due to marketing only (4,249 in the SESplan area and 660 in the TAYplan area) and a large unconstrained supply currently programmed for beyond the plan period (over 10,000). In a more buoyant housing market, additional housing sites could come forward from either of these alternative sources of supply. Furthermore, the preparation of SESplan2 is well underway and expected to be issued in 2018. This could result in revised housing land requirement figures for the SESplan area of Fife. Therefore, while acknowledging the uncertainties with regard to the exact level of the shortfall, an early review of this local development plan is proposed in order to ensure a timeous response to any revised strategic housing target and to secure an on-going and sufficient supply of housing land. In the meantime, where a shortfall in the 5 year effective housing land supply does arise within a particular housing market area, a further release of housing land will be supported where Policy 2 is satisfied. This will enable housing proposals to be considered in advance of the review process and without unreasonable delay. At the same time the council will work closely with the home building industry to ensure the efficient delivery of the existing supply and to seek to overcome marketing issues or other constraints where possible.

3. Initially, applicants should engage in dialogue with Fife Council to ascertain whether there is an effective 5-year land supply before progressing through the application process.

## Affordable Housing

6. Figure 2.1 defines the affordable housing requirements for each Housing Market Area and Sub Area. These requirements have been informed by a robust housing need and demand assessment (HNDA) for each of the Strategic Development Plan Areas.

7. Affordable housing proposals should be located within town and village boundaries as first choice and brownfield opportunities should be explored.. In cases where there is an established local need and no sites are available within settlement boundaries, sites adjacent to settlements will be considered but only for affordable housing. Such sites will be for development of a limited scale appropriate to the setting and scale of the settlement and will require the affordable homes to be available for local need and continue to be affordable for that need. These will generally be single site developments which can be integrated with the town or village and not cause an unacceptable impact on local services or infrastructure. Further guidance in terms of tenure and type is set out in the Affordable Housing Supplementary Guidance.

8. Student and holiday accommodation, including mobile homes and rural huts, are not considered as an acceptable form of affordable housing as they do not provide permanent homes.

9. Affordable housing must be fully integrated into development sites and be indistinguishable from other housing types. The Council's preferred approach is for on-site provision in the form of buildings or serviced land. Failing this, provision will be off-site in the form of serviced land and, as a last resort, financial contributions. Where on site provision is not possible the contribution should normally be provided within the same housing market area. Thresholds guiding whether provision will be on or off site are included in Figure 2.2.

**Figure 2.2 - Affordable housing provision thresholds**

	Urban	Rural
On site	20 houses or more	15 houses or more
Off site	10-19 houses	10-14 houses

10. Affordable housing contributions will not be sought for development proposals for open market housing which involve:

- fewer than 10 houses in total;
- remediation of contaminated land;
- redevelopment of long term vacant or derelict land; or
- building conversions where it can be demonstrated that the contribution to affordable housing would make the conversion unviable.

Further information is provided in the Affordable Housing Supplementary Guidance.

### Houses in Multiple Occupation

11. A house or flat can be termed a house in multiple occupation (HMO) if it is the principal residence of a number of unrelated people. A more detailed explanation, of the number of people involved and why, is included in the Supplementary Guidance on Houses in Multiple Occupation.

12. HMOs provide an important supply of housing, particularly for some groups of people who require supported accommodation. HMOs provide affordable housing for incoming workers and students and for those who are unable or unwilling to buy their own property.

13. This policy aims to achieve some degree of balance between the competing demands for accommodation and the need to maintain balanced and mixed communities. The Council supports the future development of purpose-built house accommodation which can specifically serve the needs of those who may benefit from this type of accommodation. At the same time there is a need to protect new development from being priced out of the market for general needs and affordable homes. The policy therefore prohibits the use of new houses and flats as HMOs and seeks to control the changes in use of existing property for use as HMOs. Areas where restrictions on houses in multiple occupation are in place are described in the Supplementary Guidance on Houses in Multiple Occupation.

14. Affordable housing provided as affordable housing contributions need to be safeguarded for that purpose to maintain the affordable housing stock. These, too, are protected from change of use to HMOs.

Further guidance is set out in the Supplementary Guidance on Houses in Multiple Occupation

### Care Homes

15. The welfare of vulnerable members of our society is paramount to Fife Council and appropriate provision must be made to address this key priority. As our life expectancy increases, the number of elderly people in Fife is rising and will continue to do so. Between 2010 and 2035, the number of people in Fife aged 65 years and more will increase by 41,000 from 64,000 to 105,000 (3). This will place strain on the provision of many public services. At the same time, a range of financial and legal factors have affected health care provision and the nursing/residential home sector.

(3) - Source: National Records of Scotland (NRS) 2010 "Low Migration Variant" projection for Fife

16. The number of long stay places available in hospitals is reducing and there will be an increasing need for community care residential facilities, creating an imbalance of need and supply unless fully justified..

17. In the interests of mixed communities it is not desirable to have excessive concentrations of special needs housing, nursing homes and residential care homes in any one location. However there can be some benefits to a degree of concentration. From an operational perspective, there are economies of scale and an unnecessary limitation on the scale of development could render certain proposals or operational models unviable. Where these exceptional circumstances can be shown to exist, a certain level of concentration may be acceptable, if fully justified. Locations for nursing and residential homes should be conducive to ease of access by residents and visitors alike, for example markedly sloping topography is unlikely to be suitable.

**Gypsy/Travellers and Travelling Showpeople**

18. Scottish Planning Policy requires local authorities to have regard to the needs of Gypsy/Travellers and Travelling Showpeople through the Local Housing Strategy and the Development Plan. The Council, through its co-operation policy, recognises these groups' rights to travel and that it would be inappropriate to use land-use controls to force people to abandon their traditional way of life.

19. Fife Council has, therefore, provided for permanent sites for Gypsy Travellers at: Tarvit Mill, Cupar; Heathery Wood, Kirkcaldy; and Thornton Wood, Kelty. There is also an opportunity for privately-run sites to be established to meet the recognised demand to accommodate Gypsy/ Travellers and Travelling Showpeople. The criteria in this policy for establishing such sites will help guide site development, which, if completed, will create a better basis on which to enforce action against unauthorised sites.

## Policies

Figure 2.3A - Housing land requirements and supply by Housing Market Area

(2009 - 2026)

Housing Market Area Strategic Development Plan Area	Fife	Dunfermline and West Fife	Kirkcaldy, Glenrothes and Central Fife	SESplan	St Andrews and North East Fife	Cupar and North West Fife	TAYplan
LDP Housing Land Requirement	31,641	18,107	9,054	27,161	2,940	1,540	4,480
Effective Supply (inc LDP Allocations)	19,115	9,365	6,374	15,739	2,079	1,297	3,376
Constrained sites coming forward	736	417	221	637	73	26	99
Housing Completions SDP Base-2015	4,911	2,944	1,461	4,405	356	44	400
Windfalls	1,600	1,027	513	1,540	220	110	330
Small Sites	550	0	0	0	379	277	656
Demolitions	789	445	344	789	0	0	0
<b>Total Supply</b>	<b>26,396</b>	<b>13,308</b>	<b>8,225</b>	<b>21,533</b>	<b>3,107</b>	<b>1,756</b>	<b>4,863</b>
<b>Surplus/Shortfall</b>	<b>-5,245</b>	<b>-4,799</b>	<b>-829</b>	<b>-5,628</b>	<b>167</b>	<b>216</b>	<b>383</b>

**Figure 2.3B - Housing land requirements and supply by Housing Market Area****(2016 - 2026)**

<b>Housing Market Area Strategic Development Plan Area</b>	<b>Fife</b>	<b>Dunfermline and West Fife</b>	<b>Kirkcaldy, Glenrothes and Central Fife</b>	<b>SESplan</b>	<b>St Andrews and North East Fife</b>	<b>Cupar and North West Fife</b>	<b>TAYplan</b>
SDP Housing Land Requirement	18,363	10,109	5,054	15,163	2,100	1,100	3,200
Surplus/Shortfall SDP Base - 2016	7,676	4,714	2,521	7,235	186	255	441
LDP Housing Land Requirement	26,039	14,823	7,575	22,398	2,286	1,355	3,641
Effective Supply 2016/2026	18,059	8,823	6,109	14,932	1,880	1,247	3,127
Constrained sites coming forward	736	379	221	637	73	26	99
Windfalls	1,700	993	467	1,400	200	100	300
Small Sites	500	0	0	0	300	200	500
Demolitions	200	150	50	200	0	0	0
<b>Total Supply</b>	<b>20,791</b>	<b>10,023</b>	<b>6,746</b>	<b>16,769</b>	<b>2,453</b>	<b>1,569</b>	<b>4,022</b>
<b>Surplus/Shortfall 2016-2026</b>	<b>-5,248</b>	<b>-4,800</b>	<b>-829</b>	<b>-5,629</b>	<b>167</b>	<b>214</b>	<b>381</b>

**Policy 7: Development in the Countryside**

**Council Plan 2017 links:** Increasing opportunity and reducing poverty & inequality | Promoting a sustainable society.

**Outcome:** A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

**Policy 7: Development in the countryside**

**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.**

**Prime Agricultural Land**

**Development on prime agricultural land will not be supported except where it is essential:**

- 1. as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available;**

**2. for small-scale development directly linked to a rural business; or**

**3. for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is a commitment to restore the land to its former status within an acceptable timescale.**

### **Applying Policy 7: Development in the Countryside**

1. The “countryside” is defined as the area outwith the settlement boundaries shown on the Proposals Map. *Scottish Planning Policy* expects the planning system to promote a pattern of development in rural areas that is appropriate to the area's character and challenges it faces.

2. This policy will be used to protect the countryside from unplanned development. However, it is recognised that there are activities which require a countryside location or which are important contributors to the diversification of farms into new enterprises in order to survive as viable businesses. Small-scale employment sites adjacent to settlement boundaries that serve to maintain the Council's employment land supply requirements (monitored through Fife Council's *Employment Land Audit*) and meet the criteria set out in the policy will also be supported.

3. The protection and enhancement of the built, natural, and historic qualities of the countryside are important considerations and these attributes must be maintained and enhanced wherever possible. There is a range of policies which protects these valued environments and development will not be permitted if there may be adverse environmental impacts which cannot be mitigated. Policies 8 (*Houses in the Countryside*), 9 (*Green belt*), 12 (*Flooding and the water environment*), and 13 (*Natural environment and Woodland Access*) will be important considerations in the determination of planning applications.

4. There will be circumstances where countryside locations are the most appropriate – or only feasible – places to locate energy or minerals developments. In these cases, this policy will be applied in assessing and managing the impact of a proposal that can be otherwise be supported by the Development Plan. *Making Fife's Places Supplementary Guidance* includes guidance on carrying out landscape assessments.

**Policy 8: Houses in the Countryside**

**Council Plan 2017 links:** Increasing opportunity and reducing poverty & inequality | Promoting a sustainable society.

**Outcome:** A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

**Policy 8: Houses in the Countryside**

**Development of houses in the countryside will only be supported where:**

- 1. It is essential to support an existing rural business**
- 2. It is for a site within an established and clearly defined cluster of five houses or more**
- 3. It is for a new housing cluster that involves imaginative and sensitive re-use of previously used land and buildings, achieving significant visual and environmental benefits**
- 4. It is for the demolition and subsequent replacement of an existing house provided the following all apply:**
  - a) the existing house is not listed or of architectural merit;**
  - b) the existing house is not temporary and has a lawful use; or**
  - c) the new house replaces one which is structurally unsound and the replacement is a better quality design, similar in size and scale as the existing building, and within the curtilage of the existing building.**
- 5. It is for the rehabilitation and/or conversion of a complete or substantially complete existing building**
- 6. It is for small-scale affordable housing adjacent to a settlement boundary and is required to address a shortfall in local provision, all consistent with Policy 2 (Homes)**
- 7. A shortfall in the 5 year effective housing land supply is shown to exist and the proposal meets the terms of Policy 2 (Homes)**
- 8. It is a site for Gypsy/Travellers or Travelling Showpeople and complies with Policy 2 (Homes) or**
- 9. It is for an eco-demonstration project proposal that meets the strict requirements of size, scale, and operation set out in Figure 8.1 below**

**In all cases, development must be:**

- of a scale and nature compatible with surrounding uses;**

## **Policy 8: Houses in the Countryside**

**Council Plan 2017 links:** Increasing opportunity and reducing poverty & inequality | Promoting a sustainable society.

**Outcome:** A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

### **Policy 8: Houses in the Countryside**

**Development of houses in the countryside will only be supported where:**

- 1. It is essential to support an existing rural business**
- 2. It is for a site within an established and clearly defined cluster of five houses or more**
- 3. It is for a new housing cluster that involves imaginative and sensitive re-use of previously used land and buildings, achieving significant visual and environmental benefits**
- 4. It is for the demolition and subsequent replacement of an existing house provided the following all apply:**
  - a) the existing house is not listed or of architectural merit;**
  - b) the existing house is not temporary and has a lawful use; or**
  - c) the new house replaces one which is structurally unsound and the replacement is a better quality design, similar in size and scale as the existing building, and within the curtilage of the existing building.**
- 5. It is for the rehabilitation and/or conversion of a complete or substantially complete existing building**
- 6. It is for small-scale affordable housing adjacent to a settlement boundary and is required to address a shortfall in local provision, all consistent with Policy 2 (Homes)**
- 7. A shortfall in the 5 year effective housing land supply is shown to exist and the proposal meets the terms of Policy 2 (Homes)**
- 8. It is a site for Gypsy/Travellers or Travelling Showpeople and complies with Policy 2 (Homes) or**
- 9. It is for an eco-demonstration project proposal that meets the strict requirements of size, scale, and operation set out in Figure 8.1 below**

**In all cases, development must be:**

- of a scale and nature compatible with surrounding uses;**

- **well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and**
- **located and designed to protect the overall landscape and environmental quality of the area.**

### **Applying Policy 8: Houses in the Countryside**

1. Unplanned sporadic or ad-hoc development in the countryside could result in the gradual erosion of the rural landscape character and qualities. This policy will be used to manage the demand for new housing in the countryside having regard to the way in which it can bring social, environmental, and economic benefits.

#### **Development that supports existing business**

2. The fact that a business is established in a rural area is not enough to justify building a house in the countryside or Green Belt. Proposals for housing must justify the need to have residential accommodation and a continuous presence at the site. They will also need to demonstrate that there is no potential for using existing accommodation in the area or the renovation of an existing property. There should also be no evidence of houses or plots having previously been sold from the farm or business holding to private buyers.

3. To justify a housing proposal, a site selection report will require to be submitted, illustrating how the site has been chosen and the stages undertaken to arrive at the chosen location. For housing associated with an existing business the house should be sited so that it fulfills the purpose its intended for and be located close to existing buildings. Planning permission will not be granted if the house is:

- in an isolated position;
- on a prominent site; or
- sited at a distance from existing building groups.

4. If the related business is new, the formation of temporary accommodation, such as a residential caravan, for a trial period of at least two years may be allowed. After that, consideration will be given to the granting of planning permission for a permanent house depending upon the financial viability of the business.

5. If planning permission is applied for a house based on its relationship to agriculture, forestry, or another type of rural business, supporting information will need to be submitted to allow the proposal to be assessed. For agriculture and forestry, this information will need to include:

- where the farm or business boundaries are;
- the number of existing buildings;
- whether buildings are used or occupied or not;
- the number of workers, where they live and if they are full or part time;
- the type of work the house is needed for and why; and
- any other information the applicant feels is necessary to justify the proposal.

### **Siting New Houses in the Countryside**

6. The Council identifies the majority of the opportunities for housing development in the Local Development Plan within existing towns and villages. However, outwith the towns and villages, existing small groups of houses or 'housing clusters' can offer the opportunity for small-scale housing proposals; these are, generally, single houses.

7. Specific housing groups that would make up a cluster are not identified in the Local Development Plan; however, a housing cluster should be made up of a clearly defined grouping of 5 or more houses (up to a maximum of 24). The buildings will be located in very close proximity to one another and outwith the settlement boundaries identified in this Plan. These buildings should be complete and capable of being occupied, if they are not already. The cluster should be contained by a well-established boundary, such as roads, trees or other landscaping features, and should be visually connected through the form or the pattern of development.

8. For housing proposed in a cluster to be acceptable, it must address the following requirements:

- It will require to be located within a clearly defined gap within the cluster and should incorporate other built development on at least two sides, forming a continuous, interconnected grouping. Housing proposed clearly outwith or on the edge of the group will not be permitted.
- The new houses should not result in ribbon development (that is, building houses alongside a transport route) or coalescence (joining up) of the group with a nearby settlement/another housing cluster.

9. Examples of the type of circumstances which would constitute appropriate development within clusters are shown in Figure 8.2. These are for illustrative purposes only and each case will be considered on its merits.

10. Extensions to an existing property will only be allowed if the extension is of a scale and design that would not have a negative impact on the original house or its setting including visually dominating the original property.

### **Demolition/replacement of a house in the countryside**

11. Proposals to demolish and replace an existing house will need to be accompanied by a satisfactory structural engineer's report and a full financial justification illustrating that:

- the building is in lawful use as a house;
- the house is not in a sound structural condition; and
- the extra cost of converting or renovating the house is more than the cost of demolishing and replacing it. Costings submitted should be comparable in terms of external building floor space areas.

12. The replacement house must be within the curtilage of the original house, reflect the scale and character of the original house, and the original house must be demolished before building the new one.

13. In exceptional cases planning permission may be granted to demolish a house if the siting and design of the replacement would be exemplary and would significantly enhance the quality of the surrounding environment and the landscape. The Council will expect a report/statement to be provided explaining the reasoning for demolishing the existing building(s) and the reasoning behind the new proposal, in terms of design and siting.

## Policies

14. *Making Fife's Places Supplementary Guidance* will be produced to provide context on how Fife Council will assess the design quality of a proposal. The Council will prepare additional guidance in the early part of the Plan period to explain on how the design quality of a proposal will be assessed.

### **Re-use of previously used Land and Buildings (Brownfield sites)**

15. Planning permission may be granted to develop new housing clusters on smaller sites that are no longer required for their original purpose and which incorporate rundown or derelict buildings and where conversion to a residential use would bring about a significant environmental and visual improvement. The applicant will be required to adequately demonstrate that the site is no longer required for its original purpose. The proposed site must be capable of accommodating a housing 'cluster' of at least 5 houses. However, planning permission will only be granted where the redevelopment scheme would greatly benefit the site and the surrounding area in terms of its appearance, subject to the design, siting, and the environmental improvements proposed.

16. If an existing building becomes unstable or has to be demolished further during the project then a new planning application may be required to be made.

### **Renovation of existing buildings**

17. Preserving traditional buildings that are important to the character of the countryside is a crucial part of the Council's approach to conservation. This is particularly true if buildings are significant because:

- of their architecture or history;
- they are listed buildings; or
- they are at risk of falling into disrepair because they are not being used.

18. To justify planning permission, the existing building must have some architectural merits that justify its preservation and the proposal being put forward must respect its original character and design. Key issues that will be taken into account when determining the suitability of a renovation or restoration of a derelict building are:

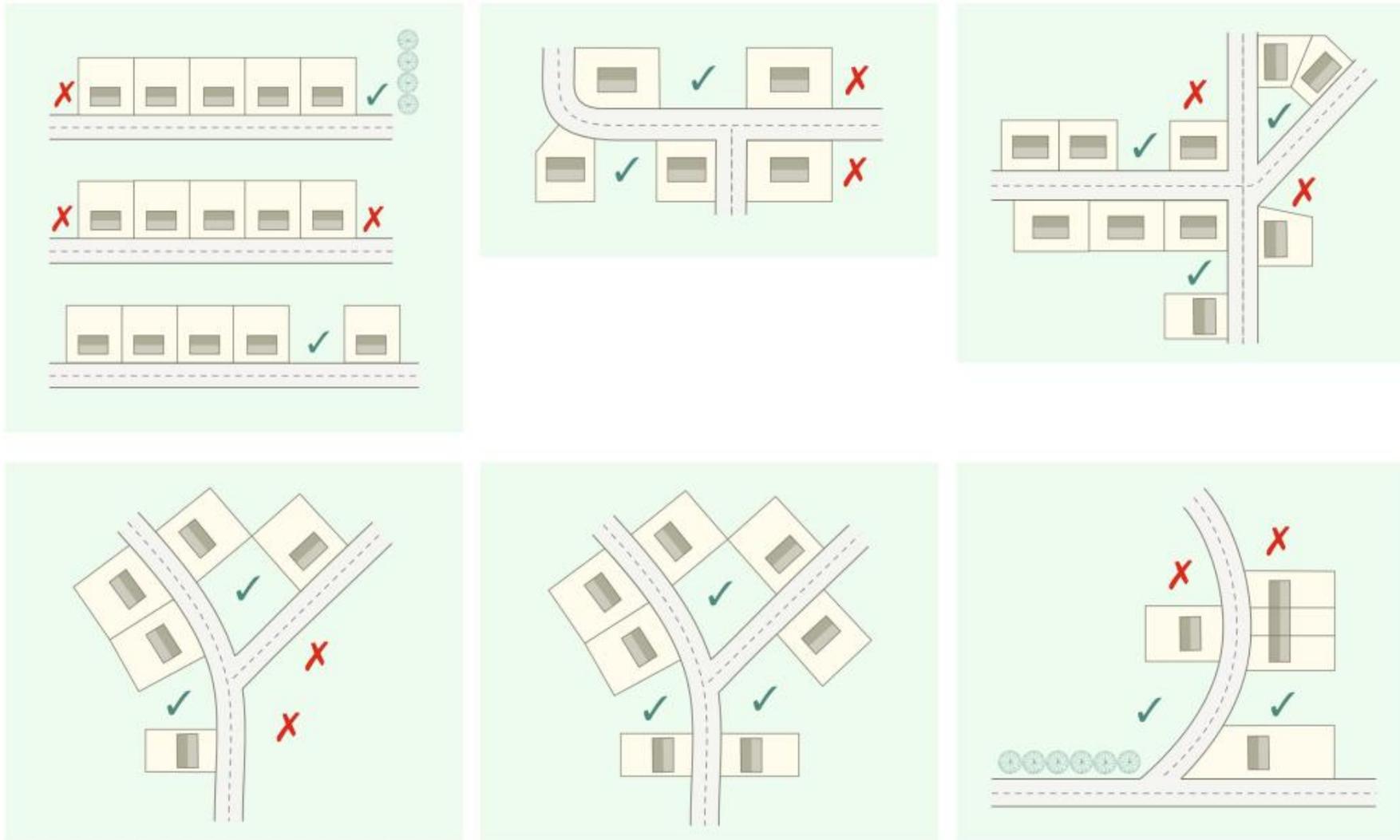
- The existing building structure must have full height outside walls, complete to wall head level. The roof's foundations must also be sound and largely intact.
- The existing building must be built from traditional, durable materials such as stone, rather than more modern materials such as brick, timber, metal, plastic, concrete, glass, and iron.
- It must be worthy of preservation.
- Its continued agricultural use. It must be of no use for agriculture or for any other rural economic activity.
- It must be designed in such a way that would not significantly alter its original character or architectural/historical qualities.
- The building must be physically and structurally capable of being converted without having to significantly demolish, rebuild or extend. The Council will require the applicant to submit a qualified structural engineer's report to demonstrate this can be achieved. The structural engineer's report should illustrate the current state of the building, the elements to be retained, repaired or replaced, and any shoring up necessary and how the conversion of the building will be achieved.

19. Supplementary Guidance on *Making Fife's Places* will provide guidance on how Fife Council will assess the architectural/historic merits of existing buildings and incorporating new development with traditional buildings.

**Figure 8.1 – Requirements of eco-home proposals**

- Not exceed 20 dwelling units.
- Follow the zero waste, zero energy model, making no demands on water, sewerage, power, and waste collection infrastructure.
- Produce energy from renewable sources on-site and demonstrates a strategy for energy conservation.
- Provide an on-site water supply and sewage disposal.
- Include a strategy for the minimisation of waste on site.
- Demonstrate low impact and resource efficient building design and construction which is fully reversible, permitting the land to be restored to its former condition after the project ceases.
- Include a sustainable travel plan with a car sharing club removing the need for individual car ownership or individual car parking.
- Include the ecological management and enhancement of the site by using sustainable techniques to provide for the residents economic livelihood and food production.
- Feature a research and/or educational aspect.
- Be managed by a trust, co-operative, housing association, or a similar entity in which the residents have an interest.
- Be accompanied by a management and business plan to show how the proposal would meet the foregoing criteria and illustrate the positive benefits of the scheme. Community engagement must be undertaken as part of the development management process.

Figure 8.2 - Examples of suitable housing proposals as part of cluster



**Policy 10: Amenity**

**Council Plan 2017 links:** Improving quality of life in local communities.

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

**Policy 10: Amenity**

**Development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to:**

- 1. Air quality, with particular emphasis on the impact of development on designated Air Quality Management Areas (see below).**
- 2. Contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.**
- 3. Noise, light, and odour pollution and other nuisances, including shadow flicker from wind turbines.**
- 4. Traffic movements.**
- 5. The loss of privacy, sunlight, and daylight.**
- 6. Construction impacts.**
- 7. The visual impact of the development on the surrounding area.**
- 8. The loss of outdoor sports facilities, open space, green networks, protected trees, and woodland.**
- 9. Impacts on the operation of existing or proposed businesses and commercial operations.**
- 10. Impacts on operation of existing or proposed waste management facilities.**

**Where potential amenity issues are identified in the relevant settlement proposals tables or are identified as part of the assessment of the impact of a development proposal, the relevant mitigation measures will be required to be implemented by the developer to an agreed timetable and specification.**

**The actions required to mitigate or avoid amenity impact will vary according to the circumstances in each case but will include measures such as landscape buffer strips between incompatible uses, separation distances, noise attenuation screens or fences, and bunding.**

**For the avoidance of doubt, safeguarding of outdoor sports facilities is addressed by Policy 3: Infrastructure and Services.**

**Air Quality**

**Development proposals that lead to a breach of National Air Quality Standards or a significant increase in concentrations of air pollution within an existing Air Quality Management Area (AQMA) will not be supported.**

**Statutory supplementary guidance will provide additional information, detail and guidance on air quality assessments, including an explanation of how proposals could demonstrate that they would not lead to an adverse impact on air quality.**

**Applying Policy 10: Amenity**

1. New development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the local area are not adversely affected. This policy applies to all development types and relates to impacts on neighbouring sites and uses, and on the wider communities.

2. The impact on amenity of development proposals will be judged on a case by case basis taking into account the requirements of existing uses and also ensuring future proposed land uses are not compromised. However, there are some development types that will always require an assessment of amenity impact. These are:

- House alterations and extensions, development on garden ground, backland, and infill development.
- Housing developments next to existing or proposed employment sites.
- Businesses working from home.
- Renewable energy and mineral proposals, particularly in terms of community impacts.
- Leisure and 'evening economy' development in town centres within existing residential areas.
- Housing or other proposals beside allocated or established employment areas which may conflict with the continued operation of the employment uses (including farm businesses in the countryside). Where the employment use is industrial in nature ie suitable buffering will be required to negate the impact on the amenity, particularly through noise, on residential areas.
- Development which may lead to the loss of the amenity qualities of playing fields, open space, green networks, trees and woodland.
- Development proposals in air quality management areas.
- Development on contaminated land or unstable land.

3. In some instances, where potential negative impacts are identified, development proposals may still meet the requirements of this policy if suitable mitigation is implemented.

4. Mitigation will be considered on a site by site basis and may include the measures included in the policy. Solutions for each site will be considered on a site by site basis and may include screening, the use of buffer strips or tree planting, or other solutions best suited to address the identified impacts.

5. The Local Development Plan identifies some amenity requirements and mitigation measures in the relevant settlement proposals. These measures must be implemented as part of any development proposal. The specification for mitigation will be confirmed through planning conditions and associated legal agreements.

## **Air Quality**

6. Impacts on air quality must be considered as part of the overall assessment of a development proposal. This applies particularly to impacts on Air Quality Management Areas (AQMAs). Currently two are designated in Fife: at Appin Crescent in Dunfermline and Bonnygate, Cupar; Scottish Environment Protection Agency (SEPA) also notes that concentrations of nitrogen dioxide in St Claire Street (A921 road) in Kirkcaldy are close to European Union limits and so future development must not reduce air quality in this area.

7. An air quality assessment may be required for developments that are within AQMAs or where the proposed development may cause or significantly contribute towards a breach in air quality management standards. Development proposals that lead to a breach of National Air Quality Standards or a significant increase in concentrations within an existing AQMA will not be supported. Supplementary guidance will provide additional information, detail and guidance on air quality assessments, including an explanation of how proposals could demonstrate that they would not lead to an adverse impact on air quality

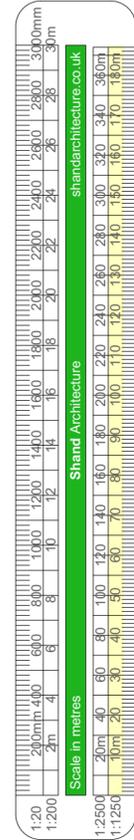
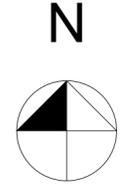
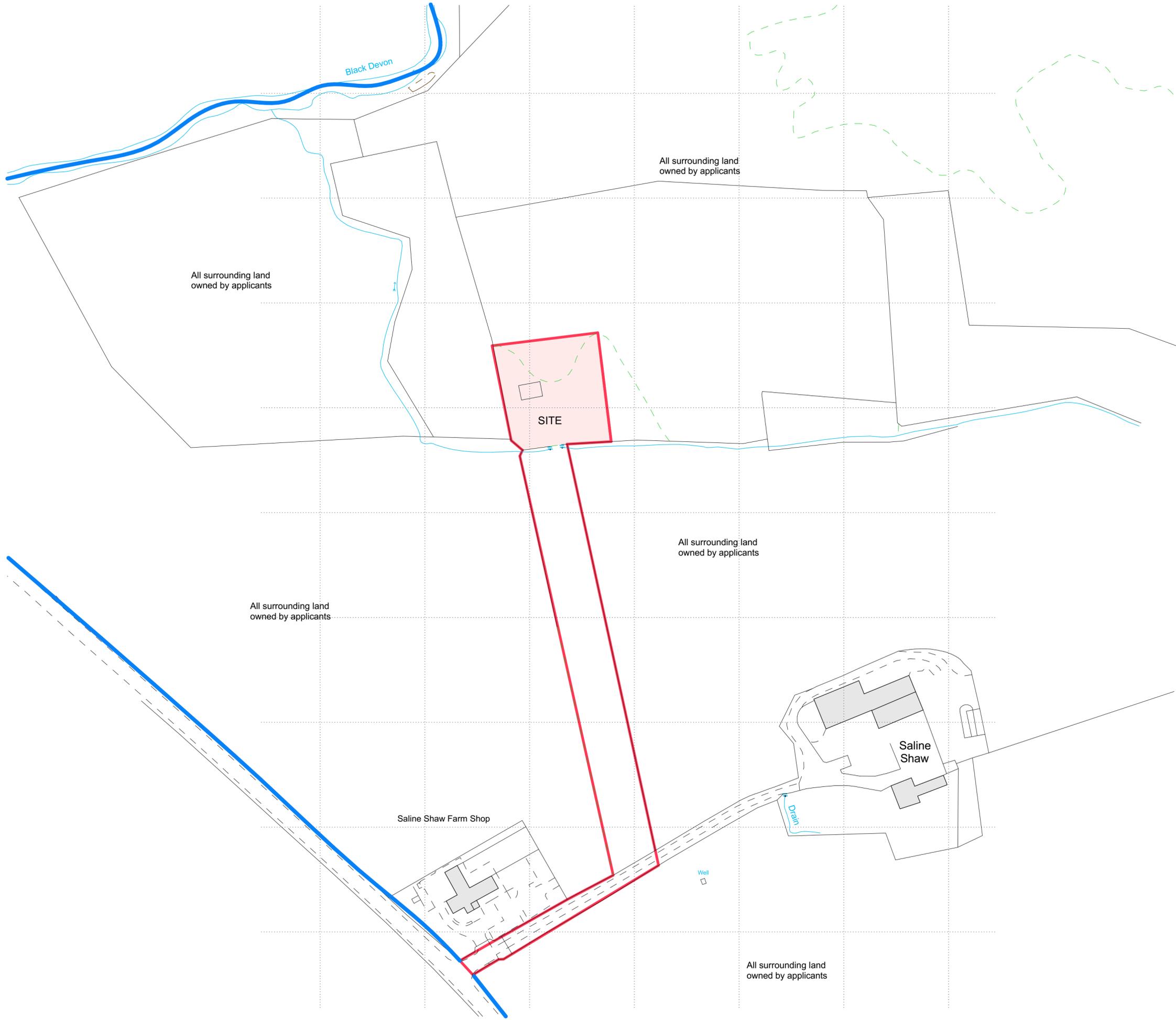
## **Contaminated and Unstable Land**

8. Where proposals involve the remediation of contaminated land, or building on unstable land, developers must demonstrate to the Council's satisfaction that measures will be taken to ensure that contamination or stability issues on the development site and the adjacent land are addressed.

9. Development proposals will be accompanied by a site investigation to assess the nature and extent of any risks and a remediation strategy. This will require to be agreed by Fife Council in conjunction with Scottish Environment Protection Agency and, where appropriate, the Coal Authority. As well as addressing impact on the quality of life of local residents, consideration will also be given to safeguarding the continued functioning of existing business and commercial facilities.

10. The current and future use of existing and proposed business and commercial facilities, and waste management operations, will be protected from development which may prejudice those uses.





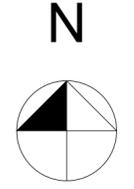
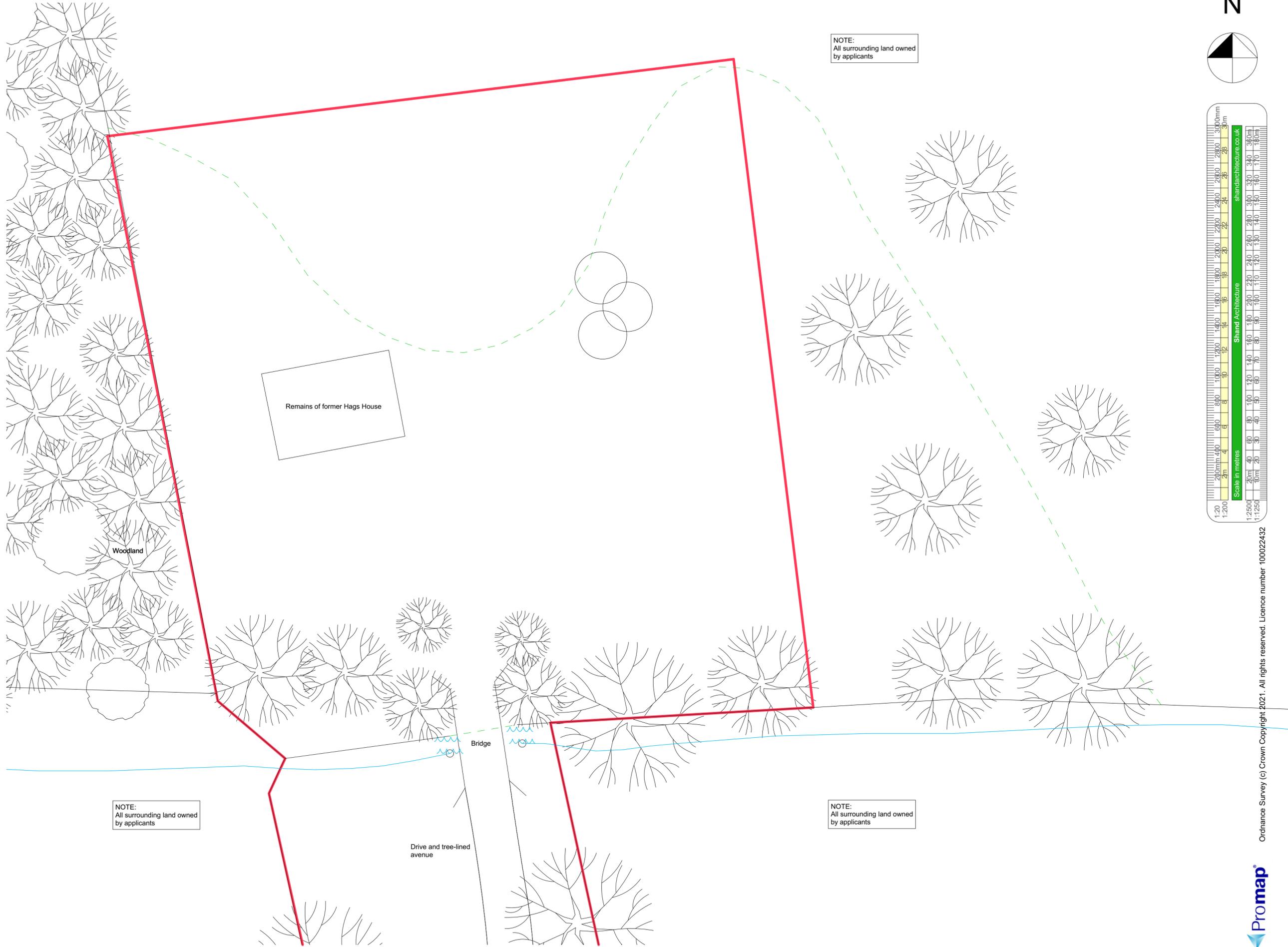
Ordnance Survey (c) Crown Copyright 2021. All rights reserved. Licence number 100022432



<b>Project No.</b> <b>21-05</b>		<b>Title</b> <b>Location Plan</b>	
		<b>Project</b> Proposed House on site of former Haggis House, Saline Shaw Estate, Fife	
<b>Scale</b> 1:1250	<b>Date</b> February 2021		
<b>Stage</b> Planning			
<b>Revisions</b>		<b>Notes</b>	
A 17/5/2021		Boundary lines adjusted	
B			
C			
D			
E			
F			

**Shand Architecture**  
 Studio One, Crook of Devon, Kinross KY13 0UL  
 Tel: 01577-840 202 / 07734-680 502  
 siuart@shandarchitecture.co.uk  
 www.shandarchitecture.co.uk

**01A**



Ordnance Survey (c) Crown Copyright 2021. All rights reserved. Licence number 100022432



<b>Project No.</b> <b>21-05</b>		<b>Title</b> <b>EXISTING SITE PLAN</b>	
		<b>Revisions</b> <b>Notes</b>	
<b>Scale</b> 1:200		<b>A</b> 17/5/2021 <b>Boundary lines adjusted</b>	
<b>Date</b> February 2021		<b>B</b>	
<b>Stage</b> Planning		<b>C</b>	
<b>Project</b> Proposed House on site of former Hags House, Saline Shaw Estate, Fife		<b>D</b>	
<b>Scale</b> 1:2500		<b>E</b>	
<b>Date</b> February 2021		<b>F</b>	
<b>Stage</b> Planning			

**Shand Architecture**

Studio One, Crook of Devon, Kinross KY13 0UL  
 Tel: 01577-840 202 / 07734-680 502  
 stuart@shandarchitecture.co.uk  
 www.shandarchitecture.co.uk

**02A**



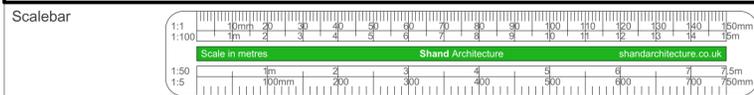
**Shand Architecture**

Project

**Haggs House**  
**Saline Shaw Estate**  
 Saline, Fife

Studio One, Crook of Devon, Kinross KY13 0UL Tel.: 01577-840 202  
 stuart@shandarchitecture.co.uk www.shandarchitecture.co.uk

Title **PROPOSED PLAN**



Revisions	
d/m/yyyy	Notes
A 2/3/2021	Layout amended
B 7/3/2021	Layout amended
C 23/3/2021	Layout amended
D 27/3/2021	Layout amended
E 06/5/2021	Layout amended

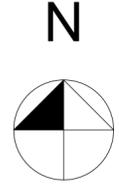
Paper Size	Project Number
<b>A1</b>	<b>21-05</b>
Scale	Drawing Number
1:50	<b>5E</b>
Date	Stage
February 2021	Planning



NOTE:  
All surrounding land owned  
by applicants

NOTE:  
All surrounding land owned  
by applicants

NOTE:  
All surrounding land owned  
by applicants



Ordnance Survey (c) Crown Copyright 2021. All rights reserved. Licence number 100022432



<b>Project No.</b> <b>21-05</b>		<b>Title</b> <b>PROPOSED SITE PLAN</b>		<b>Revisions</b>		<b>Notes</b>	
		<b>Scale</b> 1:200		<b>Date</b> February 2021		A B C D E F	
<b>Date</b> February 2021		<b>Project</b> Proposed House on site of former Hags House, Saline Shaw Estate, Fife		<b>17/5/2021</b>		<b>Boundary lines adjusted</b>	
<b>Stage</b> Planning							

**06E**

**Shand Architecture**  
 Studio One, Crook of Devon, Kinross KY13 0UL  
 Tel.: 01577-840 202 / 07734-680 502  
 siuart@shandarchitecture.co.uk  
 www.shandarchitecture.co.uk



EAST ELEVATION



WEST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

Revisions	Notes
dd/mm/yyyy	
A 29/3/2021	Change to finishes
B 3/5/2021	Flue added
C 17/5/2021	Levels added
D	
E	

Title		ELEVATIONS	
Project No.	21-05	Project	Proposed House on site of former Haggis House, Saline Shaw Estate, Fife
Scale	1:100	Date	March 2021
Stage	Planning		

**07C A2**



11/03/2021 10:50



11/03/2021 10:50



11/03/2021 10:51



11/03/2021 10:50











## Proposal Details

Proposal Name	100398046
Proposal Description	Erection of new detached dwelling on site of former Hags House, Saline Shaw
Address	
Local Authority	Fife Council
Application Online Reference	100398046-009

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Planning Appeal Statement	Attached	A4
Planning Refusal Notice 3rd May 2022	Attached	A4
Agricultural Justification September 2021	Attached	A4
Agricultural Justification Update February 2022	Attached	A4
Agricultural Justification Supplementary Information	Attached	A4
21-05-01A Location Plan	Attached	A2
21-05-02A Existing Site Plan	Attached	A2
21-05-06E Proposed Site Plan	Attached	A2
21-05-05E Proposed Plan	Attached	A1
21-05-07C Proposed Elevations	Attached	A2
Design Statement	Attached	A4
Policy Review Paper by Brodies LLP	Attached	A4
FIFEPlan Relevant Policies	Attached	A4
Photo 1 Old house looking south to access road	Attached	Not Applicable
Photo 2 Old house remains	Attached	Not Applicable
Photo 3 Trees on east side	Attached	Not Applicable
Photo 4 View to north	Attached	Not Applicable
Photo 5 View north to site from Access Road	Attached	Not Applicable

Photo 6 View south down access road	Attached	Not Applicable
Photo 7 View north down access road	Attached	Not Applicable
Photo 8 View to site from north east	Attached	Not Applicable
Photo 9 Woodland to west of site	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-009.xml	Attached	A0

**Agenda Item 6(2)**

**Former Haggis House, Saline Shaw, Saline,  
Dunfermline**

**Application No. 21/01556/FULL**

**Planning Decision Notice**

**Report of Handling**

Shand Architecture  
Stuart Shand  
Studio One  
Crook of Devon  
Kinross  
UK  
KY13 0UL

---

**Planning Services**

---

Derek Simpson  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 21/01556/FULL

Date 3rd May 2022

Dear Sir/Madam

**Application No: 21/01556/FULL**  
**Proposal: Erection of a single storey detached dwellinghouse**  
**Address: Former Haggis House Saline Shaw Fife**

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

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

Yours faithfully,

Derek Simpson, Lead Officer, Development Management

**Enc**





## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 21/01556/FULL  
**Proposal:** Erection of a single storey detached dwellinghouse  
**Address:** Former Haggis House Saline Shaw Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/01556/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interest of safeguarding the countryside from unjustified sporadic residential development; the essential need for a new dwellinghouse at this location to support the existing farming operation is not considered to be justified as there is considered to be sufficient existing on-site accommodation to provide the required-on site presence to meet the existing farming needs of the business. The application site lies out with any defined settlement boundary and the proposal does not meet any of the criterion as set out in Scottish Planning Policy (2020); and is contrary to Policies 1, 2, 7 or 8 of the Adopted FIFEplan (2017).
2. In the interests of protecting the visual amenity and safeguarding the rural character of the surrounding area; due to the isolated nature of the dwellinghouse remote from the existing farm buildings, it cannot be considered to be of a scale, design and nature compatible with its surrounds or be located and designed to protect the overall landscape and environmental quality of the surrounding rural area; all contrary to Policies 1, 7, 8 and 10 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018).

### **PLANS**

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

Reference	Plan Description
01	Location Plan
02	Existing Site Plan
03	Proposed Site Plan
04	Floor Plan Proposed
05	Proposed Elevations
06	Design and/or Access Statement
07A	Additional Information
08	Low Carbon Sustainability Checklist
09	Drainage statement/strategy
10	Drainage Plan

Dated:3rd May 2022

Alastair Hamilton

For Head of Planning Services  
Fife Council

11	Additional Information
12	Additional Information
13	Schedule of Works
14	SUDs and Flood Risk Assessment Certs
15	SUDs and Flood Risk Assessment Certs
16	Statement

Dated:3rd May 2022

Alastair Hamilton

Decision Notice (Page 2 of 2) For Head of Planning Services  
Fife Council

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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

## REPORT OF HANDLING

## APPLICATION DETAILS

ADDRESS	<b>Former Haggis House Saline Shaw, Fife,</b>		
PROPOSAL	<b>Erection of a single storey detached dwellinghouse</b>		
DATE VALID	<b>21/06/2021</b>	PUBLICITY EXPIRY DATE	<b>06/08/2021</b>
CASE OFFICER	<b>Derek Simpson</b>	SITE VISIT	<b>None</b>
WARD	<b>West Fife And Coastal Villages</b>	REPORT DATE	<b>03/05/2022</b>

## SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

## ASSESSMENT

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

A physical site visit has not been undertaken. All necessary information has been collated digitally to allow the full consideration and assessment of the application. A risk assessment has been carried out and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

## 1.0 BACKGROUND

1.1 This application relates to an area of land which lies approx. 116m to the west of the existing Saline Shaw Estate farm buildings. Saline Shaw farm shop is also located approx. 200m to the southwest. The site occupies a footprint of 2480 sqm and is located within the countryside- as

defined in FIFEplan2017. The site is relatively flat, grassed and some remains of the former Haggs house are present. It is bound by farmland including a wooded area to the west and stream and bridge to the south. Vehicular access is taken from the B913 distributor road to the southeast of the site. There are also few mature trees within the site.

1.3 This application seeks full planning permission for the erection of a dwellinghouse. The proposed house would be single storey and would occupy a footprint of 339 sqm (including storage and lamb pens). It would be finished using grey concrete rooftiles, larch cladding, white render and salvaged stone. The site would be bound by 1.2m high post and wire fencing.

1.4 The land at Saline Shaw and Langfaulds Farm was purchased by the existing owners (Saline Shaw Estate) in 2014. The land holdings extend to 100.5ha and the farm is predominately cattle and sheep. The business expanded from 81ha in 2015 to 110.5ha in 2016 following land that was previously let out being brought back in house. In addition to the applicant's farming activities, they also run a farm shop near to the main farmhouse. There are three houses sited within the farm. These are currently occupied by the existing owners, their daughter (farm shop manager) and a farm worker. The initial supporting statement identified that 3.15 full time workers were required for the running of the farm. The extra hours required were based on the additional time needed to look after pedigree ewes and rams. The supporting statement also identified that because of the new farm shop the applicant's daughter was now required full time as a shop manager and therefore a farm manager would be required to live on site. Since then, an updated supporting statement has been provided which increases labour requirements to 3.85. This increase is as a result of the proposed erection of an agricultural shed to house animals during the winter months. It is proposed to increase ewe numbers from 350 to 430 for 2022. It also notes that due to the demand from the farm shop and the plan to erect an agricultural building the farm is introducing a 500-bird chicken broiler enterprise.

1.5 Planning history:

- Agricultural prior notification (22/00221/APN) for erection of agricultural shed permitted 11th March 2022. It is proposed to house sheep within the shed.

- Full planning permission (18/01159/FULL) for the erection of farm restaurant with ancillary farm shop and associated parking and access was approved with conditions on 13th March 2019. The proposal was justified as the farm restaurant and shop would diversify and bring economic support to the existing rural farm business and this would also allow the existing business to expand in the future.

- Full planning permission (17/03344/FULL) for the erection of dwellinghouse and associated domestic shed on land opposite Aiky Hill and approximately 1 km to the east of Saline Shaw Estate buildings was approved with conditions on 25 May 2018. The approved dwellinghouse and domestic shed are located at the entrance to Langfaulds Farm with the land at Saline Shaw and Langfaulds Farm being purchased by the existing owners (Saline Shaw Estate) in 2014. This proposal was justified as the dwellinghouse would be essential to support the existing rural farm business (Saline Shaw Estate).

- Full planning permission (15/00743/FULL) for the erection of a dwellinghouse with integral carport and landscaping (demolition of ruinous outbuilding) was approved with conditions on 18 November 2015 on land approximately 720 metres to the east of Saline Shaw Estate buildings. This proposal was justified on the basis that the dwellinghouse would be an essential part of the established rural farm business.

## 2.0 ASSESSMENT

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

- Principle of Development and Design/Visual Impact
- Residential Amenity
- Road Safety
- Flooding/Drainage
- Low Carbon

## 2.2 PRINCIPLE OF DEVELOPMENT AND DESIGN/VISUAL IMPACT

2.2.1 The Scottish Government's Scottish Planning Policy (SPP) (2014) and Policies 1, 7, 8 and 10 of FIFEplan2017 apply regarding the principle of the development.

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

2.2.3 FIFEplan policy 7 (Development in the Countryside) is used to promote a pattern of development in rural areas that is appropriate to the area's character and challenges it faces. It is also used to protect the countryside from unplanned development but also recognises that some activities require countryside locations or are important for the diversification of farms into new enterprises to survive as viable businesses.

2.2.4 FIFEplan policy 8 (Houses in the Countryside) recognises that sporadic development in the countryside could result in the erosion of the rural landscape and so new housing should bring social, environmental and economic benefits. Consequently, criteria 1 of the policy details that development of houses in the countryside will be supported where it is essential to support an existing rural business.

2.2.5 To satisfy this criterion, proposals must justify the need to have residential accommodation and a continuous presence at the site. They will also need to demonstrate that there is no potential for using existing accommodation in the area or the renovation of an existing property. There should also be no evidence of houses or plots having previously been sold from the farm or business holding to private buyers. To justify a housing proposal, a site selection report will require to be submitted, illustrating how the site has been chosen and the stages undertaken to arrive at the chosen location. For housing associated with an existing business the house should be sited so that it fulfils the purpose its intended for and be located close to existing buildings. Planning permission will not be granted if the house is: in an isolated position; on a prominent site; or sited at a distance from existing building groups. Further to this, a supporting statement should be provided to detail where the farm or business boundaries are; the number of existing buildings; whether buildings are used or occupied or not; the number of workers, where they live and if they are full or part time; the type of work the house is needed for and why; and any other information the applicant feels is necessary to justify the proposal.

2.2.6 The application site is located within an area of countryside near Saline- as defined in FIFEplan 2017. The proposed house would be single storey and would occupy a footprint of 339

sqm (including storage and lamb pens). It would be finished using grey concrete roof tiles, larch cladding, white render and salvaged stone. The site would be bound 1.2m high post and wire fencing. A design statement has been provided to detail the site selection process. This explains that the chosen position for the house is on the site of a previous house (now ruinous) which is approximately 116m from the existing farm buildings and is bound to the west by a woodland. The submitted statement details that the position of the house in this location would offer clear views of the fields and would have a fenced area within the plot boundaries for the monitoring of orphaned lambs or calves. It is considered that the new dwelling would be reasonably well screened and would be finished using materials to complement the farm shop building. Having said this, one of the key characteristics of the countryside is its largely undeveloped nature. It is considered that new dwelling would be in an isolated location away from the main farming complex and therefore would have a significant adverse visual impact on the open nature of the surrounding countryside. It would also fail to meet the criteria set out within policy 8 in relation to the principle of siting a new house within the countryside.

2.2.7 A supporting statement has been submitted to justify the existing farm's need to have additional worker accommodation near the site. This report sets out an annual labour requirement of 3.85 full time workers for the Saline Shaw and Langfaulds farm business as well as a further worker for the farm shop. There are currently three houses on the farm- two of which were approved solely on the basis that they were required for farm workers (17/03344/FULL and 15/00743/FULL) Each of the houses are occupied by Mr and Mrs Seath, their daughter (shop manager) and a farm worker. As such there are 4 existing farm workers living within the farm holding at present. The position put forward by the applicant is that their daughter is now required to work full time as a farm shop manager and therefore an additional house is required on site for a farm manager. The applicant has stated that having an additional farm worker on site would allow the business to expand its farming operations, protect and grow the pedigree sheep business and to ensure a high level of security and animal welfare. Furthermore, the applicant has stated that a farm shop manager is required on site 7 days a week to manage 18 members of staff and deliveries.

2.2.8 On review of the submitted information it is accepted that the labour requirements for the farm would be 3.85. It is also noted that three houses already exist on the site which provide accommodation for 4 farm workers at present. It is considered that these houses could provide adequate accommodation for farm workers and therefore an additional dwelling would not be essential for the day to day running of the farm. It is considered that insufficient justification has been provided which explains the requirement for 3.85 farm workers and a farm shop manager to live on site. Whilst it is agreed that an onsite presence is required for site security and animal welfare it is argued that the existing three houses could fulfil this need. Further to this, insufficient justification has been provided to detail the requirement for a farm shop manager to be on site 24/7. It is considered that the farm shop manager could live off site and as such there is not currently an essential need for a new dwellinghouse to support the farm and farm shop business.

2.2.9 In light of the above, it is considered that the supporting information has failed to demonstrate that there is an essential need for a dwellinghouse on this site in line with adopted policy criteria. It is also considered that new dwelling would be in an isolated location away from the main farming complex and would have a significant adverse visual impact on the countryside. The principle of development cannot be accepted and is considered to be contrary to FIFEplan2017 policies 1, 7, 8 and 10.

## 2.3 RESIDENTIAL AMENITY

2.3.1 Policies 1 and 10 of FIFEplan (2017), BRE's Site Layout Planning for Daylight and Sunlight: a guide to good practice (2011), Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018) and Minimum Distances between Window Openings (2011) and Fife Council's Planning Customer Guidelines on Garden Ground (2016) apply.

2.3.2 The main consideration relates directly to any impact the proposed house would have on the adjacent residential properties in relation to overlooking, loss of privacy and loss of daylight/sunlight. The new house would be located in an isolated position with the closest neighbouring property over 116m away. Consequently, it is considered that there would be no significant detrimental impact on daylight, sunlight or privacy to neighbouring windows or amenity spaces.

2.3.3 The proposed plot would offer well over 100 sqm of private garden ground to the rear of the property.

2.3.4 In light of the above, the proposal is considered acceptable in terms of its impact on privacy, daylight/sunlight and garden ground. As such, the proposal is considered to comply with FIFEplan2017 and its associated guidance.

## 2.4 TRANSPORTATION

2.4.1 Policies 1 and 3 of FIFEplan (2017) and Making Fife's Places - Transportation Development Management Guidelines (2018) apply in this instance.

2.4.2 The proposal is for the erection of a dwelling house for a farmworker with vehicular access being taken from the B913 public road at the existing access serving the farm along with the new farm shop/café. The new house would include two bedrooms. Fife Council's Transportation Development Management officer has been consulted and has noted that there is a presumption against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads out with established built-up areas however this may be set aside if the case officer accepts the principle of the development. If the principle of the development was acceptable then a visibility splay of 3m x210m would be required at the junction of the access with the public road. This was also conditioned as part of the recent approval for the farm shop (18/01156/FULL).

2.4.3 In this instance, although the principle of the development has not been considered acceptable it is considered that the intensification of the existing junction is acceptable and would not have a significant detrimental impact on road safety. It is considered that the addition of a single, 2-bedroom dwelling would not have a material impact on traffic movements. As such, it is considered that the proposal would be acceptable in relation to its impact on road safety and complies with FIFEplan2017 and other guidance.

## 2.5 DRAINAGE

2.5.1 Policies 1 and 12 of FIFEplan (2017), SPP (2020) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2021) apply.

2.5.2 The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) requires that a Sustainable Drainage System (SuDS) is installed for all new developments where surface water discharges to ground or water to prevent pollution, with the exception of

runoff from a single dwelling or discharge to coastal waters. As this application is for a single dwellinghouse, SuDS is not required, however surface water attenuation should be provided, unless written consent has been provided as part of the planning application to confirm that Scottish Water accept the surface water discharge from the development into their drainage system at the proposed discharge rate. Scottish Water have confirmed that there is sufficient capacity at the Glendevon Water Treatment Works to service the development however, they have noted that there is no wastewater infrastructure within the vicinity of the development and that private treatments options would be required. It is the responsibility of the developer/ applicant to provide a suitable means of dealing with wastewater. In this case, the applicant proposes to provide a septic tank with partial soakaway which would discharge to the existing watercourse. This would be acceptable.

2.5.3 The application site also lies within an area at risk from surface water flooding. On original consultation Fife Council's Structural Services officer requested additional information regarding surface water flooding and how the risk from the watercourses surrounding the site would be managed. The applicant has submitted a drainage layout and report to detail that the surface water will be attenuated via aqua cell storage and a control manhole with an outlet pipe to the Black Devon. On further consultation, Fife Council's Structural Services has no objections to make and therefore the proposal would be acceptable.

## 2.6 LOW CARBON

2.6.1 SPP (paragraph 154), Policies 1 and 11 of FIFEplan (2017) and Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) apply with regards to the low carbon requirements expected of this proposal.

2.6.2 Fife Council's Low Carbon Fife Supplementary Guidance 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. In addition, planning applications are required to be supported by a Low Carbon Checklist to demonstrate compliance with Policy 11.

2.6.3 The applicant has submitted a low carbon checklist and it is noted that solar panels and an air source heat pump are proposed. As such, this proposal is considered acceptable in this respect and would comply with FIFEplan (2017) and other related guidance.

## CONSULTATION RESPONSES

Transportation, Planning Services	No objection subject to condition and the principle of the development being accepted by the case officer.
Scottish Water	No objection.
Structural Services - Flooding, Shoreline And Harbours	No objection.

## REPRESENTATIONS

None.

## CONCLUSION

The principle and visual impact of the proposed erection of dwellinghouse would be unacceptable. It is considered that insufficient justification has been provided which explains the requirement for 3.85 farm workers and a farm shop manager to live on site. Whilst it is agreed that an onsite presence is required for site security and animal welfare it is argued that the existing three houses could fulfil this need and therefore an additional house is not essential for the day to day running of the farm and shop. Further to this, it is considered that the new dwelling would be in an isolated location away from the main farming complex and therefore would have a significant adverse visual impact on the open nature of the surrounding countryside. It would also fail to meet the criteria set out within policy 8 in relation to the principle of siting a new house within the countryside. As such, it is considered that the proposal would be contrary to policies 1, 2, 7, 8 and 10 of FIFEplan 2017 and would be unacceptable.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interest of safeguarding the countryside from unjustified sporadic residential development; the essential need for a new dwellinghouse at this location to support the existing farming operation is not considered to be justified as there is considered to be sufficient existing on-site accommodation to provide the required-on site presence to meet the existing farming needs of the business. The application site lies out with any defined settlement boundary and the proposal does not meet any of the criterion as set out in Scottish Planning Policy (2020); and is contrary to Policies 1, 2, 7 or 8 of the Adopted FIFEplan (2017).
2. In the interests of protecting the visual amenity and safeguarding the rural character of the surrounding area; due to the isolated nature of the dwellinghouse remote from the existing farm buildings, it cannot be considered to be of a scale, design and nature compatible with its surrounds or be located and designed to protect the overall landscape and environmental quality of the surrounding rural area; all contrary to Policies 1, 7, 8 and 10 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018).

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National:

SPP - Scottish Planning Policy (2014)

Development Plan:

Adopted FIFEplan (2017)

Making Fife's Places Planning Policy Guidance (2018)

Low Carbon Fife Supplementary Guidance (2019)

Local Guidance:

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

Fife Council's Planning Customer Guidelines on Garden Ground (2016)

Fife Council's Planning Customer Guidelines on Minimum Distances between Window Openings (2011)



**Agenda Item 6(3)**

**Former Haggis House, Saline Shaw, Saline,  
Dunfermline**

**Application No. 21/01556/FULL**

**Consultee Comments**

Friday, 09 July 2021



Local Planner  
Fife House  
North Street  
Glenrothes  
KY7 5LT

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

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Sir/Madam

**SITE: Saline Shaw, Langfaulds Farm, Saline, KY8 1AW**  
**PLANNING REF: 21/01556/FUL**  
**OUR REF: DSCAS-0044018-HBT**  
**PROPOSAL: Erection of a single storey detached dwellinghouse Site: Saline Shaw, Langfaulds Farm, Saline**

**Please quote our reference in all future correspondence**

### [Audit of Proposal](#)

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

### [Water Capacity Assessment](#)

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

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

### [Waste Water Capacity Assessment](#)

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

---

### [Please Note](#)



SW Public  
Published  
To find out more about connecting your  
the water and waste water supply visit:



#### So, how are we doing?

We'd love to know what we're doing well or could do better. We promise we're listening, [click here](#) to tell us...



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

---

## Surface Water

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

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

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

### General notes:

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



- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
- 

## **Next Steps:**

### **▶ All Proposed Developments**

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

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

### **▶ Non Domestic/Commercial Property:**

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

### **▶ Trade Effluent Discharge from Non Dom Property:**

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which



prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

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

Yours sincerely,

**Pamela Strachan**

Development Operations Analyst

Tel: 0800 389 0379

[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

### **Scottish Water Disclaimer:**

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



## FIFE COUNCIL

### ASSETS, TRANSPORTATION AND ENVIRONMENT

**TO:** Bryan Forsyth, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 28 July 2021  
**OUR REF:** DR/21/01556/FULL  
**YOUR REF:** 21/01556/FULL  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Erection of detached single storey detached dwelling house Saline Shaw, Langfaulds Farm, Saline**

I refer to your memo dated 8 July 2021 requesting observations on the application forms and associated plans for the above proposed development and comment only on matters relating to flooding and surface water drainage.

**The Applicant is required to follow our Guidance Note on Flooding and Surface Water Management Plans.**

**All Applicants should submit Appendix 8 – Full Planning Application Checklist. The checklist provides confirmation that the necessary flooding information has been included with the Application.**

The guidance document is available to download at [https://www.fife.gov.uk/\\_\\_data/assets/pdf\\_file/0025/193255/DESIGN-CRITERIA-GUIDANCE-NOTE-ON-FLOODING-AND-SURFACE-WATER-MANAGEMENT-PLAN-REQUIREMENTS-valid-from-01.01.2021.pdf](https://www.fife.gov.uk/__data/assets/pdf_file/0025/193255/DESIGN-CRITERIA-GUIDANCE-NOTE-ON-FLOODING-AND-SURFACE-WATER-MANAGEMENT-PLAN-REQUIREMENTS-valid-from-01.01.2021.pdf)

This is in line with the requirements of many other Local Authorities in Scotland.

There are areas of potential surface water flooding within the development site indicated on the SEPA flood maps. The site is bounded by watercourses and access is proposed to be taken over a watercourse. The Applicant must demonstrate how this risk will be managed.

Where it is proposed to discharge surface water to a Scottish Water system the developer shall provide written evidence of approval for the connection into the network at the agreed rate.

## FIFE COUNCIL

### ASSETS, TRANSPORTATION AND ENVIRONMENT

**TO:** Kerry Gibson, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 28 October 2021  
**OUR REF:** DR/21/01556/FULL  
**YOUR REF:** 21/01556/FULL  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Erection of a single storey detached dwelling house  
Former Hags House, Saline Shaw, Langfaulds Farm, Saline**

I refer to your memo dated 18 October 2021 requesting observations on the application forms and associated plans for the above proposed development and comment only on matters relating to flooding and surface water management.

#### **Appendix 8 checklist is still outstanding**

We also expect to see:

A maintenance schedule for all proposed SuDS, to include a detailed list of activities and timescales.

Completed SuDS design certification Appendix 1.

SEPA should be consulted on the suitability of the combined discharge to the watercourse.

The current guidance document is available to download at  
[https://www.fife.gov.uk/\\_\\_data/assets/pdf\\_file/0025/193255/DESIGN-CRITERIA-GUIDANCE-NOTE-ON-FLOODING-AND-SURFACE-WATER-MANAGEMENT-PLAN-REQUIREMENTS-valid-from-01.01.2021.pdf](https://www.fife.gov.uk/__data/assets/pdf_file/0025/193255/DESIGN-CRITERIA-GUIDANCE-NOTE-ON-FLOODING-AND-SURFACE-WATER-MANAGEMENT-PLAN-REQUIREMENTS-valid-from-01.01.2021.pdf)

This is in line with the requirements of many other Local Authorities in Scotland.

**FIFE COUNCIL**

**ASSETS, TRANSPORTATION AND ENVIRONMENT**

**TO:** Kerry Gibson, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 13 January 2022  
**OUR REF:** DR/21/01556/FULL  
**YOUR REF:** 21/01556/FULL  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Erection of a single storey detached dwelling house  
Former Haggs House, Saline Shaw, Langfaulds Farm, Saline**

I refer to your memo dated 5 January 2022 requesting observations on the application forms and associated plans for the above proposed development and comment only on matters relating to flooding and surface water management.

We have no further comments to make regarding this application.

## Planning Portfolio Internal Assessment Sheet

<b>EPES Team</b>	<b>Transportation Development Management</b>
<b>Application Ref Number:</b>	<b>21/01556/FULL</b>
	<b>Erection of Single Storey Dwellinghouse for Farmworker at Langfaulds Farm, B913, Saline Shaw</b>
<b>Date:</b>	<b>5<sup>th</sup> August 2021</b>
<b>Reason for assessment request/consultation</b>	<input type="checkbox"/> <b>Statutory</b> <input checked="" type="checkbox"/> <b>Non-statutory</b>
<b>Consultation Summary</b>	<b>FILE:</b>

### Important Note

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

### Assessment Summary

#### 1.0 OVERALL ASSESSMENT

- 1.1 The proposal is for the erection of a dwelling house for a farmworker with vehicular access being taken from the B913 public road at the existing access serving the farm along with the new farm shop/café.
- 1.2 Transportation Development Management has a presumption against the formation of new vehicular accesses or the intensification in use of existing accesses on unrestricted distributor roads outwith established built-up areas. For clarification purposes, the built-up area, from a transportation point of view, is defined as the area within a 20, 30 or 40mph speed limit. The reason for this policy is that such vehicular accesses introduce, or increase, traffic turning manoeuvres which conflict with through traffic movements and so increase the probability of accidents occurring, to the detriment of road safety.

Consideration can be given to setting aside this policy, for example if the case officer accepts the application is justified in terms of providing accommodation for an agricultural worker.

1.3 According to the current Fife Council Transportation Development Guidelines, 3m x 210m visibility splays must be provided and maintained clear of all obstructions exceeding 1 metre in height above the adjoining road channel level, at the junction of the vehicular access to the site and the public road.

1.4 As part of TDM's considerations of application 18/01159/FULL for the new farm shop/café at Saline Shaw, we requested that the existing junction was upgraded and 3m x 210m visibility splays were provided at the junction of the access with the public road.

## **2.0 CONCLUSIONS**

2.1 Based on the premise that the case officer accepts there is a justification for an additional dwelling for an agricultural worker, TDM have no objections to approval being granted and would welcome the imposition of the following condition, which would ensure that the necessary junction visibility splays were retained for the lifetime of the dwelling regardless of the success or otherwise of the farm shop/café.

## **3.0 RECOMMENDATIONS**

---

3.1 Prior to the occupation of the new dwelling, 3m x 210m visibility splays in both directions shall be provided and maintained clear of all obstructions exceeding 1m in height above the adjoining road channel level, at the junction of the vehicular access and the public road, in accordance with the current Fife Council Transportation Development Guidelines. The visibility splays shall be retained for the lifetime of the dwelling. Reason: In the interest of road safety; to ensure the provision of adequate visibility at road junctions etc.

### **Important note**

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

Author: Andy Forrester, Technician Engineer, Transportation Development Management

Date: 05/08/2021

E-mail: andy.forrester@fife.gov.uk

Number: 03451 555555 extension 480211

Signed by Mark Barrett, Lead Officer, Transportation Development Management

Date: 06/08/2021

E-mail: mark.barrett@fife.gov.uk

Number: 03451 555555 extension 480210