

## Fife Planning Review Body

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



Monday, 14 August 2023 - 2.00pm

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### AGENDA

	<u>Page Nos.</u>
<b>1. APOLOGIES FOR ABSENCE</b>	
<b>2. DECLARATIONS OF INTEREST</b> – 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.	
<b>3. MINUTE</b> – Minute of meeting of the Fife Planning Review Body of 12 June 2023.	5 - 7
<b>4. APPLICATION FOR REVIEW - 22 DUNCAN CRESCENT, DUNFERMLINE (APPLICATION NO. 22/01054/FULL)</b> – Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)	
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2. Decision Notice and Report of Handling	60 – 72
3. Representations	73 – 93
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5. Planning Case Officer's Position Statement on National Planning Framework 4 (NPF4)	102 – 104 105 - 107
6. Comments on Planning Case Officer's Positions Statement on NPF4	
<b>5. APPLICATION FOR REVIEW - COUSTON FARM, BURNTISLAND (APPLICATION NO. 22/00633/PPP)</b> – Planning permission in principle for erection of seven dwellinghouses and associated garages, access and parking and landscaping works	
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3. Representations	420 – 427
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6. Response to Further Representations	465 - 470
<b>6. APPLICATION FOR REVIEW - LAND TO NORTH OF MAIN STREET, ABERDOUR (APPLICATION NO. 21/03908/FULL)</b> – Formation of hardstanding to form ten space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)	
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**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

7 August 2023

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)

### **BLENDED MEETING NOTICE**

This is a formal meeting of the Review Body and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way.

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments, please switch cameras off.

## 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**

12 June 2023

2.10pm – 5.20pm

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

**ATTENDING:** Steve Iannarelli, Strategic Development Manager, Katherine Pollock, Lead Professional and Bryan Reid, Lead Professional, Planning Service; and Steven Paterson, Solicitor, Legal and Democratic Services.

**30. DECLARATIONS OF INTEREST**

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

**31. MINUTE**

The minute of the Fife Planning Review Body of 24th April, 2023 was submitted.

**Decision**

The Review Body approved the minute.

**32. APPLICATION FOR REVIEW - 57 CHAPEL ROAD, KIRKCALDY  
(APPLICATION NO. 22/01302/PPP)**

The Review Body considered the Application for Review submitted by A.S. Associates Ltd., on behalf of Mr. Glen McGuire, in respect of the decision to refuse planning permission in principle for the erection of a dwellinghouse (Application No. 22/01302/PPP).

**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.

*The meeting adjourned at 3.55pm and reconvened at 4.05pm.*

**33. APPLICATION FOR REVIEW - LAND 350M NORTH EAST OF EDENBANK  
FARMHOUSE, DRON, DAIRSIE (APPLICATION NO. 22/03199/PPP)**

The Review Body considered the Application for Review submitted by Wardrop Associates Limited, on behalf of R. Todd and Co., in respect of the decision to refuse planning permission in principle for the erection of a dwellinghouse including formation of access (Application No. 22/03199/PPP).

**Motion/**

Motion

Councillor David Barratt, seconded by Councillor Lynn Mowatt, moved to approve the application.

Amendment

Councillor Jane Ann Liston, seconded by Councillor Alycia Hayes, moved that the officer recommendations be approved.

Vote

Amendment - 2  
Motion - 3

The motion was accordingly carried.

**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.

**34. APPLICATION FOR REVIEW - 10 ST. CLAIR'S COURT, KINGHORN  
(APPLICATION NO. 22/04273/FULL)**

The Review Body considered the Application for Review submitted by John Gordon Associates Ltd., on behalf of Mr. E. MacLeod, in respect of the decision to refuse planning permission for the installation of replacement windows (Application No. 22/04273/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 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.

**35. APPLICATION FOR REVIEW - 2 KILRIE COTTAGES, AUCHTERTOOL,  
KIRKCALDY (APPLICATION NO. 22/03283/PPP)**

The Review Body considered the Application for Review submitted by TMC Planning and Property Development Ltd., on behalf of Ms. Maureen Wilkie, in respect of the decision to refuse planning permission in principle for the erection of two dwellinghouses (Class 9) and associated development (Application No. 22/03283/PPP).

**Decision/**

**Decision**

The Review Body agreed:-

- (1) sufficient information was before them to proceed to decide the matter; and
- (2) the application be refused (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.

**Agenda Item 4(1)**

**22 Duncan Crescent, Dunfermline, KY11 4BT  
Application No. 22/01054/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 100551164-003

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:	Poplar Design & Build Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Raeburn	Building Number:	12
Telephone Number: *	01592610600	Address 1 (Street): *	Tanna Drive
Extension Number:		Address 2:	
Mobile Number:	07745 203394	Town/City: *	Glenrothes
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY7 6FX
Email Address: *	john@pdbltd.org		

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="Mr"/>	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="M"/>	Building Number:	<input type="text" value="33"/>
Last Name: *	<input type="text" value="Arslan"/>	Address 1 (Street): *	<input type="text" value="Stanley Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glenrothes"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Fife"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY7 4DA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="john@pdbltd.org"/>		

## 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="22 DUNCAN CRESCENT"/>
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="DUNFERMLINE"/>
Post Code:	<input type="text" value="KY11 4BT"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="686808"/>	Easting	<input type="text" value="311321"/>
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## 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)

Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)

## 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.

Statement included in 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)

Notice of review supporting statement Letters of support Public petition

## Application Details

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

22/01054/FULL

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

31/03/2022

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

20/01/2023

## 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 John Raeburn

Declaration Date: 31/03/2023

## Notice of Review Supporting Statement

**22/01054/FULL - Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective) at 22 Duncan Crescent Dunfermline Fife KY11 4BT**



### 1.0 Introduction

This Planning application is for the change of use from a disused garage to a shisha bar within the Abbeyview local shopping centre.

The applicant purchased the building along with a shop to the front and another storage building to the rear (*shown on the plan on page 5 outlined in blue*).

The applicant also owns the shop at the end of the block to the front (*also outlined in blue on the plan on page 5*).

When purchased the building needed a lot of repairs and the applicant looked to see what use it could have as they didn't require both rear buildings for storage, this is when they started doing the renovations unaware that Planning permission was required which led to this application being made.

During the planning application process we have spoken with the Planner and Transportation on various occasions and the main policies that need to be considered are –

- Principle of Development
- Design / Visual Impact
- Amenity Impact
- Road Safety / Sustainable Transport

During the planning application process there was no site visits carried out by either the Planner or Fife Council's Transportation Development Management Team even though we did request one.

### 2.0 Principle of Development

As noted in the report of handling, *"The application site is located within the defined settlement boundary of Dunfermline, where there is a presumption in favour of development. It is also located within a defined local*

shopping centre and would attract more people into the area thereby improving the viability and vitality of the area and providing benefits to the local economy”.

The development complies with this part of the policy.

### 3.0 Design / Visual Impact

These policies state that it requires development proposals to be supported by information or assessments to demonstrate an acceptable layout and design, that the development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses and that they must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to its visual impact on the surrounding area and that the new development shall demonstrate how it has taken account of and meets the six qualities of successful places which include 1. Distinctive; 2. Welcoming; 3. Adaptable; 4. Resource efficient; 5. Safe and pleasant’ and 6. Easy to move around and beyond.

The building when purchased was derelict and needed a lot of repairs (*see photo below*).



The building has been re-roofed, one opening has been built up to the front, the remaining opening has had glass doors and windows installed, new glazed openings formed on the east and north elevations and repainted (*see photo below*).



The building has been modernised and improved the visual appearance and therefore has a positive impact and complies with this policy.

#### 4.0 Amenity Impact

These policies state that the development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses and that it must demonstrate that it will not lead to a significant detrimental impact on amenity in relation to noise, light and odour pollution.

##### Noise

The premises are restricted to 15 customers at any one time, and it is on a booking system only for 1 hour time slots, customers can not just walk in off the street and there is 1 member of staff.

There is no loud music systems within the premises and the music is played through a television with the volume kept down to a background music level.

The doors are kept always closed and the outdoor seating area to the rear is closed at 20.00 with only indoor seating allowed after this time.

There is no sound producing equipment used on the premises except for the television.

As noted before the application site is within the busy Abbeyview local shopping centre where there is a variety of shops located which all have different operating hours.

The Shisha Bar will be open between the hours of 12.00 and 23.00 Monday to Sunday.

Below is a plan showing the location of surrounding shops that are open after 17.30.





The closing times of the shops above are:

- 1 Nisa Local Supermarket - Monday to Saturday: 21.00
- 2 Happy Meeting Chinese Takeaway - Monday to Sunday: 22.00
- 3 Sauro's Fish Bar – Sunday to Thursday: 21.00, Friday and Saturday: 22.00
- 4 Medina Supermarket / House of Desserts – Monday to Sunday: 22.00
- 5 Finesse Beauty – Monday and Tuesday: 19.30, Wednesday and Friday: 19.00, Thursday: 21.00
- 6 Salt N Vinegar Takeaway – Monday to Thursday: 21.00, Friday to Sunday: 00.00
- 7 McColl's Supermarket – Monday to Sunday: 22.00
- 8 Sweet Cravings Dessert Parlour – Monday to Sunday: 22.00
- 9 Polish Shop Domino Supermarket – Monday to Friday: 20.00, Saturday: 19.00, Sunday: 18.00
- 10 Al Falah Halal Meat Shop – Monday to Saturday: 20.00, Sunday: 18.00
- 11 Asia Spices Takeaway – Monday to Sunday: 23.30

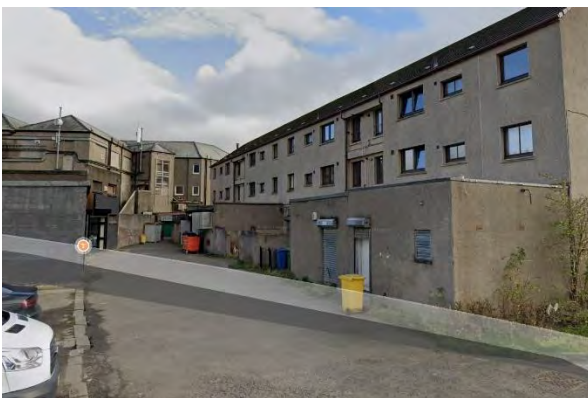
As the plan shows the application site is surrounded by shops open at night and it is a busy area with people coming and going at all times, the difference with the application site is people are only arriving and leaving on the hour where at the other shops, customers are arriving at all times which can generate noise.

On the plan the footpaths crossing through the area are highlighted in a blue hatch, these footpaths link Duncan Crescent with Allan Crescent and Abbey View, these are busy footpaths at all times of day.

There has been comments made about people loitering around the premises, the customers are advised to only arrive at their booked time slot and when leaving they are not allowed to loiter at the front of the building to minimise any noise to neighbouring properties.

The customers using the Shisha Bar are of an older and mature nature and are not known to loiter and hang around buildings, there is a much greater chance of younger people loitering around the shops and making noise.

With the flats located above the shops, the Shisha Bar is set back from their windows (*see photo below*) which will reduce noise of customers coming and going whereas at the front their windows are directly above the existing shop entrances (*see photo below*) which will have a greater impact on them with their customers.



Rear elevation showing relation of flats windows to Shisha Bar (*Google image*).



Front elevation showing relation of flats windows to shop entrances below.

Fife Council's Environmental Health Team were consulted, and they recommended refusal unless the opening hours were reduced at Planning stage, at no time was this ever discussed with ourselves and the opening hours are in line with the neighbouring takeaways.

They also referred to the site as “a courtyard location, shielded from any road noise”, it is within the parking / service area to the neighbouring shops which still has road noise.

Since the Shisha Bar has opened the Police have arrived unexpectedly following reports from a member of the public in the flats on three occasions and on all of these, they have confirmed there was no issue with noise and these visits have been recorded.

With the information above, it demonstrates it is a busy area with the surrounding shops, takeaways and the public footpaths passing the application site and the additional noise of customers coming and going on the hour from the Shisha Bar would not cause a significant detrimental impact on amenity in relation to noise.

### Odour

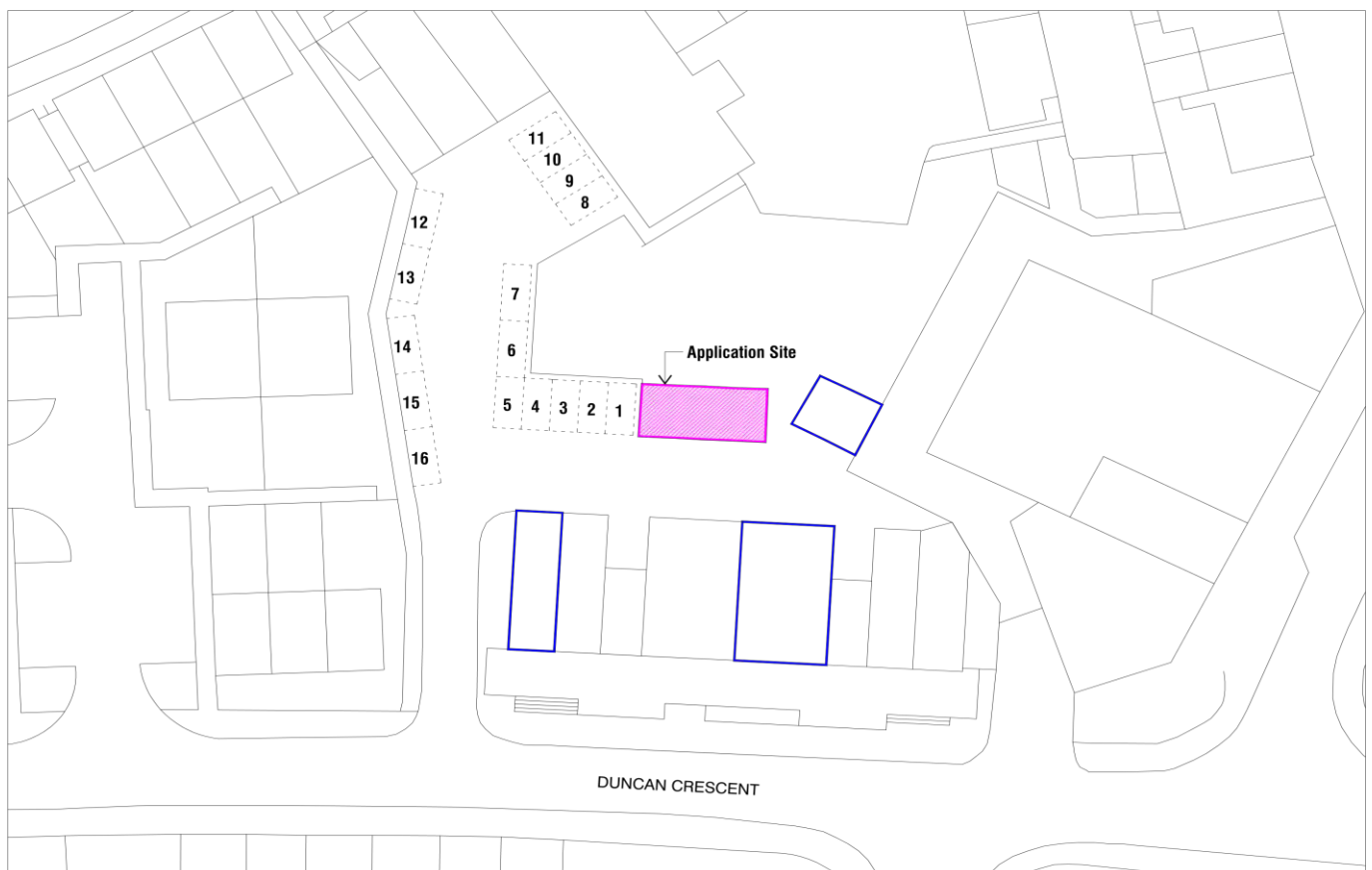
In the report of handling, it states “it is considered unlikely that the development would lead to any significant odour impacts on neighbouring properties”.

Therefore, it complies with this policy.

### **5.0 Road Safety / Sustainable Transport**

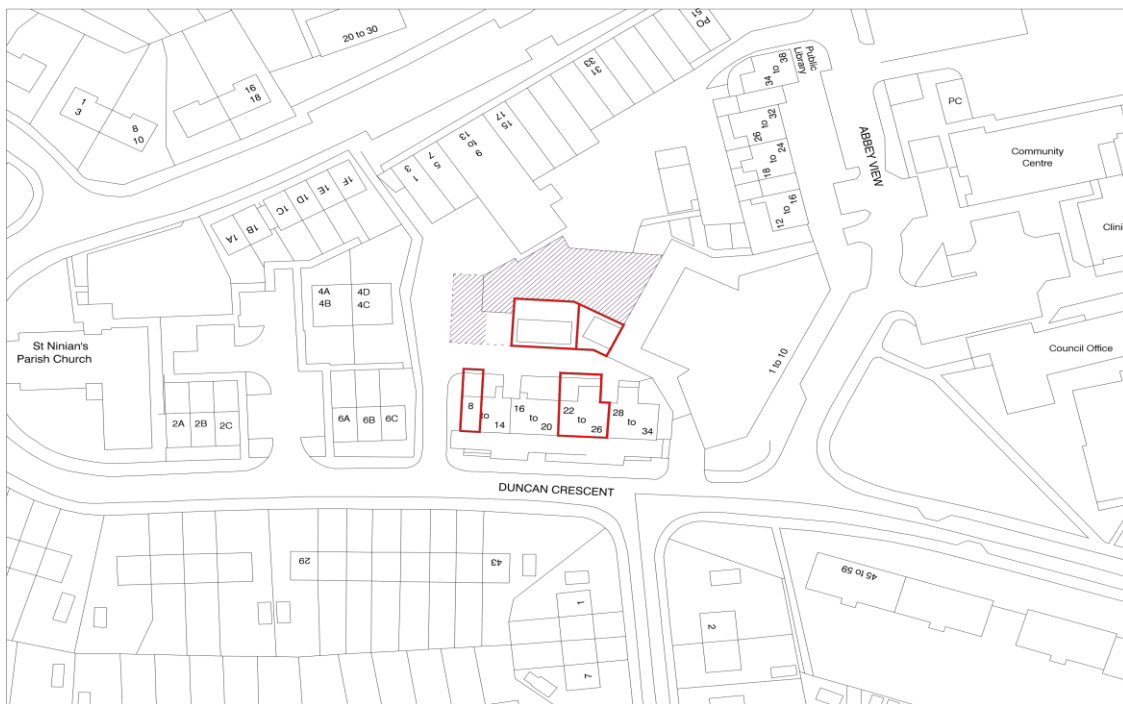
These policies state that infrastructure and services require a proposal to be designed and implemented in a matter that ensures delivery of the required level of infrastructure in a sustainable way. This includes the provision of roads to integrate safely with existing networks. Amenity requires a development to mitigate its impacts on amenity in relation to traffic movements.

There is car parking provision in the area for 16 parked cars which are all out with the service areas to the shops (*see plan below*), the applicant does not own this ground but spaces 1 to 4 are owned by a neighbouring shop owner and they have permission to use these spaces and the remainder of the ground is owned by Fife Council.



After the first consultation from Fife Council’s Transportation Development Management Team, we had a telephone conversation with them to discuss the application. In their consultation they recommended 15 parking spaces be provided, when we told them there would only be a maximum of 15 customers and 1 member of staff, they verbally advised they would look for 6 or 7 parking spaces but would still want them in the ownership of the applicant.

Following this discussion, we approached Fife Council to purchase some land for parking and we also said we would purchase the grass area and maintain it as at present it is overgrown and not maintained and in the applicants view it would improve the area, does not affect the servicing of the shops and would provide the car parking required. Below is a plan showing the buildings in the applicant’s ownership outlined in red and the hatch area shows the area of ground we asked to purchase. The Council refused to sell the land.



This parking area is not heavily used which can be seen in section 5.0 (*existing car park usage*) of the supporting statement submitted with the Planning application, these photos were taken over a 7-day period at 19.00 the week before the Shisha Bar opened, below are 2 photos taken from this statement (*these are the Friday and Saturday night photos*).



**Friday** (NOTE – both cars are at the Shisha Bar)



**Saturday**

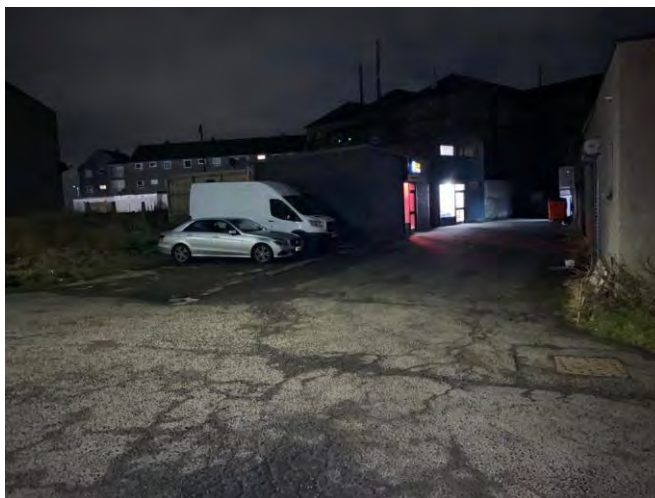
Since these photos were taken, we have taken photos over a 6-day period at the end of February to show the car parking now that the Shisha Bar is open, these photos were taken around 21.00.



**Tuesday**



**Wednesday**



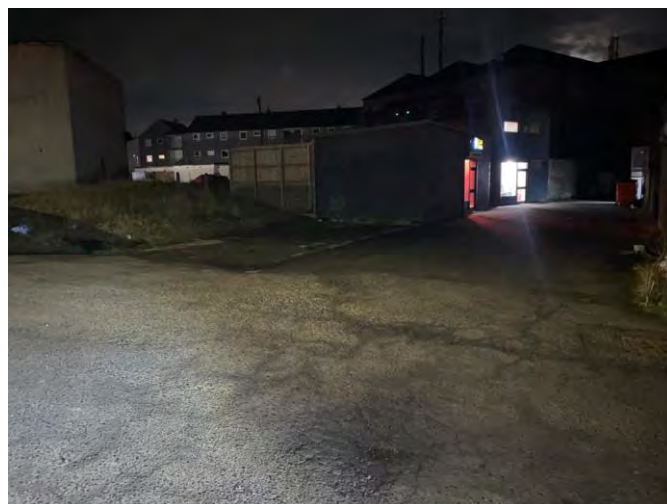
**Thursday**



**Friday**



**Saturday**



**Sunday**

As shown in the photos, there is not a lot of cars and the cars that are there are parked safely, do not compromise the service areas to the shops and there are still spaces available.

From experience with the Shisha Bar operating, customers tend to arrive in a group of 2 or 3 in one car and also arrive on foot from the surrounding area and there is a maximum of 15 customers in at any 1-hour time slot.

There is also parking to the front of the shops (see photo below), this parking area is used heavily through the day with customers to Stephens the bakers and the fish shop, Stephens closes at 16.00 Monday to Saturday and is closed on a Sunday, the fish shop closes at 15.30 Tuesday to Friday, 15.00 on a Saturday and is closed on Sunday and Monday. After these shops close the requirement of parking for the shops to the front is reduced and it is at these times that the Shisha Bars customers would be parking.



In Fife Council's Transportation Development Management Teams consultation they note *"there are no safe pedestrian routes to the property"*, there is the public footpath going from Duncan Crescent to Allan Crescent, from there the customers have to walk along the service area at the back of the shops to the entrance, there are no vehicles move at speed in this area and the people walking across this are of an older and mature nature and not children, when you go to any of the large supermarkets, you have to walk between cars and over car lanes to get to the footpath to walk to the main entrance and in these instances children are involved which I would suggest is a more dangerous road safety situation but are approved on a regular basis. They also commented *"nor is the area adequately lit"*, the applicant is putting wall lights on the rear of both of his properties and his neighbour (second shop in from the end) is allowing a light to be positioned on it so this will light the area and the lights will shine away from the flats above.

Fife Council's Transportation Development Management Team also commented *"cars parked within the area would also make it difficult for vehicles servicing the commercial units to turn and leave the area in forward gear"*, there has never been any issues with deliveries to the shops and this is confirmed in the letter of support attached to this statement from The Fresh Fish Place who comment *"We have never had any issues with our deliveries being blocked by Buzz's customers. Buzz customers are mostly evening customers and most deliveries for the shops around here tend to be in the daytime."* The only shop in the area that has large vehicles delivering to them is McColl's on Allan Crescent and their deliveries are made to the service yard entered from Abbeyview as this is where the rear delivery doors to their shop are located. Within the letters of support attached there are three from shops that use this service yard, and these would not have been written if there were any issues.

With all the written and photographic evidence above, it demonstrates that the Shisha Bar is not creating any parking or servicing issues to the shops, there is public footpaths running through the area and where pedestrians have to walk off the footpath, it is in areas where traffic is minimal and when traffic is there they are moving at slow speeds and the area will be well lit for safety.

## 6.0 Public Support

There has been good public support to the Shisha Bar and on google it has 45 reviews that are all 5 stars with great comments and feedback.

Attached to this statement there is a petition to not close Buzz Shisha Lounge and it has 257 signatures.

Also attached are 6 letters of support from local businesses, two of these letters are from shops in the block directly across from the Shisha Bar and another is from a shop on Allan Crescent that uses the same service yard mainly in the evening, these letters would not have been written if there were any issues.

## **7.0 Summary**

When the applicant purchased the building, it was in a state of repair and kids used to hang around in the area, since the works have taken place and the premises opened it has enhanced the look of the building and there are no longer any kids hanging around.

All the above written and photographic information is evidence that the building has been modernised and improved the visual appearance which has a positive impact on the surrounding area, it will not cause a significant detrimental impact on amenity in relation to noise, it will not cause any significant odour impacts on neighbouring properties, it is not creating any parking or servicing issues to the shops, there is public footpaths running through the area for public safety and where pedestrians have to walk off the footpath, it is in areas where traffic is minimal and when traffic is there they are moving at slow speeds and the area will be well lit for safety and there is a large support for the business from both the public and local businesses.

Should the refusal decision not be overturned, it is most likely the building in time will fall back into a state of disrepair as there will be no use for it given that it does not have its own parking therefore Planning permission would not be granted for any other use in which there is the possibility kids will start hanging around it again causing noise and possible anti-social behaviour.

The applicant has spent a lot of time and money on the properties he has purchased (*both this site and the properties facing onto Duncan Crescent*) with modernising them and improving the visual appearance of them to have a positive impact on the surrounding area and this is what he is trying to achieve in this area at the back of the shops which is a public thorough fare linking Duncan Crescent, Allan Crescent and Abbeyview.

Given all the above we seek a positive recommendation and approval of the Planning application.

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**Notes -**

- Existing Finishes:**
- Walls - Mixture of block and brick.
  - Roof - Corrugated sheeting.
  - Doors - Timber with metal sheet face.
- Proposed Finishes:**
- Walls - Roughcast.
  - Roof - Stripped and reboarded and finished with felt.
  - Doors - UPVC (Anthracite Grey).

**Amendments -**



Tel: 01592 610600 Email: info@pdbltd.org

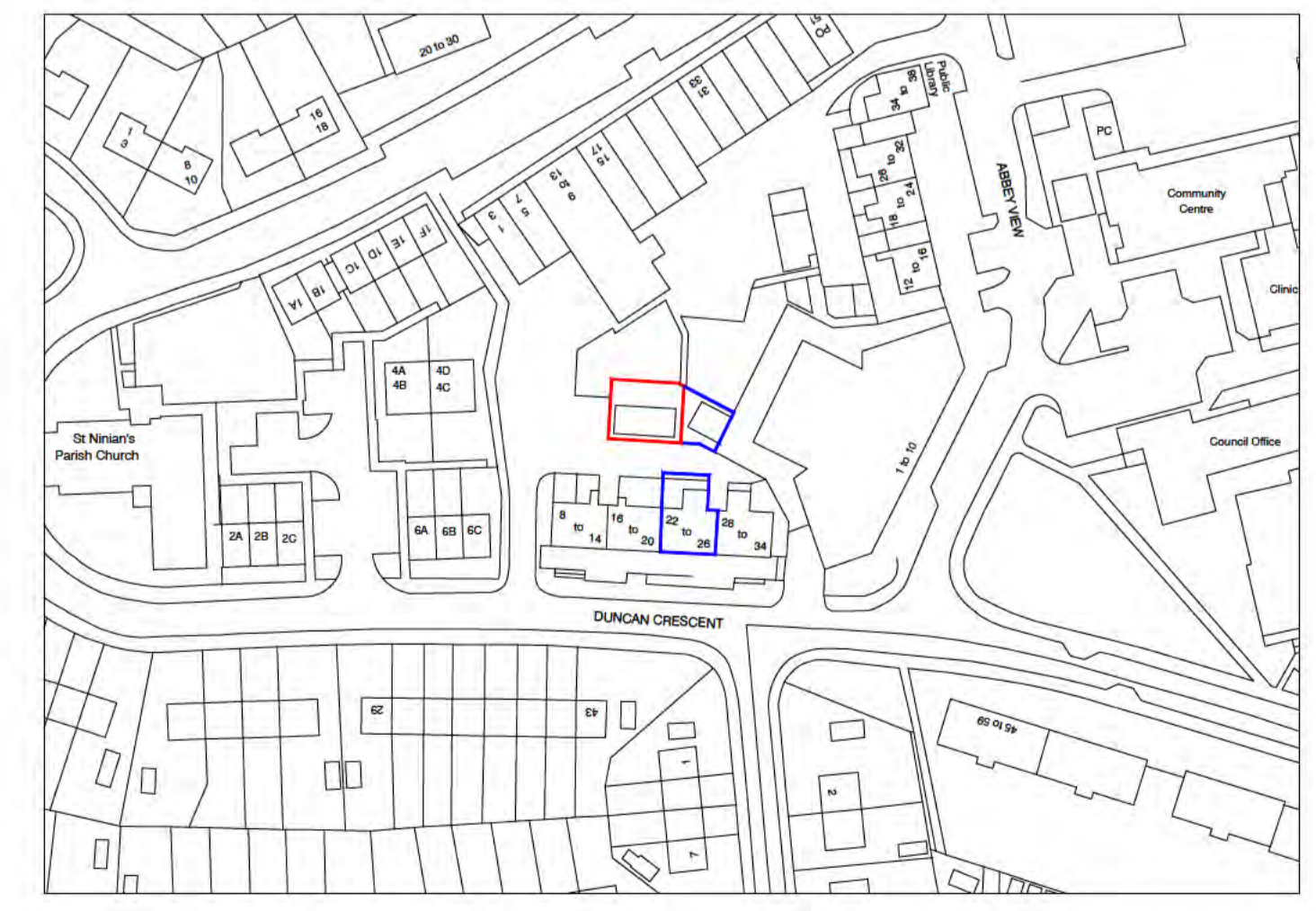
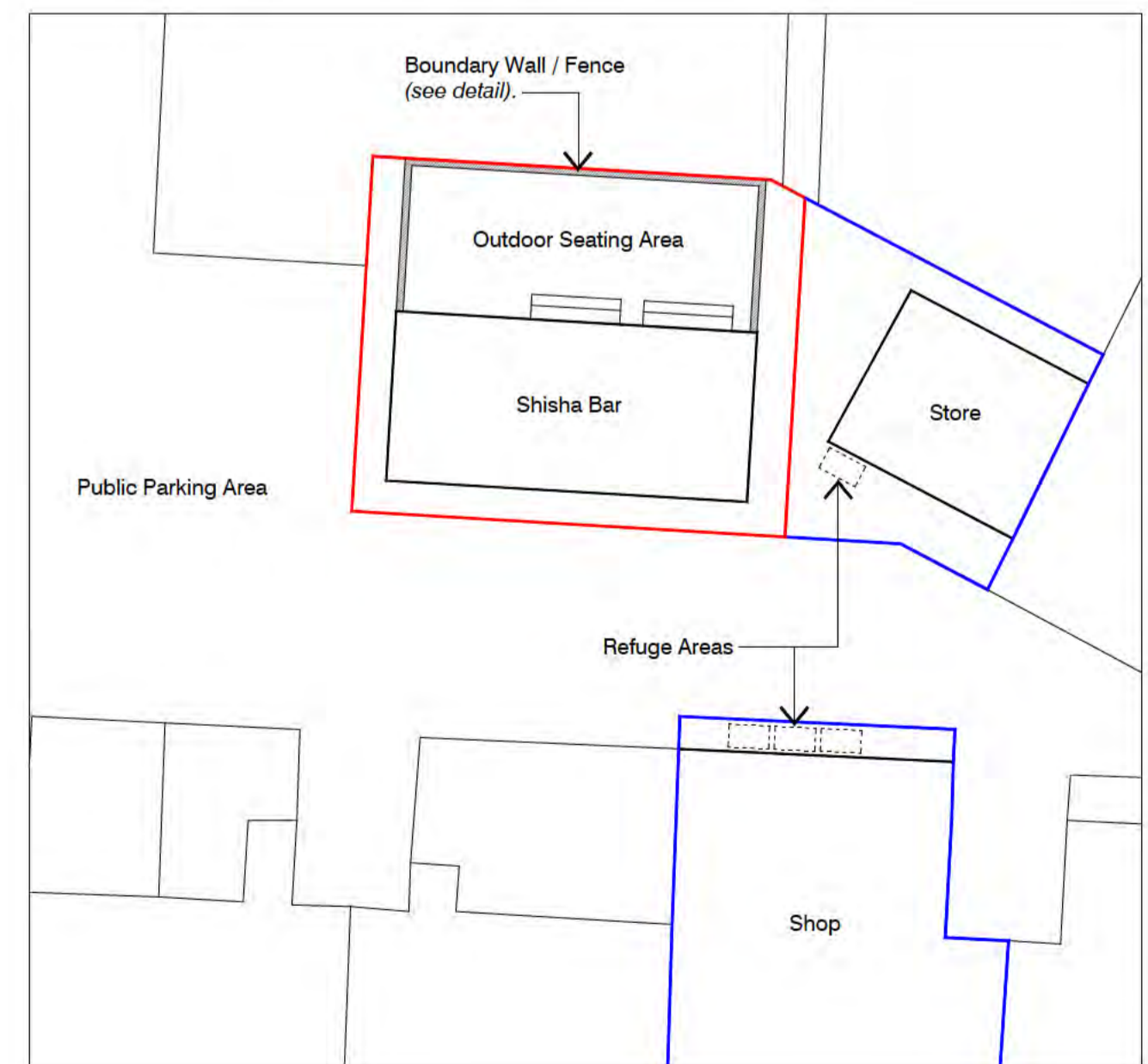
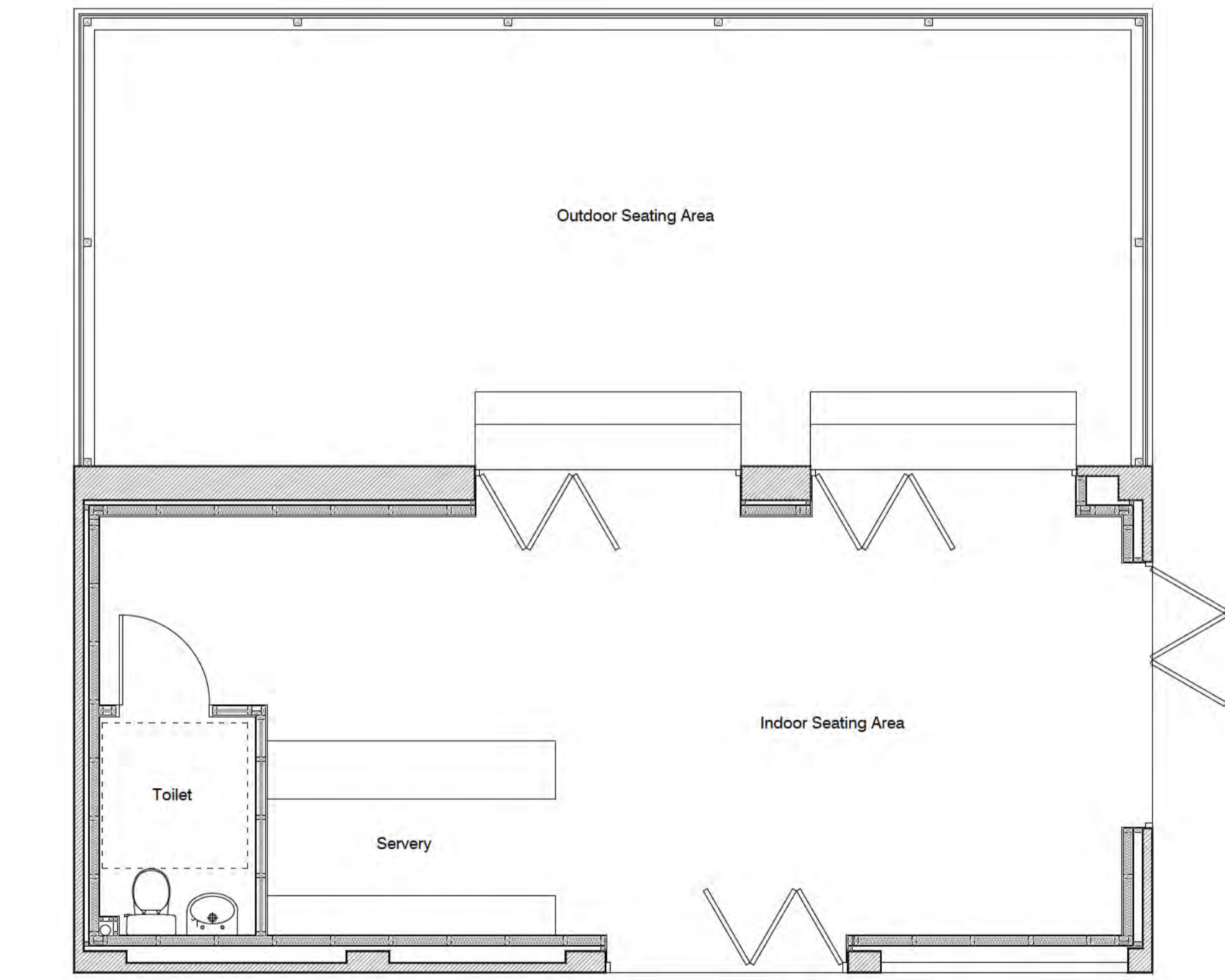
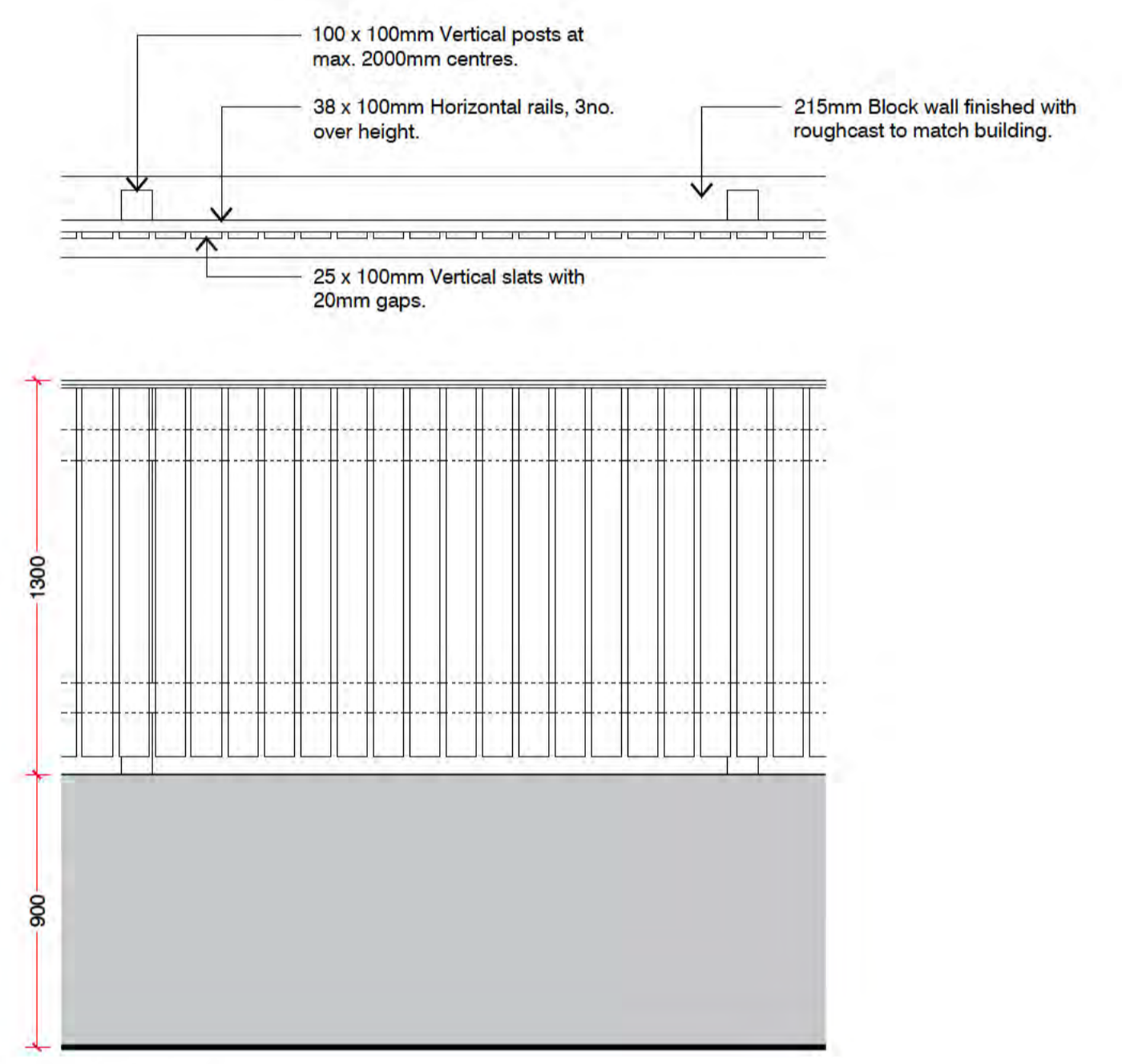
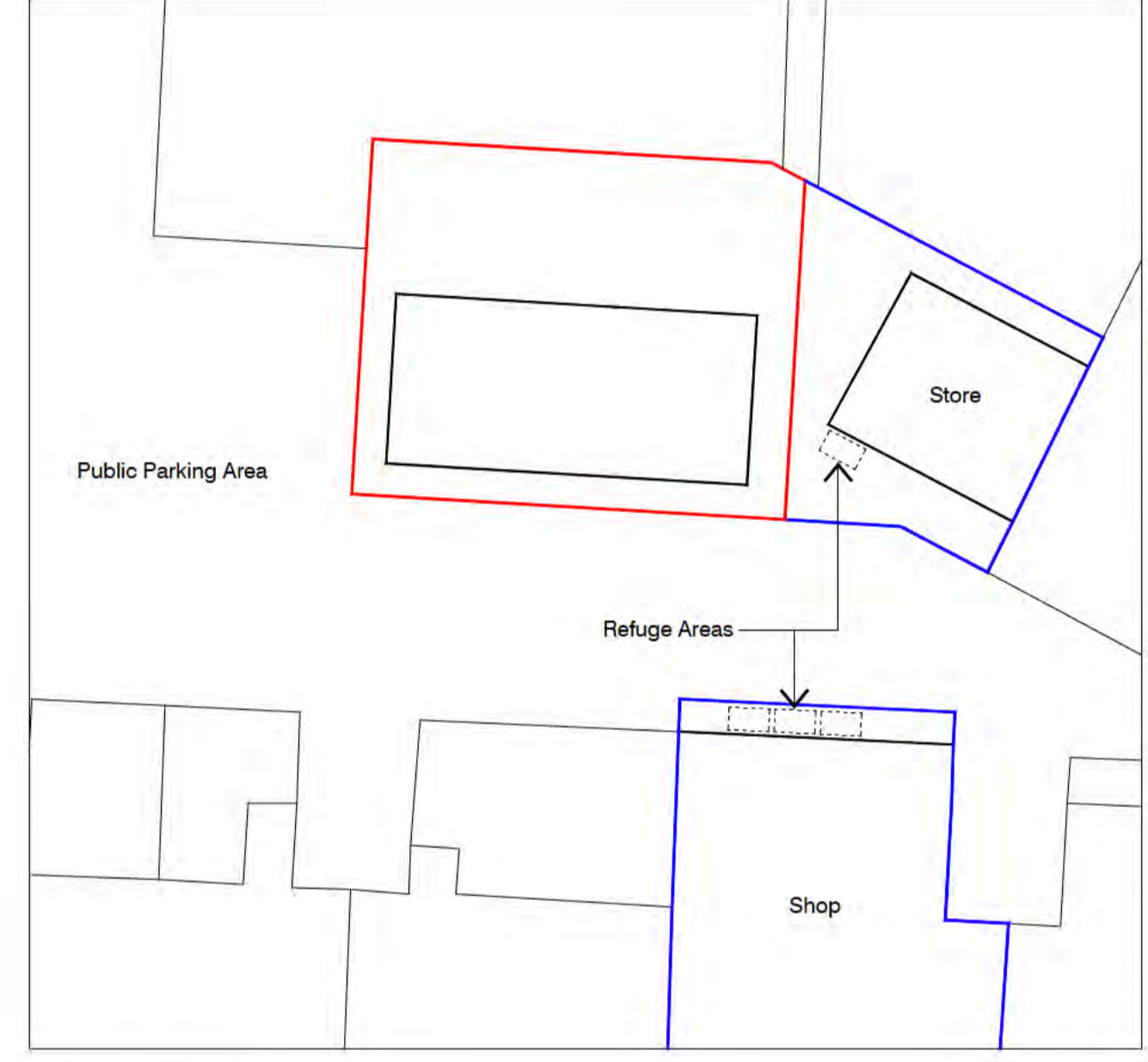
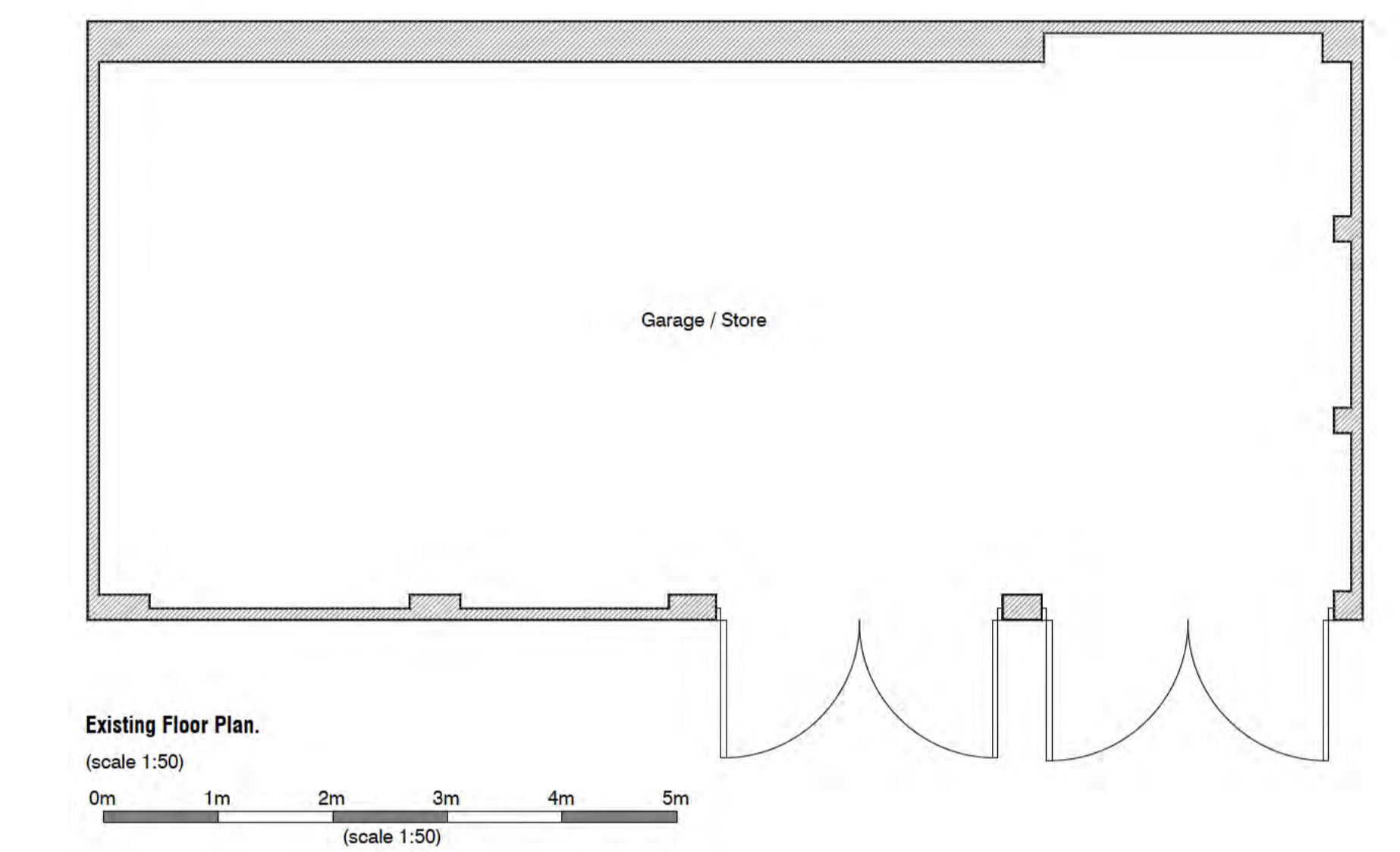
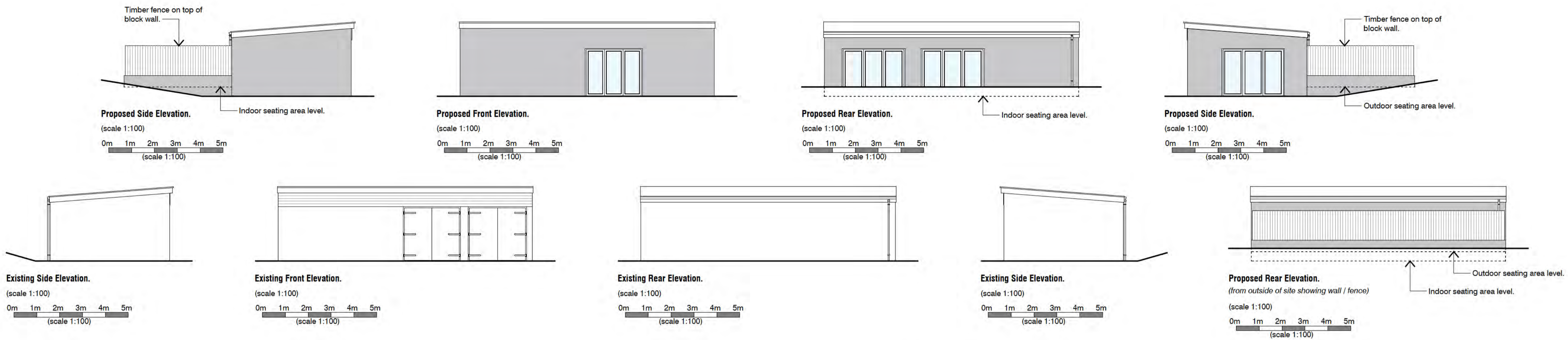
**Client -**  
Mr M Arslan, 33 Stanley Gardens, Glenrothes, Fife, KY7 4DA.

**Project Title -**  
Proposed change of use from garage / store to Shisha Bar at 22 Duncan Crescent, Dunfermline, Fife, KY11 4BT.

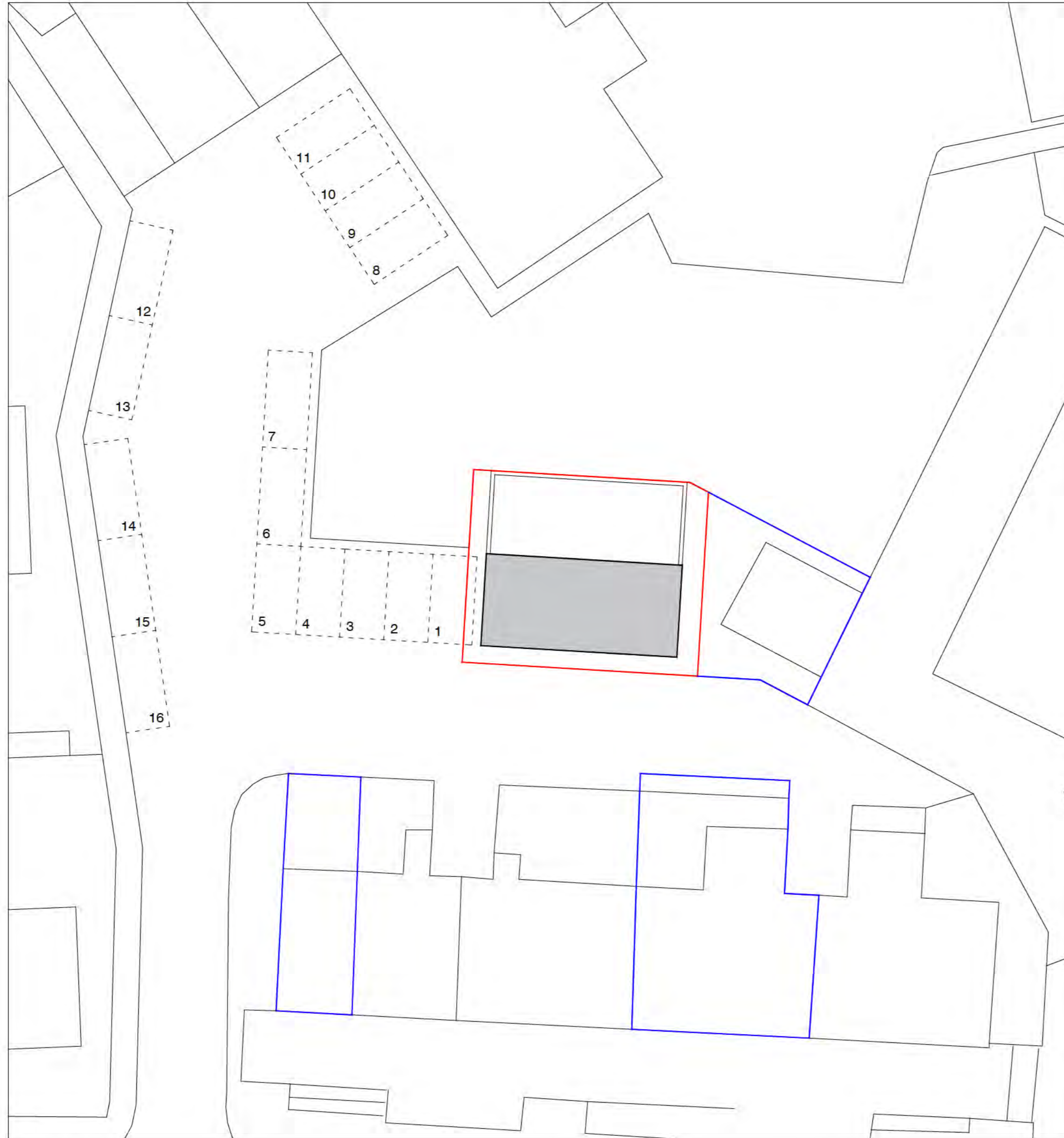
**Drawing Title -**  
Existing and proposed floor plans, elevations, block plans, location plan and proposed wall / fence details.

<b>Drawing no.</b>	01.	<b>Date</b>	Jan. 2022.
<b>Revision</b>	-	<b>Scale</b>	As Shown.

A1







**Proposed Site Plan.**  
 (scale 1:200)  
 0m 2m 4m 6m 8m 10m  
 (scale 1:200)

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 Figured dimensions to take preference over those scaled.  
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 This drawing is to be read in conjunction with the specification.

**Notes -**

**Amendments -**



Tel: 01592 610600 Email: info@pdbltd.org

**Client -**  
 Mr M Arslan, 33 Stanley Gardens, Glenrothes, Fife, KY7 4DA.

**Project Title -**  
 Proposed change of use from garage / store to Shisha Bar at 22 Duncan Crescent, Dunfermline, Fife, KY11 4BT.

**Drawing Title -**  
 Proposed site plan.

<b>Drawing no.</b>	02.	<b>Date</b>	Jan. 2022.
<b>Revision</b>	-	<b>Scale</b>	1:200.



**RE: BUZZ SHISHA LOUNGE**

DATE: 10/02/2023

**FAO. Fife Council Planning Department**

I am the General Manager of Fabric; the business has operated in the city of Dunfermline since 2009.

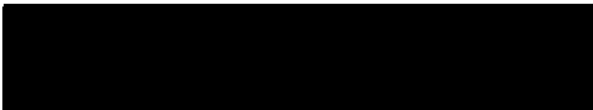
I understand the Council has put in to motion an enforcement order to close a business called Buzz Shisha Bar, which is in Abbey view. I feel having a place like Buzz is very beneficial to our local economy. The inclusion of alternative types of businesses for different cultures in Dunfermline is what makes this city so vibrant and culturally diverse. Buzz shisha bar is culturally inclusive and allows people to express freely who they are. The uniqueness of this business is that it brings a large and diverse community together. Which brings in more people and business to an area like Abbey view and Dunfermline.

Fabric has benefited from having a shisha bar in the city as it has keeps locals in Dunfermline, instead of them having to travel to cities like Edinburgh and Glasgow to enjoy Shisha. Buzz has been of great help to us in terms of supporting our venue for a late night alternative for their customers when they shut as we are open until 2am on the weekends. When people have been looking for somewhere to go after shisha the business has always recommended our venue to their customers.

When there is a service being provided to the local and surrounding areas this should be considered as a huge benefit to Dunfermline's Economy. These are customers who would have had to leave the city to get the same service elsewhere, instead now they are spending their money in Dunfermline. In tough times like this we should support and keep business open instead of trying to shut them down.

I hope you take my views and concerns into consideration and cancel the enforcement order and allow the business to remain open.

Kind regards

  
Ajaz Mohammed (General Manager)

Fabric – Drink & Dine, 2 Canmore Street, Dunfermline, KY12 TNT

The Viceroy  
1 Queen Anne Street  
Dunfermline  
Fife  
KY12 7BA

FAO Fife Council

To Whom It May Concern,

I am writing to convey my support for a business which you have put a motion through to close down. The business is called Buzz Shisha Lounge which is located in Abbey View, Dunfermline.

I have visited the shisha lounge on numerous occasions and have found the atmosphere to be warm and inviting. The Shisha that is offered there is of a very high quality.

The thing I enjoy the most about having a shisha lounge situated so close to home is that it has a non-alcoholic environment and I don't have to travel far for this service. This type of atmosphere is very rarely found in places like Dunfermline. The staff and owners are very welcoming and always make sure that safety requirements are met to.

Buzz Shisha Lounge also contributes to the economy of Dunfermline by creating jobs, supporting local suppliers and bringing in guests from surrounding areas.

We hope you can take our positive views into consideration. Also, that you can work with Muhammad to keep the Shisha Lounge open.

Kind Regards

Umar Hayat 

3-3-23



Hasan Yildirim  
8 Duncan Crescent  
KY11 4BT

FOR THE ATTENTION OF FIFE COUNCIL

To whom It may concern

As a new business owner who is new to the area of Abbey view, I am deeply concerned with the council's motion to close down Buzz Shisha Lounge.

I feel having a place like Buzz is so beneficial to our local economy and to the area. Buzz has helped my barber business so much. They have introduced so many of their customers to us. It has been so handy having a business where my customers can go and sit and wait if I was too busy. Some of my clients would have never come to an area like Abbey view but due to having a Shisha lounge which attracts so many cultures, they come from areas far away. They will often get a haircut from myself and then go and relax at Buzz Lounge. It is so important to have an inclusion of different cultures in Dunfermline.

They have helped a run-down Barber shop in a run-down area now become a place to be.

Businesses like mine have benefited so much from having a shisha lounge in the city as this has kept locals in Dunfermline. As a business they have helped so much promoting my shop also.

Its businesses like Buzz that are bringing people to Dunfermline from surrounding areas so instead of closing them down we should be keeping them open. Buzz has helped boost Abbey view as a hip place to be. It has become an area where cultures can mix in the setting of a social environment.

As for parking, Buzz customers are mostly evening customers and don't take any extra parking more than any other business customers in the area. No residents are affected with them being open. Shisha Lounges have never been known for anti-social behaviour. I think having a place where Alcohol is not sold but you are still able to have a good time is good for locals and surrounding people.

Unfortunately, the issue is many people don't know what a shisha lounge is. If people would learn about other cultures and not be so ignorant, a business-like Buzz could thrive and make an area like Abbey view Thrive.

We should be keeping business open in times like this but instead due to social ignorance a business-like Buzz is being asked to close down.

Thank you for taking out time to read our concerns.

Kind Regards

Hasan Yildirim



22/2/25



15a Carnegie Drive

Dunfermline

Ky12 7AN

To whom It may concern.

We understand the Council has put in a motion to close down a business called Buzz Shisha Lounge, which is located in Abbey view. As long-time business owners in this city ourselves we are writing today with deep concern to the council's decision.

Having a place like Buzz is so beneficial to our local economy and to our business.

Many times, Buzz has had customer who have come from Kirkaldy and Leven and other surrounding areas. They have and still do recommend our business to those customers; we have had so many orders from Buzz customers since they have opened and would not have had that benefit before.

The fact that Buzz has brought revenue into an area like Abbey view should be appreciated and celebrated by surrounding business and the local council.

Business like ourselves have benefited from having a shisha lounge in the city as this has kept locals in Dunfermline. Before locals would have had to travel to Edinburgh and Glasgow where shisha bars are in numbers.

The Business has been of great support as in means of advertisement.

A service is being provided to locals which is not available to anywhere in Dunfermline or surrounding areas of life. We should be keeping business open in these hard times instead of closing business's down.

We hope you take all the above into consideration before making any harsh decisions.

Many Thanks.

Kind Regards

Azam Chaudhry,



Salt N Vinegar  
13 Allan Crescent  
Dunfermline  
KY11 4HE

FOA FIFE COUNCIL

I have heard that the council has put in a motion to close down Buzz Shisha Lounge

As a business owner myself who is located in Abbey view, I am deeply disappointed in the council's decision. I feel that the Shisha Lounge has opened up a new life to Abbey view. Shisha is something that has brought in people to a place like Abbey View.

I had read the motion and do understand the council's issues with cars and pedestrian safety. I am sure these are small issues which can be resolved instead of closing down the business.

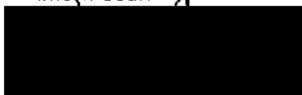
As far as I am aware there has been no increase of anti-social behaviour due to it being open. I have passed it a few times and have not been able to hear any music or loudness from the building.

I think the minor issues you do have can be resolved. In hard times like this we should be supporting businesses to stay open not closing them down. I think we can all agree that Mr Muhammad has made a fantastic job of an empty and useless space.

We hope that the council and Mr Muhammad can resolve the issues and keep the business open.

Kind Regards

Imam Ucak



The Fresh Fish Place  
32 Duncan Crescent  
Dunfermline  
KY11 4BT

For the Attention of the Fife Council.

It has come to my knowledge that the council has put in a motion to close down Buzz Shisha Lounge.

As a business owner myself who is located in Abbey View this has deeply saddened me. Mr Chaudhry invested money into Abbey View with an idea that many thought wouldn't succeed in an area like this. But to my and many others surprise the Shisha Lounge is a great success.

It has brought a lot more footfall into the area and has been great for the economy.

We have never had any issues with our deliveries being blocked by Buzz's customers. Buzz customers are mostly evening customers and most deliveries for the shops around here tend to be in the day time.

I do understand the council's issue with it being a danger to pedestrians at night etc but instead of closing down a whole business I am sure the council can work together with the owners to make it safe for customers to use the premises. Any issues I can see in the motion can be easily resolved if the council were to meet the owner and actually have a look at the area itself.

We have never had any problems with anti-social behaviour our noise from the premises itself or its customers. Generally, the customers are of a mature age and are respectable business owners as myself.

We hope you can work with owner and solve the issue to keep a thriving business open.

Kind Regards



John Stephen



### Petition to not close Buzz Shisha Lounge





<p>Petition summary and background</p>	<p>Fife Council has granted an enforcement order to close down Buzz. Sadly, many of the claims are false on the petition about customers taking up parking spaces and causing noise at night time etc.</p> <p>Unfortunately, there is a lot of social stigmas around shisha bars which is caused by pure ignorance and lack of knowledge about what shisha actually is. A lot of people have never even been to a Shisha bar and chosen to dislike them anyway! There are no parking spaces for local residents that reside in the area next to Buzz, which can cause any inconvenience for them when parking.</p> <p>Buzz customers are mostly evening customers, which does not affect any other business or access for deliveries.</p>
<p>Action petitioned for</p>	<p>We the undersigned are patrons of Buzz and residents of Dumfermline and the surrounding areas in Fife.</p> <p>Having a local Shisha bar in Fife has been of huge benefit and a source of much enjoyment to us. It has saved us time, money and long journeys to Edinburgh or Glasgow to enjoy the service that is being offered to us on our door step by Buzz.</p> <p>We urge Fife Council to act now and reverse the enforcement order that has been issued to close Buzz Shisha Lounge, so that it can remain open.</p>

Printed Name	Signature	Address	Comment	Date
ZAFIRA ZAHID	[Redacted Signature Area]	1 Aytoun Avenue, Kirkcaldy KY2 6ZU	Friendly + safe place for social gathering	10/2/23
wasif Anjum		46 Fenton Street Rochdale OL1 3TH	friendly + nice place to go	10/2/23
jordan canne		65 Firdrom Street DUNFERMLINE		



Printed Name	Signature	Address	Comment	Date
FAISON Kara	[Redacted]	10 MAJOR GARAGE with 300	Relaxing environment	12/2/23
MICHAEL AZEEM	[Redacted]	10 major garage	see relaxing EMVIROUNT	12/2/23
IMANU ARSIDO	[Redacted]	32 KYLE CREST Purinton rd 111200	CHILL OUT L.A.X	21/02/23
MOZAM JABBAR	[Redacted]	23 Plumix Place	Peaceful environment.	13/02/23
GIANNI PALIN	[Redacted]	8 evershed drive	RELAXING	14/2/23
ROSS COLYHAN	[Redacted]	40 Bruid's RD	Relaxing	14/02/23
ROBERT BELL	[Redacted]	25 HUMPHRES RD	NICE FRIENDLY, QUIET CALM ENVIRONMENT	14/02/23
Chloe FERGUSON	[Redacted]	7 Cragmount	Nice place	15/02/23
TYLER SIMPSON	[Redacted]	39 Dunmore St	Relaxing	25/02/23
David Jordan	[Redacted]	14B <del>with</del> MILL STREET	Relaxing	25/02/23
Reynold No	[Redacted]	17-B BILL STREET	RELAX	25/02/23
LUIS KENZO	[Redacted]	13 SHERAT-GARDENS	RELAX	27/02/23
PERNANDA	[Redacted]	21, GRENELLEMS	RELAX	25/02/23
Kyle Molloy	[Redacted]	220 WINDYBANK ROAD	very good and relaxing	28/02/23
Steven Ross	[Redacted]	25 weavers row	very good staff, nice relaxing time.	28/02/23
14711AN LAMOS	[Redacted]	96 PARK ROAD, ROYSTON	Excellent Service Very friendly.	24/2/23

Printed Name	Signature	Address	Comment	Date
Awas		101 Bwers Ferry Road	Best place for social going	28-02-23
Awas, Mufala		202 Awerly Road	Relaxing Environment	28-02-23
ROYA		1 Pedernaculos	Friendly Environment	28-02-23
USMAN SALEEM		1 SEAFAR DRIVE, KELLY	Relax social environment	28-02-23
Mubashir Naeem		1 Donbiste gardens	Best social Place	28-02-23
MAKHAZAR		160 HIGH ST KPT	Best SHERA Gully	28.02.23
Riswan Baig		27 Caldwell's court	Friendly Environment	28.02.23
SATVIR SINGH		9 Chestnut Ave, Melb	Best Place	28-02-23
veernikaradej		9 Central Avey melb	FRIENDLY	28-02-23
Zulfique Ahmed		24 Junction Rd	Best place to visit	28-02-23
Jordan Smith		279 Methilhaven ROAD	good for socialising Safe Environment	28/02/23
M. Adnan		9 Fraser place 'Genothas	Friendly Environment	28/02/23
Kashif Siddique		3 Berwin rd rose genothas	good for socialising	28/02/23
IMTIYAZ HAMEED		33 mulling	Relaxing Environment	28/02/23

Printed Name	Signature	Address	Comment	Date
M. ISIFZIA		531 WELLSLEY RD METHUEN KY 83 PD	Keep This Place	28/02/23
H. REHMAN		355 METHUEN RD METHUEN KY 83 PD	Keep This Place	28/02/23
M. SAWADI		17 Holly Grove, Leven KY 83 PD	Keep open	28/02/23
M. Asad		SU-A Reh Road	Buy place for Rebo	28/02/23



### Petition to not close Buzz Shisha Lounge

<p>Petition summary and background</p>	<p>Fife Council has granted an enforcement order to close down Buzz. Sadly, many of the claims are false on the petition about customers taking up parking spaces and causing noise at night time etc.</p> <p>Unfortunately, there is a lot of social stigmas around shisha bars which is caused by pure ignorance and lack of knowledge about what shisha actually is. A lot of people have never even been to a Shisha bar and chosen to dislike them anyway! There are no parking spaces for local residents that reside in the area next to Buzz, which can cause any inconvenience for them when parking.</p> <p>Buzz customers are mostly evening customers, which does not affect any other business or access for deliveries.</p>
<p>Action petitioned for</p>	<p>We the undersigned are patrons of Buzz and residents of Dunfermline and the surrounding areas in Fife.</p> <p>Having a local Shisha bar in Fife has been of huge benefit and a source of much enjoyment to us. It has saved us time, money and long journeys to Edinburgh or Glasgow to enjoy the service that is being offered to us on our door step by Buzz.</p> <p>We urge Fife Council to act now and reverse the enforcement order that has been issued to close Buzz Shisha Lounge. so that it can remain open.</p>

Printed Name	Signature	Address	Comment	Date
ALI RAZA	[Redacted]	41 WOODMILL CRECHT KY11 4AN	KEEP THIS OPEN	28/02/23
NASIA ALI	[Redacted]	41 WOODMILL CRECHT KY11 4AN	LOVE THE PLACE	28/02/23
ANI KURSIAM	[Redacted]	17 Lochyrie, Mill XP	LOVE THIS PLACE	01/03/23

Printed Name	Signature	Address	Comment	Date
Colvard View		Dunblaine 4 Whiffloff		01.03.2023
P. LEVIN		18 CHURCH ST. D/1	AI*	2.03.2023
B. AUBURN		20 PENTLAND TERRACE	Always good service!	2.03.2023
C O'Rourke		69 Blacklow Road	Great service always smiling.	2.03.23
Troy Lawson		75 Ochil terr	Great Service	2/5/23
JAMES O'DONNELL		20 PENTLAND TERRACE	great	3/3/23
NATHAN NEVENS		20 PENTLAND TERRACE	BRELLIANT	3/3/23
Ronix Wang		1 Murray Walk	Awesome Pic	3/3/23
Farhan Javed		126 GRIER ST	Great atmosphere	3/3/23
Robert Renner		126a GRIER ST	Keep it open	3/3/23
HINA ASAR		15 Halyard Rise	Great Place	3/3/23
Sunder Kaur		14 Doerree Drive	Fab Pic	3/3/23
Sben		411 North St		3/3/23



### Petition to not close Buzz Shisha Lounge

<p>Petition summary and background</p>	<p>Fife Council has granted an enforcement order to close down Buzz. Sadly, many of the claims are false on the petition about customers taking up parking spaces and causing noise at night time etc.</p> <p>Unfortunately, there is a lot of social stigmas around shisha bars which is caused by pure ignorance and lack of knowledge about what shisha actually is. A lot of people have never even been to a Shisha bar and chosen to dislike them anyway! There are no parking spaces for local residents that reside in the area next to Buzz, which can cause any inconvenience for them when parking.</p> <p>Buzz customers are mostly evening customers, which does not affect any other business or access for deliveries.</p>
<p>Action petitioned for</p>	<p>We the undersigned are patrons of Buzz and residents of Dunfermline and the surrounding areas in Fife.</p> <p>Having a local Shisha bar in Fife has been of huge benefit and a source of much enjoyment to us. It has saved us time, money and long journeys to Edinburgh or Glasgow to enjoy the service that is being offered to us on our door step by Buzz.</p> <p>We urge Fife Council to act now and reverse the enforcement order that has been issued to close Buzz Shisha Lounge, so that it can remain open.</p>

Printed Name	Signature	Address	Comment	Date
Finlay Hutchison	[Redacted Signature]	11 Osprey Road, Dunfermline, Scotland, DD2 5QA	Give people something to relax without partying	02/02/23
Indira Fowls	[Redacted Signature]	95 Bawinloan Road, Dunfermline, Scotland, DD2 5JY		02/10/23
Lucy Convery	[Redacted Signature]	20 North Erskine Street, Dundee, Scotland DD1 6SH		02/10/23

Printed Name	Signature	Address	Comment	Date
CONOR	[Redacted]	L-11 W W L L	B	9/12/23
MAGGIE	[Redacted]	1 PIRA PIRA MOUNTAINS	STAR	9/21/23
ASIM	[Redacted]	129 Deverall Ave.	SEXY ☺ Open your hearts	02/12/23
ASIM AHMED	[Redacted]	22 Sir Thomas Elder Way	GREAT PLACE	02/16/23
AHMAD AHMAD	[Redacted]	22 Sir Thomas Elder Way	Very Good	02/16/23
AQIB RASOOL	[Redacted]	22 Calderdale Place Aldre	NICE PLACE	2/12/23
Babar Javed	[Redacted]	54 South Larch Road, Fife	Great place for jogging great atmosphere	3/2/23
RAEYANN ASGHAR	[Redacted]	3 Tenobale Ave		2/2/23
Urooch Ash	[Redacted]	.80-84 most road	Good	7/2/23
HARIS SHABEEM	[Redacted]	14 ROE DEER PLACE	GREAT PLACE FOR RELAXING	3/2/23
Keiran	[Redacted]	32 Iona Road	Great Place to Relax with friend	3/2/23
RISHA	[Redacted]	88 MERRIN DENE	GREAT PLACE TO GO WITH FRIENDS	3/2/23
MWALANUS	[Redacted]	16/11/54 South Larch Road	having a splendid holiday	03/02/23
AHMAD GAFUR	[Redacted]	16 muller gye, Kgl 1865	great Socializing area	03/02/23
RIDWAN HABIB	[Redacted]	49 Susssex Ave Golf Links, Gouma	Justified complaint for much noise	3/10/23

Printed Name	Signature	Address	Comment	Date
TAMARA HUSSAIN		49 Silverstone Eastway	We cannot travel from Edin for a good socialise here	3/2/23
Aliya Khaled		50 Ferguson Road Dunfermline, KY11 8NA	Love Shisha	3/2/23
AMRAJ GAFUR		29 Bramble Crescent Dunfermline KY11 8PZ	GREAT PLACE FOR LOCALS TO SAFELY SOCIALISE	3/2/23
ANIKA GAFUR		29 BRAMBLE CRESCENT DUNFERMLINE KY11 8PZ	GREAT PLACE VERY GOOD ATMOSPHERE. LOVE THE SHISHA	3/2/23
TAMIR KHALED		20 FERGUSSON ROAD DUNFERMLINE, KY11 8NA	VERY NICE LOCAL SHISHA PLACE	03/2/23
RASHID WAZ		29 Inchmair Drive KY11 9NS	GREAT FOR SOCIALISING MEET NEW PEOPLE	3/2/23
SHANID		28 Suburban Drive KY11 8DN		3/2/23
ALIK ADAMOV		15 MORSKAYA NABEZHINA SAINT-PETERSBURG, RUSSIA	VERY FRIENDLY, LOVELY PLACE TO COME TO.	4/4/23
Numan Raza		South Leitch Road Dunfermline	Friendly and lovely environment	4/2/23
BSMA HAFIS		18 BRUSFLOD FEUS KY11 4UA	GOOD PLACE	4/2/23
AYOUB DIOU		28 Marchmont Road	GOOD PLACE	4/1/23
Jawad Sabur			Best shisha in Fife and Food 10/10 why waste something that isn't causing a problem	4/2/23
ALI Zaeem		49 North Junction Edinburgh		5/2/23
Osama		82 Leith Street		



Printed Name	Signature	Address	Comment	Date
M WASIF ALI		50 FILDARE VILAGE DUNFERMLINE	Good Place	07/02/23
M-A SGHAR		7 Mackinnon Place	Great Place	07-02-23
ALI R. ASIF		23 The Heather 17 Sharnock Street Dunfermline	Place you want to go to relax + socialise without drink	07/02/23
MOEEN RAMZAN		96 DOTHAN RD DUNFERMLINE	Good place to chill	07/02/23
ALIKAN JAWAD		181 TOYMPHUNE GOLF LINK	Good Place	07/02/23
Rakhsana Zahid		23 The Heather	Nice Place	08/02/23
W. Iqbal		76 DOTHAN ROAD	good place	08/02/23
Zainab Raza		76 DOTHAN ROAD	Nice Place to relax	08/02/23
Mohammad Zahid		7 Mackinnon Place Dunfermline	Nice Place only	08/02/23
ANUM ARDUS		76 DOTHAN ROAD	good in fire	08/02/23
Nazreen Akhtar		76 DOTHAN ROAD	great to relax	08/02/23
Saeed Raza		76 DOTHAN ROAD	Good Place	08/02/23
NAZAF UDDIN		50 FILDARE VILAGE DUNFERMLINE	GOOD PLACE TO RELAX	08/02/23
ASIFA ASIF		23 THE HEATHER DUNFERMLINE	SAVES SOLES TO SLIPKNOX VERY GOOD PLACE FOR MY MENTAL HEALTH	08/02/23
Hassan Asghar		17 Sharnock Street	Very good place to relax and chill	08/02/23
Jawad Hussain		119 Chestnut Crescent	Very good place to relax and chill	08/02/23

12/2/23

Printed Name	Signature	Address	Comment	Date
Ammar. K	[Redacted]	16 Finbow place	Nice place to come and relax with kids	08/02/23
Umar's . A	[Redacted]	Shamrock St	Amazing Atmosphere	08/02/23
Ansar. Y	[Redacted]	Baluse feld	My fav. Place	08/02/23
Shoek at Al	[Redacted]	31 STEPHEN ST	VERY GOOD	08/02/23

1/23	
12/2/23	YHISTA
12/2/23	



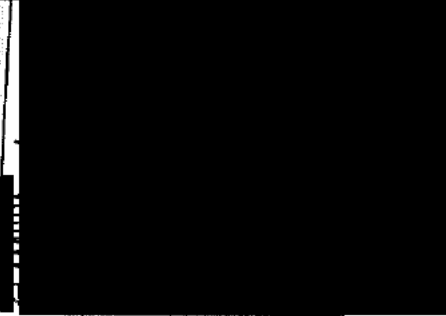
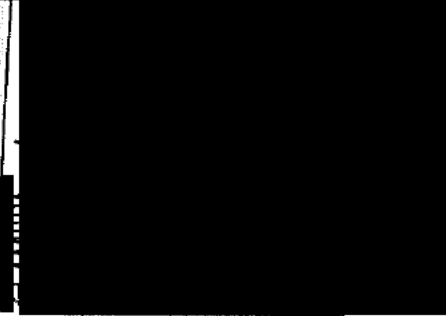
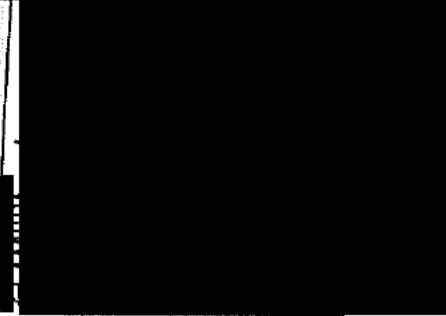
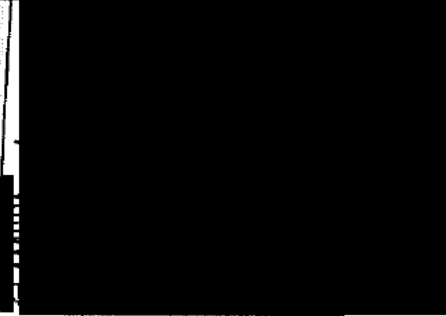
### Petition to not close Buzz Shisha Lounge

<p>Petition summary and background</p>	<p>Fife Council has granted an enforcement order to close down Buzz. Sadly, many of the claims are false on the petition about customers taking up parking spaces and causing noise at night time etc.</p> <p>Unfortunately, there is a lot of social stigmas around shisha bars which is caused by pure ignorance and lack of knowledge about what shisha actually is. A lot of people have never even been to a Shisha bar and chosen to dislike them anyway! There are no parking spaces for local residents that reside in the area next to Buzz, which can cause any inconvenience for them when parking.</p> <p>Buzz customers are mostly evening customers, which does not affect any other business or access for deliveries.</p>
<p>Action petitioned for</p>	<p>We the undersigned are patrons of Buzz and residents of Dunfermline and the surrounding areas in Fife.</p> <p>Having a local Shisha bar in Fife has been of huge benefit and a source of much enjoyment to us. It has saved us time, money and long journeys to Edinburgh or Glasgow to enjoy the service that is being offered to us on our door step by Buzz.</p> <p>We urge Fife Council to act now and reverse the enforcement order that has been issued to close Buzz Shisha Lounge, so that it can remain open.</p>

Printed Name	Signature	Address	Comment	Date
STEVE WATSON	[Redacted Signature]	18 Robertson Court, Kennyway, Fife, KY8 5JE	I Love the Buzz Shisha Employment of Centre	12/2/23
ROBINSON S	[Redacted Signature]	1 KOSHI'S DUNFERMLINE 12 KY		12/2/23
JAYADEESHA D	[Redacted Signature]	48 EARLYLE LANE DUNFERMLINE KY12 9DB	I LOVE SHISHA	12/2/23

Printed Name	Signature	Address	Comment	Date
George Hill	[Redacted]	27A Leven Rd KENNEDY	LET'S KEEP BUZZ	12/4/23
Joe Hill	[Redacted]	27A Leven Rd KENNEDY	KEEP BOZZING	12/2/23
Poni Hill	[Redacted]	27A Leven Rd KENNEDY	I Love Shisha	12/2/23
ALI RAZA	[Redacted]	2010 Normand Road	Best place to chill	12/12/23
SHAHZAD	[Redacted]	15 MARION ST KIRKLAND	KEEP BOZZING	12/10/23
Alicia Ahmad	[Redacted]	3F William Street Fife	Had nice place like this	12/10/23
S. Massara	[Redacted]	146 Caklow Street KIRKLAND	Good for my mental health	12/02/23
W. Alvin	[Redacted]	TAROLTON CRESCENT	I LOVE SHISHA	12/2/23
S Ferguson	[Redacted]	7 Pentland Terrace	Keep going	12/2/23
KG Muthoor	[Redacted]	15 Mack Loco CAVE	NICE SELECTION.	13/2/23
Levi's Harley	[Redacted]	12 Skye Court	Very good	13/12/23
Donna S	[Redacted]	27 Bon Road	Nice day	13/12/23
I HUTCHISON	[Redacted]	2 TRANSMACHAN CLOSE	TIME REMAIN	14/2
G. VITALE	[Redacted]	615 Bonceferryway	Great	14/2
KE JAMES	[Redacted]	" "	Very good	14/2
C GAFFNEY	[Redacted]	61 Nith Street Purbarville	Very Good	14/2

Printed Name	Signature	Address	Comment	Date
Lacey Saylor	[Redacted]	104 White Street	Very nice place	15/2/22
for Lacey	[Redacted]	6 Church Street	Nice Place	15/02/22
MIKE HOWSE	[Redacted]	4 PARKVALE	Very good	15/2/23
[Redacted]	[Redacted]	1/11 8NG 9, MEDHAT	Nice place	16/2/22
[Redacted]	[Redacted]	54 Church Rd	Nice Place had no problems	16/2/22
Maddy	[Redacted]	15 MACKERSON	LOVELY PLACE	16/2/28
HUGH HEATH	[Redacted]	30 EUPHORIA PL	FANTASTIC PLACE	17/2/23
Anthony	[Redacted]	7 Allit Street	Good Place	17/2/23
DAWN MUIR	[Redacted]	23 MACKETH RD	NICE	17/2/23
Rebecca Eason	[Redacted]	72 APPIN CRESCENT	Good service	18/2/23
Dayan Ali	[Redacted]	35 William Street	Good Place for Jan	10/2/23
Eoin Thomson	[Redacted]	114 Church Road	Good Service	18/2/23
DARREN MACKIE	[Redacted]	84 ABERNETHY RD	Good CHURCH	17/1/23
AS	[Redacted]	CONVENT STREET	Very good place good place at food	19/2/23

Printed Name	Signature	Address	Comment	Date
ABDULLAH OUDEN		21A THE HEAVENLY DUMFRIES LYM BGS	BEST SHUHA IN SCOTLAND,	19/02/23.
ORDECCA LEBENO		17 GOLDCREST PLACE DUMFRIES	TRIED SAMOSA CHAT NICE PLACE	19-12-23
Jamotow		3 GILLFRAN RD	YES	19.02.23.
Amara Arfan		126 GROVE 1912 85W	keep it open BEST SHISHO EVER!	29/02/2023



### Petition to not close Buzz Shisha Lounge

<p><b>Petition summary and background</b></p>	<p>Fife Council has granted an enforcement order to close down Buzz. Sadly, many of the claims are false on the petition about customers taking up parking spaces and causing noise at night time etc</p> <p>Unfortunately, there is a lot of social stigmas around shisha bars which is caused by pure ignorance and lack of knowledge about what shisha actually is. A lot of people have never even been to a Shisha bar and chosen to dislike them anyway! There are no parking spaces for local residents that reside in the area next to Buzz, which can cause any inconvenience for them when parking.</p> <p>Buzz customers are mostly evening customers, which does not affect any other business or access for deliveries.</p>
<p><b>Action petitioned for</b></p>	<p>We the undersigned are patrons of Buzz and residents of Dunfermline and the surrounding areas in Fife.</p> <p>Having a local Shisha bar in Fife has been of huge benefit and a source of much enjoyment to us. It has saved us time, money and long journeys to Edinburgh or Glasgow to enjoy the service that is being offered to us on our door step by Buzz.</p> <p>We urge Fife Council to act now and reverse the enforcement order that has been issued to close Buzz Shisha Lounge, so that it can remain open.</p>

Printed Name	Signature	Address	Comment	Date
imam uciak	[Redacted Signature]	13. Allon Crescent		21-02-2023
Hidayi Akasiz		13 Allon Street		21-02-2023
Michelle Donaldson		13 Allon Crescent		21/2/23

Paswani David  
 Karandeep  
 R Hamilton  
 ADNAN  
 Dipanshu Singh  
 ARAM C HADIMY  
 ABDUL SAH  
 WISHA  
 Zubair Ahmed  
 fashion Ullah  
 Aghurood  
 Muhammad Jehan  
 M. KAMRULLI  
 ALI  
 T. SINGH  
 FAIZA

Signature	Address	Comment	Date
	14- LEYS-PARK ROAD KY12-0AA		21/02/23
	17-A CARRIAGE ROAD KY12-0AN	They have very great food	21/02/23
	31 ST KATHARINE STREET KY11-1NR		21/2/23
	31 STUART DR KY12-0FP	GREAT PLACE, BECAUSE MUCH BETTER	21/2/23
	17-B CARVERIE DRIVE KY12-0AN	I will bring these few times I feel better than	21/2/23
	17A CARVERIE DRIVE KY12-0AN	Come to go there	21/2/23
	11b-CAIRN STREET KY12-0AN	Its a amazing place	21/02/23
	87-mission street EAST	Love shepher lounge	21/02/23
	mid street leslay	Its one my friend	21/02/23
	Lochheadly	its really lovely	21/02/23
	Edinburgh No 6	Really satisfied with it	21/2/23
	179- LINKS STREET	lowly place.	21/2/23
	61 Robertson Road	Great Place	22-12/23
	21-CRAIGMURRIS ROAD	AMAZING PLACE	22/2/23
	30-RAEBURN CR	Good SUSHI	22/2/23
	326 LINK STREET	love SUSHI	22/2/23

NICE atmosphere  
 22/2/23  
 22/2/23



Printed Name	Signature	Address	Comment	Date
GURDIP SINGH		113 Well Selly Road Muckhill	NICE PLACE	22/2/23
Ronie		15 Findhams Place	SUPER PLACE	22/2/23
TIBA		113 High ST	Good Place	22/2/23
SUNAYI		6 Calendar Ave	Good food	22/2/23
KASIM		6 Calendar Ave	Superb Service	22/2/23
SHAHZAD		6 CALENDAR AVE	COMFY SPOT	22/2/23
UMAIR		59 Queen Margaret Dr	Good food	22/2/23
ABU		59 Queen Margaret Dr	NICE SMOKE	22/2/23
NABEEL		1 Well Road	Good food	22/4/23
DUFFY		1 Well Road	Good smoke	22/4/23
PERRAZ		6 Calendar Ave	Good Experience	22/2/23
Aarzaan		29 Waverly Ct	Good laugh	22/2/23
ASIM		29 Waverly Ct		22/4/23
Adeeb		29 Waverly Ct		22/4/23
NADIA		29 Waverly Ct		22/4/23
MANJOT		94 Cool Street		22/4/23

Printed Name	Signature	Address	Comment	Date
KAY REIGN	[Redacted]	22 SCHOOL DRIVE GLENROTHES FIFE KY6 6LN		22/2/23
FRASER MCLA 9 Pound	[Redacted]	Open 12 the beaches	keep this open	22/2/23
JASON PARK	[Redacted]	1 Kinkell Ave Glenrothes	Keep this open	22/2/23
JIM McEWAN	[Redacted]	6A Honover Ct North St Glenrothes	Keep this open	22/2/23
E Nicol	[Redacted]	12 Kindlaven garden	Keep this open	22/2/23
Elaine	[Redacted]	114 Ferguson Drive	good clean	22/2/23
H Buscar	[Redacted]	97 ALAN PARK	Keep this open	22/2/23
IBO	[Redacted]	18 BRUSFELDES KYANWARA	PERFECT	22/2/23
KIRSTY GARIST	[Redacted]	22 FALCOURT KY14 4AP	NICE PLACE	24/02/23
Axarind	[Redacted]	2 BELMILL COURT KY12 5AP	ALLWAYS GREAT	25/02/23
Shamunda	[Redacted]	74 Perth Road	Friendly Environment	28/2/23
Faisal	[Redacted]	1F4 Morrison Road	GREAT ATMOSPHERE	28/2/23
SIMON LINDON	[Redacted]	17 SPICY FLATS 54 MORRISON RD	GREAT	28/2/23




### Petition to not close Buzz Shisha Lounge

<p>Petition summary and background</p>	<p>Fife Council has granted an enforcement order to close down Buzz. Sadly, many of the claims are false on the petition about customers taking up parking spaces and causing noise at night time etc.</p> <p>Unfortunately, there is a lot of social stigmas around shisha bars which is caused by pure ignorance and lack of knowledge about what shisha actually is. A lot of people have never even been to a Shisha bar and chosen to dislike them anyway! There are no parking spaces for local residents that reside in the area next to Buzz, which can cause any inconvenience for them when parking.</p> <p>Buzz customers are mostly evening customers, which does not affect any other business or access for deliveries</p>
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Printed Name	Signature	Address	Comment	Date
Sean Murphy	[Redacted Signature]	7 Littlehallur Smebu	Great Place	18/2/23
SUSAN MURPHY	[Redacted Signature]	2 Littlefoot NOW	Gould very friendly staff	22/2/23
Mark Coole	[Redacted Signature]	20 Burgess Road Dunfermline	great owner! NICE atmosphere	22/2/23

NAME	Signature	Address	Comment	Date
EMMA JACKSON	[Redacted]	20 Targate Road	NICE Staff	22/2/23
DAVID O'DONNELL	[Redacted]	106 High St	STAFF VERY NICE	22/2/23
DAVID O'DONNELL	[Redacted]	106 High St	NICE Place	22/2/23
P. MURPHY	[Redacted]	# B/cry	GOOD PEOPLE	22/2/23
S. MURPHY	[Redacted]	B/cry	GOOD FOOD	22/2/23
J. HIGGINS	[Redacted]	C/Beath	VERY NICE PLACE	22/2/23
LINDA JONES	[Redacted]	C/Beath	VERY NICE PLACE	22/2/23
Caitlin Murphy	[Redacted]	71 Beathview Road	Good people Lovely place	22/2/23
K. Murphy	[Redacted]	"	Really nice people	22/2/23
THELMA GILL	[Redacted]	"	So relaxed	22/2/23
MICHAEL	[Redacted]	41 Woodend Place Woodend	Relaxed	22/2/23
JMS	[Redacted]	86 Woodend Place Woodend	. Great	27/1/23
DIM ESTEWS	[Redacted]	"	[Signature]	25/1/23
NELSON RODRIGO	[Redacted]	37 Shanbreen Road		23/2/23
	[Redacted]	37 Shanbreen Road		23/02/23

Printed Name	Signature	Address	Comment	Date
Marisa Ribeiro	[Redacted]	37 Shanbrey Road		23/02/23
Sophie Bailey	[Redacted]	8 Blamey Crescent	Great w-e place	23/02/23
Sarah mcgarry	[Redacted]	8 Blamey Crescent	''	23/02/23
cheryl little	[Redacted]	11 Sherbrooke road		23/02/23
Tyler-Jay-Castleden	[Redacted]	12 Blaw Drive	''	23/02/23
Norman Crawford	[Redacted]	12 Blaw Drive	''	23/02/23
Ben Murphy	[Redacted]	2 Littlefoothorn Cromwell	good atmosphere	23/12/22
G Crown	[Redacted]	17 BRALMONT		23/12/23
d Chase	[Redacted]	36 Stenhouse St		23/12/23
Saim Ali	[Redacted]	Sr-Laren Road	A nice place	23/12/23
	[Redacted]			
	[Redacted]			
	[Redacted]			
	[Redacted]			

Printed Name	Signature	Address	Comment	Date
Carrie Frail		7 Longside Drive Kennerly		2/5/23
LEE FRAIL		7 Longside Drive Kennerly		2/3/23
MICHAEL HALLLEY		11 FERNBANK DRIVE WINDYGATES		2.3.23
Lynn McMahon		18 Fernbank drive Windygates		02/05/23

Printed Name	Signature	Address	Comment	Date
G Jordan		55 The Castings Dunfermline		02/03/23
Carpet		50 Raven Dam Dunfermline		2/3/23
S Anderson		24 Beehive Drive Oakley Kirkcaldy		2/3/23
S CHARLESTON		34 GLENCOCK B YLINE KIRKCALDY		2/3/23
Clair Ritchie		80 Hallfield Gardons Kirkcaldy		2/3/23
Greg Ritchie		" "		2/3/23
J Stevenson		37 KILMUR PARK KENNEDY		2/3/23
David Stevenson		" "		2/3/23
Mandy Kennell		25 KILMUR RUK KENNEDY		2/3/23
Graeme Kennell		" "		2/3/23
Elizabeth Kennell		" "		2/3/23
SARAH CAMPBELL		6 Balgedden Park		2/3/23
PAOL CAMPBELL		" "		2/3/23
Siobhan Swanson		2 Buch Grove		2/3/23
Arran Swanson		" "		2/3/23
Yvonne Cooper		14 Lemond Gdns		2/3/23



### Petition to not close Buzz Shisha Lounge

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Printed Name	Signature	Address	Comment	Date
G Flood	[Redacted]	12 Cunningham road RO5444		02/05/23
L Brand	[Redacted]	1 LANDALE PLACE BURNTISLAND		2/3/23
L Delaney	[Redacted]	51 Blairadam Crescent		02/05/23



Printed Name	Signature	Address	Comment	Date
S FARMER	[Redacted]	7000 S. Hwy CUMBER		2/3/23
CV ALBERTA	[Redacted]	2988 BROOKLYN, KY 40301		2/3/23
GILLARD	[Redacted]	4 HILLSVIEW CHES, KY 40318		2/3/23
JANE DUBIE	[Redacted]	8000 PINE CROSS KY 40301		3/3/23
MIAMI	[Redacted]	15 Holyard Pl Se		5/3/23

## Petition to not close



<p><b>Petition summary and background</b></p>	<p>The council has put in a action to close down Buzz. Many of the Claims are false from the petition about our customers taking up parking spaces and causing noise. There is a lot of social stigmas around shisha bars which is unfortunately caused by pure ignorance and lack of knowledge about what shisha actually is! There are no housing parking spaces in the area we reside which causes surrounding people any issues with parking. Our customers are mostly evening customers which does not affect any other business deliveries.</p>
<p><b>Action petitioned for</b></p>	<p>We, the undersigned, are concerned citizens who urge our council to act now to Keep Buzz Shisha Lounge open</p>

Printed Name	Signature	Address	Comment	Date	
ASAZ MOHAMMED	[Redacted Signatures]	7 HALYARD RISE DALGETY BAY	PLEASE ALLOW BUZZ TO STAY OPEN.	20.2.23	
DOUGIE CHARL		181 HEARNELL AVENUE DUNFERMLINE	THIS IS A GREAT ADDITION TO THE COMMUNITY.	2.3.23	
Kambesh Trapsa		412 Meadowbank Crescent		21.03.23	
Bishnu Aryal		11 elizabeth street		23/2/23	
Apoorva Wadhwa		18 CAMROSE STREET		2.3.23	
C MARLEY		17 CAMROSE ST		2.3.23	
J AHMED		58 BRUCE GARDEN		2.3.23	
SETT, NIKHIL		07742994441			2.3.23

## Proposal Details

Proposal Name	100551164
Proposal Description	Change of use from garage / store to Shisha Bar
Address	22 DUNCAN CRESCENT, DUNFERMLINE,
KY11	4BT
Local Authority	Fife Council
Application Online Reference	100551164-003

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Notice of review supporting statement	Attached	A4
Letters of support	Attached	A4
Public petition	Attached	A4
01	Attached	A1
02	Attached	A2
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

**Agenda Item 4(2)**

**22 Duncan Crescent, Dunfermline, KY11 4BT  
Application No. 22/01054/FULL**

**Planning Decision Notice**

**Report of Handling**

Poplar Design & Build Ltd  
John Raeburn  
12 Tanna Drive  
Glenrothes  
United Kingdom  
KY7 6FX

---

**Planning Services**

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Jamie Penman

development.central@fife.gov.uk

Your Ref:

Our Ref: 22/01054/FULL

Date 20th January 2023

Dear Sir/Madam

**Application No:** 22/01054/FULL  
**Proposal:** Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)  
**Address:** 22 Duncan Crescent Dunfermline Fife KY11 4BT

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 or local review 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,

Jamie Penman, 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:** 22/01054/FULL  
**Proposal:** Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)  
**Address:** 22 Duncan Crescent Dunfermline Fife KY11 4BT

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 22/01054/FULL on Fife Council's Planning Applications Online

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

1. The application proposal would result in unacceptable significantly detrimental residential amenity impact on neighbouring residential properties by virtue of increased levels of activity (vehicular/pedestrian) in a quiet backland area. The application proposal is therefore contrary to FIFEplan (2017) Policies 1, 6, 10 and Making Fife's Places Supplementary Planning Guidance (2018).
2. The application proposal would result in unacceptable significantly detrimental road safety impacts on the surrounding area by virtue of generating an increased parking demand, in an area which is used for servicing neighbouring commercial units, resulting in unsafe environment for both vehicles and pedestrians. The application proposal is therefore contrary to FIFEplan (2017) Policies 1, 3, 10 and Making Fife's Places Supplementary Planning Guidance (2018).

Dated: 20th January 2023

Declan Semple

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	Various existing and proposed
02	Proposed Site Plan
03	Supporting Statement

Dated:20th January 2023

Declan Semple

For Head of Planning Services

**Decision Notice (Page 2 of 2)** 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.fife.gov.uk/planning](http://www.fife.gov.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>22 Duncan Crescent, Dunfermline, Fife</b>		
PROPOSAL	<b>Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)</b>		
DATE VALID	<b>31/03/2022</b>	PUBLICITY EXPIRY DATE	<b>12/05/2022</b>
CASE OFFICER	<b>Jamie Penman</b>	SITE VISIT	<b>19/01/2023</b>
WARD	<b>Dunfermline South</b>	REPORT DATE	<b>20/01/2023</b>

## SUMMARY RECOMMENDATION

The application is recommended for:

Refusal and Enforcement Action

## 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.

## 1.1 Background

1.1.1 This application relates to a small area of land located within the settlement boundary of Dunfermline. More specifically, the site is located within the area of Abbeyview, to the rear of a small shopping precinct. The site measures 150sqm and contains a small garage/storage type building. The application site also includes a small area of open space. Whilst the wider surrounding area can be classed as mixed use with both commercial and residential uses present, the immediate area around the application site is to the rear of Duncan Crescent, Abbey View and Allan Crescent, with the area being predominantly used for the servicing of the neighbouring commercial units. Neighbouring buildings largely include commercial uses on the ground floor level, which face away from the application site and onto the adjacent streets.

Residential units area located above, with a large number of them facing out onto the application site. The application site is located within the Abbeyview Local Shopping Centre as defined by FIFEplan (2017).

1.1.2 This application has been made retrospectively with the existing garage building already being renovated and its use being changed into a shisha lounge (Sui Generis). Works to bring a small area of open space into the buildings curtilage has also been undertaken with this area being used by customers of the building. The building has been painted dark grey, one opening has been blocked up and new openings have been created on the south, east and north elevations. Works have been undertaken to the rear of the building to enclose an area of open space with a 1.8m high fence. All of these works are unauthorised and this planning application has been made in attempt to regularise the works.

1.1.3 A site visit has not been undertaken for this application, however, it is considered that a sufficient amount of digital information is available to the Case Officer to enable the determination of the application.

1.1.4 There is no planning history associated with this site.

## 2.1 Application Assessment

2.1.1 The issues to be assessed against the Development Plan and other material considerations are as follows:

- Principle of Development
- Design/Visual Impact
- Amenity Impact
- Road Safety/Sustainable Transport

## 2.2 Principle of Development

2.2.1 FIFEplan (2017) Policy 1 applies and states that development proposals will be supported if they conform to relevant development plan policies and proposals and address their individual and cumulative impacts. Part A of Policy 1 states that the principle of development will be supported if it is either within a defined settlement boundary and compliant with the policies for the location or in a location where the proposed use is supported by the Local Development Plan. Policy 6 also applies and supports development which brings more people into Local Shopping Centres, however, such development will only be supported where it will have no significant adverse effect on the vitality and viability of town centres and the local economy and it is appropriate for the location in terms of scale and character and will not adversely impact on residential amenity or negatively impact on adjacent uses. Policy 10 also applies and seeks to support development where it would have no significant impact on residential amenity.

2.2.2 Concerns have been raised in submitted objections noting that the development is out of character when compared to the surrounding area.

2.2.3 The application site is located within the defined settlement boundary of Dunfermline, where there is a presumption in favour of development. It is also located within a defined Local Shopping Centre and would attract more people into the area thereby improving the viability and vitality of the area and providing benefits to the local economy. The basic principle of development is therefore acceptable and in general compliance with FIFEplan (2017) Policy 1 but will be subject to further assessment as detailed in the remainder of this report.

## 2.3 Design/Visual Impact

2.3.1 FIFEplan (2017) Policies 1, 10, 14 and Making Fife's Places Supplementary Planning Guidance apply relate, in part, to the visual impact of the development. Part C of Policy 1 requires development proposals to be supported by information or assessments to demonstrate an acceptable layout and design. 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 and that they must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to its visual impact on the surrounding area. Policy 14 relates to the built environment and states that new development shall demonstrate how it has taken account of and meets the six qualities of successful places which include 1. distinctive; 2. welcoming; 3. adaptable; 4. resource efficient; 5. safe and pleasant; and 6. easy to move around and beyond.

2.3.2 The application site is located behind the main shopping area of Abbeyview and is such, is not conspicuous from main public areas. Prior to being developed, the site had a largely unkempt, derelict appearance. The alterations to the building which include repainting, blocking up of an opening and the creation of further openings on both the east and north elevations, have modernised and improved the visual appearance of the property, thereby having a positive impact on the surrounding area. Furthermore, the 1.8m high fencing which has been erected would cause no significant concerns. The application proposal would therefore have no significant visual impact on the surrounding area and would comply with FIFEplan (2017) Policies 1, 10 and 14.

## 2.4 Amenity Impact

2.4.1 FIFEplan (2017) Policies 1, 10 and Making Fife's Places Supplementary Planning Guidance apply and relate, in part, to residential amenity impacts that may arise from a development. 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 and that it must demonstrate that it will not lead to a significant detrimental impact on amenity in relation to noise, light and odour pollution. Planning Advice Note 1/2011: planning and noise and Fife Council's guidance note on Development and Noise (2021) also apply and provide guidance on how the planning system helps to prevent and limit the adverse effects of noise.

2.4.2 Concerns have been raised in submitted objections noting that the development is causing an unacceptable impact on residential amenity of neighbouring residential properties. Concerns raised include noise and odour impacts.

2.4.3 A Supporting Statement has been submitted with the application which details that the development operates between 12:00 and 23:00 7 days per week and that the premises is restricted to 15 customers at any one time. The statement also notes that customers cannot walk in without a booking and all visitors must book a 1 hour slot via a formal booking system. The Supporting Statement also considers noise and odour and states that no loud music is played within the premises however there is a television which plays background music. The statement notes that doors to the unit are kept closed at all times and the outdoor seating area is not used after 20:00. Furthermore, customers are advised to arrive for their booked time slot and not to loiter outside of the building. The statement also considers there is no odour impact.

2.4.4 As previously noted within this report, the application property is located behind the main Abbeyview shopping precinct and is located within an area which is predominantly used for

servicing. Unlike the main streets which the majority of the surrounding commercial units face out onto, the area immediately around the application property is generally quiet. Furthermore, a large number of residential properties have windows facing out onto this space.

2.4.5 Fife Council's Environmental Health Team have been consulted on this application and have advised that they have received complaints about music, however, most of the noise associated complaints are associated with people arriving and leaving the property. The consultation response continues by noting that as the development is within a courtyard setting and that it is shielded from road noise. The response continues to note that there are flats which overlook the property and the area used for parking. Environmental Health advise that the type of noise associated with the property cannot be dealt with through nuisance legislation and that it can only properly be dealt with at the planning stage. The consultation response recommends refusal of the application.

2.4.6 Representations submitted have raised the impact on residential amenity levels in the surrounding area. These concerns have been confirmed by Environmental Health colleagues. The development has been introduced into a backland area, which previously had no significant commercial development within it, nor would it have had any significant amount of pedestrian traffic routing through the area. Whilst it is accepted that the development may not have a significant impact during the daytime, it is duly considered that operation of the development into the late evening, 7 days per week, is having an unacceptable detrimental impact on the level of residential amenity generally expected within the neighbouring residential properties. These concerns specifically relate to noise issues associated with people arriving and departing the premises and the potential for customers to loiter outside the premises. No detailed supporting information has been submitted with the application to allay any of the aforementioned residential amenity concerns. It is considered unlikely that the development would lead to any significant odour impacts on neighbouring properties.

2.4.7 The proposal would have a significantly detrimental impact on residential amenity levels in the surrounding area which would directly contradict the aims of FIFEplan Policy 10. It therefore cannot be considered appropriate for the location in terms of scale and character and would therefore also not comply with FIFEplan Policies 1 and 6. The development is therefore unacceptable in this regard.

## 2.5 Road Safety/Sustainable Transport

2.5.1 FIFEplan Policy 1 requires new development to address its local impact and Policy 3: Infrastructure and Services requires a proposal to be designed and implemented in a manner that ensures delivery of the required level of infrastructure in a sustainable way. This includes the provision of roads to integrate safely with existing networks. Policy 10: Amenity requires a development to mitigate its impacts on amenity in relation to traffic movements. Making Fife's Places Supplementary Guidance (SG) at Appendix G provides regional variations to the SCOTS National Roads Development Guidelines. It sets out standards relating to car parking and other matters of street design.

2.5.2 Concerns have been raised in submitted objections noting that the development will generate increased levels of parking which will impact on the safety and operation of the servicing area.

2.5.3 The application property is located within a servicing area for surrounding commercial properties. There is no dedicated off-street parking for the property within the immediate area

which is within the applicant's ownership. Furthermore, there are no safe pedestrian routes to the property, nor is the area adequately lit. The submitted supporting statement contains information of parking levels in the surrounding area. It states that there is provision for around 16 parked cars within the area but the applicant does not own the land. The statement details that the parking area is not heavily used which is evidenced by an informal parking survey through photos taken over a 7 day period a 19:00. The statement also details that there is also parking available on the surrounding streets and given that neighbouring shops close at 17:00, these will be available for use. The statement details that car parking around the unit would not impact on the servicing area of the adjacent shops.

2.5.4 Fife Council's Transportation Development Management Team has been consulted on this application and has advised that Fife Council parking standards do not include a specific standard for shisha bars, however, if there standard for bars/restaurant was to be used, this would required the provision of 15 off-street parking spaces. TDM note that whilst 16 spaces are shown on the submitted plan, they are not within the ownership of the applicant, with no mechanism available to secure the parking spaces for the sole use of the development for the length of its operation. TDM also note that cars parked within the area would also make it difficult for vehicles servicing the commercial units to turn and leave the area in a forward gear. TDM have therefore recommended that the application be refused.

2.5.5 The proposal would lead to an increase in parking within the servicing area and would create unacceptable detrimental impacts on road safety in the surrounding area for both vehicles and pedestrians. The applicant has not proposed a solution to accommodate off-street parking which would allay the aforementioned road safety concerns. The proposal is therefore contrary to FIFEplan (2017) Policies 1, 3 and 10 and Making Fife's Places Supplementary Planning Guidance (2018).

## CONSULTATION RESPONSES

Environmental Health (Public Protection)	Refusal.
TDM, Planning Services	Refusal.

## REPRESENTATIONS

7 objections have been received. Concerns raised include:

- Odour impact - Addressed in Section 2.4
- Parking generated by the development will impact on servicing area - Addressed in Section 2.5
- Parking impacts on surrounding streets - Addressed in Section 2.5
- Noise impacts on surrounding neighbours - Addressed in Section 2.4
- Development out of character with the surrounding area - Addressed in Section 2.2

Concerns raised which are not material to the assessment of the application include:

- Works have already started
- Land ownership issues
- Not a healthy activity for community

5 late representations were also submitted. Concerns raised are generally consistent with those raised above.

## CONCLUSION

Whilst the external alterations to the building have improved its appearance and the general upkeep of the surrounding area, the change of use of the property would have an unacceptable impact in terms of residential amenity and road safety. The site's location within a backland area, which contains no other commercial use or generates significant levels of pedestrian or vehicular traffic, would result in significantly detrimental noise impacts on neighbouring residential properties which look out onto the site. Furthermore, the development would lead to an increase in parking within a servicing area for local shops which would result in significantly detrimental road safety impacts on local road users including both servicing vehicles and pedestrians. The development is therefore unacceptable and contrary to FIFEplan (2017) Policies 1, 3, 6, 10 and Making Fife's Places Supplementary Planning Guidance (2018).

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. The application proposal would result in unacceptable significantly detrimental residential amenity impact on neighbouring residential properties by virtue of increased levels of activity (vehicular/pedestrian) in a quiet backland area. The application proposal is therefore contrary to FIFEplan (2017) Policies 1, 6, 10 and Making Fife's Places Supplementary Planning Guidance (2018).

2. The application proposal would result in unacceptable significantly detrimental road safety impacts on the surrounding area by virtue of generating an increased parking demand, in an area which is used for servicing neighbouring commercial units, resulting in unsafe environment for both vehicles and pedestrians. The application proposal is therefore contrary to FIFEplan (2017) Policies 1, 3, 10 and Making Fife's Places Supplementary Planning Guidance (2018).

and

That the appropriate enforcement action be taken with respect to the unauthorised activity

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Policy and Guidance  
PAN 1/2011 Planning and Noise

Development Plan  
Adopted FIFEplan (2017)  
Making Fife's Places Planning Supplementary Guidance (2018)

Other Guidance  
Fife Council's Planning Policy for Development and Noise (2021)





**Agenda Item 4(3)**

**22 Duncan Crescent, Dunfermline, KY11 4BT  
Application No. 22/01054/FULL**

**Representation(s)**

M Javid  
Nisa/ Post Office  
1 Abbey View  
Dunfermline  
Fife  
KY11 4HA

To Whom it may concern,

I would like to object to this planning application 22/01054/FULL Alterations to and change of use from storage building (Class 6) to Shisha bar (Sui Generis) (Retrospective) | 22 Duncan Crescent Dunfermline Fife KY11 4BT

Because of the following reasons:

This place will generate various smells due to excessive shisha use. All the fruity smells will attract youngsters into vaping which then makes it easier for them to start smoking.

Also why has this building been altered before the planning application and change of use has been approved?

My business along with others on this parade is serviced by trucks who access our loading bays around the back of the buildings. Once people start parking their cars around the Shisha bar this will cause massive issues in the interest of road safety. The trucks will not be able to manoeuvre safely. All the business on Allan Crescent will have the same issue. My trucks certainly need to have loading areas where pallets can be unloaded safely with plenty of space.

Parking will become an issue. I know the council is building a beautiful new community centre and places like these attract the wrong crowd. This will also impact the parking available once the community centre is built.

Therefore I am strongly against this planning application/change of use.

M Javid

# Comments for Planning Application 22/01054/FULL

## Application Summary

Application Number: 22/01054/FULL

Address: 22 Duncan Crescent Dunfermline Fife KY11 4BT

Proposal: Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)

Case Officer: Jamie Penman

## Customer Details

Name: Mr Ross Riddock

Address: 20 Islay Road, Dunfermline, Fife KY11 4DU

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:(1) They have not gone through proper channels. So residents did not have a chance to make their feelings known.

(2) The seating area is in disputed land ownership.

(3) The increase of noise in a residential area and risk of increase of anti social behaviour.

(4)The parking area is also on disputed land ownership area.

(5)Increased possibility of access to residents and other businesses being blocked or hindered.

(6) The premises were a Garage and lock up previously and had no impact at night to residents and there is no information available on how they would limit this, outdoor seating area would have no control over noise levels.

From the residents & businesses of Duncan Crescent, Dunfermline

We would like to object to this planning application 22/01054/FULL Alterations to and change of use from storage building (Class 6) to Shisha bar (Sui Generis) (Retrospective) | 22 Duncan Crescent Dunfermline Fife KY11 4BT

On the basis of the following points:



1. Works were already carried out on the building before any planning application was made. This should not be allowed, it is disrespectful to planning processes.
2. Noise generated by people going in and out of the premises.
3. Loud cars.
4. They do not have parking facilities of their own.
5. Smell coming from the premises.
6. Disruption to the existing residents & businesses.
7. Wrong crowd hanging about.
8. Road Safety, there are deliveries taking place at the back of these buildings which service the residents & businesses. This will call issues.
9. The smell from the shish bar will encourage them to vape which will lead them to smoking.
10. Places like Shisha bars also attract drug use. Cannabis use etc
11. People using this Shisha bar will usually be in these places for many hours, which again will have parking implications for surrounding residents & businesses.
12. The council is spending millions of pounds on the new community centre and the surrounding areas, we do not think this Shisha bar will compliment the area especially given the points noted above.

I would like to object to this planning application on the basis of the points noted above.

Date	Name	Address	Postcode	Signature
4/5/22	SHARON SCOTT	65 MACBETH ROAD	KY11 4EE	
4/5/22	MELANIE ELLIS	25 PENTLAND TERRACE	KY11 4RS	
1/5/22	ROSE RIDDOCK	20 ISLAT ROAD	KY11 4DU	
3/5/22	GRACE Fotheringham	12 ISLAY ROAD	KY11 4DU	
5/5/22	K SAVERY	10 ISLAT ROAD	KY11 4DU	
5/5/22	L Kilbey	8 ISLAY Rd	KY11 4DU	
5/5/22	D EASSON	8 ISLAY RD	KY11 4DU	
5/5/22	WAQAS	39 ALLAN CREES	KY11 4HE	
5/5/22	R MALDONALD	97 WEDDERBURN ST	KY11 4SA	
5/5/22	A. WRIGHTSON	97 WEDDERBURNS	KY11 4SA	

Date	Name	Address	Postcode	Signature
5/5/22	James	14 ABBeyView	KY114HA	
5/5/22	W RICE	16 "	"	
5/5/22	E Paterson	70 Currie Road	KY114EH	
5/5/22	S. WATSON	98 CURRIE RD	KY114EH	
5/5/22	J. WATSON	75 WHITLAW RD	KY114BN	
5/5/22	M Thompson	6 NESS LANE	KY118XL	
5/5/22	G Barr	97 Bute cres.	KY114EL	
5/5/22	E Mclean	6 Urquhart cres	KY128AL	



Name	Address	SIGNATURE Contact No
JOHN BOOTH *	14 DUNCAN CRESENT	
D. May * 	12 DUNCAN CRESENT	
VACANT PROPERTY *	18 DUNCAN CRES	
JILLIAN KERR *	16 DUNCAN CRESCENT	
EMPLOYEE CHIP SHOP Chantelle Munoz	61 Almond Road	
EMPLOYEE CHIP SHOP Alister <del>ALMOND</del>	43 William St.	
Michael Pinnigton *	30 Duncan Crescent	
GARY DOLAN	66 DOLAN CRES	
Jason Nardone	40 Duncan Crescent	
John Karan	4A DUNCAN CRESENT	
S. SARGSTER	2A DUNCAN CR	
B. Marshall	8 Duncan Crescent (wee berris spot)	
P West	6 <sup>c</sup> Duncan Keft	
<del>S Kerr</del>	<del>2B Duncan Crescent</del>	
D. Piele	6A Duncan Crescent	
A Kessels *	2b, Duncan Crescent	
M Archibald *	24, Duncan Crescent	
Josh Kerr	2B Duncan Crescent	
H. Swanson	2, 101 Terrace	
Samantha Marshall	1 Tay Terrace	
 M. B. Bennett	39 Duncan Cr	
OSCAR HERNANZ GARCIA	41 DUNCAN CRESCENT	
SARAH M'EWAN	35 DUNCAN CRESCENT	
RICCARDO CASULA	31 DUNCAN CRESCENT	
ADAM HARLEY	29 DUNCAN CRESCENT	
Elaine T. Watson	29 Duncan Crescent	
M McRorie	23 DUNCAN CRESCENT	





Date	Name	Address	Postcode	Signature
05-04-22	Kenneth Young	12 allen cres	KY11 4LD	
05/4/22	Heather Bremner	26 Islay Road	1LY11 4DY	
5/4/22	James Fennie	26 ISLAY ROAD	KY11 4DY	
05/4/22	Lorraine Huxford	14 Mackie place	KY11 4LZ	
05/4/22	RON MATHER	42 MACBETH ROAD	KY11 4SE	
5/4/22	M Scott	7 SKYE ROAD	1LY11 4DP	
	G. Fletcher	20 ALLEN CRES	KY11 4HJ	
	C Whyte	24 Allan cres	KY11 4HD	
	M Holt	54 Allan Cres	" "	
5/5/22	DONEILL	BUTCHER	KY11 4BL	
5/5/22	WAQ	BUTCHER	KY11 4HE	
5/5/22	Jamie Elliott	Flower Pixies	KY11 4HE	
05.05.22	ARINA KOZLOVA	Flower Pixies	KY11 4HE	
5/5/22	Marcus Kozlov	No 50nd Road	KY11 4RU	
5/5/22	Libby Smith	49 Inchkeith Drive	KY11 4HE	
5/5/22	Sara Kozlova	26 eden road	KY11 4RU	
5/5/22	Bili McInnes	61 Wemyss	KY11 2JT	
5/5/22	Jacqueline	58 Wemyss	KY11 4RE	
5/5/22	Savannah C	71 King Street	KY4 9AF	
5/5/22	Kelsey Hunter	1E Allan crescent	KY11 4HE	
5/5/22	Lisa Munoz	61 Almond Rd		
5/5/22	Courtney Welsh	23 Abel Place	KY11 4JQ	
	Laura Clarke	113 Lapping Drive	KY11 8UP	
	Naomi Swanick	113 Lapping Drive	KY11 8UP	
	Georgio Dolan	113 Lapping Drive	KY11 8UP	
	Janet Clarke	23 Boyle Drive	KY11 2DU	
	Ray Clarke	23 Boyle Drive	KY11 2DU	
	Ali	Dessert Parlour	KY11 4HE	
	Sameen	Unit 10	KY11 4HE	

Date	Name	Address	Postcode	Signature
5.5.22	Slynn	Whitewall co.	KY11 4EW	
5.5.22	Karen Lang	Chalmers St	KY12 8DG	
5.5.22	Daniel McGuinness	Allan Crescent	KY11 4HE	
5.5.22	M McCallow	ABBEY JAPES	KY12 0JZ	
5.5.2022	Jojo	Inch Keith drive	KY11 4HL	
5.5.22	N. Foster	Tarmachan Road	KY11 8LA	
5.5.22	Hiday Akers	Gillie Court	KY11 4PA	
05-05-22	Serjet Nsiah	Allan Crescent	KY11 4HE	
5-5-22	M. MILNE	ALLAN CRES.	KY11 4HE	
05-5-22	A FORRESTER	10 ALLAN CRES	KY11 4HE	
5.5.22	LEXI	ALLAN CRES	KY11 4HD	
5.5.22	S'QUINN	ALLAN CRES	''	
5/5/22	Susan	Duncan cres	KY11 4BT	
5/5/22	S. McLaughlin	Duncan Cres	KY11 4BT	
5/5/22	G. Tull	10 ALLAN CRES	KY11 4HE	
5/5/22	C. Martin	10 ALLAN CRES	KY11 4HE	
5/5/22	L. CLARKE	7 ALLAN Crescent	KY11 4HE	
5/5/22	K Campbell	13 Allan Crescent	KY11 4HE	
5/5/22	Sadana	17 Allan	KY11 4HE	
5/5/22	A. DAWSON	21 ALLAN CRES	KY11 4HE	
5/5/22	S. Dawson	2 Wallace Street	KY11 4QP	
5/5/22	S. Dawson	31 Donald Street	KY12 0BY	
5/5/22	C. P. P.	37 ALLAN	KY11 4HE	
5/5/22		41 ALLAN	KY11 4HE	
5/5/22		41 ALLAN	KY11 4HE	
5/5/22	S. Stalt	45 Allan cres	KY11 4HE	
5/5/22	C. Emott	45 Allan cres	KY11 4HE	
5/5/22	M. Telford	49 ALLAN CRES	KY11 4HE	
5/5/22	C. Wilson	49 ALLAN CRES	KY11 4HE	

## Dawn Batchelor

---

**From:** ROSS RIDDOCK [REDACTED]  
**Sent:** 10 May 2022 18:13  
**To:** Development Central  
**Cc:** Cllr James Calder; [REDACTED]  
**Subject:** Re: Application reference -22/01054/FULL  
**Attachments:** received\_765972824399793.jpeg; received\_506986894553392.jpeg; received\_519166519871800.jpeg

**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.

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Hi

The developers have started to put signage up on buildings in Duncan cres. (SHISHSA) bar Abbeyview Dunfermline

On Mon, 9 May 2022, 14:48 , <[development.central@fife.gov.uk](mailto:development.central@fife.gov.uk)> wrote:

Please see attached correspondence

\*\*\*\*\*

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Fife Council

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# Comments for Planning Application 22/01054/FULL

## Application Summary

Application Number: 22/01054/FULL

Address: 22 Duncan Crescent Dunfermline Fife KY11 4BT

Proposal: Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)

Case Officer: Jamie Penman

## Customer Details

Name: Mr Vicki Cann

Address: 41 Allan Crescent, Dunfermline, Fife KY11 4HE

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Not a healthy activity for community. Will be a social disorder issue around. Parking problems, late night issue, loud cars and music. Will promote drugs too in young one's. Should never be allowed. We are in neighborhood just want to have peace please so we can sleep well and can walk around in peace




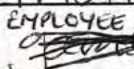
From the residents & businesses of Duncan Crescent, Dunfermline

We would like to object to this planning application 22/01054/FULL Alterations to and change of use from storage building (Class 6) to Shisha bar (Sui Generis) (Retrospective) | 22 Duncan Crescent Dunfermline Fife KY11 4BT

On the basis of the following points:

1. Works were already carried out on the building before any planning application was made. This should not be allowed, it is disrespectful to planning processes.
2. Noise generated by people going in and out of the premises.
3. Loud cars.
4. They do not have parking facilities of their own.
5. Smell coming from the premises.
6. Disruption to the existing residents & businesses.
7. Wrong crowd hanging about.
8. Road Safety, there are deliveries taking place at the back of these buildings which service the residents & businesses. This will call issues.
9. The smell from the shish bar will encourage them to vape which will lead them to smoking.
10. Places like Shisha bars also attract drug use. Cannabis use etc
11. People using this Shisha bar will usually be in these places for many hours, which again will have parking implications for surrounding residents & businesses.
12. The council is spending millions of pounds on the new community centre and the surrounding areas, we do not think this Shisha bar will compliment the area especially given the points noted above.

I would like to object to this planning application on the basis of the points noted above.

Name	Address
JOHN BOOTH *	14 DUNCAN CRESENT
DMOY * 	12 DUNCAN CRESENT
VACANT PROPERTY *	18 DUNCAN CRES
JILLIAN KERR * <small>EMPLOYEE CHIP SHOP</small>	16 DUNCAN CRESCENT
Chantelle Munoz	61 Almond Road
Alister <small>EMPLOYEE CHIP SHOP</small> <del>OF  ALMOND</del>	43 William St
Michael Pinningson *	30 Duncan Crescent
GARY DOLAN	66 Dolan Cres
Jason Nardone	40 Duncan Crescent
John Kavan	4A DUNCAN CRESENT
S. SARGSTER	2A DUNCAN CR
B. Marshall	8 Duncan Crescent (wee barbe shop)
P West	4 <sup>c</sup> Duncan Keft
<del>J Keir</del>	<del>2A DUNCAN CRESCENT</del>
D. Piele	6A Duncan Crescent
A Kessels *	2b, Duncan Crescent
M Archibald *	24, Duncan Crescent
Josh Keir	2B Duncan Crescent
<del>M. Sutherland</del>	<del>27th Avenue</del>
Samantha Marshall	1 Tay Terrace
<del>M B Burnett</del>	<del>39 Duncan Cr</del>
OSCAR HERNANZ GARCIA	41 DUNCAN CRESCENT
SARAH M'GWAN	35 DUNCAN CRESCENT
RICCARDO CASULA	31 DUNCAN CRESCENT
ADAM NARLEY	29 DUNCAN CRESCENT
Elaine T. Watson	29 Duncan Crescent
M McRorie	23 DUNCAN CRESCENT

# Comments for Planning Application 22/01054/FULL

## Application Summary

Application Number: 22/01054/FULL

Address: 22 Duncan Crescent Dunfermline Fife KY11 4BT

Proposal: Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)

Case Officer: Jamie Penman

## Customer Details

Name: Ms Rachel Peters

Address: 5 Chapelwell Place, Dunfermline, Fife KY11 4HQ

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to add my name to petition to object to these plans. I live in the local area and although not a direct neighbour I think a bar of any type may contribute to loitering, possibly anti-social behaviour and noise disturbance in the area. There has been a lot of work done recently to improve this area. This has included work by unpaid members of the community for example improvements being made in the park and contributing to plans for a new community centre. It would be sad if the work of people in the community is affected detrimentally. A shisha bar would likely only be of benefit to a few and it may be argued that it has no benefit but is instead detrimental to people's health. This is out of balance with the benefits that have been gained by the work of local community. It is also out of balance with the wider principles including that of Fife Council in promoting the health and wellbeing of people living in Fife.

# Comments for Planning Application 22/01054/FULL

## Application Summary

Application Number: 22/01054/FULL

Address: 22 Duncan Crescent Dunfermline Fife KY11 4BT

Proposal: Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)

Case Officer: Jamie Penman

## Customer Details

Name: Mr Stuart Coates

Address: 35 Mackie Place, Dunfermline, Fife KY11 4LS

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The development at the rear of Duncan Crescent is not an area complimentary to the mix of retail provided in Abbeyview central. The position of the proposed development at the rear of the shops in Abbeyview central will lend itself to an increased potential for anti social behaviour in an area that cannot be readily observed by the public or police patrols.

The position of the proposed development was originally only for a service/storage area to the existing shops it has never been seen as anything other than thus , to allow this development to go ahead would set a precedent that may have implications to any future plans to develop/improve the central area.

The building must remain only as a storage facility and no retail activity should be allowed to be conducted from it.

The noise from late night customers cars potentially accessing the site would be an additional disturbance to the residents which would be unacceptable.

Access for deliveries to neighbouring shops at the rear of the proposed development could be hampered let alone the potential for accidents from increased vehicle usage that could potentially occur should this application be approved.

Regards

Stuart Coates

# Comments for Planning Application 22/01054/FULL

## Application Summary

Application Number: 22/01054/FULL

Address: 22 Duncan Crescent Dunfermline Fife KY11 4BT

Proposal: Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective)

Case Officer: Jamie Penman

## Customer Details

Name: Mrs Marie Ann

Address: 53 Allan Crescent, Dunfermline, Fife KY11 4HE

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Not good for community, parking issues, loud cars do somewhere where is no public involvement like industrial area etc. But plz not in abbeyview already got issues in this area I m worried about my young one's.

**Agenda Item 4(4)**

**22 Duncan Crescent, Dunfermline, KY11 4BT  
Application No. 22/01054/FULL**

**Consultee Comments**



Economy, Planning and Employability Services

Town and Country Planning (Scotland) Act 1997  
Application for Permission to Develop Land

**Response from Environmental Health (Public Protection)**

<b>PPT Reference No:</b>	22/04534/CONPLA		
<b>Name of Planning Officer dealing with the matter:</b>	TBC		
<b>Application Number:</b>	22/01054/FULL		
<b>Proposed Development:</b>	Change of use from garage (Class 6) to shisha bar (Sui Generis) (Retrospective)		
<b>Location:</b>	22 Duncan Crescent Dunfermline Fife KY11 4BT		
<b>Date Required By Planning:</b>		<b>Decision Notice Required?</b>	-----
<b>COMMENTS</b>			
<p>After reviewing the above application, I have the following comments</p> <p>I have taken a site visit to view the structure as it has already been built and note that there are residential properties nearby. There is also a range of commercial premises with associated fixed plant such as refrigeration, extraction, and ventilation units.</p> <p>I have not received a consultation request for a business of this nature before, so I am unsure of the potential amenity impacts. Potential impacts may be from odour or from noise from patrons, or any sound producing equipment. However, given the location and scale of the development I would think that it would be unlikely to significantly affect amenity.</p> <p>I do recommend that the applicant submits what hours of operation the facility is intended to be used.</p> <p>Should this planning application be successful, if after completion of the development, complaints of nuisance are received by the Environmental Health (Public Protection) Team, the team are duty bound to investigate. If nuisance is established then works / further works may be required to abate the nuisance.</p> <p>These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN</p>			

51, the Land & Air Quality Team will provide comment for those issues.

<b>Date:</b>	08/04/2022	<b>Officer</b>	Brian Hill Environmental Health Officer Public Protection Team
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**Protective Services**

**Town and Country Planning (Scotland) Act 1997  
Application for Permission to Develop Land**

**Response from Environmental Health (Public Protection)**

<b>PPT Reference No:</b>	22/16379/CONPLA		
<b>Name of Planning Officer dealing with the matter:</b>	Jamie Penman		
<b>Application Number:</b>	22/01054/FULL		
<b>Proposed Development:</b>	Shisha Bar		
<b>Location:</b>	22 Duncan Crescent, Dunfermline		
<b>Date Required By Planning:</b>	---	<b>Decision Notice Required?</b>	---

<b>COMMENTS</b>			
<p>I have read the planning statement and note the intended use of the premises. Environmental Health have received several noise complaints about the premises, however apart from a couple of complaints about music most of the noise associated with the bar comes from access and egress. The intended development is within a courtyard location, shielded from any road noise, with flats overlooking the entrance and car parking.</p> <p>As this sort of noise cannot be dealt with by nuisance legislation or liquor licensing, this noise source can only be properly dealt with at the planning stage and therefore I can only recommend refusal of this application unless the opening hours are reduced to a more reasonable time closing time that does not affect evenings for the local residents.</p> <p>These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN 51, the Land &amp; Air Quality Team will provide comment for those issues.</p>			
<b>Date:</b>	22/12/22	<b>Officer:</b>	Don Taylor

## Planning Portfolio Internal Assessment Sheet

<b>EPES Team</b>	<b>Transportation Development Management</b>
<b>Application Ref Number:</b>	<b>22/01054/FULL</b>
	<b>Change of Use from Garage (Class 6) to Shisha Bar (Sui Generis) (Retrospective)</b>
<b>Date:</b>	<b>25<sup>th</sup> May 2022</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 This retrospective application is for a shisha bar that would be sited adjacent to the servicing and parking areas at the rear of the retail units and flats on Duncan Crescent. The consented use of the building is for a small Class 6 storage unit.
- 1.2 Fife Council's Making Fife's Places Appendix G contains parking standards for variety of different planning use classes but does not contain a specific standard for shisha bars.
- 1.3 The most applicable parking standard is for bars and restaurants, which must have the provision of 1 parking space per 5m<sup>2</sup> of public floor area. Therefore, the proposed shisha bar must have the provision of 15 off-street parking spaces. No dedicated off-street parking spaces would be provided for the bar.

1.4 I am not familiar on how shisha bar's operate but understand that they do not sell alcohol, therefore, most customers would be able to drive to the bar if they have the use of a car.

## **2.0 CONCLUSIONS**

2.1 No off-street parking would be provided for the bar and the resultant shortfall of 15 parking spaces would lead to an increase in vehicles parking within the service areas and on the surrounding public road to the detriment of road safety.

## **3.0 RECOMMENDATIONS**

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3.1 Refusal.

### **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: 25/05/2022

E-mail: andy.forrester@fife.gov.uk

Number: 03451 55555 extension 480211

## Planning Portfolio Internal Assessment Sheet

<b>EPES Team</b>	<b>Transportation Development Management</b>
<b>Application Ref Number:</b>	<b>22/01054/FULL</b>
	<b>Change of Use from Garage (Class 6) to Shisha Bar (Sui Generis) (Retrospective)</b>
<b>Date:</b>	<b>19<sup>th</sup> December 2022</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 following represents an updated response to my previous recommendation for refusal dated 25<sup>th</sup> May 2022 and is based on the revised parking plan and supporting statement recently submitted by the agent.
- 1.2 As I stated in my previous response, Fife Council's Making Fife's Places Appendix G does not contain a specific parking standard for shisha bars. The most applicable parking standard is for bars and restaurants, which must have the provision of 1 parking space per 5m<sup>2</sup> of public floor area. Therefore, the proposed shisha bar must have the provision of 15 off-street parking spaces.
- 1.3 The revised site plan Drawing No 02 (dated 18/11/22 on IDOX) indicates the provision of 16 off-street parking spaces within the area to the west of the application site. However, all these spaces are shown

on land outwith the red and blue planning application boundaries. Therefore, the applicant does not have ownership or control over the land proposed for the off-street parking provision for the retrospective shisha bar. As a result, there is no mechanism available to ensure the proposed parking would be retained and available for the use of shisha bar customers for the lifetime of the development.

In addition, the area to the rear of the commercial buildings was clearly designed for servicing of the adjacent units. Any cars parked within the proposed spaces 5, 6, 7, 14, 15 and 16 would make it difficult for a lorry servicing the units to turn and leave the servicing area in a forward gear.

## **2.0 CONCLUSIONS**

2.1 No dedicated off-street parking could be provided for the bar within land in the applicant's control and the resultant shortfall of parking would lead to an increase in vehicles parking within the servicing areas and on the surrounding public road to the detriment of pedestrian and road safety.

2.2 Customers vehicles parked within the servicing area to the rear would impact on the available turning and manoeuvring space for servicing vehicles to the detriment of road safety.

## **3.0 RECOMMENDATIONS**

---

3.1 Refusal for the reasons detailed above.

### **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: 19/12/2022

E-mail: andy.forrester@fife.gov.uk

Number: 03451 555555 extension 480211

**22 Duncan Crescent, Dunfermline, KY11 4BT  
Application No. 22/01054/FULL**

**Planning Case Officer's Position Statement on  
National Planning Framework 4 (NPF4)**

## **NPF4 Position Statement**

**Application Ref. 22/01054/FULL – 22 Duncan Crescent,  
Dunfermline – Alterations to and change of use from storage  
building (Class 6) to shisa bar (Sui Generis) (Retrospective)**

**Fife Local Review Body – Monday, 14th August, 2023**

### **Request for Comments on National Planning Framework 4**

The purpose of NPF4 seeks to create a national and long-term spatial strategy for future development in Scotland on behalf of the Scottish Government. Accordingly, a series of overarching spatial priorities and planning policies are identified that seek to guide development planning within Scotland. However, given the general overarching remit of this document and the large-scale spatial principles included, some of the wider strategic policy ambitions are less relevant to householder or small-scale planning applications of this nature. Nevertheless, as NPF4 now forms part of the Development Plan for Fife, it takes primacy in decision making alongside the other Development Plan documents that includes the FIFEPlan Local Development Plan (2017) and the corresponding Supplementary Guidance documents.

Accordingly, the following provisions within NPF4 are deemed to apply:

NPF4 Policy 1 (Sustainable Places) - requires that significant weight will be given to the global climate and nature crises for all developments. This represents an overarching policy ambition but these principles apply to all development proposals to minimise carbon emissions and encourage nature/biodiversity enhancements. As the application is for full planning permission for a change of use of an existing building which is located within a Local Shopping Centre, the proposal would be deemed a sustainable development and therefore in accordance with NPF4 Policy 1.

NPF4 Policy 2 (Climate Mitigation & Adaption) – requires that proposals are designed to minimise life cycle greenhouse gas emissions. The proposal as a change of use of an existing building, which is bringing back a vacant building back into reuse instead of constructing a new building would meet the terms of NPF Policy 2. Compliance with this policy could be strengthened through incorporating renewable energy generating technology into the proposal.

NPF4 Policy 3 (Biodiversity) – requires proposals to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. The proposal would not have any significant impacts on biodiversity. Whilst the proposal has little opportunity to provide biodiversity enhancements given its small scale and backland location, a native species hedgerow could be planted around the outdoor area in order to provide a biodiversity enhancement. Notwithstanding, the proposal as submitted is considered to comply with NPF4 Policy 3.

NPF4 Policy 9 (Brownfield, vacant and derelict land and empty buildings) – requires proposals to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings and to help reduce the need for greenfield development. As the proposal is for the reuse of an existing vacant building, it would fully comply with NPF4 Policy 9.

NPF4 Policy 12 (Zero Waste) – requires proposals to reduce, reuse or recycle materials in line with the waste hierarchy. The proposal complies with NPF4 Policy 12.

NPF4 Policy 13 (Sustainable Transport) – amongst other strategic priorities, this policy sets out a series of transport and accessibility requirements for development proposals. This includes suitable links to multi-modal transport including public transport where available and to create of safe access / crossings that consider the needs all users and adequately mitigate any impact on local public access routes. Whilst the proposal is sustainably located, close to public transport links, it would fail to meet other requirements of Policy 13, by failing to provide safe pedestrian routes to the application property and through the lack of adequate of street parking.

NPF4 Policy 14 (Design, Quality & Place) – sets out a series of requirement to ensure that proposals are of a high quality design, take into consideration the Scottish Government six qualities successful place and avoid poorly designed outcomes that would result in detriment to the amenity of the surrounding area. Whilst work has been undertaken to improve the appearance and condition of the building which in turn would improve the quality of the surrounding area, the proposed use would be detrimental to residential amenity levels in the surrounding area and would therefore be contrary to NPF4 Policy 14.

NPF4 Policy 22 (Flood Risk and Water management) - requires proposals to avoid increased flood risk and manage surface water discharge from development sites. As this proposal is for the change of use of an existing building, where the area of hard surfacing would not increase, it would raise no significant concerns in terms of increased flood risk. The proposal therefore complies with NPF Policy 22.

NPF4 Policy 22 (Health and Safety) - requires proposals to protect people and places from environmental harm and encourage promote and facilitate development that improves health and wellbeing. Policy 22 notes that Development proposals that are likely to raise unacceptable noise issues will not be supported. Due to the proposal's backland location where there are many residential properties within close proximity, the proposal would result in unacceptable noise impacts therefore having a significant detrimental impact on residential amenity. The proposal would therefore not comply with NPF4 Policy 22.

Please find attached/enclosed a link to the NPF4 Document ([Link](https://www.transformingplanning.scot/national-planning-framework/))  
<https://www.transformingplanning.scot/national-planning-framework/>



**22 Duncan Crescent, Dunfermline, KY11 4BT  
Application No. 22/01054/FULL**

**Comments on Planning Case Officer's Position  
Statement on NPF4**

## Response to NPF4 Statement

### 22/01054/FULL - Alterations to and change of use from storage building (Class 6) to shisha bar (Sui Generis) (Retrospective) at 22 Duncan Crescent Dunfermline Fife KY11 4BT

Further to the case officer's comments on NPF4 we would like to make the following comments.

#### NPF4 Policy 1 (Sustainable Places)

The proposal complies with this policy.

#### NPF4 Policy 2 (Climate Mitigation & Adaption)

The proposal meets the terms of this policy. If incorporating renewable energy generating technology into the proposal was requested at the Planning stage, this is something the applicant would have looked at.

#### NPF4 Policy 3 (Climate Mitigation & Adaption)

The proposal complies with this policy. It is noted by the case officer that *"a native species hedgerow could be planted around the outdoor area in order to provide a biodiversity enhancement"*, if the review is successful, the applicant will be planting a hedgerow around the outdoor area fence.

#### NPF4 Policy 9 (Brownfield, vacant and derelict land and empty buildings)

The proposal complies with this policy.

#### NPF4 Policy 12 (Zero Waste)

The proposal complies with this policy.

#### NPF4 Policy 13 (Sustainable Transport)

The case officer's comments on this policy are *"it would fail to meet other requirements of Policy 13, by failing to provide safe pedestrian routes to the application property and through the lack of adequate off street parking"*.

We have provided a response to this in section *"5.0 Road Safety / Sustainable Transport"* of our Notice of Review Supporting Statement and would like to highlight the following:

*"there is the public footpath going from Duncan Crescent to Allan Crescent, from there the customers have to walk along the service area at the back of the shops to the entrance, there are no vehicles move at speed in this area and the people walking across this are of an older and mature nature and not children, when you go to any of the large supermarkets, you have to walk between cars and over car lanes to get to the footpath to walk to the main entrance and in these instances children are involved which I would suggest is a more dangerous road safety situation but are approved on a regular basis."*

We are highlighting this section as there was a similar application in Kennoway that is a shopping area similar to this application which was approved. This application had the same case officer and their comments on that application were, *"the proposal has no dedicated off-street parking however there is an unrestricted parking area to the front of the unit which can be utilised"* and *"it should also be considered that the proposal would be located within the central location and would be accessible by sustainable modes of transport"* and *"in light of*

*the above, the proposal would raise no significant road safety concerns in this instance and would therefore be deemed to comply”.*

Given the comments and approval of this other application, we would consider this was a worse case than ours as our property is at the back of the shops where traffic is low.

There are also other applications getting approved lately for small shopping areas where pedestrians must get out of their cars and walk across the parking areas and roads to get to the shops.

#### NPF4 Policy 14 (Design, Quality and Place)

The building when purchased was derelict and needed a lot of repairs, it could have had some money spent to bring it back into use (*repair the roof and doors to make them secure*) as a storage area, it wouldn't have looked good, and people could be coming and going at all different times.

The building has been modernised and improved the visual appearance and therefore has a positive impact on the area, section “4.0 Amenity Impact” of our Notice of Review Supporting Statement demonstrates it is a busy area with the surrounding shops, takeaways and the public footpaths passing the application site and the additional noise of customers coming and going on the hour from the Shisha Bar would not cause a significant detrimental impact on amenity in relation to noise.

#### NPF4 Policy 22 (Flood Risk and Water Management)

The proposal complies with this policy.

#### NPF4 Policy 23 (Health and Safety)

Section “4.0 Amenity Impact” of our Notice of Review Supporting Statement demonstrates it is a busy area with the surrounding shops, takeaways and the public footpaths passing the application site and the additional noise of customers coming and going on the hour from the Shisha Bar would not cause a significant detrimental impact on amenity in relation to noise.

The building at present has consent as a storage building (Class 6), if it was to stay as a storage building, people could be coming and going and creating noise at all different times, day and night. As the Shisha Bar it is controlled as described in our Notice of Review Supporting Statement.

**Agenda Item 5(1)**

**Couston Farm, Burntisland, KY3 0RX  
Application No. 22/00633/PPP**

**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 100628483-001

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.

## 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:	JJF Planning		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Joe	Building Name:	<input type="text"/>
Last Name: *	Fitzpatrick	Building Number:	35
Telephone Number: *	07974426615	Address 1 (Street): *	Aytoun Crescent
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Burntisland
Fax Number:	<input type="text"/>	Country: *	United Kingdom
		Postcode: *	KY3 9HS
Email Address: *	joe.fitzpatrick390@gmail.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="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Newbigging Farmhouse"/>
First Name: *	<input type="text" value="Craig"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Mitchell"/>	Address 1 (Street): *	<input type="text" value="Newbigging Farm"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Newbigging Farm"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Burntisland"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY3 0AQ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="joe.fitzpatrick390@gmail.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="Meikle Couston"/>
---

Northing	<input type="text" value="684791"/>	Easting	<input type="text" value="316886"/>
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## 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)

22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 0RX

## 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 attached document.

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)

Grounds for Approval of Planning Permission in Principle 22/00633/PPP

## Application Details

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

22/00633/PPP

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

28/02/2022

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

06/04/2023

## 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 Joe Fitzpatrick

Declaration Date: 14/05/2023

Joe Fitzpatrick  
Planning Consultant  
Joe.fitzpatrick390@gmail.com  
07974426615  
01592874360

NOTICE OF REVIEW

22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 0RX

16<sup>th</sup> May 2023

## GROUNDNS FOR APPROVAL OF PLANNING PERMISSION IN PRINCIPLE

The decision of Planning Services to refuse the above application for planning permission in principle comes after four years of effort by the applicant, over two separate planning applications, to address all the issues raised by the four Case Officers and Lead Officer that have been involved. With the exception of design, other issues raised, particularly key road safety issues relating to visibility at the access and noise impact have been successfully addressed to the satisfaction of Planning Services. This position has been confirmed by Planning Services within the Report of Handling.

At a meeting with Planning Services, at Fife House on 3<sup>rd</sup> February 2023, it was confirmed that the outstanding issue raised relating to transportation was of a marginal nature and provided the design issues could be addressed, then the application would be approved. Similarly, in relation to noise, it was confirmed that, subject to an acceptable design solution, the application would be approved. This is confirmed in the Report of Handling and within the email correspondence at Appendix 1.

In view of the above, it is respectfully considered that the main issue for consideration by the Fife Planning Review Body under this Notice of Review is related to the design issues under the first reason for refusal. Nevertheless, this Notice of Review will address all the reasons for refusal offered by Planning Services.

Following the meeting with Planning Services, the applicant submitted further details seeking to address the design issues raised at the meeting, which were mainly related to reducing the number of units from 7 dwellinghouses to 5 dwellinghouse. This involved the submission of revised photomontages demonstrating that in visual amenity and landscape impact terms there was no difference between a proposal involving 7 dwellinghouses and one involving 5 dwellinghouses. However, Planning Services continued to consider the design to be unacceptable as detailed in the first reason for refusal which states:

1. In the interests of protecting and enhancing visual amenity; the development of 7 detached dwellings with a significant combined increase in built footprint area would fail to be in keeping with the traditional well proportioned and scaled 'U' shaped agricultural steading building in this countryside rural area. The proposal therefore is considered to be incongruous and inappropriate for its rural countryside setting and would also undermine the qualities of the defined Local Landscape Area. The proposal would as a whole fail to be in keeping with the character or scale of traditional buildings of the area nor would it protect the overall landscape and environmental quality of the site and countryside area within which it is located. The proposal is therefore considered to be contrary to Policy 14: Design, Quality and Places and Policy 29: Rural Development of National Planning Framework 4 (2023) and Policy 1: Development Principles, Policy 7 Development in the Countryside, Policy 8: Houses in the Countryside, Policy 10: Amenity and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).

To summarise the above, the design reasons for refusal are:

- a significant increase in the built footprint;
- failure to reflect the design of the existing U shaped steading;
- failure to reflect the character and scale of buildings in the area; and
- failure to protect the overall landscape and environmental quality of the area.

However, prior to addressing the above design considerations it is considered appropriate to deal with the marginal issues raised within the remaining three reasons for refusal.

The second reason for refusal relates to noise and states:

2. In the interests of residential amenity; the proposed development would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to Policy 23: Health and Safety of NPF4 and Policy 1: Development Principles and Policy 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

RESPONSE: The main issue with regard to noise is whether the assessment of noise impact on prospective residents should be conducted based on an open windows or closed windows methodology. In addressing the noise issue the Report of Handling advises at paragraph 2.4.4 that the proposals qualify for assessment under the closed window methodology since the site is a brownfield site. This is confirmed in the Report of Handling and email from Planning Services dated 15<sup>th</sup> December 2022 (See Appendix 1). However, despite agreeing this position, the Report of Handling then goes on to advise that a closed windows methodology can only be considered to apply if the design solution is considered acceptable. Such reasoning defies all logical explanation. Surely, since the proposed development has been accepted by Planning Services as qualifying for assessment in relation to the closed windows approach then this is the approach that should be adopted by Planning Services for the purposes of assessment, irrespective of the design issue.

Having stated that the proposals qualify for consideration under the closed windows methodology, and given that the noise assessment submitted with the application clearly demonstrates that the proposed development fully complies with the acceptable standards relating to noise when assessed against the closed window approach, then it is considered inappropriate for Planning Services to offer a reason for refusal based on noise impact. It is considered that the only reason for Planning Services to include such a reason for refusal is to bolster what can only be considered to be an extremely marginal design reason for refusal under the first reason for refusal.

Comment is also offered within the Report of Handling in relation to the noise limit for garden areas. In this regard reference is made to the World Health Organisation guideline of 55dB as opposed to the standard widely accepted across the UK of 50dB. Fife Council itself has accepted a standard relating to 50dB on many sites across Fife and evidence to this effect can be supplied. In addition, what the Report of Handling does not admit is that those areas where the 50dB guidance is not achieved relate mainly to portions of the communal parking and vehicle circulation areas in the centre of the courtyard, not the private garden areas to the rear of the properties. Within the private garden areas to the rear, achievement of the 50dB guidance predominates.

Therefore, to include noise impact within amenity areas as part of the Report of Handling, without clarifying that this does not relate primarily to the private garden areas, is considered to be misleading. Again, this could be seen as bolstering the very marginal design reason for refusal which has been offered by Planning Services under the first reason for refusal.

The third reason for refusal is relates to biodiversity and states:

3. In the interests of biodiversity and natural heritage; the development has failed to demonstrate that it would conserve, restore and enhance the biodiversity of the site, contrary to Policy 3: Biodiversity of National Planning Framework 4. Furthermore the proposal has failed to demonstrate that it would achieve significant environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, contrary to Policy 1: Development Principles and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017).

RESPONSE: Biodiversity was only ever mentioned briefly in all the various interactions with Planning Services during the whole period this matter has been before them. The reason for this is that Planning Services have always accepted that this is a brownfield site and that as part of the redevelopment, any loss of self-seeded vegetation can easily be compensated for by appropriate planting within the wider curtilage of the redeveloped site. The Proposed Landscaping and Biodiversity Plan submitted with the application clearly demonstrates a commitment to enhancing biodiversity through landscape planting. In addition, at a very early stage in the process the applicant agreed to a condition being attached to the approval requiring such planting to be carried out.

In addition, a bat survey was carried out and submitted, without any comment by Planning Services. Neither was any request made by Planning Services for the submission of further evidence to demonstrate compliance with the aims of enhancing biodiversity. As mentioned above, the applicant is more than happy to comply with any condition relating to enhancement of biodiversity and any such condition applied by the Fife Planning Review Body to an approval of this application for planning permission will be complied with.

Given the above, to now find that Planning Service have included biodiversity as a reason for refusal of the application further defies logical explanation. Again, the only explanation can be that the Service is seeking to further bolster the very subjective design assessment that has been arrived at under the first reason for refusal.

4. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards with regard to sustainable transport.

RESPONSE: The applicant was advised by Planning Services at a very early stage in the assessment process that provided the key road safety issues relating to visibility at the junction of the site with the A921 were addressed then issues relating to access to public transport could be set aside. The reason for Planning Services making such an agreement is based on a recognition that within any area outside a main urban settlement the level of access to public transport is limited. For this reason, where a proposal is otherwise acceptable in principle under countryside policy then Transportation Services will accept issues relating to access to public transport being set aside. This is the case across Fife and there are countless examples where this has been accepted.

The key consideration for the Review Body is that the more safety critical issues relating to road safety with regard to vehicles entering and leaving the site have been fully considered and approved by the Fife Council Transportation Development Management Team, as confirmed within the Report of Handling.

Given the above, it further defies explanation as to why Planning Services should offer access to public transport as a reason for refusal of this application for planning permission. As with the reasons for refusal offered by Planning Services in relation to noise and biodiversity, the only explanation can be that the Service is seeking to further bolster the very subjective design assessment that has been arrived at under the first reason for refusal.

Having said the above, there are a number of bus services that pass directly in front of the site and there is a bus stop only 300m away, as well as two train stations within easy reach at, Aberdour & Dalgety Bay. Also, contrary to comments offered by Planning Services within the Report of Handling, a clear pedestrian route exists to this bus stop by crossing the road to the cottages on the other side and then taking to path that runs past the side of the cottages to connect with Dalgety Bay. Also, as confirmed by Planning Services, the visibility at the site access meets the standards and it will therefore be possible for any pedestrians crossing the road to do so safely.

This then brings considerations to the core reason that Planning Services have refused this application for planning permission under the first reason for refusal, i.e. that they do not accept the design merits of the proposals. As detailed above, the design issues raised by Planning Services relate to four matters:

- failure to reflect the design of the existing U shaped steading;
- a significant increase in the built footprint;
- failure to reflect the character and scale of buildings in the area; and
- failure to protect the overall landscape and environmental quality of the area.

RESPONSE: In relation to the first issue, a failure to reflect the design of the existing U shaped steading, the obvious response is that there is no existing U shaped steading visible from the main public vantage point on the A921. The photograph of the site below clearly demonstrates this.

#### VIEW OF THE REMAINS OF MIEKLE COUSTON FARM STEADING FROM A921



All that remains visible of the former U shaped steading is the north range. The single storey east and west ranges are no longer visible. However, a more fundamental consideration is that under the terms of Policy 8 – Countryside Policy, there is no requirement to replicate the design of structures previously existing on the site. Examples of development where former steadings have been redeveloped at Wester Pitscottie and Milldeans, and approved by the Fife Planning Review Body, are set out below. In both cases the Council did not require the proposed development to stick rigidly to the layout and footprint of the original steading buildings.

WESTER PITSCOTIE CUPAR – PLANNING PERMISSION 20/02634/FULL



MILLDEANS STAR of MARKINCH - PLANNING PERMISSION 18/02753/FULL



The second issue relates to the view by Planning Services that the proposed development involves a significant increase in the built footprint and that the dwellings are detached units. Again, the obvious response to this is, why does any redevelopment of the site need to reflect the previous building footprint. There is no requirement under Policy 8 – Countryside Policy, that any proposed redevelopment of a farm steading must copy the footprint of the former steading buildings. For this reason there are many examples across Fife where the Council has approved a design involving/

redevelopment of an existing farm steadings which does not replicate the footprint of the former steading buildings and involves detached dwellings exclusively. The examples cited above at Wester Pitscottie and Milldeans are cases in point. There are many more examples across Fife.

However, in the interests of setting a theme for redevelopment on what is a fairly compact site, the applicant directed their architect to arrive at a design solution which reflected a U shaped layout.

#### MIEKLE COUSTON – PROPOSED LAYOUT



The third design issues raised by Planning Services relates to the proposed dwellinghouses not mimicking the size and design of other more traditional residential properties in the area. Comment was also offered that the dwellings appeared too suburban in nature. Again, the obvious question is why should this mean that the proposed dwellinghouses are unacceptable in design terms. In particular, although it is not agreed that the proposed dwellings are suburban, even if this were to be a consideration, the question again arises as to why this should matter given that the site is right next to Dalgety Bay where suburban design predominates.

Also, there are countless examples where dwellinghouse with a non-traditional contemporary design have been granted planning permission by Fife Council within the countryside. In addition, guidance from the Scottish Government relating to design of new dwellings in the countryside actively encourages innovative and contemporary design.

The two examples cited above at Wester Pitscottie and Milldeans provided examples where the Council has approved dwellinghouse designs which do not mimic existing traditional dwellinghouses within the vicinity, as demonstrated within the following clippings.



DESIGN OF DWELLINGHOUSE APPROVED BY FIFE COUNCIL AT MILLDEANS BY STAR OF MARKINCH

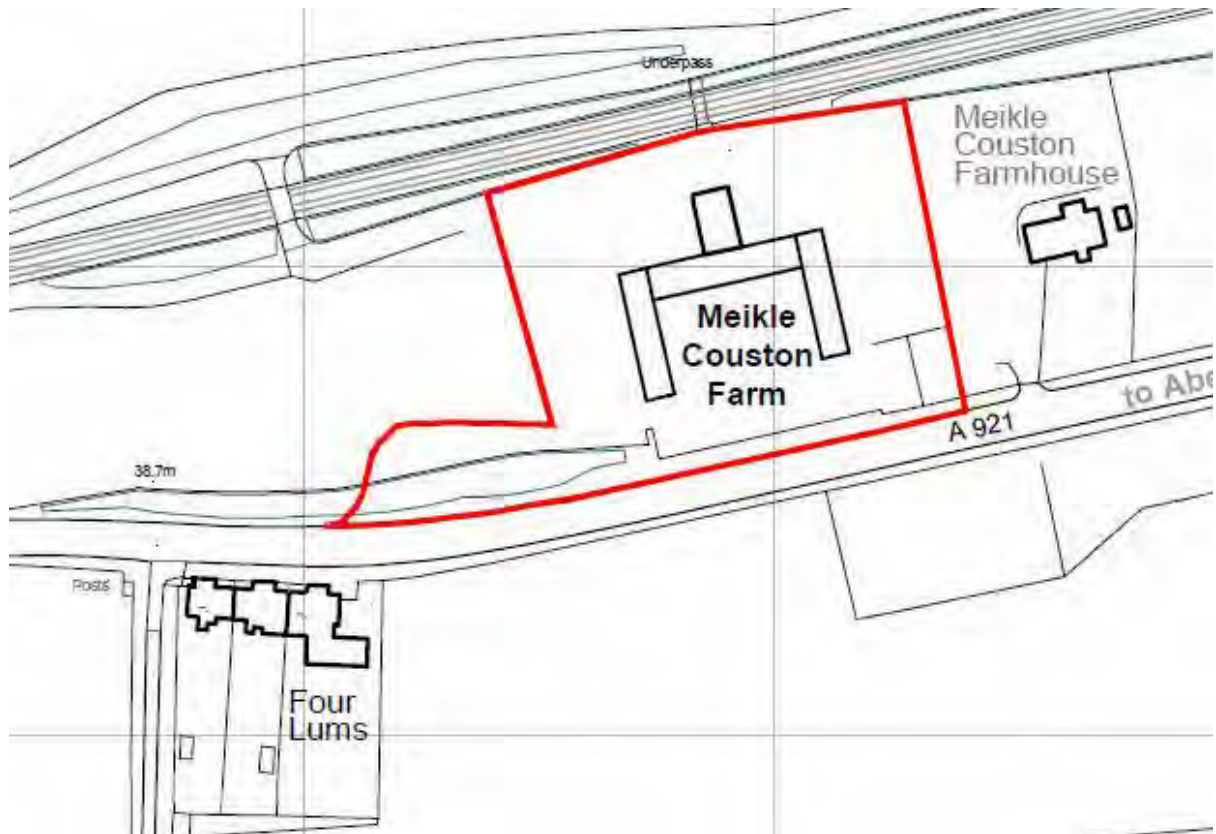


DESIGN OF DWELLINGHOUSE APPROVED BY FIFE COUNCIL AT WESTER PITSCOTTIE BY CUPAR



There are many more examples across Fife where the Council has approved dwellinghouses with such non-traditional contemporary design and where this has contributed to the visual quality and diversity of the countryside.

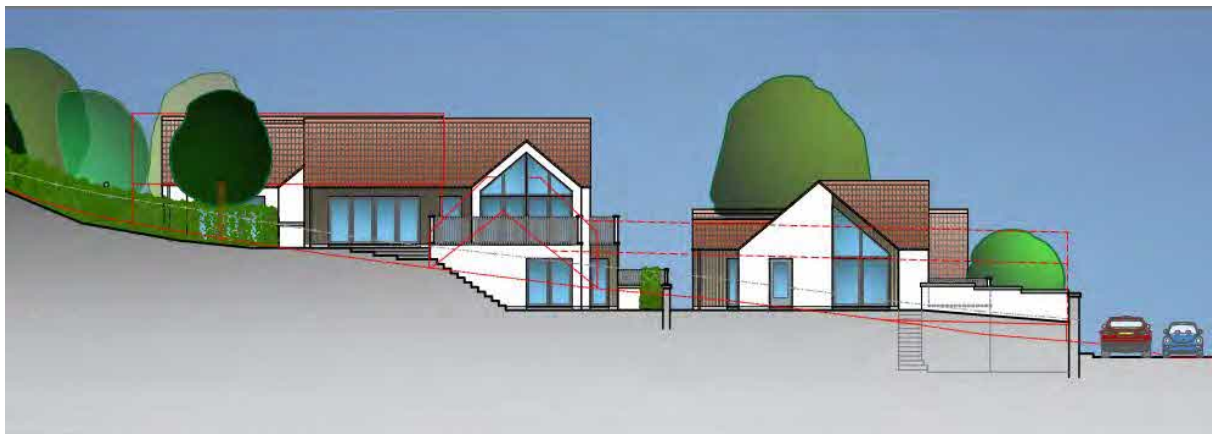
Also, in terms of scale, the proposed dwellinghouses have a building footprint which is entirely consistent with the scale of residential properties within the vicinity, as demonstrated by the following clipping from the location plan submitted with the application.



In terms of the height of the proposed dwellings, the fact that the site rises significantly to the north allows for the properties to be imbedded into the landscape, as demonstrated by the following clippings from the plans submitted with the application. In order to assist in relating the scale of the proposed development to the scale of the existing steading the submitted details include a red outline of the original steading structures.

The first section drawing submitted with the application did not include the grey hatched area in the first clipping on the next page. This was added to indicate the extent to which the unit is imbedded into the site. The originally submitted section details without the grey hatching was read by Planning Services as relating to a three storey structure to the rear of the site and reference was made in correspondence from Planning Services to this being an issue in terms of the scale of development. However, such an interpretation by Planning Services failed to take into consideration that the proposed dwelling is imbedded into the raising topography and that, although the dwelling in question had three levels, it is no higher than the existing building within the steading that it replaces and is in visual terms single storey in relation to the key public vantage points of the site from the east and west on the A921, as demonstrated in the submitted visualisations.

SECTION DETAILS SHOWING THE PROPOSED DEVELOPMENT IMBEDDED INTO THE RISING TOPOGRAPHY & CONSISTENT WITH THE SCALE OF THE ORIGINAL STEADING BUILDINGS.



As mentioned previously, the above clipping includes the original steading structures outlined in red. This serves to clearly demonstrate that the proposed dwellings do not significantly exceed the height of the original structures that were located within the middle of the steading and in fact exactly match the height of the existing remaining structure to the north of the site. In view of this it is perplexing to understand why Planning Services has continued to consider it appropriate to refuse the application based on the scale of development, despite submission of further details to assist in visualising the actual appearance of the site in relation to public vantage points on the A921.

Planning Services also asked for consideration to be given to a reduction in the number of units from 7 to just 5 dwellinghouses. Again, in order to cooperate with Planning Services the applicant commissioned yet more consultancy work to examine if this would have any impact on the appearance of the site in relation to key vantage points on the A921. The outcome of this further consultancy work by Brindley Associates was that there was absolutely no discernible difference between the 5 and 7 unit options in the appearance of the site from key vantage points on the A921 (Appendix 2 – Brindley Assoc Assessment of 5 Unit Option). The following clippings fully demonstrate this. These clippings have been taken from the full landscape appraisal documents carried out by Brindley Associates and submitted with the application.

VIEW OF SITE FROM EAST ON A921 – 5 DWELLINGHOUSE OPTION



VIEW OF SITE FROM EAST ON A921 – 7 DWELLINGHOUSE OPTION



VIEW OF SITE FROM WEST AT EASTERN ACCESS ROAD TO DALGETY BAY – 5 DWELLINGHOUSE OPTION



VIEW OF SITE FROM WEST AT EASTERN ACCESS ROAD TO DALGETY BAY – 7 DWELLINGHOUSE OPTION



The final issue raised by Planning Services in relation to design was protection of the overall landscape and environmental quality of the area. Again, it is perplexing to understand why the replacement of a derelict and unsightly run down former farm steading with a high quality redevelopment on such a publicly prominent site should not be welcomed by Planning Services as a significant improvement in the overall landscape and environmental quality of the area. The above photomontage and the numerous landscape appraisal documents submitted with the application clearly demonstrate that the proposed development will unquestionably result in a vast improvement to the local landscape and environment.

All plans and supporting documentation under the planning application submission have been uploaded as part of this Review. However, for ease of reference by the Fife Planning Review Body the various documents, plans and visualisations can be accessed at the following link:

[22/00633/PPP](https://www.fife.gov.uk/22/00633/PPP)

## CONCLUSION

The above submission is considered to satisfactorily address all four reasons for refusal offered by Planning Services:

Issues relating to biodiversity can be addressed by a condition attached to the planning permission.

By its own admission, Planning Services have agreed that matters relating to noise and access to public transport can be approved if the design of the proposed development is considered to be acceptable. Therefore, the sole consideration for the Fife Planning Review Body is design.

The above submission is considered to clearly demonstrate that the design of the proposed development is entirely acceptable and will result in a high quality development replacing the currently derelict and unsightly former farm steading, thereby making a positive contribution to the overall landscape quality and local environment.

## APPENDIX 1

From: Emma Baxter <Emma.Baxter@fife.gov.uk>  
Sent: Thursday, December 15, 2022 9:34 AM  
To: joe.fitzpatrick390@gmail.com  
Cc: Derek-J Simpson <Derek-J.Simpson@fife.gov.uk>  
Subject: Re: Couston Farm (22/00633/PPP)

Good morning Joe. Thank you for your response.

### Noise

With regard to the issues highlighted in terms of noise, you are correct that it is at the case officer's discretion as to whether to allow a closed window solution to be adopted. Furthermore, Fife Council's Policy for [REDACTED]

concerns raised with regard to design / visual amenity which I will touch upon further. The exception of a closed window solution is therefore contingent on the submission of an acceptable design.

In addition, it is noted in paragraph 3.3.4. of the submitted noise report that for traditional external areas that are used for amenity space such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB, with an upper guideline value of 55dB which would be acceptable in noisier environments. The report then goes on to reference city centres and other urban areas which may offer additional benefits as examples whereby higher levels may be granted. Later in the report an acceptable outdoor sound level of 55 dB was adopted for the assessment of this site with no justification for selecting this figure as opposed to the desired 50 dB.

## APPENDIX 2

Our Ref: 6021 - 1781

Date: 28<sup>th</sup> February 2023

### Meikle Couston, Dalgety Bay

#### Revised Visualisations – 5 unit layout

A revised suite of visualisations has been produced, based on the viewpoints produced for the original LVA in April 2022. These illustrate a potential alternative layout for the site, comprising five units rather than the original seven units.

The alternative five-unit layout illustrated is indicative, with houses three and five removed, and adjacent houses relocated slightly. No changes to the proposed landscape design have been made at this stage, as resulting changes to this are anticipated to be minor.

The revised visualisations have been compared with the original visualisations to assess whether a five-unit scheme would provide a meaningful reduction in the visual impact of the proposed development. Our findings are summarised below.

#### VP01: A921, at entrance to core path P712/03 (see Figures 05a-c)

As the proposed development is predicted to be heavily screened by existing roadside vegetation, there is **no change** to the proposed view as a result of the five-unit layout. The proposed office pods and bin store remain the only proposed built form predicted to be visible.

#### VP02: A921, east of site (see Figures 06a-c)

As the northernmost houses are predicted to be somewhat visible in the view, there is a slight change in the proposed view as a result of the five-unit layout. This is a technical change only however, as the removal of units would only serve to replace visibility of one unit with visibility of another. **No reduction in visual impact** is therefore predicted as a result of reducing the development from seven units to five.

#### VP03: A921, at junction with Eastern Access Road (see Figures 07a-c)

As the proposed development is predicted to be heavily screened by existing vegetation and topography, there is **no change** to the proposed view as a result of the five-unit layout.

#### Summary

Overall, the reduction from seven units to five is not predicted to result in any change to the magnitude of change from any of the assessed viewpoints. It is therefore considered that reducing the number of units would not be beneficial in terms of reducing effects upon the landscape and visual resource.

Yours sincerely



Suzanne Hyde, TMLI



Notice of Review Relating To 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 0RX – List of Documents

1. Notice of Review – Grounds for Approval of Planning Permission in Principle 22/00633/PPP - 15<sup>th</sup> May 2023.
2. Decision Notice – 6<sup>th</sup> April 2023.
3. Report of Handling – 4<sup>th</sup> April 2023.
4. Planning Application – 28<sup>th</sup> Feb 2022.
5. Supporting Statement.
6. Location Plan.
7. Bat Survey Update.
8. Existing Site Layout.
9. DIA Report Pt 1.
10. DIA Report Pt 2.
11. Aerial Photograph of Original Farm Steading Showing Building to Road Frontage and West/East Ranges with Roofs.
12. Existing sections AA BB and CC.
13. Existing sections DD to GG and North elevation.
14. Location Plan.
15. Low Carbon Checklist.
16. Low Carbon Statement.
17. Network Rail Email Response.
18. Proposed Aerial Photograph.
19. Proposed Landscaping and Biodiversity Plan.
20. Proposed sections AA BB and DD.



21. Proposed Sections EE and JJ.
22. Proposed Site Layout Plan.
23. Site Analysis Plan.
24. Site Analysis Plan 2.
25. Site Analysis Plan 3.
26. Site Analysis Plan 4.
27. Site Analysis Sections.
28. Vehicle Tracking Plan.
29. Visibility Splays.
30. Coal Authority Response.
31. Meikle Couston LVA Part 1.
32. Meikle Couston LVA Part 2.
33. Meikle Couston LVA Part 3.
34. Meikle Couston LVA Part 4.
35. Meikle Couston LVA Part 5.
36. Meikle Couston LVA Part 6.
37. Appendix 1 Form.
38. Appendix 2 Independant Check Cert.
39. Email Response Re Drainage Etc 14<sup>th</sup> March 2022.
40. Noise Report.
41. SUDS Appendix 2 Form.
42. Title Deeds.
43. Title Sheet.
44. Design Appraisal.

45. Elevations.
46. Proposed Sections.
47. Visibility Splays 2
48. Road Speed Survey Report.
49. Revised Design Appraisal.
50. Revised Indicative Design 1.
51. Revised Indicative Design 2.
52. Revised Indicative Design 3.
53. Revised Indicative Design 4.
54. Revised Indicative Design 5.
55. Revised Visualisation 1.
56. Revised Visualisation 2.
57. Revised Visualisation 3.
58. Visual Impact Appraisal 5 Unit Layout 1.
59. Updated Visualisations With 5 Dwellinghouses 1.
60. Updated Visualisations With 5 Dwellinghouses 2.
61. Updated Visualisations With 5 Dwellinghouses 3.

JJF Planning  
Joe Fitzpatrick  
35 Aytoun Crescent  
Burntisland  
United Kingdom  
KY3 9HS

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**Planning Services**

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Emma Baxter

development.central@fife.gov.uk

Your Ref:

Our Ref: 22/00633/PPP

Date 6th April 2023

Dear Sir/Madam

**Application No:** 22/00633/PPP

**Proposal:** Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

**Address:** Couston Farm Burntisland Fife KY3 0RX

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 or local review 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,

Emma Baxter, Graduate Planner, Development Management

Enc



## DECISION NOTICE PLANNING PERMISSION IN PRINCIPLE

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 IN PRINCIPLE** for the particulars specified below

**Application No:** 22/00633/PPP  
**Proposal:** Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works  
**Address:** Couston Farm Burntisland Fife KY3 0RX

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 22/00633/PPP on Fife Council's Planning Applications Online

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

1. In the interests of protecting and enhancing visual amenity; the development of 7 detached dwellings with a significant combined increase in built footprint area would fail to be in keeping with the traditional well proportioned and scaled 'U' shaped agricultural / steading building in this countryside / rural area. The proposal therefore is considered to be incongruous and inappropriate for its rural countryside setting and would also undermine the qualities of the defined Local Landscape Area. The proposal would as a whole fail to be in keeping with the character or scale of traditional buildings of the area nor would it protect the overall landscape and environmental quality of the site and countryside area within which it is located. The proposal is therefore considered to be contrary to Policy 14: Design, Quality and Places and Policy 29: Rural Development of National Planning Framework 4 (2023) and Policy 1: Development Principles, Policy 7 Development in the Countryside, Policy 8: Houses in the Countryside, Policy 10: Amenity and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).
2. In the interests of residential amenity; the proposed development would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to Policy 23: Health and Safety of NPF4 and Policy 1: Development Principles and Policy 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).
3. In the interests of biodiversity and natural heritage; the development has failed to demonstrate that it would conserve, restore and enhance the biodiversity of the site, contrary to Policy 3: Biodiversity of National Planning Framework 4. Furthermore the proposal has failed to demonstrate that it would achieve significant environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, contrary to Policy 1: Development Principles and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017).

Dated: 6th April 2023

Chris Smith

For Head of Planning Services

4. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards with regard to sustainable transport.

Dated:6th April 2023

Chris Smith

For Head of Planning Services

Decision Notice (Page 2 of 3) Fife Council

**PLANS**

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

Reference	Plan Description
01	Location Plan
02	Aerial Photos
03	Block Plan
04A	Proposed Block Plan
05	Street Elevations
06	Street Elevations
08B	Street Elevations
09B	Street Elevations
10	Proposed various - elevation, floor etc
11	Proposed various - elevation, floor etc
12	Proposed various - elevation, floor etc
13	Proposed various - elevation, floor etc
14	Proposed various - elevation, floor etc
15	Low Carbon Sustainability Checklist
16	Statement
17A	Landscape Layout
18	Vehicle Turning Details
19A	Visibility splay plan
22	Drainage Assessment
23A	Bat Report
24	Noise Report
25	Landscape and visual assessment
26	SUDs and Flood Risk Assessment Certs
27A	SUDs and Flood Risk Assessment Certs
28	Supporting Statement
29	Supporting Statement
30	Site Plan

Dated:6th April 2023

Chris Smith

For Head of Planning Services

Decision Notice (Page 3 of 3) 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.fife.gov.uk/planning](http://www.fife.gov.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>Couston Farm, Burntisland, Fife</b>		
PROPOSAL	<b>Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works</b>		
DATE VALID	<b>28/02/2022</b>	PUBLICITY EXPIRY DATE	<b>07/04/2022</b>
CASE OFFICER	<b>Emma Baxter</b>	SITE VISIT	<b>14/06/2022</b>
WARD	<b>Inverkeithing And Dalgety Bay</b>	REPORT DATE	<b>04/04/2023</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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.



In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

## 1.0. Background

### 1.1. Description

1.1.1. The application relates to an area of land within Meikle Couston Farm measuring approximately 0.7 ha located 0.2 km north-east of Dalgety Bay. The site is currently overgrown scrubland with Couston Farm steading situated within the centre of the site. It is also situated within Cullaloe Hills and Coast Local Landscape Area. The site is bounded by Meikle Couston Farmhouse situated approximately 20 meters to the east of the site, the A912 to the south, East Coast Mainline railway to the north and agricultural land to the west. There are an additional 3 dwellings situated 20 meters south-west of the site.

### 1.2. The Proposal

1.2.1. The application seeks planning permission in principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works.

### 1.3. Planning History

1.3.1. Planning history for this site can be summarised as follows

- Planning permission for the conversion of farm steading to form 9 dwellinghouses and garages (03/02856/WFULL) was permitted with conditions October 2004
- Planning permission for partial demolition of farm steadings, erection of 2 storey care facility, formation of new access, parking and associated landscaping (09/01521/WFULL) was refused August 2009
- Planning permission for the conversion and extension of derelict farmsteading to provide a 38 bed care home with associated parking, landscaping etc and formation of new access (10/00267/FULL) was permitted with conditions September 2010
- Planning permission in principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works (20/03288/PPP) was withdrawn July 2021.

1.4. A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal. The following evidence was used to inform the assessment of this proposal

- Google imagery (including Google Street View and Google satellite imagery);
- GIS mapping software; and
- Site photos

## 2.0. Assessment

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

- Principle of Development
- Design / Visual Impact on the Countryside
- Residential Amenity
- Biodiversity and Natural Heritage
- Road Safety
- Low Carbon
- Flooding and Drainage
- Impact on Railway Infrastructure
- Land Stability

## 2.2. Principle of Development

2.2.1. NPF4 Policy 16(f) states that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where;

-the proposal is supported by an agreed timescale for build-out; and

-the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;

and either

-delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or

-the proposal is consistent with policy on rural homes; or

-the proposal is for smaller scale opportunities within an existing settlement boundary; or

-the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan

2.2.2. NPF4 Policy 17a applies and states that development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

-is on a site allocated for housing within the LDP;

-reuses brownfield land where a return to a natural state has not or will not happen without intervention;

-reuses a redundant or unused building;

-is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;

-is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;

-is for a single home for the retirement succession of a viable farm holding;

-is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or

-reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

2.2.3. The proposed development would not meet any of the criteria as set out with Policies 16(f) and 17a above. Furthermore, while the proposal is not considered to be supported in terms of the broad policy position set out in Policies 16 and 17 of the NPF. The Chief Planner's letter confirms that NPF4 needs to be assessed in the round and in full context of the Adopted Development Plan. The Adopted Development Plan includes the Adopted FIFEplan which provides more detailed policy context in relation to the assessment of this development. Policy 7 of the Adopted FIFEplan LDP relates to development in the countryside and Policy 8 more specifically relates to new housing in the countryside.

2.2.4. Policy 1 sets out that development proposals will be supported if they are in a location where the proposed use is supported by the development plan and where they comply with other plan policies. Policy 7 states that developments in the countryside will only be supported where, among other circumstances, it is for housing in line with Policy 8. Policy 8: Houses in the Countryside states that 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 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 sound 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 the relevant figure.

2.2.5. Supporting text to Policy 8/Criterion 3 adds that planning permission will only be granted in such circumstances on small sites that are no longer required for their original purpose and which incorporate rundown or derelict buildings; the proposed site must be capable of accommodating a housing 'cluster' of at least five houses; 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.

2.2.6. Letters of objection received for this application raised concerns with the fact the proposed site is situated outwith any designations under Fife's Local Development Plan and could lead to a ribbon development towards Aberdour from Dalgety Bay.

2.2.7. Criterion 6 and 7 of Policy 8 of the Adopted FIFEplan (2017) state that Development of houses in the countryside will only be supported where; 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) or a shortfall in the 5 year effective housing land supply is shown to exist and the proposal meets the terms of Policy 2 (Homes). 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:

-the development is capable of delivering completions in the next 5 years;

-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;

-the development would complement and not undermine the strategy of the plan; and

-infrastructure constraints can be addressed.

2.2.8. From the supporting statement submitted with this application, the relevant criterion argued for this application is '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'. The steading which currently sits on the proposal site has laid derelict for a number of years and fallen into a state of disrepair, with the site's former cart shed already being demolished approximately 10 years ago in the interest of road safety. As will be discussed in further detail within Section 2.3 of this report below, the application has failed to demonstrate that the proposal would be in keeping with the character of the area as well as achieving significant visual and environmental benefits. Furthermore, whilst it may be argued that the development can contribute towards addressing a perceived shortfall in the effective 5 years housing land supply. In terms of the Fife Housing Land Audit 2022, Fife Council's position is that

there is no housing shortfall within this housing market area. The application would, therefore, not be supported by Policy 2 of the Adopted FIFEplan (2017).

2.2.9. In light of the above, the principle of proposed development does not meet the terms of any of the criteria listed above and therefore is considered contrary to Policies 16 & 17 of NPF4 and Policies 1, 2, 7 and 8 of the adopted FIFEplan (2017) and thus not acceptable.

### 2.3. Design / Visual Impact on the Countryside

2.3.1. NPF 4 Policy 14 applies and states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14 also stipulates development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy 29 of NPF4 states development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. Policies 1 and 10 of the adopted FIFEplan (2017) states that development will only be supported if it does not have a significant detrimental impact with respect to visual amenity. Policy 13 states development proposals will only be supported where they protect or enhance natural heritage and access assets including landscape character and views. Furthermore, Paragraph 15 of Policy 8 states that developments 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.

2.3.2. Detailed design aspects do not typically form a key part of the assessment of an application for planning permission in principle. However, given the location and position of the site, a Landscape and Visual Impact Assessment was requested and submitted by the applicant. Furthermore, indicative visualisations have been submitted which show how the proposed development may look from a number of points along the public road to the south. These visualisations were provided reflecting proposal as it currently stands as well as an alternative scheme containing five units. The reduction in the number of units was concluded in the report to result in no significant change in terms the visual impact of the development and therefore not pursued. The design of the proposal seeks to mimic the shape of the existing steading, with the proposed dwellings forming a U shape around an internal courtyard area. Furthermore, the proposed bin store and garages are proposed to be located in a similar position to the previously removed cart shed. It is proposed that the development site would be finished with a combination of random rubble stonework, render and timber cladding to the external walls and slate roofs. In addition, the applicant has submitted an indicative site layout and sectional drawings with this application which illustrate a mixture of two and three storey dwellings of varying layouts. The overall layout of the development, principally that of the two and three storey houses proposed on the site, combined with the use of contemporary design elements, imparts an incongruous character to the development within what is a rural setting. Furthermore, the proposed development would be visible from a considerable stretch of the A921 to the south of the site, which is part of Fife's core path network, as well as along the East Coast Mainline railway along the northern boundary of the site. Despite the attempt to mimic a traditional steading layout, given that the proposed development comprises of 7 detached dwellings, as opposed to one continuous U-shaped building, the design of the proposal would be considered incongruous and inappropriate for its rural countryside setting. In addition, the proposed development would constitute a significant increase in footprint in comparison to that of the previous building on the site, thereby further exasperating the fact that the proposal would not be considered to respect the existing character of the site and surrounding area. Overall, it is considered that the development proposals would be to the detriment of landscape character

and views, failing to safeguard the character and qualities of the landscape, and having a significant detrimental impact on the visual amenity of the area generally.

2.3.3 In light of the above, the proposal would be considered to have a significant detrimental impact on the visual amenity of the site's countryside setting and the Cullaloe Hills and Coast Local Landscape Area. The proposed development is therefore considered contrary to the above provisions of policy in relation to design/visual impact.

## 2.4. Residential Amenity

2.4.1. Policy 23, Part E of NPF4 states that development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. Policies 1 and 10 of the adopted FIFEplan states that 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. PAN1/2011 sets out how noise issues generally should be handled when considering any application for planning permission. Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018) and Minimum Distance Between Window Openings also apply in this instance.

2.4.2. Given that the proposed development would be set approximately 20 meters from the nearest residential property, it is considered that the proposal would not result in any detrimental impact with regard to daylight, sunlight or privacy levels of the existing surrounding properties. With regard to the residential amenity of the 7 proposed dwellings, it is considered that the proposal could be designed in such a way to negate any significant detrimental impact. As such, the proposal is considered acceptable in this regard.

2.4.3. Fife Council Planning Customer Guidelines on Garden Ground recommends that residential developments have a useable garden space of at least 100 m<sup>2</sup> per dwellinghouse as well as minimum building footprint to plot size ratio of 1:3. From the indicative site layout submitted, it is considered that the proposed development would be able to accommodate a sufficient area of garden ground.

2.4.4. Given the position of the site in close proximity to the A921 and a railway line, a Noise Impact Assessment (NIA) has been submitted as part of this application. The NIA concluded that the development site was capable of achieving the requisite noise and vibration criteria through a closed window solution. It was however advised by Fife Council's Public Protection team that only in exceptional circumstances should satisfactory internal noise levels be achievable through a closed window scheme. Fife Council's Policy for Development and Noise (2021) recognises that it may be appropriate to make provision for development in certain exceptional circumstances in order to achieve wider strategic objective. For the purposes of this guidance, exceptional circumstances are considered to be proposals which aim to secure appropriate redevelopment of brownfield sites, promote higher levels of density near transport hubs and which secures high density development in Town Centres and larger urban settlements. In this particular case, whilst the proposed development would result in the redevelopment of a brownfield site (which is listed as a potential benefit within Fife Council's Policy for Development and Noise 2021) which would allow for a closed window solution exception to be made, it is considered in this instance that the proposed development would not constitute the appropriate redevelopment of a brownfield site due to the concerns raised with regard to design / visual amenity discussed in

Section 2.3. above. Furthermore, Fife Council's Public Protection Team commented that even if a closed window solution was deemed acceptable in this instance, there were still concerns with regard to potential noise levels within the main amenity spaces of the dwellinghouses. It is noted that in paragraph 3.3.4. of the submitted noise report that "for traditional external areas that are used for amenity space such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB, with an upper guideline value of 55dB which would be acceptable in noisier environments. The report then goes onto reference city centres and other urban areas which may offer additional benefits as examples whereby higher levels may be granted. Later in the report an acceptable outdoor sound level of 55 dB was adopted for the assessment of this site with no justification for selecting this figure as opposed to the desired 50 dB.

2.4.5. In light of the above, it is considered that there is insufficient justification for allowing the implementation of a closed window solution for the proposed development. As such, the proposal would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to the above provisions of policy in relation to residential amenity.

## 2.5. Biodiversity and Natural Heritage

2.5.1. Policy 3, Part A of NPF4 states that development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible. Furthermore, Part C states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

2.5.2. Policies 1 and 13 of the Adopted FIFEplan (2017) state that development proposals will only be supported where they protect or enhance natural heritage and access assets including biodiversity in the wider environment and protected and priority habitats and species and designated sites of local importance, including Local Wildlife Sites and Local Landscape Areas. Where adverse impacts on existing assets are unavoidable, proposals will only be supported where these impacts will be satisfactorily mitigated.

2.5.3. A bat survey was submitted from July 2020. This report concluded that there was potential for bats in the area, however no evidence of a maternity roost nor any solitary bat roosting's were found. In addition, no evidence of droppings or sightings of bats in or around the building were found. It was concluded that there were a number of disturbance factors which could account for the lack of activity on the site. An updated bat survey was conducted in September 2022 which also detected no bats on the site. The report however recommended the installation of a bat box to the south of the complete building to encourage bat use on the site. An indicative landscape and biodiversity plan has also been submitted as part of this application. Notwithstanding the above, it is considered that insufficient information has been provided to demonstrate that the proposed development would conserve, restore and enhance the site in terms of biodiversity in line with Policy 3, NPF4 or achieve significant visual and environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, in line with FIFEplan (2017), as discussed in Section 2.3 above.

2.5.4. In light of the above, the proposal would be considered contrary to Policy 3 of NPF4 and Policy 13 of the Adopted FIFEplan (2017) and is therefore not acceptable.

## 2.6. Road Safety

2.6.1. Policy 14 of NPF4 states that development proposals will be supported where they are consistent with the six qualities of successful places, one of which is connected - supporting well connected networks that make moving around easy and reduce car dependency. Furthermore, Policy 13 of NPF 4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- Will be accessible by public transport, ideally supporting the use of existing services;
- Integrate transport modes;
- Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- Adequately mitigate any impact on local public access routes

2.6.2. Policies 1 and 3 of the adopted FIFEplan 2017 state that development will only be supported where it has no road safety impacts. Furthermore, these policies state that developments must be designed and implemented in a manner that ensures it delivers the required levels of infrastructure and functions in a sustainable manner. Making Fife's Places Transportation Development Guidelines (2018) also applies in this instance.

2.6.3. Letters of objection received for this application have raised concern with regard to the potential road safety impacts of the development.

2.6.4. Vehicular access to the site would be via a newly formed access taken from the A921 to the east. The submitted drawings show there to be sufficient space for off street parking and vehicle turning to be provided within the curtilage of the proposed dwelling. Transportation Development Management were consulted on this application and recommended the application for refusal on road safety grounds. The primary issue with regard to road safety was the ability to achieve the necessary visibility splays, which it was TDM's understanding would not be possible without the applicant entering into a legal agreement with the neighbouring landowner. After consultation with Fife Council's legal services department, the applicant was advised that if they were willing to commission a speed survey, the results of which demonstrate that the 85th percentile of traffic speeds are under the road's 60mph speed limit, Fife Council would be willing



to accept that acceptable visibility splays could be achieved through the deed of servitude over the neighbouring land which the applicant holds, in lieu of a Section 75 agreement.

2.6.5. In addition, TDM also stated that the proposal is unacceptable due to the absence of a safe crossing point for pedestrians to use with the 60mph limit of the A921 as well as the absence of safe and sustainable modes of transport (i.e., walking, wheeling, cycling or public transport) for residents/visitors of the site to use in order to access schools, shops employment opportunities etc. resulting in the creation of a development which would be reliant on car transportation which is not considered acceptable. The nearest bus stop would be over 300 metres away along the A921 with no suitable pedestrian access thereto nor to the nearest schools, shops etc. As such, notwithstanding that suitable visibility splays may be achievable, given that the proposed development would result in a significant detrimental impact with regard to its design / visual impact as discussed in Section 2.3 and biodiversity/natural heritage as discussed in section 2.5., it is considered that there is no justification for allowing a relaxation to NPF4 and Fife Council's standards with regard sustainable transport.

2.6.6. In light of the above, it is considered that the proposed development would result in a significant detrimental impact with regard to road safety and therefore contrary to Policy 13 of NPF4 and Policy 1 and 3 of the adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines in this regard.

## 2.7. Low Carbon

2.7.1. Policy 1 of NPF4 states that when considering all development proposals, significant weight will be given to the global climate and nature crises. In addition, Policy 2 states that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change. The Scottish Government advises in relation to Policy 1 and Policy 2 will be subject to further detailed advice and guidance and also the specific implications of NPF4 will be clarified through the review of Local Development Plans. As such the most appropriate policy position in relation to this issue is set out in FIFEplan Policies 1,3 and 11. Policy 1 and 11 of Fifeplan 2017 states that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction targets; construction materials come from local or sustainable sources; and water conservation measures are in place. Fife Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support.

2.7.2. The applicant has submitted an energy statement which states that the development will be insulation to a high standard, along with the installation of solar PV panels and an air source heat pump in order to meet the standards of Policy 11 with regard to energy performance.

2.7.3. In light of the above, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to sustainable construction. This is however not considered to be a determining issue in this instance.

## 2.8. Drainage and Flooding

2.8.1. Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.8.2 Details including a Drainage Impact Assessment Report have been submitted as part of this application which provided details as to the proposed SUDS infrastructure for the site. Fife Council's Structural Services Team were consulted on this application and sought further information including details as to the suitability of the proposed SUDS components, condition survey of the existing surface water sewer and confirmation of ownership and/or permission for the proposed surface water outfall. Upon reviewing the requested additional information, the only comments from Structural Services were for the submission of Appendix 2 (Sustainable Drainage Design - Independent Check Certificate) which has now been submitted. SEPA Flood Maps also confirm that the site is not at risk of flooding. It is considered that any future detailed proposal could be designed to incorporate sufficient measures to adequately deal with surface water attenuation. This matter would, however, be fully assessed at the ARC stage. Scottish Water also advise that they have no objections. The proposal would therefore be acceptable in principle and would comply with Development Plan Policy in this respect.

2.8.3. Overall, the development proposal is considered to accord with the above provisions of policy and guidance in relation to drainage and flood risk. This is however not considered to be a determining issue in this instance.

## 2.9. Impact on Railway Infrastructure

2.9.1. Policies 1 and 3 of the Adopted FIFEplan (2017) state that developments must be designed and implemented in a manner that ensures it delivers the required levels of infrastructure and functions in a sustainable manner. Accordingly, development proposals will demonstrate how they address impacts on the local road network and the railway network including capacity.

2.9.2. Given the application site is within close proximity to an active railway line to the north, Network Rail were consulted. Network Rail had no objections to the development in principle subject to the imposition of four condition on any planning permission granted which include a trespass proof fence along the northern boundary of the site if one is not already in place, the submission of a construction method statement and noise impact assessment and a restriction on any development operations coming within 4 meters of any railway infrastructure.

2.9.3. In light of the above, and subject to the above-mentioned conditions, the proposal would have no significant impact on the railway network and therefore comply with Policies 1 and 3 of the FIFEplan (2017) in this regard. This is however not considered to be a determining issue in this instance.

## 2.10. Land Stability

2.10.1. Policies 1 and 10 of the adopted FIFEplan (2017) 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. Furthermore, development proposals must demonstrate that they will not

lead to a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.10.2. The Land and Air Quality Team were consulted on the proposal and commented that given the site has previously been used for agricultural buildings, a site-specific risk assessment should be undertaken, and details any remedial measures required in light of said assessment submitted through a remedial action statement to the Planning Authority for approval. In addition, it was advised that Development Management should be notified should any unexpected materials or conditions be encountered during the development.

2.10.3. In light of the above, the proposal subject to conditions would be considered acceptable in terms of contaminated land. This is however not considered to be a determining issue in this instance.

## CONSULTATION RESPONSES

Environmental Health (Public Protection)	Proposal not supported
Structural Services - Flooding, Shoreline And Harbours	No further comments
Structural Services - Flooding, Shoreline And Harbours	Further information requested
Transportation And Environmental Services - Operations Team	No response
TDM, Planning Services	Has recommended the application for refusal.
Environmental Health (Public Protection)	Further information requested
Network Rail	No objection subject to the inclusion of conditions.
Structural Services - Flooding, Shoreline And Harbours	Has sought the submission of further information.
Natural Heritage, Planning Services	No objections
Land And Air Quality, Protective Services	No objection subject to conditions
Scottish Water	No objections

## REPRESENTATIONS

Four letters of objection and 1 letter of support has been received for this application. The letters of objection have raised the following concerns

- Road safety- This has been addressed in Section 2.6. above
- Removal of shrubs, trees and soil before planning application was made and without permission - Given that the site nor any of the trees are under any form of protected designation (e.g. TPO or within a Conservation Area), planning permission would not have been required for the works as mentioned.

- Changes from previous approved plan regarding the foul drainage - Each application is assessed on its own merit and there is no obligation to follow or maintain aspects from previous approved applications. The proposals impact with regard to flooding and drainage has been assessed in paragraph 2.8.2. above.
- Possibility of asbestos in the ruins - This is not a material planning consideration
- The surfaced water drainage pipe as indicated on the submitted plans proposing to take surface water from the site across A921 and discharges into Inverkeithing Burn does not exist - This application is for planning permission in principle, rather than full planning permission. As such, and as discussed in paragraph 2.8.2. above, it is considered sufficient detail has been provided at this stage with regard to flooding and drainage, with a further detailed scheme to be submitted and fully assessed under any future application for approval of matters required by condition). In addition, Fife Council's Structural Services Team were consulted on this application and raised no objections to the proposal with regard to flooding and drainage.
- Inconsistencies between submitted plans and title deeds - This is not a material planning consideration
- The access road as shown on the plans submitted with this application do not match those under the previously submitted application- This application is entirely separate to all other applications submitted for this site. Road safety has been addressed in section 2.6 above.
- The site is outwith any designations under Fife's Local Development Plan and could lead to a ribbon development towards Aberdour from Dalgety Bay- This has been addressed in Section 2.2. above

The letter of support stated that it was felt the proposed development would improve and enhance the surrounding area & the layout would reflect character of the steading.

## CONCLUSION

The development is contrary to the provisions of policy and guidance relating to the principle of development, design/visual impact, residential amenity, road safety and biodiversity/natural heritage but accords with those provisions relating to impact on railway infrastructure, sustainable construction and flooding/drainage. Overall, it is considered that the proposed development is contrary to the development plan, with no relevant material considerations of sufficient weight to justify departing therefrom. The application is therefore recommended for refusal.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of protecting and enhancing visual amenity; the development of 7 detached dwellings with a significant combined increase in built footprint area would fail to be in keeping with the traditional well proportioned and scaled 'U' shaped agricultural / steading building in this countryside / rural area. The proposal therefore is considered to be incongruous and inappropriate for its rural countryside setting and would also undermine the qualities of the defined Local Landscape Area. The proposal would as a whole fail to be in keeping with the character or scale of traditional buildings of the area nor would it protect the overall landscape and environmental quality of the site and countryside area within which it is located. The proposal is therefore considered to be contrary to Policy 14: Design, Quality and Places and Policy 29: Rural Development of National Planning Framework 4 (2023) and Policy 1: Development Principles, Policy 7 Development in the Countryside, Policy 8: Houses in the Countryside, Policy 10: Amenity and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).

2. In the interests of residential amenity; the proposed development would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to Policy 23: Health and Safety of NPF4 and Policy 1: Development Principles and Policy 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

3. In the interests of biodiversity and natural heritage; the development has failed to demonstrate that it would conserve, restore and enhance the biodiversity of the site, contrary to Policy 3: Biodiversity of National Planning Framework 4. Furthermore the proposal has failed to demonstrate that it would achieve significant environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, contrary to Policy 1: Development Principles and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017).

4. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards with regard to sustainable transport.

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Guidance

PAN1/2011

Development Plan

Adopted FIFEplan (2017)

National Planning Framework 4

Other Guidance

Fife Council Planning Customer Guidelines on Garden Ground (2016)

Fife Council Planning Customer Guidelines on Minimum Distance Between Window Openings (2016)

Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)

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

Fife Council's Policy for Development and Noise (2021)





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 100539100-001

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.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Erection of 7 dwellinghouses and associated garages, access, parking and landscaping works

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

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:	JJF Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Joe	Building Name:	
Last Name: *	Fitzpatrick	Building Number:	35
Telephone Number: *	07974426615	Address 1 (Street): *	Aytoun Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Burntisland
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY3 9HS
Email Address: *	joe.fitzpatrick390@gmail.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Newbigging Farmhouse
First Name: *	Craig	Building Number:	
Last Name: *	Mitchell	Address 1 (Street): *	Newbigging Farm
Company/Organisation		Address 2:	Newbigging Farm
Telephone Number: *		Town/City: *	Burntisland
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	KY3 0AQ
Fax Number:			
Email Address: *	Joe.fitzpatrick390@gmail.com		

## Site Address Details

Planning Authority:

Fife Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Meikle Couston Steading

Northing

684792

Easting

316891

## Pre-Application Discussion

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

Yes  No

## Site Area

Please state the site area:

0.70

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Derelict Farm Steading

## Access and Parking

Are you proposing a new 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 propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \* ≤ Yes **T** No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \* **T** Yes ≤ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

**T** Yes connecting to public drainage network

≤ No proposing to make private drainage arrangements

≤ Not Applicable only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? \* **T** Yes ≤ No  
(e.g. SUDS arrangements) \*

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

**T** Yes

≤ No, using a private water supply

≤ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \* ≤ Yes **T** No ≤ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \* ≤ Yes **T** No ≤ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \* ≤ Yes **T** 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.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \* ≤ Yes **T** No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 \*  Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## 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: Joe Fitzpatrick

On behalf of: Mr Craig Mitchell

Date: 28/02/2022

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Design Statement or Design and Access Statement. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Flood Risk Assessment. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
Drainage/SUDS layout. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Transport Assessment or Travel Plan	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
Contaminated Land Assessment. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
Habitat Survey. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A
A Processing Agreement. *	<input type="checkbox"/>	Yes	<input type="checkbox"/>	T	<input type="checkbox"/>	N/A

Other Statements (please specify). (Max 500 characters)

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Joe Fitzpatrick

Declaration Date: 28/02/2022

JJF Planning  
35 Aytoun Crescent  
Burntisland  
Fife  
KY3 9HS

Joe.fitzpatrick390@gmail.com  
07974426615  
01592874360

## Supporting Statement

Erection of 7 Dwellinghouses with Associated Access and Parking at  
Meikle Couston by Dalgety Bay

Applicant: Mr Craig Mitchell

## **1.0 INTRODUCTION**

- 1.1 This Supporting Statement provides a development plan based justification for approval of the associated application for planning permission in principle for the proposed development of 7 new build dwellinghouses at Meikle Couston Steading. Confidence in progressing the proposals for Meikle Couston Steading under the current application has been derived from feedback gained from Fife Council under the previous submission, reference 20/03288/PPP which was withdrawn in order to enable preparation of more detailed supporting information based on feedback from Fife Council. The current application submission seeks to respond positively to this feedback and is primarily aimed at addressing the key issue raised in relation to landscape impact.
- 1.2 This Supporting Statement should be considered in conjunction with the package of associated documentation aimed at assisting Fife Council in the assessment of the proposals and addressing the various issues raised within the pre-application response comprising:
- Landscape and Visual Impact Assessment;
  - Visibility splay drawings;
  - Bat Survey;
  - Drainage Impact Appraisal; and
  - Noise Impact Appraisal.
- 1.3 Although this application relates to planning permission in principle, the assessment of the application is supported by a comprehensive suite of plans detailing the design and layout of the proposed development, including section details of the existing and proposed development profile.

## **2.0 SITE HISTORY**

- 2.1 Since 2003 the site has been the subject of a number of development proposals which have gained approval, as detailed below.

03/02856/WFULL - Conversion of farm steading to form 9 dwellinghouses with associated garages. This application for full planning permission was approved subject to conditions.

10/00267/FULL - Conversion and Extension of Derelict Farm steading to provide a 38 bed care home with associated parking, landscaping etc and formation of new access. Of particular note, following comments from Fife Council Transportation Services the proposed access arrangements were amended and the revised details subsequently approved as part of the planning permission. The approved drawing is included at Appendix 2.

22/03288/PPP - Erection of 7 dwellinghouses and associated garages, access, parking and landscaping works. This application was withdrawn in order to allow the proposals to be amended and further supporting information to be submitted in response to feedback from Fife Council.



### **3.0 TERMS OF ASSESSMENT**

- 3.1 The terms of assessment relating to this application for planning permission are set out within the Town and Country Planning (Scotland) Act 1997 (the Act). Specifically, Sections 25 and 37(2) of the Act provide the primary legislative context within which Planning Authorities are required to reach decisions on individual applications for planning permission. Section 25 advises that:

*Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.*

Section 37(2) of the Act further advises that:

*In dealing with such an application the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations.*

- 3.2 Development plan considerations relating to the proposed development at Meikle Couston are set out within SESplan 2013 and FIFEplan 2017. Given its more strategic scope, the provisions of SESplan are less directly relevant to an assessment of the proposed development than the more detail policies of FIFEplan. Therefore, the Supporting Statement focuses on FIFEplan as the primary source for the consideration of development plan policy with respect to an assessment of the proposed development under Section 25 of the Act.
- 3.3 FIFEplan also draws on a range of supplementary guidance in order to assist in the interpretation of policy. In this regard this Supporting Statement also demonstrates that the proposed development is consistent with the relevant sources of supplementary guidance, thereby further supporting the overall justification for approval. The relevant sources of supplementary guidance are:

Making Fife's Places Supplementary Guidance (August 2018);  
Planning Customer Guidelines Garden Ground;  
Planning Customer Guidelines Design and Access Statements.

- 3.4 As with the case for SESplan, the compliance of the proposed development with more strategically focused Scottish Government planning policy set out within the National Planning Framework 3 (NPF3) and the consolidated Scottish Planning Policy (SPP), particularly with regard to the sustainable re-use of previously developed land, is considered implicit by virtue of compliance with FIFEplan, the policy framework of which has been derived from these upper tier strategic policy documents.
- 3.5 The suite of Planning Advice Notes prepared by the Scottish Government also provide a valuable source of guidance to Planning Authorities in making decisions on applications for planning permission. Specifically in relation to an assessment of the development at Meikle Couston, the terms of Planning Advice Note 72 Housing in the Countryside (PAN 72) and Planning Advice Note 67 Housing Quality (PAN 67) are considered relevant.
- 3.6 In addition, the Scottish Government has produced a comprehensive set of documents seeking to promote enhanced design across Scotland, as well as setting out advice and guidance on the process of design assessment. The principal source in this regard/

is the Scottish Government publication Creating Places, which defines six qualities associated with the creation of successful spaces.

#### **4.0 THE PROPOSED DEVELOPMENT**

- 4.1 The application site, which covers an area of 0.7Ha, is located adjacent to the settlement of Dalgety Bay and is surrounded by agricultural land under predominantly arable management. The landscape is characterised by an undulating topography of agricultural fields punctuated by a patchwork of mature woodland and numerous small pockets of development associated with agricultural uses as well as residential properties formerly related to provision of accommodation for agricultural workers.
- 4.2 The site is bounded to the north by the East Coast Main Line and to the south by the A921. Immediately adjoining the site to the east is the residential property, Couston Farmhouse. To the immediate west lies an agricultural field.
- 4.3 The Steading itself comprises a compact grouping of dilapidated agricultural buildings and associated farmyard area. The steading overall is in an advanced stage of dereliction and the former cart shed which was located along the frontage of the site was demolished some years ago in the interests of road safety. The proposed development of 7 dwellinghouses is focused on this brownfield area, comprising a closely grouped, high quality design which emulates the massing and scale of development associated with the existing and former buildings across the site. The proposed development also incorporates soft landscaping consisting of a combination of tree planting to soften the edges of development.
- 4.4 Vehicular access to the proposed development is via a newly formed access taken off the A921 public road, details of which are indicated in the submission drawings.

#### **5.0 DEVELOPMENT PLAN ASSESSMENT**

- 5.1 FIFEplan provides a comprehensive policy framework for the assessment of the full range of planning considerations relating to development within Fife. For a particular development to be deemed acceptable it must engage positively with the various components of the policy framework which are considered to be relevant to the assessment of that development. In this regard, FIFEplan raises material planning considerations which are relevant to an assessment of the proposed development at Meikle Couston in relation to:

- the principle of development;
- visual amenity and landscape impact;
- residential amenity;
- natural heritage; and
- infrastructure and services.

- 5.2 The various FIFEplan policies associated with the assessment of the above key issues address a broad range of development planning considerations, not all of which are relevant to the proposed development at Meikle Couston. Therefore, in the interests of maintaining a concise and focused line of argument in support of the proposed development, only those aspects of policy which are considered pertinent to an assessment of the proposals are referenced directly within the text. However, in order to promote an understanding of the wider policy context, the full terms of each policy are set out under Appendix 2.

5.3 Each of the above material planning issues will be considered in accordance with the terms of assessment set out under Section 2. In this regard the approach involves setting out the specific terms of FIFEplan policy relating to each material planning issue as well as any guidance aimed at assisting in the interpretation of such policy including guidance and advice on the appropriate methodology for analysis. This will then enable an objective assessment to be made in relation to each individual material planning issue with respect to compliance with the development plan. The assessment will conclude by detailing whether there are any other material issues which would dictate a determination of the application otherwise than in accordance with the development plan, thereby enabling a decision to be taken with respect to the provisions of Section 25 of the Act.

#### **5.4.0 The Principle of Development**

5.4.1 The general principle of the proposed development is supported by FIFEplan Policy 1 Development Principles (Appendix 2), which states that development will be supported where it is in a location where the proposed use is supported by the Local Development Plan. Parts B and C of Policy 1 set out a range of further qualifying considerations. Similarly, FIFEplan Policy 2 Homes (Appendix 2) advises that proposals for housing development will be supported where the proposal is compliant with other development plan policies relating to that location.

5.4.2 The primary policies in establishing the overall principle of the development are FIFEplan Policy 7 Development in the Countryside and Policy 8 - Houses in the Countryside (Appendix 2). Policy 7 sets out the various categories of development that will be supported within designated countryside beyond established settlement boundaries. Specifically in relation to the proposed development, Policy 7 provides for support to be given to development which is consistent with the terms of Policy 8 Housing in the Countryside.

5.4.3 Policy 7 also seeks to ensure the protection of prime agricultural land and sets out specific criteria where exceptions will be considered acceptable. In this regard it will be noted that none of the site comprises prime quality agricultural land.

5.4.4 Policy 8 Housing in the Countryside, sets out a further range of specific criteria relating to development within rural areas. In this regard, it is considered that the proposed development gains direct development plan support under the terms of Policy 8 with respect to provisions that:

*Development of houses in the countryside will be supported where:*

*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;*

5.4.5 Therefore, in terms of the overall principle of development, subject to satisfactory assessment in relation to more detailed aspects of development plan policy, the proposals are considered to be consistent with the requirements of FIFEplan Policy 1 Development Principles, Policy 7 Development in the Countryside, and Policy 8 Housing in the Countryside, thereby providing support for favorable determination of the application in relation to the provisions of Section 25 of the Act, as set out at Section 2 of this Statement. In addition, with reference to the provisions of Section 25, in terms of the overall principle of development there are not considered to be any material issues which would justify a determination of the application otherwise than in accordance with the provisions of FIFEplan.

## 5.5.0 Visual Amenity and Landscape Impact

- 5.5.1 The provisions of FIFEplan Policy 7 and Policy 8 with respect to visual and landscape impact are derived from FIFEplan Policy 1 Part B which specifies a requirement for development to safeguard the character and qualities of the landscape. In addition, Part C of Policy 1 requires that proposed development demonstrates adherence to the six qualities of successful places set out within the Scottish Government publication *Creating Places* .
- 5.5.2 Specifically in relation to the assessment of visual amenity and landscape impacts associated with the re-use of previously used land and buildings under FIFEplan Policy 8, the supporting text to Policy 8 advises that in relation to brownfield sites:

*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.*

- 5.5.3 In addition, the assessment of visual amenity and landscape impact is further addressed under the terms of FIFEplan Policy 10 Amenity (Appendix 2), which advises that development proposals must demonstrate that they will not lead to a significant detrimental impact on a broad range of amenity considerations, including visual impact on the surrounding area. Similarly, FIFEplan Policy 13 Natural Environment and Access (Appendix 2) advises that development proposals will only be supported where they protect or enhance landscape character and views.
- 5.5.4 Among other more detailed considerations relating to visual impact in particular, Policy 13 stipulates a requirement that development proposals must provide an assessment of the potential impact of development on the landscape in accordance with the provisions of the Council publication *Making Fife's Places*. In this regard *Making Fife's Places* includes a number of appendices designed to provide guidance in relation to specific aspects of the overall design process including Appendix B Site Appraisal Information - Landscape.
- 5.5.5 In seeking to address the above policy provisions under the previous application (Ref 20/03288/PPP) Fife Council requested that more information on landscape impact be submitted. Although the application relates to planning permission in principle, in order to respond positively to this request from Fife Council and enable the merits of the proposals in landscape impact terms to be fully demonstrated, it was decided to withdraw the previous application in order to allow for preparation of a full Landscape and Visual Impact Assessment (LVIA). In this regard, and in order to assist Fife Council in the assessment of the proposed development under the above policy provisions, this application includes a full LVIA.
- 5.5.6 The LVIA sets out the detailed considerations and conclusions relating to the assessment of landscape impact and it is not therefore intended to reiterate such detail/

within this Supporting Statement. Instead, the salient consideration to be drawn from the LVIA is that an emphasis within the design solution on adhering to the broad scale and massing associated with the existing structures on site has resulted in a form of development which delivers a high degree of continuity with the existing views of the site from key vantage points. In addition, replication of the original cart shed structure on the southern frontage of the site serves to restore the historic integrity of the design, as demonstrated within the LVIA.

5.5.7 This, coupled with the substantial visual improvement associated with the removal of a degraded and derelict site as well as its replacement with a high quality residential development, are considerations strongly supporting a conclusion that implementation of the proposed development will result in a significant improvement in the overall landscape quality of the site and the wider landscape setting.

5.5.8 At the more detailed design assessment level Scottish Planning Policy (SPP) sets out six specific considerations as key components in establishing successful places. In this regard the SPP states that development must be:

- distinctive;
- safe and pleasant;
- welcoming;
- adaptable;
- resource efficient; and
- easy to move around in.

5.5.9 FIFEplan Policy 14 - Built and Historic Environment, requires applicants to demonstrate how they have taken account of these six principles. In this regard, given that the current application relates to planning permission in principle it is considered appropriate to reserve the above more detailed design considerations for assessment as part of the further application for Approval Required by Conditions.

5.5.10 Given the above, in terms of an assessment of the proposed development in landscape impact terms, the proposals are considered to be consistent with the requirements of FIFEplan Policy 1 Development Principles, Policy 7 Development in the Countryside, Policy 8 Housing in the Countryside, Policy 10 Amenity, and Policy 13 Natural environment and Access. Therefore, in relation to the landscape impact policies set out under FIFEplan, it is considered that a favorable determination of the application in relation to the provisions of Section 25 of the Act is merited. In addition, with reference to the provisions of Section 25 relating to other material considerations, there are not considered to be any material issues which would justify a determination of the application otherwise than in accordance with the provisions of FIFEplan.

## **5.6.0 Residential Amenity**

5.6.1 FIFEplan Policy 10 Amenity, advises that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. The policy goes on to list a range of issues against which impact on amenity should be considered. In relation to the proposed development at Meikle Couston the relevant issues for assessment under Policy 10 are considered to be impacts on amenity due to:

- agricultural activity associated with the surrounding land;
- potential contamination associated with the former agricultural use of the steading;

privacy;  
impacts during the construction phase; and  
impacts on the operation of existing or proposed businesses and  
commercial operations.

- 5.6.2 In considering the above provisions of Policy 10 it will be noted that agricultural activity on surrounding land is passive in nature in that it does not involve operations that could be considered to hold potential to significantly affect amenity in terms of impacts relating to noise or odours, as would have been the case if the site was located adjacent to farm buildings still under active agricultural use.
- 5.6.3 In relation to the potential for ground contamination relating to the former agricultural use, it is understood that where a proposed development is considered to be otherwise acceptable, then this issue will be addressed by means of a suspensive condition attached to the approval of planning permission in principle. In this regard, in view of the limited scale and low hazard nature of potential contamination associated with the former agricultural use, it is considered that such a suspensive condition should be related to a watching brief approach whereby the submission of further details will only be required if evidence of potential contamination becomes apparent in the course of construction activity.
- 5.6.4 In terms of privacy, the normal scope of assessment relating to the extent to which existing levels of privacy may be adversely affected by a proposed development is irrelevant in this case given the proposals relate to new build. In addition, the adjacent Couston Farmhouse is sufficiently distant to ensure that current levels of privacy are not significantly affected. The main impact in terms of privacy associated with the proposed development is related to overlooking of private garden areas and window to window relationship. In addressing these issues it will be noted that the proposed layout and orientation of each dwellinghouse is designed to limit the extent of such overlooking. In every case, the potential to overlook the private garden area of one dwellinghouse is limited to views from the first floor level of the immediately adjoining property. This potential is in turn minimised through the design, orientation and separation of each dwelling.
- 5.6.5 Any impacts on the amenity of the neighbouring Couston Farmhouse due to noise and movement associated with construction activity will only be of relevance during the construction phase. Although potentially significant, this impact can be managed within acceptable limits for this limited duration of time by means of a condition attached to the approval of planning permission relating to permitted hours of construction activity. In this regard, a limit on the hours during which significant noise generating construction activity which is audible at the boundary of a neighbouring sensitive premises to between 8am and 8pm Monday to Friday and 8am to 6pm on a Saturday is considered reasonable. Where it is intended to apply a more restrictive limit on the hours of operation then it should be noted that this will in turn prolong the overall period whereby construction activity is a source of potential impact on amenity by extending the duration of construction work.
- 5.6.6 In terms of the impact on amenity of the proposed dwellinghouses due to noise, the submission documents accompanying this application include a Noise Impact Assessment (NIA). The key considerations under the NIA relate to noise impact associated with two main sources comprising traffic noise from the A921 and trains on the adjacent railway. In this regard, the NIA has been prepared following consultation with Fife Council Public Protection Team and in accordance with the Fife Council publication Policy for Development and Noise 2021, which includes an exemption for brownfield sites whereby the assessment can be carried out with the windows of the/

subject properties closed. On this basis the NIA confirms that the internal and external noise levels associated with the proposed development are within an acceptable range.

- 5.6.7 In relation to neighbouring uses, there are no adjoining or nearby business operations, existing or proposed, which could potentially affect the amenity of prospective residents at Meikle Couston or which could potentially be affected as a result of action by the Council to address any such amenity impacts.
- 5.6.8 Further provisions relating to amenity are set out within the Councils Planning Customer Guidelines Garden Ground. This seeks to ensure that an adequate level of amenity space is associated with each individual dwellinghouse. In this regard the Guidelines require that the ratio of buildings to garden area must not exceed 1:3 and that a minimum of 100 sqm of private rear garden area be provided. The proposed development achieves these design standards and in relation to the majority of plots, these standards are substantially exceeded.
- 5.6.9 In view of the above the proposed development at Meikle Couston is considered to be consistent with the requirements of the development plan with respect to considerations under FIFEplan Policy 10 Amenity. Therefore, in terms of the provisions of FIFEplan relating to residential amenity, it is considered that a favourable determination of this application for planning permission is merited in accordance with the provisions of Section 25 of the Act. In addition, there are not considered to be any material issues which would justify a determination of the application otherwise than in accordance with the above policy provisions of FIFEplan.

#### **5.7.0 Natural Heritage**

- 5.7.1 FIFEplan Policy 13 - Natural Environment and Access, advises that:

*Development proposals will only be supported where they protect or enhance natural heritage and access assets including:*

*biodiversity in the wider environment; and  
protected and priority habitats and species.*

- 5.7.2 In addressing the above terms of Policy 13, as with habitat issues relating to many structures occupying a rural setting, there is a need to consider the potential for such structures to be providing a roosting facility for bats. In order to address this matter a bat survey was carried out and this identified that there are no issues. A report on the site survey has been submitted as part of the package of information supporting the planning application.
- 5.7.3 In view of the above the proposed development is considered to be consistent with the requirements of the development plan with respect to considerations under FIFEplan Policy 13 Natural Environment and Access. Therefore, in terms of the provisions of FIFEplan relating to nature conservation matters, it is considered that a favourable determination of this application for planning permission in principle is merited in accordance with the provisions of Section 25 of the Act. In addition, there are not considered to be any material issues which would justify a determination of the application otherwise than in accordance with the above policy provisions of FIFEplan.

## **5.8.0 Infrastructure and Services**

- 5.8.1 FIFEplan Policy 3 Infrastructure and Services, sets out the Council's requirements in relation to issues such as drainage and road safety. The relevant provisions of Policy 3 with respect to the development at Meikle Couston are considered to relate to ensuring adequate provision for foul and surface water drainage, as well as road safety and car parking. In addition, although FIFEplan Policy 12 addresses issues relating to flooding, the location and scale of development involved is such that a flood risk assessment is not considered necessary.
- 5.8.2 In relation to drainage the application is accompanied by a full DIA which details the proposed management measures for foul and surface water drainage.
- 5.8.3 In terms of road safety, the primary consideration relates to ensuring that sufficient visibility is achieved and the junction of the private access to the site and the A921 in order to ensure that vehicles can take access to and egress from the site safely. In this regard the package of information submitted in support of this application for planning permission includes drawings detailing the provision of adequate visibility based on the outcome of an 85<sup>th</sup> percentile road speed survey relating to vehicle speeds in the oncoming and off-side directions of travel on the A921.
- 5.8.4 It will be noted that the visibility splay includes land associated with the neighbouring agricultural field to the west thereby raising issues of control over the ability to maintain the visibility splay. In this regard, Meikle Couston Steading and the field to the west were previously in the same ownership but are now separated. The title for the field to the west includes a burden on future proprietors that the western visibility splay is kept free from obstruction of whatever nature, including buildings, plants (to the extent that those actually prevent visibility) or any objects which would detract from the visibility of drivers of motor vehicles entering or leaving Meikle Couston over the new access bell mouth on to the A921. The same burden applies to the proprietor of the off-side direction splay, although this is under separate ownership. The owner of the field to the west recently erected some makeshift boundary markers to demarcate his understanding of the western visibility. However, these are in the wrong place and the TDMT should note that control over the full extent of the required visibility splay rests with the applicant. In this regard, we are content to provide indisputable evidence in the form of the title burden that controls the western visibility splay and a title plan to demonstrate the full extent of the western visibility splay.
- 5.8.5 Also, in relation to road safety, it is understood that the Transportation Development Management Team (TDMT) applies a general restriction on the formation of a new access or the intensification of the use of an existing access in relation to an unrestricted roadway such as the A921. However, it is further understood that the TDMT will agree to the Council's Development Management Team setting this policy aside where development is otherwise acceptable in relation to the provisions of the development plan regarding development in the countryside.
- 5.8.6 In view of the above the proposed development is considered to be consistent with the requirements of the development plan with respect to considerations under FIFEplan Policy 3 Infrastructure and Services. Therefore, in terms of the provisions of FIFEplan relating to foul and surface water drainage matters as well as road safety, it is considered that a favourable determination of this application for planning permission is merited in accordance with the provisions of Section 25 of the Act. In addition, there are not considered to be any material issues which would justify a determination of the application otherwise than in accordance with the above policy provisions of FIFEplan.



## **6.0 CONCLUSION**

6.1 It is considered that the above supporting statement demonstrates that the proposed development is directly consistent with the relevant policies of FIFEplan with regard to the key material planning issues relating to:

the principle of development;  
visual amenity and landscape impact;  
residential amenity;  
natural heritage; and  
infrastructure and services.

6.2 In view of this, the approval of this application for planning permission in accordance with the provisions of Section 25 of the Town and Country Planning (Scotland) Act 1997 is considered to be merited. In addition, there are not considered to be any material issues which would support a case for determination of the application otherwise than in accordance with the development plan.

### **FIFEplan Policies**

#### **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).

## **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.

### **Policy 3 - Infrastructure and Services**

#### Infrastructure Delivery

Development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include:

1. local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in *Making Fife's Places Supplementary Guidance*;
2. foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS);
3. measures that implement the waste management hierarchy as defined in the *Zero Waste Plan for Scotland* including the provision of local recycling facilities;
4. green infrastructure complying with specific green infrastructure and green network requirements contained in the *Making Fife's Places Supplementary Guidance* and settlement proposals;
5. information communication technology (ICT) and high speed broadband connections;
6. low and zero carbon generating technologies in accordance with Policy 11 *Low Carbon Fife*; and
7. Measures incorporated in development proposals in accordance with this policy must include a timetable for delivery of the identified infrastructure and services.

Where these infrastructure and services requirements require a maintenance agreement, these will be agreed prior to the commencement of the development.

#### Loss of Valuable Infrastructure

Development proposals will not be supported where they would result in:

1. the loss of viable and valuable cultural, tourism or community resources;
2. the loss of existing or proposed open space, including allotments, unless
  - a. equivalent or better alternative provision will be provided in a location that is convenient for users; or
  - b. the Council accepts there is local overprovision; or
3. a loss of Business or Industrial land, see Policy 5 *Employment Land and Property*.
4. The loss of existing or proposed outdoor sports facilities unless:
  - the proposed development is ancillary to the principal use of the site as an outdoor sports facility; or
  - the proposed development involves only a minor part of the outdoor sports facility and would not affect its use and potential for sport and training; or
  - equivalent or better alternative provision will be provided in a location that is convenient for users, or by the upgrading of an existing outdoor sports facility to provide a facility of better quality on the same site or at another location that is convenient for users and maintains or improves the overall playing capacity in the area; or

it has been demonstrated that there is clear excess of provision to meet current and anticipated demand in the area and that the site would be developed without detriment to the overall quality of provision.

#### Communications Equipment supporting Digital Connectivity

Development proposals for communications equipment will be supported where they have been positioned and designed to avoid unacceptable effects on the natural and built environment.

Development proposals must also demonstrate that they have considered options for minimising the impact of the equipment, including:

- (i) the potential for mast or site sharing;
- (ii) installation on existing buildings or structures;
  
- (iii) installing the smallest suitable equipment (which should be the smallest suitable, commensurate with technological requirements); and
- (iv) measures for concealment or disguise.

Development proposals should also address the cumulative effects of a proposal in combination with existing equipment in the area.

#### **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.

## **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.

### **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.

### **Policy 13 - Natural Environment and Access**

Development proposals will only be supported where they protect or enhance natural heritage and access assets including:

- designated sites of international and national importance, including Natura 2000 sites and Sites of Special Scientific Interest (see Site Appraisal Process below);
- designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas;

woodlands (including native and other long established woods), and trees and hedgerows that have a landscape, amenity, or nature conservation value;  
biodiversity in the wider environment;  
protected and priority habitats and species;  
landscape character and views;  
carbon rich soils (including peat);  
green networks and greenspaces; and  
core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation.

Where adverse impacts on existing assets are unavoidable we will only support proposals where these impacts will be satisfactorily mitigated.

#### Site Appraisal Process

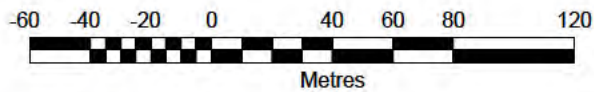
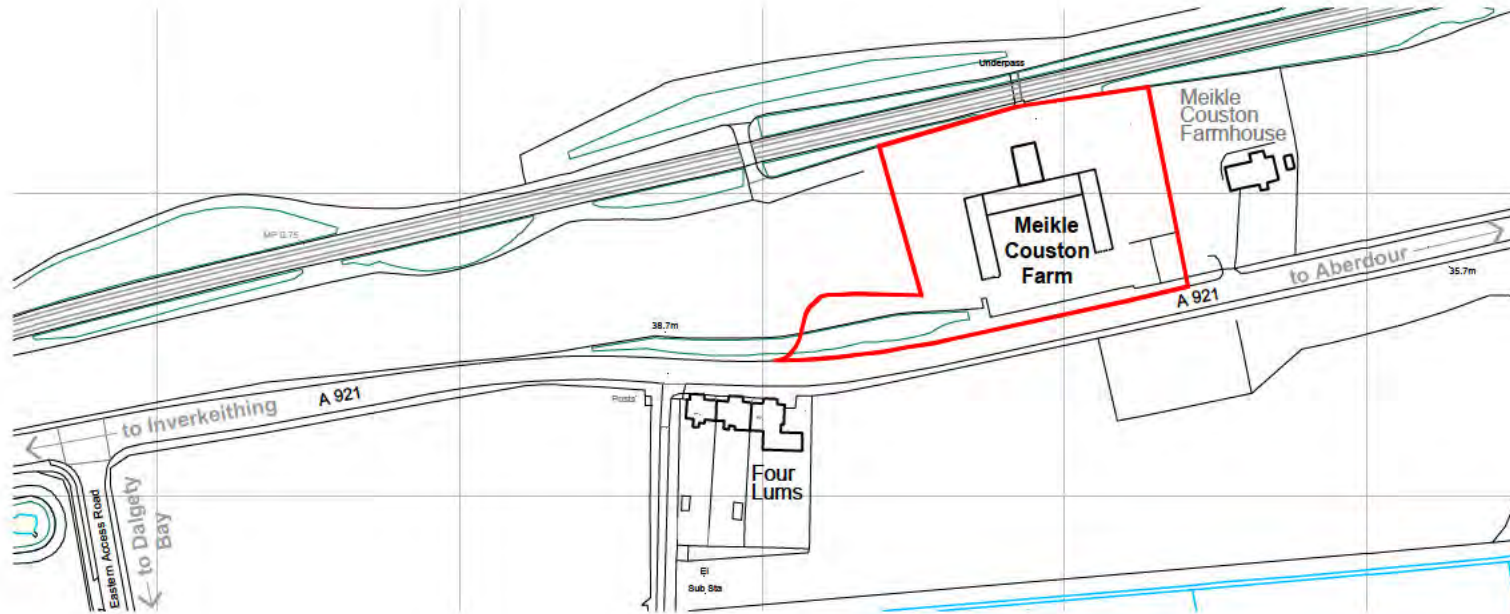
Development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets, as detailed in *Making Fife's Places Supplementary Guidance*.

Development proposals likely to have a significant effect on a Natura 2000 site will not be in accordance with the Plan if it cannot be ascertained, by means of an Appropriate Assessment, that they will not have an adverse effect on the integrity of Natura 2000 site(s).

Unless there is an imperative reason of overriding public interest development that impacts negatively on these sites will not be supported.

In the particular case of development proposals that affect national sites, such proposals will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised or where any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.





# Meikle Couston Farm, Aberdour, Fife.

Existing: Site location plan

1:2,500 scale

OS License No.: 100057546

OS License Date: 21 February 2022

# Sunshine Design and Planning

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS

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revision:	details:	date:
A	Road name added to route leading to Dalgety Bay.	06/02/21
B	Map license renewed.	21/02/22

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A4
Project: <b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by: <b>MM</b>	checked: <b>MM</b>
Drawing Title: <b>Existing: site location plan</b>	Job No.: <b>M1/19/02</b>	
Scale: <b>1:2,500</b>	Dwg. No.: <b>L(EX)001</b>	revision: <b>1/7</b>



### BAT SURVEY UPDATE

26<sup>th</sup> September 2022

#### MEIKLE COUSTON FARM ABERDOUR KY3 0RX

Following a request for a further survey of this site, we attended for a preliminary survey on the evening of 25<sup>th</sup> September and carried out a site assessment and looked for emergence potential

Subsequently the full survey was carried out on the 26<sup>th</sup> September.

The evening was clear with a 6mph SE wind and 67% humidity. Atmospheric pressure 1004mb.

Only 2mm rain had fallen in the last 24hours.

The site survey revealed that the stone buildings remained unchanged, with some additional degradation. The Asbestos roofed shed was in an even worse condition with the roof collapsed in places. This building, which is the only one with a roof on, is mostly rain saturated and is totally open to the elements. No evidence of bat use was found. Because of the state of these buildings, they are unlikely to be of value as a bat roost.

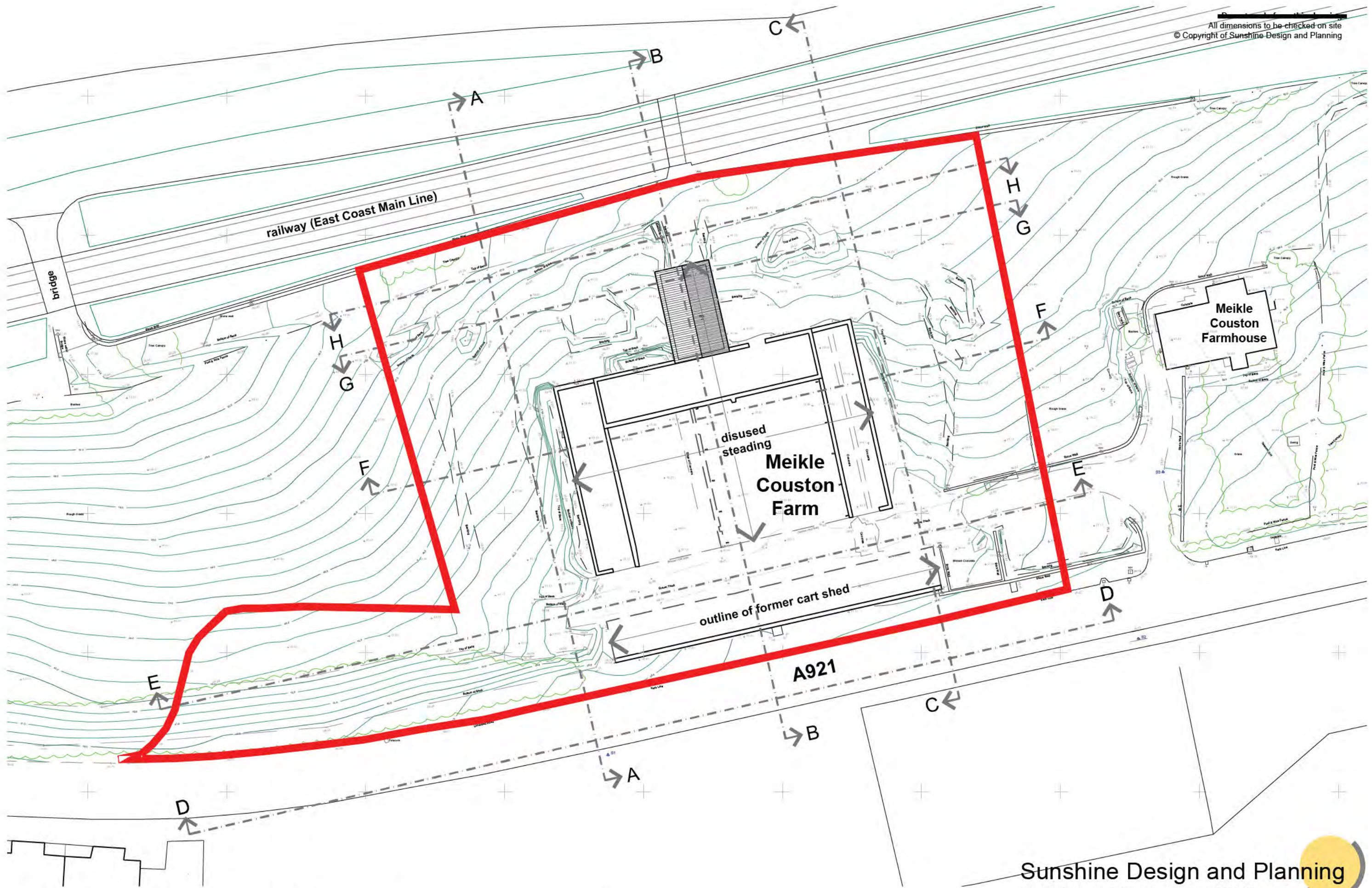
Surveyors were positioned on the higher banks to the West and East of the building to allow as clear a view as possible. (see below) The survey lasted from 6.30 pm till 8.00 pm, (7.00 pm being sunset.)

No bats were detected with an Echo meter Touch detector or observed during this period.

T.J.Turner BSc.Hons Ecology.

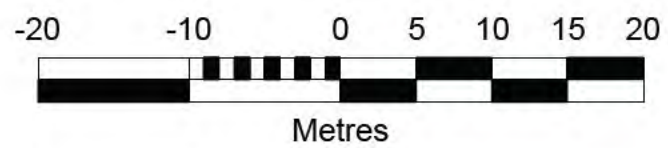
28<sup>th</sup> September 2022





**Meikle Couston Farm, Aberdour, Fife.**

Existing: Site layout plan  
 1:500 scale



revision:	details:	date:
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**Sunshine Design and Planning**

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Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A3
Project: <b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by: MM	checked: MM
Drawing Title: <b>Existing: site layout plan</b>	Job No.:	M1/19/02
Scale: 1:500	Dwg. No.:	L(EX)002



**GONDOLIN**  
Land & Water  
*Civil Engineering & Environmental Solutions*

# Meikle Couston Farm Steading

*Proposed Residential Development*

## Drainage Impact Assessment Report

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**Client:** Mr Craig Mitchell  
**Project/Proposal No:** GON.0004.0003  
**Version:** 1  
**Date:** 24/02/2022





## Document Information

Project Name:	Meikle Couston Farm Steading
Site Address:	Meikle Couston Farm, Aberdour, Fife, KY3 0RX
Document Title:	Drainage Impact Assessment Report
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Agent Name:	Mr Joe Fitzpatrick
Document Status:	Final for Issue
Author:	Zak Ritchie
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Approved:	Zak Ritchie
Approver Qualifications:	B.Eng(hons), MSc, C.Eng, C.WEM, MCIWEM
Date:	24/02/2022
Version:	1
Project Number:	GON.0004.0003

## Revision History

Version	Date	Authored	Approved	Notes
1	24/02/2022	Zak Ritchie	Zak Ritchie	For planning submission

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Appendix B Topographic Survey
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Appendix D Fife Council Design Certification
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### Drawings

Drawing DRA-001 Proposed Drainage Layout
Drawing DRA-002 Drainage Discharge Locations



## 1. Introduction

### 1.1 Preamble

Gondolin Land and Water Ltd (Gondolin) has been appointed by Mr Craig Mitchell to prepare a Drainage Impact Assessment (DIA) to support a Planning Permission in Principle (PPP) Application for a proposed re-development of Meikle Couston Farm Steading into 7-residential plots located off the A921, Aberdour, KY3 0RX, Fife.

This report provides the relevant design information for the proposed site surface water drainage / SuDS scheme taking due cognisance of local / national drainage design guidance (CIRIA Report C753), Fife Council specific guidance<sup>1</sup> and Scottish Water Sewers for Scotland 4<sup>th</sup> Edition.

The site has been visited on multiple occasions in 2021 and 2022 by an experienced Chartered Hydrologist / Civil Engineer to inform the drainage design.

This report assesses the potential increase in surface water runoff attributed to the development and proposes a surface water management strategy to manage this. The strategy is in accordance with sustainable drainage principles and allows the site to remain free of flooding during design storm events, whilst ensuring no increase of flood risk to offsite receptors and ensures no deterioration of the water environment.

Proposals for the management of wastewater drainage from the development has also been included for completeness.

### 1.2 Site Context

The site is located at the Meikle Couston Farm Steading off the A921, Aberdour, KY3 0RX at the approximate National Grid Reference (NGR): NT 16889 84790.

The existing site is accessed from a shared driveway from the A921 which also serves the adjacent Meikle Couston Farmhouse, however the proposed development is to benefit from a new access further west along the A921.

The site is predominantly 'brownfield' associated with the footprint and curtilage of the former Meikle Couston Farm Steading and also comprises some areas of unkept / overgrown scrub / grass.

The east coast main railway line runs east-west immediately beyond the northern boundary of the site.

### 1.3 Development Details

The proposed development is for the re-development of the dilapidated Meikle Couston Farm Steading into 7-residential plots with a new access onto the A921. The development also includes associated soft landscaping, refuse storage, separate garage / storage pods, boundary fencing and acoustic barriers.

The proposed indicative development plans are included as Appendix A.

### 1.4 Topography

A topographic survey has been undertaken for the site and this is duly incorporated within the proposed drainage / SuDS design a copy is included as Appendix B.

The site topography is characterised by a moderate (northerly) gradient from the A921 around 36-38mAOD to around 45mAOD at the northern edge of the site, however the farm steading area and hardstanding itself is cut into the slope and is at an elevation of around 39-40mAOD.

---

<sup>1</sup> Fife Council (2020) Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements



## 1.5 Geology and Hydrogeology

### 1.5.1 Geology

#### 1.5.1.1 Superficial

Review of the British Geological Survey (BGS) online geology maps<sup>2</sup> indicates that the underlying superficial deposits at the site comprise Glacial Till and Hummocky Glacial Deposits, predominantly comprising clay with potentially lenses of sands and gravels.

#### 1.5.1.2 Bedrock

Review of the BGS online geology maps shows that the bedrock geology at site is the Sandy Craig Formation (Sedimentary Rock Cycles) formed 329-337 million years ago in the Carboniferous period.

#### 1.5.1.3 Existing Site Investigation Information

No formal site investigation has been completed yet at the site, however publicly available borehole and trial pit logs are available on the BGS website adjacent to the site in the same geological formations. Review of trial pits excavated confirm the widespread of firm clay and silty sand lenses with the weathered surface of the sedimentary bedrock some 1-3m below ground level (bgl).

This is consistent with site observations where exposed / eroded banks and slopes are visible.

Made ground is also expected to be widely present associated with the historical nature of the farm steading and the external hardstanding areas.

### 1.5.2 Hydrogeology

Review of the Scotland Environment online map viewer<sup>3</sup> (references BGS data) indicates the site is underlain by a moderately productive bedrock aquifer where all flow is virtually through fractures and other discontinuities.

Review of the trial pit logs described in Section 1.5.1.3 above suggests groundwater is not present within the superficial soils, and no groundwater was encountered in the weathered surface zone of the underlying sedimentary bedrock (to a depth of 7.15m bgl).

## 1.6 Hydrology and Existing Drainage Scheme

Review of the Flood Estimation Handbook (FEH) Web Service<sup>4</sup> and other available mapping shows the site is in the natural surface water catchment of the upper headwaters of the Inverkeithing Burn. The watercourse flows through the Moss Plantation westwards some 100m to the south of the site (on the opposite side of the A921).

There are no watercourses / waterbodies located within the site or directly adjacent.

Review of Scottish Water plans (included as Appendix C) confirms there are no public sewers within the site or directly adjacent. The nearest public sewers are located some 250-300m to the southwest on the Eastern Access Road.

There is an existing private drainage network on site which previously served the farm steading and curtilage and currently serves the adjacent Meikle Couston Farmhouse. However due to the abandonment of the site many years ago and the overgrown nature of it, it is unlikely that all of the existing pipework would be in a re-usable condition, this would be investigated as part of the detailed design stages.

Notwithstanding, the section of pipework outwith the steading footprint and serving the adjacent Farmhouse is understood to be in a usable condition.

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<sup>2</sup> British Geological Survey (2022) Natural Environment Research Council online Geology of Britain Viewer, available at: <https://mapapps.bgs.ac.uk/geologyofbritain/home.html> (accessed on 30<sup>th</sup> January 2022)

<sup>3</sup> Scottish Government (2022) Scotland's Environment Web hub, available at: <https://map.environment.gov.scot/sewebmap/> (accessed on 30<sup>th</sup> January 2022)

<sup>4</sup> UK Centre for Ecology and Hydrology (2022) Flood Estimation handbook Web Service, available at: <https://fehweb.ceh.ac.uk/> (accessed on 30<sup>th</sup> January 2022)





## 2. Proposed Surface Water Drainage Design

### 2.1 Design Overview

The management of surface water drainage from the development has been developed taking due cognisance of national and local guidance –as follows:

- CIRIA, Report C753 –the SuDS Manual, 2015
- CIRIA, Report C635 –Designing for Exceedance in Urban Drainage, Good Practice (2006)
- Fife Council - Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements, 2020
- SEPA, WAT-RM-08 –Sustainable Urban Drainage Systems (SuDS), 2014
- SEPA WAT-RM-03 –Sewage Discharges to Surface Water, v7, 2014
- Scottish Water –Sewers for Scotland v4, 2018
- Scottish Government –Building Standards Technical Handbook, 2020

The proposed drainage / SuDS scheme for the site is for the courtyard road and parking areas to comprise Type C Permeable Paving with no infiltration to ground which adopts a conservative approach in terms of hydraulic design. The outflow from the Permeable Paving area will be controlled by a Hydrobrake chamber (or similar) set to the required pre-development runoff rate and discharge to the Inverkeithing Burn to the south of the site via an existing surface water pipe route serving the site and the adjacent Farmhouse.

The Proposed Drainage Scheme layout and Design details are enclosed on Drawings DRA-001 and DRA-002 accordingly.

The relevant compliance certificates as required by Fife Council's guidance<sup>1</sup> are enclosed as Appendix D.

### 2.2 Design Criteria

#### 2.2.1 Drainage Discharge Locations

In accordance with the aforementioned guidance documents, the hierarchy for favoured disposal options of surface water runoff from development sites is as follows:

1. Infiltration to Ground;
2. Discharge to Surface Waters; or
3. Discharge to Sewer.

Table 1 below discusses the disposal method suitability in the context of the site and proposed development.

*Table 1 Suitability of Surface Water Disposal Methods*

Surface Water Disposal Method	Suitability Description	Method Suitable? (Y/N)
Infiltration to Ground	Review of the site geology and hydrogeology as outl Section 1.5 indicates that the site is predominately underlain by clay based soils and made ground and therefore is unsuitable for reliance on infiltration based SuDS techniques.	N
Surface Water Discharge	The site and adjacent farmhouse are already served by a surface water drainage pipe which flows south under the A921 and discharges to the Inverkeithing Burn.	Y
Sewer Discharge	No public surface water sewers are within or in close proximity to the site to enable a feasible connection and therefore is not a viable option.	N



Taking the above into account it is proposed that surface water runoff from the development is discharged to the existing private drainage route serving the site and adjacent farmhouse and ultimately discharged to the Inverkeithing Burn.

### 2.2.2 Discharge Rate

Current design criteria on surface water management from Fife Council<sup>1</sup> states that *the proposed discharge rate from a development site should be in accordance with Fife Council requirements. Fife Council require a discharge rate to be no greater than the lesser of:*

- 1 in 5-year greenfield runoff rate
- 4.0 l/s/ha

The 1 in 5-year greenfield runoff rate has been calculated as 1.37 l/s for an effective impermeable area of 0.236ha (i.e. the total impermeable area resulting from the development) and the 4.0 l/s/ha criteria equates to a limiting greenfield runoff rate of 1.05 l/s. Therefore, the limiting post development discharge rate for all storm events is **1.05 l/s** by application of the above criteria.

It is also noted that the site is predominately 'brownfield' with no formal runoff attenuation or control. As such the proposal to limit the discharge rate from the developed site to the pre-development greenfield runoff rates offers significant betterment in terms of sustainable drainage and local flood risk reduction.

### 2.2.3 Storm Events and Hydraulic Design Criteria

The hydraulic design of the system has been prepared in accordance with CIRIA Report C753, Fife Council's SuDS Guidance<sup>1</sup> and Section 2.6 of Sewers for Scotland, as follows:

- No flooding occurs in conveyance features (pipework etc) or in any part of the site up to the 1:30-year event; and,
- Where flooding occurs in the 1:200-year event (plus 40% climate change), measures are taken to ensure that access and egress to the site for emergency vehicles is not impeded, and appropriate overland flood routes are considered / integrated into the site layout design.

In addition, the following criteria have also been applied:

- None of the system 'surcharges' under the 1:2-year event;
- The Permeable Paving system is sized to contain and safely discharge the 1:200-year event (plus 40% climate change) without flooding and includes appropriate freeboard allowances.

These criteria provide a betterment to those required by Fife Council and Sewers for Scotland.

All drainage features have been sized using industry standard methods and the MicroDrainage software suite.

### 2.2.4 Drainage Exceedance Considerations

Exceedance flow routes for the permeable paving system and connecting drainage are provided via the implementation of appropriate surface grading to the east (towards existing access at the Farmhouse) and west (along the proposed new site access road). Such grading and appropriate kerbing would ensure exceedance flows are away from properties and would ultimately flow south following the natural local topography / hydrological regime.

### 2.2.5 Water Quality Review (Simple Index Approach)

In accordance with CIRIA Report C753 and Fife Council's Guidelines it is necessary to undertake a 'Water Quality Risk Management' assessment to determine the suitability of SuDS methods from a water quality perspective. The approach outlined below is based on the 'Simple Index Approach' for discharge to surface waters as detailed in the SuDS Manual (Section 26.7, Tables 26.2 and 26.3).

Table 2 below compares the SuDS Mitigation Indices (MI) against the maximum Pollution Hazard Index (PI) for the proposed development. This is based on the application of a Permeable Pavement.



**Table 2 SuDS Water Quality Design Criteria: Index Approach Review**

Land Use	Pollution Hazard and SuDS Mitigation Indices Comparison					
	Total Suspended (TSS)		Metals		Hydro-Carbons	
	Pollution Index	Mitigation Index	Pollution Index	Mitigation Index	Pollution Index	Mitigation Index
Low traffic roads / property driveways	0.5	0.7	0.4	0.6	0.4	0.7

Notes: Mitigation Index based on Permeable Pavement

The *SuDS Mitigation Index* offered by the proposed SuDS is  $\geq$  *Pollution Hazard Index* therefore the water quality assessment criteria is satisfied.

## 2.3 SuDS Performance Review

### 2.3.1 Key Design Details

The Permeable Paving has been sized to accommodate the 1:200yr plus 40% climate change event, and details are presented on Drawings DRA-001 and DRA-002. The key design parameters / geometry are summarised in Table 3 below.

**Table 3 Permeable Paving Summary Design Details**

Parameter	Unit	Value	Notes
Total storage depth	m	1.5	Total storage depth from base of permeable paving blockwork to base of gravel storage area
Depth available for attenuation	m	1.5	From structure soffit (38.5mAOD) to base (37.0mAOD)
Design discharge rate	l/s	1.0	To be provided by Hydrobrake Optimum unit or similar approved.
Basal slope	1 in (X)	100	Basal slope in easterly / south easterly direction to hydrobrake chamber
Gravel fill porosity	%	30	Standard porosity value for gravel fill
Design storage volume	m <sup>3</sup>	420	Calculated by: Depth x Area x Porosity
Outlet pipe diameter	mm	100	> minimum required (75) to reduce potential blockage risk
Infiltration rate	m/hr	0.0	Zero infiltration assumed as worst case for sizing purposes – Type C Permeable Paving
Proposed minimum freeboard allowance	mm	300	Recommended as per CIRIA report C753

### 2.3.2 Hydraulic Analysis

The Permeable Paving system has been modelled using the industry standard MicroDrainage software suite and a summary of the modelling results is included as Table 4 below.

The results above confirm that the increased runoff from the development can be adequately contained within the Permeable Paving structure and limits the discharge to below the design pre-development greenfield runoff rate of 1.05l/s

As additional contingency and in accordance with CIRIA Report C753, a recommended 300mm freeboard depth to from the maximum water level (200yr + 40% CC) to the storage structure soffit has been incorporated within the design.



*Table 4 Permeable Paving System - Hydraulic Modelling Summary*

Return Period Event (1 in X)	Max. Water Depth (m)	Freeboard Allowance (mm)	Max Outflow Rate (l/s)	Storage Volume (m <sup>3</sup> )	Critical Storm Duration (hours)
2	0.260	1240	0.8	31.0	16
10	0.341	1159	0.8	52.5	24
30	0.429	1071	0.8	77.3	36
100	0.551	949	0.8	111.3	48
200	0.637	863	0.8	135.2	48
200 + 40% CC	0.930	570	1.0	216.9	48

Full copies of the hydraulic modelling and model details are enclosed as Appendix E.

### 3. Wastewater Drainage

Wastewater drainage arisings from the development would be collected via conventional means and a new connection made to the Scottish Water Foul Drainage Network at Manhole 5503 on the Eastern Access Road (at approximate NGR: NT 16583 84607). The proposed indicative connection route is shown on Drawing DRA-002.

Due to the local topography a private pumping station would be required as a gravity connection to the public sewer is not possible whilst maintaining sufficient cover depth and minimum pipe gradients (as per Sewers for Scotland 4).

The proposed connection would be agreed with Scottish Water as part of the detailed planning application stages.

The client has a deed of servitude agreement to lay a drainage outfall pipe from the site through land to the immediate west of the development.

### 4. Closure

Gondolin Land and Water Ltd has been appointed by Mr Craig Mitchell to prepare a Drainage Impact Assessment (DIA) to support a Planning Permission in Principle (PPP) Application for a proposed re-development of Meikle Couston Farm Steading into 7-residential plots located off the A921, Aberdour, KY3 0RX, Fife.

This report provides the relevant design information for the proposed site surface water drainage / SuDS scheme taking due cognisance of local / national drainage design guidance (CIRIA Report C753), Fife Council specific guidance and Scottish Water Sewers for Scotland 4<sup>th</sup> Edition.

This report assesses the potential increase in surface water runoff attributed to the development and proposes a surface water management strategy to manage this. The strategy is in accordance with sustainable drainage principles and allows the site to remain free of flooding during design storm events, whilst ensuring no increase of flood risk to offsite receptors and ensures no deterioration of the water environment.

The surface water drainage / SuDS design is shown to be compliant to Fife Council's guidelines and other key national / local design guidance –relevant compliance certifications are included as Appendix D.

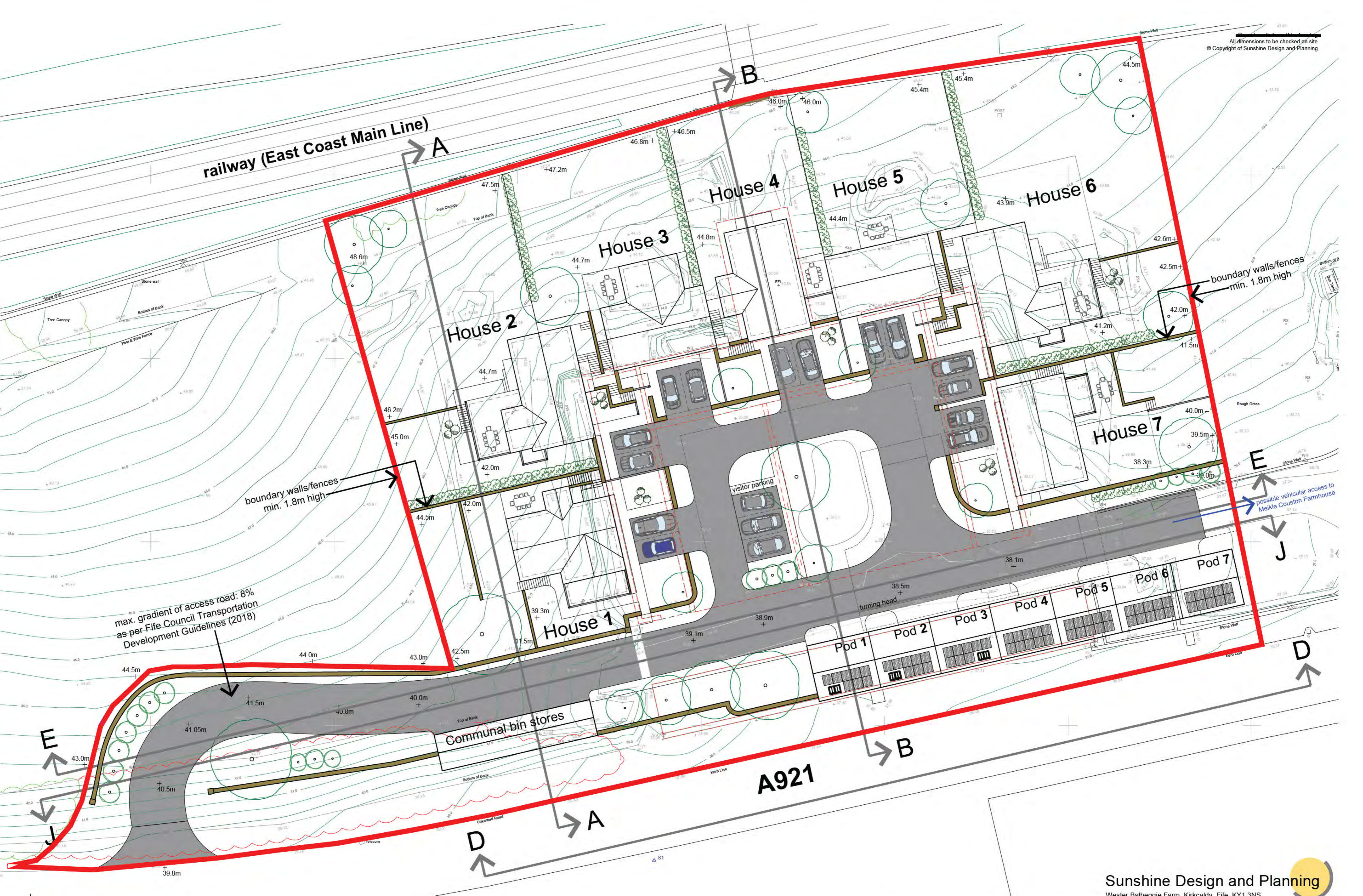
An outline strategy for the management of wastewater drainage from the development is also included which proposes a new sewer route and connection to the west of the site at Manhole 5503 on the Eastern Access Road (at NGR: NT 16583 84607).

Taking all of the above into account it is considered there is no impediment to the development being granted planning permission on the grounds of surface water and foul water drainage provision.



# Appendix A

## Proposed Development Plan



**Meikle Couston Farm, Aberdour, Fife.**  
Proposed: Site layout plan  
1:250 scale



**Sunshine Design and Planning**

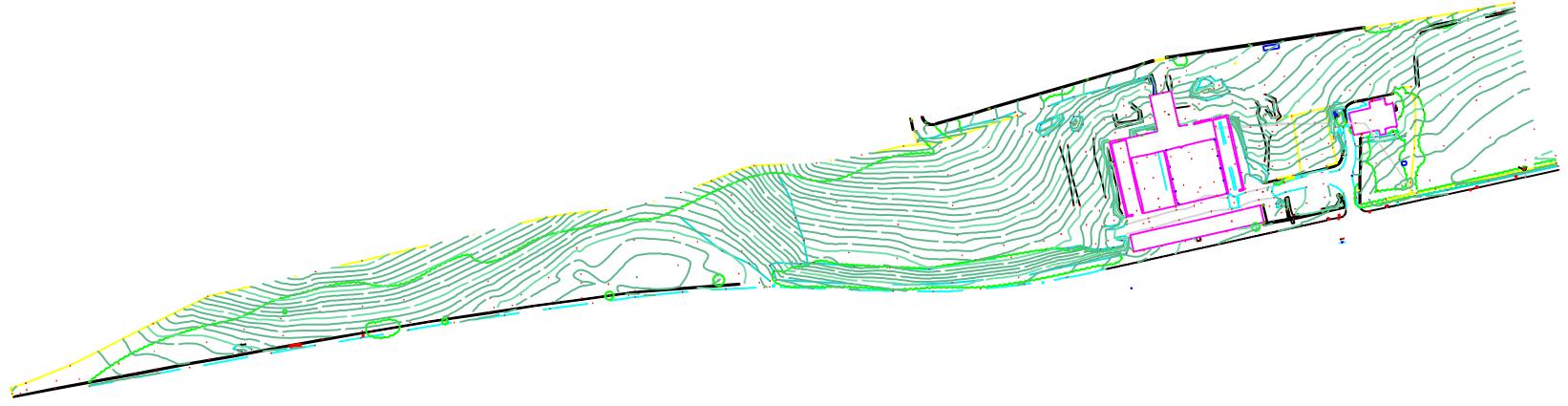
Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel: 01592 630241 Mob: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:	client:	date:	dwg. size:
A	Layout modified, bin store, notes and levels added.	25/02/22	Mr C Mitchell	Jul 2020	A2
B	Annotation modified.	28/02/22	Project:	drawn by:	checked:
			Meikle Couston Farm, Aberdour, Fife	MM	MM
			Drawing Title:	Job No.:	
			Proposed: site layout plan	M1/19/02	190
			Scale:	Dwg. No.:	revision:
			1:250	L(PL)001	B



## Appendix B

### Topographic Survey







## Appendix C

### Scottish Water Asset Plans



The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 24/06/2020

MC  
Sewer only

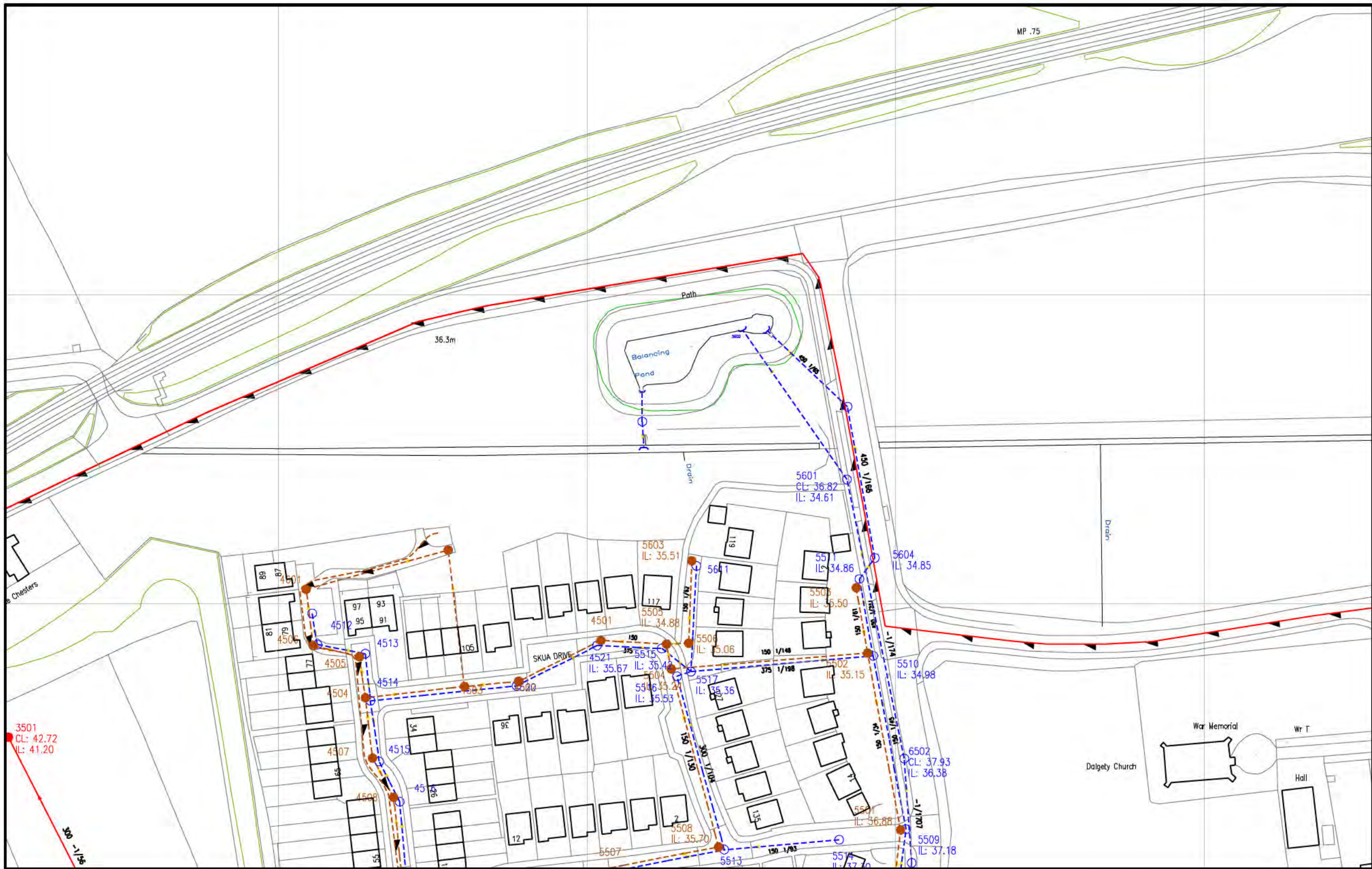


Scale: 1:1250

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Tel No: 0845 601 8855



The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date Plotted: 26/06/2020

### MC1 Sewer Only



Scale: 1:1250

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## Appendix D

### Fife Council Design Certification



**Appendix 1 - Sustainable Drainage Design Compliance Certificate**

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in designing the sustainable drainage system for the below named development in accordance with CIRIA C753: The SuDS Manual 2015, the current edition of Sewers for Scotland and Fife Council's – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.

ePlanning Reference No.....

Planning Application No. (completed by Fife Council Planning Service) .....

Roads Construction Consent No. (completed by Fife Council Planning Service) .....

Name of Development Meikle Couston Farm Development .....

Name of Developer Mr Craig Mitchell .....

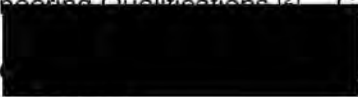
Name and Address of Designers Organisation Gondolin Land & Water .....

35/1 Balfour Street, Edinburgh, EH6 .....

Name of Designer Zak Ritchie .....

Position Held Managing Director .....

Engineering Qualifications (2) C. Eng .....

Signature  .....

Date 28/02/2022 .....

Drawing No's relative to this certificate

DRA-001, DRA-002 .....

(2) **Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.**



**Appendix 2 - Sustainable Drainage Design – Independent Check Certificate**

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in the below named development with a view to securing that:

- 1. It has been designed in accordance with CIRIA C753: The SuDS Manual 2015, Current Edition of Sewers for Scotland, Fife Council – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.
- 2. It shall be accurately translated into construction drawings and schedules.
- 3. I hereby confirm that I hold professional indemnity insurance for £5 million pounds.

ePlanning Reference No. ....

Planning Application No. (completed by Fife Council Planning Service) .....

Roads Construction Consent No. (completed by Fife Council Planning Service) .....

Name of Development Meikle Coustan Farm Development .....

Name of Developer Mr Craig Mitchell .....

Name and Address of Checker's Organisation Will Rudd Davidson .....

43 York Place, Edinburgh, EH1 3HP .....

Name of Checker Craig Milne .....

Position Held Director .....

Engineering Qualifications <sup>(2)</sup> CEng FICE .....

Signed  .....

Date 25.02.22 .....

(2) Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.

**Appendix 7 - Planning Permission in Principle Checklist**


Point	Description	Provided Y (Yes), N (No), N/A
<a href="#">3.0</a>	Flood Risk Assessment.	N/A
<a href="#">4.3.1</a>	An outline drainage plan/sketch.	Y
<a href="#">4.3.2</a>	Preliminary calculations for any attenuation volume required.	Y
<a href="#">4.3.3</a>	Confirmation of the SuDS treatment train.	Y
<a href="#">4.3.4</a>	<b>Written evidence of Scottish Water s approval of the surface water drainage connection into their network at the rate agreed with Scottish Water.</b>	N/A
<a href="#">4.3.5</a>	Completed SuDS certification as per Appendices 1 and 2. <i>(For single dwelling, only Appendix 1 is required)</i>	Y



## Appendix E

### MicroDrainage Modelling Extracts



Gondolin Land & Water Ltd		Page 1
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design Model Details	
Date 24/02/2022 15:22 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Model Details

Storage is Online Cover Level (m) 38.500

Porous Car Park Structure

Infiltration Coefficient Base (m/hr)	0.00000	Width (m)	30.5
Membrane Percolation (mm/hr)	1	Length (m)	30.5
Max Percolation (l/s)	0.3	Slope (1:X)	100.0
Safety Factor	2.0	Depression Storage (mm)	5
Porosity	0.30	Evaporation (mm/day)	3
Invert Level (m)	37.000	Membrane Depth (m)	0


Hydro-Brake® Optimum Outflow Control

Unit Reference	MD-SHE-0047-1100-1200-1100
Design Head (m)	1.200
Design Flow (l/s)	1.1
Flush-Flo	Calculated
Objective	Minimise upstream storage
Application	Surface
Sump Available	Yes
Diameter (mm)	47
Invert Level (m)	37.000
Minimum Outlet Pipe Diameter (mm)	75
Suggested Manhole Diameter (mm)	1200

Control Points	Head (m)	Flow (l/s)
Design Point (Calculated)	1.200	1.1
Flush-Flo	0.207	0.8
Kick-Flo®	0.418	0.7
Mean Flow over Head Range	-	0.8

The hydrological calculations have been based on the Head/Discharge relationship for the Hydro-Brake® Optimum as specified. Should another type of control device other than a Hydro-Brake Optimum® be utilised then these storage routing calculations will be invalidated

Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)	Depth (m)	Flow (l/s)
0.100	0.8	1.200	1.1	3.000	1.7	7.000	2.5
0.200	0.8	1.400	1.2	3.500	1.8	7.500	2.5
0.300	0.8	1.600	1.3	4.000	1.9	8.000	2.6
0.400	0.7	1.800	1.3	4.500	2.0	8.500	2.7
0.500	0.7	2.000	1.4	5.000	2.1	9.000	2.8
0.600	0.8	2.200	1.4	5.500	2.2	9.500	2.8
0.800	0.9	2.400	1.5	6.000	2.3		
1.000	1.0	2.600	1.6	6.500	2.4		

Gondolin Land & Water Ltd		Page 2
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design Inflow details	
Date 24/02/2022 15:24 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	


Rainfall Details

Rainfall Model	FEH
Return Period (years)	200
FEH Rainfall Version	1999
Site Location	GB 316800 684650 NT 16800 84650
C (1km)	-0.014
D1 (1km)	0.438
D2 (1km)	0.445
D3 (1km)	0.274
E (1km)	0.241
F (1km)	2.162
Summer Storms	Yes
Winter Storms	Yes
Cv (Summer)	0.750
Cv (Winter)	0.840
Shortest Storm (mins)	15
Longest Storm (mins)	10080
Climate Change %	+40

Time Area Diagram

Total Area (ha) 0.237

Time (mins)	Area (ha)
From:	To:
0	4 0.237


Gondolin Land & Water Ltd		Page 3
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 50% AEP Event	
Date 24/02/2022 15:26 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 2 year Return Period

Half Drain Time : 313 minutes.

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max $\Sigma$ Outflow (l/s)	Max Volume (m <sup>3</sup> )	Status
15 min Summer	37.104	0.104	0.0	0.8	0.8	5.0	OK
30 min Summer	37.132	0.132	0.0	0.8	0.8	8.0	OK
60 min Summer	37.160	0.160	0.0	0.8	0.8	11.8	OK
120 min Summer	37.188	0.188	0.0	0.8	0.8	16.1	OK
180 min Summer	37.202	0.202	0.0	0.8	0.8	18.7	OK
240 min Summer	37.211	0.211	0.0	0.8	0.8	20.4	OK
360 min Summer	37.224	0.224	0.0	0.8	0.8	22.9	OK
480 min Summer	37.231	0.231	0.0	0.8	0.8	24.5	OK
600 min Summer	37.236	0.236	0.0	0.8	0.8	25.6	OK
720 min Summer	37.240	0.240	0.0	0.8	0.8	26.3	OK
960 min Summer	37.244	0.244	0.0	0.8	0.8	27.2	OK
1440 min Summer	37.245	0.245	0.0	0.8	0.8	27.6	OK
2160 min Summer	37.242	0.242	0.0	0.8	0.8	26.7	OK
2880 min Summer	37.235	0.235	0.0	0.8	0.8	25.2	OK
4320 min Summer	37.198	0.198	0.0	0.8	0.8	17.9	OK
5760 min Summer	37.164	0.164	0.0	0.8	0.8	12.3	OK
7200 min Summer	37.135	0.135	0.0	0.8	0.8	8.3	OK
8640 min Summer	37.110	0.110	0.0	0.8	0.8	5.6	OK
10080 min Summer	37.091	0.091	0.0	0.8	0.8	3.8	OK
15 min Winter	37.116	0.116	0.0	0.8	0.8	6.2	OK


Storm Event	Rain (mm/hr)	Flooded Volume (m <sup>3</sup> )	Discharge Volume (m <sup>3</sup> )	Time-Peak (mins)
15 min Summer	22.683	0.0	5.4	18
30 min Summer	15.261	0.0	8.9	33
60 min Summer	10.268	0.0	13.5	62
120 min Summer	6.909	0.0	19.7	120
180 min Summer	5.479	0.0	24.2	180
240 min Summer	4.648	0.0	27.9	214
360 min Summer	3.687	0.0	34.0	286
480 min Summer	3.127	0.0	38.9	354
600 min Summer	2.753	0.0	43.1	426
720 min Summer	2.480	0.0	46.9	498
960 min Summer	2.108	0.0	53.5	644
1440 min Summer	1.677	0.0	64.1	924
2160 min Summer	1.334	0.0	76.5	1340
2880 min Summer	1.134	0.0	86.5	1732
4320 min Summer	0.841	0.0	94.7	2468
5760 min Summer	0.681	0.0	100.4	3176
7200 min Summer	0.578	0.0	104.7	3888
8640 min Summer	0.505	0.0	107.9	4576
10080 min Summer	0.451	0.0	110.5	5240
15 min Winter	22.683	0.0	6.6	18

Gondolin Land & Water Ltd		Page 4
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 50% AEP Event	
Date 24/02/2022 15:26 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 2 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
30 min Winter	37.145	0.145	0.0	0.8	0.8	9.6	OK
60 min Winter	37.174	0.174	0.0	0.8	0.8	13.9	OK
120 min Winter	37.203	0.203	0.0	0.8	0.8	18.9	OK
180 min Winter	37.219	0.219	0.0	0.8	0.8	22.0	OK
240 min Winter	37.230	0.230	0.0	0.8	0.8	24.1	OK
360 min Winter	37.242	0.242	0.0	0.8	0.8	26.7	OK
480 min Winter	37.249	0.249	0.0	0.8	0.8	28.5	OK
600 min Winter	37.254	0.254	0.0	0.8	0.8	29.6	OK
720 min Winter	37.258	0.258	0.0	0.8	0.8	30.3	OK
<b>960 min Winter</b>	<b>37.260</b>	<b>0.260</b>	<b>0.0</b>	<b>0.8</b>	<b>0.8</b>	<b>31.0</b>	<b>OK</b>
1440 min Winter	37.258	0.258	0.0	0.8	0.8	30.5	OK
2160 min Winter	37.247	0.247	0.0	0.8	0.8	27.8	OK
2880 min Winter	37.231	0.231	0.0	0.8	0.8	24.4	OK
4320 min Winter	37.173	0.173	0.0	0.8	0.8	13.6	OK
5760 min Winter	37.122	0.122	0.0	0.8	0.8	6.8	OK
7200 min Winter	37.085	0.085	0.0	0.7	0.7	3.3	OK
8640 min Winter	37.067	0.067	0.0	0.7	0.7	2.0	OK
10080 min Winter	37.058	0.058	0.0	0.6	0.6	1.5	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
30 min Winter	15.261	0.0	10.5	32
60 min Winter	10.268	0.0	15.7	62
120 min Winter	6.909	0.0	22.6	118
180 min Winter	5.479	0.0	27.7	176
240 min Winter	4.648	0.0	31.9	230
360 min Winter	3.687	0.0	38.7	332
480 min Winter	3.127	0.0	44.2	382
600 min Winter	2.753	0.0	49.0	462
720 min Winter	2.480	0.0	53.2	542
<b>960 min Winter</b>	<b>2.108</b>	<b>0.0</b>	<b>60.7</b>	<b>702</b>
1440 min Winter	1.677	0.0	72.7	1010
2160 min Winter	1.334	0.0	86.8	1448
2880 min Winter	1.134	0.0	98.2	1872
4320 min Winter	0.841	0.0	107.7	2592
5760 min Winter	0.681	0.0	114.5	3232
7200 min Winter	0.578	0.0	119.6	3824
8640 min Winter	0.505	0.0	123.7	4408
10080 min Winter	0.451	0.0	127.0	5144


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35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 10% AEP Event	
Date 24/02/2022 15:27 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 10 year Return Period

Half Drain Time : 526 minutes.

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max $\Sigma$ Outflow (l/s)	Max Volume (m <sup>3</sup> )	Status
15 min Summer	37.147	0.147	0.0	0.8	0.8	9.9	OK
30 min Summer	37.177	0.177	0.0	0.8	0.8	14.4	OK
60 min Summer	37.209	0.209	0.0	0.8	0.8	19.9	OK
120 min Summer	37.240	0.240	0.0	0.8	0.8	26.4	OK
180 min Summer	37.258	0.258	0.0	0.8	0.8	30.4	OK
240 min Summer	37.270	0.270	0.0	0.8	0.8	33.2	OK
360 min Summer	37.284	0.284	0.0	0.8	0.8	36.8	OK
480 min Summer	37.293	0.293	0.0	0.8	0.8	39.2	OK
600 min Summer	37.299	0.299	0.0	0.8	0.8	40.8	OK
720 min Summer	37.303	0.303	0.0	0.8	0.8	42.0	OK
960 min Summer	37.309	0.309	0.0	0.8	0.8	43.8	OK
1440 min Summer	37.315	0.315	0.0	0.8	0.8	45.3	OK
2160 min Summer	37.316	0.316	0.0	0.8	0.8	45.7	OK
2880 min Summer	37.313	0.313	0.0	0.8	0.8	44.8	OK
4320 min Summer	37.279	0.279	0.0	0.8	0.8	35.6	OK
5760 min Summer	37.245	0.245	0.0	0.8	0.8	27.4	OK
7200 min Summer	37.212	0.212	0.0	0.8	0.8	20.6	OK
8640 min Summer	37.182	0.182	0.0	0.8	0.8	15.1	OK
10080 min Summer	37.155	0.155	0.0	0.8	0.8	11.0	OK
15 min Winter	37.160	0.160	0.0	0.8	0.8	11.7	OK


Storm Event	Rain (mm/hr)	Flooded Volume (m <sup>3</sup> )	Discharge Volume (m <sup>3</sup> )	Time-Peak (mins)
15 min Summer	34.026	0.0	10.4	18
30 min Summer	22.550	0.0	15.3	33
60 min Summer	14.944	0.0	21.8	62
120 min Summer	9.904	0.0	30.3	122
180 min Summer	7.786	0.0	36.5	182
240 min Summer	6.564	0.0	41.6	240
360 min Summer	5.160	0.0	49.7	352
480 min Summer	4.350	0.0	56.3	414
600 min Summer	3.810	0.0	61.9	484
720 min Summer	3.420	0.0	66.9	556
960 min Summer	2.889	0.0	75.6	694
1440 min Summer	2.277	0.0	89.7	982
2160 min Summer	1.795	0.0	106.1	1408
2880 min Summer	1.517	0.0	119.2	1820
4320 min Summer	1.116	0.0	129.7	2596
5760 min Summer	0.897	0.0	137.3	3344
7200 min Summer	0.758	0.0	143.0	4040
8640 min Summer	0.660	0.0	147.5	4752
10080 min Summer	0.587	0.0	151.2	5440
15 min Winter	34.026	0.0	12.3	18

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35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 10% AEP Event	
Date 24/02/2022 15:27 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 10 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
30 min Winter	37.191	0.191	0.0	0.8	0.8	16.8	OK
60 min Winter	37.224	0.224	0.0	0.8	0.8	23.0	OK
120 min Winter	37.258	0.258	0.0	0.8	0.8	30.5	OK
180 min Winter	37.278	0.278	0.0	0.8	0.8	35.2	OK
240 min Winter	37.291	0.291	0.0	0.8	0.8	38.7	OK
360 min Winter	37.308	0.308	0.0	0.8	0.8	43.3	OK
480 min Winter	37.318	0.318	0.0	0.8	0.8	46.2	OK
600 min Winter	37.325	0.325	0.0	0.8	0.8	48.1	OK
720 min Winter	37.329	0.329	0.0	0.8	0.8	49.3	OK
960 min Winter	37.336	0.336	0.0	0.8	0.8	51.2	OK
1440 min Winter	37.341	0.341	0.0	0.8	0.8	52.5	OK
2160 min Winter	37.337	0.337	0.0	0.8	0.8	51.4	OK
2880 min Winter	37.327	0.327	0.0	0.8	0.8	48.6	OK
4320 min Winter	37.272	0.272	0.0	0.8	0.8	34.0	OK
5760 min Winter	37.218	0.218	0.0	0.8	0.8	21.8	OK
7200 min Winter	37.167	0.167	0.0	0.8	0.8	12.8	OK
8640 min Winter	37.124	0.124	0.0	0.8	0.8	7.1	OK
10080 min Winter	37.092	0.092	0.0	0.8	0.8	3.9	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
30 min Winter	22.550	0.0	17.7	33
60 min Winter	14.944	0.0	25.0	62
120 min Winter	9.904	0.0	34.6	120
180 min Winter	7.786	0.0	41.5	178
240 min Winter	6.564	0.0	47.2	234
360 min Winter	5.160	0.0	56.3	348
480 min Winter	4.350	0.0	63.7	458
600 min Winter	3.810	0.0	70.0	562
720 min Winter	3.420	0.0	75.6	650
960 min Winter	2.889	0.0	85.5	752
1440 min Winter	2.277	0.0	101.4	1070
2160 min Winter	1.795	0.0	119.8	1536
2880 min Winter	1.517	0.0	134.7	1988
4320 min Winter	1.116	0.0	146.9	2772
5760 min Winter	0.897	0.0	155.8	3512
7200 min Winter	0.758	0.0	162.6	4176
8640 min Winter	0.660	0.0	168.0	4752
10080 min Winter	0.587	0.0	172.5	5344


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35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 3.3% AEP Event	
Date 24/02/2022 15:28 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze		Source Control 2020.1.3

Summary of Results for 30 year Return Period

Half Drain Time : 782 minutes.

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max $\Sigma$ Outflow (l/s)	Max Volume (m <sup>3</sup> )	Status
15 min Summer	37.182	0.182	0.0	0.8	0.8	15.1	OK
30 min Summer	37.214	0.214	0.0	0.8	0.8	20.9	OK
60 min Summer	37.248	0.248	0.0	0.8	0.8	28.1	OK
120 min Summer	37.283	0.283	0.0	0.8	0.8	36.7	OK
180 min Summer	37.303	0.303	0.0	0.8	0.8	42.1	OK
240 min Summer	37.318	0.318	0.0	0.8	0.8	46.1	OK
360 min Summer	37.337	0.337	0.0	0.8	0.8	51.5	OK
480 min Summer	37.349	0.349	0.0	0.8	0.8	54.9	OK
600 min Summer	37.357	0.357	0.0	0.8	0.8	57.2	OK
720 min Summer	37.363	0.363	0.0	0.8	0.8	58.9	OK
960 min Summer	37.373	0.373	0.0	0.8	0.8	61.4	OK
1440 min Summer	37.383	0.383	0.0	0.8	0.8	64.2	OK
2160 min Summer	37.388	0.388	0.0	0.8	0.8	65.8	OK
2880 min Summer	37.388	0.388	0.0	0.8	0.8	65.8	OK
4320 min Summer	37.350	0.350	0.0	0.8	0.8	55.0	OK
5760 min Summer	37.314	0.314	0.0	0.8	0.8	45.2	OK
7200 min Summer	37.282	0.282	0.0	0.8	0.8	36.3	OK
8640 min Summer	37.251	0.251	0.0	0.8	0.8	28.7	OK
10080 min Summer	37.221	0.221	0.0	0.8	0.8	22.3	OK
15 min Winter	37.196	0.196	0.0	0.8	0.8	17.5	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m <sup>3</sup> )	Discharge Volume (m <sup>3</sup> )	Time-Peak (mins)
15 min Summer	45.714	0.0	15.6	19
30 min Summer	29.964	0.0	21.9	33
60 min Summer	19.641	0.0	30.1	62
120 min Summer	12.874	0.0	40.9	122
180 min Summer	10.056	0.0	48.6	182
240 min Summer	8.439	0.0	54.9	242
360 min Summer	6.591	0.0	64.9	360
480 min Summer	5.531	0.0	73.1	480
600 min Summer	4.828	0.0	80.0	574
720 min Summer	4.320	0.0	86.1	642
960 min Summer	3.633	0.0	96.8	780
1440 min Summer	2.846	0.0	114.0	1066
2160 min Summer	2.229	0.0	133.8	1492
2880 min Summer	1.874	0.0	149.7	1928
4320 min Summer	1.370	0.0	162.3	2720
5760 min Summer	1.097	0.0	171.3	3464
7200 min Summer	0.923	0.0	178.2	4248
8640 min Summer	0.801	0.0	183.8	4928
10080 min Summer	0.711	0.0	188.3	5640
15 min Winter	45.714	0.0	18.1	18


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35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 3.3% AEP Event	
Date 24/02/2022 15:28 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 30 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
30 min Winter	37.229	0.229	0.0	0.8	0.8	24.1	OK
60 min Winter	37.265	0.265	0.0	0.8	0.8	32.2	OK
120 min Winter	37.303	0.303	0.0	0.8	0.8	42.1	OK
180 min Winter	37.326	0.326	0.0	0.8	0.8	48.5	OK
240 min Winter	37.343	0.343	0.0	0.8	0.8	53.2	OK
360 min Winter	37.367	0.367	0.0	0.8	0.8	59.9	OK
480 min Winter	37.384	0.384	0.0	0.8	0.8	64.5	OK
600 min Winter	37.395	0.395	0.0	0.8	0.8	67.8	OK
720 min Winter	37.404	0.404	0.0	0.8	0.8	70.2	OK
960 min Winter	37.416	0.416	0.0	0.8	0.8	73.6	OK
1440 min Winter	37.426	0.426	0.0	0.8	0.8	76.3	OK
2160 min Winter	37.429	0.429	0.0	0.8	0.8	77.3	OK
2880 min Winter	37.425	0.425	0.0	0.8	0.8	75.9	OK
4320 min Winter	37.361	0.361	0.0	0.8	0.8	58.2	OK
5760 min Winter	37.305	0.305	0.0	0.8	0.8	42.6	OK
7200 min Winter	37.254	0.254	0.0	0.8	0.8	29.4	OK
8640 min Winter	37.204	0.204	0.0	0.8	0.8	19.0	OK
10080 min Winter	37.159	0.159	0.0	0.8	0.8	11.6	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
30 min Winter	29.964	0.0	25.1	33
60 min Winter	19.641	0.0	34.3	62
120 min Winter	12.874	0.0	46.4	120
180 min Winter	10.056	0.0	55.1	178
240 min Winter	8.439	0.0	62.1	236
360 min Winter	6.591	0.0	73.4	352
480 min Winter	5.531	0.0	82.5	466
600 min Winter	4.828	0.0	90.3	578
720 min Winter	4.320	0.0	97.2	692
960 min Winter	3.633	0.0	109.2	912
1440 min Winter	2.846	0.0	123.5	1170
2160 min Winter	2.229	0.0	150.9	1644
2880 min Winter	1.874	0.0	168.9	2108
4320 min Winter	1.370	0.0	183.4	2940
5760 min Winter	1.097	0.0	193.9	3696
7200 min Winter	0.923	0.0	202.0	4400
8640 min Winter	0.801	0.0	208.5	5096
10080 min Winter	0.711	0.0	214.0	5656




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35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 1% AEP Event	
Date 24/02/2022 15:29 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 100 year Return Period

Half Drain Time : 1150 minutes.

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max $\Sigma$ Outflow (l/s)	Max Volume (m <sup>3</sup> )	Status
15 min Summer	37.222	0.222	0.0	0.8	0.8	22.6	O K
30 min Summer	37.257	0.257	0.0	0.8	0.8	30.3	O K
60 min Summer	37.295	0.295	0.0	0.8	0.8	39.8	O K
120 min Summer	37.336	0.336	0.0	0.8	0.8	51.3	O K
180 min Summer	37.363	0.363	0.0	0.8	0.8	58.7	O K
240 min Summer	37.383	0.383	0.0	0.8	0.8	64.3	O K
360 min Summer	37.412	0.412	0.0	0.8	0.8	72.4	O K
480 min Summer	37.432	0.432	0.0	0.8	0.8	78.0	O K
600 min Summer	37.446	0.446	0.0	0.8	0.8	81.9	O K
720 min Summer	37.456	0.456	0.0	0.8	0.8	84.7	O K
960 min Summer	37.469	0.469	0.0	0.8	0.8	88.3	O K
1440 min Summer	37.483	0.483	0.0	0.8	0.8	92.1	O K
2160 min Summer	37.492	0.492	0.0	0.8	0.8	94.8	O K
2880 min Summer	37.496	0.496	0.0	0.8	0.8	96.0	O K
4320 min Summer	37.457	0.457	0.0	0.8	0.8	85.1	O K
5760 min Summer	37.418	0.418	0.0	0.8	0.8	74.0	O K
7200 min Summer	37.376	0.376	0.0	0.8	0.8	62.3	O K
8640 min Summer	37.339	0.339	0.0	0.8	0.8	52.0	O K
10080 min Summer	37.307	0.307	0.0	0.8	0.8	43.1	O K
15 min Winter	37.238	0.238	0.0	0.8	0.8	25.9	O K


Storm Event	Rain (mm/hr)	Flooded Volume (m <sup>3</sup> )	Discharge Volume (m <sup>3</sup> )	Time-Peak (mins)
15 min Summer	62.741	0.0	23.2	19
30 min Summer	40.643	0.0	31.4	33
60 min Summer	26.328	0.0	42.0	64
120 min Summer	17.055	0.0	55.7	122
180 min Summer	13.230	0.0	65.5	182
240 min Summer	11.048	0.0	73.4	242
360 min Summer	8.570	0.0	86.1	362
480 min Summer	7.157	0.0	96.2	482
600 min Summer	6.223	0.0	104.8	600
720 min Summer	5.552	0.0	112.4	720
960 min Summer	4.645	0.0	125.4	936
1440 min Summer	3.614	0.0	122.5	1186
2160 min Summer	2.811	0.0	171.1	1596
2880 min Summer	2.352	0.0	190.5	2016
4320 min Summer	1.707	0.0	205.5	2852
5760 min Summer	1.360	0.0	216.3	3688
7200 min Summer	1.140	0.0	224.6	4400
8640 min Summer	0.987	0.0	231.3	5184
10080 min Summer	0.874	0.0	236.8	5856
15 min Winter	62.741	0.0	26.5	19

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35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 1% AEP Event	
Date 24/02/2022 15:29 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 100 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
30 min Winter	37.275	0.275	0.0	0.8	0.8	34.6	OK
60 min Winter	37.315	0.315	0.0	0.8	0.8	45.4	OK
120 min Winter	37.362	0.362	0.0	0.8	0.8	58.5	OK
180 min Winter	37.393	0.393	0.0	0.8	0.8	67.2	OK
240 min Winter	37.417	0.417	0.0	0.8	0.8	73.9	OK
360 min Winter	37.452	0.452	0.0	0.8	0.8	83.4	OK
480 min Winter	37.475	0.475	0.0	0.8	0.8	90.1	OK
600 min Winter	37.493	0.493	0.0	0.8	0.8	94.9	OK
720 min Winter	37.506	0.506	0.0	0.8	0.8	98.6	OK
960 min Winter	37.524	0.524	0.0	0.8	0.8	103.8	OK
1440 min Winter	37.541	0.541	0.0	0.8	0.8	108.5	OK
2160 min Winter	37.550	0.550	0.0	0.8	0.8	110.9	OK
<b>2880 min Winter</b>	<b>37.551</b>	<b>0.551</b>	<b>0.0</b>	<b>0.8</b>	<b>0.8</b>	<b>111.3</b>	<b>OK</b>
4320 min Winter	37.494	0.494	0.0	0.8	0.8	95.4	OK
5760 min Winter	37.435	0.435	0.0	0.8	0.8	78.9	OK
7200 min Winter	37.369	0.369	0.0	0.8	0.8	60.3	OK
8640 min Winter	37.313	0.313	0.0	0.8	0.8	44.9	OK
10080 min Winter	37.265	0.265	0.0	0.8	0.8	32.1	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
30 min Winter	40.643	0.0	35.7	33
60 min Winter	26.328	0.0	47.6	62
120 min Winter	17.055	0.0	63.0	122
180 min Winter	13.230	0.0	74.0	180
240 min Winter	11.048	0.0	82.9	238
360 min Winter	8.570	0.0	97.0	356
480 min Winter	7.157	0.0	108.4	470
600 min Winter	6.223	0.0	118.1	584
720 min Winter	5.552	0.0	126.5	700
960 min Winter	4.645	0.0	127.3	922
1440 min Winter	3.614	0.0	123.2	1342
2160 min Winter	2.811	0.0	192.6	1688
<b>2880 min Winter</b>	<b>2.352</b>	<b>0.0</b>	<b>214.6</b>	<b>2164</b>
4320 min Winter	1.707	0.0	229.8	3072
5760 min Winter	1.360	0.0	244.2	3984
7200 min Winter	1.140	0.0	253.9	4752
8640 min Winter	0.987	0.0	261.8	5448
10080 min Winter	0.874	0.0	268.3	6144


Gondolin Land & Water Ltd		Page 11
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 0.5% AEP Event	
Date 24/02/2022 15:31 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 200 year Return Period

Half Drain Time : 1438 minutes.

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
15 min Summer	37.248	0.248	0.0	0.8	0.8	28.1	OK
30 min Summer	37.285	0.285	0.0	0.8	0.8	37.2	OK
60 min Summer	37.326	0.326	0.0	0.8	0.8	48.3	OK
120 min Summer	37.374	0.374	0.0	0.8	0.8	61.7	OK
180 min Summer	37.406	0.406	0.0	0.8	0.8	70.7	OK
240 min Summer	37.430	0.430	0.0	0.8	0.8	77.5	OK
360 min Summer	37.464	0.464	0.0	0.8	0.8	87.0	OK
480 min Summer	37.488	0.488	0.0	0.8	0.8	93.6	OK
600 min Summer	37.505	0.505	0.0	0.8	0.8	98.3	OK
720 min Summer	37.517	0.517	0.0	0.8	0.8	101.8	OK
960 min Summer	37.534	0.534	0.0	0.8	0.8	106.5	OK
1440 min Summer	37.551	0.551	0.0	0.8	0.8	111.1	OK
2160 min Summer	37.562	0.562	0.0	0.8	0.8	114.4	OK
2880 min Summer	37.568	0.568	0.0	0.8	0.8	116.0	OK
4320 min Summer	37.527	0.527	0.0	0.8	0.8	104.5	OK
5760 min Summer	37.488	0.488	0.0	0.8	0.8	93.7	OK
7200 min Summer	37.451	0.451	0.0	0.8	0.8	83.2	OK
8640 min Summer	37.410	0.410	0.0	0.8	0.8	71.8	OK
10080 min Summer	37.370	0.370	0.0	0.8	0.8	60.6	OK
15 min Winter	37.265	0.265	0.0	0.8	0.8	32.1	OK


Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
15 min Summer	75.201	0.0	28.7	19
30 min Summer	48.387	0.0	38.3	34
60 min Summer	31.134	0.0	50.6	64
120 min Summer	20.032	0.0	66.3	124
180 min Summer	15.478	0.0	77.5	182
240 min Summer	12.889	0.0	86.5	242
360 min Summer	9.959	0.0	100.9	362
480 min Summer	8.293	0.0	112.4	482
600 min Summer	7.196	0.0	122.1	602
720 min Summer	6.408	0.0	129.0	720
960 min Summer	5.347	0.0	127.5	960
1440 min Summer	4.143	0.0	123.6	1240
2160 min Summer	3.210	0.0	196.6	1644
2880 min Summer	2.679	0.0	218.3	2048
4320 min Summer	1.937	0.0	227.2	2892
5760 min Summer	1.538	0.0	246.7	3696
7200 min Summer	1.287	0.0	255.9	4536
8640 min Summer	1.112	0.0	263.3	5352
10080 min Summer	0.983	0.0	269.4	6048
15 min Winter	75.201	0.0	32.7	19

Gondolin Land & Water Ltd		Page 12
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 0.5% AEP Event	
Date 24/02/2022 15:31 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 200 year Return Period

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
30 min Winter	37.304	0.304	0.0	0.8	0.8	42.3	OK
60 min Winter	37.349	0.349	0.0	0.8	0.8	54.9	OK
120 min Winter	37.404	0.404	0.0	0.8	0.8	70.3	OK
180 min Winter	37.442	0.442	0.0	0.8	0.8	80.7	OK
240 min Winter	37.469	0.469	0.0	0.8	0.8	88.4	OK
360 min Winter	37.509	0.509	0.0	0.8	0.8	99.6	OK
480 min Winter	37.538	0.538	0.0	0.8	0.8	107.5	OK
600 min Winter	37.559	0.559	0.0	0.8	0.8	113.4	OK
720 min Winter	37.575	0.575	0.0	0.8	0.8	117.9	OK
960 min Winter	37.599	0.599	0.0	0.8	0.8	124.5	OK
1440 min Winter	37.622	0.622	0.0	0.8	0.8	131.1	OK
2160 min Winter	37.633	0.633	0.0	0.8	0.8	134.1	OK
<b>2880 min Winter</b>	<b>37.637</b>	<b>0.637</b>	<b>0.0</b>	<b>0.8</b>	<b>0.8</b>	<b>135.2</b>	<b>OK</b>
4320 min Winter	37.578	0.578	0.0	0.8	0.8	118.8	OK
5760 min Winter	37.521	0.521	0.0	0.8	0.8	102.7	OK
7200 min Winter	37.463	0.463	0.0	0.8	0.8	86.7	OK
8640 min Winter	37.398	0.398	0.0	0.8	0.8	68.6	OK
10080 min Winter	37.338	0.338	0.0	0.8	0.8	51.7	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
30 min Winter	48.387	0.0	43.5	33
60 min Winter	31.134	0.0	57.2	62
120 min Winter	20.032	0.0	74.9	122
180 min Winter	15.478	0.0	87.4	180
240 min Winter	12.889	0.0	97.5	240
360 min Winter	9.959	0.0	113.6	356
480 min Winter	8.293	0.0	126.5	472
600 min Winter	7.196	0.0	130.2	588
720 min Winter	6.408	0.0	129.3	700
960 min Winter	5.347	0.0	127.6	924
1440 min Winter	4.143	0.0	125.9	1356
2160 min Winter	3.210	0.0	221.2	1728
<b>2880 min Winter</b>	<b>2.679</b>	<b>0.0</b>	<b>245.8</b>	<b>2192</b>
4320 min Winter	1.937	0.0	235.9	3112
5760 min Winter	1.538	0.0	278.2	4032
7200 min Winter	1.287	0.0	288.9	4904
8640 min Winter	1.112	0.0	297.6	5704
10080 min Winter	0.983	0.0	304.8	6352


Gondolin Land & Water Ltd		Page 13
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 0.5% AEP +40% CC Event	
Date 24/02/2022 15:32 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 200 year Return Period (+40%)

Half Drain Time : 2082 minutes.

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max $\Sigma$ Outflow (l/s)	Max Volume (m <sup>3</sup> )	Status
15 min Summer	37.301	0.301	0.0	0.8	0.8	41.5	O K
30 min Summer	37.347	0.347	0.0	0.8	0.8	54.3	O K
60 min Summer	37.405	0.405	0.0	0.8	0.8	70.4	O K
120 min Summer	37.475	0.475	0.0	0.8	0.8	90.1	O K
180 min Summer	37.523	0.523	0.0	0.8	0.8	103.3	O K
240 min Summer	37.559	0.559	0.0	0.8	0.8	113.3	O K
360 min Summer	37.612	0.612	0.0	0.8	0.8	128.1	O K
480 min Summer	37.650	0.650	0.0	0.8	0.8	138.7	O K
600 min Summer	37.679	0.679	0.0	0.9	0.9	146.8	O K
720 min Summer	37.701	0.701	0.0	0.9	0.9	153.2	O K
960 min Summer	37.736	0.736	0.0	0.9	0.9	162.8	O K
1440 min Summer	37.773	0.773	0.0	0.9	0.9	173.2	O K
2160 min Summer	37.800	0.800	0.0	0.9	0.9	180.6	O K
2880 min Summer	37.814	0.814	0.0	0.9	0.9	184.6	O K
4320 min Summer	37.767	0.767	0.0	0.9	0.9	171.4	O K
5760 min Summer	37.725	0.725	0.0	0.9	0.9	159.8	O K
7200 min Summer	37.686	0.686	0.0	0.9	0.9	148.9	O K
8640 min Summer	37.649	0.649	0.0	0.8	0.8	138.6	O K
10080 min Summer	37.614	0.614	0.0	0.8	0.8	128.7	O K
15 min Winter	37.321	0.321	0.0	0.8	0.8	47.0	O K

Storm Event	Rain (mm/hr)	Flooded Volume (m <sup>3</sup> )	Discharge Volume (m <sup>3</sup> )	Time-Peak (mins)
15 min Summer	105.282	0.0	42.1	19
30 min Summer	67.742	0.0	55.5	34
60 min Summer	43.587	0.0	72.7	64
120 min Summer	28.045	0.0	94.8	124
180 min Summer	21.669	0.0	110.6	184
240 min Summer	18.045	0.0	123.2	242
360 min Summer	13.943	0.0	132.4	362
480 min Summer	11.611	0.0	131.9	482
600 min Summer	10.074	0.0	131.9	602
720 min Summer	8.971	0.0	132.2	722
960 min Summer	7.486	0.0	134.2	960
1440 min Summer	5.800	0.0	138.6	1426
2160 min Summer	4.494	0.0	274.1	1792
2880 min Summer	3.750	0.0	271.3	2188
4320 min Summer	2.711	0.0	255.9	2984
5760 min Summer	2.154	0.0	351.7	3808
7200 min Summer	1.802	0.0	365.7	4616
8640 min Summer	1.557	0.0	377.2	5448
10080 min Summer	1.376	0.0	386.8	6256
15 min Winter	105.282	0.0	47.7	19

Gondolin Land & Water Ltd		Page 14
35/1 Balfour Street Edinburgh EH6 5DL	Meikle Couston Permeable Paving Design 0.5% AEP +40% CC Event	
Date 24/02/2022 15:32 File MEIKLE COUSTON PERMEABL...	Designed by Z.Ritchie Checked by Gondolin	
Innovyze	Source Control 2020.1.3	

Summary of Results for 200 year Return Period (+40%)

Storm Event	Max Level (m)	Max Depth (m)	Max Infiltration (l/s)	Max Control (l/s)	Max Σ Outflow (l/s)	Max Volume (m³)	Status
30 min Winter	37.373	0.373	0.0	0.8	0.8	61.5	OK
60 min Winter	37.438	0.438	0.0	0.8	0.8	79.7	OK
120 min Winter	37.518	0.518	0.0	0.8	0.8	102.0	OK
180 min Winter	37.572	0.572	0.0	0.8	0.8	117.1	OK
240 min Winter	37.613	0.613	0.0	0.8	0.8	128.6	OK
360 min Winter	37.675	0.675	0.0	0.9	0.9	145.8	OK
480 min Winter	37.720	0.720	0.0	0.9	0.9	158.5	OK
600 min Winter	37.755	0.755	0.0	0.9	0.9	168.3	OK
720 min Winter	37.784	0.784	0.0	0.9	0.9	176.1	OK
960 min Winter	37.827	0.827	0.0	0.9	0.9	188.4	OK
1440 min Winter	37.881	0.881	0.0	1.0	1.0	203.2	OK
2160 min Winter	37.915	0.915	0.0	1.0	1.0	212.9	OK
<b>2880 min Winter</b>	<b>37.930</b>	<b>0.930</b>	<b>0.0</b>	<b>1.0</b>	<b>1.0</b>	<b>216.9</b>	<b>OK</b>
4320 min Winter	37.866	0.866	0.0	1.0	1.0	199.0	OK
5760 min Winter	37.806	0.806	0.0	0.9	0.9	182.4	OK
7200 min Winter	37.749	0.749	0.0	0.9	0.9	166.3	OK
8640 min Winter	37.693	0.693	0.0	0.9	0.9	150.9	OK
10080 min Winter	37.640	0.640	0.0	0.8	0.8	136.1	OK

Storm Event	Rain (mm/hr)	Flooded Volume (m³)	Discharge Volume (m³)	Time-Peak (mins)
30 min Winter	67.742	0.0	62.7	33
60 min Winter	43.587	0.0	82.0	64
120 min Winter	28.045	0.0	106.8	122
180 min Winter	21.669	0.0	124.4	180
240 min Winter	18.045	0.0	133.1	240
360 min Winter	13.943	0.0	132.8	358
480 min Winter	11.611	0.0	133.1	474
600 min Winter	10.074	0.0	134.2	590
720 min Winter	8.971	0.0	136.1	706
960 min Winter	7.486	0.0	140.3	934
1440 min Winter	5.800	0.0	144.4	1384
2160 min Winter	4.494	0.0	280.7	2012
<b>2880 min Winter</b>	<b>3.750</b>	<b>0.0</b>	<b>281.7</b>	<b>2280</b>
4320 min Winter	2.711	0.0	271.9	3200
5760 min Winter	2.154	0.0	395.8	4144
7200 min Winter	1.802	0.0	411.8	5040
8640 min Winter	1.557	0.0	425.0	5888
10080 min Winter	1.376	0.0	436.2	6760



## Drawings



Underpass

PROPOSED PERMEABLE PAVING DETAILS:

- STORAGE VOLUME = 420m<sup>3</sup>
- MAXIMUM DESIGN DEPTH = 1.5m
- SURFACE AREA = 935m<sup>2</sup>
- BASE ELEVATION = 37.0mAOD
- CREST ELEVATION = 38.5mAOD
- BASE SLOPE = 1:100
- INFILTRATION = ZERO ASSUMED (TYPE C)
- GRAVEL POROSITY = 30%

- NOTES
1. SITE LAYOUT PROPOSALS BASED ON SUNSHINE DESIGN AND PLANNING DRAWING NO. L(PL)001 DATED JULY 2020
  2. TOPOGRAPHIC SURVEY INFORMATION FROM 3<sup>rd</sup> PARTY (SOURCE AND DATE UNKNOWN)
  3. DEVELOPER HAS DEED OF SERVITUDE RIGHTS FOR PROPOSED NEW WASTEWATER PIPE TO THE WEST OF THE SITE
  4. MEIKLE COUSTON FARM STEADING IS NOW DEMOLISHED
  5. PERMEABLE PAVING AREA SHOWN IS INDICATIVE AND DEMONSTRATES THE MAXIMUM AREA AVAILABLE
  6. THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT MANUFACTURERS' DRAWINGS AND SPECIFICATIONS
  7. FINAL COVER AND INVERT LEVELS TO BE CONFIRMED DURING DETAILED PLANNING STAGE UPON CONFIRMATION OF FINAL SITE LEVELS
  8. DRAINAGE DESIGN SHOULD BE CONSIDERED PROVISIONAL OUTLINE DETAIL AND NOT FOR CONSTRUCTION
  9. FOUL DRAINAGE ROUTE TO SCOTTISH WATER SEWER AND PUMPING ARRANGEMENTS ARE INDICATIVE AND SUBJECT TO AGREEMENT WITH SCOTTISH WATER AT THE DETAILED PLANNING STAGES
  10. APPROPRIATE INVESTIGATIONS AND REMEDIAL WORKS (IF REQUIRED) TO BE CARRIED OUT ON EXISTING PRIVATE DRAINAGE INFRASTRUCTURE TO CONFIRM SUITABILITY

- LEGEND
- SITE BOUNDARY
  - PROPOSED PERMEABLE PAVING AREA (TYPE C)
  - EXISTING WATERCOURSE
  - PROPOSED SURFACE WATER SEWER (MIN 100mm Ø)
  - SURFACE WATER INSPECTION CHAMBER / MANHOLE
  - CLIENT DEED OF SERVITUDE RIGHTS CORRIDOR
  - FOUL WATER SEWER (150mm Ø PIPEWORK)
  - FOUL WATER INSPECTION CHAMBER / MANHOLE
  - INDICATIVE ROAD DRAINAGE GULLY LOCATION AND CONNECTION
  - EXISTING PRIVATE SURFACE WATER SEWER PIPEWORK (ROUTE APPROXIMATE)
  - PROPOSED HYDROBRAKE OPTIMUM (OR SIMILAR)
  - PROPERTY DRAINAGE CONNECTIONS AND DISCONNECTING CHAMBER
  - EXISTING SCOTTISH WATER GRAVITY FOUL SEWER
  - EXISTING SCOTTISH WATER GRAVITY FOUL SEWER MANHOLE



INDICATIVE DRAINAGE FOR PROPOSED NEW ACCESS ROAD

FOUL DRAINAGE CONTINUES TO PUBLIC SEWER NETWORK THROUGH LAND IN WHICH DEVELOPER HAS SERVITUDE RIGHTS TO INSTALL A DRAINAGE OUTFALL

CONNECTION TO EXISTING SURFACE WATER DRAINAGE PIPE FROM STEADING WHICH DISCHARGES TO INVERKEITHING BURN

HYDROBRAKE OPTIMUM (OR SIMILAR) TO LIMIT DISCHARGE RATES TO MAXIMUM = 1.0l/s

CAR GARAGES / STORAGE PODS

COMMUNAL BIN STORES

00	02/22	FOR SUBMISSION	ZR	ZR
REV	DATE	DESCRIPTION	BY	CHK
CLIENT: MR CRAIG MITCHELL				

PROJECT:  
MEIKLE COUSTON STEADING  
PROPOSED RE-DEVELOPMENT

DRAWING TITLE:  
**PROPOSED DRAINAGE LAYOUT**

SCALE: 1:250 @ A1  
DATE: 24th FEBRUARY 2022

DRAWING NUMBER: **DRA-001** REV: **00**

DRAWING STATUS: **PLANNING PERMISSION IN PRINCIPLE**

GONDOLIN LAND & WATER LTD  
EDINBURGH  
ENR SOL  
T: +44 (0)7895 221230  
Registered Company No. SC706920

Four Lums

DRA-001 - Proposed Drainage Layout.dwg





- NOTES**
1. SITE LAYOUT PROPOSALS BASED ON SUNSHINE DESIGN AND PLANNING DRAWING NO. L(PL)001 DATED JULY 2020
  2. TOPOGRAPHIC SURVEY INFORMATION FROM 3<sup>RD</sup> PARTY (SOURCE AND DATE UNKNOWN)
  3. DEVELOPER HAS DEED OF SERVITUDE RIGHTS FOR PROPOSED NEW WASTEWATER PIPE TO THE WEST OF THE SITE
  4. MEIKLE COUSTON FARM STEADING IS NOW DEMOLISHED
  5. PERMEABLE PAVING AREA SHOWN IS INDICATIVE AND DEMONSTRATES THE MAXIMUM AREA AVAILABLE
  6. THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT MANUFACTURERS' DRAWINGS AND SPECIFICATIONS
  7. FINAL COVER AND INVERT LEVELS TO BE CONFIRMED DURING DETAILED PLANNING STAGE UPON CONFIRMATION OF FINAL SITE LEVELS
  8. DRAINAGE DESIGN SHOULD BE CONSIDERED PROVISIONAL OUTLINE DETAIL AND NOT FOR CONSTRUCTION
  9. FOUL DRAINAGE ROUTE TO SCOTTISH WATER SEWER AND PUMPING ARRANGEMENTS ARE INDICATIVE AND SUBJECT TO AGREEMENT WITH SCOTTISH WATER AT THE DETAILED PLANNING STAGES
  10. APPROPRIATE INVESTIGATIONS AND REMEDIAL WORKS (IF REQUIRED) TO BE CARRIED OUT ON EXISTING PRIVATE DRAINAGE INFRASTRUCTURE TO CONFIRM SUITABILITY

- LEGEND**
- SITE BOUNDARY
  - PROPOSED PERMEABLE PAVING AREA (TYPE C)
  - EXISTING WATERCOURSE
  - PROPOSED SURFACE WATER SEWER (MIN 100mm Ø)
  - SURFACE WATER INSPECTION CHAMBER / MANHOLE
  - CLIENT DEED OF SERVITUDE RIGHTS CORRIDOR
  - FOUL WATER SEWER (150mm Ø PIPEWORK)
  - FOUL WATER INSPECTION CHAMBER / MANHOLE
  - PROPOSED FOUL WATER RISING MAIN
  - PROPOSED FOUL WATER PUMPING STATION (LOCATION INDICATIVE)
  - INDICATIVE ROAD DRAINAGE GULLY LOCATION AND CONNECTION
  - EXISTING PRIVATE SURFACE WATER SEWER PIPEWORK (ROUTE APPROXIMATE)
  - PROPOSED HYDROBRAKE OPTIMUM (OR SIMILAR)
  - PROPERTY DRAINAGE CONNECTIONS AND DISCONNECTING CHAMBER
  - EXISTING SCOTTISH WATER GRAVITY FOUL SEWER
  - EXISTING SCOTTISH WATER GRAVITY FOUL SEWER MANHOLE

**PROPOSED PERMEABLE PAVING DETAILS:**

- STORAGE VOLUME = 420m<sup>3</sup>
- MAXIMUM DESIGN DEPTH = 1.5m
- SURFACE AREA = 935m<sup>2</sup>
- BASE ELEVATION = 37.0mAOD
- CREST ELEVATION = 38.5mAOD
- BASE SLOPE = 1:100
- INFILTRATION = ZERO ASSUMED (TYPE C)
- GRAVEL POROSITY = 30%

HYDROBRAKE OPTIMUM (OR SIMILAR) TO LIMIT DISCHARGE RATES TO MAXIMUM = 1.0l/s

CONNECTION TO EXISTING SURFACE WATER DRAINAGE PIPE FROM STEADING WHICH DISCHARGES TO INVERKEITHING BURN

PROPOSED PUMPING STATION (LOCATION AND SIZING INDICATIVE)

PROPOSED RISING MAIN (ROUTE INDICATIVE)

EASTERN ACCESS ROAD

UNNAMED MINOR WATERCOURSE

UNNAMED MINOR WATERCOURSE

EXISTING SURFACE WATER DRAINAGE CONNECTION TO INVERKEITHING BURN

PROPOSED CONNECTION POINT TO EXISTING PUBLIC FOUL SEWER AT MANHOLE 5503

EXISTING PUBLIC SEWER NETWORK SERVING RESIDENTIAL AREA

00	02/22	FOR SUBMISSION	ZR	ZR
REV	DATE	DESCRIPTION	BY	CHK

CLIENT:  
MR CRAIG MITCHELL

PROJECT:  
MEIKLE COUSTON STEADING  
PROPOSED RE-DEVELOPMENT  
DRAWING TITLE:  
**DRAINAGE DISCHARGE LOCATIONS**

SCALE: 1:750 @ A1	DATE: 24th FEBRUARY 2022
----------------------	-----------------------------

DRAWING NUMBER: **DRA-002** REV: **00**

DRAWING STATUS:  
**PLANNING PERMISSION IN PRINCIPLE**

GONDOLIN LAND & WATER LTD  
EDINBURGH  
EH4 5JL  
T: +44 (0)7895 221230  
Registered Company No. SC706920





**GONDOLIN**  
Land & Water

*Civil Engineering and Environmental Solutions*

Gondolin Land and Water Ltd is a small, client friendly environmental and engineering consultancy business based in Scotland with coverage throughout the UK.

**Registered Address:**

35/1 Balfour Street, Edinburgh, EH6 5DL, UK

**Registered Company No.**

SC706920

**Sectors:**

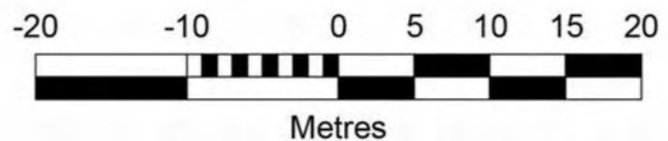
Onshore Renewables & Storage | Infrastructure | Mining and Minerals | Rural Tourism & Recreation | Property & Urban Regeneration | Corporate, Industrial & Manufacturing | Waste Management



# Meikle Couston Farm, Aberdour, Fife.

Existing: Aerial Photograph  
1:500 scale

Note: photograph taken c. summer 2001,  
prior to demolition of cart shed

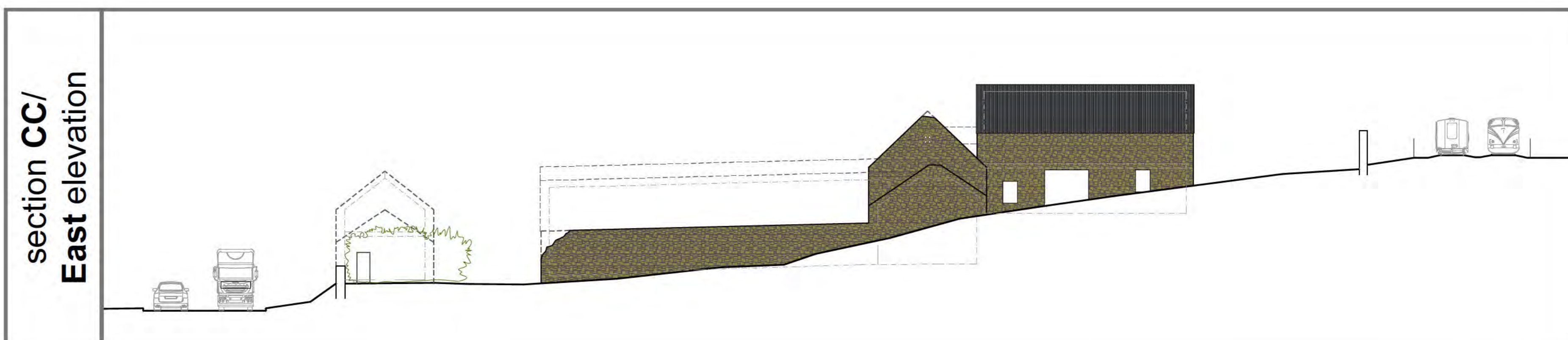
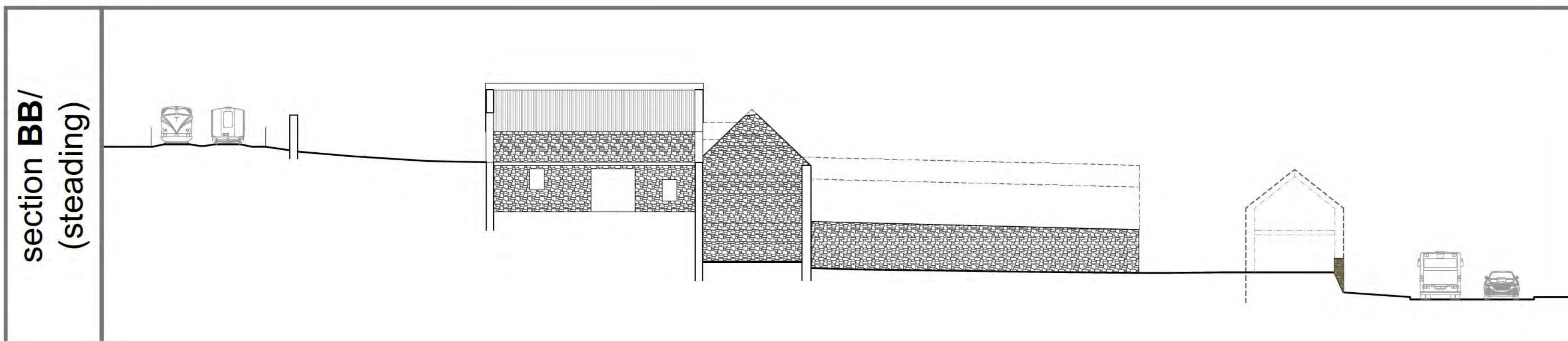
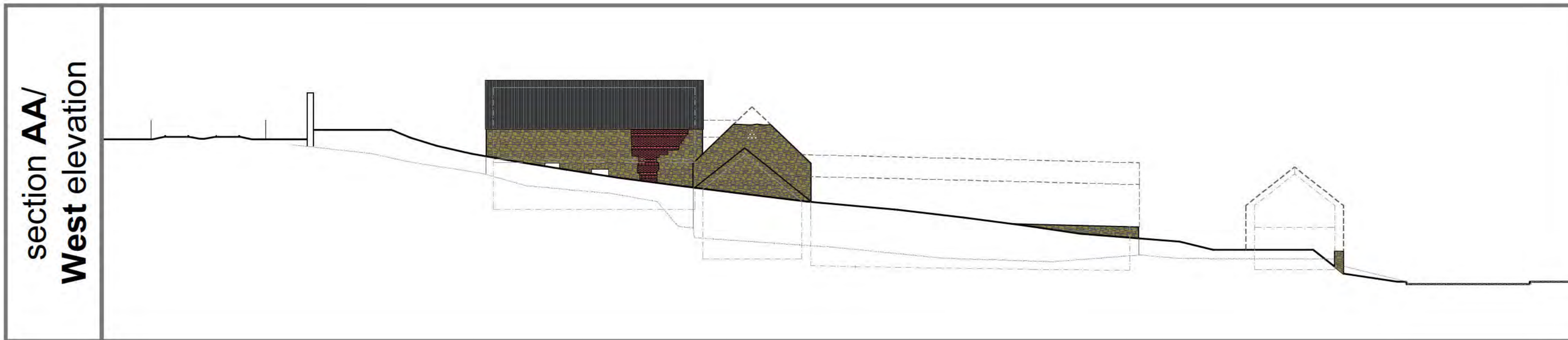


## Sunshine Design and Planning

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
--	----	--/--

Client: <b>Mr C Mitchell</b>	date: Oct 2020	dwg. size: A3
Project: <b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by: <i>MM</i>	checked: <i>MM</i>
Drawing Title: <b>Existing: aerial photograph (c. summer 2001)</b>	Job No.: <b>219</b>	revision: <b>M19/02</b>
Scale: <b>1:500</b>	Dwg. No.: <b>L(EX)010</b>	



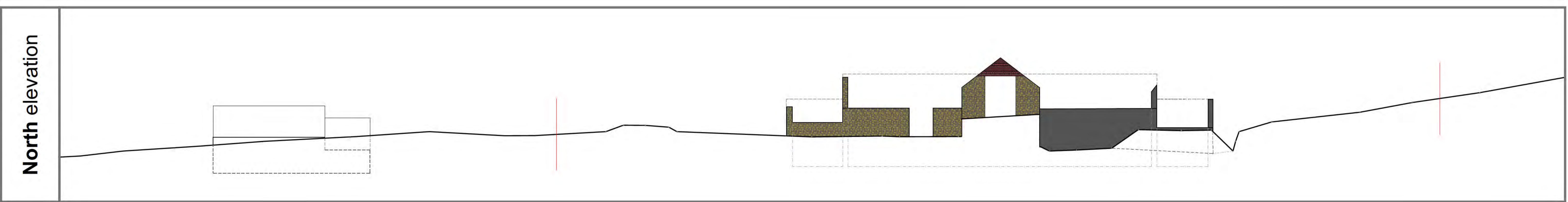
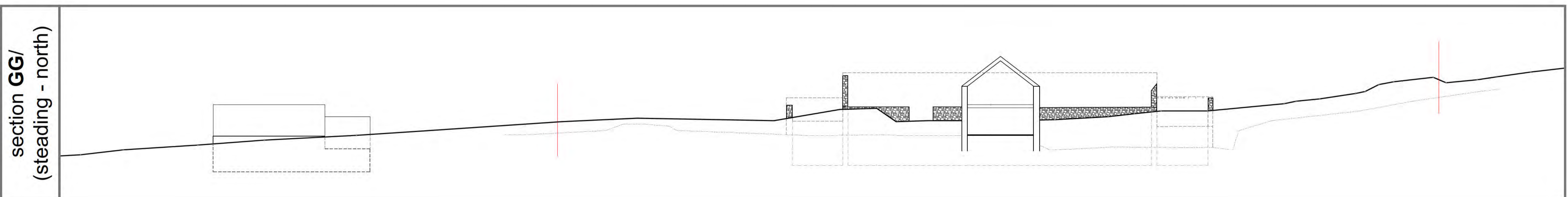
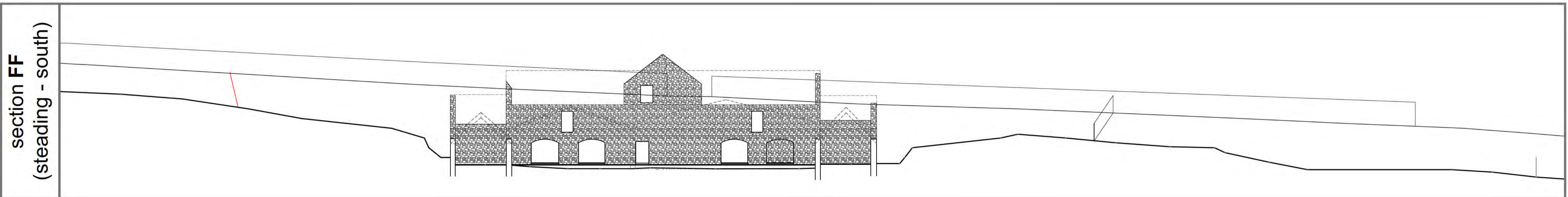
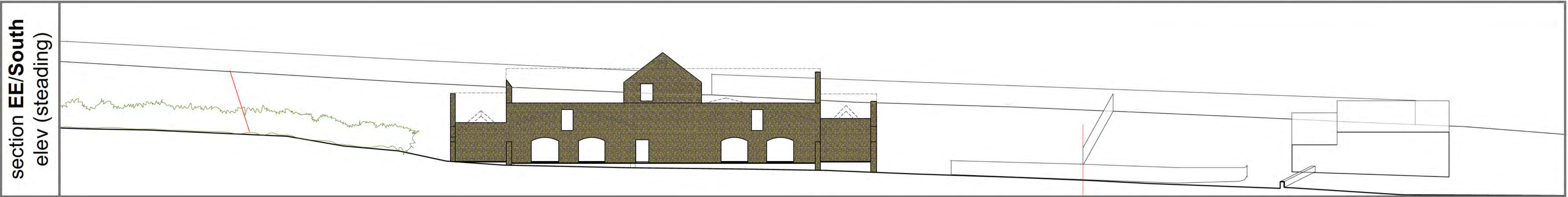
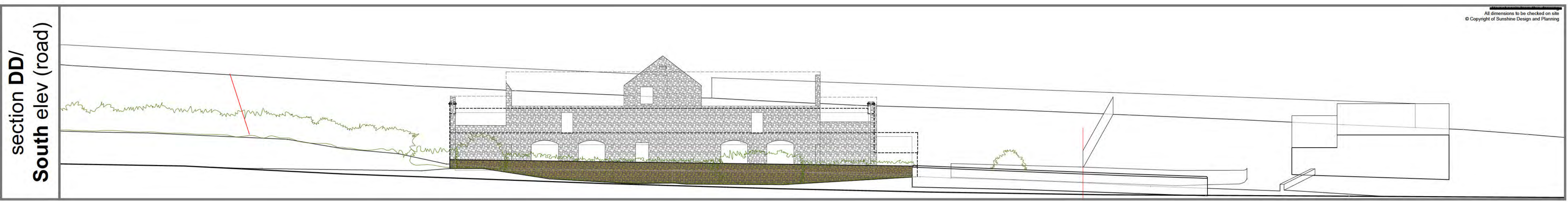
**Meikle Couston Farm, Aberdour, Fife.**  
 Existing: Site cross-sections and elevations  
 1:200 scale



revision:	details:	date:
---	---	---

**Sunshine Design and Planning**  
 Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
 Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A2
Project: <b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by: <b>MM</b>	checked: <b>MM</b>
Drawing Title: <b>Existing: elevations/site sections AA, BB and CC</b>	Job No.: M11/19/02	220
Scale: 1:200	Dwg. No.: L(PL)003	revision: ---



**Meikle Couston Farm, Aberdour, Fife.**  
Existing: Site cross-sections and elevations  
1:200 scale



revision	details

date	client	date	drawn by	checked	drawn size
-/-	Mr C Mitchell	Jul 2020	MMF	MMF	A1
	Project: Meikle Couston Farm, Aberdour, Fife				
	Drawing Title: Existing: site sections DD, EE, FF, GG and north elevation				
	Scale: 1:200				

**Subject:**

RE: Meikle Couston Development, Previous Planning ref: 20/00037/FULL - Consultation for Renewed Application. Network Rail ref: 86 2021

**From:** Martin Henderson <[Martin.Henderson@networkrail.co.uk](mailto:Martin.Henderson@networkrail.co.uk)>

**Sent:** 16 February 2022 10:02

**To:** Zak Ritchie <[zak.ritchie@gondolinltd.co.uk](mailto:zak.ritchie@gondolinltd.co.uk)>

**Subject:** RE: Meikle Couston Development, Previous Planning ref: 20/00037/FULL - Consultation for Renewed Application. Network Rail ref: 86 2021

OFFICIAL

Zak,

Apologies for not responding to you sooner, my colleague who was dealing with this has now left the company.

I can confirm that Network Rail will not be submit an objection to the application and any requirements needed by our Asset Protection team can controlled by conditions.

Regards

Martin Henderson



**Martin Henderson**

Town Planning Technician

Network Rail Property (Scotland)

151 St Vincent Street, Glasgow, G2 5NW

07702400389

[martin.henderson@networkrail.co.uk](mailto:martin.henderson@networkrail.co.uk)

[www.networkrail.co.uk/property](http://www.networkrail.co.uk/property)

Please send all Notifications and Consultations to [TownPlanningScotland@networkrail.co.uk](mailto:TownPlanningScotland@networkrail.co.uk) or by post to Network Rail, Town Planning, 151 St Vincent Street, Glasgow, G2 5NW

**From:** Zak Ritchie <[zak.ritchie@gondolinltd.co.uk](mailto:zak.ritchie@gondolinltd.co.uk)>

**Sent:** 09 February 2022 18:02

**To:** Asset Protection Scotland <[AssetProtectionScotland@networkrail.co.uk](mailto:AssetProtectionScotland@networkrail.co.uk)>; Town Planning Scotland <[TownPlanningScotland@networkrail.co.uk](mailto:TownPlanningScotland@networkrail.co.uk)>

**Subject:** FW: Meikle Couston Development, Previous Planning ref: 20/00037/FULL - Consultation for Renewed Application. Network Rail ref: 86 2021

Some people who received this message don't often get email from [zak.ritchie@gondolinltd.co.uk](mailto:zak.ritchie@gondolinltd.co.uk). [Learn why this is important](#)

Good Evening,

I regret to inform you that I have still not received a response to the below email on 09 November 2021.

We will be submitting the planning application soon and your early engagement / feedback would very much be welcomed to inform this. If no response is received then we will simply submit on the basis your concerns as outlined in the previous planning application are no longer valid following my responses below.

Many thanks  
Zak

---

**From:** Zak Ritchie

**Sent:** 09 November 2021 11:03

**To:** [AssetProtectionScotland@networkrail.co.uk](mailto:AssetProtectionScotland@networkrail.co.uk); [TownPlanningScotland@networkrail.co.uk](mailto:TownPlanningScotland@networkrail.co.uk)

**Subject:** Meikle Couston Development, Previous Planning ref: 20/00037/FULL - Consultation for Renewed Application.  
Network Rail ref: 86 2021

Good Morning,

I am writing to you to seek pre-application consultation advice for the above development, which I note was the subject of an Objection from Network Rail for the previous planning application (ref: 20/00037/FULL) – your letter attached.

The previous planning application was withdrawn and a new application is to be submitted in the coming weeks. The site layout of new application will be very similar to the previously submitted application and attach relevant plans for your convenience / reference.

I note the 2x points of objections are as follows:

**1. Encroachment**

The applicant has included land which is owned by Network Rail within their red line boundary to the north. The scheme as currently proposed, could not be implemented, with plots noted for houses 2-4 being significantly affected reducing the proposed amenity space. The applicant should be encouraged to re-submit a new layout to Fife Council which does not rely on land owned by Network Rail.

**2. Inadequate Information on Impacts on Railway Embankment**

At present, there is not adequate information provided about cutting into the embankment for Network Rail to provide a more detailed response. Existing and proposed levels and sections through the site and railway embankment should be provided. All excavations / earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. There must be no general lowering of present ground levels near Network Rail's boundary where the railway is on an embankment or same level as the adjoining land. Further, there must be no excavation into, nor deep continuous excavations near, the toe of embankments or retaining walls or bridge support slopes. Destabilisation of railway, or adjoining, land could have serious consequences for the operation of this critical infrastructure and for the safety train staff and passengers.

I can advise the following for each of these points, we are keen to resolve / agree prior to the application submission.

- 1. Encroachment** – the new planning application boundary will be fully within the developer's land holding (as it was before) and this is represented by the mauve colour in the FFE85883 Title Plan attached.
- 2. Inadequate Information on Impacts on Railway Embankment** – existing and proposed site sections are attached (note these were included with the previous application but the proposals remain valid for the

renewed application). As you can see from reference to the Proposed Site Layout plan and the Existing Site Layout, the northern extent of the existing farm steading extends to around 13m from the edge of the railway embankment, and House 4 which is proposed at this location is to be constructed on a 'like for like' basis such that there will be no further encroachment northwards for the building foundations. We would note that the steading was constructed before the railway. The northern extent of the next nearest Houses (3 and 5) is no closer to the railway embankment than House 4, with both being around 15m to the foot of the embankment. Clearly, should the development be granted planning permission then the building foundations, earthworks design and geotechnical considerations would be duly taken into account at the detailed design / construction stage.

In light of my responses above to the previous points of objection, I would be grateful if you could advise Network Rail's position / provide revised feedback ahead of the forthcoming planning submission.

Kind regards

**Zak Ritchie | Managing Director | Gondolin Land & Water Ltd**

*BEng(hons), MSc, C.Eng, C.WEM. MCIWEM*

**Mobile:** +44 (0)7895 221230

**Email:** [zak.ritchie@gondolinltd.co.uk](mailto:zak.ritchie@gondolinltd.co.uk)

35/1 Balfour Street, Edinburgh, EH6 5DL

**Registered Company No. SC706920**



**GONDOLIN**  
**Land & Water**  
*Civil Engineering & Environmental Solutions*

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## Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
------------------------	------------------------	-----------	--

<p><u>Energy and Climate Change</u> Demonstrate that the application meets the CO<sup>2</sup> emissions reduction targets currently in place and that the required proportion of that reduction is met by low and zero carbon generation technologies.</p> <p>Improve the energy efficiency of both domestic and non-domestic buildings to minimise total whole-life energy consumption.</p> <p>Support the use of renewable energy rather than fossil fuel sources during concept/design as well as in-service phases with the ultimate aim of decarbonising the energy and heat supply. Improve resilience to climate change, including higher temperatures; changing patterns of precipitation; more frequent extreme weather events; rising sea levels. Impacts on flooding and water supply are addressed.</p>	<p>For Local Developments - Provide information of the energy efficiency measures taken and energy generating technologies associated with this application</p> <p>For Major Developments - An energy statement on intention is required. See <a href="#">Low Carbon Fife Supplementary Guidance</a> page 59 for more information</p>	<p>Domestic Applications Proposals which are not heated or cooled (other than heating or frost protection).</p> <p>Conversion of buildings</p> <p>Small extensions in line with <a href="#">Building standards 6.1 exemptions</a></p> <p>Temporary buildings with an intended life of less than 2 years</p>	<p>☒ Details: <b>See attached statement</b></p>
<p><u>Materials</u> Materials sourced from local or sustainable sources</p>	<p>A statement should be included setting out that the development will endeavour to provide the materials from local or sustainable sources. Additional detail should be included if available. See <a href="#">Making Fife's Places Supplementary Guidance</a> page 37 for more information.</p>	<p>Domestic Applications</p>	<p>☒ Details: <b>See attached statement</b></p>

## Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
<p><u>Sustainable Urban Drainage System (SUDS)</u> As our climate changes and more rainfall is predicted in many parts of the world, it is important that we control the impact of rainwater to prevent flooding or pollution of watercourses. Sustainable Urban Drainage measures need to be put in place to 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.</p>	<p>We require Compliance and Independent Check Certificate's to be submitted as per Fife Council's Sustainable Drainage Systems (SUDS) - Design Criteria Guidance Note</p> <p>See <a href="#">Making Fife's Places Supplementary Guidance</a> page 14 for more information.</p>	<p>Domestic Applications</p> <p>Applications for erection of only one dwellinghouse</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p> <p>Details: <b>See attached statement</b></p>
<p><u>Waste</u></p> <p>Support applications that reduce the creation of waste. Facilities are provided for the separate collection of dry and recyclable waste and food waste. Drive the development of a plastic recycling facility</p>	<p>Planning Permission in Principle (PPP) Applications – A statement setting out that measures for the storage of dry recyclable waste and food waste will be provided as part of the development.</p> <p>Full Planning Permission Applications – Full details on how dry and recyclable waste and food waste will be stored.</p>	<p>Domestic Applications</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p> <p>Details: <b>See attached statement</b></p>

## Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
<p><u>Travel and Transport</u></p> <p>Developments make a positive contribution towards the improvement of sustainable transport network.</p> <p>Promoting sustainable transport modes in the following order of priority: walking, cycling, public transport, cars.</p> <p>Reducing car dependency.</p> <p>Minimising the amount of travelling required, thus reducing greenhouse gas emissions, especially for air and road travel</p>	<p>PPP Applications – A statement should be included setting out the intended measures to encourage and facilitate the use of sustainable transport focusing on the order of priority.</p> <p>Full Planning Permission Applications – Full details on how the development encourages and facilitates the use of sustainable transport focusing on the order of priority. (Demonstrated through a Transport Assessment or Green Travel Plan).</p>	<p>Domestic Applications</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p> <p>Details: <b>See attached statement.</b></p>
<p><u>Air Quality</u></p> <p>Address impacts on air quality by reducing congestion and address the poor air quality that already exists.</p>	<p>An Air Quality Impact Assessment is required where any of the following apply:</p> <ul style="list-style-type: none"> <li>• For all applications subject to an Environmental Impact Assessment (listed in Environmental Impact Assessment (Scotland) Regulations 2017)</li> <li>or</li> <li>• 10 or more residential units or a site area of more than 0.5ha</li> <li>• More than 1,000m<sup>2</sup> of floor space for all other uses or a site area greater than 1ha</li> </ul> <p>Coupled with any of the following:</p> <ul style="list-style-type: none"> <li>• The development has more than 10 parking spaces</li> <li>• The development will have a centralised energy facility or other centralised combustion process</li> </ul> <p>See <a href="#">Low Carbon Fife Supplementary Guidance Appendix D</a> for more information</p>	<p>Domestic Applications</p> <p>Less than 10 residential units or a site area of less than 0.5ha</p> <p>Less than 1,000m<sup>2</sup> of floor space for all other uses or a site area smaller than 1ha</p>	<p style="text-align: center;"><input checked="" type="checkbox"/></p> <p>Details: <b>Not required</b></p>

## Low Carbon Sustainability Checklist for Planning Applications

Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
<p><b><u>District Heating</u></b></p> <p>All applications which create a heat demand or waste heat will be assessed to establish if district heating is likely to be a viable option. All applications for proposals which fit this description need to be tested against the district heating process map set out in section 3.2.2 of the <a href="#">Low Carbon Fife Supplementary Guidance</a> (see page 64) - to establish if a further investigation into heat networks is required. To reduce the cost of heat supply and the carbon intensity of heat generation.</p>	<p>Depending on answers to the questions below will determine whether a further investigation is required</p> <p><i>Is the proposal within 1km of an existing or proposed heat network? (See <a href="#">Low Carbon Fife SG Appendix E</a> for more information) If yes – has an indicative heat demand been provided for the development?</i></p> <p><i>Is further investigation into heat networks required? If yes - has a further investigation into heat networks been provided?</i></p> <p><i>Is the proposal for one of the following types of development?</i></p> <ul style="list-style-type: none"> <li>• A public sector development;</li> <li>• A further education campus;</li> <li>• A proposal for over 10,000m2 non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or building with a significant and heat demand)</li> <li>• A mixed use development – with at least 50 residential units and at least 10,000m2 of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial</li> </ul> <p><i>If yes – has information on the linear heat density of the development been provided? (see <a href="#">Low Carbon Fife SG</a> section 3.2.2 for more information) Is the linear heat density 4 or over? (see <a href="#">Low Carbon Fife SG</a> section 3.2.3 for more information) If yes – has further investigation into heat networks been provided?</i></p>	<p>Domestic Applications</p> <p>Applications out-with 1km of existing or proposed heat network and is not one of the following developments:</p> <ul style="list-style-type: none"> <li>• A public sector development;</li> <li>• A further education campus;</li> <li>• A proposal for over 10,000m2 non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or indeed any other building with a significant and stable heat demand)</li> <li>• A mixed use development – with at least 50 residential units and at least 10,000m2 of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial</li> </ul> <p>And does not have a total aggregate thermal input exceeding 20Megawatts</p>	<p><input type="checkbox"/></p> <p>Details: <b>Not required.</b></p>

Joe Fitzpatrick  
Planning Consultant

Joe.fitzpatrick390@gmail.com  
07974426615  
01592874360

**Low Carbon Statement – Residential Development Meikle Couston**

The proposed dwellinghouses will be insulated with energy efficient materials consistent with Building (Scotland) Regulations 2004 and the Building Standards Technical Handbook 2017 – Domestic Buildings.

Double glazing will be used to minimize heat loss. The proposed dwellinghouses are also as far as possible orientated facing south to maximize solar gain and reduce consumption of energy for heating.

Only LED lighting will be used within the proposed dwellinghouses, as well as for any illumination of external areas. The heating system will meet the requirements of the Building (Scotland) Regulations 2004 and the Building Standards Technical Handbook 2017 – Domestic Buildings. All appliances within the proposed dwellinghouses will be double or triple A Plus rated.

Surface Water run-off will be managed via the existing SUDS detention system at Eastern Access Road. Foul drainage will be connected to the main sewer. Toilets will be of a low flush cistern design.

The bins will be emptied once a week by the Council Refuse Collection system.

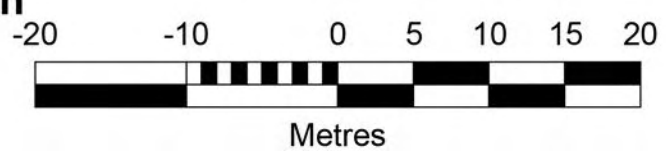
In relation to the promotion of sustainable travel patterns, the proposed development is located on the main coastal bus service routes with links to St Andrews and Edinburgh and all stop in between. In addition, the site is within easy reach of railways stations at Dalgety Bay and Aberdour.



**Meikle Couston Farm, Aberdour, Fife.**

Proposed: **Aerial Photograph**  
1:500 scale

Note: photograph taken c. summer 2001



**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
A	Garage/pod building moved and bin store added.	25/02/22

Client:	Mr C Mitchell	date:	Oct 2020	dwg. size:	A3
Project:	Meikle Couston Farm, Aberdour, Fife	drawn by:	MM	checked:	MM
Drawing Title:	Aerial view of site as proposed	Job No.:	231		
Scale:	1:500	Dwg. No.:	L(PL)005	revision:	A

# Landscaping & Biodiversity:

Comprehensive program of landscaping to soften edges of development and promote biodiversity.

## Tree specification:

New tree planting to include the following species:

- T1: Common Oak (*Quercus robur*)
- T2: Sycamore (*Acer pseudoplatanus*)
- T3: Silver Birch (*Betula pendula*)
- T4: Crab Apple (*Malus sylvestris*)
- T5: Holly (*Ilex aquifolium*)
- T6: Rowan (*Sorbus aucuparia*)

## Shrub specification:

- S1: Eared Willow (*Salix aurita*)
- S2: Purple Osier (*Salix purpurea*)
- S3: Bilberry (*Vaccinium myrtillus*)
- S4: Elder (*Sambucus nigra*)

## Hedge specification:

New hedges generally consisting of:

- 20%: Blackberry (*Rubus*)
- 20%: Blackthorn (*Prunus spinosa*)
- 20%: Dog Rose (*Rosa canina*)
- 30%: Hawthorn (*Crataegus*)
- 10%: Holly (*Ilex aquifolium*)

## NOTES:

1. All new hedges to be 300 - 500mm in height at time of planting.
2. Hedges to be c. 1.8m high when fully grown.

## Wildflower meadow specification:

(areas hatched yellow on plan)

Scottish Lowland Meadow Seed Mix sown at rate of 4g per square metre and a flower to grasses ratio of 20:80

## Wildflower species generally:

- Lady's Bedstraw (*Galium verum*)
- Ox-eye Daisy (*Leucanthemum vulgare*)
- Ribwort Plantain (*Plantago lanceolata*)
- Selfheal (*Prunella vulgaris*)
- Meadow Buttercup (*Ranunculus acris*)
- Yellow Rattle (*Rhinanthus minor*)
- Common Sorrel (*Rumex acetosa*)
- Tufted Vetch (*Vicia cracca*)

## Grasses generally:

- Common Bent (*Agrostis capillaris*)
- Crested Dog's Tail (*Cynosurus cristatus*)
- Chewings Fescue (*Festuca rubra* ssp. *commutata*)
- Smooth-stalked Meadow Grass (*Poa pratensis*)



## Notes:

### Garden Ground:

### Domestic Recycling:

- All houses to share communal refuse storage facility suitable for separated waste for recycling.

### Home Working:

- All houses provided with garage/work "pod" served by electricity, drainage and high speed broadband.

### Sustainable Design/Renewable Energy Technologies:

- All houses fitted with air source heat pumps serving heating and hot water supplies.
- All garage/work pods to be fitted with solar PV panels.

### SuDS Drainage Strategy:

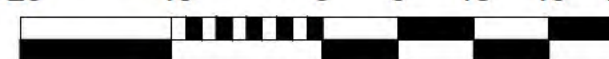
- Permeable paving to courtyard area.
- Sustainable drainage system to Project Engineer's design/specification.

## Meikle Couston Farm, Aberdour, Fife.

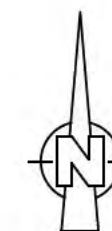
### Proposed: Landscape plan

1:500 scale

-20 -10 0 5 10 15 20



Metres



## Sunshine Design and Planning

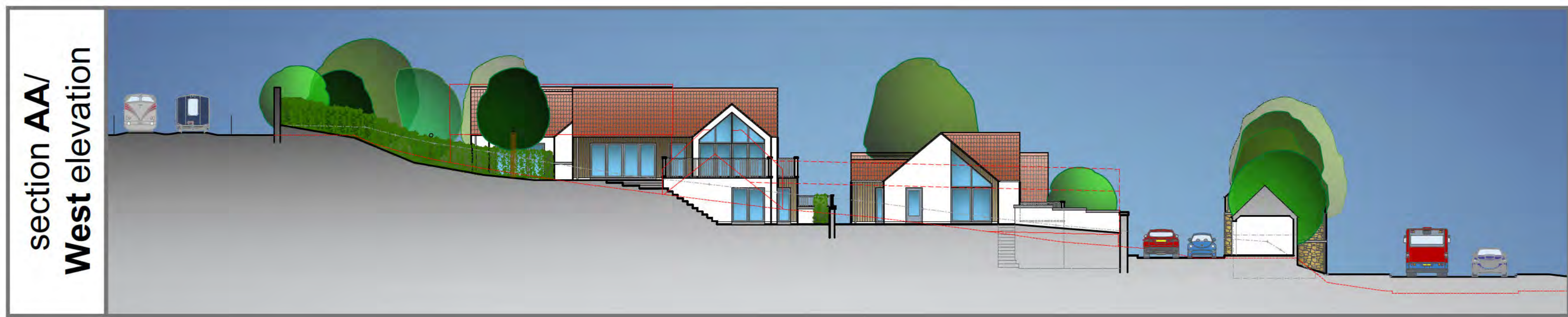
Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS

Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
A	Layout modified, bin store added and notes amended.	25/02/22

Client: <b>Mr C Mitchell</b>	date: Oct 2020	dwg. size: A3
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Scale: <b>1:500</b>	Dwg. No.: <b>L(PL)002</b>	revision: <b>2/2</b>





**Meikle Couston Farm, Aberdour, Fife.**  
Proposed: **Site cross-sections and elevations**  
1:200 scale



revision:	details:	date:	Client:	date:	dwg. size:
A	Garage/pod building moved and bin store added.	25/02/22	Mr C Mitchell	Oct 2020	A2
			Project:	drawn by:	checked:
			Meikle Couston Farm, Aberdour, Fife	MM	MM
			Drawing Title:	Job No.:	
			Proposed: elevations/site sections AA, BB and DD	M1/19/02	233
			Scale:	Dwg. No.:	revision:
			1:200	L(PL)003	A

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Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

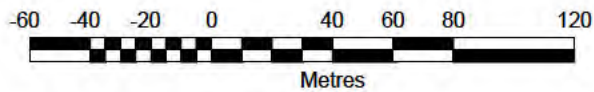
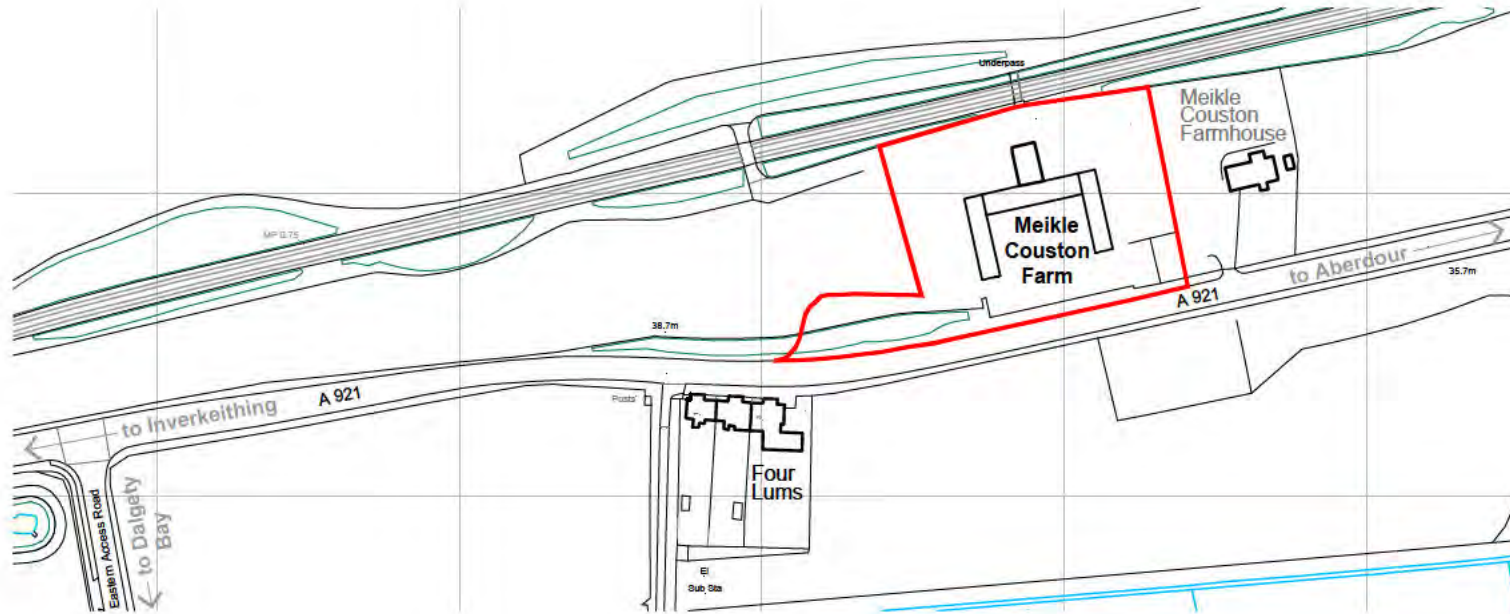


**Meikle Couston Farm, Aberdour, Fife.**  
 Proposed: **Site cross-sections and elevations**  
 1:200 scale



revision:	details:	date:	Client:	date:	dwg. size:
A	Garage/pod building moved and bin store added.	25/02/22	Mr C Mitchell	Oct 2020	A2
			Project:	drawn by:	checked:
			Meikle Couston Farm, Aberdour, Fife	MM	MM
			Drawing Title:	Job No.:	
			Proposed: elevations/site sections EE and FF	M1/19/02	234
			Scale:	Dwg. No.:	revision:
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~~Dimensions from this drawing~~  
 All dimensions to be checked on site



# Meikle Couston Farm, Aberdour, Fife.

Existing: Site location plan

1:2,500 scale

OS License No.: 100057546

OS License Date: 21 February 2022

# Sunshine Design and Planning

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS

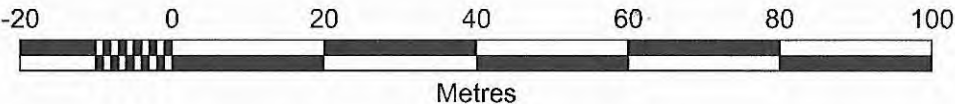
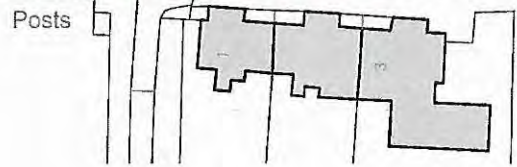
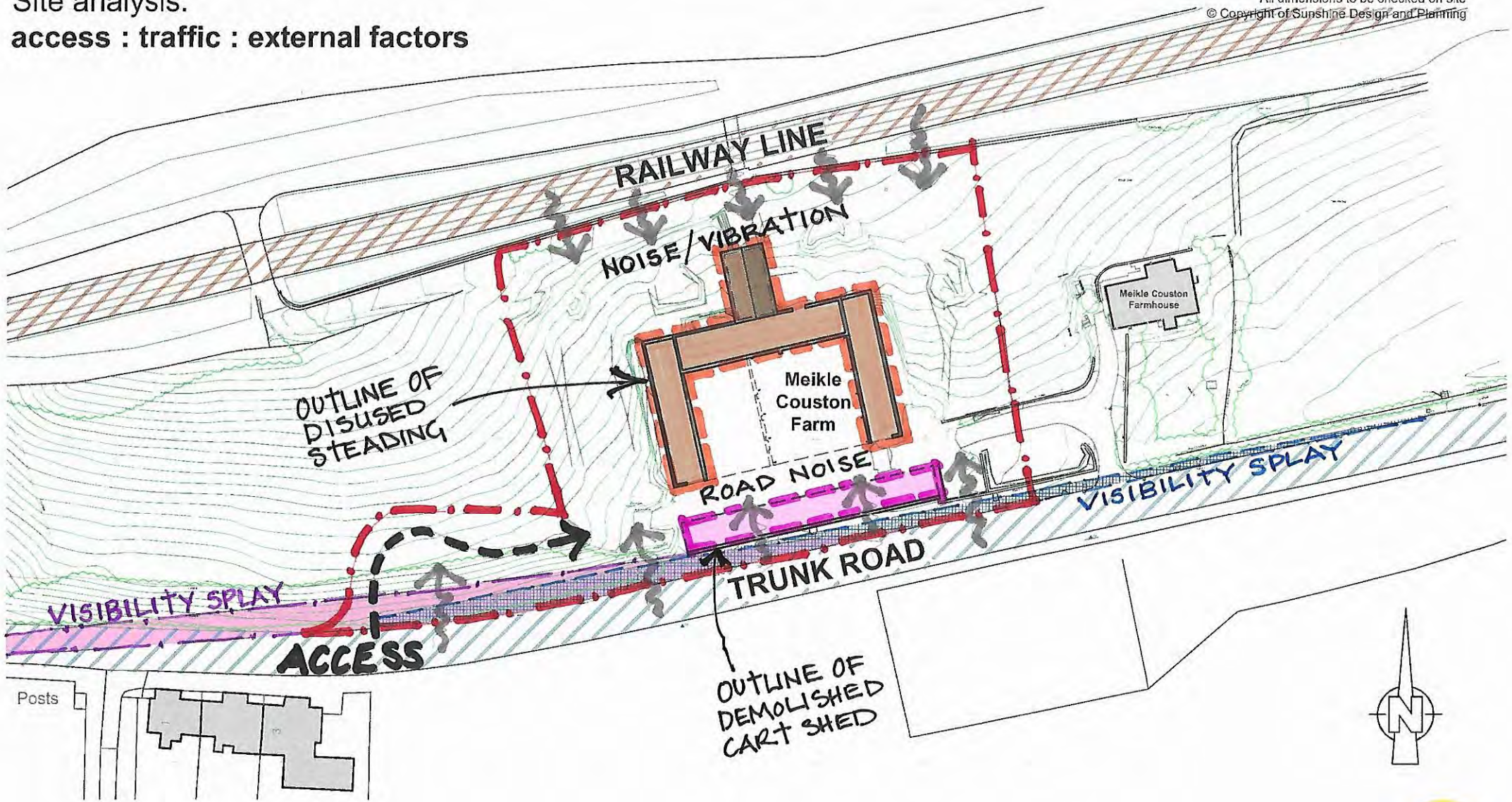
Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
A	Road name added to route leading to Dalgety Bay.	06/02/21
B	Map license renewed.	21/02/22

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A4
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Site analysis:  
 access : traffic : external factors

All dimensions to be checked on site  
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**Meikle Couston Farm**  
 Site analysis plan 02  
 Scale = 1:1,000

revision:	details:	date:
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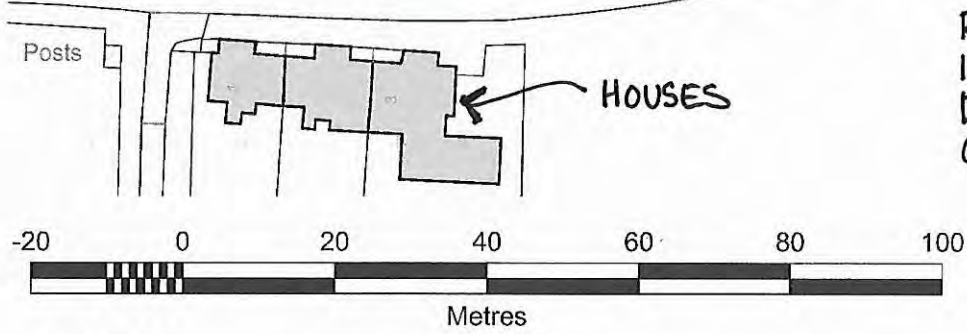
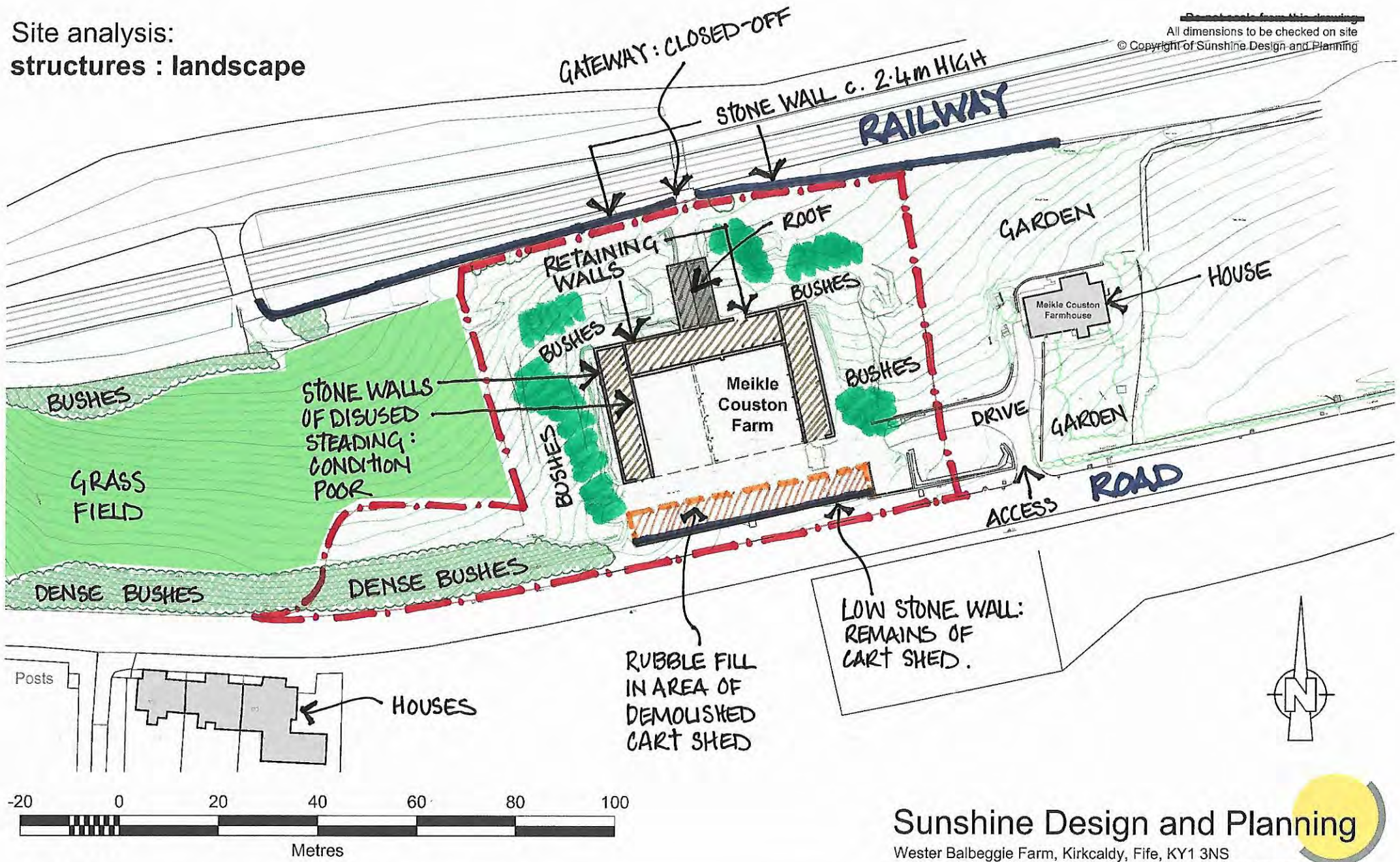
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 Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A4
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Drawing Title: <b>Site analysis plan 02</b>	Job No.: M1/19/02	
Scale: 1:1,000	Dwg. No.: L(EX)006	revision: 236

Site analysis:  
structures : landscape

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All dimensions to be checked on site



**Meikle Couston Farm**  
Site analysis plan 03  
Scale = 1:1,000

revision:	details:	date:
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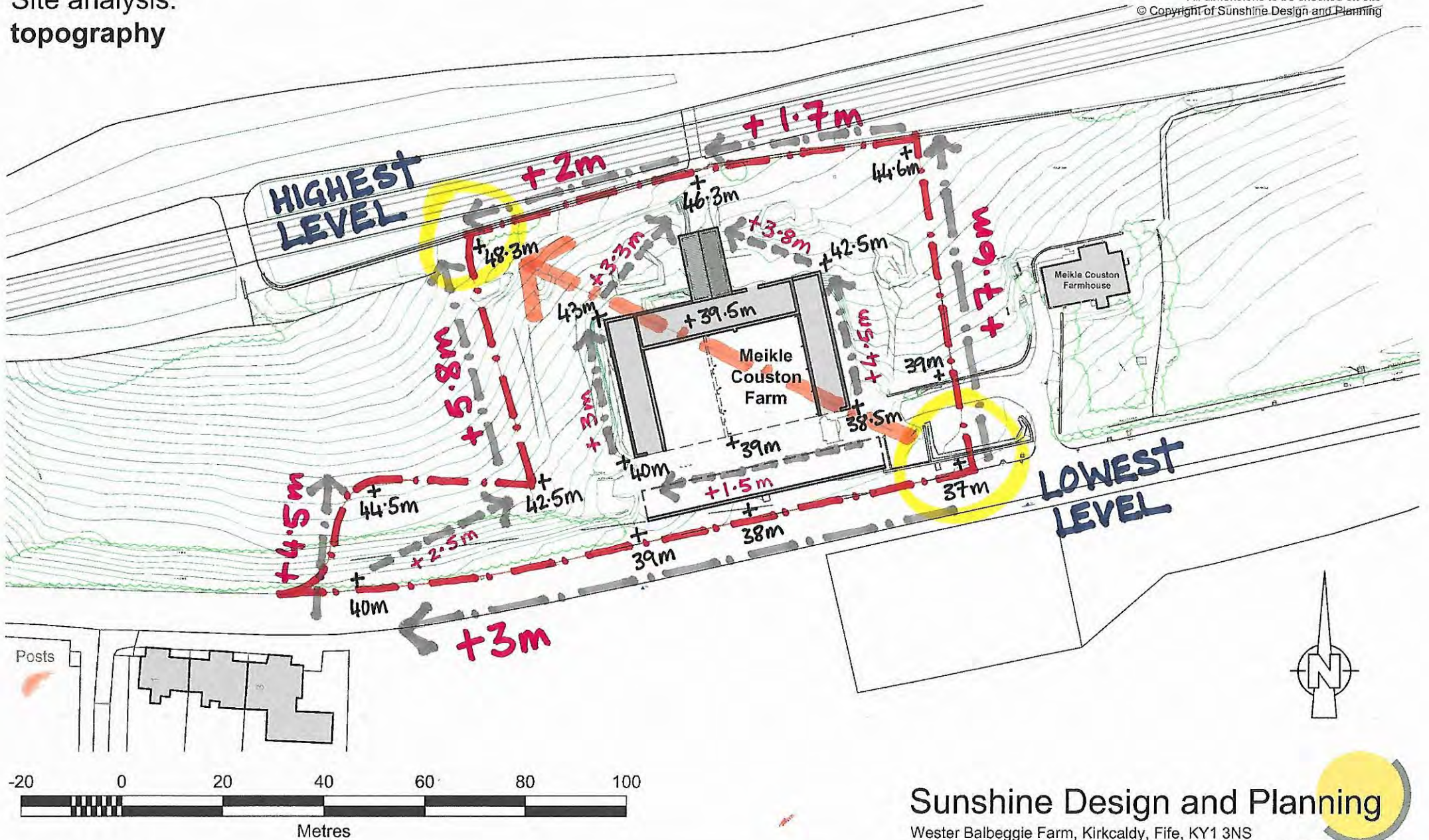
**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel.: 01592 630241 Mob.: 07917 890 715 Email. mary@sunshinedesignandplanning.co.uk

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A4
Project: <b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by: MM	checked: MM
Drawing Title: <b>Site analysis plan 03</b>	Job No.:	<b>M1/19/02</b>
Scale: <b>1:1,000</b>	Dwg. No.:	<b>L(EX)007</b>

Site analysis:  
topography

Dimensions from this drawing  
All dimensions to be checked on site  
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**Meikle Couston Farm**  
Site analysis plan 04  
Scale = 1:1,000

revision:	details:	date:
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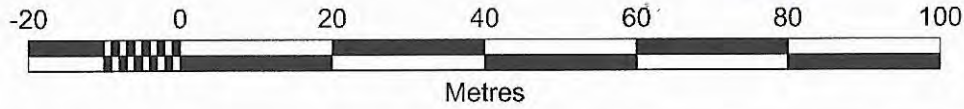
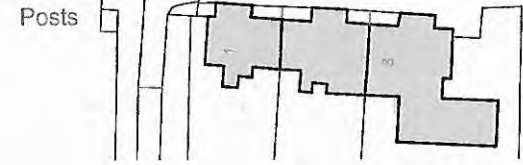
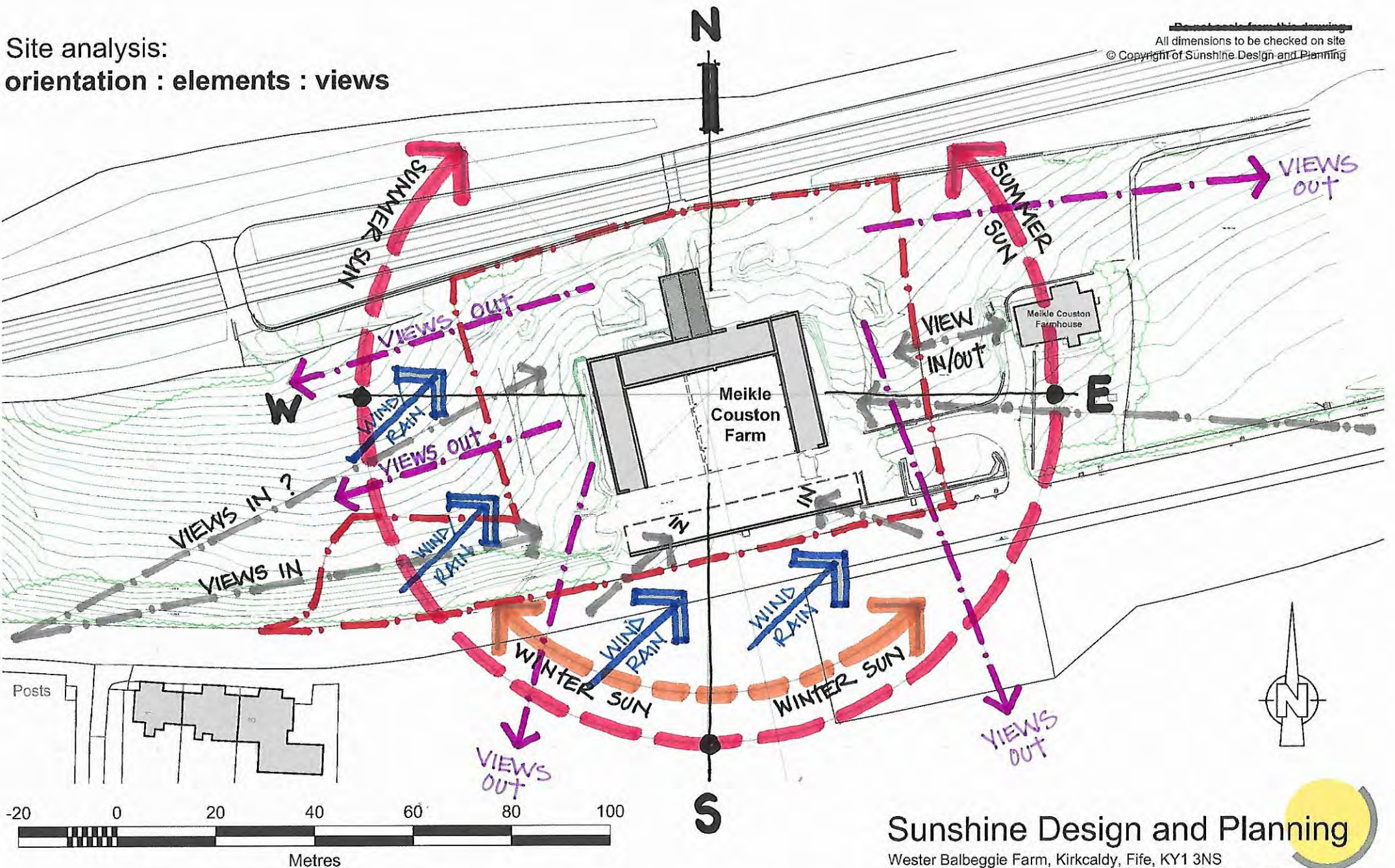
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Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A4
Project: <b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by: MM	checked: MM
Drawing Title: <b>Site analysis plan 04</b>	Job No.:	M1/19/02
Scale: <b>1:1,000</b>	Dwg. No.:	L(EX)008

Site analysis:  
orientation : elements : views

All dimensions to be checked on site  
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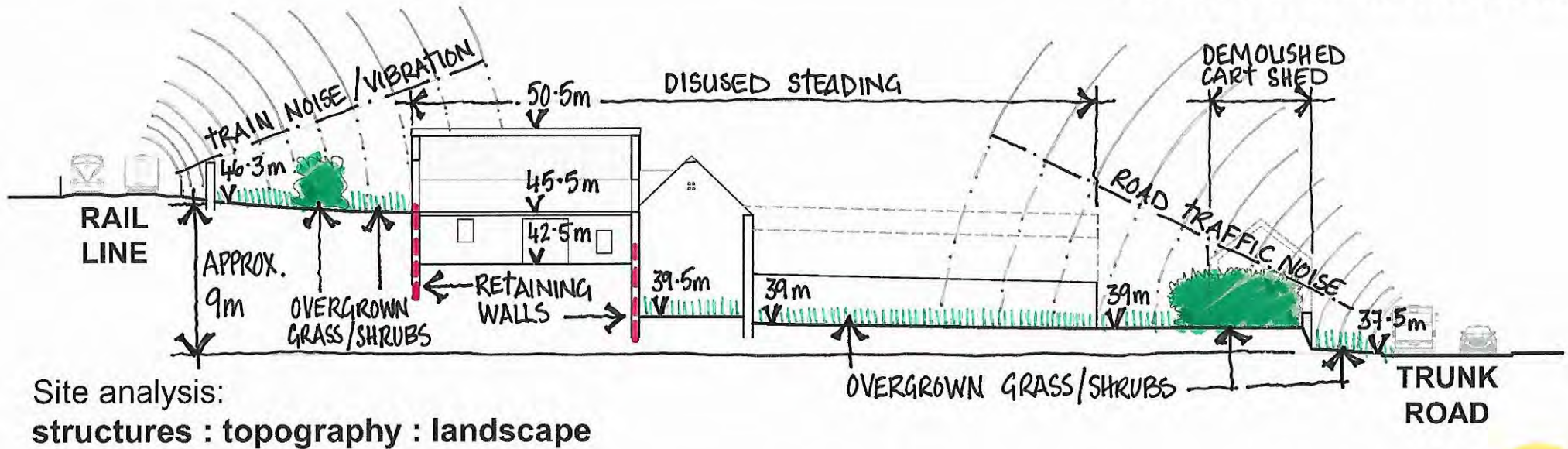
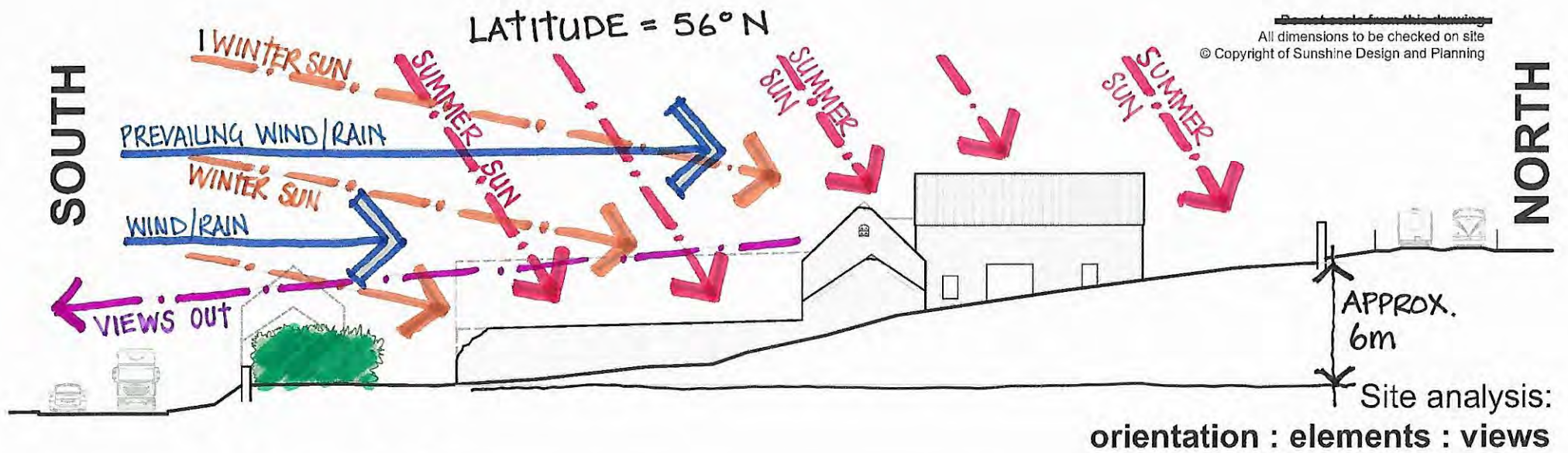
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Site analysis plan 01  
Scale = 1:1,000

revision:	details:	date:
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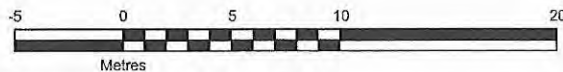
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Scale: <b>1:1,000</b>	Dwg. No.: L(EX)005	revision: --



# Meikle Couston Farm

## Site analysis cross-sections

Scale = 1:350



revision:	details:	date:
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## Sunshine Design and Planning

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Tel.: 01592 630241 Mob : 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A4
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Drawing Title: <b>Site analysis cross-sections</b>	Job No.:	M11/19/02
Scale: 1:350	Dwg. No.:	L(EX)009





**NOTES**

1. REFER TO DRAWING ACC-001 FOR VISIBILITY SPLAYS.
2. ACCESS PROPOSALS ARE INDICATIVE ONLY AND SHOULD NOT BE CONSIDERED A FINAL DESIGN.

**LEGEND**

PLANNING APPLICATION BOUNDARY

REV	DATE	DESCRIPTION	BY	CHK
0	02/22	FOR SUBMISSION	RL	ZR

CLIENT:  
MR CRAIG MITCHELL

PROJECT:  
MEIKLE COUSTON STEADING  
PROPOSED RE-DEVELOPMENT

DRAWING TITLE:  
**VEHICLE TRACKING**

SCALE:  
1:300 @ A1

DATE:  
FEBRUARY 2022

DRAWING NUMBER:  
**ACC-002**

REV:  
**0**

DRAWING STATUS:  
PLANNING PERMISSION IN PRINCIPLE

GONDOLIN LAND & WATER LTD  
EDINBURGH  
EH6 5DL  
T: +44 (0)7895 221230  
Registered Company No. SC706920



ACC-002 - Vehicle Tracking\_0.dwg

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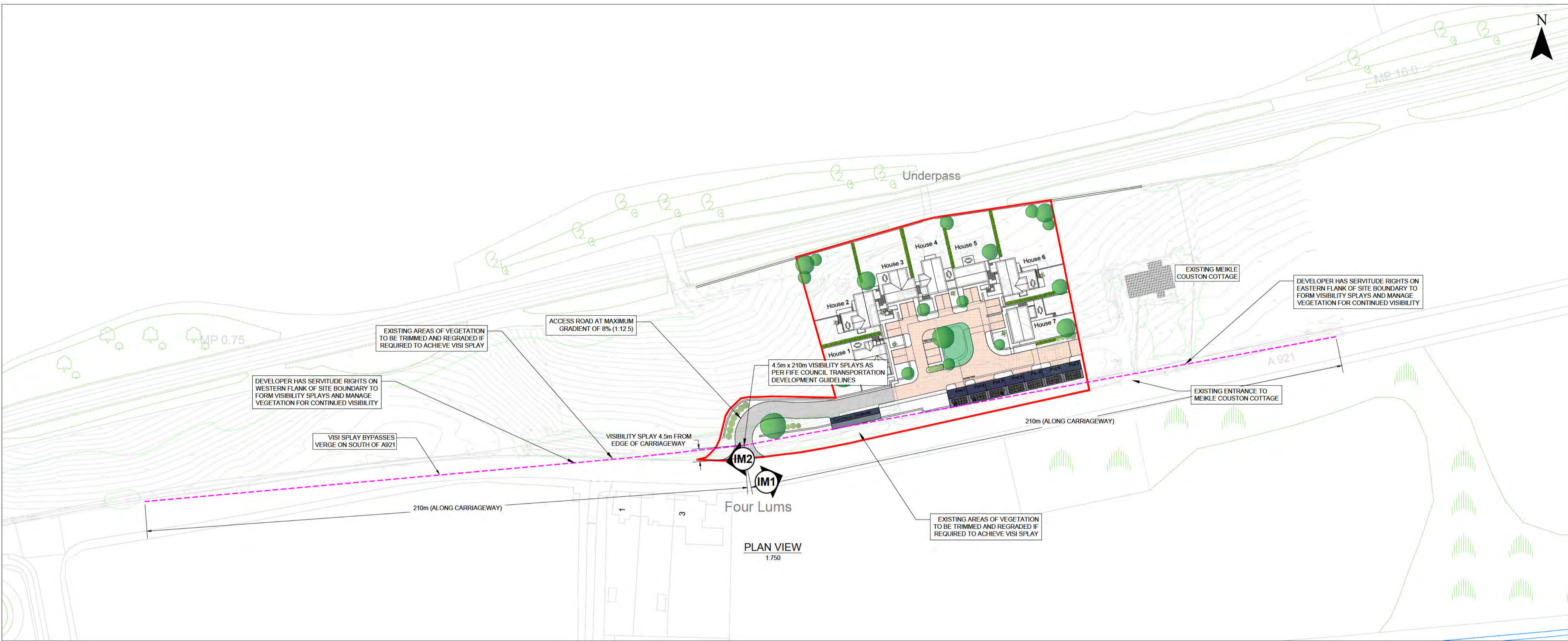


IMAGE 1 - VIEW EAST



IMAGE 2 - VIEW WEST

0	02/22	FOR SUBMISSION	RL	ZR
REV	DATE	DESCRIPTION	BY	CHK
CLIENT: MR CRAIG MITCHELL				
PROJECT: MEIKLE COUSTON STEADING PROPOSED RE-DEVELOPMENT				
DRAWING TITLE: VISIBILITY SPLAYS				
SCALE: AS SHOWN @ A1		DATE: FEBRUARY 2022		
DRAWING NUMBER: ACC-001			REV: 0	
DRAWING STATUS: PLANNING PERMISSION IN PRINCIPLE				
GONDOLIN LAND & WATER LTD EDINBURGH ENR 504 T: +44 (0)7995 221230 Registered Company No. SC706920				

## Michael Smith

---

**From:** CMRA <CMRA@coal.gov.uk>  
**Sent:** 28 February 2022 15:26  
**To:** Michael Smith; CMRA  
**Cc:** Craig Mitchell  
**Subject:** RE: [External] Meikle Couston Farm Steading, Aberdour KY3 0RX: FAO Matt


Dear Michael,

Thank you for sending that through, I've had a look on our systems and can confirm for you that your proposed development site, the area to the immediate west of Meikle Couston Farmhouse, lies off the development high risk area and will therefore not require a Coal Mining Risk Assessment.

If you require anything else at all please don't hesitate to get back in contact with us.

Please do not hesitate to contact the customer strategy and services. if you require further assistance our office contact number is (In the UK Tel: 0345 762 6848 Option 1) & for calling (Outside the UK Tel: 01623 637 000)

Kind regards,

 The Coal Authority

**Matthew Cheetham**


customer strategy and services

**Email:** [Groundstability@coal.gov.uk](mailto:Groundstability@coal.gov.uk)

**Website:** [www.groundstability.com](http://www.groundstability.com)



 The Coal Authority  
Our new industry leading official  
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report is here  
[Click here to find out more](#)

 please don't print this e-mail unless you really need to

---

**From:** Michael Smith <michael@bigredhen.co.uk>  
**Sent:** 28 February 2022 12:21  
**To:** CMRA <CMRA@coal.gov.uk>  
**Cc:** Craig Mitchell <craig@bigredhen.co.uk>  
**Subject:** [External] Meikle Couston Farm Steading, Aberdour KY3 0RX: FAO Matt

**WARNING: This email originated outside of the Coal Authority. DO NOT CLICK any links or open any file attachments unless you recognise the sender and know the content is safe. Check the spelling of any email addresses carefully for anything unusual. If you are unsure please contact the ICT Service Desk for guidance.**

Matt,

As discussed, please find attached the proposed site layout plan to allow you to confirm by email to me that this site is outwith the Coal Mining Development High Risk Area.

Regards,

Michael  
Michael Smith  
Newbigging Office  
Burntisland  
KY3 0AQ  
Tel: 01592 874555

---

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# Meikle Couston Steading, Dalgety Bay

High-Level Landscape and Visual Appraisal

April 2022



creative • environmental



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Figure 02: Landscape Designations and Designated Routes

Figure 03: NatureScot Landscape Character Types

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Figure 05b: VP01 Baseline Photograph

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Figure 06a: VP02 Viewpoint Location Plan

Figure 06b: VP02 Baseline Photograph

Figure 06c: VP02 Photomontage (Type 4 AVR 3)

Figure 06d: VP02 Photomontage (Type 4 AVR 3) – With former cart shed location

Figure 07a: VP03 Viewpoint Location Plan

Figure 07b: VP03 Baseline Photograph

Figure 07c: VP03 Photomontage (Type 4 AVR 3)

Figure 07d: VP03 Photomontage (Type 4 AVR 3) – With former cart shed location

## Appendices

Appendix A: Drawing L(PL)001 Rev B - Proposed Site Layout Plan

Appendix B-01: Historic Aerial Imagery & Photography showing Former Cart Shed

Appendix B-02: Historic Google Street View Imagery

## Version Control Sheet

Version	
Version	C
Date Issued	05th April 2022
Prepared by:	Suzanne Hyde
Approved by:	Ross Wilkie



## 1.0 Introduction and Overview

### 1.1 Introduction

Brindley Associates Ltd, Landscape Architects and Environmental Planners, (Brindley) were appointed by Joe Fitzpatrick on behalf of LRH Enterprises (hereafter referred to as the Client) to prepare a High-Level Landscape & Visual Appraisal in support of a planning application for a residential development near Dalgety Bay, Fife. (See Figure 01 for the proposed development site location.)

This appraisal has been prepared with reference to the Third Edition of the Guidelines for Landscape and Visual Impact Assessment (GLVIA3) (Landscape Institute in association with the Institute of Environmental Management and Assessment, 2013) and takes the form of a desk-top review, supported by a site visit undertaken by a Landscape Architect employed directly by Brindley. The site visit was used to confirm and develop the findings of the appraisal which has been reviewed by Chartered Landscape Architects employed by Brindley.

The following extract, taken from the GLVIA Statement of Clarification 4 (January 2013), gives guidance on the terminology to be used in non-ES Landscape and Visual Appraisals, such as this:

*"In carrying out appraisals the same principles and process as LVIA may be applied but, in doing so, it is not required to establish whether the effects arising are or are not significant given that the exercise is not being undertaken for EIA purposes. The reason is that should a landscape professional apply LVIA principles and processes carrying out an appraisal and then go on to determine that certain effects would likely be significant, given the term 'significant' is enshrined in EIA regulations, such a judgement could trigger the requirement for a formal EIA. The emphasis on likely 'significant effects' in formal LVIA stresses the need for an approach that is proportional to the scale of the project that is being assessed and the nature of its likely effects. The same principle – focussing on a proportional approach – also applies to appraisals of landscape and visual impacts outside the formal requirements of EIA."*

In line with current guidance contained in the GLVIA3, singular terms such as 'significant' and 'not significant' have not been used in this appraisal. Brindley considers it useful however to set out the level of residual effect predicted, and therefore, landscape effects are assessed to be either 'potentially adverse' or 'potentially beneficial'. The level of effect is assessed through a combination of two considerations – the sensitivity of the landscape element or view and the magnitude of effect that in this case, has resulted from the proposed development. This evaluation is carried out for each landscape receptor appraised in the report. For visual effects, a comparison is made between the nature of previous and current views including implementation of any mitigating measures outlined within this appraisal.

## 1.2 Objectives of the Appraisal

The key objectives of this appraisal are to:

- Establish existing baseline conditions by:
  - Identifying and evaluating the existing landscape within the proposed development site and the wider landscape within the study area, including landscape character areas and any landscape designations; and
  - Identifying existing views, visual relationships, and key visual receptors.
- Identify potential effects by:
  - Undertaking a site visit during September 2021, to gain a full appreciation of local landscape features, building groupings, characteristics, key views, and visibility patterns;
  - Identifying the main sources of landscape and visual effects associated with the proposed development; and
  - Determining the likely effects on landscape and visual resources.
- Identify suitable and locally appropriate landscape design measures to mitigate or reduce potentially adverse visual effects. These measures can include mitigation by design (embedded mitigation), and additional mitigation or enhancement measures, such as planting for ecological mitigation or screening of views.

## 1.3 Structure of the Landscape and Visual Appraisal

The appraisal is structured as follows:

- Section 1.0 Introduction and Overview;
- Section 2.0 Baseline Conditions;
- Section 3.0 Recommended Landscape Mitigation and Enhancement Measures;
- Section 4.0 Appraisal of Potential Landscape Effects;
- Section 5.0 Appraisal of Potential Visual Effects; and
- Section 6.0 Summary and Conclusions.

The contents of this appraisal are supported by several drawings. These are referenced throughout the text and included at the end of the document.

## 1.4 The Proposed Development

The proposed development comprises seven detached houses and seven office pods, along with associated infrastructure including a bin store, access road, parking spaces, private amenity space and new tree planting. See Appendix B: Drawing L(PL)001 Rev B - Proposed Site Layout Plan for a general arrangement of the development proposals.

In order to accommodate the above, the development proposals also include some ground reprofiling and the demolition of the existing derelict Meikle Couston Farm buildings.

## 2.0 Baseline Conditions

### 2.1 The Site

The proposed development site comprises an area of brownfield land adjacent to the existing inhabited Couston Farmhouse, approximately 1.8km to the north-east of Dalgety Bay. The most notable feature of the site is the ruins of a large farm building at its centre, known locally as Couston Farm Steadings. Most of the building's walls remain, although in a dilapidated state, and only the northernmost section of roof remains.

Historically the site also contained a significant stone cart house building to the front of the steading, however this was demolished in around 2010 by the Fife Council Building Standards & Safety Team, due to it being dangerous. The building was approximately 48m long and 6.5m high, lying parallel to the A921 approximately 4m from the road edge. Prior to its demolition, the building formed a prominent feature along this stretch of the road, owing to its scale, massing and proximity to the road edge. (See Appendix B.)

The remainder of the proposed development site is in an overgrown state and comprises a mixture of unmanaged rank grassland and scrub, the site also includes tall ruderal vegetation, gorse, and self-seeded tree saplings.

To the south the site is bound by the A921, which is the coastal route linking Kirkcaldy to the Forth Road Bridge, whilst to the north the site is bound by the East Coast Mainline railway. Immediately east of the site lies Couston Farmhouse, an existing dwelling and its associated private gardens. The site boundaries are defined by a mixture of stone walls and dense gorse scrub, with wooden palisade fencing defining the boundary with the garden at Couston Farmhouse. The western boundary of the proposed development site is currently undefined however, and the land to the west of the site comprises further unmanaged grassland with clusters of gorse scrub.

The site slopes downhill from approximately 47m AOD at the northern boundary with the railway line to 38m AOD at the southern boundary with the A921.

The proposed development site lies within the Cullaloe Hills and Coast Local Landscape Area (LLA), albeit only approximately 35m from the LLA boundary.

### 2.2 Landscape Setting

This appraisal examines land which lies within 1km of the site boundary, with a focus on those areas that have the potential to experience potential effects on landscape character as a result of development on the site (see Figure 03). The study area is entirely located within the Fife Council area, encompassing primarily arable farmland interspersed with large woodlands, including Moss Plantation, Kirkford Plantation, Crowhill Wood and Pinnelhill Wood. The south-western portion of the study area is covered by the eastern edge of the Dalgety Bay settlement and includes residential areas as well as industrial units at Hillend Donibristle Industrial Park.

The A921, which links the Forth Road Bridge to Kirkcaldy, passes through the centre of the study area in a broadly east to west direction. The only other transport route of significance is the East Coast Mainline railway, which lies immediately to the north of the A921 at the western edge of the study area, before diverting away from the road slightly as it passes the proposed development site.

The site lies within the Landscape Character Type (LCT) 185: Pronounced Hills and Craggs as identified by NatureScot, albeit very close to the LCT boundary. As a result, the adjacent LCT 192: Coastal Hills – Fife is equally considered as part of this assessment.

The Pronounced Hills and Craggs LCT occurs in 11 different areas in Fife and has pronounced and distinctive hills or hill ranges which stand out from the surrounding lowland landscapes. The portion which the proposed development site lies within is a relatively large area, stretching from Dalgety Bay approximately 1km west of the site to Kirkcaldy 13km to the north-east. The LCT is primarily rural, although small areas of Aberdour, Burntisland and Kirkcaldy lie with the LCT boundary. The majority of the LCT is designated as the Cullaloe Hills and Coast LLA (Fife) and is described as *“a series of hills generally falling towards the coast, with a steep sided, densely wooded ridge along its western edge (Cullaloe Woods).”*

As noted in the National Landscape Character Assessment, key characteristics associated with the Pronounced Hills and Craggs LCT which relate to the study area include:

- *“Important backdrops to other Landscape Character Types;*
- *Medium to large scale, open, simple landscapes;*
- *Woodlands, steadings and other buildings well-related to landform;*
- *Farm steadings and other individual buildings and structures and the lack of villages or larger settlements;*
- *Combination of steep sided, rugged, open landform and land cover on the hills, and the shallower, smoother, more vegetated and more intensively used lower slopes; and*
- *Some extensive views across other Landscape Character Types.”*

The Coastal Hills - Fife LCT occurs in 13 different areas along the Fife coast and is primarily defined by its association with the coast, with the linear character of the shores forming a key characteristic of this LCT. Other prominent linear features include main A and B roads and railway lines, which run through or alongside the LCT, with some low voltage power lines and stone dykes forming additional linear features.

The portion of the LCT adjacent to the proposed development site covers an area along the Firth of Forth between North Queensferry and Aberdour. In contrast to the majority of the Coastal Hills – Fife LCT areas, this coastal portion is fairly urbanised, encompassing the settlements of North Queensferry, Inverkeithing, Dalgety Bay and Aberdour.

As noted in the National Landscape Character Assessment, key characteristics associated with the Coastal Hills - Fife LCT which relate to the study area include:

- *“Close association with the coast, either through views of the sea, the Firths of the estuaries or indirect coastal experiences of sounds, smell etc;*
- *Extensive seaward views across the North Sea or the Firths and land beyond, but generally landward views are contained by hills in the near distance;*
- *Distinctive edges to the character type, created either by distinct breaks of slope or by rivers, roads, built development or the Coastal Cliffs or Coastal Braes;*
- *Some pasture and rough hill grazing on the poorer hill soils. Occasional field corner plantations and small semi-natural woodlands alongside burns; and*
- *Designed landscapes, castles, dovecotes historic villages and rural churches.”*

As noted above, the site lies within the Cullaloe Hills and Coast LLA (Fife), which covers a large portion of coastal landscape between Dalgety Bay and Kirkcaldy (see Figure 02). Although the site lies within the LLA however, it is very close the LLA boundary with the Dalgety Bay settlement edge.

The south-eastern portion of the study area is covered by St Colme Garden and Designed Landscape (GDL), an early 19<sup>th</sup>-Century parkland landscape which comprises a significant part of the former Donibristle estate. In terms of scenic value, the GDL is described as “*significant in contributing to the landscape character on this section of the Forth shore and the coastal settlements of Dalgety Bay and Aberdour. Views of the estate from the Forth and its role as open green space in a densely built up and expanding urban area, give the site high scenic value.*”

The study area contains a number of Core Paths throughout the study area, covering Dalgety Bay, St Colme and connecting to the surrounding landscape. The most notable in terms of the proposed development is P720/06, which passes the site’s southern boundary as it follows the A921. The Fife Coastal Path briefly enters the study area in its southernmost portion.

### 3.0 Recommended Landscape Mitigation and Enhancement Measures

#### 3.1 Landscape Design Principles and Measures

Landscape design principles have been developed with reference to the opportunities for a small residential development. The principles were also developed upon landscape analysis following site assessment work, an understanding of the needs of the development, the LCT and the immediate environment of the site.

It is considered that locating a residential development on the site can be accommodated through careful consideration of potential reprofiling of the proposed development site together with appropriate mitigation planting. Native tree, shrub and hedge planting is proposed throughout the development to integrate the proposals into the surroundings and mitigate the loss of existing gorse scrub along the A921. Areas of wildflower meadow are also proposed, to provide further visual integration and biodiversity enhancements.

Additional design measures include replicating the historic steading character of the proposed development site through the layout design. Proposed dwellings are orientated around a central space, whilst the proposed office pod building is in broadly similar location to the previously demolished cart shed building, mimicking its scale and massing.

### 4.0 Appraisal of Potential Landscape Effects

#### 4.1 Proposed Site and Wider Landscape Context

Due to the landform of the immediate surrounding area coupled with the screening provided by existing built form, woodland and scrub, the effects upon landscape character are considered to be localised to the proposed development site and short stretches of the A921 in close proximity to the proposed development.

These effects are considered to be minimal however, owing to the brownfield nature of the proposed development site and the prevalence of farm buildings previously occupying the site. The proposed buildings are located broadly within or near to the building footprint of demolished or dilapidated structures within the

brownfield site, minimising direct effects upon the local landscape character. Further, any effects are likely to be beneficial in nature, owing to the brownfield nature of the existing site.

Neither the LCT or LLA are predicted to experience potentially adverse effects as a result of the site given the extent of the overall LCT and LLA, the visual containment of the site and the minimal effects that the site exerts on the key characteristics of either classification.

## 5.0 Appraisal of Potential Visual Effects

The bareground Zone of Theoretical Visibility (ZTV) (see Figure 04) suggests that there would be extensive visibility of the proposed development across the central portion of the study area, however this visibility is heavily restricted by existing built form and vegetation. The north-eastern edge of Dalgety Bay, West Moss Plantation, Moss Plantation and Pinnelhill Wood all provide a high level of screening from the surrounding area. Additionally, existing roadside vegetation along the A921 provides a notable level of screening, particularly when the site is viewed from the west.

As a result of the screening noted above, both St Colme GDL and Fordell Castle GDL are predicted to experience negligible to no visibility of the proposed development.

In terms of transport routes, only the A921 and East Coast Rail Line are predicted to experience visibility of the proposed development, and in both cases this will be limited to a short stretch passing the site. It should be noted that the A921 is subject to the national speed limit as it passes the site, therefore users of both transport routes will generally only experience fleeting visibility of the proposed development.

The majority of the Core Paths within the study area will not experience any visibility of the proposed or consented development, with the exception of Core Path P720/06. This route follows the A921 as it passes the southern boundary of the proposed development site, and whilst designated as a Core Path it can be considered to be a link route rather than a recreational route. This is due to the fact that the A921 is a relatively busy road with cars travelling at speed and the pavement is fairly narrow. The combination of these factors limits the routes amenity value in this location, although it does provide a link between the recreational routes to the north and south.

Overall, potential visual effects across the study area as a result of the site would be limited to recreational users of Core Path P720/06, road users along a short stretch of the A921 and train passengers along a short stretch of the East Coast Main Line. In all three of these cases however, existing views are of a large, dilapidated farmhouse, and the proposed development could result in beneficial visual effects. Furthermore, historically users of Core Path P720/06 and the A921 experienced prominent views of the cart shed building, which was demolished several years ago.

Three representative viewpoints showing how the proposed development would be seen from publicly accessible areas have been visited. For each, viewpoint photography was recorded, and appropriate visualisations were produced, namely Type 4 AVR Level 3.

### 5.1 VP01: A921, at entrance to core path P712/03 (see Figures 05a-c)

This viewpoint is located approximately 35m to the west of the proposed development site boundary, on the A921 at the entrance to Core Path P712/03. The viewpoint is representative of recreational users of the Fife Core Path network at surrounding area, road users of the A921 travelling east and local residents of the nearby cottages.

The foreground is dominated by the A921 and dense roadside vegetation, comprising primarily gorse scrub with scattered self-seeded deciduous shrubs and small trees. Beyond this the dense woodland of Moss Plantation can be seen, along with the surrounding open fields.

The most prominent deciduous roadside vegetation from this viewpoint location would be retained based on the current proposed layout, along with a portion of gorse scrub, screening the majority of the proposed development. The landform itself also provides some screening from this location, so even in winter it is anticipated that only minor filtered views of the northern plot's roofs would occur.

A portion of the roadside gorse scrub would be removed during construction of the proposed development, allowing some visibility of the new access road, boundary walls, bin stores and office pods. Proposed tree and hedge planting helps integrate these visible built elements into the wider landscape however, and given the viewpoints close proximity to existing cottages, additional small-scale built form is in keeping with the surroundings.

Whilst the proposed office pods and bin store are the most prominent proposed features in the view, it should be borne in mind that these are of a similar scale and massing to the cart shed building which was historically sited in a similar location on the site (see Figure 05d).

Despite this viewpoint's close proximity to the proposed development site boundary, the proposed development would not be an overly dominant feature in the view. Whilst potentially adverse visual effects are anticipated from this location, these effects are considered to be minor to moderate.

### 5.2 VP02: A921, east of site (see Figures 06a-c)

This viewpoint is located approximately 180m to the east of the proposed development, on A921 / Core Path P712/06, from a location where the topography afforded a reasonably elevated and clear view of the site. The viewpoint is representative of users of the Fife Core Path network and road users of the A921 travelling west.

The foreground comprises the A921 road surface and the associated roadside vegetation, which along this stretch of the road consists of primarily native species hedgerow. In the middle distance the dwelling at Couston Farmhouse is visible, albeit partially screened by a cluster of shrubs and small deciduous trees. The rear garden and associated boundary fence are clearly visible in the view, whilst the ruins of Couston Farm Steadings can be seen behind the existing dwelling.

Beyond Couston Farmhouse the stone wall which forms the boundary with the East Coast Main Line is clearly visible, with Pinnelhill Wood beyond. The railway line itself is not visible, although some visibility of the tops of passing trains may occur. As the A921 disappears from view beyond the proposed development site, the row of cottages close to the proposed site entrance can be seen against the backdrop of West Moss Plantation.

From this location, the majority of the proposed residential development would be screened from view by Couston Farmhouse and its associated vegetation. The majority of the screening vegetation is deciduous however, therefore further filtered views of the development are predicted during the winter months. The majority of the visible development would be of a similar scale to the existing derelict steading however, minimising the increase of built form in the view.

The office pods, which sit set back a short distance from the A921, would be clearly visible. They would primarily be set against the backdrop of surrounding tree cover however and would be seen in the context of existing dwellings. It should also be noted that whilst the proposed office pods are clearly visible in the view, this building is of a similar scale and massing to the cart shed building which was historically sited in a similar location on the site (see Figure o6d).

The removal of roadside vegetation would be difficult to discern from this location, particularly by road users travelling at speed. The proposed tree planting in the northern portion of the proposed development would provide some additional screening to passing trains, providing a potentially beneficial visual effect.

Any potentially adverse visual effects from this viewpoint are predicted to be minor, as the proposed development will not appreciably increase the presence of built form in the view, and the majority of receptors are likely to be travelling at speed. Potentially beneficial effects are also predicted, due to the removal of the derelict steadings and brownfield setting.

### 5.3 VP03: A921, at junction with Eastern Access Road (see Figures o9a-c)

This viewpoint is located approximately 235m to the west of the proposed development site, from the A921 junction with Eastern Access Road, which leads to the residential developments on the eastern fringes of Dalgety Bay. The viewpoint was taken adjacent to a small open space with a SuDS basin, which is used by local residents and dog walkers. This viewpoint is therefore representative of road users and local residents.

The immediate foreground comprises the road and junction, with associated street furniture such as bollards, streetlighting and road signs. Immediately adjacent to the junction lies a small open field bound by a post-and-wire fence, with Moss Plantation and a small row of cottages visible beyond.

Beyond the A921 lies an unmanaged slope which separates the road from the railway line to the north, comprising a mixture of improved grassland, swathes of gorse scrub, and clusters of roadside trees and shrubs.

The majority of the proposed development would be screened from this location, primarily due to the landform. Existing vegetation provides further screening, however as this is deciduous there may be some additional visibility of the proposed residential buildings during winter, albeit in the form of filtered views.

Vegetation removal associated with the construction of the proposed development would be technically visible, but difficult to determine with the naked eye due to surrounding vegetation to be retained.

Due to the limited visibility of the proposed development, visual effects are predicted to be negligible from this location.



## 6.0 Summary and Conclusions

The proposed development site comprises a small parcel of unmanaged brownfield land comprising improved grassland and scrub with a large derelict farm steading at its centre. The site lies close to the eastern fringes of Dalgety Bay and is bounded to the north by the East Coast Main Line railway and to the south by the A921 road corridor.

Historically, the site contained a number of large farm buildings, including a 48m long cart shed building in close proximity to the A921. The cart shed building was demolished a little over 10 years ago due to safety concerns, and the larger buildings towards the centre of the site are currently in an extremely dilapidated state.

Due to its relatively small extents, extremely contained nature and the historic prevalence of buildings on the proposed development site, no adverse effects upon wider landscape character are predicted.

Visually, it is considered that the site is currently well contained by existing topography and existing tree cover, to the extent that all views within this appraisal show that the proposed development would primarily be seen within the close context of existing dwellings.

From where the proposed development will be visible from public locations it does not appear visually dominant and would either replace views of a currently derelict building or re-introduce built form which has previously been demolished. The vast majority of the study area would experience no visibility of the proposed development, or minimal visibility due to screening provided by existing buildings and vegetation. The exception to this is a section of the A921 road corridor, over a distance of approximately 1.3km. It should be noted however, that the majority of receptors along this route would be road users, who would experience views sequentially, at speed, and these views would be dependent on the direction of travel.

In summary therefore it is considered that the site has limited potential to give rise to substantial landscape or visual effects and that the proposed mitigation can allow it to integrate acceptably with the existing surrounding landscape.

## 7.0 Figures

## 8.0 Visualisations Package Methodology Statement

### Zone of Theoretical Visibility Mapping

Computer modelling has been utilised to illustrate the effects of the proposed development through the production of Zone of Theoretical Visibility (ZTV) mapping. ZTV maps indicate those areas of land from which the proposed development might appear as part of a view. As such, they provide a means of identifying potential receptors (landscape and visual) in order for an assessment to be undertaken.

The ZTVs utilised to inform the assessment have been generated in 'WindFarm R5' software produced by ReSoft. In the software, the ZTV has been banded in colour to demonstrate where the proposed development may theoretically be seen from any point in the study area.

The ZTV maps produced have utilised OS Terrain 5 dataset at 5m grid intervals. There are limitations in this theoretical modelling, and these should be borne in mind when viewing and using the ZTV Figures. Firstly, the ZTV shown in Figure 05 illustrates the 'bareground' situation and does not consider the screening effect of vegetation, buildings or other localised features that may prevent or reduce visibility.

Secondly, there may still be small-scale topography discrepancies that could alter actual visibility of the proposed development, either by screening theoretical visibility or revealing parts that are not theoretically visible. Finally, the ZTV map does not consider: the likely orientation of a viewer; the direction and speed of travel; or the angle of view. There is also no allowance for reduced visibility associated with distance, weather or lighting conditions.

Finally, the development proposals include some reprofiling of the site, which includes a reduction in the ground level for some residential plots. This has not been taken into account in the calculation, in order to present the worst-case scenario.

### Visualisations Introduction

A photomontage is an illustration of a proposed development that is as accurate as is feasibly possible within the limits of the equipment and software used. Although it is never possible to be completely accurate due to minor errors in survey data and photographic distortion, implementation of a robust methodology based on accurate survey and proposal information will result in a negligible degree of error.

It should be borne in mind that the visual character of the proposed development will undoubtedly appear differently when viewed in varying weather and/ or lighting conditions. It must also be noted that photomontages cannot accurately convey a view as experienced on site. They should therefore be treated as an artist's impression of the proposed development rather than as a true representation. Wireframe representations, in particular, can overemphasise the proposed development, making it appear more prominent than it would in the landscape.

### Photography

Viewpoints are locations where visibility of the proposed development is theoretically available and are representative of specific conditions and / or receptors. They are useful for assessing specific views from sensitive locations and a diverse number of receptor groups, and are selected to be representative of visibility patterns in the study area. They are also useful in illustrating indirect landscape effects. Viewpoints are, by their nature, static representations located in publicly accessible areas such as roads, tracks and footpaths, which in reality tend to be experienced by receptors moving through the landscape together with other views.

---

The three representative viewpoints illustrated were selected following a site visit to the proposed development site and surrounding area. The chosen viewpoint locations have been selected to illustrate potential visibility of the site in the wider landscape and along the A921.

Site photography for the photomontages was undertaken in September 2021 and is representative of the typical weather conditions experienced at this time of year. All viewpoints were micro-sited, on-site, to ensure worst case visibility of the proposed development from the representative location and to avoid foreground objects, where possible.

In line with best practice guidance (Visual Representation of Development Proposals, Technical Guidance Note 06/19 Landscape Institute, September 2019), photography utilised for the preparation of images was taken with a digital SLR camera with full frame (35mm) sensor, using a 50mm focal length prime lens, mounted on a level tripod with levelled panoramic head. The centre of the camera lens was positioned at a height of 1.5m to 1.65m above ground level. All photography was taken in landscape format.

### Survey

In the production of Type 4 visualisations, location data is required for camera viewpoints and a number of reference points which are used to accurately match the digital CGI model to the photograph. The reference points are details within the view that are easily identifiable and are commonly features such as terrain, buildings and telegraph poles. Ordnance Survey (OS) grid coordinates of the camera tripod location were obtained using a hand-held GPS unit. As there is a margin of error with hand-held GPS units, viewpoint coordinates were adjusted slightly where required, based on aerial imagery and OS data. 3D topographic survey data was used in combination with OS mapping, terrain data and GIS aerial imagery to provide reference points for accurately aligning the digital CGI model and the photograph.

### Photography Post-Production

All visualisations shown have a horizontal field of view of 53.5° and are presented in planar projection, to provide binocular scaling in line with LI Visualisation Guidance. Where possible, it was ensured that the entire development was visible within the image whilst providing sufficient landscape and visual context. Some fine-tuning of the photography settings has been used during post-production to reduce distant haze or improve the lighting conditions making the image clearer, however this was kept to a minimum.

In order to produce base photography with a horizontal field of view of 53.5°, several single frame images were 'stitched' together in cylindrical format using Kolor Autopano Giga software. To ensure the minimum of optical distortion and parallax error, the following precautions were taken:

- When taking the photography, a tripod with a panoramic head was used. The levelling plate, set between the tripod and the tripod head, ensured that the plane of rotation of the camera was exactly horizontal. This avoids 'stepping' – the result effect of misaligned adjacent frames of photography;
- To eliminate parallax error, a sliding plate on the tripod head was used. This allowed the camera to be positioned so that the nodal point of the lens was positioned over the axis of rotation;
- The photographs were taken in 15° increments, to allow for an overlap of 50% between adjacent frames in the photography stitching software. This means that each panorama is constructed using only the central 50% of each photograph, discarding the areas with the greatest amount of lens distortion;

- The photography stitching software automatically generates control points for aligning the photographs to each other. These control points were refined manually, removing inaccurate points and adding additional ones where necessary to ensure the final image was subject to the minimum level of distortion; and
- The stitched photograph's vanishing point was adjusted to match the camera in the 3D model.

### Construction of digital model

Firstly, the topographic survey and OS data was imported into digital modelling software (3DS Max) and used as a reference to accurately locate the proposed development model at OS grid coordinates. The proposed site layout drawing was then imported and used as a reference for the creation of a site model.

Models of the proposed buildings were created based on site sections provided by the project architect, which illustrated the dimensions and textures of the structures. These models were imported and accurately positioned using the site layout drawings and topographic survey terrain as a base. The site sections were then further referred to in order to calculate proposed level changes, and the terrain base was adjusted accordingly. Realistic textures were applied to the proposed buildings and site surface, and daylight systems were applied to ensure accurate shading in the CGI renders.

Finally, proposed mitigation planting was added to the digital model. Realistic species were modelled as per the Landscape and Biodiversity drawing provided by the project architect, to demonstrate the likely screening effect this planting would create.

In order to create the visualisations illustrating the location of the demolished cart shed building, 2D section drawings were used in combination with historic imagery to create a simple model. As the building was demolished several years ago, only PDF information was available, but this was used to estimate the building height, massing and location with enough accuracy. The digital model was then set on the topographic survey terrain surface.

### Construction of visualisations

Once the model of the development was completed, the viewpoint photography information was imported into the model. A wireframe image with a 53.5° horizontal angle of view, including the topographic survey and OS data, was exported for each viewpoint location. The wireframes were then accurately matched to each photograph using the topographic survey and OS data to determine the scale and position of the wireframe within the photograph. The wireframe was never distorted to fit the photograph. As all the above survey and photography methodology had been undertaken, a good fit between photograph and wireframe was possible by simply scaling and positioning the wireframe, together with some minor rotation of the panoramic photograph to correct slight levelling errors. Illustrations demonstrating how the model has been aligned to the photograph can be made available upon request.

Once the wireframe had been aligned satisfactorily, realistic CGI renders of the model were exported at the calculated image size. These images are based upon viewpoint and camera details recorded during site work and have been rendered to match the time of day and lighting conditions in the photograph to provide a realistic image.

Finally, the photomontage was completed by masking those parts of the CGI image which would be hidden by foreground objects, and areas of vegetation to be removed were 'painted out' as required. This aspect of the work was undertaken using Photoshop CC software, with reference made to the digital model in instances

where there was any uncertainty regarding which elements of the photograph screen the proposals or which areas of vegetation would be removed. The CGI was then further adjusted to ensure proposed materials shown match the surroundings in terms of lighting; however, some photographic elements may be carefully added for enhanced realism for select views.

### Construction of the visualisations package

Finally, the completed visualisations were converted from cylindrical to planar format using 'WindFarm R5' software produced by ReSoft. All visualisations included in the package comprise panoramic images with a 53.5° horizontal angle of view, utilising planar projection. These images must be viewed at a certain distance and image size, as indicated on each Individual visualisation, in order to obtain an accurate representation of the proposed development within the baseline view. Where possible, visualisations show the proposed and consented developments in the centre of the image.

### Summary Tables

Photography	Response
Method used to establish the camera location	Hand-held GPS on site, adjusted where required based on aerial photography & OS data
Likely level of accuracy of location	Better than 3m
Coordinate system used	OS Grid
Camera make and model	Canon 6D
Lens make and model	Canon EF 50mm
Panoramic head make and model	Manfrotto panoramic head and leveller
Photography orientation	Landscape
3D Model	Response
Source of topographic height data	Topographic Survey in combination with OS Terrain 5
How have the model and the camera locations been placed in the software?	Hand-held GPS coordinates / topographic survey data in combination with GIS aerial mapping
Elements in the view used as target points to check the horizontal alignment	Topographic Survey in combination with OS Terrain 5
Elements in the view used as target points to check the vertical alignment	Topographic Survey in combination with OS Terrain 5
3D modelling and rendering software	3DS Max and Vray Next

External Information Utilised in Preparation of Supporting Photomontages		
Drawing Reference and Title	Drawing Date/ Date Received	Provided By
Miekle Couston drawing L(EX)002 - existing site layout plan (A3 size)	01 <sup>st</sup> March 2022	Sunshine Design and Planning
Miekle Couston drawing L(PL)001 rev B - proposed site layout plan (A2 size)	01 <sup>st</sup> March 2022	Sunshine Design and Planning
Miekle Couston drawing L(PL)002 rev A - proposed landscaping and biodiversity plan (A3 size)	01 <sup>st</sup> March 2022	Sunshine Design and Planning
Miekle Couston drawing L(PL)003 rev A - proposed sections AA BB and DD (A2 size)	01 <sup>st</sup> March 2022	Sunshine Design and Planning
Miekle Couston drawing L(PL)004 rev A - proposed sections EE and JJ (A2 size)	01 <sup>st</sup> March 2022	Sunshine Design and Planning
Meikle Couston Topo	1 <sup>st</sup> December 2021	Sunshine Design and Planning

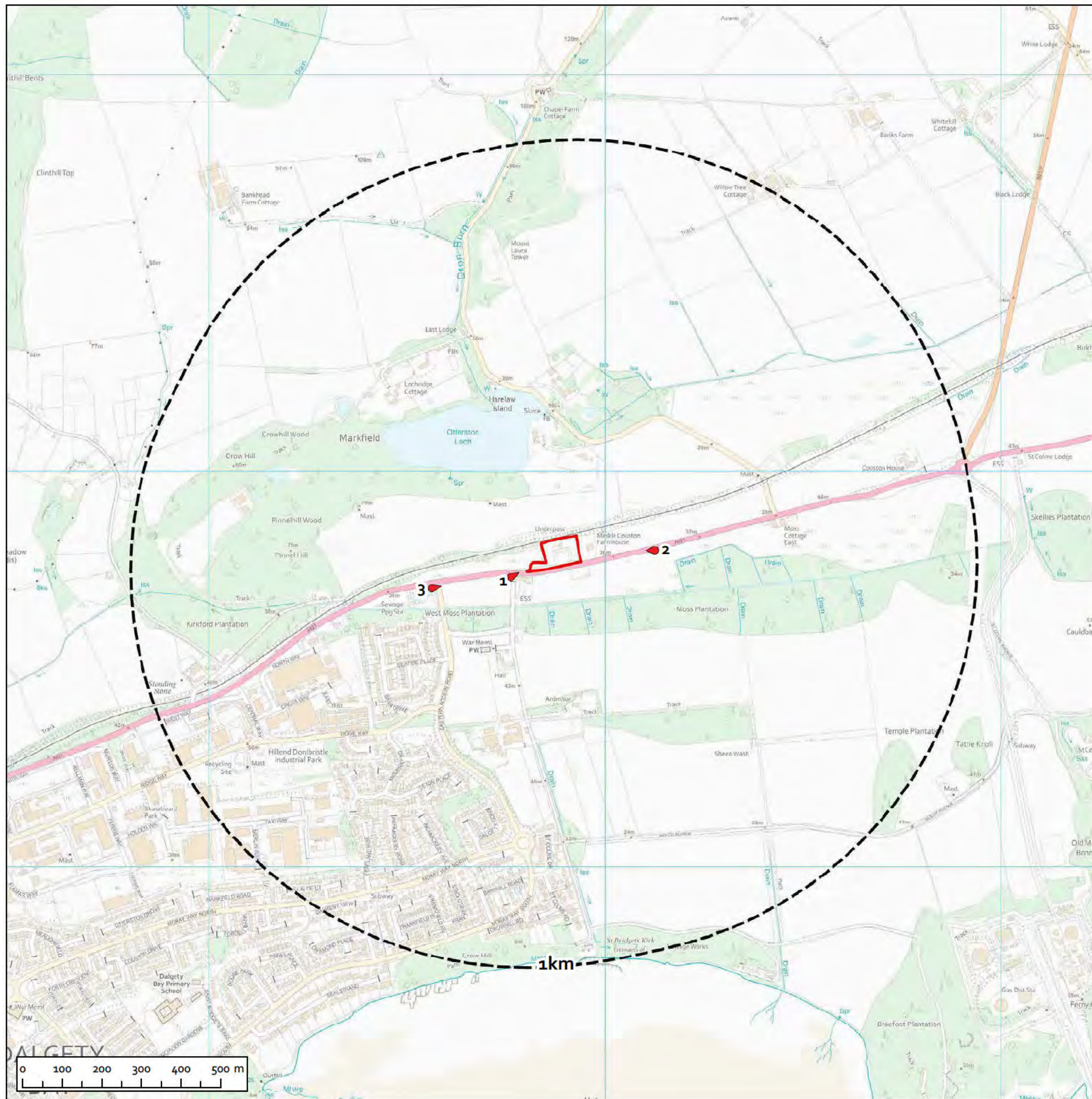


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**Legend**

-  Site boundary
-  Study area (1km offset from site boundary)
-  Viewpoint location

**Viewpoint Information**

1. A921, at entrance to core path P712/03 (Grid ref. 316769, 684736)
2. A921, east of site (Grid ref. 317118, 684799)
3. A921, at junction with Eastern Access Road (Grid ref. 316570, 684706)

**Site Location**

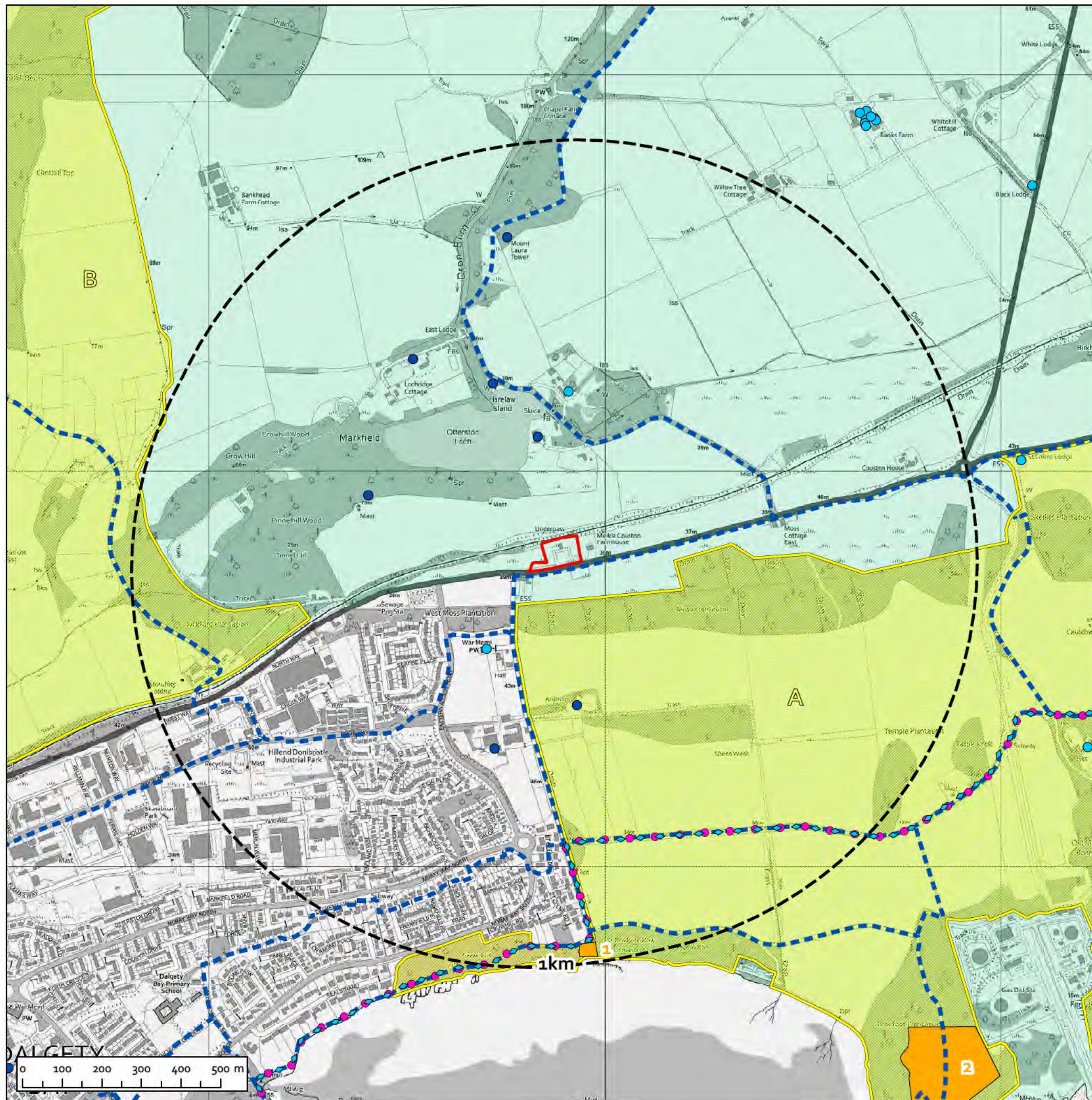


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








Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: Site Location Plan with Viewpoint Locations	
Scale: 1:10,000 @ A3	Date: 18 / 03 / 2022
Figure No: 01	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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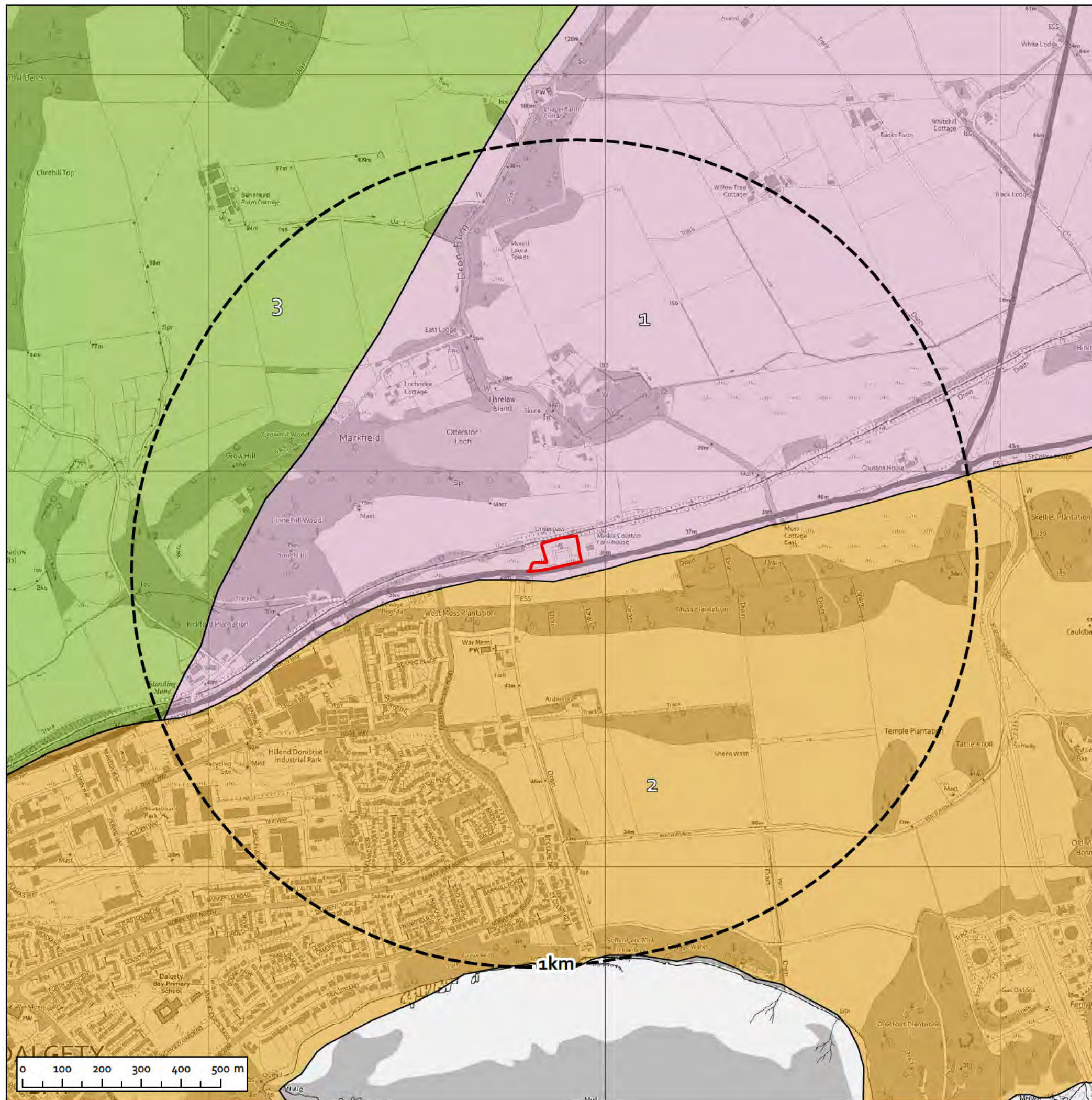
**Legend**

-  Site boundary
-  Study area (1km offset from site boundary)
- Landscape Designations**
-  Local landscape area (Fife):  
- Cullaloe Hills and Coast
- Cultural Heritage Designations**
-  Gardens and designed landscapes:  
A. St Colme  
B. Fordell Castle
-  Scheduled monuments:  
1. St Bridget Kirk  
2. Barefoot point, Bettyery (outwith study area)
- Listed Buildings**
-  Listed buildings:  
- Category B
-  Listed buildings:  
- Category C
- Designated Routes**
-  Core path
-  Scotland's Great Trails:  
- Fife Coastal Path
-  National cycle network:  
- Route 76






Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: Landscape Designations and Designated Routes	
Scale: 1:10,000 @ A3	Date: 18 / 03 / 2022
Figure No: 02	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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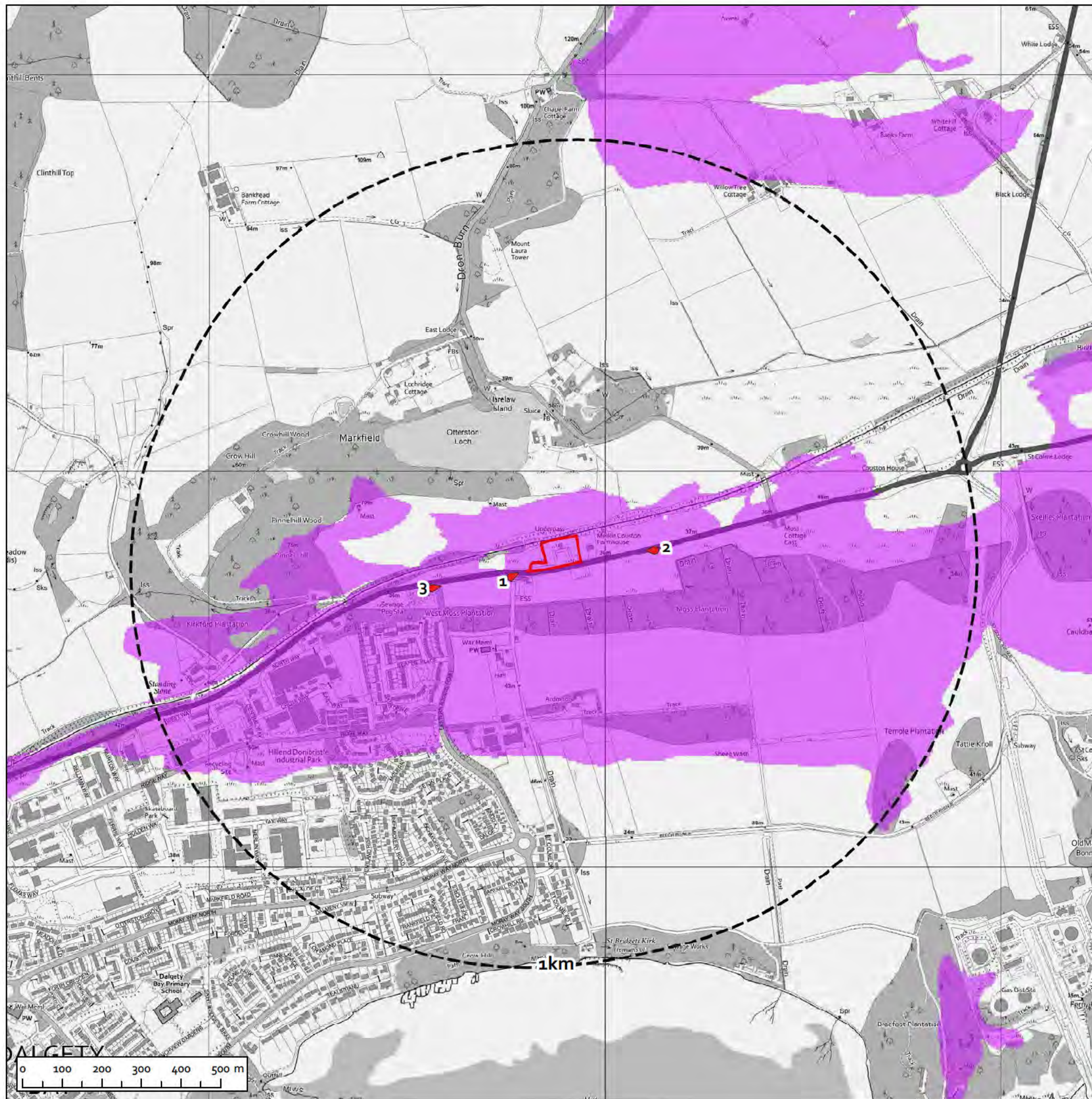
**Legend**

-  Site boundary
-  Study area (1km offset from site boundary)
- Landscape Character Types (LCTs) NatureScot 2021**
-  LCT 185: Pronounced hills and crags
-  LCT 192: Coastal hills - Fife
-  LCT 186: Lowland hills and valleys





Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: NatureScot Landscape Character Types	
Scale: 1:10,000 @ A3	Date: 18 / 03 / 2022
Figure No: 03	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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### Legend

-  Site boundary
-  Study area (1km offset from site boundary)
-  Viewpoint location
-  Proposed development theoretically visible (36.04% of 1km study area)

### Notes

1. Predicted visibility is defined from an observer eye level of 2m above ground.
2. Created using Ordnance Survey Terrain 5 dataset at 5m grid intervals.
3. The analysis does not take into account intervening screening by vegetation or buildings.
4. Reproduced from OS VectorMap Local Raster mapping by permission of Ordnance Survey.
5. Earth's curvature and light refraction has been included in the calculation.
6. The software used to create this ZTV does not use mathematically approximate methods.

### ZTV Run Data

Site centre: 316882, 684790  
 Resolution: 5m  
 Calculation: Single development  
 Counting method: 1 for each point visible  
 Visible points: Ridgeline height (8.5m)  
 % of 1km study area with theoretical visibility: 36.04%

### Viewpoint Information

1. A921, at entrance to core path P712/03 (Grid ref. 316769, 684736)
2. A921, east of site (Grid ref. 317118, 684799)
3. A921, at junction with Eastern Access Road (Grid ref. 316570, 684706)

Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: Bareground Zone of Theoretical Visibility	
Scale: 1:10,000 @ A3	Date: 18 / 03 / 2022
Figure No: 04	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde





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### Legend

-  Viewpoint location
-  Site boundary

### VP01: A921, at entrance to core path P712/03

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m  
 Direction of view: 63°  
 Distance to site boundary: 35m

### Tripod Location Photograph



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP01: Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 18/03/2022
Figure No: 05a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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View flat at a comfortable arm's length  
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Baseline Photograph



**Figure Number: 05b**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3)



**Figure Number: 05c**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - With former cart shed location

View flat at a comfortable arm's length  
If viewing this image on a screen, enlarge to full screen height



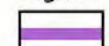
**Figure Number: 05d**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

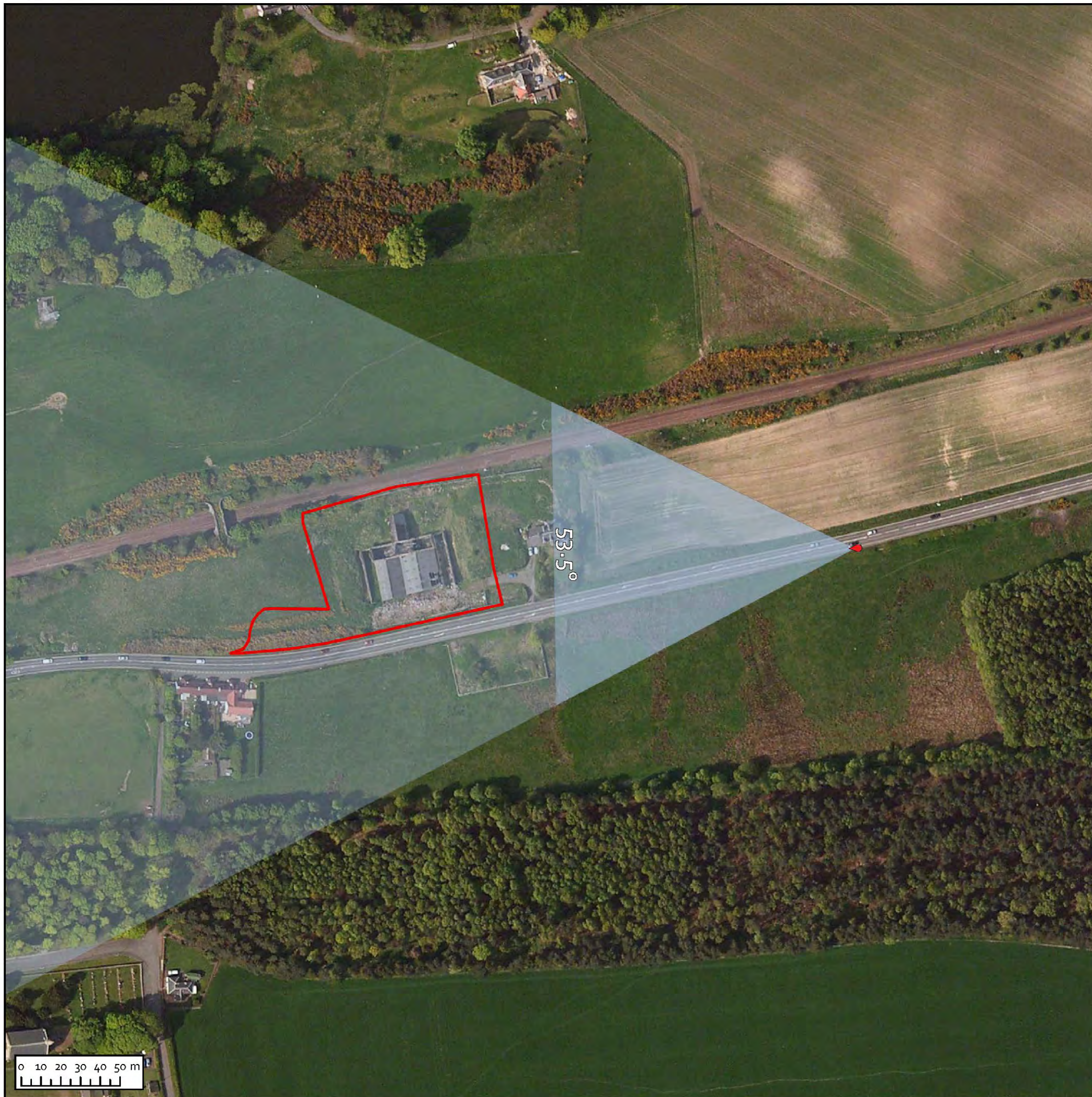
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 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal



**Legend:**  
 Extents of previously demolished cart shed

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**Legend**

-  Viewpoint location
-  Site boundary

**VP02: Ag21, east of site**

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m  
 Direction of view: 269°  
 Distance to site boundary: 181m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP02: Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 18/03/2022
Figure No: 06a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



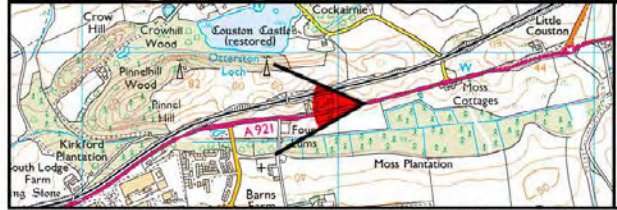
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View flat at a comfortable arm's length  
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Baseline Photograph



**Figure Number: o6b**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm

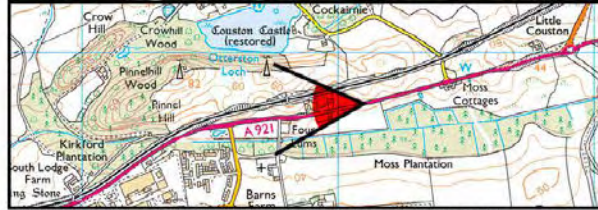
Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3)



**Figure Number: o6c**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm

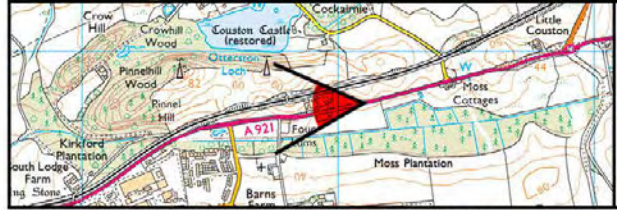
Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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View flat at a comfortable arm's length  
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Photomontage - Year 10 (Type 4 - AVR Level 3) - With former cart shed location




**Figure Number: o6d**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

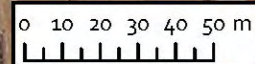
Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm



Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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**Legend**

-  Viewpoint location
-  Site boundary

**VP03: A921, at junction with Eastern Access Road**

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m  
 Direction of view: 76°  
 Distance to site boundary: 235m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP03 Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 18/03/2022
Figure No: 07a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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Baseline Photograph



**Figure Number: 07b**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3)

View flat at a comfortable arm's length  
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**Figure Number: 07c**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

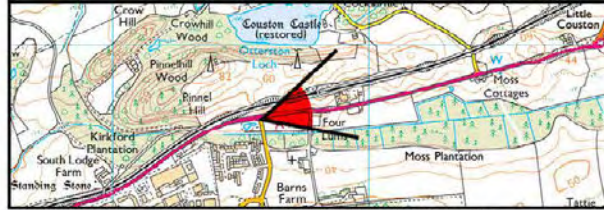
Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - With former cart shed location

View flat at a comfortable arm's length  
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
**Figure Number: 07d**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 04 / 04 / 2022

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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All dimensions to be checked on site

railway (East Coast Main Line)

boundary walls/fences min. 1.8m high

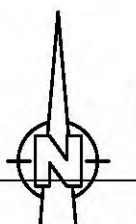
boundary walls/fences min. 1.8m high

max. gradient of access road: 8% as per Fife Council Transportation Development Guidelines (2018)

possible vehicular access to Meikle Couston Farmhouse

Communal bin stores

A921



### Meikle Couston Farm, Aberdeur, Fife.

Proposed: Site layout plan  
1:250 scale



revision	details
A	Layout modified, bin store, notes and levels added.
B	Annotation modified.

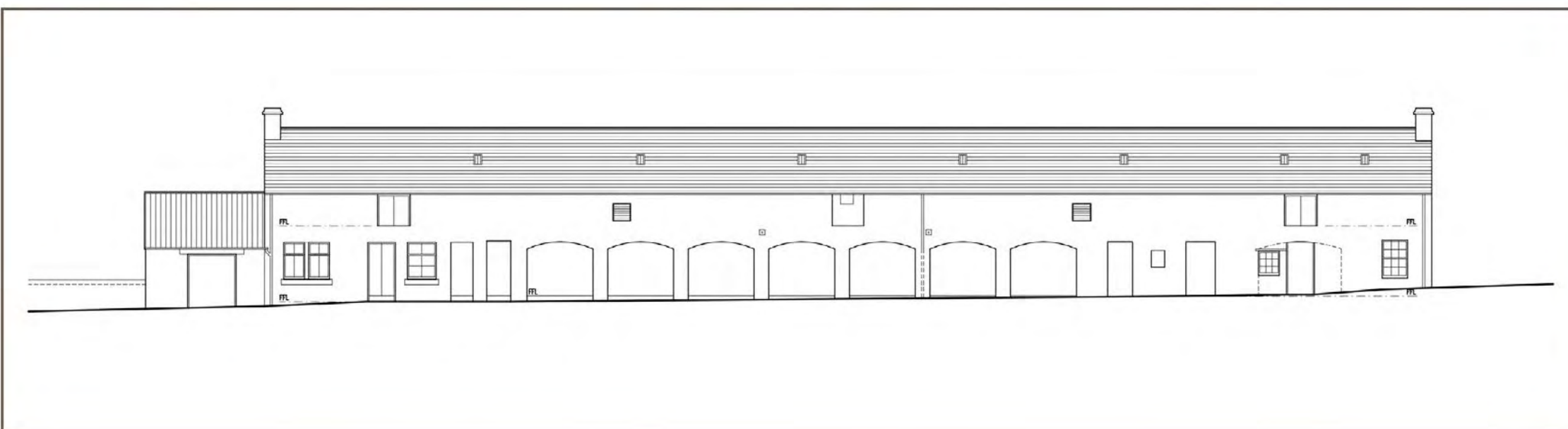
date:  
25/02/22  
28/02/22

Client: <b>Mr C Mitchell</b>	date: Jul 2020	dwg. size: A2
Project: <b>Meikle Couston Farm, Aberdeur, Fife</b>	drawn by: <b>MM</b>	checked: <b>MM</b>
Drawing Title: <b>Proposed: site layout plan</b>	Job No.:	M1/19/02
Scale: 1:250	Dwg. No.:	L(PL)001
	revision:	B



Aerial imagery captured December, 2006

Aerial imagery sourced from Google Earth Pro



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: Historic Aerial Imagery & Photography showing Former Cart Shed	
Scale: NTS @ A3	Date: 04 / 04 / 2022
Figure No: Appendix B / 01	Status: Planning
Drawn by: R Moore	Checked by: S Hyde

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Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: Historic Google Street View Imagery	
Scale: NTS @ A3	Date: 04 / 04 / 2022
Figure No: Appendix B / 02	Status: Planning
Drawn by: R Moore	Checked by: S Hyde

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**Appendix 1 - Sustainable Drainage Design Compliance Certificate**

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in designing the sustainable drainage system for the below named development in accordance with CIRIA C753: The SuDS Manual 2015, the current edition of Sewers for Scotland and Fife Council's – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.

ePlanning Reference No...22/00633/PPP.....

Planning Application No. (completed by Fife Council Planning Service) .....

Roads Construction Consent No. (completed by Fife Council Planning Service) .....

Name of Development Meikle Couston Farm Development .....

Name of Developer Mr Craig Mitchell .....

Name and Address of Designers Organisation Gondolin Land & Water  
35/1 Balfour Street, Edinburgh, EH6 .....

Name of Designer Zak Ritchie .....

Position Held Managing Director .....

Engineering Qualifications <sup>(2)</sup> B.Eng(hons), MSc, C.Eng, MCIWEM, C.WEM

Signed [Redacted Signature] .....

Date 28/02/2022 .....

Drawing No's relative to this certificate

DRA-001, DRA-002

(2) **Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.**



**Appendix 2 - Sustainable Drainage Design – Independent Check Certificate**

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in the below named development with a view to securing that:

1. It has been designed in accordance with CIRIA C753: The SuDS Manual 2015, Current Edition of Sewers for Scotland, Fife Council – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.
2. It shall be accurately translated into construction drawings and schedules.
3. I hereby confirm that I hold professional indemnity insurance for £5 million pounds.

ePlanning Reference No. ....20/00633/PPP.....

Planning Application No. (completed by Fife Council Planning Service) .....

Roads Construction Consent No. (completed by Fife Council Planning Service) .....

Name of Development. Meikle Coustan Farm Development .....

Name of Developer. Mr Craig Mitchell .....

Name and Address of Checker's Organisation. Will Rudd Davidson .....

43 York Place, Edinburgh, EH1 3HP .....

Name of Checker. Craig Milne .....

Position Held. Director .....

Engineering Qualifications <sup>(2)</sup> CEng FICE .....

Signed .....  .....

Date 25.02.22 .....

(2) Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.

From: Zak Ritchie <zak.ritchie@gondolinltd.co.uk>  
Sent: 14 March 2022 21:08  
To: Michael Smith <michael@bigredhen.co.uk>; J <joe.fitzpatrick390@gmail.com>  
Cc: Craig Mitchell <craig@bigredhen.co.uk>  
Subject: RE: Meikle Couston - Engineering Submissions for Planning

Hi Michael,

See responses to the comments below:

The route for the surface water outfall is shown as being outwith the development site boundary. Ownership or permission to construct should be confirmed. **Response: The applicant has servitude rights to utilise the existing private surface water pipe and / or lay a new one as part of their title deeds (ref: FFE 85883)**

A condition survey of the existing surface water sewer should be carried out to confirm that the pipe has capacity and is in good condition. **Response: This would be undertaken as part of an appropriately worded planning condition. Notwithstanding, the applicant has servitude rights to lay a new pipe as part of their title deeds (ref: FFE 85883). Therefore a connection to the watercourse can be made should the existing pipe be unsuitable, and thus this matter should not preclude Fife Council's Structural Services, Flooding, Shoreline & Harbours department ability to accept the proposals.**

Checks on suitability of the proposed SuDS components in mitigating water quality risks to receiving waterbodies (A Simple Index Approach (SIA) tool). **Response: This has been undertaken as per Section 2.2.5 of the Drainage Impact Assessment report.**

SuDS design and check certificates, (Appendices 1 and 2) should include the planning application reference number and professional qualifications of signatory. **Response: Certificates attached with planning reference number and reviewer qualifications**

Kind regards  
Zak



# Design Appraisal and Justification

## MEIKLE COUSTON FARM

ABERDOUR by BURNTISLAND, FIFE, KY3 0RX  
Planning Application Reference Number 22/00633/PPP

**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Mob.: 07 917 890715 Email: [mary@sunshinedesignandplanning.co.uk](mailto:mary@sunshinedesignandplanning.co.uk)



# Design Appraisal and Justification

## MEIKLE COUSTON FARM

ABERDOUR by BURNTISLAND, FIFE, KY3 0RX  
Planning Application Reference Number 22/00633/PPP

### CONTENTS

1.0	Introduction .....	page 1
2.0	Architectural Form, Design and Scale .....	pages 1 2
3.0	Finishes, Materials and Detailing .....	pages 3 4
4.0	Conclusion .....	page 4

Design Analysis prepared by:

**Mary Murray**

Sunshine Design and Planning, Wester Balbeggie Farm, Kirkcaldy, KY1 3NS

04 October 2022

**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Mob.: 07 917 890715 Email: [mary@sunshinedesignandplanning.co.uk](mailto:mary@sunshinedesignandplanning.co.uk)





## 1.0 Introduction

1.1 This Design Appraisal and Justification document has been prepared in connection with planning application reference number 22/00633/PPP and is, in particular, submitted in response to the design appraisal comments raised in an email from David Shankland (Fife Council: Planning) to Joe Fitzpatrick (Planning Consultant) dated 15 July 2022. The comments in that email which are specifically addressed herein are:

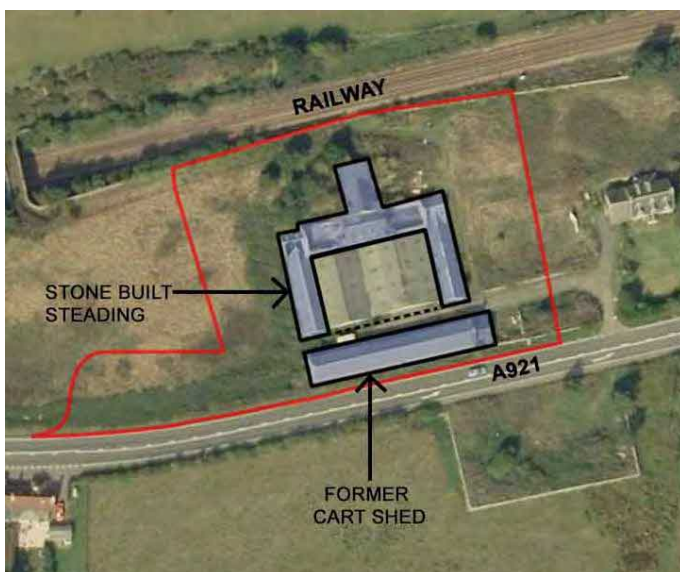
*in its current form, it is the considerations of this planning authority that the proposed dwellinghouses are of a suburban style that would, in terms of their architectural **form, design, scale and finishes** have a detrimental impact upon its countryside setting.*

1.2 This is a subjective appraisal of the proposed development which the Applicant strongly disagrees with for the reasons listed in the ensuing design analysis and justification.

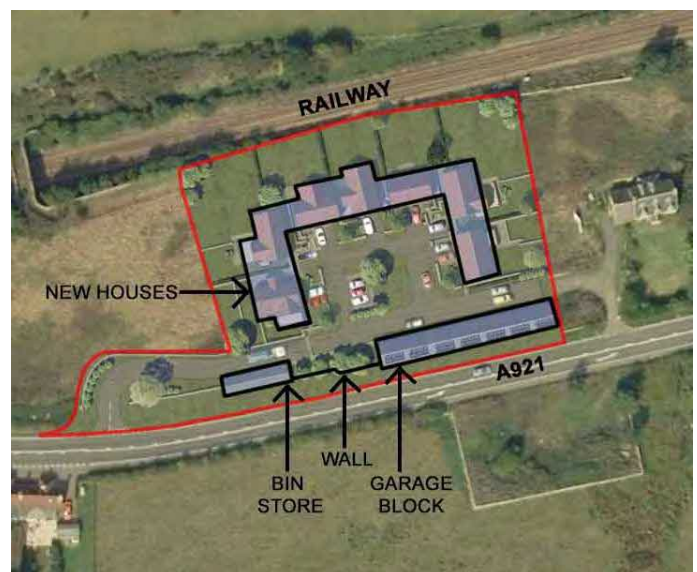
## 2.0 Architectural Form, Design and Scale

2.1 The layout of the proposed development can be summarised as two linear road front buildings connected by a high stone wall aligning the southern boundary of the site with a rectilinear, courtyard style arrangement of seven houses behind to the north.

2.2 This layout was devised to emulate the original arrangement, and massing, of stone built structures on the site whereby a linear, 1.5 storey cart shed effectively created a dividing line between the A921 public road to the south and a group of farm buildings to the north consisting of an old, c-shaped stone steading with a central courtyard later covered over by a portal-framed, profiled metal sheet roof. The position and scale of the proposed new garage/workshop block are similar to those of the former cart shed while the houses follow a similar layout to the disused stone steading, forming a c-shaped courtyard of sufficient proportions to facilitate safe vehicular access whilst also allowing for an appropriate degree of separation and privacy between dwellings on opposing sides.



2.2.1 Original layout of site (stone built steading and cart shed)



2.2.2 Proposed layout of site (bin store, wall, garages & houses)

2.3 The design and form of the proposed garage/workshop take their cues from the former cart shed which was demolished for safety reasons as instructed by Fife Council. As with the former cart shed, this is a 1.5 to 2 storey building topped by a pitched roof with gabled ends. Its shape, scale and form result in a building which is similar to the structure that was there before. The garage/workshop is connected to a communal bin storage building by a high stone wall. The bin store structure is a smaller scale building of similar shape and form to the garage/workshop.



2.3.1 North facing elevation of demolished cart shed (c. 2007)

2.4 The proposed new houses, as with the disused steading, sit behind these roadside structures, nestling into the land with stepped floor levels following the rising ground of the site up towards the railway to the north. Backed by retaining walls, rooms on the lower floors of these houses look into the courtyard, thus enabling them to sit as low as possible into the land. Indeed, the highest ridge level of the new houses (House 4) is slightly lower than the ridge level of the highest building within the existing steading group. The roofs of the other houses to the east and west step down towards the garage/workshop and bin stores in a similar way as the roofs of the former steading buildings.

2.5 The proposed new dwellinghouses are simple in form having rectilinear plan layouts with pitched roofs incorporating gabled features commonly found in countryside structures. They are designed to climb the steeply sloping site in much the same way as the existing steading buildings. This may, however, be difficult to appreciate now because the roofs of most of the disused steadings have all but disappeared, therefore making it hard to compare the massing proposed with what existed before.

2.6 The scale of the proposed dwellinghouses may appear to be tall when viewed from within the courtyard (ref. application cross-section EE), however, it is important to note that the lower levels of all of the houses sit into the hillside in much the same way as the existing buildings. Indeed, courtyard doorways to several of the houses simply give access via entrance lobbies and stairwells to living quarters on the floors above. The roadside garage block, bin store, connecting stone wall and tree-planting along the southern edge of the site effectively screen internal courtyard elevations from public view. Instead, the majority of public views of the proposed houses ensure that they appear either single or two storey in scale (ref. application cross-section AA).



2.6.1 Panoramic view of stone-built steading with central courtyard (c. 2017)



2.6.2 Indicative elevation of proposed houses around central courtyard



### 3.0 Finishes, Materials and Detailing

- 3.1 It is important to note that appropriate materials, detailing and finishes are critical to the success of all building designs whether they be in urban or countryside settings. By virtue of the fact that the buildings proposed at Meikle Couston have a rural location, materials which are commonly found in rural houses and steadings have been employed.
- 3.2 Slated roofs punctuated by heritage style rooflights are proposed to the bin store and garage/workshop buildings, echoing the roof of the former cart shed. Behind this, red pantile roofs are proposed to each of the dwellinghouses, giving them a coherent roofscape using a material often used on roofs of traditional farm buildings across Fife.
- 3.3 A combination of random rubble stonework, render and timber cladding are variously used in walls throughout the proposed development. The roadside structures have a stone wall at low level connecting them together and anchoring them to the site. This robust stone structure is topped by vertical timber cladding on the upper level of the garage/workshop block, breaking up its mass using a material often used in farm steadings. The dwellinghouse walls incorporate a mix of random rubble stone, vertical timber cladding and wet dash render. Again, materials which are all common in rural settings. It is fair to say however, that white is a stark render colour which, in a rural setting, can catch the eye. The Applicant has therefore changed the proposed colour of render from white to a buff colour which will blend more easily with the natural colours of the landscape around the site. Application drawing numbers L(PL)003 and L(PL)004 have been amended accordingly to illustrate this change.
- 3.4 The Applicant does not, however, accept that the proposed houses are of a suburban style. That simply is not the case. Modern, suburban dwellings fringing nearby towns and villages are, more often than not, cookie-cutter houses chosen by purchasers from mass-market housebuilder catalogues of designs. Such houses have generic layouts, shapes, materials and details which are selected largely with accommodation provision and price in mind. The resultant housing developments are non-specific and nondescript. The dwellinghouses proposed at Meikle Couston have been designed specifically to suit the location and topography of the site. They fit comfortably in terms of scale and form and are orientated to make best use of views out and solar gain.



3.4.1 Typical suburban streetscape (Dalgety Bay 2022)



3.4.2 Suburban Housing (Dalgety Bay 2022)



3.4.3 Suburban Housing (Dalgety Bay 2022)

- 3.5 Whilst the use of materials regularly found in rural settings is, of course, appropriate, the proposed dwellinghouses combine such materials with modern style fenestration, i.e. glazed walls and gables designed to flood living spaces with natural heat and light and enable inhabitants to enjoy attractive, countryside views. Such site specific fenestration is seldom a feature of modern, suburban dwellinghouses.



3.5.1 Examples of construction shapes, forms, scale, materials, fenestration and detailing as proposed at Meikle Couston



- 3.6 What sets the proposed houses even further apart from the typical suburban dwelling is their simple construction detailing. Avoiding the use of typically suburban features such as overhanging eaves and verges, precast lintels and porticos around windows and doors, orange brickwork, white window/door frames, white gutters and downpipes and so on. Instead, the proposed new buildings at Meikle Couston will have clipped eaves and wet verge details. Added to this, grey window/door frames, gutters and downpipes, all set against a palette of stone clad, rendered and timber panelled walls, will ensure that a suburban aesthetic is avoided.

## 4.0 Conclusion

- 4.1 The foregoing analysis demonstrates that the development at Meikle Couston Farm is not suburban in style. On the contrary, the buildings and houses proposed take their form, design, scale and finishes cues from traditional rural buildings whilst, at the same time, incorporating modern features designed to enhance their occupant's living environments.
- 4.2 The layout, massing, materials, colours and detailing proposed will ensure that the houses and ancillary structures envisaged are appropriate for their rural location. Replacing the dilapidated structures at Meikle Couston as proposed will undoubtedly have a positive effect upon the countryside.
- 4.3 Notwithstanding the foregoing, the Applicant wishes to underline the fact that the planning application to which this report refers is an application for Planning Permission in Principle. As such, details relating to proposed house positions, layout plans, form, design, scale and finishes would, assuming the application under consideration is approved, all be subject to condition. The Applicant has submitted indicative layout, massing and elevational information at this stage in order to assure the Planning Authority that a satisfactory development of the site can be successfully achieved.
- 4.4 Given the state of the site as existing and the nature of development under consideration, the proposed new housing cluster represents an imaginative and sensitive re-use of previously used land which will achieve significant visual and environmental benefits. Accordingly, the Applicant respectfully seeks the support of Fife Council in remedying the eyesore that this site currently constitutes.



**Meikle Couston Farm, Aberdour, Fife.**  
 Proposed: **Site cross-sections and elevations**  
 1:200 scale



revision:	details:	date:	Client:	date:	dwg. size:
A	Garage/pod building moved and bin store added.	25/02/22	Mr C Mitchell	Oct 2020	A2
B	Render colour changed from white to buff.	28/09/22	Project: Meikle Couston Farm, Aberdour, Fife	drawn by: MM	checked: MM
			Drawing Title: Proposed: elevations/site sections EE and FF	Job No.:	M11/19/02
			Scale: 1:200	Dwg. No.:	L(PL)004
				revision:	B



LRH Enterprises

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# MEIKLE COUSTON STEADING

## Noise Impact Assessment





LRH Enterprises

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# MEIKLE COUSTON STEADING

## Noise Impact Assessment

**TYPE OF DOCUMENT (VERSION) PUBLIC**

**PROJECT NO. 70059438**

**OUR REF. NO. 70059438/002**

**DATE: APRIL 2022**

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# QUALITY CONTROL

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LIMITATIONS

# 1 INTRODUCTION

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- 1.1.1. WSP UK Limited is appointed by LRH Enterprises to undertake an environmental noise and vibration assessment to support a planning application for a proposed residential development on land at Meikle Couston Steading, Dalgety Bay, Fife.
- 1.1.2. The report presents a quantitative assessment of noise and vibration impacts upon the sensitive aspects of the proposed development from transportation sources in the vicinity of the site.
- 1.1.3. A baseline noise survey has been undertaken at the site, with the results used to inform the development of a 3D acoustic model of the existing open site. The masterplan of the proposed development has then been incorporated into the 3D acoustic model and predictions of road traffic and rail noise have been undertaken to allow an assessment of the potential impact of the prevailing local noise environment on noise-sensitive aspects of the proposed development (i.e. residential accommodation).
- 1.1.4. The noise impact assessment has been undertaken based on applicable standards and guidance and in line with specific requirements of Fife Council.
- 1.1.5. The vibration assessment has been undertaken based on a vibration survey consisting of a combination of attended and unattended monitoring. The results of the vibration survey have been analysed and assessed with reference to appropriate standards.
- 1.1.6. Where appropriate, noise mitigation measures have been coordinated with the architect and incorporated into the layout of the site, in order to control noise levels in amenity areas. Consideration has also been given to other outline mitigation measures which can be implemented and therefore demonstrate how a commensurate level of protection can be afforded to future residents against the prevailing local noise and vibration environment.
- 1.1.7. This report is necessarily technical in nature, and a glossary of acoustic terminology is provided in Appendix A.

## 2 SITE DESCRIPTION

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- 2.1.1. The site is located approximately 1.8 km to the north-east of Dalgety Bay within the jurisdiction of Fife Council (FC). The site comprises previously developed 'brownfield' land and still contains walls of the previous buildings. It is locally referred to as Couston Farm Steadings.
- 2.1.2. The north of the site is bounded by the East Coast Mainline, to the east is an existing dwelling known as Couston Farm, to the south is the A921 and to the west is open undeveloped land. A derelict building is situated centrally within the site boundary.
- 2.1.3. The south of the site is at an elevation of 40 m AOD<sup>1</sup> whilst the north boundary adjacent to the rail line has an elevation of 50 m AOD. The rail line is in a cutting which is approximately 3-4 m below the ground level of the northern portion of the site.
- 2.1.4. A plan illustrating the redline boundary and site location is presented in Figure B-1, Appendix B.

## 2.2 PROPOSED DEVELOPMENT

- 2.2.1. The proposed development will comprise seven detached houses, office pods, external private amenity space, a bin store, off road parking and access from the A921, as shown in Figure B-2, Appendix B.

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<sup>1</sup> AOD above ordnance datum

### 3 PLANNING POLICY, LEGISLATION AND GUIDANCE

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#### 3.1 PLANNING ADVICE NOTE (PAN) 1/2011: PLANNING AND NOISE

3.1.1. Published in March 2011, this document provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise. Information and advice on noise impact assessment methods is provided in the accompanying Technical Advice Note (TAN): *Assessment of Noise*. Included within the PAN and the accompanying TAN are details of the legislation, technical standards and codes of practice for specific noise issues.

3.1.2. The following is stated in paragraph 11 with regard to noise sensitive and noise generating developments:

*Developments which are likely to generate a significant level of noise do not generally make good neighbours with noise sensitive land uses such as housing, hospitals, educational establishments, offices, places of worship and nursing homes and some livestock farms*

3.1.3. The proposed residential development should be considered as noise-sensitive, and there is not likely to be any significant fixed plant or other sources with the potential to generate significant noise emissions.

3.1.4. In the section entitled 'Development Management', it is advised that discussions with the planning authority will assist in deciding the level of detail required from an applicant in respect of noise. It goes on to state that:

*More detailed assessments may be required for proposals that are likely to generate significant noise; for noise sensitive proposals which may affect existing noise sources and for proposals that may affect noise levels within or close to NMAs [noise management areas] or Quiet Areas.*

And also that:

*Issues which may be relevant when considering noise in relation to a development proposal include:*

- Y Type of development and likelihood of significant noise impact,*
- Y Sensitivity of location (e.g. existing land uses, NMA, Quiet Area),*
- Y Existing noise level and likely change in noise levels,*
- Y Character (tonal, impulsivity etc), duration, frequency of any repetition and time of day of noise that is likely to be generated, and*
- Y Absolute level and possible dose-response relationships e.g. health affects if robust data is available.*

3.1.5. The accompanying TAN to PAN 1/2011 provides more specific guidance on appropriate assessment approaches and means of determining impact significance for development that is both sensitive to noise, and that which is noise generating.

#### **Technical Advice Note (PAN1/2011 TAN) Assessment of Noise**

3.1.6. The TAN provides guidance and advice through worked examples to assist with the technical evaluation of noise assessments and is intended to be used by consultants and the public sector.

- 3.1.7. The document promotes the principles of 'Good Acoustic Design' in tandem with careful consideration to the location of new development to ensure that *quality of life is not unreasonably affected and that new development continues to support sustainable economic growth in Scotland.*
- 3.1.8. The section on Noise Impact Assessment (NIA) details the basic principles and an overview of the assessment methodology. The assessment consists of five stages that can be applied, with the processes in each stage dependent on the type of development. A summary of the five stages as presented in the TAN is as follows:
- Y Stage 1: Initial process – identification of all noise sensitive receptors (NSRs) that may be affected by the development and prioritise each according to their sensitivity.
  - Y Stage 2: Quantitative assessment - determine the magnitude of the impact with the procedure dependent upon the type of development i.e.:
    - a noise source is planned to be developed or, an existing noise source is to be further developed – referred to as noise generating development (NGD).*
    - a noise sensitive development is planned or, an existing noise sensitive development is to be further developed – referred to as noise sensitive development (NSD).*
  - Y Stage 3: Qualitative assessment – used to supplement and add context to the quantitative assessment.
  - Y Stage 4: Level of significance – the significance of the noise impact at the NSR is determined as a function of the receptor sensitivity and the magnitude of the impact, the results from which are entered into a Summary Table of Significance.
  - Y Stage 5: Decision process – Summary table of significance with number of noise sensitive receptors within each level of significance presented to inform the decision-making process.
- 3.1.9. The TAN goes on to state that *the magnitude of the noise level change can be assessed relative to an absolute threshold level or relative to the pre-existing ambient noise level.*
- 3.1.10. The significance framework used in this assessment has been based on the level by which target criteria are predicted to be exceeded Table 3-1 illustrates example guidance from Chapter 3: *Appropriate NIA Methodology* of the TAN for a new noise sensitive development close to an existing noise source.

**Table 3-1 – Example magnitude of noise impacts associated with day and night exceedance levels (reproduced from TAN)**

Magnitude of impact	Existing – Target criteria level <sup>1</sup> (dB L <sub>Aeq,16hr</sub> )
Major Adverse	> 10
Moderate Adverse	≥ 5 - ≤ 10
Minor Adverse	≥ 3 - < 5
Negligible	≥ 0 - < 3
No adverse impact	x < 0

<sup>1</sup> Levels quoted are free-field. Corresponding facade levels are 2.5 dB(A) higher

Source: Chapter 3: *Appropriate NIA Methodology*, Table 3.6 of the TAN

- 3.1.11. Table 3-2 below (reproduced from Chapter 2: Noise Impact Assessment Table 2.6 of the TAN) provides a framework for determining the level of significance relating the magnitude of impact with the sensitivity of the receptor.

**Table 3-2 – Example Impact significance (TAN)**

Magnitude of Impact	Level of Significance Relative to Sensitivity of Receptor		
	Low	Medium	High
Major	Slight/Moderate	Moderate/Large	Large/Very Large
Moderate	Slight	Moderate	Moderate/Large
Minor	Neutral/Slight	Slight	Slight/Moderate
Negligible	Neutral/Slight	Neutral/Slight	Slight
No Change	Neutral	Neutral	Neutral

Source: Chapter 2: Noise Impact Assessment, Table 2.6 of the TAN

- 3.1.12. Chapter 2 of the TAN defines residential developments as ‘high’ sensitivity. It also provides the following clarification on the levels of significance in relation to the decision-making process:
- “Very Large:** These effects represent key factors in the decision-making process. They are generally, but not exclusively, associated with impacts where mitigation is not practical or would be ineffective.
- Large:** These effects are likely to be important considerations but where mitigation may be effectively employed such that resultant adverse effects are likely to have a Moderate or Slight significance.
- Moderate:** These effects, if adverse, while important, are not likely to be key decision-making issues.
- Slight:** These effects may be raised but are unlikely to be of importance in the decision-making process.

**Neutral:** No effect, not significant, noise need not be considered as a determining factor in the decision-making process.

- 3.1.13. Additionally, the TAN draws heavily from the guidance contained within relevant British Standards. A synopsis of relevant British Standards and other guidance used in the assessment is included in section 3.3 below.

## 3.2 LOCAL PLANNING POLICY

### FIFE PLANNING POLICY 8

- 3.2.1. The planning application will be submitted under Part 3 of Policy 8 (Housing in the Countryside), on the basis that the site has previously been developed, and is therefore a 'brownfield' site. The site is severely degraded so development of the site will bring significant visual and environmental benefits, thus fulfilling the requirements of Part 3.

### FIFE LOCAL PLAN

- 3.2.2. The Fife Local Plan was adopted in September 2017 and presents the 10-year strategy for physical development and land use in the area. The Local Plan is used to guide development, inform decisions, and forms the planning policy for the authority.
- 3.2.3. The policy which is pertinent to this assessment is detailed below:

#### ***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:*

*3. Noise, light, and odour pollution and other nuisances, including shadow flicker from wind turbines.*

*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.*

### FIFE COUNCIL POLICY FOR DEVELOPMENT AND NOISE 2021

- 3.2.4. Fife Council's *Policy for Development and Noise 2021* provides developers with information on the planning requirements for new noise sensitive developments planned near existing noise sources. It details the relevant policy in relation to planning and noise and recommends guidance when undertaking noise assessments.
- 3.2.5. Few noise limits are specified in the document, but it provides clarity around the scenarios where noise limits apply. Specifically, it specifies that criteria for indoor noise levels should ideally be achieved with windows open for ventilation. However, the document also clarifies the instances (termed *exceptional circumstances*) in which this requirement can be relaxed, and the procedure that should be taken in order to demonstrate the steps that have been taken to reduce noise at the new housing.
- 3.2.6. The reasoning for the exceptional circumstances is described in the policy as follows:

*To achieve wider outcomes of the Local Outcome Improvement Plan and the Local Development Plan, FIFEplan it is recognised that the physical separation of noise and noise sensitive development will not be possible in all circumstances and that it may be appropriate to make provision for development in certain exceptional circumstances in order to achieve wider strategic objectives.*

*The benefits of such development could include:*

- Y Deliver high-quality, well-designed development which incorporates the principles set out in Making Fife's Places and Designing Streets;*
- Y Delivering mixed use sustainable communities.*
- Y Secure appropriate redevelopment of brownfield sites;*
- Y Promoting higher levels of density near transport hubs,*
- Y Securing higher density development in town centres and larger urban settlements;*
- Y Development which secures the long-term future of a listed building, the character of a conservation area or other heritage asset;*
- Y Achieving low/ zero carbon development.*

3.2.7. The following sequential approach to demonstrating that appropriate options have been considered is as follows:

*If the development is considered to be an exceptional circumstance, for this to be accepted the following sequential approach shall be followed in order of preference, taking into account the feasibility of their implementation, and having regard to the wider amenity, low carbon and urban design requirements of the development.*

- (i) Setting back of dwellings from noise sources, where this can be achieved in accord with urban design principles and Masterplan;*
- (ii) Orientation of dwellings to avoid noise impacts on sensitive elevations and/or habitable rooms, where this can be achieved in accord with urban design principles and Masterplans;*
- (iii) Installation of acoustic barriers, where this would have no unacceptable detrimental impact;*
- (iv) Use of acoustic insulation/ closed window approach in new dwellings and allowance for the upper limit of 55dB in gardens.*

*The above sequential approach does not apply if the developer can prove that the windows would only be opened to purge air and are not required to be opened as part of the ventilation of a low/ zero carbon or passive house.*



### 3.3 GUIDANCE DOCUMENTS

#### BS 8233:2014

- 3.3.1. BS 8233<sup>2</sup> provides recommendation for the control of noise in and around buildings, and recommends appropriate criteria for a wide range of situations. These are primarily intended to guide the design of new buildings or refurbished buildings undergoing a change of use, as opposed to assessing the effect of change to the external noise climate.
- 3.3.2. The guidance includes appropriate internal and external noise level criteria which are applicable to dwellings exposed to steady and inconspicuous external noise sources. It is stated in the standard that it is desirable for internal ambient noise levels not to exceed the criteria set out in Table 3-5 below.

**Table 3-3 – Summary of Internal Ambient Noise Level Criteria for Habitable Rooms in BS 8233: 2014**

Activity	Location	Period	
		07:00 to 23:00 hours i.e. daytime	23:00 to 07:00 hours i.e. night-time
Resting	Living Room	35 dB $L_{Aeq,16hr}$	-
Dining	Dining Room	40 dB $L_{Aeq,16hr}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hr}$	30 dB $L_{Aeq,8hr}$

- 3.3.3. For regular individual noise events with the potential to cause sleep disturbance it is stated that a guideline value may be set in terms of SEL or  $L_{AFmax}$ . No further guidance is provided with respect to an appropriate criterion which may be adopted for the assessment of such events. This assessment has therefore drawn upon the guidance detailed within the WHO: Guidelines for Community Noise document as summarised in the corresponding section below.
- 3.3.4. BS 8233 also makes the following recommendations for design criteria for external areas:

*“For traditional external areas that are used for amenity space, such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB  $L_{Aeq,T}$ , with an upper guideline value of 55 dB  $L_{Aeq,T}$  which would be acceptable in noisier environments. However, it is also recognized that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors, such as the convenience of living in these locations or making efficient use of land resources to ensure development needs can be met, might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited”.*

<sup>2</sup> BS 8233:2014 *Guidance on sound insulation and noise reduction for buildings*, British Standards Institute

## WORLD HEALTH ORGANISATION: GUIDELINES FOR COMMUNITY NOISE

- 3.3.5. The WHO Guidelines<sup>3</sup> consolidate scientific knowledge on the health effects of community noise and provide guidance to environmental health authorities and professionals trying to protect people from the harmful effects of noise in non-industrial environments. The main sources of community noise are identified as road, rail and air traffic; industries; construction and public work; and neighbours.
- 3.3.6. The document states that, *For a good sleep, it is believed that indoor sound pressure levels should not exceed approximately 45 dB  $L_{AFmax}$  more than 10-15 times per night*

## CALCULATION OF ROAD TRAFFIC NOISE (CRTN) 1988

- 3.3.7. Published by the Department of Transport and the Welsh Office in 1988, this document sets out standard procedures for calculating noise levels from road traffic. The calculation methods use a number of input variables, including traffic flow volume, average vehicle speed, percentage of heavy goods vehicles, type of road surface, site geometry and the presence of noise barriers or acoustically absorbent ground. CRTN can be used to predict the  $L_{A10,18hour}$  or  $L_{A10,1hour}$  noise level for any receptor point at a given distance, up to 300m, from the road.
- 3.3.8. Although CRTN is predominantly a prediction methodology it also provides advice on measurements. It describes a *shortened measurement procedure* whereby a continuous measurement taken for 3 hours between 10:00 and 17:00 can be converted to a representative  $L_{A10,18hour}$ .

## BS 6472: 2008

- 3.3.9. BS 6472<sup>4</sup> provides guidance on predicting human response to vibration in buildings over the frequency range 0.5 Hz to 80 Hz. Frequency weighting curves for human beings exposed to whole-body vibration are included, together with advice on measurement methods to be employed.
- 3.3.10. In assessing vibration, BS 6472 uses the 'vibration dose value' (VDV). The VDV is used to estimate the probability of adverse comment which might be expected from human beings experiencing vibration in buildings. Consideration is given to the time of day and use of the receptor. The vibration dose value provides a means of specifying the time-varying, frequency-dependent vibration level of a given duration as a single number.
- 3.3.11. In terms of the vibration dose value over a 16-hour daytime period or 8-hour night-time period, the guidance in BS 6472 is summarised in Table 3-6.

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<sup>3</sup> *Guidelines for Community Noise*, (1999). World Health Organization.

<sup>4</sup> BS 6472-1: 2008 *Guide to evaluation of human exposure to vibration in buildings Part 1: Vibration sources other than blasting*, British Standards Institute

**Table 3-4 – Vibration dose values above which various degrees of adverse comment may be expected in residential buildings**

Place and Time	Low probability of adverse comment <sup>1</sup> , $m \cdot s^{-1.75}$	Adverse comment possible, $m \cdot s^{-1.75}$	Adverse comment probable <sup>2</sup> , $m \cdot s^{-1.75}$
Residential Buildings (16hr day)	0.2 to 0.4	0.4 to 0.8	0.8 to 1.6
Residential Buildings (8hr night)	0.1 to 0.2	0.2 to 0.4	0.4 to 0.8

<sup>1</sup> Below these ranges adverse comment is not expected  
<sup>2</sup> Above these ranges adverse comment is very likely

- 3.3.12. Where the vibration is intermittent and due to a number of similar vibration events, as would be the case with train movements associated with the East Coast mainline, BS 6472 defines procedures for calculating the estimated Vibration Dose Value (eVDV), based on measurements or calculations undertaken for a sample of the events. The procedure for calculating the eVDV takes into account the number and duration of vibration events and the recorded or calculated value of the root mean square (r.m.s.) frequency weighted vibration acceleration. The frequency weighting takes into account the response of the human body to vibrations of different frequency. The eVDV can then be taken as the VDV for use in the assessment of human exposure to vibration in buildings.
- 3.3.13. The above guidance relates to vibration measured at the point of entry into the human body, which is usually taken to mean the ground surface or at a point mid-span of an upper-storey floor, rather than the point of entry into the building (a foundation element).

### GROUNDBORNE NOISE

- 3.3.14. Groundborne noise (often referred to as re-radiated or structure-borne noise) is a phenomenon whereby vibrations (for example from a railway) propagate into a building structure, causing various elements of the building structure such as walls and floors to vibrate. These vibrating elements then radiate sound in much the same way that a vibrating loudspeaker diaphragm radiates sound. Groundborne noise within buildings can often be perceptible even when the levels of physical vibration are below the threshold of human perception. The transmission path for groundborne noise is always via a solid medium, unlike airborne noise which usually enters a building via an open or poorly insulated window.
- 3.3.15. There are no international standards or other official European standards that provide guidance on acceptable levels of groundborne noise from railways.
- 3.3.16. In situations where the railway is above ground and receptors are exposed to airborne sound as well as re-radiated ground-borne, the main consideration should be that the relevant noise limits are not exceeded when the ground-borne component is added to the airborne sound.

## 3.4 CONSULTATION

- 3.4.1. WSP has consulted with FC's Protective Services regarding the scope of the baseline noise and vibration survey, and the criteria to be adopted for the noise and vibration impact assessment.

- 3.4.2. FC indicated that the assessment should be undertaken in accordance with the PAN and TAN documents and the *Policy for Development and Noise 2021*. A methodology for the noise and vibration survey was sent to FC by email, which showed the proposed measurement positions and timings/duration for measurements. Agreement was received by email from Don Taylor, Lead Officer, Environmental Health.
- 3.4.3. It was stipulated that the internal noise criteria presented in Table 3-3 and Table 3-4 should be achieved with open windows in all cases. If the internal noise criteria cannot be met with an open window then the hierarchy of 'Good Acoustic Design' principles should be explored with an alternative glazing and ventilation strategy being considered as a last resort and where 'exceptional circumstances' apply. In terms of 'exceptional circumstances' to an open window scenario, Protective Service's guidance document states that *Fife Council Planning will decide, on receipt, whether the criteria for accepting Exceptional Circumstances has been met*. It was agreed that an open window could be assumed to provide 13 dB attenuation from outside to inside assuming a free-field noise level incident on the property.
- 3.4.4. Guidance on the required criteria for the assessment of internal vibration levels and groundborne noise has not been provided by FC.
- 3.4.5. Subsequent consultation with Brian Hill at FC Protective Services in October 2021 advised that if the scheme is deemed to meet the requirements of 'exceptional circumstances' as defined in Fife policy (see section 3.2 above), a design that relies on closed windows to achieve the indoor noise level criteria would be acceptable. He advised that the decision as to whether 'exceptional circumstances' apply is made by the planning officer, not the EH department.

## 3.5 SUMMARY OF CRITERIA ADOPTED FOR THE ASSESSMENT

- 3.5.1. In summary, the criteria adopted in this assessment are as follows:

Y Indoors sound levels:

Daytime: 35 dB  $L_{Aeq,16hr}$  in living spaces

Night-time: 30 dB  $L_{Aeq,8hr}$  in bedrooms

Night-time: 45 dB  $L_{AFmax}$  in bedrooms not to be exceeded more than 10 times per night

Y Indoors vibration levels:

Daytime: VDV 1.6  $m\ s^{-1.75}$  in living spaces

Night-time: VDV 0.8  $m\ s^{-1.75}$  in bedrooms

Y Outdoors sound level:

55 dB  $L_{Aeq,16hr}$  in gardens

## 4 NOISE AND VIBRATION SURVEY

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### 4.1 SUMMARY

- 4.1.1. A baseline noise and vibration survey has been undertaken at the proposed development site to inform the assessments. The survey consisted of attended and unattended measurements between 28<sup>th</sup> and 29<sup>th</sup> September and 8<sup>th</sup> and 9<sup>th</sup> October 2020.

### 4.2 NOISE MEASUREMENT LOCATIONS AND SUBJECTIVE OBSERVATIONS

- 4.2.1. The measurement locations used for the baseline noise survey are shown in Figure B-3, Appendix B and are described as follows:

Y Monitoring Position 1 (MP1): To the south boundary of the site, approximately 9 m from the carriageway edge of the A921.

Ambient noise environment: Road traffic during the daytime and intermittently at night, occasional distant trains audible during traffic lulls, birdsong.

Y Monitoring Position 2 (MP2): To the north boundary of the site, approximately 11 m from the west bound rail head. This location was selected for characterisation of rail traffic noise levels on the East Coast mainline and to inform the 3D acoustic model.

Ambient noise environment: Contributions from intermittent trains, distant road traffic during the daytime and intermittent vehicles during the night-time, birdsong.

#### NOISE MEASUREMENTS

- 4.2.2. The following noise measurements were undertaken during the survey:

Y A continuous road traffic noise measurement was undertaken at MP1 between approximately 14:30 hours on Monday 28 September 2020 and approximately 14:40 hours on and Tuesday 29 September 2020. Periods of attendance throughout the afternoon and early evening of 28 and the morning of the 29 September.

Y A continuous rail traffic noise measurement was undertaken at MP2 between approximately 14:45 hours on Monday 28 September 2020 and approximately 15:00 hours on and Tuesday 29 September 2020. Periods of attendance throughout afternoon and early evening of 28 and the morning and afternoon of 29 September.

- 4.2.3. All noise measurements were made with the measurement microphone mounted on a tripod at 1.2 m above local ground level, in a free-field location, i.e. not adjacent to a reflecting surface such as a wall. The details of the equipment used throughout the survey period are presented in Appendix D.

## WEATHER CONDITIONS

- 4.2.4. Meteorological conditions throughout the survey period were conducive to obtaining reliable noise measurements – there were no instances of rainfall, and wind speeds were below 5 m/s, in accordance with the recommendations set out in BS 7445-1<sup>5</sup>.

## NOISE SURVEY RESULTS

- 4.2.5. A summary of the continuous noise measurement results for MP1 and MP2 is presented in Table 4-1 below.

**Table 4-1 – Summary of measured sound levels (free-field)**

Measurement position	Period	Time period	Equivalent continuous level, dB $L_{Aeq,T}$	Typical maximum level, dB $L_{AFmax}$ <sup>1</sup>
MP1	Daytime	16 hours	69	-
	Night-time	8 hours	61	79
MP2	Daytime	16 hours	59	-
	Night-time	8 hours	51	80

<sup>1</sup> Typical  $L_{AFmax}$  taken as the 10<sup>th</sup> highest during whole night-time period based upon WHO guidance.

- 4.2.6. Table 4-2 below presents the measured noise levels generated by each different train type in east bound and west bound directions, in terms of the Sound Exposure Level (SEL). The average measured SEL has been presented for each train type in each direction, calculated based on the full complement of completed SEL measurements.

<sup>5</sup> BS 7445-1:2003 *Description and measurement of environmental noise. Guide to quantities and procedures*, British Standards Institute

**Table 4-2 – Summary of average measured train pass-by noise levels in terms of sound exposure levels (SELs) at MP2 (free-field)**

Train type / operator	Direction	Average measured SEL (dBA)
Intercity / ScotRail	East bound	88
	West bound	88
Class 158 2 Car DMU / Scotrail	East bound	85
	West bound	85
Class 170 3-4 Car DMU / Scotrail	East bound	83
	West bound	84
Class 170 6 Car DMU / Scotrail	East bound	90
	West bound	90
Freight train	East bound	86
	West bound	86

### 4.3 VIBRATION SURVEY METHODOLOGY

- 4.3.1. A vibration survey was undertaken on Thursday 8 and Friday 9 October 2020 comprising attended measurements in order to establish the magnitude of any ground-borne vibration resulting from passing trains. The vibration measurements were obtained from a location 6 m to the west of MP2, and approximately 16.5 m from the closest rail line. This was deemed representative of the nearest proposed build line. The measurement location is indicated on Figure B-3, Appendix B. Details of the measurement system are presented in Appendix D.
- 4.3.2. The attended measurements were made at 13:00 – 14:15 on 8 October and at 10:50 – 12:15 on 9 October such that a total of 12 train pass-by events were measured.
- 4.3.3. The vibration meter was programmed to record waveform data in the three orthogonal axes (longitudinal, transverse and vertical), from which one-third octave band spectra could be derived in order to carry out the subsequent assessment. The vibration meter was subject to a sensor check at the beginning and end of each measurement period to confirm that the meter was operating correctly.
- 4.3.4. The results of the vibration survey and the findings of the subsequent assessment are detailed in the following section.

## 5 SITE SUITABILITY ASSESSMENT

### 5.1 TRANSPORTATION NOISE PREDICTIONS

#### CALCULATED VERSUS MEASURED TRAIN NOISE LEVELS

- 5.1.1. A review of the passenger and working timetables have been undertaken to identify the numbers of passenger and freight trains passing the site. A summary of the review is presented in Table 5-1 below.
- 5.1.2. The data presented cover the weekdays only as rail traffic is lighter during weekend periods. The summary table below adopts the highest identified numbers of trains for any given day for each direction and train type. Intercity services are defined as those connecting Edinburgh and Aberdeen. Local services running east and west generally originate or terminate in Edinburgh and are typically Class 158 and Class 170 diesel multiple units (DMU) using the Fife Circle line.
- 5.1.3. It should be noted that the working timetable details the 'slots' when freight trains can run, and that slots are allocated to specific days (e.g. a given slot may be allotted as, for example, Mondays, Wednesdays and Fridays but not Tuesdays and Thursdays). In addition, many 'slots' that are allocated are only utilised 'when required', which could be only occasionally, e.g. once per month, and not every week/day as allocated. The summary presented below therefore considers all days and assumes that 50 % of those slots marked as 'when required' are utilised. This approach generated the same freight train numbers as observed in the baseline noise measurement data for the night-time period, and thereby represents a reasonable approach.

**Table 5-1 – Summary of timetabled passenger and freight train movement numbers**

Train type / Operator	Direction	Number of train movements	
		Day	Night
Intercity / ScotRail	East bound	12	1
	West bound	8	1
Class 158 2 Car DMU / Scotrail	East bound	25	2
	West bound	8	1
Class 170 3-4 Car DMU / Scotrail	East bound	25	2
	West bound	25	2
Class 170 6 Car DMU / Scotrail	East bound	6	0
	West bound	5	0
Freight train	East bound	0	1
	West bound	0	1

- 5.1.4. Table 5-2 below presents the daytime and night-time period noise levels calculated at MP2 from the train timetable numbers shown in Table 5-1, and the SEL noise levels presented in Table 4-3. The period noise levels have been calculated using the following equation:



$$L_{Aeq,T} = SEL + 10 \cdot \text{Log}(n) - 10 \cdot \text{Log}(T)$$

Where:

$n$  = number of train pass-bys; and

$T$  = Time period (in seconds)

**Table 5-2 – Calculated railway noise levels at location MP2 (free-field)**

Train type / Operator	Direction	Calculated equivalent continuous sound level, dB $L_{Aeq,T}$	
		Day (16 hours)	Night (8 hours)
Intercity / ScotRail	East bound	51	44
	West bound	49	42
Class 158 2 Car DMU / ScotRail	East bound	50	44
	West bound	46	39
Class 170 3-4 Car DMU / ScotRail	East bound	49	42
	West bound	50	43
Class 170 6 Car DMU / ScotRail	East bound	50	0.0
	West bound	50	0.0
Freight train	East bound	0.0	41
	West bound	0.0	41
All trains (east bound and west bound)		59	51

- 5.1.5. Comparing the calculated noise levels from Table 5-2 with those measured at MP2 (see Table 4-2), it can be seen that the calculated noise levels are 0.1 dB higher than the measured daytime values and 0.2 dB lower than the measured night-time value. The measured noise levels have therefore been adopted in the assessment, in conjunction with the measured  $L_{AFmax}$  noise level data.

### 3D NOISE MODEL

- 5.1.6. To assist in the determination of noise levels arising across the site, a detailed noise model has been prepared for the site and surrounding area using CadnaA® noise mapping software. The following configuration settings have been used:
- Y Google aerial photography for the site and surrounding area has been calibrated into the noise model based on OS six figure grid co-ordinates.
  - Y Ordnance Survey Terrain 5 (DTM) data at 2 m spatial resolution has been obtained for the site and surrounding area, then incorporated to provide a topographic basis for the noise model.
  - Y The latest site layout plans and existing plans for the surrounding area have been calibrated into the noise model based on OS six-figure grid co-ordinates.
  - Y The existing stone wall at the northern boundary of the site has been included using height data provided by the architect. A gap of 3 m was included in the barrier just to the north of the old steading building representing the crossing gap in the stone wall.

- Y Off-site buildings have been incorporated with heights informed by observations made during the site visits.
- Y Existing 2 storey buildings in the vicinity of the site were set to 7.0 m in height.
- Y The proposed residential buildings themselves (of 2 and 3 storey height) are based on the scheme layout included in Appendix B, and heights of eaves and roof apexes provided by the architect.
- Y All buildings were set to be 'structured façade' with an associated level of acoustic reflection.
- Y MP1 and MP2 were incorporated into the noise model and used to calibrate a baseline noise model of the undeveloped site.
- Y The default ground absorption was set to  $G = 1.0$  (acoustically soft ground) to best reflect local ground cover as present and proposed.
- Y The model was set to include second order reflections.
- Y The building evaluation tool was used to generate a building noise map for each aspect of the proposed buildings. The building noise map was generated so that the receiver to ground height was 1.5 m and the floor height was 2.5 m. These settings in combination with the building heights ensure the building noise map replicates a prediction point representative of a window for each storey, i.e. 1.5 m for ground floor, and 4.0 m for first floor.

5.1.7. The following sub-sections detail the specific parameters and settings applied to the 3D acoustic model to account for the various existing sound sources in the vicinity of the site.

#### Local Road Network

5.1.8. For the local road network, the following settings have been used in the noise model:

- Y The noise model was set to adopt the road traffic noise level prediction methodology detailed within CRTN.
- Y The z-heights (vertical alignment) of the road sources were set to follow topographic ground.
- Y The road sources were calibrated so that the model predicts the  $L_{Aeq, T}$  road traffic noise levels detailed in Table 4-2 for daytime and night-time periods at the corresponding receiver locations.
- Y Individual maximum sound level events from vehicle pass-bys have been predicted using the information presented in Table 4-2. The predictions have been based on the shortest path to the proposed 1<sup>st</sup> floor façade with windows to habitable rooms (i.e. bedrooms).

#### East Coast Mainline

For the East Coast Mainline the following settings have been adopted in the model:

- Y The east and west bound railway lines were incorporated as two individual 'line' sources. The horizontal alignment of these sources was incorporated along the centre of each respective track, based on the calibrated aerial photography.
- Y Each line source was set 4 m above track height: (source height of diesel locomotives as defined in CRN).
- Y The sound power levels of each line source were calibrated to predict the levels detailed in Table 4-2.
- Y Individual events as a result of train pass-bys were modelled as point sources set 1 m above the track height. The source was calibrated to the 10<sup>th</sup> highest value presented in Table 4-2 at a receiver representing MP2.

## 5.2 NOISE ATTENUATION MEASURES

5.2.1. An early constraints appraisal indicated that noise from the road and rail line had the potential to be a constraint to the development, and that the indoor noise level criteria would not be achieved in all houses with windows open. The proposed development meets the criteria for 'exceptional circumstances' on the basis that it is being proposed on brownfield land, an aspect that is reflected in its application under Part 3 of Policy 8 (Housing in the Countryside). It is therefore appropriate to assess indoor noise levels assuming closed windows, and to minimise noise levels in gardens. The procedure set out in Fife Council's *Policy for Development and Noise 2021*' (summarised in section 3.2 above) has therefore been followed, and appropriate noise control measures incorporated into the design, as follows.

**Y Setting back dwellings from noise sources:**

The houses are positioned in the middle of the site, so that the access area to the south provides a buffer to the road, and the gardens to the north of plots 2 – 6 provide a buffer from train noise.

**Y Orientation of dwellings to avoid noise impacts on sensitive elevations and/or habitable rooms:**

Houses 2, 4, 6 and 7 are positioned with their gable ends facing north and south (towards the train line and road, respectively). This is beneficial as habitable rooms are more likely to be on the front and back facades facing east or west, and would therefore have a restricted angle of view of the road and train line to either the east OR west (rather than both).

Internal house layouts are not fully developed at this stage but it is common for gable ends to be used for less sensitive rooms such as stairs or bathrooms.

**Y Installation of acoustic barriers:** Barriers have been incorporated into the layout plan at several locations to reduce noise

Rail noise is already substantially attenuated due to the screening achieved by the stone wall along the north site boundary. This screening is further increased by the rail line itself being in a cutting. The existing gap in the wall will be stopped up with a section of fencing, to maintain the acoustic performance of the wall along its length.

Fences will be provided around the perimeter of each garden to provide acoustic screening for each dwelling individually.

All gardens are designed to be terraced, with retaining walls between them, rather than on a continuous slope. This has the effect of maximising the acoustic screening of road noise provided by each fence, because it reduces the amount of area in each garden that has the potential to over-look the fence.

The bin store on the south boundary has been positioned to provide optimum acoustic screening of road noise in gardens 1 and 2.

The pods building has been positioned to provide optimum acoustic screening of road noise in garden 7.

A stone wall is proposed (1.8 m in height) along the south boundary between the bin store and the pods building, in order to provide acoustic screening of the road.

A stone wall is proposed (1.8 m in height) along the south boundary to the west of the bin store, in order to provide acoustic screening

**Y Use of acoustic insulation / closed window approach in new dwellings and allowance for the upper limit of 55 dB in gardens:**

Suitable acoustic specifications for windows and ventilators are provided on page 21, which enable the indoor noise level criteria to be achieved, whilst maintaining adequate background ventilation.

The measures outlined above are predicted to allow the 55 dB  $L_{Aeq,16hr}$  criterion to be achieved in all residential gardens.

The measures outlined above are predicted to allow the 55 dB  $L_{Aeq,16hr}$  criterion to be achieved in all but one of the parking areas in front of the houses. Although these areas are not gardens, they do set the atmosphere for the development upon arrival, and therefore influence the acoustic quality of the development.

- 5.2.2. All fences shall be close-boarded, sealed at the ground and have a minimum mass per unit area of 10 kg/m<sup>2</sup>.

## 5.3 ASSESSMENT OF EXTERNAL & INTERNAL NOISE LEVELS

### EXTERNAL NOISE LEVELS IN AMENITY AREAS

- 5.3.1. A noise contour map detailing the predicted external noise levels as a result of the existing noise sources at a grid height of 1.5 m is included in Figure C1, Appendix C.
- 5.3.2. The predictions indicate that all gardens have areas that are 55 dB  $L_{Aeq,16hr}$  or lower. In all cases, the areas shown on the architectural plans as seating areas would meet the 55 dB  $L_{Aeq,16hr}$  standard.
- 5.3.3. The following gardens are predicted to have areas that are lower than 55 dB  $L_{Aeq,16hr}$ :
- Y Garden 1: an area of 51 54 dB  $L_{Aeq,16hr}$
  - Y Garden 2: a large area of 51 54 dB  $L_{Aeq,16hr}$
  - Y Garden 3: the seating area is predicted to be 54 dB  $L_{Aeq,16hr}$
  - Y Garden 7: part of the seating area is predicted to be 54 dB  $L_{Aeq,16hr}$
- 5.3.4. It is therefore demonstrated that the 55 dB  $L_{Aeq,16hr}$  criterion can be achieved in all gardens of the proposed houses.

### INTERNAL NOISE LEVELS WITH WINDOWS OPEN

- 5.3.5. The measured and predicted noise levels have been used to assess whether the internal noise level criteria for habitable rooms can be met inside the proposed dwellings. Based on this information, assuming an attenuation of 13 dB from a free field external level, the excesses of the agreed internal noise level criteria can be determined and assessed.
- 5.3.6. Table 5-3 below presents a summary of the sound level reductions that would be required for each façade of each house in order to meet the indoor sound level criteria. In the majority of cases, these reductions are more than 13 dB, meaning that the indoor sound level criteria would be exceeded if an open window strategy was relied upon to provide background ventilation. In many instances, a sound level reduction of 18 dB or more would be required, meaning that the criteria would be exceeded by more than 5 dB, indicating a 'major adverse' impact when assessed using the TAN magnitude of impact methodology.

5.3.7. To present a worst-case assessment, these calculations are based on the highest predicted external sound levels for each façade, and the sensitivity of the noise sensitive development has been determined as high – i.e. receptors where people are particularly sensitive to noise.

**Table 5-3 – Sound level reductions needed in order to meet the indoor sound level criteria (free-field external sound levels)**

House	Façade	Daytime <i>L<sub>Aeq,16hr</sub></i>	Reduction required to meet 35 dB <i>L<sub>Aeq,16hr</sub></i>	Night- time <i>L<sub>Aeq,8hr</sub></i>	Reduction required to meet 30 dB <i>L<sub>Aeq,8hr</sub></i>	Night- time <i>L<sub>AFmax</sub></i>	Reduction required to meet 45 dB <i>L<sub>AFmax</sub></i>	Highest reduction required, dB
1	North	51	16	43	13	67	22	22
	East	59	24	50	20	68	23	24
	South	62	27	54	24	68	23	27
	West	56	21	47	17	68	23	23
2	North	50	15	42	12	72	27	27
	East	56	21	47	17	72	27	27
	South	57	22	48	18	62	17	22
	West	54	19	46	16	72	27	27
3	North	52	17	45	15	74	29	29
	East	53	18	45	15	74	29	29
	South	58	23	49	19	60	15	23
	West	53	18	45	15	74	29	29
4	North	51	16	44	14	75	30	30
	East	52	17	44	14	75	30	30
	South	57	22	49	19	61	16	22
	West	52	17	47	17	75	30	30
5	North	53	18	46	16	74	29	29
	East	52	17	45	15	74	29	29
	South	57	22	49	19	61	16	22
	West	56	21	48	18	74	29	29
6	North	53	18	45	15	72	27	27
	East	55	20	47	17	72	27	27
	South	61	26	53	23	66	21	26
	West	56	21	48	18	72	27	27
7	North	51	16	43	13	68	23	23
	East	61	26	53	23	70	25	26
	South	61	26	53	23	70	25	26
	West	55	20	47	17	70	25	25
<b>Highest sound reduction required</b>								<b>30</b>
<b>Lowest sound reduction required</b>								<b>22</b>

- 5.3.8. In accordance with TAN, sufficient data have been obtained to adequately assess, in quantitative terms, all the main noise sources that have the potential to impact upon all the amenities associated with the noise sensitive receptors during the day and night. On this basis a qualitative assessment is not required to assist in supporting or modifying the outcome reached using the quantitative assessment.

### **SPECIFICATIONS FOR GLAZING AND VENTILATION TO MEET INDOOR SOUND LEVELS**

- 5.3.9. From Table 5-3 it can be seen that the sound level reductions required in order to meet the indoor sound levels range from 22 to 30 dB.
- 5.3.10. BS 8233: 2014 states that it is not necessary for the internal noise criteria to be met with windows open for any residential development and that it is acceptable to account for the noise attenuation of the façade (with windows closed) in the appraisal of the internal noise environment, provided of course that an alternative means of ventilation is provided to achieve the Building Standards. The following statement is contained in BS 8233:2014:

*If relying on closed windows to meet the guide values, there needs to be an appropriate alternative ventilation that does not compromise the façade insulation or resulting internal noise level, and that if applicable, any room should have adequate ventilation (e.g. trickle ventilators should be open) during testing*

- 5.3.11. Annex G of BS 8233: 2014 presents two methods to determine the amount of noise attenuation required from different elements of a building façade based on a known external noise level, one of which is a 'simple calculation' and the other a 'more rigorous calculation'. The latter accounts for the frequency spectrum of the source, the room dimensions and the acoustic absorption within the room. With regards to the 'simple' method it is advised that:

*"Strictly, the insulation values used here relate to a pink noise spectrum, and actual values achieved will be lower for traffic noise. Furthermore, the method does not take account of the absorption (e.g. furnishings) in the room. However, the  $R_w$  values will suffice for a rough calculation, although it is likely to underestimate the level in the room by up to 5 dBA. Where the estimate is within 5 dBA of the limit, a more rigorous calculation should be carried out using octave bands "*

- 5.3.12. Based on this method, glazing specifications would need to be meet a performance of 27 to 35 dB  $R_w$ . Windows are typically the acoustically weakest element of the façade, so it is reasonable to assume that they will dictate the overall sound insulation of the façade. Table 6-2 below presents example glazing specifications selected from BS 6262-2<sup>6</sup>.

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<sup>6</sup> BS 6262-2 *Glazing for buildings Part 2: Code of practice for energy, light and sound*, British Standards Institute

**Table 5-4 – Example glazing types**

Glazing Specification (Pane Width / Air Gap / Pane Width)	Performance, dB $R_w$ <sup>1</sup>
4 / 12 / 4 (this represents the acoustically lowest-performing type of glazing likely to be used on a modern building)	31
10 / 12 / 4	35

5.3.13. It can be seen from Table 5-4 that there are suitable glazing options available which would provide the necessary sound insulation. Lesser requirements will apply on aspects facing away from or with an increased angle of view to the main noise sources.

5.3.14. The above simple calculations do not account for the incorporation of permanent ventilation to the dwellings. On ventilation, BS 8233: 2014 advises that:

*"The Building Regulations' supporting documents on ventilation recommend that habitable rooms in dwellings have background ventilation. Where openable windows cannot be relied upon for this ventilation, trickle ventilators can be used and sound attenuating types are available. However, windows may remain openable for rapid or purge ventilation, or at the occupants' choice.*

*Alternatively, acoustic ventilation units are available for insertion in external walls. These can provide sound reduction comparable with double glazed windows. However, ducted systems with intakes on the quiet side of the building might be required in very noisy situations, or where appearance rules out through the wall fans."*

5.3.15. The preferred choice of ventilation is usually to use natural ventilation openings such as trickle ventilators, air bricks or passive through wall ventilators. The Building Research Establishment (BRE) has published an Information Paper on the acoustic performance of such passive ventilation systems – IP4/99: 1999: *Ventilators: Ventilation and acoustic effectiveness*. This document presents a study into the sound reduction performances of fourteen different window-mounted trickle ventilators and seven different through-wall passive ventilators. The measured sound reduction performances, after taking into account flanking sound paths (i.e. sound paths that do not travel directly through the vent) and the effective area of the ventilator can be summarised as follows:

**Table 5-5 – Range of measured sound reduction performance of passive ventilators, with vents open, dB(A)**

Window Mounted Trickle Vents (open)	Passive Through-wall Ventilators (open)
From 14 to 40 (depending on model)	From 30 to 46 (depending on model)
Figures corrected for effective area of ventilator	

5.3.16. It can be seen from Table 5-5 that there are ventilation options that are available that meet the requirements of the Building Regulations for background ventilation and also provide a sound reduction performance that meets or exceeds those required from the windows.

## 5.4 VIBRATION ASSESSMENT

- 5.4.1. In order to predict the levels of groundborne vibration and re-radiated noise arising from the passage of trains, as experienced within the new buildings, a number of variables and assumptions have necessarily been made:
- Y Information relating to the design and setting-out of the new buildings has been taken from the planning drawings as shown in Figure B-2.
  - Y Soil conditions have been assumed to be hard.
  - Y The internal floors will be timber and of small span (concrete floors would result in lower levels).
  - Y The estimated VDV (eVDV) has been predicted at the ground and first floor, which is considered to be a worst-case scenario as vibration will attenuate with increasing height.
  - Y There are 115 train events during a typical daytime period (07:00 - 23:00) and 12 train events during a typical night-time period (23:00 - 07:00), based on ScotRail timetables and the working timetable for freight trains.
  - Y The duration of a typical train pass-by is 10 seconds (based on the measured vibration data).
- 5.4.2. In order to take into account the effects of the foundation design for the new building, data relating to the dynamic vibration response of different types of building have been obtained from a number of sources, including Saurenman and Nelson (*A Prediction Procedure for Transportation Groundborne Noise and Vibration, Transport Research Record 1143, USFTA*) and Villot *et al* (*Procedures to Predict Exposure in Buildings and Estimate Annoyance*, a report from the RIVAS (Railway Induced Vibration Abatement Solutions) collaborative project).
- 5.4.3. Using this information, calculations have been undertaken for each of the captured train events to determine the eVDV level. The results of these calculations are presented in Table 5-4.
- 5.4.4. Separate eVDV calculations have been undertaken for day and night-time periods based on each of the vibration measurements, and assuming that all 115 day-time and 12 night-time train events produce the same level of vibration. VDV's are dictated primarily by the magnitude of vibration, rather than the duration or number of occurrences. As such, it is considered appropriate to take the highest of the predicted eVDV's as a worst-case result.
- 5.4.5. The predictions presented in Table 5-4 relate to residential rooms on the lowest suspended floor.
- 5.4.6. In order to avoid adding to the airborne sound contributions, the maximum re-radiated sound level should be no higher than 35 dB.



**Table 5-6 – Predicted tactile and re-radiated noise levels for ground and first floor locations**

Train event	Date	Time	Daytime eVDV (m·s <sup>-1.75</sup> )	Night-time eVDV (m·s <sup>-1.75</sup> )	Predicted re-radiated maximum noise level (dB L <sub>ASmax</sub> )
1	08/10/2020	13:03	0.018	0.009	27
2	08/10/2020	13:18	0.028	0.016	30
3	08/10/2020	13:24	0.014	0.008	29
4	08/10/2020	13:32	0.029	0.020	32
5	08/10/2020	13:39	0.018	0.008	26
6	08/10/2020	13:51	0.029	0.016	31
7	08/10/2020	13:54	0.012	0.008	27
8	08/10/2020	13:57	0.028	0.017	32
9	08/10/2020	14:10	0.027	0.014	33
10	09/10/2020	10:51	0.041	0.022	33
11	09/10/2020	11:03	0.017	0.008	27
12	09/10/2020	11:09	0.017	0.008	27
13	09/10/2020	11:11	0.025	0.014	30

5.4.7. It can be seen by reference to the criteria in Table 3-6 and the daytime and night-time eVDVs calculated within ground and first floor dwellings, that the probability of adverse comment would be less than “low” when assessed in accordance with BS 6472-1.

In addition, none of the train events are predicted to exceed a re-radiated low frequency noise level limit of 35 dB L<sub>ASmax</sub> (Table 3-7), with levels below this value being acceptable for sleeping areas.

## 6 CONCLUSIONS

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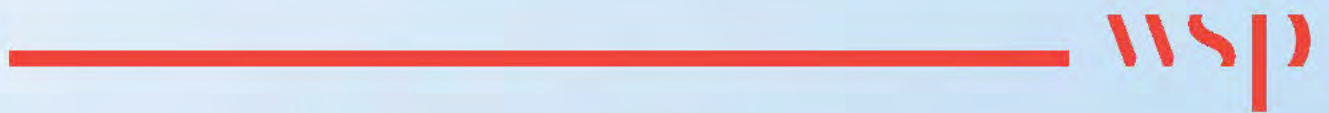
- 6.1.1. WSP is appointed by LRH Enterprises to undertake an environmental noise and vibration assessment to support an outline planning application for a proposed residential development on land at Meikle Couston Steading, Dalgety Bay.
- 6.1.2. This assessment has been prepared for submission to Fife Council and has considered the potential impact of the prevailing local noise and vibration environment on the sensitive aspects of the proposed development.
- 6.1.3. A baseline noise survey has been undertaken to establish the existing noise levels affecting the site, which are predominately influenced by road traffic and trains. An attended vibration survey has also been undertaken to establish the existing levels of groundborne vibration from trains.
- 6.1.4. If windows are open for background ventilation it is predicted that the agreed internal noise criteria will not be met inside all dwellings. The proposed development meets the criteria for 'exceptional circumstances' on the basis that it is being proposed on brownfield land, an aspect that is reflected in its application under Part 3 of Policy 8 (Housing in the Countryside). It is therefore appropriate to assess indoor noise levels assuming closed windows, and to minimise noise levels in gardens. The procedure set out in Fife Council's *Policy for Development and Noise 2021* has therefore been followed, and appropriate noise control measures incorporated into the design as detailed in section 5.2 above.
- 6.1.5. Consideration has been given to appropriate noise mitigation measures, and having regard to the recommendations in the TAN and other relevant planning guidance. Good Acoustic Design' principles have been explored in the approach to mitigation. For aspects of the proposed development where agreed internal criteria cannot be achieved with windows open, the assessment has considered the required glazing and ventilation performances which would be needed.
- 6.1.6. Glazing and ventilation products with the required acoustic performances (depending on the ventilation strategy) to habitable rooms on the façades most affected by train and road traffic noise will allow the internal noise criteria to be achieved in the internal habitable spaces, with windows closed. Windows should be openable to allow for rapid purge ventilation at the occupants' discretion.
- 6.1.7. At the habitable rooms within the proposed development most exposed to noise, the sound insulation performance of the glazing should achieve 35 dB  $R_w$  to meet the internal noise criteria. This can be met using thermally insulating double glazing, with a configuration such as 10/12/4. Many façades could use a lower specification of glazing.
- 6.1.8. A review of available natural ventilation options (including frame-mounted trickle vents and through-wall ventilators) demonstrates that suitable products are readily available that would provide sufficient attenuation of sound.
- 6.1.9. An assessment of the external amenity areas has been undertaken. Due to the site setting and its proximity to the strategic transport network a compromise between elevated noise levels and other factors, such as the convenience of living in these locations has been considered. Substantial acoustic mitigation has been incorporated into the layout of the site, in order to maximise the amount of acoustic screening to gardens of the houses. With this mitigation, it is possible for the upper guideline noise criterion of 55 dB  $L_{Aeq,16hr}$  to be achieved in areas of all of the gardens, and in some cases for lower sound levels to also be achieved.



- 6.1.10. A vibration assessment has been undertaken to predict the VDVs and re-radiated noise levels likely to occur in the proposed buildings. VDVs are predicted to result in less than a low probability of adverse comment from future residents and none of the measured train events exceeded the re-radiated noise limit of 35 dB  $L_{ASmax}$ .
- 6.1.11. This report therefore concludes that the proposed residential development is capable of achieving the requisite noise and vibration criteria, and that there are no noise or vibration considerations which would preclude against determination in favour of the application.
- 6.1.12. The limitations to this report are detailed in Appendix E.

# Appendix A

## **GLOSSARY OF ACOUSTIC TERMINOLOGY**



Noise is defined as unwanted sound. Human ears are able to respond to sound in the frequency range 20 Hz (deep bass) to 20,000 Hz (high treble) and over the audible range of 0 dB (the threshold of perception) to 140 dB (the threshold of pain). The ear does not respond equally to different frequencies of the same magnitude, but is more responsive to mid-frequencies than to lower or higher frequencies. To quantify noise in a manner that approximates the response of the human ear, a weighting mechanism is used. This reduces the importance of lower and higher frequencies, in a similar manner to the human ear.

Furthermore, the perception of noise may be determined by a number of other factors, which may not necessarily be acoustic. In general, the impact of noise depends upon its level, the margin by which it exceeds the background level, its character and its variation over a given period of time. In some cases, the time of day and other acoustic features such as tonality or impulsiveness may be important, as may the disposition of the affected individual. Any assessment of noise should give due consideration to all of these factors when assessing the significance of a noise source.

The most widely used weighting mechanism that best corresponds to the response of the human ear is the 'A'-weighting scale. This is widely used for environmental noise measurement, and the levels are denoted as dB(A) or  $L_{Aeq}$ ,  $L_{A90}$  etc., according to the parameter being measured.

The decibel scale is logarithmic rather than linear, and hence a 3 dB increase in sound level represents a doubling of the sound energy present. Judgement of sound is subjective, but as a general guide a 10 dB(A) increase can be taken to represent a doubling of loudness, whilst an increase in the order of 3 dB(A) is generally regarded as the minimum difference needed to perceive a change under normal listening conditions.

## TERMINOLOGY RELATING TO NOISE

Terminology	Description
Sound Pressure	Sound, or sound pressure, is a fluctuation in air pressure over the static ambient pressure.
Sound Pressure Level (Sound Level)	The sound level is the sound pressure relative to a standard reference pressure of $20\mu\text{Pa}$ ( $20 \times 10^{-6}$ Pascals) on a decibel scale.
Decibel (dB)	A scale for comparing the ratios of two quantities, including sound pressure and sound power. The difference in level between two sounds $s_1$ and $s_2$ is given by $20 \log_{10}(s_1 / s_2)$ . The decibel can also be used to measure absolute quantities by specifying a reference value that fixes one point on the scale. For sound pressure, the reference value is $20\mu\text{Pa}$ .
A-weighting, dB(A)	The unit of sound level, weighted according to the A-scale, which takes into account the increased sensitivity of the human ear at some frequencies.
Noise Level Indices	Noise levels usually fluctuate over time, so it is often necessary to consider an average or statistical noise level. This can be done in several ways, so a number of different noise indices have been defined, according to how the averaging or statistics are carried out.
$L_{eq,T}$	A noise level index called the equivalent continuous noise level over the time period T. This is the level of a notional steady sound that would contain the same amount of sound energy as the actual, possibly fluctuating, sound that was recorded.
$L_{max,T}$	A noise level index defined as the maximum noise level during the period T. $L_{max}$ is sometimes used for the assessment of occasional loud noises,

	which may have little effect on the overall $L_{eq}$ noise level but will still affect the noise environment. Unless described otherwise, it is measured using the 'fast' sound level meter response.
$L_{90,T}$	A noise level index. The noise level exceeded for 90% of the time over the period T. $L_{90}$ can be considered to be the "average minimum" noise level and is often used to describe the background noise.
$L_{10,T}$	A noise level index. The noise level exceeded for 10% of the time over the period T. $L_{10}$ can be considered to be the "average maximum" noise level. Generally used to describe road traffic noise.
Free-Field	Far from the presence of sound reflecting objects (except the ground), usually taken to mean at least 3.5 m.
Façade	At a distance of 1 m in front of a large sound reflecting object such as a building façade.
Fast/Slow Time Weighting	Averaging times used in sound level meters.
Octave Band	A range of frequencies whose upper limit is twice the frequency of the lower limit.

## TERMINOLOGY RELATING TO VIBRATION

Terminology	Description
Displacement, velocity and acceleration	Vibration is an oscillatory motion. The magnitude of vibration can be defined in terms of displacement (how far from the equilibrium position that something moves), velocity (how fast something moves), or acceleration (the rate of change of velocity).
Vibration dose value (VDV)	This is a measure of the amount of vibration that is experienced over a specified period, and has been defined so as to quantify the human response to vibration in terms of comfort and annoyance. The Vibration Dose Value is used to assess the likely levels of adverse comment about vibration, and is defined mathematically as the fourth root of the time integral of the fourth power of the acceleration, after it has been frequency weighted to take into account the frequency response of the human body to a vibration stimulus. Measured in units of $m \cdot s^{-1.75}$

# Appendix B

## **DRAWINGS & FIGURES**

Figure B-1 – Existing Site Location Plan

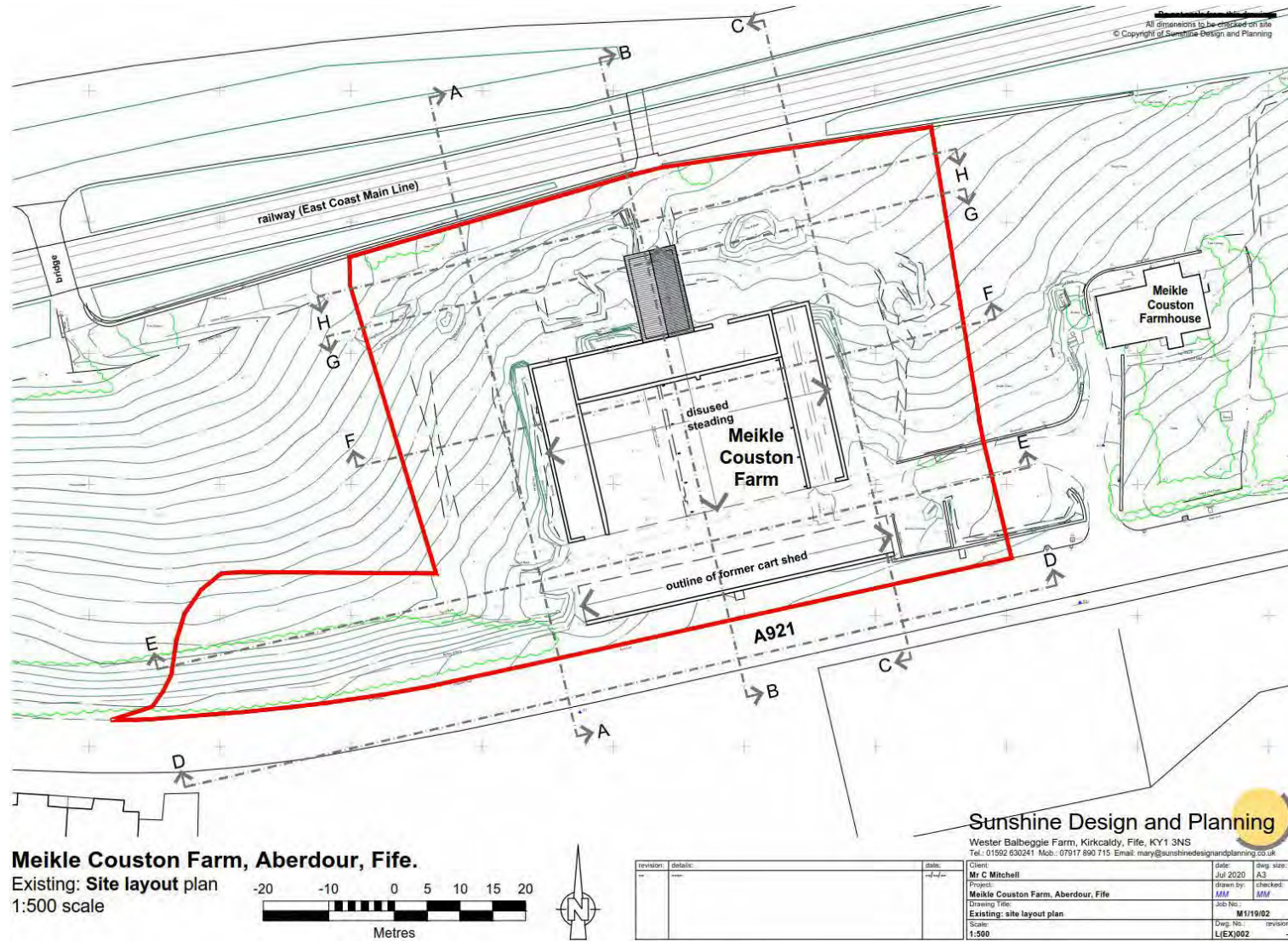
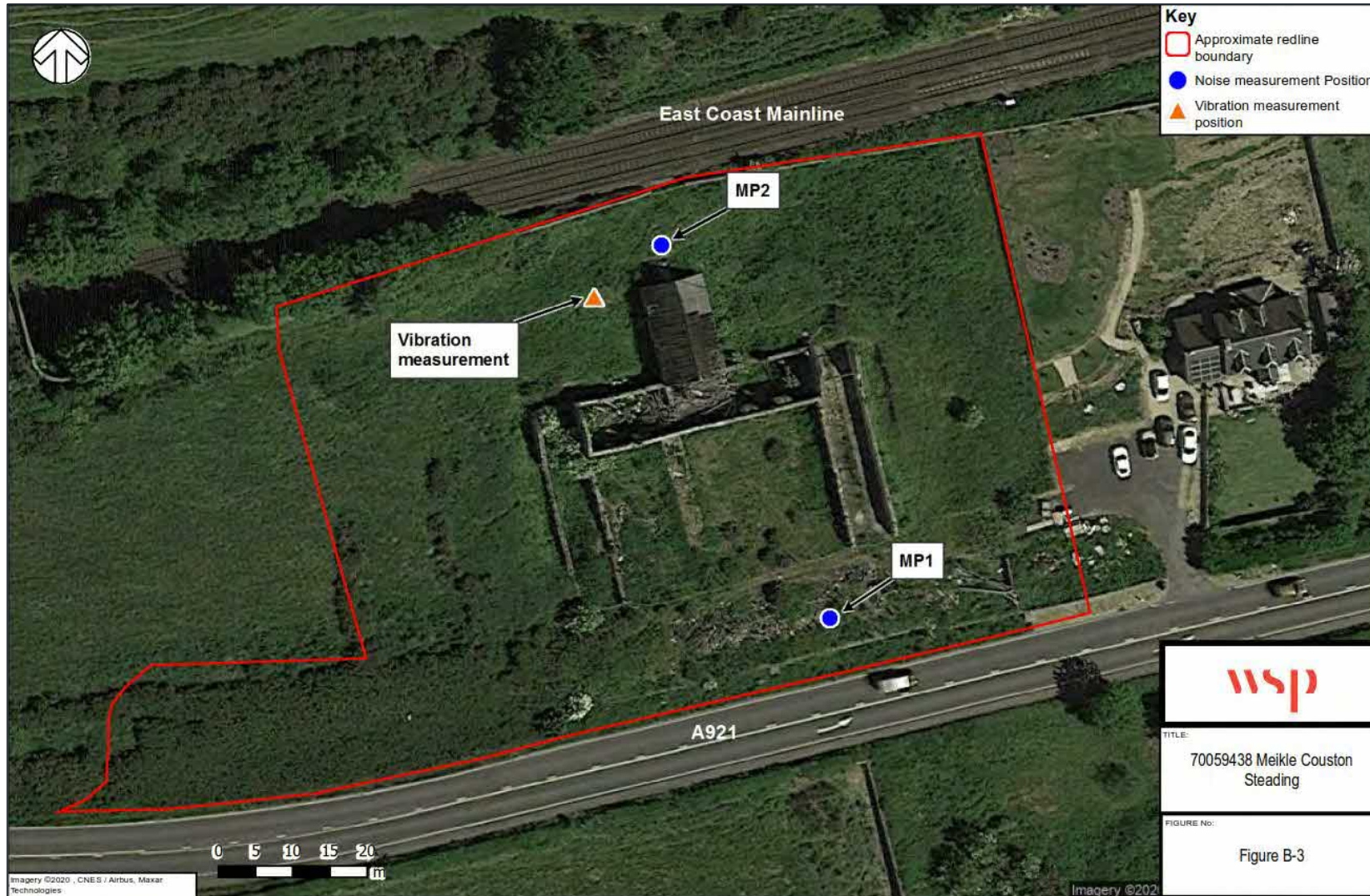




Figure B-2 – Proposed Site Layout Plan



Figure B-3 – Survey measurement positions



# Appendix C

## EXTERNAL NOISE CONTOUR PLOT

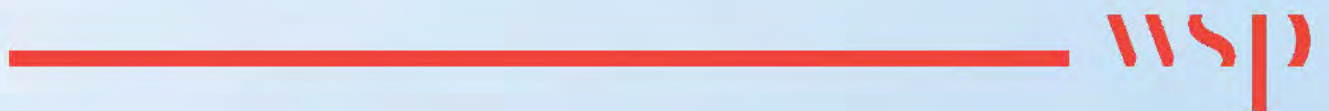
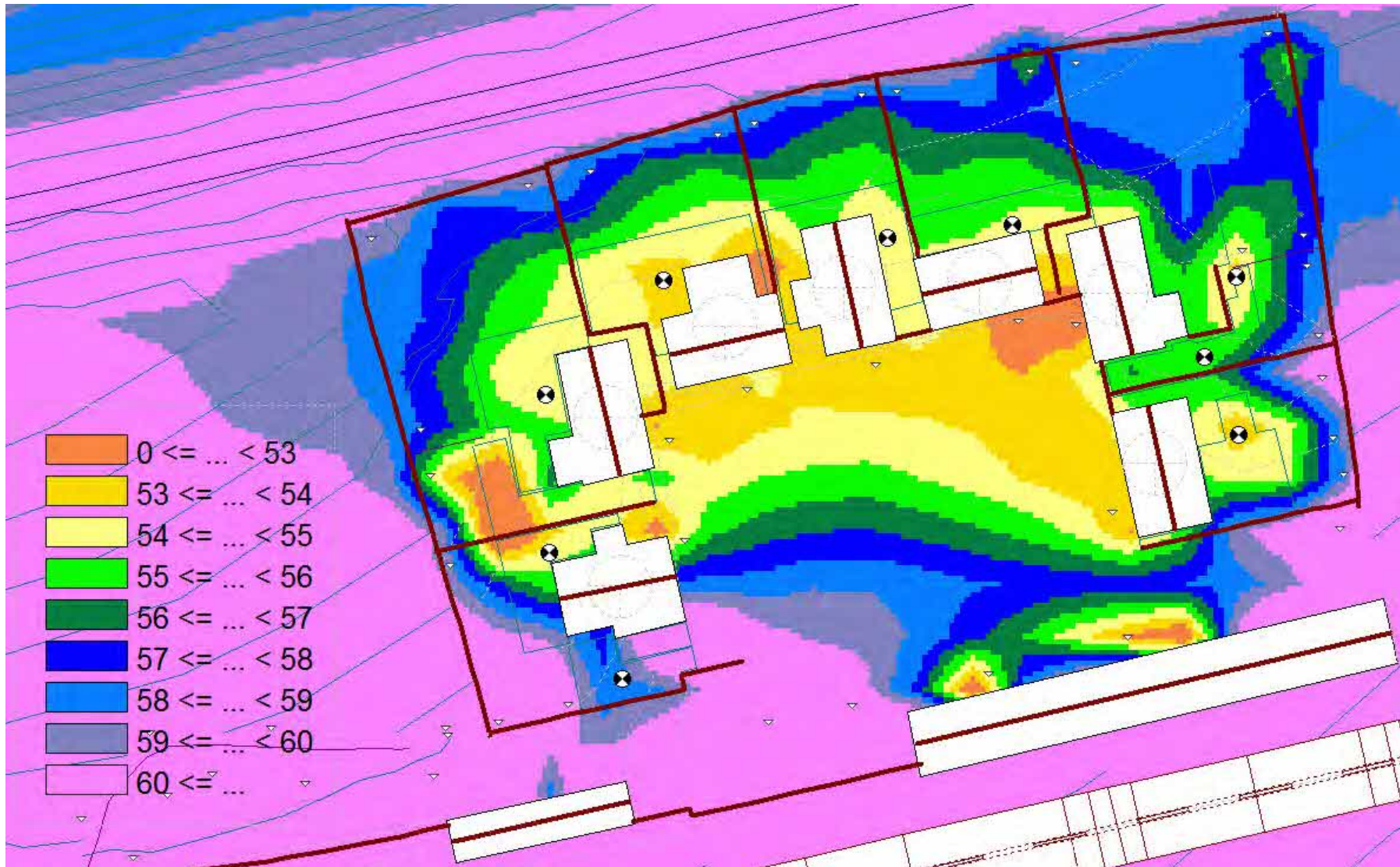


Figure C-1 – External daytime garden sound levels at 1.5m grid height (dB  $L_{Aeq,16hr}$ )



# Appendix D

## **SURVEY EQUIPMENT**



## NOISE AND VIBRATION MEASUREMENT EQUIPMENT

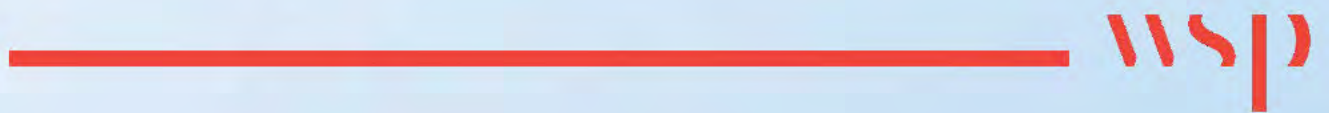
### Measurement Equipment Details

Measurement Positions	Equipment Item	Make / Model	Serial Number	Last Calibration
MP1 (Noise)	Sound Level Meter	Cirrus Research Plc Optimus CR:171B Sound Level Meter	G078535	19 November 2019
	Pre-amplifier	Cirrus Research Plc MK:170 (MV:200 for handheld SN:6012F) Preamplifier	0816	
	Microphone	Cirrus Research Plc MK224 Microphone	206372A	
	Calibrator	Cirrus Research Plc CR:515	78214	14 November 2019
MP2 (Noise)	Sound Level Meter	Cirrus Research Plc Optimus CR:171B Sound Level Meter	G053886	06 November 2019
	Pre-amplifier	Cirrus Research Plc MK:170 (MV:200 for handheld SN:6012F) Preamplifier	0817	
	Microphone	Cirrus Research Plc MK224 Microphone	207274A	
	Calibrator	Cirrus Research Plc CR:515	55173	12 February 2020
Vibration 1	Seismograph	InstanTel MiniMate Plus - 716A0403	BE9173	11 November 2015
	Geophone	InstanTel Low Level Geophone X10I	BQ11249	02 February 2019

The sound level meters were calibrated before and after each measurement, with no significant drift recorded. An accredited laboratory calibrated the sound level meters not more than two years prior to the measurements being made, and the calibrators not more than one year prior to the survey.

# Appendix E

## LIMITATIONS





This report has been prepared for the titled project or named part thereof and should not be used in whole or part and relied upon for any other project without the written authorisation of WSP UK Limited. WSP UK Limited accepts no responsibility or liability for the consequences of this document if it is used for a purpose other than that for which it was commissioned.

Persons wishing to use or rely upon this report for other purposes must seek written authority to do so from the owner of this report and/ or WSP UK Limited and agree to indemnify WSP UK Limited for any and all loss or damage resulting therefrom. WSP UK Limited accepts no responsibility or liability for this document to any other party other than the person by whom it was commissioned.

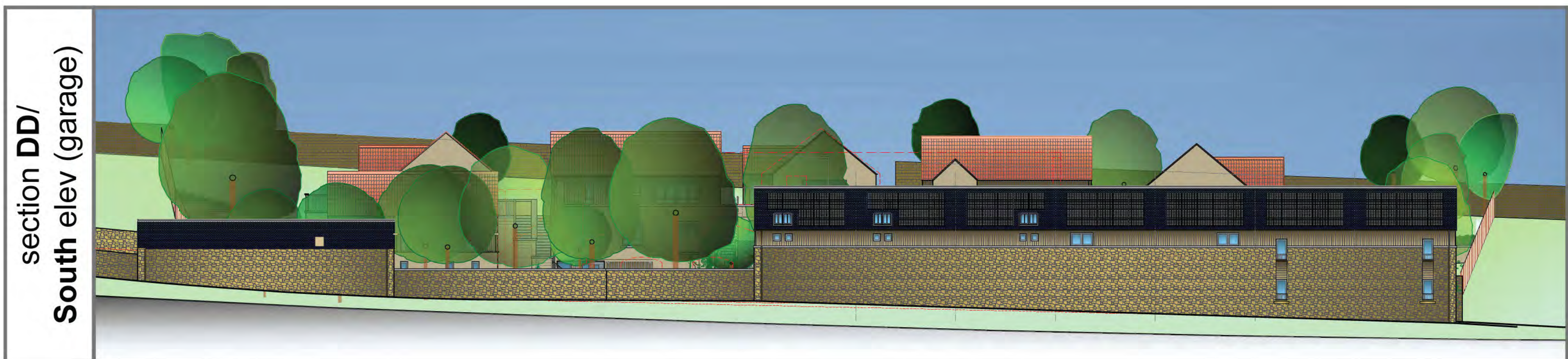
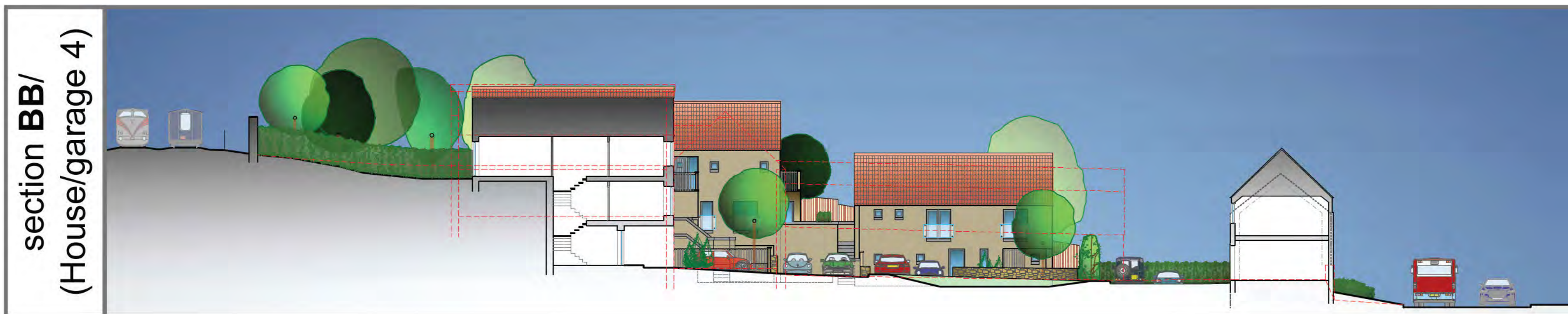
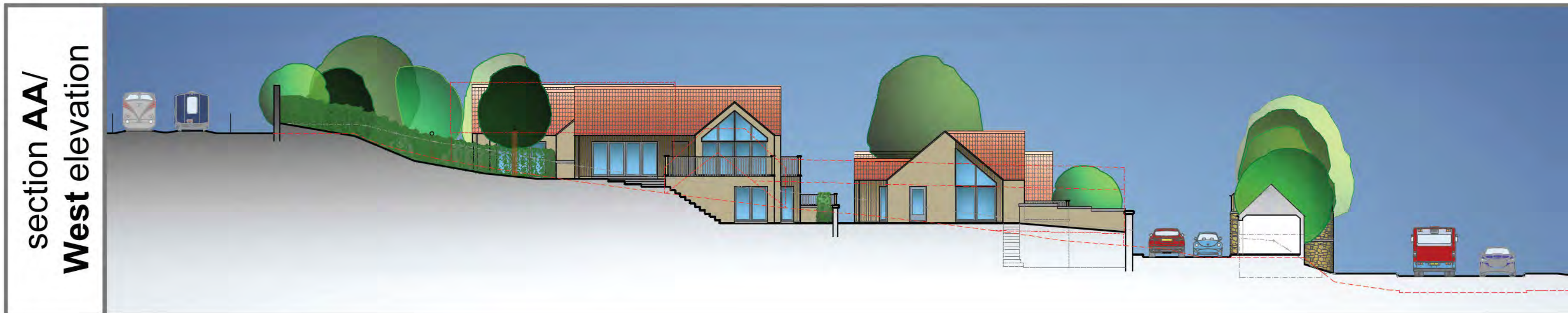
The findings and opinions expressed are relevant to the dates of the site works and should not be relied upon to represent conditions at substantially later dates. Opinions included therein are based on information gathered during the study and from our experience. If additional information becomes available which may affect our comments, conclusions or recommendations WSP UK Limited reserve the right to review the information, reassess any new potential concerns and modify our opinions accordingly.





7 Lochside View  
Edinburgh Park  
Edinburgh, Midlothian  
EH12 9DH

[wsp.com](http://wsp.com)



**Meikle Couston Farm, Aberdour, Fife.**  
 Proposed: **Site cross-sections and elevations**  
 1:200 scale



revision:	details:	date:	Client:	date:	dwg. size:
A	Garage/pod building moved and bin store added.	25/02/22	Mr C Mitchell	Oct 2020	A2
B	Render colour changed from white to buff.	28/09/22	Project: Meikle Couston Farm, Aberdour, Fife	drawn by: MM	checked: MM
			Drawing Title: Proposed: elevations/site sections AA, BB and DD	Job No.:	M11/19/02
			Scale: 1:200	Dwg. No.:	L(PL)003
				revision:	B

**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
 Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

Traffic Data Collection  
13 Thomson Drive  
Airdrie  
ML6 9DG

To Whom It May Concern

### A921 Meikle Coulston Speed Survey

I write with regards to the above speed survey location, which was surveyed by Traffic Data Collection between 3<sup>rd</sup> and 10<sup>th</sup> October 2021. The location was surveyed using two Metrocount Roadpod traffic loggers, which are the industry standard for this type of work, with one logger placed at each side of the proposed access.

The posted speed limit on the road is 60mph. We can confirm the following 85<sup>th</sup> percentile averages over 7 days for each direction as each location.

Location 1 = 48 to 49mph Eastbound, 45 to 45.5mph Westbound

Location 2 = 44 to 44.9mph Eastbound, 43.7 to 44.1 Westbound

The map below shows the approximate location of each Metrocount logger.



I trust this information is of use, but if you have any further queries, please don't hesitate to contact me.

Regards

Quentin Reynolds  
Traffic Data Collection



**Appendix 2 - Sustainable Drainage Design – Independent Check Certificate**

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in the below named development with a view to securing that:

1. It has been designed in accordance with CIRIA C753: The SuDS Manual 2015, Current Edition of Sewers for Scotland, Fife Council – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.
2. It shall be accurately translated into construction drawings and schedules.
3. I hereby confirm that I hold professional indemnity insurance for £5 million pounds.

ePlanning Reference No. ....20/00633/PPP.....

Planning Application No. (completed by Fife Council Planning Service) .....

Roads Construction Consent No. (completed by Fife Council Planning Service) .....

Name of Development Meikle Coustan Farm Development .....

Name of Developer Mr Craig Mitchell .....

Name and Address of Checker's Organisation Will Rudd Davidson .....

43 York Place, Edinburgh, EH1 3HP .....

Name of Checker Craig Milne .....



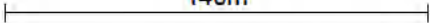
Position Held Director .....

Engineering Qualifications <sup>(2)</sup> CEng FICE .....

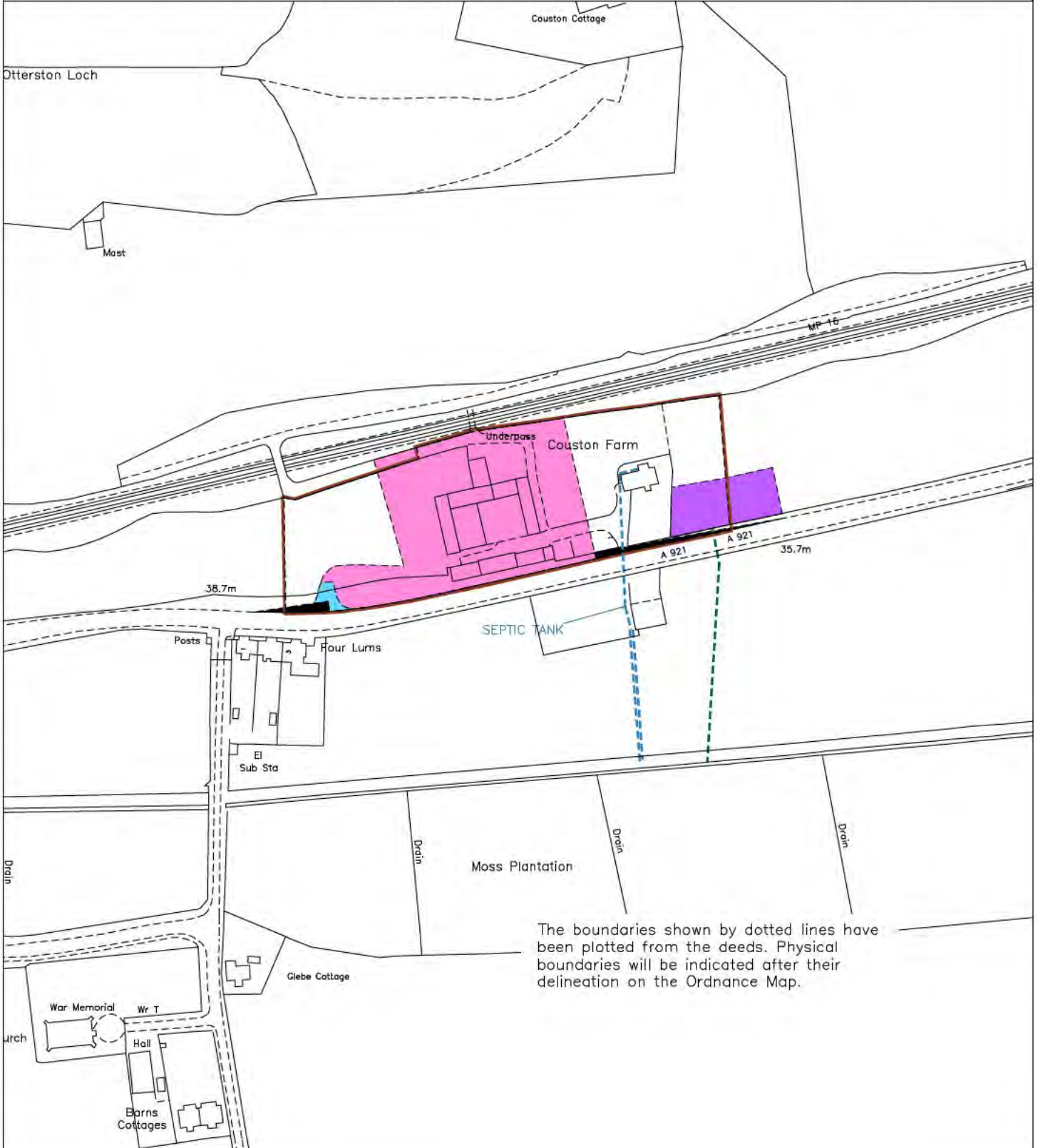
Signed [Redacted Signature] .....

Date 19.07.22 .....

(2) **Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.**

 <b>LAND REGISTER OF SCOTLAND</b>	Officer's ID / Date	TITLE NUMBER
	9995 16/4/2011	<b>FFE85883</b>
	ORDNANCE SURVEY NATIONAL GRID REFERENCE	140m 
	NT1684 NT1784 NT1685 NT1785	Survey Scale 1/2500

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The boundaries shown by dotted lines have been plotted from the deeds. Physical boundaries will be indicated after their delineation on the Ordnance Map.



# Title Information: FFE85883

## Search summary

Date/Time of search	26-03-2021 16:16:43
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Payment reference number	QQ3Z-Q3SX-7YJR-XVQ3
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**Section A****FFE85883**

## Property

Date of first registration	04-07-2007
Date title sheet updated to	03-04-2019
Hectarage Code	0
Real Right	OWNERSHIP
Map Reference	NT1684
Title Number	FFE85883
Cadastral Unit	FFE85883
Sasine Search	67957
Property address	MEIKLE COUSTON FARM STEADING, ABERDOUR, BURNTISLAND KY3 0RX

Description	Subjects MEIKLE COUSTON FARM STEADING, ABERDOUR, BURNTISLAND KY3 0RX tinted pink, blue and mauve on the Title Plan; Together with the servitude rights specified in the Deed of Servitude in Entry 4, the Deed of Real Burdens and Servitudes in Entry 5 and the Disposition in Entry 6 of the Burdens Section; Together with the subsisting rights to real burdens specified in the Schedule below.
-------------	--

## Schedule of Particulars Relative to Subsisting Rights to Real Burdens

Entry No	Benefited Property	Real Burdens	Burdened Property
1	subjects in this Title	Deed of Real Burdens and Servitudes by Robert Craig, recorded G.R.S. (Fife) 4 JUL 2007 specified in Entry 5 of the Burdens Section.	Part of Couston Farm, referred to in Disposition by Shell UK Limited to Robert Craig, recorded G.R.S. (Fife) 30 NOV 1981.

This is a Copy which reflects the position at the date the Title Sheet was last updated.

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## Section B

**FFE85883**

### Proprietorship

MC STEADING LIMITED a Company incorporated under the Companies Acts, (Company Number SC624908), and having its Registered Office at Newbigging House, Newbigging, Burntisland, KY3 0AQ.

Entry number	1
Date of registration	03-04-2019
Date of Entry	28-03-2019
Consideration	£144,000

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## Section C

FFE85883

### Securities

There are no entries.

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## Section D

FFE85883

### Burdens

Number of Burdens: 6

#### Burden 1

Disposition by Shell U K Limited to Robert Craig and his executors and assignees, recorded G.R.S. (Fife) 30 Nov. 1981, of four parts of Couston Farm, of which the subjects in this Title form part, contains the following burdens:

(1) There is reserved to us and persons authorised by us a right to shoot, hunt and kill all game, hares, rabbits and wild fowl on the said subjects and a right to fish in the lochs, rivers and streams flowing through or bounding the said subjects; and

(2) There is reserved to us, our successors as proprietors of the remainder of Couston Farm and Esso Chemical Limited, a Company incorporated under the Companies Acts and having their Registered Office at Victoria Street, Westminster, London and they and our successors whomsoever (all of whom are for the purpose of this reservation only hereinafter referred to as "the Operators") now or at any time hereafter the right to lay such pipes, cables and others and to construct or install such ancillary apparatus and facilities upon the said subjects and the said remainder of Couston Farm whether below, upon or above the ground as may reasonably be required by either of the parties comprising the Operators in relation to petro-chemical developments at Braefoot Bay and/or Mossmorran in Fife or elsewhere provided that the Operators shall be bound to pay:-

(a) In respect of the said subjects such consideration as shall at the time either of the operators intimate their wish to take up any of the foregoing rights represent the agricultural value of the part of the subject to which the rights relate, and

(b) The reasonable compensation for all damage to land or crops thereon caused by the laying of such pipes, cables and others or the construction or installation of such ancillary apparatus and facilities the amounts of such consideration and compensation to be determined, failing agreement, by the Chairman for the time being of the Scottish Branch of the Institution of Chartered Surveyors.

Note: The Conditions in the said Disposition have been varied in terms of the Minute of Waiver in Entry 3 of this Section.

#### Burden 2

Agreement in terms of Section 75 of the Local Government etc. (Scotland) Act 1994, recorded G.R.S. (Fife) 18 Aug. 2004 between Fife Council (who and whose successors as Planning Authority are hereinafter referred to as "the Council") and Robert Craig (who and whose successors and assignees are hereinafter referred to as "the Landowners") in the following terms:

WHEREAS the Council is planning authority for the purposes of Section 75 of the Act as applied by the Local Government etc (Scotland) Act 1994; AND WHEREAS the Landowner has submitted a planning application to the Council for Planning Permission for the Development; AND WHEREAS the Landowner is the heritable proprietor of the Land and is interested in the Land in terms of said Section 75 to which the Planning Application related and is therefore able to bind the Land for the purpose of restricting or regulating the development or use of the Land; AND WHEREAS the Council are desirous of ensuring that

(a) the land for the septic tank and soakaway relative thereto ("the private sewerage system") serving the Dwellinghouses are at all times within the same ownership as the Dwellinghouses until such time as the Dwellinghouses are connected to the public sewerage system,

(b) that the private sewerage system serving the Dwellinghouses are constructed to a specification acceptable for adoption by the Scottish Water Limited having its Registered Office at Castle House, 6 Castle Drive, Carnegie Campus, Dunfermline, Fife, KY11 8GG or their successors as the appropriate Drainage Authority (all hereinafter referred to as "SW") in order to ensure connection to the public sewerage system when capacity become available,

(c) the private sewerage system serving the Dwellinghouses is maintained by the Landowner and continues to serve the Dwellinghouses until such time as capacity become available to enable the Dwellinghouses to be connected to the public sewerage system and

(d) that the Landowner at his own expense connects the Dwellinghouses to the public sewerage system;

AND WHEREAS the Council are disposed to grant Planning Permission for the Development subject to the Landowner entering into this Agreement regarding the matters hereinbefore described; NOW THEREFORE the Council and the Landowner have agreed and, do hereby agree in the manner following videlicet:-

## 1. Definitions and Interpretations

1.1 In this Agreement the following words and expressions shall, where the context so admits have the following meanings:-

"the Act" means the Town and Country Planning (Scotland) Act 1997 or any re-enactment thereof;

"the Development" means the conversion of the farm steading to form nine dwellinghouses and garages, (referred to herein as "the Dwellinghouses") in accordance with the planning permission:

"the Land" means the subjects situated at Couston Farm, Aberdour tinted pink and blue on the Title Plan and being part of those four parts of the farm known as Couston Farm, in the Parish of Aberdour and County of Fife lying to the north of A92 public road and to the west of the A987 public road disposed by Disposition by Shell UK Limited in favour of Robert Craig recorded G.R.S. (Fife) 13 Nov. 1981.

"Planning Permission" means the Planning Permission for the Development under the terms and conditions of the planning consent notice reference 03/02856/WFULL and all associated drawings and documentation referred to therein, and any amendments thereto of subsequent planning permission issued in respect of the Development.

1.2 The clause headings in this Agreement are for the convenience of the parties only and do not affect its interpretation.

1.3 Words importing the singular meaning shall include, where the context so admits, the plural meaning and vice versa.

1.4 Words denoting the masculine gender shall include the feminine and neuter genders and words denoting a natural person shall include corporations and firms and all such words shall be construed interchangeably in that manner.

1.5 Where the context so admits references in this Agreement to a clause are to a clause of this Agreement,

1.6 References in this Agreement to any statute or statutory instrument shall include and refer to any statutory amendment or re-enactment thereof from time to time being in force.

## 2. The land to which this Agreement related

2.1 This Agreement relates to the Land.

## 3. Contractual Terms to be Real Burdens

3.1 The Land is hereby bound by the contractual undertakings aftermentioned which shall have effect as real burdens on the Land for the period that this Agreement is in force. In the event that the conditions and obligations contained in this Agreement and in the consent have been fully satisfied or performed the Council will grant a formal Discharge of this Agreement if requested to do so by the Landowner which Discharge will be registered in the Sasines or Land Register.

## 4. The Landowner's Undertakings

4.1 The Landowner for himself and his successors in title undertakes that the heritable proprietors of the Dwellinghouses shall be the heritable proprietors of the land within which the whole private sewerage system lies until such time as the Dwellinghouses are connected to the public sewerage system.

4.2 The Landowner for himself and his successors in title hereby undertakes

(a) to complete the private sewerage system in accordance with the Planning Permission and to a specification acceptable to SW to enable the private sewerage system to be adopted by SW for maintenance in the event that capacity is available within the public sewerage system,

(b) to maintain the private sewerage system to the Council's reasonable satisfaction until such time as the Dwellinghouses are connected to the public sewerage system and

(c) at his own expense to connect the Dwellinghouses to the public sewerage system should the opportunity arise.

4.3 If there should be more than one Landowner at any one time

4.3.1 the land within which the private sewerage system lies shall be the common property of all the Landowners;

4.3.2 the costs of maintenance of the private sewerage system shall be divided equally, or on some other equitable bases, amongst the Landowners; and

4.3.3 the real burdens created by this agreement may be enforced jointly and severally against the Landowners either by the Landowners mutually amongst themselves or by the Council.

4.4 The Landowner shall free and relieve the Council of their reasonable legal expenses in respect of the preparation and execution of this Agreement including the registration dues and expenses of obtaining two extracts hereof.

## 5. Alienation

5.1 The Landowner shall not assign his rights and obligations in the Land or under this Agreement prior to the registration of this agreement in the Land Register.

## 6. No Limitation of Powers/Vires

6.1 Nothing in this Agreement shall prejudice the rights and/or powers of the Council under the Act or any other enactment.

6.2 To the extent that any provision, ("the offending provision") hereof is ultra vires the statutory functions of the Council or in any other way unlawful the same shall be null and void but there shall be substituted therefor such other provision obtained by amending the offending provision to the minimum extent necessary to render it intra vires or otherwise lawful in the relevant respect.

## 7. Default

7.1 In the event of the Landowner breaching any of the terms of the Agreement the council shall be entitled:-

(a) to enter on the Land and carry out and complete the Development; in the event of the Council doing so it shall be entitled to recover the cost of any such work incurred by it from the Landowner, and

(b) to take any other action which is required to ensure performance of any of the Landowner's undertakings in terms of clause 4;

And that without payment of any compensation whatsoever by the Council to the Landowner or any other party and without prejudice to any other remedy for said breach exercisable by the Council.

## 8. Governing Law and Disputes

8.1 This Agreement shall be governed and construed in accordance with the laws of Scotland.

8.2 In the event of any dispute or difference arising between the parties hereto as to the intent, meaning or application of this Agreement, whether during the currency hereof or after termination of the same, the matter of difference shall be determined by a single arbiter to be agreed between the parties or, failing agreement by a single arbiter to be appointed by the Secretary for the time being of the Law Society of Scotland. The arbiter so appointed (who shall act as arbiter and not as expert) shall not be empowered to state a case for the opinion of the Court of Session, in terms of Section 3 of the Administration of Justice (Act) 1972. The award or awards, interim and final, of an arbiter so appointed shall be binding on the parties in accordance with the Law of Scotland and the costs of any such arbitration shall be met by the parties as the arbiter may determine.

### Burden 3

Minute of Waiver, recorded G.R.S. (Fife) 16 Apr. 2007, by Shell U.K. Limited (hereinafter referred to as "Shell"), as heritable proprietors of those parts and portions of the farm and lands of Couston Farm disposed by Disposition by Moray Estates Development Company in our favour recorded G.R.S. (Fife) 29 Dec. 1978 under exception of the subjects disposed by Disposition by Shell in favour of Robert Craig recorded G.R.S. (Fife) 30 Nov. 1981, being the party currently entitled to enforce the conditions and burdens aftermentioned (hereinafter referred to as "the Benefited Subjects") hereby at the request of Robert Craig, the heritable proprietor of the area of ground edged brown on the Title Plan, which forms part of those four parts of Couston Farm disposed by the said Disposition by Shell to Robert Craig (which subjects edged brown on the said Plan are hereinafter referred to as "the Burdened Subjects") CONSIDERING we have agreed to do so, DO HEREBY WAIVE and cancel in favour of the said Robert Craig and his successors whomsoever as proprietors of the Burdened Subjects the following reservation so far as affecting the Burdened Subjects created in the said Disposition by Shell in favour of the said Robert Craig, being the Disposition in Entry 1, numbered (3) :

- The right now or at any time to lay such pipes, cables and others and to construct or install such ancillary apparatus and facilities upon the Burdened Subjects whether below, upon or above the ground as may be reasonably required by Shell in relation to petro-chemical developments at Braefoot Bay and/or Mossmorran in Fife or elsewhere; and except in so far as hereby waived and cancelled the whole remaining burdens, provisions and conditions contained in the said Disposition by Shell in favour of the said Robert Craig shall remain in full force and effect.

### Burden 4

Deed of Servitude, recorded G.R.S. (Fife) 16 Apr. 2007, containing Disposition by Shell U.K. Limited, heritable proprietors of the farm and lands known as Couston Farm described in Disposition by Moray Estates Development Company in our favour recorded G.R.S. (Fife) 29 Dec. 1978 under exception of the subjects disposed by Disposition by us the said Shell U.K. Limited in favour of Robert Craig recorded G.R.S. (Fife) 30 Nov. 1981, ("the burdened property") to Robert Craig and his successors and assignees in the ownership of those four

parts of the farm known as Couston Farm disposed by the said Disposition by Shell U.K. Limited in favour of Robert Craig ("the benefited property") or any part thereof (all hereinafter referred to as the "Grantee") the servitudes set out in Part 1 of the Schedule and impose upon us and our successors and assignees whomsoever in the ownership from time to time of the burdened property or any part thereof (all hereinafter referred to as "the Granter") the real burdens set out in Part 2 of the Schedule;

Declaring that any dispute or difference as to the meaning and effect of these presents shall, failing agreement, be referred for the decision of a single arbiter mutually appointed or failing agreement as appointed by the President for the time being of the law Society of Scotland and neither the parties to any such an arbitration proceedings nor the arbiter appointed as aforesaid shall have any right to state a case for the decision of the Court;

## SCHEDULE

### Part 1: Servitudes affecting the burdened property

The following servitudes are imposed on the burdened property in favour of the benefited property:

(One) servitude rights to use, inspect, examine, clean, maintain, repair, replace, renew or remove sewage, drainage and septic tank pipes and associated sewage disposal and any conduits through which they run (hereinafter called "the Service Media") over and through the burdened property along the routes shown by the blue broken lines on the Title Plan and shown by the green broken line on the said Plan.

(Two) a servitude right of access for the Grantee and his agents and contractors with any necessary plant, vehicles and equipment to and from the routes at all reasonable times upon prior written notice to the Granter in all circumstances save in case of emergency when no notice shall be required, for the purpose of using, inspecting, examining, cleaning, maintaining, repairing, replacing, renewing and removing the Service Media.

These servitude rights are granted subject to the Grantee:-

(One) reinstating the burdened property to the reasonable satisfaction of the Granter which reinstatement shall include the reseeded of the ground along the routes;

(Two) the Grantee exercising the servitude rights in the manner least burdensome to the burdened property and, without prejudice to the foregoing generality, the Grantee shall take all reasonable precautions to ensure that any party exercising the said servitude rights shall avoid obstructions or nuisance to, or interference with, the use of the burdened property or any adjacent lands or any services therein and thereon;

(Three) making good any damage caused to the burdened property by the exercise of the said servitude rights; and

(Four) keeping the Granter indemnified on demand against all liabilities, actions, claims or demands of whatever nature (including without prejudice to the foregoing generality statutory

liabilities and demands) arising by reason of exercise of the said servitude rights and for any failure to comply with the obligations contained in this deed.

## Burden 5

Deed Real Burdens and Servitudes, recorded G.R.S. (Fife) 4 Jul. 2007, by Robert Craig, Proprietor of that part of Couston Farm disposed by Disposition by Shell UK Limited to Robert Craig recorded G.R.S. (Fife) 30 Nov. 1981, of which the subjects in this Title form part, contains burdens &c., in the following terms, viz:

### 1. Definitions

In this Deed, including the Schedule, unless the context otherwise requires:

1.1 "Craig" means the said Robert Craig and his successors as owners of the Subjects;

1.2 "Proprietor A" means the said Robert Craig and his successors as owners of Property A;

1.3 "The Subjects" means the Subjects described in Part 1 of the Schedule;

1.4 "Property A" means the Subjects describe in Part 2 of the Schedule and tinted pink, blue and mauve on the Title Plan;

1.5 The "Plan" means the Title Plan;

1.6 "Schedule" means the Schedule in 5 parts annexed and subscribed as relative to this Deed;

1.7 "Servitudes" means the servitudes more fully described in Part 4 of the Schedule;

1.8 "Real Burdens" means the real burdens more fully described in Part 5 of the Schedule;

1.9 "the New Access Bell Mouth" means the new access bell mouth formed or to be formed on Property tinted blue on the Plan;

1.10 "Proprietor" means a Heritable Proprietor for the time being of any part of Property A and "Proprietors" shall be construed accordingly;

1.11 "Western Visibility Splay" means those subjects forming part of the Subjects hatched mauve on the Plan;

And

1.12 "Eastern Visibility Splay" means those subjects forming part of the Subjects hatched yellow on the Plan;

### 2. Narrative



2.1 Craig is the Heritable Proprietor of the Subjects and has agreed to impose, so far as applicable, the Real Burdens on and to grant, so far as applicable, the Servitudes over the Subjects for the benefit of Property A.

### 3. Real Burdens and Servitudes

3.1 Craig imposes the Real Burdens, so far as applicable, over the Subjects and for the benefit of Property A;

3.2 Craig grants the Servitudes so far as applicable, over the Subjects for the Benefit of Property A.

### 4. No Application to Land Tribunal

No application may be made to the Lands Tribunal for Scotland under Section 90(1)(a)(i) of the Title Conditions (Scotland) Act 2002 in respect of the Real Burdens and the Servitudes for a period of ten years after the registration of this Deed in the Land Register of Scotland.

### 5. Disputes

5.1 In the event of any dispute or difference arising between the Proprietors as to the intent, meaning or application of this Deed, the matter of reference shall be determined by a single Arbiter to be agreed between the Proprietors or, failing agreement, by a single Arbiter to be appointed by the President at that time of the Law Society of Scotland on the application of any one of the Proprietors.

5.2 The award or awards, interim or final, of an Arbiter so appointed shall be binding on the Proprietors in accordance with the Law of Scotland and the costs of such arbitration shall be met by the Proprietors as the Arbiter may determine and, failing such determination, in equal shares.

## SCHEDULE

### PART 1 - The Subjects

Those subjects forming part of Couston Farm, Aberdour, Fife lying to the east and west of the subjects in this Title and forming part of those subjects in the County of Fife more particularly described in Disposition by Shell UK Limited in favour of Robert Craig recorded G.R.S. (Fife) 30 Nov. 1981.

### PART 2 - Property A

Those two areas of ground at Meikle Couston Farm Steading, formerly part of Couston Farm, Aberdour in the Parish of Aberdour and County of Fife tinted pink and blue and mauve on the Plan and forming part of the Subjects.

### PART 3

The Plan

#### PART 4 - Servitudes

1. A heritable and irredeemable servitude right of pedestrian and vehicular access (including for all necessary construction traffic) over the Subjects to and from Property A required for the formation, maintenance and repair of the New Access Bell Mouth.
2. A heritable and irredeemable servitude right and wayleave to install, use, maintain, repair, renew, upgrade and replace along, above and below such parts of the Subjects as are required for any pipes, cables, wires, drains, water supply pipes and others ("the services") required for the services, utilities and the like, drainage or otherwise for the benefit of Property A and the buildings erected or to be erected thereon.
3. A heritable and irredeemable servitude right of pedestrian and vehicular access insofar as required in the exercise of the above servitude rights and wayleave.

#### PART 5 - Real Burdens

1. The proprietor for the time being of the Wester Visibility Splay and the proprietor for the time being of the Eastern Visibility Splay shall keep the Western Visibility Splay and the Eastern Visibility Splay respectively free from obstruction of whatever nature, including buildings, plants (to the extent that those actually prevent visibility) or any objects which would prevent or detract from the visibility of drivers of motor vehicles entering or leaving Property A over the New Access Bell Mouth from and to the public road lying to the south of the New Access Bell Mouth and known as the A921 provided always that nothing in the foregoing real burdens shall prevent the use of the said Visibility Splays as garden ground or farm land subject to the foregoing restriction.
2. Any party exercising the servitude rights granted in terms of Part 4 hereof shall do so subject to making good any damage caused.

#### Burden 6

Disposition by Robert Craig (hereinafter referred to as the "Sellers") to Graham Hutt Properties Limited (hereinafter referred to as the "Purchasers") and their successors and assignees, registered 4 Jul. 2007, of the subjects in this Title (hereinafter referred to as "the Subjects"), contains the following burdens and servitudes:

The Sellers grant the following servitudes over the Larger Subjects (being those four parts of the farm known as Couston Farm disposed by the Disposition by Shell UK Limited in favour of the Sellers recorded G.R.S. (Fife) 30 Nov. 1981) for the benefit of the Subjects:-

1. A heritable and irredeemable servitude right of pedestrian and vehicular access (including for all necessary construction traffic) over the Larger Subjects so far as required for the formation and thereafter repair and maintenance and renewal of the New Access Bell Mouth (being the new access bell mouth formed or to be formed upon the Subjects and tinted blue on the Title Plan); and

2. A heritable and irredeemable servitude right and wayleave to install, use, maintain, repair, renew, upgrade and replace along, above and below such parts of the Larger Subjects as are required to connect between the two parts of the Subjects for all necessary purposes, any service pipes, cables, wires, drains, water supply pipes and others required for the service and/or benefit of the Subjects and the buildings erected or to be erected thereon.

This is a Copy which reflects the position at the date the Title Sheet was last updated.

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# Design Appraisal and Justification

## MEIKLE COUSTON FARM

ABERDOUR by BURNTISLAND, FIFE, KY3 0RX  
Planning Application Reference Number 22/00633/PPP

**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
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# Design Appraisal and Justification

## MEIKLE COUSTON FARM

ABERDOUR by BURNTISLAND, FIFE, KY3 0RX  
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Design Analysis prepared by:

**Mary Murray**

Sunshine Design and Planning, Wester Balbeggie Farm, Kirkcaldy, KY1 3NS

Revision **A** - 08 February 2023

Rev. **A**: Image no.'s 2.2.2 and 2.6.2 and paragraph 3.2 amended to show/describe slate roofs to all houses.

**Sunshine Design and Planning**

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Mob.: 07 917 890715 Email: mary@sunshinedesignandplanning.co.uk



## 1.0 Introduction

1.1 This Design Appraisal and Justification document has been prepared in connection with planning application reference number 22/00633/PPP and is, in particular, submitted in response to the design appraisal comments raised in an email from David Shankland (Fife Council: Planning) to Joe Fitzpatrick (Planning Consultant) dated 15 July 2022. The comments in that email which are specifically addressed herein are:

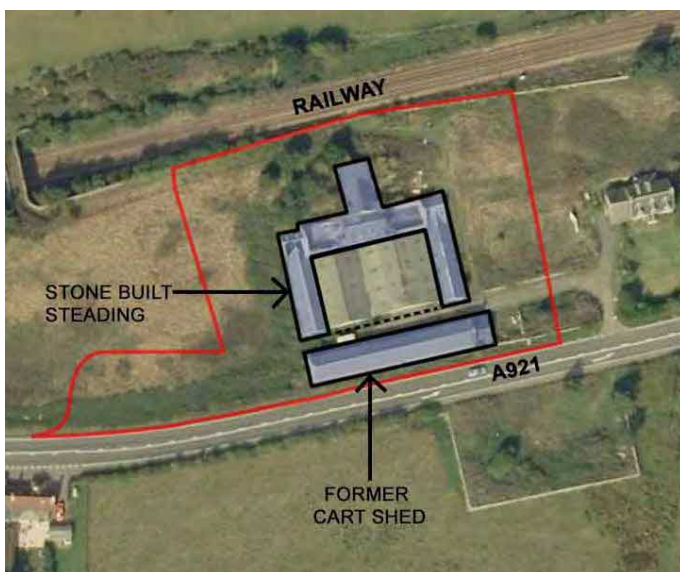
*“..in its current form, it is the considerations of this planning authority that the proposed dwellinghouses are of a suburban style that would, in terms of their architectural **form, design, scale and finishes** have a detrimental impact upon its countryside setting.”*

1.2 This is a subjective appraisal of the proposed development which the Applicant strongly disagrees with for the reasons listed in the ensuing design analysis and justification.

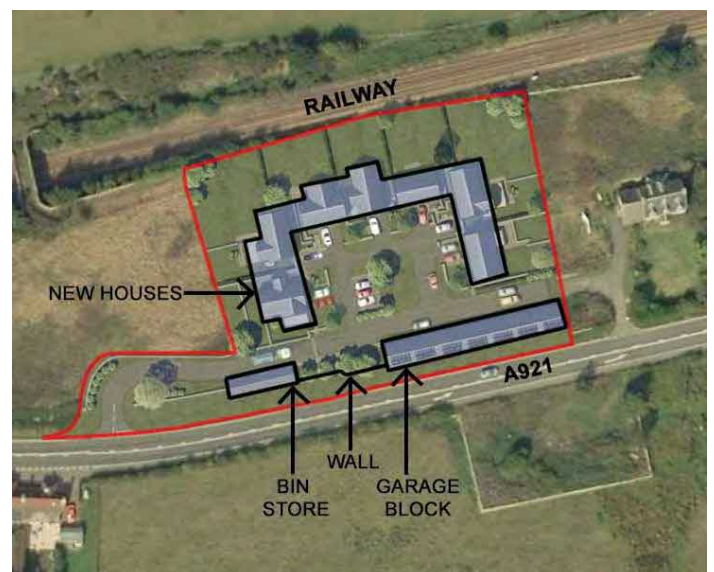
## 2.0 Architectural Form, Design and Scale

2.1 The layout of the proposed development can be summarised as two linear road front buildings connected by a high stone wall aligning the southern boundary of the site with a rectilinear, courtyard style arrangement of seven houses behind to the north.

2.2 This layout was devised to emulate the original arrangement, and massing, of stone built structures on the site whereby a linear, 1.5 storey cart shed effectively created a dividing line between the A921 public road to the south and a group of farm buildings to the north consisting of an old, c-shaped stone steading with a central courtyard later covered over by a portal-framed, profiled metal sheet roof. The position and scale of the proposed new garage/workshop block are similar to those of the former cart shed while the houses follow a similar layout to the disused stone steading, forming a c-shaped courtyard of sufficient proportions to facilitate safe vehicular access whilst also allowing for an appropriate degree of separation and privacy between dwellings on opposing sides.



2.2.1 Original layout of site (stone built steading and cart shed)



2.2.2 Proposed layout of site (bin store, wall, garages & houses)



2.3 The design and form of the proposed garage/workshop take their cues from the former cart shed which was demolished for safety reasons as instructed by Fife Council. As with the former cart shed, this is a 1.5 to 2 storey building topped by a pitched roof with gabled ends. Its shape, scale and form result in a building which is similar to the structure that was there before. The garage/workshop is connected to a communal bin storage building by a high stone wall. The bin store structure is a smaller scale building of similar shape and form to the garage/workshop.



2.3.1 North facing elevation of demolished cart shed (c. 2007)

2.4 The proposed new houses, as with the disused steading, sit behind these roadside structures, nestling into the land with stepped floor levels following the rising ground of the site up towards the railway to the north. Backed by retaining walls, rooms on the lower floors of these houses look into the courtyard, thus enabling them to sit as low as possible into the land. Indeed, the highest ridge level of the new houses (House 4) is slightly lower than the ridge level of the highest building within the existing steading group. The roofs of the other houses to the east and west step down towards the garage/workshop and bin stores in a similar way as the roofs of the former steading buildings.

2.5 The proposed new dwellinghouses are simple in form having rectilinear plan layouts with pitched roofs incorporating gabled features commonly found in countryside structures. They are designed to climb the steeply sloping site in much the same way as the existing steading buildings. This may, however, be difficult to appreciate now because the roofs of most of the disused steadings have all but disappeared, therefore making it hard to compare the massing proposed with what existed before.

2.6 The scale of the proposed dwellinghouses may appear to be tall when viewed from within the courtyard (ref. application cross-section EE), however, it is important to note that the lower levels of all of the houses sit into the hillside in much the same way as the existing buildings. Indeed, courtyard doorways to several of the houses simply give access via entrance lobbies and stairwells to living quarters on the floors above. The roadside garage block, bin store, connecting stone wall and tree-planting along the southern edge of the site effectively screen internal courtyard elevations from public view. Instead, the majority of public views of the proposed houses ensure that they appear either single or two storey in scale (ref. application cross-section AA).



2.6.1 Panoramic view of stone-built steading with central courtyard (c. 2017)



2.6.2 Indicative elevation of proposed houses around central courtyard



### 3.0 Finishes, Materials and Detailing

- 3.1 It is important to note that appropriate materials, detailing and finishes are critical to the success of all building designs whether they be in urban or countryside settings. By virtue of the fact that the buildings proposed at Meikle Couston have a rural location, materials which are commonly found in rural houses and steadings have been employed.
- 3.2 Slated roofs punctuated by heritage style rooflights are proposed to the bin store and garage/workshop buildings, echoing the roof of the former cart shed. Behind this, slate roofs are also proposed for each of the dwellinghouses, giving the site as a whole a coherent roofscape using a material typically used on roofs of traditional farm buildings across Fife.
- 3.3 A combination of random rubble stonework, render and timber cladding are variously used in walls throughout the proposed development. The roadside structures have a stone wall at low level connecting them together and anchoring them to the site. This robust stone structure is topped by vertical timber cladding on the upper level of the garage/workshop block, breaking up its mass using a material often used in farm steadings. The dwellinghouse walls incorporate a mix of random rubble stone, vertical timber cladding and wet dash render. Again, materials which are all common in rural settings. It is fair to say however, that white is a stark render colour which, in a rural setting, can catch the eye. The Applicant has therefore changed the proposed colour of render from white to a buff colour which will blend more easily with the natural colours of the landscape around the site. Application drawing numbers L(PL)003 and L(PL)004 have been amended accordingly to illustrate this change.
- 3.4 The Applicant does not, however, accept that the proposed houses are of a suburban style. That simply is not the case. Modern, suburban dwellings fringing nearby towns and villages are, more often than not, cookie-cutter houses chosen by purchasers from mass-market housebuilder catalogues of designs. Such houses have generic layouts, shapes, materials and details which are selected largely with accommodation provision and price in mind. The resultant housing developments are non-specific and nondescript. The dwellinghouses proposed at Meikle Couston have been designed specifically to suit the location and topography of the site. They fit comfortably in terms of scale and form and are orientated to make best use of views out and solar gain.



3.4.1 Typical suburban streetscape (Dalgety Bay 2022)



3.4.2 Suburban Housing (Dalgety Bay 2022)



3.4.3 Suburban Housing (Dalgety Bay 2022)

- 3.5 Whilst the use of materials regularly found in rural settings is, of course, appropriate, the proposed dwellinghouses combine such materials with modern style fenestration, i.e. glazed walls and gables designed to flood living spaces with natural heat and light and enable inhabitants to enjoy attractive, countryside views. Such site specific fenestration is seldom a feature of modern, suburban dwellinghouses.



3.5.1 Examples of construction shapes, forms, scale, materials, fenestration and detailing as proposed at Meikle Couston



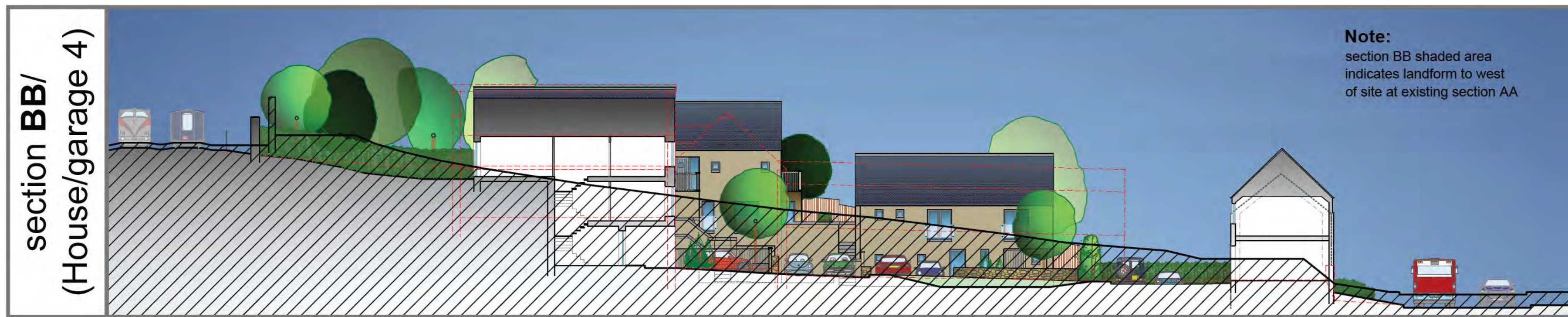


- 3.6 What sets the proposed houses even further apart from the typical suburban dwelling is their simple construction detailing. Avoiding the use of typically suburban features such as overhanging eaves and verges, precast lintels and porticos around windows and doors, orange brickwork, white window/door frames, white gutters and downpipes and so on. Instead, the proposed new buildings at Meikle Couston will have clipped eaves and wet verge details. Added to this, grey window/door frames, gutters and downpipes, all set against a palette of stone clad, rendered and timber panelled walls, will ensure that a suburban aesthetic is avoided.

## 4.0 Conclusion

- 4.1 The foregoing analysis demonstrates that the development at Meikle Couston Farm is not suburban in style. On the contrary, the buildings and houses proposed take their form, design, scale and finishes cues from traditional rural buildings whilst, at the same time, incorporating modern features designed to enhance their occupant's living environments.
- 4.2 The layout, massing, materials, colours and detailing proposed will ensure that the houses and ancillary structures envisaged are appropriate for their rural location. Replacing the dilapidated structures at Meikle Couston as proposed will undoubtedly have a positive effect upon the countryside.
- 4.3 Notwithstanding the foregoing, the Applicant wishes to underline the fact that the planning application to which this report refers is an application for Planning Permission in Principle. As such, details relating to proposed house positions, layout plans, form, design, scale and finishes would, assuming the application under consideration is approved, all be subject to condition. The Applicant has submitted indicative layout, massing and elevational information at this stage in order to assure the Planning Authority that a satisfactory development of the site can be successfully achieved.
- 4.4 Given the state of the site as existing and the nature of development under consideration, the proposed new housing cluster represents an imaginative and sensitive re-use of previously used land which will achieve significant visual and environmental benefits. Accordingly, the Applicant respectfully seeks the support of Fife Council in remedying the eyesore that this site currently constitutes.





**Meikle Couston Farm, Aberdour, Fife.**  
Proposed: Site cross-sections and elevations  
1:200 scale



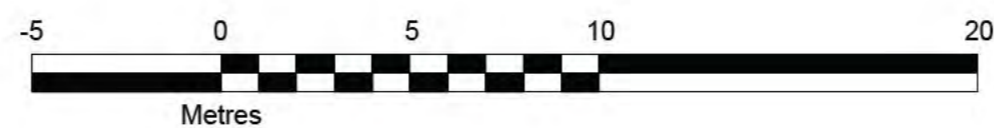
revision:	details:	date:	Client:	date:	dwg. size:
A	Garage/pod building moved and bin store added.	25/02/22	Mr C Mitchell	Oct 2020	A2
B	Render colour changed from white to buff.	28/09/22	Project:	drawn by:	checked:
C	House roofs changed from pantile to slate.	06/02/23	Meikle Couston Farm, Aberdour, Fife	MM	MM
D	Landform hatch added to section BB. Roof hatch amended.	09/02/23	Drawing Title:	Job No.:	revision:
			Proposed: elevations/site sections AA, BB and DD	M11/19/02	362
			Scale:	Dwg. No.:	
			1:200	L(PL)003	D

**Sunshine Design and Planning**

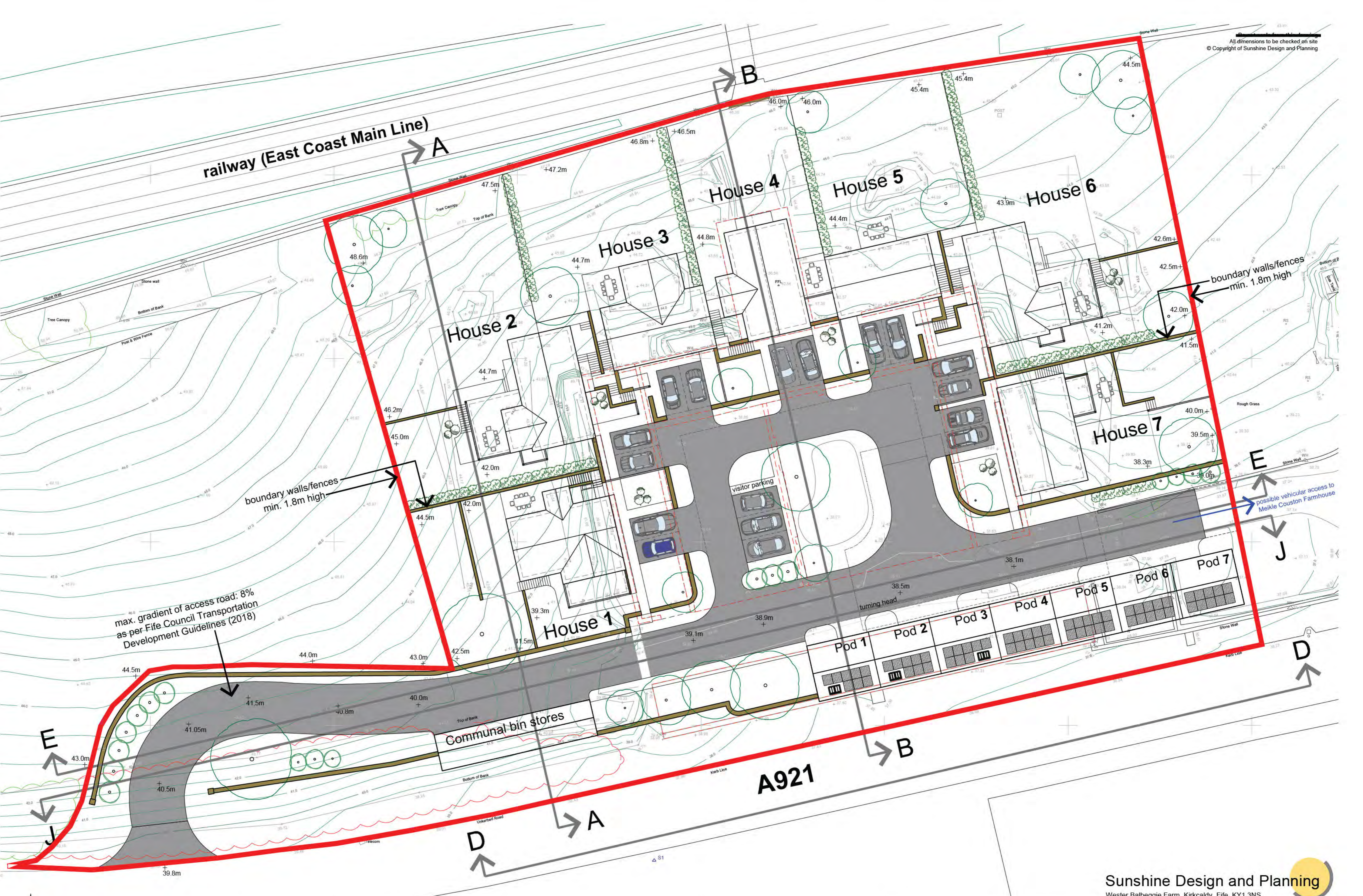
Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk



**Meikle Couston Farm, Aberdour, Fife.**  
 Proposed: Site cross-sections and elevations  
 1:200 scale



revision:	details:	date:	Client:	date:	dwg. size:
A	Garage/pod building moved and bin store added.	25/02/22	Mr C Mitchell	Oct 2020	A2
B	Render colour changed from white to buff.	28/09/22	Project:	drawn by:	checked:
C	House roofs changed from pantile to slate.	06/02/23	Meikle Couston Farm, Aberdour, Fife	MM	MM
D	Roof hatch amended.	09/02/23	Drawing Title:	Job No.:	revision:
			Proposed: elevations/site sections EE and FF	M11/19/02	363
			Scale:	Dwg. No.:	
			1:200	L(PL)004	D



**Meikle Couston Farm, Aberdour, Fife.**  
Proposed: Site layout plan  
1:250 scale



**Sunshine Design and Planning**

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Tel: 01592 630241 Mob: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:	Client:	date:	dwg. size:
A	Layout modified, bin store, notes and levels added.	25/02/22	Mr C Mitchell	Jul 2020	A2
B	Annotation modified.	28/02/22	Project:	drawn by:	checked:
C	House roofs changed from pantile to slate.	06/02/23	Meikle Couston Farm, Aberdour, Fife	MM	MM
Drawing Title:			Job No.:	364	
Proposed: site layout plan			M1/19/02		
Scale:			Dwg. No.:	revision:	
1:250			L(PL)001	C	

# Landscaping & Biodiversity:

Comprehensive program of landscaping to soften edges of development and promote biodiversity.

## Tree specification:

New tree planting to include the following species:

- T1: Common Oak (*Quercus robur*)
- T2: Sycamore (*Acer pseudoplatanus*)
- T3: Silver Birch (*Betula pendula*)
- T4: Crab Apple (*Malus sylvestris*)
- T5: Holly (*Ilex aquifolium*)
- T6: Rowan (*Sorbus aucuparia*)

## Shrub specification:

- S1: Eared Willow (*Salix aurita*)
- S2: Purple Osier (*Salix purpurea*)
- S3: Bilberry (*Vaccinium myrtillus*)
- S4: Elder (*Sambucus nigra*)

## Hedge specification:

New hedges generally consisting of:

- 20%: Blackberry (*Rubus*)
- 20%: Blackthorn (*Prunus spinosa*)
- 20%: Dog Rose (*Rosa canina*)
- 30%: Hawthorn (*Crataegus*)
- 10%: Holly (*Ilex aquifolium*)

## NOTES:

1. All new hedges to be 300 - 500mm in height at time of planting.
2. Hedges to be c. 1.8m high when fully grown.

## Wildflower meadow specification:

(areas hatched yellow on plan)

Scottish Lowland Meadow Seed Mix sown at rate of 4g per square metre and a flower to grasses ratio of 20:80

## Wildflower species generally:

- Lady's Bedstraw (*Galium verum*)
- Ox-eye Daisy (*Leucanthemum vulgare*)
- Ribwort Plantain (*Plantago lanceolata*)
- Selfheal (*Prunella vulgaris*)
- Meadow Buttercup (*Ranunculus acris*)
- Yellow Rattle (*Rhinanthus minor*)
- Common Sorrel (*Rumex acetosa*)
- Tufted Vetch (*Vicia cracca*)

## Grasses generally:

- Common Bent (*Agrostis capillaris*)
- Crested Dog's Tail (*Cynosurus cristatus*)
- Chewings Fescue (*Festuca rubra* ssp. *commutata*)
- Smooth-stalked Meadow Grass (*Poa pratensis*)



## Notes:

### Garden Ground:

- All houses to have gardens min. 100m<sup>2</sup> in size.

### Domestic Recycling:

- All houses to share communal refuse storage facility suitable for separated waste for recycling.

### Home Working:

- All houses provided with garage/work "pod" served by electricity, drainage and high speed broadband.

### Sustainable Design/Renewable Energy Technologies:

- All houses fitted with air source heat pumps serving heating and hot water supplies.
- All garage/work pods to be fitted with solar PV panels.

### SuDS Drainage Strategy:

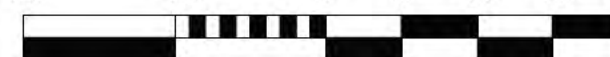
- Permeable paving to courtyard area.
- Sustainable drainage system to Project Engineer's design/specification.

## Meikle Couston Farm, Aberdour, Fife.

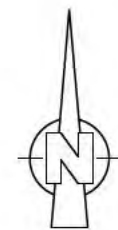
Proposed: Landscape plan

1:500 scale

-20 -10 0 5 10 15 20



Metres



## Sunshine Design and Planning

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS

Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
A	Layout modified, bin store added and notes amended.	25/02/22
B	House roofs changed from pantile to slate.	06/02/23

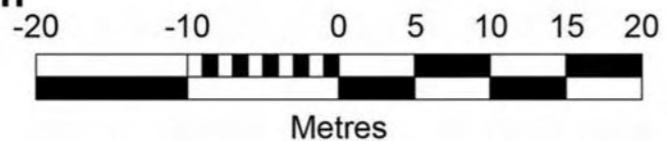
Client:	Mr C Mitchell	date:	Oct 2020	dwg. size:	A3
Project:	Meikle Couston Farm, Aberdour, Fife	drawn by:	MM	checked:	MM
Drawing Title:	Proposed: landscape layout plan	Job No.:	M1/19/02		
Scale:	1:500	Dwg. No.:	L(PL)002	revision:	B



# Meikle Couston Farm, Aberdour, Fife.

Proposed: **Aerial Photograph**  
1:500 scale

Note: photograph taken c. summer 2001



## Sunshine Design and Planning

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS  
Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
A	Garage/pod building moved and bin store added.	25/02/22
B	House roofs changed from pantile to slate.	07/02/23

Client:	<b>Mr C Mitchell</b>	date:	Oct 2020	dwg. size:	A3
Project:	<b>Meikle Couston Farm, Aberdour, Fife</b>	drawn by:	MM	checked:	MM
Drawing Title:	<b>Aerial view of site as proposed</b>	Job No.:	<b>366</b>		
Scale:	<b>1:500</b>	Dwg. No.:	<b>L(PL)005</b>	revision:	<b>B</b>



- NOTES**
1. REFER TO TITLE DEED PLANS FFE85883 AND FFE126983, FFE5240448 FOR LAND OWNERSHIP DETAILS.
  2. REFER TO DRAWING ACC-002 FOR VEHICLE TRACKING.
  3. ACCESS PROPOSALS ARE INDICATIVE ONLY AND SHOULD NOT BE CONSIDERED A FINAL DESIGN.

- LEGEND**
- PLANNING APPLICATION BOUNDARY
  - ADDITIONAL LAND APPLICANT HAS DEED OF SERVITUDE RIGHTS FOR
  - VISIBILITY SPLAYS (EAST = 4.5m x 210m, WEST = 4.5m X 180m)
  - ADJACENT LAND OWNERSHIP AS PER LAND REGISTRY PLAN REF: 524048FFE
  - ADDITIONAL VISIBILITY SPLAY (WEST = 3.2m x 90m)

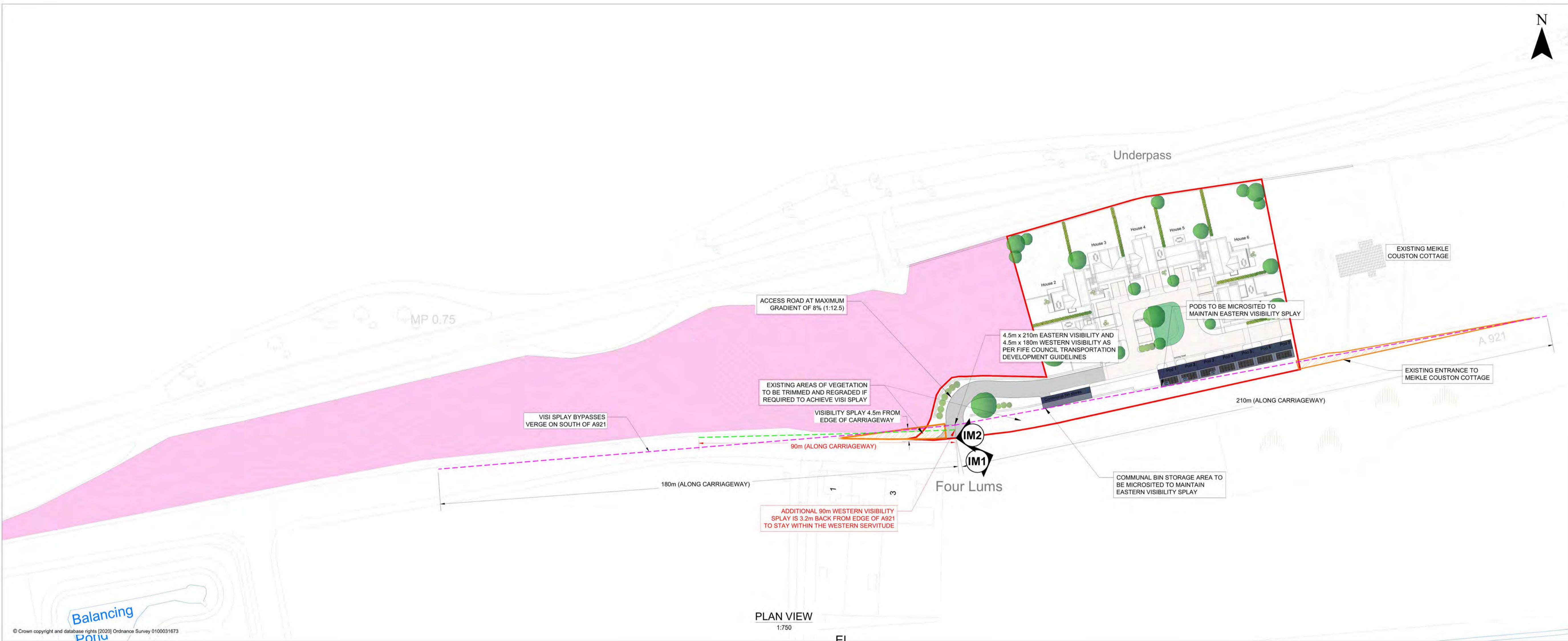


IMAGE 1 - VIEW EAST



IMAGE 2 - VIEW WEST

3	10/22	90m WESTERN SPLAY UPDATED	ZR	ZR
REV	DATE	DESCRIPTION	BY	CHK

CLIENT:  
MR CRAIG MITCHELL

PROJECT:  
MEIKLE COUSTON STEADING  
PROPOSED RE-DEVELOPMENT

DRAWING TITLE:  
**VISIBILITY SPLAYS**

SCALE: AS SHOWN @ A1	DATE: OCTOBER 2022
DRAWING NUMBER: <b>ACC-001</b>	REV: <b>3</b>

DRAWING STATUS:  
PLANNING PERMISSION IN PRINCIPLE

GONDOLIN LAND & WATER LTD  
15 QUAYSIDE STREET  
EDINBURGH  
EH6 6EJ  
Registered Company No. SC706920

Traffic Data Collection  
13 Thomson Drive  
Airdrie  
ML6 9DG

To Whom It May Concern

**A921 Meikle Coulston Speed Survey**

I write with regards to the above speed survey location, which was surveyed by Traffic Data Collection between 3<sup>rd</sup> and 10<sup>th</sup> October 2021. The location was surveyed using two Metrocount Roadpod traffic loggers, which are the industry standard for this type of work, with one logger placed at each side of the proposed access.

The posted speed limit on the road is 60mph. We can confirm the following 85<sup>th</sup> percentile averages over 7 days for each direction as each location.

Location 1 = 48 to 49mph Eastbound, 45 to 45.5mph Westbound

Location 2 = 44 to 44.9mph Eastbound, 43.7 to 44.1 Westbound

The map below shows the approximate location of each Metrocount logger.



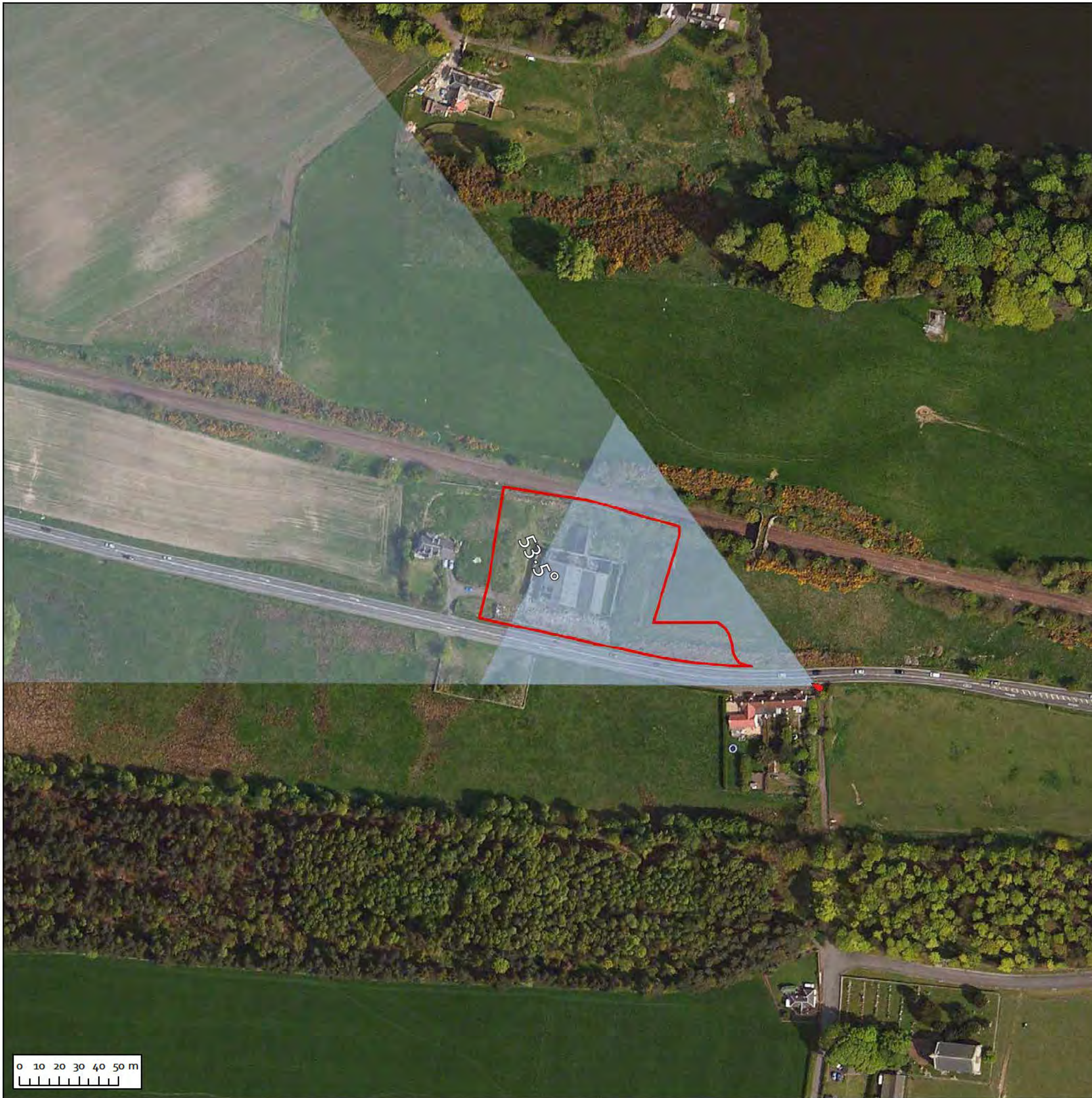
I trust this information is of use, but if you have any further queries, please don't hesitate to contact me.

Regards





Quentin Reynolds  
Traffic Data Collection





**Legend**

-  Viewpoint location
-  Site boundary

**VP01: A921, at entrance to core path P712/03**

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m  
 Direction of view: 63°  
 Distance to site boundary: 35m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP01: Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 06 / 02 / 2023
Figure No: 05a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



**unbrind**  
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View flat at a comfortable arm's length  
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Baseline Photograph



**Figure Number: 05b**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3)



**Figure Number: 05c**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
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Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - With former cart shed location

View flat at a comfortable arm's length  
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
**Figure Number: 05d**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

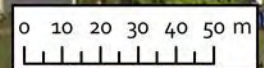
Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm



Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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**Legend**

-  Viewpoint location
-  Site boundary

**VP02: A921, east of site**

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m  
 Direction of view: 269°  
 Distance to site boundary: 181m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP02: Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 06 / 02 / 2023
Figure No: 06a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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Baseline Photograph



**Figure Number: o6b**  
**VPo2: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal



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Photomontage - Year 10 (Type 4 - AVR Level 3)



**Figure Number: o6c**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - With former cart shed location

View flat at a comfortable arm's length  
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
**Figure Number: o6d**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal



**Legend:**  
 Extents of previously demolished cart shed

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**Legend**

-  Viewpoint location
-  Site boundary

**VP03: A921, at junction with Eastern Access Road**

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m  
 Direction of view: 76°  
 Distance to site boundary: 235m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP03 Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 06 / 02 / 2023
Figure No: 07a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



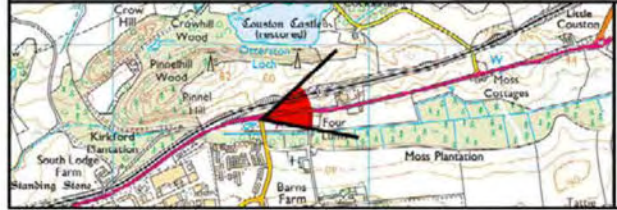
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Baseline Photograph



**Figure Number: 07b**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3)

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**Figure Number: 07c**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - With former cart shed location

View flat at a comfortable arm's length  
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
**Figure Number: 07d**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 817.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRI Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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Our Ref: 6021 - 1781

Date: 28<sup>th</sup> February 2023

## Meikle Couston, Dalgety Bay

### Revised Visualisations – 5 unit layout

A revised suite of visualisations has been produced, based on the viewpoints produced for the original LVA in April 2022. These illustrate a potential alternative layout for the site, comprising five units rather than the original seven units.

The alternative five-unit layout illustrated is indicative, with houses three and five removed, and adjacent houses relocated slightly. No changes to the proposed landscape design have been made at this stage, as resulting changes to this are anticipated to be minor.

The revised visualisations have been compared with the original visualisations to assess whether a five-unit scheme would provide a meaningful reduction in the visual impact of the proposed development. Our findings are summarised below.

#### VP01: A921, at entrance to core path P712/03 (see Figures 05a-c)

As the proposed development is predicted to be heavily screened by existing roadside vegetation, there is **no change** to the proposed view as a result of the five-unit layout. The proposed office pods and bin store remain the only proposed built form predicted to be visible.

#### VP02: A921, east of site (see Figures 06a-c)

As the northernmost houses are predicted to be somewhat visible in the view, there is a slight change in the proposed view as a result of the five-unit layout. This is a technical change only however, as the removal of units would only serve to replace visibility of one unit with visibility of another. **No reduction in visual impact** is therefore predicted as a result of reducing the development from seven units to five.

#### VP03: A921, at junction with Eastern Access Road (see Figures 07a-c)

As the proposed development is predicted to be heavily screened by existing vegetation and topography, there is **no change** to the proposed view as a result of the five-unit layout.

### Summary

Overall, the reduction from seven units to five is not predicted to result in any change to the magnitude of change from any of the assessed viewpoints. It is therefore considered that reducing the number of units would not be beneficial in terms of reducing effects upon the landscape and visual resource..

Yours sincerely

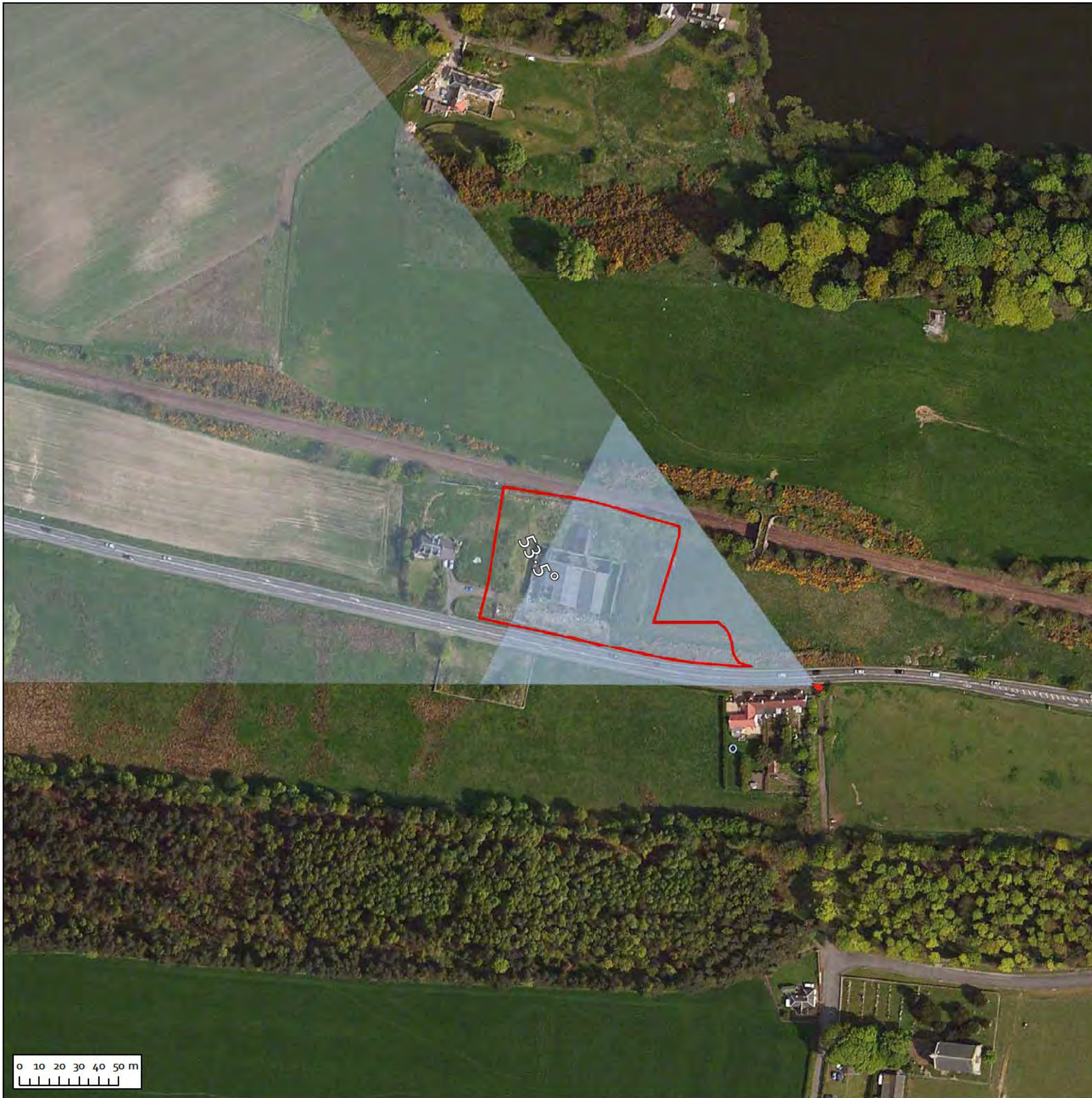


Suzanne Hyde, TMLI





SCOTTISH  
Business  
Pledge

Landscape  
Institute  
Registered practice



**Legend**

-  Viewpoint location
-  Site boundary

**VP01: A921, at entrance to core path P712/03**

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m  
 Direction of view: 63°  
 Distance to site boundary: 35m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP01: Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 28/02/2023
Figure No: 05a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



**primbri**  
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 Dolphin House 4 Hunter Quay, Edinburgh, EH2 2DM



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Baseline Photograph



**Figure Number: 05b**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon FF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - 5 unit layout

View flat at a comfortable arm's length  
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**Figure Number: 05c**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
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 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - 5 unit layout with former cart shed location




**Figure Number: 05d**  
**VP01: A921, at entrance to core path P712/03**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 06 / 02 / 2023

Viewpoint OS reference: 316769, 684736  
 Viewpoint elevation: 40m AOD  
 Direction of view: 63°  
 Distance to site boundary: 35m  
 Enlargement factor: 150%

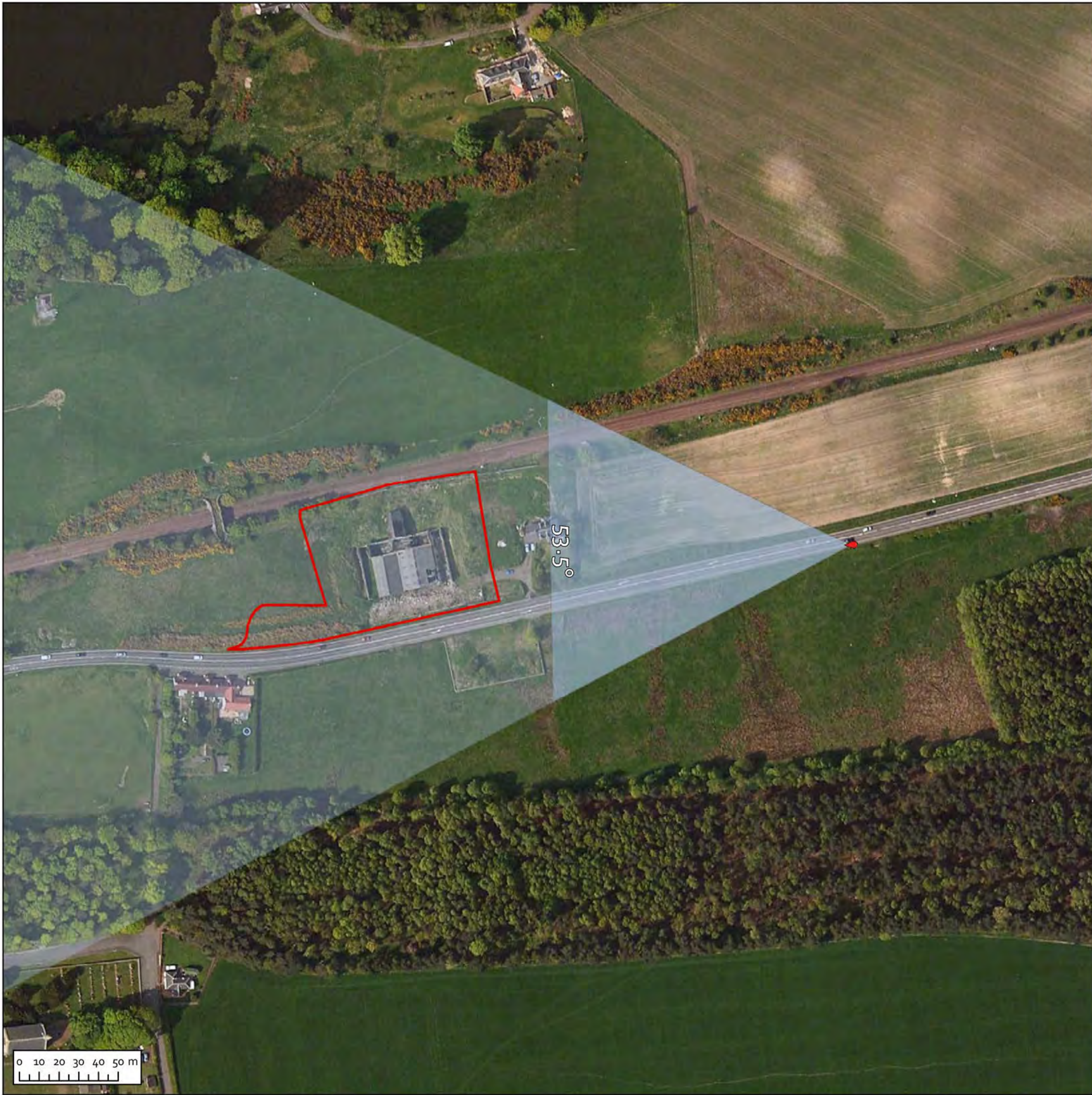
Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon FF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 12:00 pm



Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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**Legend**

-  Viewpoint location
-  Site boundary

**VP02: A921, east of site**

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m  
 Direction of view: 269°  
 Distance to site boundary: 181m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP02: Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 28 / 02 / 2023
Figure No: 06a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



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Baseline Photograph



**Figure Number: o6b**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - 5 unit layout



**Figure Number: o6c**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
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 Date: 26 / 09 / 2021  
 Time: 13:00 pm

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - 5 unit layout with former cart shed location




**Figure Number: o6d**  
**VP02: A921, east of site**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 317118, 684799  
 Viewpoint elevation: 38m AOD  
 Direction of view: 269°  
 Distance to site boundary: 181m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 13:00 pm



Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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**Legend**

-  Viewpoint location
-  Site boundary

**VP03: A921, at junction with Eastern Access Road**

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m  
 Direction of view: 76°  
 Distance to site boundary: 235m

**Tripod Location Photograph**



Project: Meikle Couston Steading	Client: LRH Enterprises
Drawing Title: VP03 Viewpoint Location Plan	
Scale: 1:2,000 @ A3	Date: 28 / 02 / 2023
Figure No: 07a	Status: Planning
Drawn by: C Rigby	Checked by: S Hyde



**brindley**  
ASSOCIATES

Dolphin House, 4 Hunter Square, Edinburgh, EH1 1QW  
 T 0131 357 3657 W [brindleyassociates.co.uk](http://brindleyassociates.co.uk)  
 © Brindley Associates Ltd



Baseline Photograph

View flat at a comfortable arm's length  
If viewing this image on a screen, enlarge to full screen height



**Figure Number: 07b**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - 5 unit layout

View flat at a comfortable arm's length  
If viewing this image on a screen, enlarge to full screen height



**Figure Number: 07c**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

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Photomontage - Year 10 (Type 4 - AVR Level 3) - 5 unit layout with former cart shed location

View flat at a comfortable arm's length  
If viewing this image on a screen, enlarge to full screen height




**Figure Number: 07d**  
**VP03: A921, at junction with Eastern Access Road**  
 Drawn by: C Rigby- Checked by: S Hyde  
 Date: 28 / 02 / 2023

Viewpoint OS reference: 316570, 684706  
 Viewpoint elevation: 38m AOD  
 Direction of view: 76°  
 Distance to site boundary: 235m  
 Enlargement factor: 150%

Horizontal field of view: 53.5° (planar projection)  
 Vertical field of view: 18.2°  
 Principal distance: 812.5mm  
 Paper size: 841 x 297mm  
 Correct printed image size: 820 x 260mm

Camera: Canon EOS 6D (full frame)  
 Lens: Canon EF 50mm  
 Camera height: 1.5m AGL  
 Date: 26 / 09 / 2021  
 Time: 11:45 am

Project: Meikle Couston Steading  
 Client: LRH Enterprises  
 Document: Landscape and Visual Appraisal

**Legend:**  
 Extents of previously demolished cart shed

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## Proposal Details

Proposal Name	100628483
Proposal Description	Notice of Review
Address	
Local Authority	Fife Council
Application Online Reference	100628483-002

## Application Status

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

## Attachment Details

Post Submission Additional Documents	System	A4
Decision Notice 6th April 2023	Attached	A4
22 00633 PPP Report of Handling	Attached	A4
Application Form	Attached	A4
Existing Site Layout	Attached	A3
SUPPORTING STATEMENT	Attached	A4
BAT SURVEY UPDATE	Attached	A4
DIA Report Pt 1	Attached	A4
DIA Report Pt 2	Attached	A4
Aerial Photograph of the Original Farm Steading Showing Buildings to Road Frontage And East West Ranges With Roofs	Attached	A3
existing sections AA BB and CC	Attached	A3
existing sections DD to GG and North elevation	Attached	A3
The Location Plan	Attached	A4
Low Carbon Checklist	Attached	A4
Low Carbon Statement	Attached	A4
Network Rail Email Response	Attached	A4
proposed aerial photograph	Attached	A3
proposed landscaping and biodiversity plan	Attached	A3
proposed sections AA BB and DD	Attached	A3
proposed sections EE and JJ	Attached	A3

Proposed site layout plan	Attached	A3
Site Analysis Plan	Attached	A3
Site Analysis Plan 2	Attached	A3
Site Analysis Plan 3	Attached	A4
Site Analysis Plan 4	Attached	A4
Site Analysis Sections	Attached	A4
Vehicle Tracking Plan	Attached	A3
Visibility Splays	Attached	A3
Coal Authority Response	Attached	A4
Meikle Couston LVA Part 1	Attached	A4
Meikle Couston LVA Part 2	Attached	A4
Meikle Couston LVA Part 3	Attached	A4
Meikle Couston LVA Part 4	Attached	A4
Meikle Couston LVA Part 5	Attached	A4
Meikle Couston LVA Part 6	Attached	A4
Appendix 1 Form	Attached	A4
Appendix 2 Independant Check Cert	Attached	A4
Email Response Re Drainage Etc	Attached	A4
Noise Report	Attached	A4
SUDS Appendix 2 Form	Attached	A4
Title Deeds	Attached	A4
Title Sheet	Attached	A4
Design Appraisal	Attached	A4
Elevations	Attached	A3
Proposed Sections	Attached	A3
Visibility Splays 2	Attached	A3
Road Speed Survey Report	Attached	A4
Revised Design Appraisal	Attached	A4
Revised Indicative Design 1	Attached	A3
Revised Indicative Design 2	Attached	A3
Revised Indicative Design 3	Attached	A3
Revised Indicative Design 4	Attached	A3
Revised Indicative Design 5	Attached	A3
Revised Visualisation 1	Attached	A3
Revised Visualisation 2	Attached	A3
Revised Visualisation 3	Attached	A3
Visual Impact Appraisal 5 Unit Layout 1	Attached	A4
Updated Visualisations With 5 Dwellinghouses 1	Attached	A3
Updated Visualisations With 5 Dwellinghouses 2	Attached	A3
Updated Visualisations With 5 Dwellinghouses 3	Attached	A3
GROUNDS FOR APPROVAL OF	Attached	A4

PLANNING PERMISSION IN  
PRINCIPLE 22 00633 PPP

List Of Documents	Attached	A4
Post_Submission_Additional_Docum- 2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Post Submission Additional Documents-002.xml	Attached	A0

# Landscaping & Biodiversity:

Comprehensive program of landscaping to soften edges of development and promote biodiversity.

## Tree specification:

New tree planting to include the following species:

- T1: Common Oak (*Quercus robur*)
- T2: Sycamore (*Acer pseudoplatanus*)
- T3: Silver Birch (*Betula pendula*)
- T4: Crab Apple (*Malus sylvestris*)
- T5: Holly (*Ilex aquifolium*)
- T6: Rowan (*Sorbus aucuparia*)

## Shrub specification:

- S1: Eared Willow (*Salix aurita*)
- S2: Purple Osier (*Salix purpurea*)
- S3: Bilberry (*Vaccinium myrtillus*)
- S4: Elder (*Sambucus nigra*)

## Hedge specification:

New hedges generally consisting of:

- 20%: Blackberry (*Rubus*)
- 20%: Blackthorn (*Prunus spinosa*)
- 20%: Dog Rose (*Rosa canina*)
- 30%: Hawthorn (*Crataegus*)
- 10%: Holly (*Ilex aquifolium*)

## NOTES:

1. All new hedges to be 300 - 500mm in height at time of planting.
2. Hedges to be c. 1.8m high when fully grown.

## Wildflower meadow specification:

(areas hatched yellow on plan)

Scottish Lowland Meadow Seed Mix sown at rate of 4g per square metre and a flower to grasses ratio of 20:80

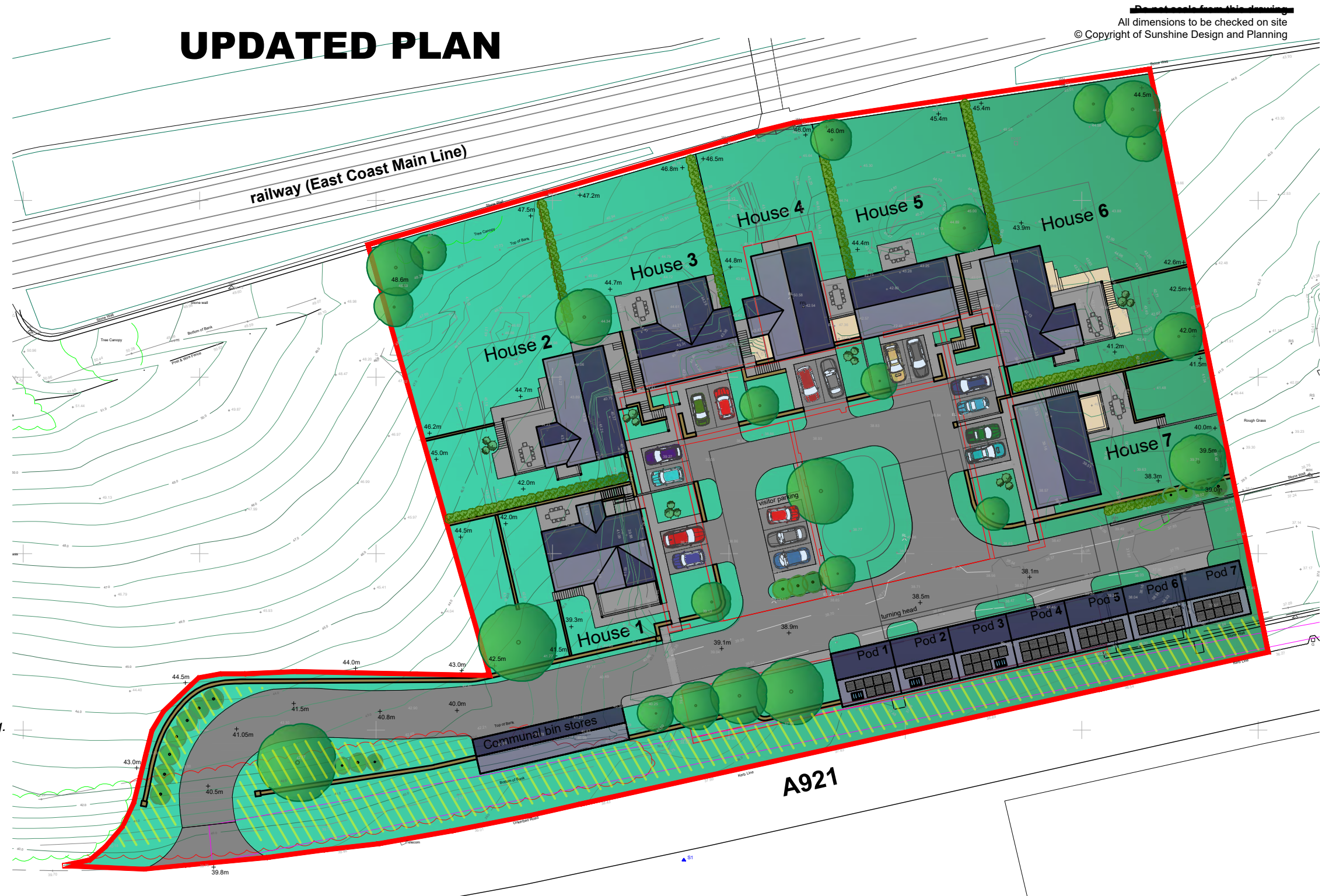
## Wildflower species generally:

- Lady's Bedstraw (*Galium verum*)
- Ox-eye Daisy (*Leucanthemum vulgare*)
- Ribwort Plantain (*Plantago lanceolata*)
- Selfheal (*Prunella vulgaris*)
- Meadow Buttercup (*Ranunculus acris*)
- Yellow Rattle (*Rhinanthus minor*)
- Common Sorrel (*Rumex acetosa*)
- Tufted Vetch (*Vicia cracca*)

## Grasses generally:

- Common Bent (*Agrostis capillaris*)
- Crested Dog's Tail (*Cynosurus cristatus*)
- Chewings Fescue (*Festuca rubra* ssp. *commutata*)
- Smooth-stalked Meadow Grass (*Poa pratensis*)

# UPDATED PLAN



## Notes:

### Garden Ground:

- All houses to have gardens min. 100m<sup>2</sup> in size.

### Domestic Recycling:

- All houses to share communal refuse storage facility suitable for separated waste for recycling.

### Home Working:

- All houses provided with garage/work "pod" served by electricity, drainage and high speed broadband.

### Sustainable Design/Renewable Energy Technologies:

- All houses fitted with air source heat pumps serving heating and hot water supplies.
- All garage/work pods to be fitted with solar PV panels.

### SuDS Drainage Strategy:

- Permeable paving to courtyard area.
- Sustainable drainage system to Project Engineer's design/specification.

## Meikle Couston Farm, Aberdour, Fife.

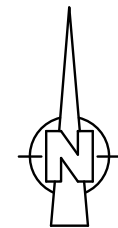
Proposed: Landscape plan

1:500 scale

-20 -10 0 5 10 15 20



Metres



## Sunshine Design and Planning

Wester Balbeggie Farm, Kirkcaldy, Fife, KY1 3NS

Tel.: 01592 630241 Mob.: 07917 890 715 Email: mary@sunshinedesignandplanning.co.uk

revision:	details:	date:
A	Layout modified, bin store added and notes amended.	25/02/22
B	House roofs changed from pantile to slate.	06/02/23
C	Hatching to wildflower meadow areas added.	12/06/23

Client:	Mr C Mitchell	date:	Oct 2020	dwg. size:	A3
Project:	Meikle Couston Farm, Aberdour, Fife	drawn by:	MM	checked:	MM
Drawing Title:	Proposed: landscape layout plan	Job No.:	M1/19/02		
Scale:	1:500	Dwg. No.:	L(PL)002	revision:	397

**Agenda Item 5(2)**

**Couston Farm, Burntisland, KY3 0RX  
Application No. 22/00633/PPP**

**Planning Decision Notice**

**Report of Handling**

JJF Planning  
Joe Fitzpatrick  
35 Aytoun Crescent  
Burntisland  
United Kingdom  
KY3 9HS

---

**Planning Services**

---

Emma Baxter

development.central@fife.gov.uk

Your Ref:

Our Ref: 22/00633/PPP

Date 6th April 2023

Dear Sir/Madam

**Application No: 22/00633/PPP**

**Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works**

**Address: Couston Farm Burntisland Fife KY3 0RX**

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 or local review 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,

Emma Baxter, Graduate Planner, Development Management

**Enc**



## **DECISION NOTICE**

### **PLANNING PERMISSION IN PRINCIPLE**

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 IN PRINCIPLE** for the particulars specified below

**Application No:** 22/00633/PPP  
**Proposal:** Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works  
**Address:** Couston Farm Burntisland Fife KY3 0RX

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 22/00633/PPP on Fife Council's Planning Applications Online

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

1. In the interests of protecting and enhancing visual amenity; the development of 7 detached dwellings with a significant combined increase in built footprint area would fail to be in keeping with the traditional well proportioned and scaled 'U' shaped agricultural / steading building in this countryside / rural area. The proposal therefore is considered to be incongruous and inappropriate for its rural countryside setting and would also undermine the qualities of the defined Local Landscape Area. The proposal would as a whole fail to be in keeping with the character or scale of traditional buildings of the area nor would it protect the overall landscape and environmental quality of the site and countryside area within which it is located. The proposal is therefore considered to be contrary to Policy 14: Design, Quality and Places and Policy 29: Rural Development of National Planning Framework 4 (2023) and Policy 1: Development Principles, Policy 7 Development in the Countryside, Policy 8: Houses in the Countryside, Policy 10: Amenity and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).
2. In the interests of residential amenity; the proposed development would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to Policy 23: Health and Safety of NPF4 and Policy 1: Development Principles and Policy 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).
3. In the interests of biodiversity and natural heritage; the development has failed to demonstrate that it would conserve, restore and enhance the biodiversity of the site, contrary to Policy 3: Biodiversity of National Planning Framework 4. Furthermore the proposal has failed to demonstrate that it would achieve significant environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, contrary to Policy 1: Development Principles and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017).

Dated: 6th April 2023

Chris Smith

For Head of Planning Services



4. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards with regard to sustainable transport.

Dated:6th April 2023

Chris Smith

For Head of Planning Services

**Decision Notice (Page 2 of 3)** 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	Aerial Photos
03	Block Plan
04A	Proposed Block Plan
05	Street Elevations
06	Street Elevations
08B	Street Elevations
09B	Street Elevations
10	Proposed various - elevation, floor etc
11	Proposed various - elevation, floor etc
12	Proposed various - elevation, floor etc
13	Proposed various - elevation, floor etc
14	Proposed various - elevation, floor etc
15	Low Carbon Sustainability Checklist
16	Statement
17A	Landscape Layout
18	Vehicle Turning Details
19A	Visibility splay plan
22	Drainage Assessment
23A	Bat Report
24	Noise Report
25	Landscape and visual assessment
26	SUDs and Flood Risk Assessment Certs
27A	SUDs and Flood Risk Assessment Certs
28	Supporting Statement
29	Supporting Statement
30	Site Plan

Dated:6th April 2023

Chris Smith

For Head of Planning Services

## 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.fife.gov.uk/planning](http://www.fife.gov.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>Couston Farm, Burntisland, Fife</b>		
PROPOSAL	<b>Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works</b>		
DATE VALID	<b>28/02/2022</b>	PUBLICITY EXPIRY DATE	<b>07/04/2022</b>
CASE OFFICER	<b>Emma Baxter</b>	SITE VISIT	<b>14/06/2022</b>
WARD	<b>Inverkeithing And Dalgety Bay</b>	REPORT DATE	<b>04/04/2023</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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

## 1.0. Background

### 1.1. Description

1.1.1. The application relates to an area of land within Meikle Couston Farm measuring approximately 0.7 ha located 0.2 km north-east of Dalgety Bay. The site is currently overgrown scrubland with Couston Farm steading situated within the centre of the site. It is also situated within Cullaloe Hills and Coast Local Landscape Area. The site is bounded by Meikle Couston Farmhouse situated approximately 20 meters to the east of the site, the A912 to the south, East Coast Mainline railway to the north and agricultural land to the west. There are an additional 3 dwellings situated 20 meters south-west of the site.

### 1.2. The Proposal

1.2.1. The application seeks planning permission in principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works.

### 1.3. Planning History

1.3.1. Planning history for this site can be summarised as follows

- Planning permission for the conversion of farm steading to form 9 dwellinghouses and garages (03/02856/WFULL) was permitted with conditions October 2004
- Planning permission for partial demolition of farm steadings, erection of 2 storey care facility, formation of new access, parking and associated landscaping (09/01521/WFULL) was refused August 2009
- Planning permission for the conversion and extension of derelict farmsteading to provide a 38 bed care home with associated parking, landscaping etc and formation of new access (10/00267/FULL) was permitted with conditions September 2010
- Planning permission in principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works (20/03288/PPP) was withdrawn July 2021.

1.4. A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal. The following evidence was used to inform the assessment of this proposal

- Google imagery (including Google Street View and Google satellite imagery);
- GIS mapping software; and
- Site photos

## 2.0. Assessment

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

- Principle of Development
- Design / Visual Impact on the Countryside
- Residential Amenity
- Biodiversity and Natural Heritage
- Road Safety
- Low Carbon
- Flooding and Drainage
- Impact on Railway Infrastructure
- Land Stability

## 2.2. Principle of Development

2.2.1. NPF4 Policy 16(f) states that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where;

-the proposal is supported by an agreed timescale for build-out; and

-the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods;

and either

-delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or

-the proposal is consistent with policy on rural homes; or

-the proposal is for smaller scale opportunities within an existing settlement boundary; or

-the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan

2.2.2. NPF4 Policy 17a applies and states that development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

-is on a site allocated for housing within the LDP;

-reuses brownfield land where a return to a natural state has not or will not happen without intervention;

-reuses a redundant or unused building;

-is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;

-is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;

-is for a single home for the retirement succession of a viable farm holding;

-is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or

-reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

2.2.3. The proposed development would not meet any of the criteria as set out with Policies 16(f) and 17a above. Furthermore, while the proposal is not considered to be supported in terms of the broad policy position set out in Policies 16 and 17 of the NPF. The Chief Planner's letter confirms that NPF4 needs to be assessed in the round and in full context of the Adopted Development Plan. The Adopted Development Plan includes the Adopted FIFEplan which provides more detailed policy context in relation to the assessment of this development. Policy 7 of the Adopted FIFEplan LDP relates to development in the countryside and Policy 8 more specifically relates to new housing in the countryside.

2.2.4. Policy 1 sets out that development proposals will be supported if they are in a location where the proposed use is supported by the development plan and where they comply with other plan policies. Policy 7 states that developments in the countryside will only be supported where, among other circumstances, it is for housing in line with Policy 8. Policy 8: Houses in the Countryside states that 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 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 sound 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 the relevant figure.

2.2.5. Supporting text to Policy 8/Criterion 3 adds that planning permission will only be granted in such circumstances on small sites that are no longer required for their original purpose and which incorporate rundown or derelict buildings; the proposed site must be capable of accommodating a housing 'cluster' of at least five houses; 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.

2.2.6. Letters of objection received for this application raised concerns with the fact the proposed site is situated outwith any designations under Fife's Local Development Plan and could lead to a ribbon development towards Aberdour from Dalgety Bay.

2.2.7. Criterion 6 and 7 of Policy 8 of the Adopted FIFEplan (2017) state that Development of houses in the countryside will only be supported where; 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) or a shortfall in the 5 year effective housing land supply is shown to exist and the proposal meets the terms of Policy 2 (Homes). 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:

-the development is capable of delivering completions in the next 5 years;

-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;

-the development would complement and not undermine the strategy of the plan; and

-infrastructure constraints can be addressed.

2.2.8. From the supporting statement submitted with this application, the relevant criterion argued for this application is '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'. The steading which currently sits on the proposal site has laid derelict for a number of years and fallen into a state of disrepair, with the site's former cart shed already being demolished approximately 10 years ago in the interest of road safety. As will be discussed in further detail within Section 2.3 of this report below, the application has failed to demonstrate that the proposal would be in keeping with the character of the area as well as achieving significant visual and environmental benefits. Furthermore, whilst it may be argued that the development can contribute towards addressing a perceived shortfall in the effective 5 years housing land supply. In terms of the Fife Housing Land Audit 2022, Fife Council's position is that



there is no housing shortfall within this housing market area. The application would, therefore, not be supported by Policy 2 of the Adopted FIFEplan (2017).

2.2.9. In light of the above, the principle of proposed development does not meet the terms of any of the criteria listed above and therefore is considered contrary to Policies 16 & 17 of NPF4 and Policies 1, 2, 7 and 8 of the adopted FIFEplan (2017) and thus not acceptable.

### 2.3. Design / Visual Impact on the Countryside

2.3.1. NPF 4 Policy 14 applies and states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14 also stipulates development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Policy 29 of NPF4 states development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. Policies 1 and 10 of the adopted FIFEplan (2017) states that development will only be supported if it does not have a significant detrimental impact with respect to visual amenity. Policy 13 states development proposals will only be supported where they protect or enhance natural heritage and access assets including landscape character and views. Furthermore, Paragraph 15 of Policy 8 states that developments 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.

2.3.2. Detailed design aspects do not typically form a key part of the assessment of an application for planning permission in principle. However, given the location and position of the site, a Landscape and Visual Impact Assessment was requested and submitted by the applicant. Furthermore, indicative visualisations have been submitted which show how the proposed development may look from a number of points along the public road to the south. These visualisations were provided reflecting proposal as it currently stands as well as an alternative scheme containing five units. The reduction in the number of units was concluded in the report to result in no significant change in terms the visual impact of the development and therefore not pursued. The design of the proposal seeks to mimic the shape of the existing steading, with the proposed dwellings forming a U shape around an internal courtyard area. Furthermore, the proposed bin store and garages are proposed to be located in a similar position to the previously removed cart shed. It is proposed that the development site would be finished with a combination of random rubble stonework, render and timber cladding to the external walls and slate roofs. In addition, the applicant has submitted an indicative site layout and sectional drawings with this application which illustrate a mixture of two and three storey dwellings of varying layouts. The overall layout of the development, principally that of the two and three storey houses proposed on the site, combined with the use of contemporary design elements, imparts an incongruous character to the development within what is a rural setting. Furthermore, the proposed development would be visible from a considerable stretch of the A921 to the south of the site, which is part of Fife's core path network, as well as along the East Coast Mainline railway along the northern boundary of the site. Despite the attempt to mimic a traditional steading layout, given that the proposed development comprises of 7 detached dwellings, as opposed to one continuous U-shaped building, the design of the proposal would be considered incongruous and inappropriate for its rural countryside setting. In addition, the proposed development would constitute a significant increase in footprint in comparison to that of the previous building on the site, thereby further exasperating the fact that the proposal would not be considered to respect the existing character of the site and surrounding area. Overall, it is considered that the development proposals would be to the detriment of landscape character

and views, failing to safeguard the character and qualities of the landscape, and having a significant detrimental impact on the visual amenity of the area generally.

2.3.3 In light of the above, the proposal would be considered to have a significant detrimental impact on the visual amenity of the site's countryside setting and the Cullaloe Hills and Coast Local Landscape Area. The proposed development is therefore considered contrary to the above provisions of policy in relation to design/visual impact.

## 2.4. Residential Amenity

2.4.1. Policy 23, Part E of NPF4 states that development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. Policies 1 and 10 of the adopted FIFEplan states that 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. PAN1/2011 sets out how noise issues generally should be handled when considering any application for planning permission. Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018) and Minimum Distance Between Window Openings also apply in this instance.

2.4.2. Given that the proposed development would be set approximately 20 meters from the nearest residential property, it is considered that the proposal would not result in any detrimental impact with regard to daylight, sunlight or privacy levels of the existing surrounding properties. With regard to the residential amenity of the 7 proposed dwellings, it is considered that the proposal could be designed in such a way to negate any significant detrimental impact. As such, the proposal is considered acceptable in this regard.

2.4.3. Fife Council Planning Customer Guidelines on Garden Ground recommends that residential developments have a useable garden space of at least 100 m<sup>2</sup> per dwellinghouse as well as minimum building footprint to plot size ratio of 1:3. From the indicative site layout submitted, it is considered that the proposed development would be able to accommodate a sufficient area of garden ground.

2.4.4. Given the position of the site in close proximity to the A921 and a railway line, a Noise Impact Assessment (NIA) has been submitted as part of this application. The NIA concluded that the development site was capable of achieving the requisite noise and vibration criteria through a closed window solution. It was however advised by Fife Council's Public Protection team that only in exceptional circumstances should satisfactory internal noise levels be achievable through a closed window scheme. Fife Council's Policy for Development and Noise (2021) recognises that it may be appropriate to make provision for development in certain exceptional circumstances in order to achieve wider strategic objective. For the purposes of this guidance, exceptional circumstances are considered to be proposals which aim to secure appropriate redevelopment of brownfield sites, promote higher levels of density near transport hubs and which secures high density development in Town Centres and larger urban settlements. In this particular case, whilst the proposed development would result in the redevelopment of a brownfield site (which is listed as a potential benefit within Fife Council's Policy for Development and Noise 2021) which would allow for a closed window solution exception to be made, it is considered in this instance that the proposed development would not constitute the appropriate redevelopment of a brownfield site due to the concerns raised with regard to design / visual amenity discussed in

Section 2.3. above. Furthermore, Fife Council's Public Protection Team commented that even if a closed window solution was deemed acceptable in this instance, there were still concerns with regard to potential noise levels within the main amenity spaces of the dwellinghouses. It is noted that in paragraph 3.3.4. of the submitted noise report that "for traditional external areas that are used for amenity space such as gardens and patios, it is desirable that the external noise level does not exceed 50 dB, with an upper guideline value of 55dB which would be acceptable in noisier environments. The report then goes onto reference city centres and other urban areas which may offer additional benefits as examples whereby higher levels may be granted. Later in the report an acceptable outdoor sound level of 55 dB was adopted for the assessment of this site with no justification for selecting this figure as opposed to the desired 50 dB.

2.4.5. In light of the above, it is considered that there is insufficient justification for allowing the implementation of a closed window solution for the proposed development. As such, the proposal would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to the above provisions of policy in relation to residential amenity.

## 2.5. Biodiversity and Natural Heritage

2.5.1. Policy 3, Part A of NPF4 states that development proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible. Furthermore, Part C states that proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development.

2.5.2. Policies 1 and 13 of the Adopted FIFEplan (2017) state that development proposals will only be supported where they protect or enhance natural heritage and access assets including biodiversity in the wider environment and protected and priority habitats and species and designated sites of local importance, including Local Wildlife Sites and Local Landscape Areas. Where adverse impacts on existing assets are unavoidable, proposals will only be supported where these impacts will be satisfactorily mitigated.

2.5.3. A bat survey was submitted from July 2020. This report concluded that there was potential for bats in the area, however no evidence of a maternity roost nor any solitary bat roosting's were found. In addition, no evidence of droppings or sightings of bats in or around the building were found. It was concluded that there were a number of disturbance factors which could account for the lack of activity on the site. An updated bat survey was conducted in September 2022 which also detected no bats on the site. The report however recommended the installation of a bat box to the south of the complete building to encourage bat use on the site. An indicative landscape and biodiversity plan has also been submitted as part of this application. Notwithstanding the above, it is considered that insufficient information has been provided to demonstrate that the proposed development would conserve, restore and enhance the site in terms of biodiversity in line with Policy 3, NPF4 or achieve significant visual and environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, in line with FIFEplan (2017), as discussed in Section 2.3 above.

2.5.4. In light of the above, the proposal would be considered contrary to Policy 3 of NPF4 and Policy 13 of the Adopted FIFEplan (2017) and is therefore not acceptable.

## 2.6. Road Safety

2.6.1. Policy 14 of NPF4 states that development proposals will be supported where they are consistent with the six qualities of successful places, one of which is connected - supporting well connected networks that make moving around easy and reduce car dependency. Furthermore, Policy 13 of NPF 4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- Will be accessible by public transport, ideally supporting the use of existing services;
- Integrate transport modes;
- Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- Adequately mitigate any impact on local public access routes

2.6.2. Policies 1 and 3 of the adopted FIFEplan 2017 state that development will only be supported where it has no road safety impacts. Furthermore, these policies state that developments must be designed and implemented in a manner that ensures it delivers the required levels of infrastructure and functions in a sustainable manner. Making Fife's Places Transportation Development Guidelines (2018) also applies in this instance.

2.6.3. Letters of objection received for this application have raised concern with regard to the potential road safety impacts of the development.

2.6.4. Vehicular access to the site would be via a newly formed access taken from the A921 to the east. The submitted drawings show there to be sufficient space for off street parking and vehicle turning to be provided within the curtilage of the proposed dwelling. Transportation Development Management were consulted on this application and recommended the application for refusal on road safety grounds. The primary issue with regard to road safety was the ability to achieve the necessary visibility splays, which it was TDM's understanding would not be possible without the applicant entering into a legal agreement with the neighbouring landowner. After consultation with Fife Council's legal services department, the applicant was advised that if they were willing to commission a speed survey, the results of which demonstrate that the 85th percentile of traffic speeds are under the road's 60mph speed limit, Fife Council would be willing

to accept that acceptable visibility splays could be achieved through the deed of servitude over the neighbouring land which the applicant holds, in lieu of a Section 75 agreement.

2.6.5. In addition, TDM also stated that the proposal is unacceptable due to the absence of a safe crossing point for pedestrians to use with the 60mph limit of the A921 as well as the absence of safe and sustainable modes of transport (i.e., walking, wheeling, cycling or public transport) for residents/visitors of the site to use in order to access schools, shops employment opportunities etc. resulting in the creation of a development which would be reliant on car transportation which is not considered acceptable. The nearest bus stop would be over 300 metres away along the A921 with no suitable pedestrian access thereto nor to the nearest schools, shops etc. As such, notwithstanding that suitable visibility splays may be achievable, given that the proposed development would result in a significant detrimental impact with regard to its design / visual impact as discussed in Section 2.3 and biodiversity/natural heritage as discussed in section 2.5., it is considered that there is no justification for allowing a relaxation to NPF4 and Fife Council's standards with regard sustainable transport.

2.6.6. In light of the above, it is considered that the proposed development would result in a significant detrimental impact with regard to road safety and therefore contrary to Policy 13 of NPF4 and Policy 1 and 3 of the adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines in this regard.

## 2.7. Low Carbon

2.7.1. Policy 1 of NPF4 states that when considering all development proposals, significant weight will be given to the global climate and nature crises. In addition, Policy 2 states that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change. The Scottish Government advises in relation to Policy 1 and Policy 2 will be subject to further detailed advice and guidance and also the specific implications of NPF4 will be clarified through the review of Local Development Plans. As such the most appropriate policy position in relation to this issue is set out in FIFEplan Policies 1,3 and 11. Policy 1 and 11 of Fifeplan 2017 states that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction targets; construction materials come from local or sustainable sources; and water conservation measures are in place. Fife Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support.

2.7.2. The applicant has submitted an energy statement which states that the development will be insulation to a high standard, along with the installation of solar PV panels and an air source heat pump in order to meet the standards of Policy 11 with regard to energy performance.

2.7.3. In light of the above, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to sustainable construction. This is however not considered to be a determining issue in this instance.

## 2.8. Drainage and Flooding

2.8.1. Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.8.2 Details including a Drainage Impact Assessment Report have been submitted as part of this application which provided details as to the proposed SUDS infrastructure for the site. Fife Council's Structural Services Team were consulted on this application and sought further information including details as to the suitability of the proposed SUDS components, condition survey of the existing surface water sewer and confirmation of ownership and/or permission for the proposed surface water outfall. Upon reviewing the requested additional information, the only comments from Structural Services were for the submission of Appendix 2 (Sustainable Drainage Design - Independent Check Certificate) which has now been submitted. SEPA Flood Maps also confirm that the site is not at risk of flooding. It is considered that any future detailed proposal could be designed to incorporate sufficient measures to adequately deal with surface water attenuation. This matter would, however, be fully assessed at the ARC stage. Scottish Water also advise that they have no objections. The proposal would therefore be acceptable in principle and would comply with Development Plan Policy in this respect.

2.8.3. Overall, the development proposal is considered to accord with the above provisions of policy and guidance in relation to drainage and flood risk. This is however not considered to be a determining issue in this instance.

## 2.9. Impact on Railway Infrastructure

2.9.1. Policies 1 and 3 of the Adopted FIFEplan (2017) state that developments must be designed and implemented in a manner that ensures it delivers the required levels of infrastructure and functions in a sustainable manner. Accordingly, development proposals will demonstrate how they address impacts on the local road network and the railway network including capacity.

2.9.2. Given the application site is within close proximity to an active railway line to the north, Network Rail were consulted. Network Rail had no objections to the development in principle subject to the imposition of four condition on any planning permission granted which include a trespass proof fence along the northern boundary of the site if one is not already in place, the submission of a construction method statement and noise impact assessment and a restriction on any development operations coming within 4 meters of any railway infrastructure.

2.9.3. In light of the above, and subject to the above-mentioned conditions, the proposal would have no significant impact on the railway network and therefore comply with Policies 1 and 3 of the FIFEplan (2017) in this regard. This is however not considered to be a determining issue in this instance.

## 2.10. Land Stability

2.10.1. Policies 1 and 10 of the adopted FIFEplan (2017) 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. Furthermore, development proposals must demonstrate that they will not

lead to a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.10.2. The Land and Air Quality Team were consulted on the proposal and commented that given the site has previously been used for agricultural buildings, a site-specific risk assessment should be undertaken, and details any remedial measures required in light of said assessment submitted through a remedial action statement to the Planning Authority for approval. In addition, it was advised that Development Management should be notified should any unexpected materials or conditions be encountered during the development.

2.10.3. In light of the above, the proposal subject to conditions would be considered acceptable in terms of contaminated land. This is however not considered to be a determining issue in this instance.

## CONSULTATION RESPONSES

Environmental Health (Public Protection)	Proposal not supported
Structural Services - Flooding, Shoreline And Harbours	No further comments
Structural Services - Flooding, Shoreline And Harbours	Further information requested
Transportation And Environmental Services - Operations Team	No response
TDM, Planning Services	Has recommended the application for refusal.
Environmental Health (Public Protection)	Further information requested
Network Rail	No objection subject to the inclusion of conditions.
Structural Services - Flooding, Shoreline And Harbours	Has sought the submission of further information.
Natural Heritage, Planning Services	No objections
Land And Air Quality, Protective Services	No objection subject to conditions
Scottish Water	No objections

## REPRESENTATIONS

Four letters of objection and 1 letter of support has been received for this application. The letters of objection have raised the following concerns

- Road safety- This has been addressed in Section 2.6. above

- Removal of shrubs, trees and soil before planning application was made and without permission - Given that the site nor any of the trees are under any form of protected designation (e.g. TPO or within a Conservation Area), planning permission would not have been required for the works as mentioned.

- Changes from previous approved plan regarding the foul drainage - Each application is assessed on its own merit and there is no obligation to follow or maintain aspects from previous approved applications. The proposals impact with regard to flooding and drainage has been assessed in paragraph 2.8.2. above.
- Possibility of asbestos in the ruins - This is not a material planning consideration
- The surfaced water drainage pipe as indicated on the submitted plans proposing to take surface water from the site across A921 and discharges into Inverkeithing Burn does not exist - This application is for planning permission in principle, rather than full planning permission. As such, and as discussed in paragraph 2.8.2. above, it is considered sufficient detail has been provided at this stage with regard to flooding and drainage, with a further detailed scheme to be submitted and fully assessed under any future application for approval of matters required by condition). In addition, Fife Council's Structural Services Team were consulted on this application and raised no objections to the proposal with regard to flooding and drainage.
- Inconsistencies between submitted plans and title deeds - This is not a material planning consideration
- The access road as shown on the plans submitted with this application do not match those under the previously submitted application- This application is entirely separate to all other applications submitted for this site. Road safety has been addressed in section 2.6 above.
- The site is outwith any designations under Fife's Local Development Plan and could lead to a ribbon development towards Aberdour from Dalgety Bay- This has been addressed in Section 2.2. above

The letter of support stated that it was felt the proposed development would improve and enhance the surrounding area & the layout would reflect character of the steading.

## CONCLUSION

The development is contrary to the provisions of policy and guidance relating to the principle of development, design/visual impact, residential amenity, road safety and biodiversity/natural heritage but accords with those provisions relating to impact on railway infrastructure, sustainable construction and flooding/drainage. Overall, it is considered that the proposed development is contrary to the development plan, with no relevant material considerations of sufficient weight to justify departing therefrom. The application is therefore recommended for refusal.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)



1. In the interests of protecting and enhancing visual amenity; the development of 7 detached dwellings with a significant combined increase in built footprint area would fail to be in keeping with the traditional well proportioned and scaled 'U' shaped agricultural / steading building in this countryside / rural area. The proposal therefore is considered to be incongruous and inappropriate for its rural countryside setting and would also undermine the qualities of the defined Local Landscape Area. The proposal would as a whole fail to be in keeping with the character or scale of traditional buildings of the area nor would it protect the overall landscape and environmental quality of the site and countryside area within which it is located. The proposal is therefore considered to be contrary to Policy 14: Design, Quality and Places and Policy 29: Rural Development of National Planning Framework 4 (2023) and Policy 1: Development Principles, Policy 7 Development in the Countryside, Policy 8: Houses in the Countryside, Policy 10: Amenity and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018).

2. In the interests of residential amenity; the proposed development would have a significant detrimental impact on the amenity of the occupants of the proposed development in terms of noise, contrary to Policy 23: Health and Safety of NPF4 and Policy 1: Development Principles and Policy 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

3. In the interests of biodiversity and natural heritage; the development has failed to demonstrate that it would conserve, restore and enhance the biodiversity of the site, contrary to Policy 3: Biodiversity of National Planning Framework 4. Furthermore the proposal has failed to demonstrate that it would achieve significant environmental benefits or be located and designed to protect the overall landscape and environmental quality of the area, contrary to Policy 1: Development Principles and Policy 13: Natural Environment and Assets of the adopted FIFEplan Fife Local Development Plan (2017).

4. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards with regard to sustainable transport.

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Guidance

PAN1/2011

Development Plan

Adopted FIFEplan (2017)

National Planning Framework 4

Other Guidance

Fife Council Planning Customer Guidelines on Garden Ground (2016)

Fife Council Planning Customer Guidelines on Minimum Distance Between Window Openings (2016)

Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)

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

Fife Council's Policy for Development and Noise (2021)



**Agenda Item 5(3)**

**Couston Farm, Burntisland, KY3 0RX  
Application No. 22/00633/PPP**

**Representation(s)**

# Comments for Planning Application 22/00633/PPP

## Application Summary

Application Number: 22/00633/PPP

Address: Couston Farm Burntisland Fife KY3 0RX

Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

Case Officer: David Shankland

## Customer Details

Name: Mr Colin McPhail MBE,C.Eng MICE MIGHT

Address: 17 The Wynd, Dalgety Bay, Dunfermline, Fife KY11 9SH

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Some years ago planning permission was granted for a care home on this site but this has not happened.

Now a planning proposal for 7 houses has been made.

This is outwith Fife Councils' Development Plan and should be rejected. If approved this would lead to ribbon development towards Aberdour from Dalgety Bay. The traffic on the A921 could also create a problem with this development.

Colin McPhail Former Chairman of Dalgety Bay and Hillend Community Council 1988-2016

# Comments for Planning Application 22/00633/PPP

## Application Summary

Application Number: 22/00633/PPP

Address: Couston Farm Burntisland Fife KY3 0RX

Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

Case Officer: David Shankland

## Customer Details

Name: Mr Barry Morrison

Address: 1 Downing Point, Dalgety Bay, Dunfermline, Fife KY11 9YT

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a very busy road and the access point in and out of the proposed development seems extremely dangerous for the public

# Comments for Planning Application 22/00633/PPP

## Application Summary

Application Number: 22/00633/PPP

Address: Couston Farm Burntisland Fife KY3 0RX

Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

Case Officer: David Shankland

## Customer Details

Name: Mr Michael Paul

Address: 70 Lumsdaine Drive, Dalgety Bay, Dunfermline, Fife KY11 9YU

## Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Object

# Comments for Planning Application 22/00633/PPP

## Application Summary

Application Number: 22/00633/PPP

Address: Couston Farm Burntisland Fife KY3 0RX

Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

Case Officer: David Shankland

## Customer Details

Name: Mr Philip Taylor

Address: 3 Longhill Gardens, Dalgety Bay, Fife KY11 9SG

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objects Letter Sent



Couston Developments Ltd  
3 Longhill Gardens  
Dalgety Bay  
Fife KY11 9SG

To Mr David Shankland  
Case Officer  
Fife Planning  
Glenrothes.

22.03.2022

Dear Mr Shankland,  
Ref Planning Application No. 22/00633/PPP

I write on behalf of the above – Couston Developments in relation to the above planning application, and would like to point out the following and lodge an objection to the Application in its present form :-

- Couston Developments own the field to the West of the Farm Steadings and opposite the Eastern Access Road into Dalgety Bay. The applicant does not have any right to alter or regrade any land in that field, other than in the area of the visibility strip adjacent to the A921.
- If you visit the site, you will see that the applicant has visited the field and removed bushes and cut down trees. This was before the application was submitted and without permission.
- We have had no “Neighbour Notice” of the Development. We own the visibility display to the West and should have had a Notice 1 form.
- Work has started with the removal of bushes and soil in the site area.
- Why is the foul drainage through the field and not to the septic tank to the East of Couston Farm Cottage as per the previously submitted plans and drawings as per the Titles at the Land Register?
- The rainwater pipe, indicated on the plan proposing to take surface water across the A921 into a field, does not exist

- We would also point out that there is a possibility of asbestos in the ruins of the former Steading and in the roof in the remains of a building.
- On Drawing 11 of the application, the visibility splay to the West does not accurately match with the Title Deeds of the developer.
- The original plan, which was approved, had the access road and splay to the West starting at the 40 mph sign. (This sign was recently blown over in the gales.)

Yours sincerely,

Philip S Taylor

Director Couston Developments Ltd.

# Comments for Planning Application 22/00633/PPP

## Application Summary

Application Number: 22/00633/PPP

Address: Couston Farm Burntisland Fife KY3 0RX

Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

Case Officer: David Shankland

## Customer Details

Name: Mrs Nichola Jamieson

Address: Couston Farm, Burntisland, Fife KY3 0RX

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: We would like to support the development of the derelict Steading building beside our property. We feel that it will improve and enhance the surrounding area and the proposed layout would reflect the old Steadings character.

**Agenda Item 5(4)**

**Couston Farm, Burntisland, KY3 0RX  
Application No. 22/00633/PPP**

**Consultee Comments**

## FIFE COUNCIL

### ASSETS, TRANSPORTATION AND ENVIRONMENT

**TO:** Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 10 March 2022  
**OUR REF:** DR/22/00633/PPP  
**YOUR REF:** **22/00633/PPP**  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Planning Permission in Principle for erection of 7 dwelling houses and associated garages, access and parking and landscaping works (20/03288/PPP). Couston Farm, Burntisland, KY3 0RX.**

I refer to your memo dated 8 March 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.

Please provide:

The route for the surface water outfall is shown as being outwith the development site boundary. Ownership or permission to construct should be confirmed.

A condition survey of the existing surface water sewer should be carried out to confirm that the pipe has capacity and is in good condition.

Checks on suitability of the proposed SuDS components in mitigating water quality risks to receiving waterbodies (A Simple Index Approach (SIA) tool).

SuDS design and check certificates, (Appendices 1 and 2) should include the planning application reference number and professional qualifications of signatory.

**Our current guidance on Flooding and Surface Water Management is available to download:**

[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)

## FIFE COUNCIL

### ASSETS, TRANSPORTATION AND ENVIRONMENT

**TO:** David Shankland, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 29 June 2022  
**OUR REF:** DR/22/00633/PPP  
**YOUR REF:** **22/00633/PPP**  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Planning Permission in Principle for erection of 7 dwelling houses and associated garages, access and parking and landscaping works (20/03288/PPP). Couston Farm, Burntisland, KY3 0RX.**

I refer to your memo dated 23 June 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.

Please provide:

SuDS independent check certificate, (Appendix 2) should include the professional qualifications of the signatory.

**Our updated guidance on Flooding and Surface Water Management is available to download:**

[FC Flooding and SWMP Guidance v2.1 \(fife.gov.uk\)](https://www.fife.gov.uk)

**FIFE COUNCIL**

**ASSETS, TRANSPORTATION AND ENVIRONMENT**

**TO:** David Shankland, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 03 August 2022  
**OUR REF:** DR/22/00633/PPP  
**YOUR REF:** **22/00633/PPP**  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Planning Permission in Principle for erection of 7 dwelling houses and associated garages, access and parking and landscaping works (20/03288/PPP). Couston Farm, Burntisland, KY3 0RX.**

I refer to your memo dated 27 June 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 on this Application

**Our updated guidance on Flooding and Surface Water Management is available to download:**

[FC Flooding and SWMP Guidance v2.1 \(fife.gov.uk\)](https://www.fife.gov.uk)



Economy, Planning and Employability Services

Town and Country Planning (Scotland) Act 1997  
Application for Permission to Develop Land

**Response from Environmental Health (Public Protection)**

<b>PPT Reference No:</b>	22/02934/CONPLA		
<b>Name of Planning Officer dealing with the matter:</b>	David Shankland		
<b>Application Number:</b>	22/00633/PPP		
<b>Proposed Development:</b>	Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works		
<b>Location:</b>	Couston Farm Burntisland Fife KY3 0RX		
<b>Date Required By Planning:</b>		<b>Decision Notice Required?</b>	-----
<b>COMMENTS</b>			
<p>After reviewing the above application, I have the following comments</p> <p><b><u>Noise</u></b></p> <p>I am concerned that the proposed development may be subject to elevated levels of noise from transportation noise sources (road &amp; rail). Therefore, <b>before determining the application</b>, it is recommended that the applicant provides the Planner with an acoustic report by a suitably competent person (see note).</p> <p>The report shall</p> <ul style="list-style-type: none"><li>(i) Determine the existing noise climate</li><li>(ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development</li><li>(iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).</li></ul> <p><b>If levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify attenuation measures as</b></p>			



**conditions of consent.**

A competent person should undertake any noise survey and developers may wish to contact the Association of Noise Consultants <http://www.association-of-noise-consultants.co.uk/Pages/Links.htm> (01736 852958) or the Institute of Acoustics <http://www.ioa.org.uk> (01727 848195) for a list of members.

The REHIS Briefing Note 017 Noise Guidance for New Developments advises that only in exceptional circumstances should satisfactory internal noise levels only be achievable with windows closed and other means of ventilation provided.

Predictions of internal noise levels within noise sensitive premises must be calculated based on an open window scenario. The degree of sound reduction afforded by a partially open window should be taken as 13dB. For the purposes of this guidance exceptional circumstances are considered to be proposals which aim to promote sustainable development and transport within the local authority area and which would provide benefits such as:

- (a) reducing urban sprawl
- (b) reducing uptake of greenfield sites
- (c) promoting higher levels of density near transport hubs, town and local centres
- (d) meeting specific needs identified in the local development plan

Exceptional circumstances will, therefore, generally apply only to sites, which are small to medium in scale, within urban areas. This may include sites in established residential areas; brownfield sites; town and village centres, and sites near public transport hubs.

These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN 51, the Land & Air Quality Team will provide comment for those issues.

<b>Date:</b>	11/03/2022	<b>Officer</b>	Brian Hill Environmental Health Officer Public Protection Team
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**Protective Services**

**Town and Country Planning (Scotland) Act 1997  
Application for Permission to Develop Land**

**Response from Environmental Health (Public Protection)**

<b>PPT Reference No:</b>	22/08575/CONPLA		
<b>Name of Planning Officer dealing with the matter:</b>	David Shankland		
<b>Application Number:</b>	22/00633/PPP		
<b>Proposed Development:</b>	Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works		
<b>Location:</b>	Couston Farm Burntisland		
<b>Date Required By Planning:</b>	---	<b>Decision Notice Required?</b>	---

<b>COMMENTS</b>	
<p>I have assessed the application and read the noise report produced by WSP dated April 2022.</p> <p>I am concerned about the high noise levels on site and the calculated levels likely in amenity space and habitable rooms. A closed window approach is recommended by WSP. While I am unhappy with this it will be for planning to decide acceptability.</p> <p>If planning permission is granted, I would recommend the following condition:</p> <p>Before first occupation, the developer shall provide written evidence to the local planning authority to demonstrate that the following internal sound levels have been achieved</p> <ol style="list-style-type: none"> <li>1 The 16hr <math>L_{Aeq}</math> shall not exceed 35dB between 0700 and 2300 hours when readings are taken in any noise sensitive rooms in the development.</li> <li>2 The 8hr <math>L_{Aeq}</math> shall not exceed 30dB between 2300 and 0700 hours when readings are taken inside any bedroom in the development.</li> </ol>	

- 3 The  $L_{A_{Max}}$  shall not exceed 45 dB between 2300 and 0700hrs when readings are taken inside any bedroom in the development.
- 4 The 16hr  $L_{A_{eq}}$  shall not exceed 50 dB between 0700 and 2300 hours when readings are taken in outdoor amenity areas.

If it cannot be demonstrated that the aforementioned sound levels have been achieved, a further scheme incorporating further measures to achieve those sound levels shall be submitted for the written approval of the LPA. All works comprised within those further measures shall be completed and written evidence to demonstrate that the aforementioned sound levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN 51, the Land & Air Quality Team will provide comment for those issues.

<b>Date:</b>	08/06/2022	<b>Officer:</b>	Don Taylor
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## MEMORANDUM

**TO:** David Shankland, Planner, Development Management  
**FROM:** Donald Payne, Technical Officer, Land & Air Quality  
**DATE:** 31 March 2022  
**OUR REF:** PC003022C2                      **YOUR REF:** 22/00633/PPP  
**SUBJECT:** Erection of 7 dwellinghouses at Couston Farm, Aberdour

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Thank you for your consultation on the above application.

### **Planning conditions are required to ensure the safe development of the site.**

The site has previously been used for agricultural buildings. It is advised that an appropriate contaminated land site-specific risk assessment should be undertaken to ensure the site would be developed safely.

The risk assessment should additionally consider the answers to the following questions:

- Is asbestos known or suspected in the fabric of any buildings or within the ground?
- Has any part of the site been used for the storage of fuel or for refuelling activities?
- Have there been any known leaks or spillages of fuel on or close to the site?
- Has any part of the site been used for the storage of agricultural chemicals such as preservatives, pesticides or herbicides or have these been used on site?
- Have there been any known leaks or spillages of agricultural chemicals on or close to the site?
- Has any part of the site been used for sheep dipping, storage or disposal of sheep dip chemicals?
- Has any part of the site been used for the disposal of solid farm waste, for example slurry pits?
- Has any part of the site been used for the disposal of liquid wastes or washings other than to an approved drainage system?
- Has the site been used to store or maintain vehicles or machinery?
- Are any building fires or bonfires known to have occurred on the site?
- Has any part of the site been used for disposal of animal carcasses?
- Has any part of the site been used for silage disposal and/or storage?
- Has any part of the site been used for disposal of unused animal vaccinations?

If the preliminary risk assessment recommends sampling and analysis of soils, waters, gases and/or vapours, this must be undertaken in accordance with the technical guidance to characterise adequately the potential type(s), nature and scale of contamination associated with the site.

If remedial measures are required to ensure safe development of the site, these must be described in a Remedial Action Statement detailing the measures that will be used to mitigate against potential risks. The statement must include a verification plan specifying when, how and by whom remedial measures will be inspected. The remedial action statement must be submitted to and accepted in writing by the council before any development work begins on site. A Verification Report would be required on completion and before occupation of any property.

Due to the age of the buildings currently or previously on site, it is possible that the building fabric included asbestos. Any asbestos containing materials encountered should be the subject of appropriate removal and disposal arrangements in consultation with SEPA and HSE to prevent asbestos getting into the soil. Further details and a list of companies licensed by the Asbestos Licensing Unit is available at [www.hse.gov.uk](http://www.hse.gov.uk).

On completion of investigation, it is important that all boreholes are made safe by following SEPA 2010, 'Good practice for decommissioning redundant boreholes and wells' and verified to ensure no preferential pathway for ground gases is inadvertently created.

All land contamination reports should be prepared in accordance with CLR 11, PAN 33 and 'Advice for Developing Brownfield Sites in Fife', online at [www.fife.gov.uk/contaminatedland](http://www.fife.gov.uk/contaminatedland).

**Should Development Management approve an application for the site, it is advised that the contaminated land conditions LQC1 to LQC3 (attached) be utilised to ensure the site would be developed in accordance with the relevant technical guidance including PAN 33.**

Please note that we are not qualified to comment on geotechnical matters relating to ground stability or foundation design. This response is from the Land & Air Quality team; our colleagues in Public Protection may submit their own response. Should you require any further information or clarification regarding the above comments, please do not hesitate to contact this office.

## **Model Planning Conditions for Land Quality**

### **LQC1**

NO DEVELOPMENT SHALL COMMENCE ON SITE until the risk of actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study) has been submitted by the developer to and approved in writing by the local planning authority. Where further investigation is recommended in the Preliminary Risk Assessment, no development shall commence until a suitable Intrusive Investigation (Phase II Investigation Report) has been submitted by the developer to and approved in writing by the local planning authority. Where remedial action is recommended in the Phase II Intrusive Investigation Report, no development shall commence until a suitable Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures and a Verification Plan specifying how, when and by whom the installation will be inspected.

All land contamination reports shall be prepared in accordance with CLR 11, PAN 33 and the Council's Advice for Developing Brownfield Sites in Fife documents or any subsequent revisions of those documents. Additional information can be found at [www.fife.gov.uk/contaminatedland](http://www.fife.gov.uk/contaminatedland).

Reason: To ensure potential risk arising from previous land uses has been investigated and any requirement for remedial actions is suitably addressed.

### **LQC2**

NO BUILDING SHALL BE OCCUPIED UNTIL remedial action at the site has been completed in accordance with the Remedial Action Statement approved pursuant to condition. In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement — or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site — all work on site (save for site investigation work) shall cease immediately and the local planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the local planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement — or any approved revised Remedial Action Statement — a Verification Report shall be submitted by the developer to the local planning authority.

Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement — or the approved revised Remedial Action Statement — and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

Reason: To provide satisfactory verification that remedial action has been completed to the planning authority's satisfaction.

### **LQC3**

IN THE EVENT THAT CONTAMINATION IS ENCOUNTERED that was not identified by the developer prior to the grant of this planning permission, all development works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

## Planning Portfolio Internal Assessment Sheet

<b>EPES Team</b>	<b>Transportation Development Management</b>
<b>Application Ref Number:</b>	<b>22/00633/PPP</b>
<b>Application Description:</b>	<b>Planning Permission in Principle for the Erection of 7 Dwellinghouses and Associated Garages and the Formation of a Vehicular Access at Couston Farm, A921, Dalgety Bay</b>
<b>Date:</b>	<b>9<sup>th</sup> May 2022</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 This PPP application is for the erection of 7 dwellings and garages with a new vehicular access being formed from the A921. The site contained steading buildings although they were demolished many years ago.
- 1.2 Planning consent was granted for a care home on site under reference 10/00267/FULL and at that time, TDM recommended the application for refusal, but our road safety concerns were set aside, and approval was granted. This consent has expired, therefore, none of the previous history is relevant to TDM's considerations.

1.3 Transportation Development Management has a policy 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.

1.4 The A921 is subject to a 60mph speed limit at the location of the proposed vehicular access with the 40mph speed limit starting approximately 73 metres to the West. According to the current Making Fife's Places Appendix G, 4.5 metres x 210 metre visibility splays must be provided and maintained clear of all obstructions exceeding one metre in height above the adjoining road channel level, at the junction of the proposed new vehicular access and the public road. However, as drivers of eastbound vehicles should only start accelerating when they leave the 40mph limit, I would accept the provision of a 4.5m x 180m oncoming splay in this instance.

In addition, I would be prepared to accept the provision of 180m forward visibility of other eastbound vehicles on the A921 for any drivers turning right into the new access from the A921. Lastly, other westbound drivers on the A921 should have 210 metre forward visibility of any stationary right turning vehicle waiting to turn into the proposed new access.

The oncoming visibility splay crosses over land which is outwith the applicant's control and the red application site boundary. The agent has advised that his client has a servitude right over the adjoining field to provide the visibility splay. However, having taken advice, this would not be an acceptable mechanism in planning terms to secure the oncoming splay (should consent be granted). I have been advised that a Section 75 Legal Agreement would have to be secured between the applicant and the relevant landowner(s).

1.5 A visibility splay plan (Drawing No ACC-001 Rev 0) has been submitted with the application, unfortunately the oncoming splay has been incorrectly plotted, as the splay must be available and shown to all points on the nearside road channel line of the A921 (North side). The plan must include the provision of an approximate 4.5m x 90m splay to the nearside road channel line, as this part of the splay has been omitted with the purple dotted line cutting diagonally across the carriageway. The splay would cut across more of the field to the west of the access than shown on the plan.

TDM have previously stated that we would accept the provision of a 4.5m x 180m oncoming splay in this instance.

1.6 In my response to the previous application (subsequently withdrawn), I stated that there was an existing large gorse covered embankment at the frontage of the application site including the location of the proposed vehicular access. The embankment and gorse extend approximately 120 metres to the west of the proposed application site and none of this land is within the red application site boundary. As a result, the applicant would only be able to provide an approximate 4.5m x 20m oncoming visibility splay within land in the red application site boundary.

During my site visit, I noted that some of the land had been partially reprofiled within the extents of the red application boundary and a significant amount of the gorse on the embankment to the west of the application site boundary had also been cut back. As a result, a 3m x 180m oncoming splay was almost available to the nearside road channel line with a slight blind spot (due to foliage that hadn't been removed for some reason) at approximately 55 metres to the west of the proposed access.



1.7 However, it is my understanding that in planning terms the applicant must enter into a Section 75 Legal Agreement with the relevant landowner to secure and then maintain the 4.5m x 180m oncoming splay for the lifetime of the development. As the applicant stands this agreement has not been secured, therefore, it appears that the splay cannot be delivered via a mechanism that is acceptable in planning terms.

The necessary 4.5m x 210m visibility splay in the other direction (East) could be provided within land in the red application site boundary/the public road boundary. However, Drawing No ACC-001 Rev 0 shows that the proposed communal bin store building and pod 1 would be within the extents of the splay (as shown by the dotted purple line). This wouldn't be acceptable although I realise this layout is only indicative, as the application is for planning permission in principle.

1.8 Another fundamental issue for TDM to consider for residential developments is that they must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips. There is no public footway on North side of the A921 along the full site frontage and beyond. There is a public footway on the south side of the road which commences at 1 Four Lums and leads eastwards towards Aberdour. There is an informal pedestrian route to the west of 1 Four Lums which leads southwards in the direction of Cornerstone Full Gospel Church, however, this route isn't to an adoptable standard and only includes 1 street lighting column and must therefore doesn't provide a viable option for this development.

In addition, there would be no safe crossing point for pedestrians to use within the 60mph limit on this busy A class road.

There would be no safe illuminated routes for pedestrians, cyclists and public transport users between the proposed development and the schools, shops, employment opportunities and rail station within Dalgety Bay and beyond. Due to the poor connectivity for pedestrians, cyclists and public transport users, the development would be reliant on car borne trips which isn't sustainable or acceptable in terms of pedestrians (especially school children) and road safety.

## **2.0 CONCLUSIONS**

2.1 The proposals are unacceptable to TDM, as they would result in a development with no safe opportunities for person trips via walking, cycling and public transport. In addition, the formation of a new vehicular access onto an A Class road which has sub-standard visibility in the oncoming direction (within land in the applicant's control) and the resultant increase in traffic turning manoeuvres would conflict with through traffic movements and so increase the probability of accidents occurring, all to the detriment of road and pedestrian safety.

## **3.0 RECOMMENDATIONS**

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3.1 Refusal for the reasons detailed above.

### **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: 09/05/2021

E-mail: [andy.forrester@fife.gov.uk](mailto:andy.forrester@fife.gov.uk)

Number: 03451 55555 extension 480211

# Consultee Comments for Planning Application 22/00633/PPP

## Application Summary

Application Number: 22/00633/PPP

Address: Couston Farm Burntisland Fife KY3 0RX

Proposal: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works

Case Officer: David Shankland

## Consultee Details

Name: Mr Andy Forrester

Address: Kingdom House, Kingdom Avenue, Glenrothes, Fife KY7 5LY

Email: Not Available

On Behalf Of: Transportation, Planning Services

## Comments

Further to my recommendation for refusal dated 09/05/22 (today), I omitted to include the following:-

According to the FIFE Plan Planning Obligations Framework Supplementary Guidance, the site is within the Dunfermline Intermediate 5km Zone (and unless exempt) the applicant must pay £2428 per unit towards the Strategic Transport Interventions.

Regards

Andy Forrester

**From:** Andy Forrester  
**To:** [joe.fitzpatrick390@gmail.com](mailto:joe.fitzpatrick390@gmail.com)  
**Cc:** [Derek-J.Simpson@Development.Central](mailto:Derek-J.Simpson@Development.Central)  
**Subject:** CONS 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 ORX  
**Date:** 30 September 2022 14:22:20

Morning Joe,

I refer to your email to Derek Simpson dated 26<sup>th</sup> September 2022 and our telephone discussion today regarding the above application.

As discussed, my most recent comments were based on Drawing No ACC-01 Rev C which was e-mailed to David Shankland on 12/08/22 by your client Craig Mitchell and subsequently passed onto me for comment. Craig had submitted this plan to illustrate that the bin store had been relocated outwith the visibility splay in the east direction. This plan did not show the oncoming visibility splay correctly.

As there had been a lot of correspondence for this application, earlier this week I reviewed the submission again on IDOX and noted that the PDF version of Drawing No ACC-01 Rev 0 (dated February 2022) included an additional red line correctly showing the provision of the 4.5m x 180m oncoming splay to the tangent line on the nearside road channel line (an approximate distance of 90 metres). However, the scanned copy of the same plan in the renditions section of our IDOX system didn't not show this red line illustrating the additional section of the splay to the tangent point. Perhaps there was an issue with the drawing layers. It appears that the only reason that I stated in my response dated 9<sup>th</sup> May 2022 that Drawing No ACC-01 Rev 0 didn't not correctly show the splay to the tangent point was due to this discrepancy between the two versions of the same plan. Regardless of the technical reason, please accept my apologies on behalf of Fife Council as this was an issue at our end.

Therefore, I can confirm that the splays shown on the IDOX PDF version of Drawing No ACC-01 Rev 0 are correct, although as stated in my previous responses, the land necessary to provide the 4.5m x 180m splays outwith the red application site boundary and would therefore require a Section 75 Legal Agreement between your client and the relevant landowner(s).

We also discussed the copy of the Title Deed and Plan that had been uploaded on IDOX on 1st August 2022. You previously advised that your client benefits from a servitude right to provide the necessary oncoming visibility splay at the new access junction on land outwith his control, therefore, I reviewed the deed and plan. The Land Register of Scotland Plan Title Number FFE85883 shows the proposed new access and junction coloured blue and what appears to be the servitude for the visibility splay hatched and coloured in mauve. However, the area shown hatched mauve isn't nearly large enough to include all of the land required to provide the necessary 4.5m x 180m oncoming splay, including the approximate 90 metre length to the tangent point on the nearside public road channel line. It appears that the oncoming junction visibility splay has been incorrectly plotted on the title plan and this has omitted to include the land necessary to provide the splay to the nearside road channel line (north side of the public road). This is very similar situation to the omission on the visibility splay plans Drawing No ACC-001 Rev 1 and Rev C. I appreciate that Title Deeds aren't strictly a planning matter but felt I should flag this up, as it doesn't appear the Servitude would be adequate even if it was acceptable in planning terms.

As per my previous response, another fundamental issue for TDM to consider for residential developments is that they must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips. There is no public footway on North side of the A921 along the full site frontage and beyond. There is a public footway on the south side of the road which commences at 1 Four Lums and leads eastwards towards Aberdour. There is an informal pedestrian route to the west of 1 Four Lums which leads southwards in the direction of Cornerstone Full Gospel Church, however, this route isn't to an adoptable standard and only includes 1 street lighting column and must therefore doesn't provide a viable option for this development. In addition, there would be no safe crossing point for pedestrians to use within the 60mph limit on this busy A class road. There would be no safe illuminated routes for pedestrians, cyclists and public transport users between the proposed development and the schools, shops, employment opportunities and rail station within Dalgety Bay and beyond. Due to the poor connectivity for pedestrians, cyclists and public transport users, the development would be reliant on car borne trips which isn't sustainable or acceptable in terms of pedestrians (especially school children) and road safety. The revised documents have made no attempt to address the lack of safe pedestrian routes etc, therefore, this reason for refusal in TDM terms remains and the proposal would be detrimental to pedestrian and road safety.

I trust the above makes clear the fundamental issue with the lack of any suitable mechanism to provide the necessary 4.5m x 180m oncoming visibility splay and that TDM's recommendation remains for refusal for the reasons detailed above and in my previous response dated 9th May 2022. A Section 75 Legal Agreement would likely address my visibility splay concerns but TDM's other concerns would remain.

Regards  
Andy Forrester  
Fife Council  
Planning Service, Transportation Development Management  
3rd Floor West, Fife House  
Glenrothes  
Normal working hours Mon to Fri

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**From:** Derek-J Simpson <[Derek-J.Simpson@fife.gov.uk](mailto:Derek-J.Simpson@fife.gov.uk)>  
**Sent:** 26 September 2022 13:30  
**To:** Andy Forrester <[Andy.Forrester@fife.gov.uk](mailto:Andy.Forrester@fife.gov.uk)>  
**Subject:** FW: 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 ORX

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**From:** [joe.fitzpatrick390@gmail.com](mailto:joe.fitzpatrick390@gmail.com) <[joe.fitzpatrick390@gmail.com](mailto:joe.fitzpatrick390@gmail.com)>  
**Sent:** 26 September 2022 11:03  
**To:** Derek-J Simpson <[Derek-J.Simpson@fife.gov.uk](mailto:Derek-J.Simpson@fife.gov.uk)>  
**Subject:** RE: 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 ORX

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Hello Derek,

I hope all's well. I've now had a chance discuss Andy's email with Craig. We're a bit confused about Andy's comment that the 4.5m by 180m splay hasn't been plotted correctly. Zak has drawn it from the position 4.5m back from the channel line at the junction of the private access with the A921 to join up with the channel line 180m westwards. Is this not the correct way to do it?

Regards

Joe

Joe Fitzpatrick BSc(Hons) MRTPI  
35 Aytoun Crescent  
Burntisland  
Fife  
KY3 9HS

01592 874360  
07974426615

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**From:** Derek-J Simpson <[Derek-J.Simpson@fife.gov.uk](mailto:Derek-J.Simpson@fife.gov.uk)>  
**Sent:** 13 September 2022 11:41  
**To:** Joe Fitzpatrick <[joe.fitzpatrick390@gmail.com](mailto:joe.fitzpatrick390@gmail.com)>  
**Subject:** FW: 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 ORX

Dear Joe, please see the comments below from Andy. Once you have had a chance to consider the issues raised please let me know how you wish to proceed.

I have reviewed the revised visibility splay plan Drawing No ACC-001 Rev 1 that Craig Mitchell emailed to you earlier this month.

Unfortunately, the 4.5m x 180m oncoming visibility splay has still been incorrectly plotted on the revised visibility splay plan (Drawing No ACC-001 Rev 1 dated 08/22). In my recommendation for refusal dated 9<sup>th</sup> May 2022, I stated in point 1.5 "A visibility splay plan (Drawing No ACC-001 Rev 0) has been submitted with the application, unfortunately the oncoming splay has been incorrectly plotted, as the splay must be available and shown to all points on the **nearside road channel line** of the A921 (**North** side). **The plan must include the provision of an approximate 4.5m x 90m splay to the nearside road channel line**, as this part of the splay has been omitted with the purple dotted line cutting diagonally across the carriageway. The splay would cut across more of the field to the west of the access than shown on the plan."

I appreciate that extents of visibility splays are not always easy to understand but felt that I made clear what had been omitted and the steps required to rectify this.

Whilst reviewing the submission again on IDOX, I noticed that a copy of the Title Deed and Plan had been uploaded on 1<sup>st</sup> August 2022. As the applicant previously advised that there was a servitude right to provide the necessary oncoming visibility splay at the new access junction on land outwith his control, I reviewed the deed and plan. The Land Register of Scotland Plan Title Number FFE85883 shows the proposed new access and junction coloured blue and what appears to be the servitude for the visibility splay hatched and coloured in mauve. However, the area shown hatched mauve isn't nearly large enough to include all of the land required to provide the necessary 4.5m x 180m oncoming splay. It appears that the oncoming junction visibility splay has been incorrectly plotted on the title plan and this has omitted to include the land necessary to provide the splay to the nearside road channel line (north side of the public road). This is very similar situation to the omission on the revised visibility splay plan Drawing No ACC-001 Rev 1. I appreciate that Title Deeds aren't strictly a planning matter but felt I should flag this up, as it doesn't appear the Servitude would be adequate even if it was acceptable in planning terms.

For the avoidance of doubt, it is fundamental that an oncoming visibility splay is available to the nearside public road channel, as a driver must be able to see approaching vehicles/motorbikes travelling eastbound on the A921 in this instance. From reviewing the submission including the red application site boundary and the servitude for the visibility splay, it is clear that the applicant doesn't own or have control/a right to maintain the land necessary to provide and maintain the necessary 4.5m x 180m oncoming visibility splay. As per my previous comments the splay would bisect the nearside public road channel line (North side of the road) at a distance of approximately 90 metres west of the centre line of the proposed new access junction. Therefore, from the 4.5m set back distance a driver of a car exiting the junction must be able to see the nearside channel line at an approximate distance of 90 metres to the west, as well as all the other points within the 4.5m x 180m splay.

TDM's recommendation for refusal of the application dated 9/5/22 still stands, as it would result in the formation of a new vehicular access onto an A Class road which has sub-standard visibility in the oncoming direction (within land in the applicant's control) and the resultant increase in traffic turning manoeuvres would conflict with through traffic movements and so increase the probability of accidents occurring, all to the detriment of road safety.

As per my previous response, another fundamental issue for TDM to consider for residential developments is that they must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips. There is no public footway on North side of the A921 along the full site frontage and beyond. There is a public footway on the south side of the road which commences at 1 Four Lums and leads eastwards towards Aberdour. There is an informal pedestrian route to the west of 1 Four Lums which leads southwards in the direction of Cornerstone Full Gospel Church, however, this route isn't to an adoptable standard and only includes 1 street lighting column and must therefore doesn't provide a viable option for this development. In addition, there would be no safe crossing point for pedestrians to use within the 60mph limit on this busy A class road. There would be no safe illuminated routes for pedestrians, cyclists and public transport users between the proposed development and the schools, shops, employment opportunities and rail station within Dalgety Bay and beyond. Due to the poor connectivity for pedestrians, cyclists and public transport users, the development would be reliant on car borne trips which isn't sustainable or acceptable in terms of pedestrians (especially school children) and road safety.

The revised documents have made no attempt to address the lack of safe pedestrian routes etc, therefore, this reason for refusal in TDM terms remains and the proposal would be detrimental to pedestrian and road safety.

I trust the above makes clear the fundamental issue with the lack of any suitable mechanism to provide the necessary 4.5m x 180m oncoming visibility splay and that TDM's recommendation remains for refusal for the reasons detailed above and in my previous response dated 9<sup>th</sup> May 2022. A Section 75 Legal Agreement would likely address my visibility splay concerns but TDM's other concerns would remain.

Regards

Derek Simpson  
Lead Officer  
Development Management  
Planning Services  
Fife Council, KY7 5LT

*I am currently working remotely. If you are an applicant or agent submitting plans or other information relating to a specific planning application please upload them via [www.eplanning.scot](http://www.eplanning.scot) as Post Submission Additional Documentation (PSAD).*

*If you wish to comment on or track the progress of an application, please use the Fife Council [online-planning service](http://online-planning.service).*

*Online information/forms relating to payments, reporting unauthorised works can be done on our website at [www.fife.gov.uk/planning](http://www.fife.gov.uk/planning)*

*All other enquiries should be directed to - [development.central@fife.gov.uk](mailto:development.central@fife.gov.uk). This will help us to respond to your enquiry as quickly and efficiently as possible.  
Many thanks.*

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**From:** Derek-J Simpson <[Derek.J.Simpson@fife.gov.uk](mailto:Derek.J.Simpson@fife.gov.uk)>

**Sent:** 24 August 2022 21:01

**To:** Andy Forrester <[Andy.Forrester@fife.gov.uk](mailto:Andy.Forrester@fife.gov.uk)>

**Subject:** FW: 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 0RX

Hi Andy have you seen this? Not sure if David has passed it on?

---

**From:** Craig Mitchell <[craig@bigredhen.co.uk](mailto:craig@bigredhen.co.uk)>

**Sent:** 12 August 2022 13:11

**To:** David Shankland <[David.Shankland@fife.gov.uk](mailto:David.Shankland@fife.gov.uk)>

**Subject:** 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife KY3 0RX

Good Afternoon David,

Further to Joe's attached email correspondence with you last week and, in his absence on holiday until 22<sup>nd</sup> August, please find in the 2<sup>nd</sup> attachment above drawing number, ACC-001 Rev 1, amended to address TDM's concerns regarding the bin store, the "blind spot" and the plotting of the oncoming splay to meet the provision of a 4.5m x 180m splay which they are prepared to accept in this instance.

I confirm that I am happy to pay the £2428 per unit towards the Strategic Transport Interventions if required to do so according to the Fife plan Planning Obligation Supplementary Guidance.

I have instructed an up to date Bat Survey as requested and, having now hopefully addressed TDM's concerns, I shall be grateful if you would confirm the principle of the development is acceptable to you and I will then ask our architect to review her design in the context of your feedback.

Regards,

Craig  
Craig Mitchell  
Newbigging House  
Burntisland  
KY3 0AQ  
Tel: 01592 874555

\*\*\*\*\*  
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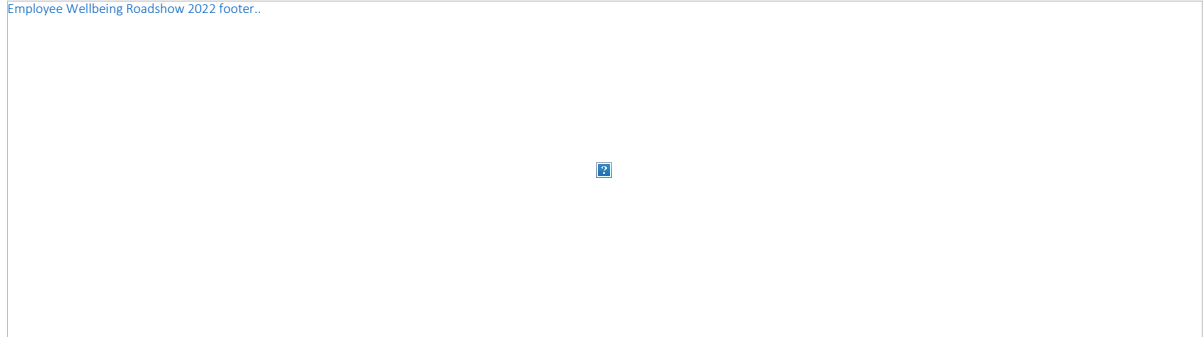
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Fife Council

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[Employee Wellbeing Roadshow 2022 footer..](#)



## Stephanie Skelly

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**From:** Andy Forrester  
**Sent:** 03 February 2023 09:17  
**To:** Emma Baxter; Derek-J Simpson  
**Cc:** Development Central  
**Subject:** RE: CONS 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife

Morning Emma,

As requested during our discussion today, I have clarified TDM's reasons for refusal in more detail below. There has been a fair amount of correspondence relating to this application, particularly in relation to the applicant's inability to provide the full 4.5m x 180m oncoming visibility splay (west direction) within land in his control.

The agent previously advised that his client benefits from a servitude right to provide the necessary oncoming visibility splay at the new access junction on land outwith his control, therefore, I reviewed the deed and plan. The Land Register of Scotland Plan Title Number FFE85883 shows the proposed new access and junction coloured blue and what appears to be the servitude for the visibility splay hatched and coloured in mauve. However, the area shown hatched mauve isn't nearly large enough to include all of the land required to provide the necessary 4.5m x 180m oncoming splay, including the approximate 90 metre length to the tangent point on the nearside public road channel line. It appears that the oncoming junction visibility splay has been incorrectly plotted on the title plan and this has omitted to include the land necessary to provide the splay to the nearside road channel line (north side of the public road). This is very similar situation to the omission on the visibility splay plans Drawing No ACC-001 Rev 1 and Rev C. I appreciate that Title Deeds aren't strictly a planning matter but felt I should flag this up, as it doesn't appear the Servitude would be adequate even if it was acceptable in planning terms.

As a result the latest visibility splay plan shows the provision of a 3.2m x 180m oncoming visibility which isn't acceptable. 3.2 metres isn't an acceptable x distance for a visibility splay at a junction onto an A class road with a 60mph limit. A 4.5m distance must be provided in accordance with the current Fife Council Making Fifes Places Appendix G.

As per my previous response, another fundamental issue for TDM to consider for residential developments is that they must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips. There is no public footway on North side of the A921 along the full site frontage and beyond. There is a public footway on the south side of the road which commences at 1 Four Lums and leads eastwards towards Aberdour. There is an informal pedestrian route to the west of 1 Four Lums which leads southwards in the direction of Cornerstone Full Gospel Church, however, this route isn't to an adoptable standard and only includes 1 street lighting column and must therefore doesn't provide a viable option for this development. In addition, there would be no safe crossing point for pedestrians to use within the 60mph limit on this busy A class road. There would be no safe illuminated routes for pedestrians, cyclists and public transport users between the proposed development and the schools, shops, employment opportunities and rail station within Dalgety Bay and beyond. Due to the poor connectivity for pedestrians, cyclists and public transport users, the development would be reliant on car borne trips which isn't sustainable or acceptable in terms of pedestrians (especially school children) and road safety. The revised documents have made no attempt to address the lack of safe pedestrian routes etc, therefore, this reason for refusal in TDM terms remains and the proposal would be detrimental to pedestrian and road safety.

Finally, the proposed site layout plan Drawing No L(PL)001 Rev B shows the private vehicular access into the site would have a gradient not exceeding 8% which is acceptable. However, significant engineering works would be required to reprofile the existing land sufficiently to achieve this gradient.

The proposals are unacceptable to TDM, as they would result in a development with no safe opportunities for person trips via walking, cycling and public transport. In addition, the formation of a new vehicular access onto an A Class road which has sub-standard visibility in the oncoming direction (within land in the applicant's control) and the resultant increase in traffic turning manoeuvres would conflict with through traffic movements and so increase the probability of accidents occurring, all to the detriment of road and pedestrian safety.

Regards

Andy Forrester  
Fife Council  
Planning Service, Transportation Development Management  
3rd Floor West, Fife House  
Glenrothes

---

**From:** Andy Forrester  
**Sent:** 01 February 2023 14:32  
**To:** Emma Baxter <Emma.Baxter@fife.gov.uk>  
**Cc:** Development Central <Development.Central@fife.gov.uk>; Mark Barrett <Mark.Barrett@fife.gov.uk>  
**Subject:** CONS 22/00633/PPP Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works Couston Farm Burntisland Fife

Afternoon Emma,

As requested I have reviewed the result of the traffic count and speed survey undertaken by Traffic Data Collection on behalf of the applicant and would comment as follows.

Traffic counters were placed on the A921 to the east (location 1) and west (location 2) of the proposed location for the vehicular access to the above site. Traffic volumes and vehicle speeds were recorded for a 7 day period between 3<sup>rd</sup> and 10 October 2022.

The recorded 85<sup>th</sup> percentile of vehicle speeds were 48-49mph eastbound and 45-45.5mph westbound at Location 1 and 44-44.9mph eastbound and 43.7-44.1mph westbound at Location 2.

According to the current Fife Council Making Fifes Places, 4.5m x 180m 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 and the public road. Clearly the applicant must have control of all the land necessary to provide these splays.

The 4.5m x 180m splays are for a junction onto a road with a 50mph limit and it is standard practice for the 85<sup>th</sup> percentile vehicle speed results to be rounded up to the next speed limit bracket, which is 50mph in this instance. Therefore, when taking account of the speed survey result, the provision of 4.5m x 180m splays in both directions is necessary.

The only difference the speed survey results make to TDM's previous recommendation for refusal is that a 3m x 210m visibility splay no longer needs to be provided in the east direction, as a 4.5m x 180m splay would be acceptable. However, there wasn't an issue with the applicant having control over the land necessary to provide the 3m x 210m splay in the east direction. It was the provision of the 4.5m x 180m oncoming splay (west direction), including to the 90 metre tangent point that the applicant is unable to provide in land within his control.

With the exception of the splay in the east direction being reduced to 4.5m x 180m, all the other TDM reasons for refusal in my previous correspondence are still relevant and remain TDM's position on the application.

Regards

Andy Forrester



Fife Council  
Planning Service, Transportation Development Management  
3rd Floor West, Fife House  
Glenrothes

## Consultation Request Notification

Please use updated template attached for your response

Planning Authority Name	<b>Fife Council</b>
Response Date	<b>31st March 2022</b>
Planning Authority Reference	<b>22/00633/PPP</b>
Nature of Proposal (Description)	<b>Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works</b>
Site	<b>Couston Farm Burntisland Fife KY3 0RX</b>
Site Postcode	<b>N/A</b>
Site Gazetteer UPRN	<b>000320132582</b>
Proposal Location Easting	<b>316963</b>
Proposal Location Northing	<b>684807</b>
Area of application site (Ha)	
Clarification of Specific Reasons for Consultation	
Development Hierarchy Level	<b>N/A</b>
Supporting Documentation URL	<b><a href="http://planning.fife.gov.uk/online/applicationDetails.do?activeTab=documents&amp;keyVal=R80V65HFMGX00">http://planning.fife.gov.uk/online/applicationDetails.do?activeTab=documents&amp;keyVal=R80V65HFMGX00</a></b>
List of Available Supporting Documentation	<b>As above URL</b>
Date of Validation by Planning Authority	<b>28th February 2022 Development Type: Local - Housing</b>
Date of Consultation	<b>17th March 2022</b>
Governing Legislation	<b>Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006</b>
Consultation Type	<b>Planning Permission in Principle</b>
PA Office	<b>Kingdom House, Kingdom Avenue, Glenrothes, KY7 5LY</b>
Case Officer	<b>David Shankland</b>
Case Officer Phone number	<b>03451 55 11 22</b>

## Consultation Request Notification Planning Services Internal Assessment Sheet

<b>Team Consulted:</b>	<b>Natural Heritage, Policy &amp; Place</b>
<b>Application Ref Number:</b>	<b>22/00633/PPP</b>
<b>Application Description:</b>	<b>Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works</b>
<b>Date:</b>	<b>10/01/2023</b>
<b>Case Officer:</b>	<b>Emma Baxter</b>
<b>Reason for assessment request/consultation</b>	
<b>Consultation Summary</b>	

### Important Note

This is an internal planning assessment response which 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 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.

### Assessment Summary

#### 1.0 POLICIES (FIFEPlan)

##### Policy 1 (Part B) 7, 8 and 9: Development Principles

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

7. Safeguard the character and qualities of the landscape.
8. Avoid impacts on the water environment.
9. Safeguard or avoid the loss of natural resources, including effects on internationally designated nature conservation sites.

##### Policy 12 – Flooding and the Water Environment

Development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively:

3. Detrimently impact on water quality and the water environment, including its natural characteristics, river engineering works, or recreational use.

4. Detrimently impact on future options for flood management.

### **Policy 13 – Natural Environment and Access**

Development proposals will only be supported where they protect or enhance natural heritage and access assets. Where adverse impacts on existing assets are unavoidable we will only support proposals where these impacts will be satisfactorily mitigated.

Development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets, as detailed in *Making Fife's Places Supplementary Guidance*.

In the particular case of development proposals that affect national sites, such proposals will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised or where any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

The application of this policy will require to safeguard (keeps open and free from obstruction) core paths, existing rights of way, established footpaths, cycleways, bridleways and access to water-based recreation. Where development affects a route it must be suitably re-routed before the development commences, or before the existing route is removed from use.

## **2.0 CONTEXT**

2.1 The application relates to the construction of seven dwellinghouses on the site of the derelict Meikle Couston Farm Steadings. The wider site appears to be a mix of gorse scrub, ruderal species, grasses and bracken; scattered trees are also present, particularly along the edge of the adjacent east coast mainline railway corridor.

2.2 Located outwith the settlement envelope of Dalgety Bay, the site is identified on the LDP as being within the *Cullaloe Hills and Coast Local Landscape Area*.

2.2 This site has a history of planning applications: one in 2003 (03/02856/WFULL) and another in 2010 (10/00267/FULL), with this being accompanied by a bat survey (Alpha Ecology, dated June 2010); roosting by soprano pipistrelles was identified in the remaining roofed structure. This current application is supported by a bat survey conducted in August 2020 and by a September 2022 update (both by Eco Contracts); no roosting bats were identified by this pair of studies.

## **3.0 OVERALL ASSESSMENT**

3.1 FIFEplan states that all development should be considered through Policy 1. The land adjoining the derelict buildings is identified as *Open Space* on the Green space record, but nothing is noted on the Fife Integrated Habitat Network (IHN) record. While the Otterston Loch SSSI and several tracts of Ancient Woodland Inventory-listed woodland are in the area, none of these are considered within a potential zone of construction disturbance/zone of influence, due to separation provided by the transport network (both road and rail) and sufficient buffering by the intervening land.

3.2 *Making Fife's Places Supplementary Guidance* provides information on the site assessment which must be submitted for natural heritage and biodiversity. A habitat survey should be undertaken and be used to help inform what further surveys are required. Any Protected Species (European and UK/Scotland) found to be present should be assessed with appropriate surveys undertaken and impacts and mitigation identified.

All surveys should be carried out by suitably qualified professionals, following recognised current guidelines and methodologies and the approach taken must be consistent. Surveys should be reported in full, with mapping provided as appropriate. Documents and plans should clearly identify existing natural heritage assets and how they are being retained and protected (e.g. any trees). A suitable buffer must be maintained between these and any development. No buildings or garden ground should be included in the buffer area. Plot boundaries along these buffers should include appropriate native species planting, e.g. hedgerows and trees.

- 3.3 It is noted that no habitat surveys have been conducted for this site to support any of the previous applications and so that, other than the bat survey reporting, the above points are not addressed by the submitted documentation. The potential for other protected species use of the area is undetermined. However, the overall development site is observed to be relatively small/restricted and of a simple (generally low ecological value) habitat type which is common to the wider area.
- 3.4 As required by policy and as detailed in *Making Fife's Places Supplementary Guidance*, biodiversity enhancement should be considered throughout the design process and details of this must be provided with the application. A proposed development will need to demonstrate an integrated approach to natural heritage and biodiversity, landscaping and SuDS design. To maximise biodiversity, native species of local or Scottish origin should be specified for landscaping. *Making Fife's Places Supplementary Guidance* covers the integration of biodiversity enhancement into design. In this regard, the application is supported by a *Landscaping & Biodiversity* plan (Sunshine Design & Planning, dated October 20220). This plan appears to be in an outline format and a more detailed plan would therefore be anticipated; however, the choice of native species for the tree, shrub and hedge specifications fits the desired biodiversity requirements, with a wildflower meadow mix also identified (presumably for the public grassed spaces: the submitted plan does not differentiate the areas).
- 3.5 The supporting documentation includes a drainage assessment, though opportunities for inclusion of biodiversity within the drainage features is not discussed; however, it is acknowledged that such would appear to be inappropriate for this development, given the limited footprint.

#### **4.0 CONCLUSIONS/ RECOMMENDATIONS**

- 4.1 To address the lack of any habitat assessment and given the mix of buildings and vegetation on site, a pre-works ecological assessment will be required before any works are permitted to commence on site. This should be conditioned to ensure responsible development.
- 4.2 Though the recent bat studies indicated no bat roosting use of the remaining structures on site, the 2010 survey identified a roost. It is therefore strongly recommended that this building be thoroughly inspected by a suitably qualified and experienced ecologist ahead of any works to the structure, potentially with the ecologist acting in the role of Clerk of Works to supervise dismantling of the gable end where the roost was recorded (refer to 10/00267/FULL, Alpha Ecology, June 2010).
- 4.3 Additionally, the landscape planting species mix should be applied as described, to ensure delivery of the biodiversity targets.

---

Signed by M Berry MCIEEM PIEMA, Natural Heritage Officer  
Date: 10 January 2023  
E-mail: [mark.berry-ps@fife.gov.uk](mailto:mark.berry-ps@fife.gov.uk)  
Number: 03451 555555 extension: 474548



Fife Council  
Enterprise, Planning and Protective Services  
Kingdom House  
Kingdom Avenue  
Glenrothes  
KY7 5LY

Network Rail  
Town Planning  
151 St Vincent Street  
Glasgow  
G2 5NW

Martin Henderson  
Town Planning Technician

Planning reference: 22/00633/PPP  
Case Officer: David Shankland

E-Mail:  
[TownPlanningScotland@networkrail.co.uk](mailto:TownPlanningScotland@networkrail.co.uk)

Network Rail ref: 81 2022  
22/03/2022

Dear Mr Shankland,

**Town and Country Planning (Scotland) Act 1997 (as amended)**  
**Re: Planning Permission in Principle for erection of 7 dwellinghouses and associated garages, access and parking and landscaping works (20/03288/PPP) at Couston Farm Burntisland Fife KY3 0RX**

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no issues with the principle of the proposed development, we would have to object to the proposal unless the following conditions were attached to the planning permission, if the Council is minded to grant the application:

**Fencing**

If not already in place, the applicant must provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval before development is commenced and the development shall be carried out only in full accordance with such approved details.

Reasons: *In the interests of public safety and the protection of Network Rail infrastructure.*

### **Construction Method Statement**

No construction work will commence until a construction method statement, which includes plant details, locations and lifting plans, is submitted to the Planning Authority for approval and agreed in conjunction with Network Rail's Asset Protection Engineers.

Reasons: *To ensure construction can be carried out without adversely affecting the safety of, or encroaching upon, the operational railway.*

### **Noise Impact Assessment**

No development shall take place on site until such time as a noise impact assessment has been submitted to and approved in writing by the Planning Authority. The noise impact assessment shall include an assessment of the potential for occupants of the development to experience noise nuisance arising from the railway line. Where a potential for noise disturbance is identified, proposals for the attenuation of that noise shall be submitted to and approved in writing by the Planning Authority. Any such approved noise attenuation scheme shall be implemented prior to the development being brought into use and shall thereafter be retained in accordance with the approved scheme.

Reason: *To ensure that occupants/users of the development do not experience undue disturbance arising from nearby noise sources.*

Network Rail would also recommend that the following matters are taken into account and are included as advisory notes, if granting the application:

### **Construction**

No part of any plant shall encroach or be able to fall within 4m of any Network Rail infrastructure.

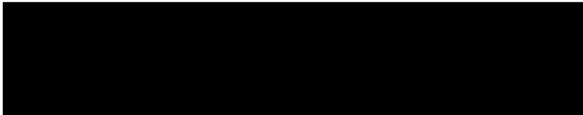
Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

Our Asset Protection Engineers can be contacted regarding the above matters, on the details below:

**Network Rail Asset Protection Engineer**  
**151 St. Vincent Street, GLASGOW, G2 5NW**  
**E-mail: [AssetProtectionScotland@networkrail.co.uk](mailto:AssetProtectionScotland@networkrail.co.uk)**

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Yours sincerely



**Martin Henderson**  
**Town Planning Technician**



**Agenda Item 5(5)**

**Couston Farm, Burntisland, KY3 0RX  
Application No. 22/00633/PPP**

**Further Representation(s)**

**From:** [Mark Berry](#)  
**To:** [Emma Baxter](#)  
**Cc:** [Chris Smith](#); [Michelle McDermott](#); [Development Central](#)  
**Subject:** Fw: Application Ref. 22/00633/PPP - Couston Farm, Burntisland  
**Date:** 22 May 2023 11:01:37

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Hi Emma,

**Additional Natural Heritage Comment: 22/00633/PPP Meikle Couston Farm**

A landscaping and biodiversity plan (subsequently revised as Document 17A) was added to the application information package after the original January 2023 Natural Heritage consultation submission. This improves things from the Natural Heritage standpoint, as the plan identifies the planting species mixes for the tree, shrub and hedge specification, plus details the wildflower meadow mix chosen (though the drawing fails to show where this would be – there are no “areas hatched yellow on plan”). With the exception of one non-native species (*Salix purpurea* – an alternative native species would be requested), all other species choices are deemed appropriate and answer the January request for landscape information/detail. The request for ecological assessment (i.e. a pre-works survey to ensure potential wildlife presence is ascertained and considered within the proposals) remains open at this time.

Many thanks,

Mark



**Mark Berry MCIEEM PIEMA | Natural Heritage Officer | Policy & Place Team**  
**Planning Services | Fife House | North Street | GLENROTHES | Fife KY7 5LT**  
📧 [mark.berry-ps@fife.gov.uk](mailto:mark.berry-ps@fife.gov.uk) | ☎ **03451 555 555 ext 474548**

**From:** [Andy Forrester](#)  
**To:** [Michelle McDermott](#); [Steve Iannarelli](#)  
**Cc:** [Emma Baxter](#); [Derek-J Simpson](#); [Mark Barrett](#)  
**Subject:** Fife Planning Review Body - 22/00633/PPP - Couston Farm, Burntisland  
**Date:** 23 May 2023 11:37:41

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Morning Michelle,

I refer to your email dated 18<sup>th</sup> May 2023 regarding the above.

Having reviewed the content of Joe Fitzpatrick's (the applicant's agent) Notice of Review dated 16<sup>th</sup> May 2023, I feel I must clarify TDM's position on the application.

In Joe's Notice of Review Statement, his comments in relation to refusal reason 4 are relevant to TDM.

Joe has stated that "The Key consideration for the Review Body is that the more safety critical issues relating to road safety with regard to vehicles entering and leaving the site have been fully considered and approved by **the Fife Council Transportation Development Management Team**, as confirmed within the Report of Handling." I must admit that I am struggling to understand how Joe has arrived at this conclusion, particularly, as TDM have consistently made clear in all of our previous correspondence that the proposals were unacceptable to TDM in the interests of pedestrian and road safety.

To assist, I have cut and pasted the relevant sections of my last recommendation of refusal dated 03/02/23 below: -

"As requested during our discussion today, I have clarified TDM's reasons for refusal in more detail below. There has been a fair amount of correspondence relating to this application, particularly in relation to the applicant's inability to provide the full 4.5m x 180m oncoming visibility splay (west direction) within land in his control.

The agent previously advised that his client benefits from a servitude right to provide the necessary oncoming visibility splay at the new access junction on land outwith his control, therefore, I reviewed the deed and plan. The Land Register of Scotland Plan Title Number FFE85883 shows the proposed new access and junction coloured blue and what appears to be the servitude for the visibility splay hatched and coloured in mauve. However, the area shown hatched mauve isn't nearly large enough to include all of the land required to provide the necessary 4.5m x 180m oncoming splay, including the approximate 90 metre length to the tangent point on the nearside public road channel line. It appears that the oncoming junction visibility splay has been incorrectly plotted on the title plan and this has omitted to include the land necessary to provide the splay to the nearside road channel line (north side of the public road). This is very similar situation to the omission on the visibility splay plans Drawing No ACC-001 Rev 1 and Rev C. I appreciate that Title Deeds aren't strictly a planning matter but felt I should flag this up, as it doesn't appear the Servitude would be adequate even if it was acceptable in planning terms.

As a result the latest visibility splay plan shows the provision of a 3.2m x 180m oncoming visibility which isn't acceptable. 3.2 metres isn't an acceptable x distance for a visibility splay at a junction

onto an A class road with a 60mph limit. A 4.5m distance must be provided in accordance with the current Fife Council Making Fife's Places Appendix G.

As per my previous response, another fundamental issue for TDM to consider for residential developments is that they must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips. There is no public footway on North side of the A921 along the full site frontage and beyond. There is a public footway on the south side of the road which commences at 1 Four Lums and leads eastwards towards Aberdour. There is an informal pedestrian route to the west of 1 Four Lums which leads southwards in the direction of Cornerstone Full Gospel Church, however, this route isn't to an adoptable standard and only includes 1 street lighting column and must therefore doesn't provide a viable option for this development. In addition, there would be no safe crossing point for pedestrians to use within the 60mph limit on this busy A class road. There would be no safe illuminated routes for pedestrians, cyclists and public transport users between the proposed development and the schools, shops, employment opportunities and rail station within Dalgety Bay and beyond. Due to the poor connectivity for pedestrians, cyclists and public transport users, the development would be reliant on car borne trips which isn't sustainable or acceptable in terms of pedestrians (especially school children) and road safety. The revised documents have made no attempt to address the lack of safe pedestrian routes etc, therefore, this reason for refusal in TDM terms remains and the proposal would be detrimental to pedestrian and road safety.

Finally, the proposed site layout plan Drawing No L(PL)001 Rev B shows the private vehicular access into the site would have a gradient not exceeding 8% which is acceptable. However, significant engineering works would be required to reprofile the existing land sufficiently to achieve this gradient.

The proposals are unacceptable to TDM, as they would result in a development with no safe opportunities for person trips via walking, cycling and public transport. In addition, the formation of a new vehicular access onto an A Class road which has sub-standard visibility in the oncoming direction (within land in the applicant's control) and the resultant increase in traffic turning manoeuvres would conflict with through traffic movements and so increase the probability of accidents occurring, all to the detriment of road and pedestrian safety."

In addition, I note that Joe has stated in his Notice of Review that "as confirmed by Planning Services, the visibility at the site access meets the standards and it will therefore be possible for any pedestrians crossing the road to do so safely". This statement is inaccurate and misleading, the junction visibility splays (which are in fact sub-standard in the oncoming direction (west) for this application) are for drivers exiting the access in vehicles and have no relevance to whether there is a safe crossing point for pedestrians, particularly child pedestrians. When assessing pedestrian safety and whether there is a safe existing crossing point, clearly there must be acceptable visibility of passing traffic for pedestrians on both the north and south sides of the public road. The A921 along the frontage of the site is an A class road with high traffic volumes and there is no doubt that it would not be safe for pedestrians (particularly children) to cross, any increase in pedestrians crossing would be to the detriment of pedestrian and road safety.

I trust the above provides clarity on TDM's consistent position on the proposal and clears up any doubt that TDM have ever advised that the proposals could be viewed as acceptable from a

pedestrian and road safety perspective.

Regards  
Andy Forrester  
Fife Council  
Planning Service, Transportation Development Management  
3rd Floor West, Fife House  
Glenrothes

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**From:** Michelle McDermott <Michelle.McDermott@fife.gov.uk>

**Sent:** Thursday, May 18, 2023 12:29 PM

**To:** Denise Richmond <Denise.Richmond@fife.gov.uk>; Brian Hill <Brian.Hill@fife.gov.uk>; Don Taylor <Don.Taylor@fife.gov.uk>; Donald Payne <Donald.Payne@fife.gov.uk>; Andy Forrester <Andy.Forrester@fife.gov.uk>; Mark Berry <Mark.Berry-ps@fife.gov.uk>

**Subject:** Application Ref. 22/00633/PPP - Couston Farm, Burntisland

**Town & Country Planning (Scotland) Act 1997**  
**The Town & Country Planning (Schemes of Delegation & Local Review Procedure) (Scotland) Regulations 2013**

I refer to the above application, details of which are set out below.

A copy of the Council's Decision Notice in relation to this application is enclosed for your assistance. However, in response to that decision, the applicant has made an application for a review of that decision by the Fife Planning Review Body. This is a process brought in by the above legislation to enable applicants dissatisfied with a decision of the Planning Authority to ask for it to be reviewed.

In accordance with the Regulations, I am writing to you to ask if you wish to make any further representations in relation to the review of the original decision. The Review Body will be given copies of your original representations.

If you do wish to do so, you have fourteen days from the date of this notice to make such representations and should do this by sending your comments in writing to me.

The applicant will then be sent a copy of these representations and will then be entitled to make comments on those representations which will also be placed before the Local Review Body when it considers the review.

Please note that all documentation in relation to this review, including any representations you may make, will be placed online at [www.fife.gov.uk/planning](http://www.fife.gov.uk/planning).

A copy of the Notice of Review and other documents related to the review can be viewed online as above.

If you have any queries in relation to the procedure, or anything else, please do not hesitate to contact me.

Yours sincerely,

Michelle McDermott,

**From:** [Andy Forrester](#)  
**To:** [Michelle McDermott](#)  
**Cc:** [Mark Barrett](#); [Steve Iannarelli](#)  
**Subject:** RE: Fife Planning Review Body - 22/00633/PPP - Couston Farm, Burntisland  
**Date:** 22 June 2023 15:03:48

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Hi Michelle,

Thanks for clarifying the position.

The most appropriate TDM response would be as an update to my previous response dated 23<sup>rd</sup> May 2023.

I feel it would now be appropriate to omit the sentence "I must admit that I am struggling to understand how Joe has arrived at this conclusion" from my email dated 23/05/23, as the applicant has now provided clarity as to how they incorrectly arrived at the conclusion that TDM had recommended the application for approval.

For simplicity and transparency, TDM's updated response should read as follows (**text in bold**): -

**Having reviewed the content of Joe Fitzpatrick's (the applicant's agent) Notice of Review dated 16th May 2023, I feel I must clarify TDM's position on the application.**

**In Joe's Notice of Review Statement, his comments in relation to refusal reason 4 are relevant to TDM.**

**Joe has stated that "The Key consideration for the Review Body is that the more safety critical issues relating to road safety with regard to vehicles entering and leaving the site have been fully considered and approved by the Fife Council Transportation Development Management Team, as confirmed within the Report of Handling." This statement is incorrect as TDM have consistently made clear in all of our previous correspondence that the proposals were unacceptable to TDM in the interests of pedestrian and road safety and we haven't recommended the application for approval at any stage of the process.**

**To assist, I have cut and pasted the relevant sections of my last recommendation of refusal dated 03/02/23 below: -**

**"As requested during our discussion today, I have clarified TDM's reasons for refusal in more detail below. There has been a fair amount of correspondence relating to this application, particularly in relation to the applicant's inability to provide the full 4.5m x 180m oncoming visibility splay (west direction) within land in his control.**

**The agent previously advised that his client benefits from a servitude right to provide the necessary oncoming visibility splay at the new access junction on land outwith his control, therefore, I reviewed the deed and plan. The Land Register of Scotland Plan Title Number FFE85883 shows the proposed new access and junction coloured blue and what appears to be the servitude for the visibility splay hatched and coloured in mauve. However, the area shown hatched mauve isn't nearly large enough to include all of the land required to provide the necessary 4.5m x 180m oncoming splay, including the approximate 90 metre length to the**

tangent point on the nearside public road channel line. It appears that the oncoming junction visibility splay has been incorrectly plotted on the title plan and this has omitted to include the land necessary to provide the splay to the nearside road channel line (north side of the public road). This is very similar situation to the omission on the visibility splay plans Drawing No ACC-001 Rev 1 and Rev C. I appreciate that Title Deeds aren't strictly a planning matter but felt I should flag this up, as it doesn't appear the Servitude would be adequate even if it was acceptable in planning terms.

As a result the latest visibility splay plan shows the provision of a 3.2m x 180m oncoming visibility which isn't acceptable. 3.2 metres isn't an acceptable x distance for a visibility splay at a junction onto an A class road with a 60mph limit. A 4.5m distance must be provided in accordance with the current Fife Council Making Fifes Places Appendix G.

As per my previous response, another fundamental issue for TDM to consider for residential developments is that they must be sustainable and provide opportunities for residents and their visitors to safely make trips to and from the site via walking, cycling and public transport rather than being reliant of car borne trips. There is no public footway on North side of the A921 along the full site frontage and beyond. There is a public footway on the south side of the road which commences at 1 Four Lums and leads eastwards towards Aberdour. There is an informal pedestrian route to the west of 1 Four Lums which leads southwards in the direction of Cornerstone Full Gospel Church, however, this route isn't to an adoptable standard and only includes 1 street lighting column and must therefore doesn't provide a viable option for this development. In addition, there would be no safe crossing point for pedestrians to use within the 60mph limit on this busy A class road. There would be no safe illuminated routes for pedestrians, cyclists and public transport users between the proposed development and the schools, shops, employment opportunities and rail station within Dalgety Bay and beyond. Due to the poor connectivity for pedestrians, cyclists and public transport users, the development would be reliant on car borne trips which isn't sustainable or acceptable in terms of pedestrians (especially school children) and road safety. The revised documents have made no attempt to address the lack of safe pedestrian routes etc, therefore, this reason for refusal in TDM terms remains and the proposal would be detrimental to pedestrian and road safety.

Finally, the proposed site layout plan Drawing No L(PL)001 Rev B shows the private vehicular access into the site would have a gradient not exceeding 8% which is acceptable. However, significant engineering works would be required to reprofile the existing land sufficiently to achieve this gradient.

The proposals are unacceptable to TDM, as they would result in a development with no safe opportunities for person trips via walking, cycling and public transport. In addition, the formation of a new vehicular access onto an A Class road which has sub-standard visibility in the oncoming direction (within land in the applicant's control) and the resultant increase in traffic turning manoeuvres would conflict with through traffic movements and so increase the probability of accidents occurring, all to the detriment of road and pedestrian safety."

In addition, I note that Joe has stated in his Notice of Review that "as confirmed by Planning Services, the visibility at the site access meets the standards and it will therefore be possible for any pedestrians crossing the road to do so safely". This statement is inaccurate and

**misleading, the junction visibility splays (which are in fact sub-standard in the oncoming direction (west) for this application) are for drivers exiting the access in vehicles and have no relevance to whether there is a safe crossing point for pedestrians, particularly child pedestrians. When assessing pedestrian safety and whether there is a safe existing crossing point, clearly there must be acceptable visibility of passing traffic for pedestrians on both the north and south sides of the public road. The A921 along the frontage of the site is an A class road with high traffic volumes and there is no doubt that it would not be safe for pedestrians (particularly children) to cross, any increase in pedestrians crossing would be to the detriment of pedestrian and road safety.**

**I trust the above provides clarity on TDM's consistent position on the proposal and clears up any doubt that TDM have ever advised that the proposals could be viewed as acceptable from a pedestrian and road safety perspective. "**

Kind Regards  
Andy Forrester  
Fife Council  
Planning Service, Transportation Development Management  
3rd Floor West, Fife House  
Glenrothes

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**Agenda Item 5(6)**

**Couston Farm, Burntisland, KY3 0RX  
Application No. 22/00633/PPP**

**Response to Further Representation(s)**

Joe Fitzpatrick  
Planning Consultant  
Joe.fitzpatrick390@gmail.com  
07974426615  
01592874360

Ms M McDermott  
Committee Officer  
Legal & Democratic Services  
Fife Council  
Fife House  
North Street  
Glenrothes  
Fife  
KY7 5LT

12<sup>th</sup> June 2023

Dear Ms McDermott

**NOTICE OF REVIEW 22/00633/PPP Planning Permission in Principle - Comments on Planning Service Transportation Development Management Submission 23<sup>rd</sup> May 2023.**

Thank you for the opportunity to comment on the latest submission from the Transportation Development Management Team (TDMT) in relation to the above Notice of Review. I would be grateful if the following comments could be brought to the attention of the Fife Planning Review Body.

Although it is noted that the comments submitted by the TDMT are aimed at clarifying their position, I fear that the response from the TDMT has done exactly the opposite, serving only to muddy the waters on what is a very clear and simple matter.

It will be noted that the reason for refusal relating to transportation matters (Reason 4) offers no objection in relation to visibility splays:

*4. In the interests of road safety and sustainability; the development is unsustainable in terms of location, being remote from public transport and other services and thereby car dependant. As such, the development is contrary to Policy 13: Sustainable Transport of NPF4 and Policy 1: Development Principles, Policy 3: Infrastructure and Services and Policy 11: Low Carbon of the adopted FIFEplan Fife Local Development Plan (2017) and there are no relevant material considerations of such weight as to justify allowing a relaxation of Fife Council's standards with regard to sustainable transport.*

In support of this position the Planning Service Report of Handling specifically states at paragraph 2.6.4:

*Transportation Development Management were consulted on this application and recommended the application for refusal on road safety grounds. The primary issue with regard to road safety was the ability to achieve the necessary visibility splays, which it was TDM's understanding would not be possible without the applicant entering into a legal agreement with the neighbouring landowner. After consultation with Fife Council's legal services department, the applicant was advised that if they were willing to commission a speed survey, the results of which demonstrate that the 85th percentile of traffic speeds are under the road's 60mph speed limit, Fife Council would be willing to accept that acceptable visibility splays could be achieved through the deed of servitude over the neighbouring land which the applicant holds, in lieu of a Section 75 agreement.*

Although it is within the gift of Planning Services to set aside a response from the TDMT based on a pragmatic and balanced assessment of each case, the issue which is most confusing here is that the decision by Planning Services to accept the visibility splays provided was based on the full support of the TDMT, as detailed within the following email response from Planning Services of 7<sup>h</sup> December 2023:

**From:** Emma Baxter <Emma.Baxter@fife.gov.uk>  
**Sent:** Wednesday, December 7, 2022 1:27 PM  
**To:** joe.fitzpatrick390@gmail.com  
**Cc:** Derek-J Simpson <Derek-J.Simpson@fife.gov.uk>  
**Subject:** Re Couston Farm (22/00633/PPP)

Good afternoon Joe

*Apologies for the delay in getting back to you regarding this application, as previously mentioned I was waiting to hear back from my colleagues in legal services regarding the potential use of the servitude right for achieving the visibility splays. Having received their response as well as speaking with Andy Forrester regarding this application last week, if your client is willing to commission a speed survey, the results of which demonstrate that the 85<sup>th</sup> percentile of traffic speeds are under the road's 60mph speed limit, I am willing to accept that acceptable visibility splays can be achieved through the deed of servitude of the neighbouring land in lieu of a Section 75 agreement.*

Therefore, this is not a matter of Planning Services deciding not to accept contrary comments from the TDMT in relation to the visibility splays provided. The TDMT has clearly fully supported this approach. In addition, in seeking to cooperate fully with Planning Services, the required Road Speed Survey was submitted. This fully demonstrated that the road speed was well below the 60mph, as detailed within the Road Speed Survey Report submitted with this Notice of Review, relevant excerpt from which is set out below:

*Location 1 = 48 to 49mph Eastbound, 45 to 45.5mph Westbound*

*Location 2 = 44 to 44.9mph Eastbound, 43.7 to 44.1 Westbound*

Given the above it is difficult to understand why the TDMT should now be making a submission in response to the Notice of Review which is completely contrary to the stated position in December 2022.

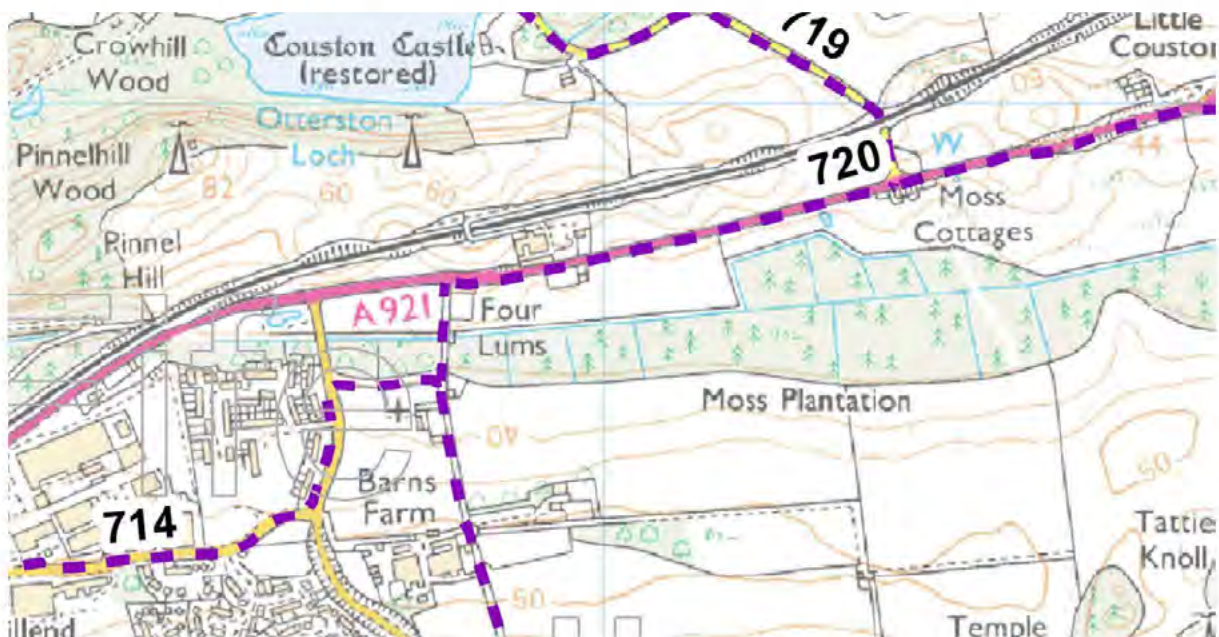
In order to assist the Fife Planning Review Body in its deliberations on this matter, the reason that Planning Services has fully accepted the visibility splays that have been provided relates to the marginality of the case in relation to the visibility splay standards set out in the Fife Council Transportation Development Guidelines (the Guidelines).

The Guidelines set out graduated standards relating to the visibility splays depending on the number of houses proposed within a particular development. For a development of up to 5 houses, the Guidelines advise that the depth of the splay from the road edge back into the site should be 3m. For a development of 5 to 20 houses the Guidelines advise on a splay depth of 4.5m. Therefore, the splay depth for a development of 6 houses jumps up abruptly to 4.5m, irrespective of the fact that this is only one dwellinghouse more than the 5 house threshold where the splay depth of 3m is considered perfectly safe and acceptable.

Using a graduated scale for the splay depth to reflect the increase in the number of units from 5 to 20 houses by adding 10cm to the splay depth for each house unit increase would mean that the splay requirements would be related to the actual level of development that is taking place. Therefore, a development of 6 units would then require a splay depth of 3.1m, for 7 units it would be 3.2m, for 8 units it would be 3.3m, right up to the full requirement of 4.5m for a development of 20 units. The depth of splay that can be achieved at Meikle Couston is 3.2m, which in relation to the proposed 7 house development is consistent with the above graduated approach.

As will be noted the standards set out in the Guidelines are just that, guidelines and it is on this basis that Planning Services has considered it unreasonable to penalize the proposed development of only 7 houses based on a visibility splay depth guideline applying to a development of 20 houses.

In addition to the above, it is noted that the TDMT response makes reference to safety in crossing the road. As previously stated, given the acceptability of the visibility splays provided it is considered that any pedestrian seeking to cross the road will have adequate visibility of any traffic coming from either direction and will be able to cross the road safely. It will also be noted that the Council's own Core Path Strategy involves the promotion of a route which has a crossing point at Moss Cottages, as detailed below. If the Council considers that pedestrians crossing at Moss Cottages, where the visibility standards are less than that achievable at Meikle Couston, is acceptable enough to promote the route Nationally, then this provides strong support to accept that pedestrians can also cross safely at Meikle Couston where the visibility standards are higher.



Again, in relation to access to public transport, there are many many examples where Planning Services have approved development in the countryside despite a complete lack of access to public transport. To do otherwise would effectively prevent any development taking place in rural areas. However, as stated in the Notice of Review submission, it is far from the case that the site is isolated from public transport given that there are bus and train services which are readily accessible. In this regard, the above map serves to highlight the safe route that can be taken by residents in accessing bus services within Dalgety Bay, with the nearest bus stop only some 300m away.

I trust the above now clarifies the position relating to transportation matters and I would once again request that this response be brought to the attention of the Fife Planning Review Body.

Yours sincerely



Joe Fitzpatrick BSc(Hons) MRTPI  
for Mr Craig Mitchell

**From:** [REDACTED]  
**To:** [Michelle McDermott](mailto:Michelle.McDermott)  
**Cc:** [REDACTED]; [joe.fitzpatrick390@gmail.com](mailto:joe.fitzpatrick390@gmail.com)  
**Subject:** RE: Application Ref. 22/0063/PPP - Couston Farm, Burntisland  
**Date:** 06 July 2023 10:20:50

**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 Michelle,

Thank you for the opportunity to comment on the latest revision to the TDM response to the Notice of Review. We note that the TDM have made this further response based on clarification that the Council had in fact advised that they would be prepared to accept the visibility splays provided. On this basis the TDM have now advised that:

*"I feel it would now be appropriate to omit the sentence "I must admit that I am struggling to understand how Joe has arrived at this conclusion" from my email dated 23/05/23, as the applicant has now provided clarity as to how they incorrectly arrived at the conclusion that TDM had recommended the application for approval."*

However, it is unclear why the TDM should be continuing to advise that this conclusion is incorrect. The case in support of this has been set out in the previous submission, the key section of which is set out below:

*"Although it is within the gift of Planning Services to set aside a response from the TDMT based on a pragmatic and balanced assessment of each case, the issue which is most confusing here is that the decision by Planning Services to accept the visibility splays provided was based on the full support of the TDMT, as detailed within the following email response from Planning Services of 7<sup>th</sup> December 2022:*

**From:** Emma Baxter <[Emma.Baxter@fife.gov.uk](mailto:Emma.Baxter@fife.gov.uk)>  
**Sent:** Wednesday, December 7, 2022 1:27 PM  
**To:** [joe.fitzpatrick390@gmail.com](mailto:joe.fitzpatrick390@gmail.com)  
**Cc:** Derek-J Simpson <[Derek-J.Simpson@fife.gov.uk](mailto:Derek-J.Simpson@fife.gov.uk)>  
**Subject:** Re Couston Farm (22/00633/PPP)

Good afternoon Joe

*Apologies for the delay in getting back to you regarding this application, as previously mentioned I was waiting to hear back from my colleagues in legal services regarding the potential use of the servitude right for achieving the visibility splays. Having received their response as well as speaking with Andy Forrester regarding this application last week, if your client is willing to commission a speed survey, the results of which demonstrate that the 85<sup>th</sup> percentile of traffic speeds are under the road's 60mph speed limit, I am willing to accept that acceptable visibility splays can be achieved through the deed of servitude of the neighbouring land in lieu of a Section 75 agreement.*

*Therefore, this is not a matter of Planning Services deciding not to accept contrary comments from the TDMT in relation to the visibility splays provided. The TDMT has clearly fully supported this approach. "*

The above email from Planning Services clearly states that discussion has been held

with TDM and that, provided a Road Speed Survey was carried out demonstrating that the road speed was below 60mph, then the visibility splays provided would be accepted. The requested Road Speed Survey was then submitted, as detailed in the following excerpt from the previous response to the TDM:

*“In addition, in seeking to cooperate fully with Planning Services, the required Road Speed Survey was submitted. This fully demonstrated that the road speed was well below the 60mph, as detailed within the Road Speed Survey Report submitted with this Notice of Review, relevant excerpt from which is set out below:*

*Location 1 = 48 to 49mph Eastbound, 45 to 45.5mph Westbound*

*Location 2 = 44 to 44.9mph Eastbound, 43.7 to 44.1 Westbound*

*Given the above it is difficult to understand why the TDMT should now be making a submission in response to the Notice of Review which is completely contrary to the stated position in December 2022. “*

However, there is no mention of this within the initial TDM response or the latest revision. Neither does the follow up TDM response make any reference to the request for a Road Speed Survey and the fact that this fully demonstrated compliance with the requirement necessary to confirm acceptance of the visibility splays. As such, this latest response from the TDM serves only to further confuse a situation which is very clear and simple i.e. Planning Services, which includes the TDM, have confirmed that the visibility splays are acceptable based on submission of the Road Speed Survey which fully demonstrates that the road speed is below 60mph. In fact, as detailed above, the road speed is below 50mph.

I shall very grateful if you would submit this response for the attention of the Fife Planning Review Body.

Regards

Michael  
Michael Smith  
Newbigging Office  
Burntisland  
KY3 0AQ  
[REDACTED]

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**Agenda Item 6(1)**

**Land to north of Main Street, Aberdour  
Application No. 21/03908/FULL**

**Notice of Review**

# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text"/>	Ref No.	<input type="text"/>
Forename	<input type="text"/>	Forename	<input type="text"/>
Surname	<input type="text"/>	Surname	<input type="text"/>
Company Name	CALA Management Ltd	Company Name	<input type="text"/>
Building No./Name	Cairnlee House	Building No./Name	<input type="text"/>
Address Line 1	Callander Road	Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>	Address Line 2	<input type="text"/>
Town/City	Falkirk	Town/City	<input type="text"/>
Postcode	FK1 1XE	Postcode	<input type="text"/>
Telephone	01324 600000	Telephone	<input type="text"/>
Mobile	<input type="text"/>	Mobile	<input type="text"/>
Fax	<input type="text"/>	Fax	<input type="text"/>
Email	scooper@cala.co.uk	Email	<input type="text"/>
3. Application Details			
Planning authority	<input type="text" value="Fife Council"/>		
Planning authority's application reference number	<input type="text" value="21/03908/FULL"/>		
Site address	<input style="height: 80px;" type="text" value="Land to the North of Main Street, Aberdour"/>		
Description of proposed development	<input style="height: 40px;" type="text" value="Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)"/>		



Date of application

17/12/2021

Date of decision (if any)

18/01/2023

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

#### 4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

#### 5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

#### 6. 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.

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

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

#### 7. Site inspection

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

Can the site be viewed entirely from public land?

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

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

The above only allows for one box to be checked, but for clarity the site can be accessed safely with no barriers to entry.

## 8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see separate Statement of Case

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

New material is raised in response to the reason for refusal and the Council's justification for refusal which was not known during determination of the application. The Report of Handling raises matters that were not brought to the applicant's attention during assessment of the application and is considered necessary to address them through this review. The information supplied through this review may provide a solution to the matters raised.

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Document list

1. Application form
2. Supporting statement
3. Application drawings
4. "As built" car park survey
5. Report of Handling
6. Decision Notice
7. SEPA flood map
8. Soakaway design

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:

Name:

Steven Cooper

Date:

06/04/2023

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

Request for Local Planning Review  
21/03908/FULL  
Land to the north west of Main Street (north east of 105 Main Street)

Formation of hard surface and vehicular access to form temporary car park. Works associated with the implementation of development approved under reference 17/02487/PPP and 20/02623/ARC on land south of Main Street

Statement of Case

CALA Management Ltd



## **Introduction**

This Statement is submitted in respect of the decision of Fife Council to refuse to grant planning application reference 21/03908/FULL (Documents 1 & 2). The decision was made by appointed officer under the Council's Scheme of Delegation. The application was submitted in retrospect and proposed the retention of a car park and vehicular access to the north of Main Street, Aberdour for a temporary period of 4 years. The decision was issued on 18<sup>th</sup> January 2023 (Document 6). The application was refused for the following reason:

*In the interests of safeguarding the countryside and the potential for flooding; it is considered that there is insufficient information to determine whether the proposal would have a significant detrimental impact on the site and surrounding area. The proposal is therefore contrary to Policies 1, 3 and 7 of the adopted FIFEplan Local Development Plan (2017).*

The Report of Handling (Document 5) sets out the Officer's assessment of the application and sets out the context for the reason for refusal.

This Statement will address the reason for refusal and issues raised in the Report of Handling. It should be read in conjunction with the Supporting Statement (Document 3) that was submitted with the planning application. A document at the end of this Statement sets out the relevant documents in this case.

## **Background**

The application sought planning permission for the formation of an area of hard surfacing and creation of a new vehicular access to form a temporary car parking area. Permission was sought for a temporary period of four years from submission, which expires in December 2025.

Planning Permission in Principle (PPP) for residential development on land to the south of Main Street was granted under reference 17/02487/PPP. The requirement to widen the carriageway on Main Street along the frontage of the residential development site was established during determination of that application. The carriageway was to be widened to provide parking bays on the north side of Main Street, as well as sufficient carriageway width (6m) to provide two way traffic flow along the frontage of the development site. This requirement is reflected in the conditions on 17/02487/PPP and subsequently through the application for approval of Matters Specified in Conditions (20/02623/ARC).

During discussion with Fife Council regarding the carriageway widening works, it was suggested that in order to compensate for the temporary loss of the on street parking, a temporary car park should be provided on land to the north of Main Street. Initially it was intended that the car park would be retained for a period of around 16 weeks to cover the duration of the carriageway widening works. However, in order to provide additional contractor car parking over the duration of construction it is prudent to seek to retain the car park for a longer period of 4 years.

The provision of the temporary car park and access is required as a consequence of the works required to implement the carriageway widening as set out in the approval of 17/02487/PPP. The provision of the temporary car park and access has been discussed prior to submission of this application with Fife Council Planning and Roads Officers. Prior to submission of the application, CALA discussed the provision of the temporary car park and access with local residents and the Community Council. However, confirmation from the Council of the requirement for planning permission was not established until after the car park had been constructed.

During assessment of the application, the Council requested information regarding ground conditions, surface water run-off and Sustainable Urban Drainage Systems. As the application was submitted in retrospect, it was not possible to furnish the Council with the information requested.

The car park has been well used by local residents during periods where parking restrictions have been in place on Main Street as a consequence of works in the carriageway. In addition, the car park continues to be used by local residents in evenings and weekends. We are aware of strong local support for the temporary retention of the car park in social media and newspaper sources following refusal of the application.

When no longer required, the land will be reinstated to agricultural use, and the verge and post and wire fence will be reinstated on the south eastern boundary along with Main Street.

### **Description of Works**

The car park provides 10 off-street car parking bays. Each parking bay measures 2.4m in width and 5m in length. The junction formed at Main Street measures 6m in width. The car park covers an area of around 370m<sup>2</sup>. Visibility splays of 2.5m by 40m to the south west and 2.5m by 105m to the north east have been provided. An interceptor trench was also provided between the car park and Main Street, in order to intercept surface water run-off.

It was originally proposed to erect gates at the entrance to the car park to ensure that the car park could only be used by contractors after the initial 6 month period of use by local residents. However, as it is evident that the car park is still being used by local residents during evenings and weekends, CALA has decided not to erect the gates to ensure that local residents can continue to benefit from use of the car park.

### **Addressing the reason for refusal**

The single reason for refusal states:

*In the interests of safeguarding the countryside and the potential for flooding; it is considered that there is insufficient information to determine whether the proposal would have a significant detrimental impact on the site and surrounding area. The proposal is therefore contrary to Policies 1, 3 and 7 of the adopted FIFEplan Local Development Plan (2017).*

The principal issues underpinning the refusal are the principle of development; the visual impact of development; and lack of information regarding flood risk. These matters are addressed in turn below.

#### Principle of development

The Report of Handling states that:

*"The principle of development cannot be accepted in this case, as the development is outwith the settlement boundary and is not in a location where the use is supported by the Local Development Plan. As such, the development is not compatible with Policies 1 and 7."*

The Report of Handling also refers to the Revised Construction Management Strategy (CMS) Report for the adjacent development site:

*"The development is outwith the Aberdour Settlement Boundary; therefore, the development would only be acceptable where the use is in a location which can otherwise be supported by the Local Development Plan. The Supporting Statement notes that the temporary car park was initially intended to be retained for 16 weeks to compensate for the loss of the onstreet parking for residents whilst the road widening works were being undertaken, however the retention of the car park for a longer period of 4 years was requested to provide additional contractor parking. The justification for*

*the retention of the car park for 4 years is not sufficient, however, as contractor parking could be accommodated within the construction site. 'Revised Construction Management Strategy Report' which was submitted as condition compliance information for the related application (20/02623/ARC) stated that 'contractors shall be advised to park on site, within the compound area'. Therefore, there is no proven need for a countryside location in this instance."*

The above extract from the CMS appears to form part of the justification for the conclusion about the principle of the development. However, whilst part of the reasoning for the longer term retention of the car park for use by contractors etc, the over-riding request by the Council for the car park in the first instance which was for use by local residents. It is not considered to be at all appropriate to expect members of the public to park within a live construction site. This would clearly cause a significant health and safety conflict. It is noted that the CMS also clearly refers to the requirement for the temporary car park.

The application seeks to retain an area of hardstanding that has already been constructed and would be beneficial in providing space for contractors to park as construction nears conclusion. The site compound is located on the site of the affordable housing for the development approved south of Main Street. As development progresses there will be much less space available within the site for storage and setting down materials, equipment and machinery. This is not all presently contained within the compound. As development on the site continues, particularly in the western side of the site, space for laying down materials and equipment will no longer be available. When construction of affordable housing commences, the compound will be removed from its present location – leaving very little available space on site parking for staff and contractors. At this point, staff and contractors will need to find space on the streets near the development site for parking. This is likely to cause conflict with existing residents. It is considered logical to retain a car park which has already been constructed for this additional temporary period in order to ensure adequate parking with minimal impact for local residents, as space within the site will soon become unavailable.

It is noted that the car park is well used on weekends when there is no construction taking place. The local community still makes good use of the car park. It has been agreed not to install gates at the car park entrance to ensure that local residents can continue to benefit from the car park as long as it is in use.

There is no other location available close to Main Street and not within a live construction site that could have accommodated the Council's request for temporary car parking for residents of Main Street. This is a fairly unique situation which is not envisaged in the fairly limited list of exceptions in Policy 1 and Policy 7. However, it is considered that the location of the car park is entirely justified and on balance appropriate given the above and the benefit it continues to provide to the local community.

#### Visual impact

The Report of Handling states:

*"Concerns have been raised regarding the detrimental impact on amenity as a result of the development. Whilst the formation of hardstanding in the countryside is considered to have a negative impact in regards to visual amenity, Policy 10 of the FIFEplan states that 'in some instances, where potential negative impacts are identified, development proposals may still meet the requirements of this policy if suitable mitigation is implemented.' The visual impact of the development could be mitigated for the temporary period the car park is in use, with a condition to ensure that screen planting is provided. The land would then be reinstated to its original condition when the use ceases, with the addition of hedges and planting, to neutralise or enhance the final impact."*

The “concerns raised” regarding detrimental impact on “amenity” have not been expanded upon before a conclusion is reached that the impact is negative in respect of visual amenity. The Report of Handling confirms that a site visit was not undertaken. There is no assessment or explanation as to why this conclusion is reached.

The hard surfaced car park is formed at ground level. It measures approximately 370 m<sup>2</sup> in area. It is located adjacent to an A class road on which cars are regularly parked; existing housing; and is across the road from a live construction site. Its duration is temporary, for a limited period of 4 years (up to December 2025). Whilst the site is within “Countryside” it is bounded on three sides by built form. For all of these reasons, it does not appear visually intrusive or incongruous.

Council Officers did not discuss the possible requirement for screen planting at any point during the assessment of the application. In any event it is considered illogical to impose a condition requiring planting of hedging around the car park as it would not have any chance to establish before it would require to be removed.

In summary, the car park is required for a temporary period only. It has very limited visual impact, and is seen in relation to surrounding built form, an A class road with associated on street car parking. Whilst we do not agree that the car park is detrimental in terms of visual amenity, as the application is for temporary consent and removal and reinstatement can be controlled by condition, the car park will have no lasting impact. For these reasons, it is considered that the temporary visual impact of the car park is negligible and is not a sufficient reason to justify refusal of the application.

Imposition of a condition requiring screening by way of hedge planting is considered impractical as it would have no time to establish before requiring to be removed as part of site remediation works that will be necessary as and when the car park is removed.

#### Flooding

The reason for refusal refers to a lack of information regarding flooding, as opposed to any concerns identified about flood risk to the site itself, surrounding properties or the adjacent carriageway. Despite repeated requests, Council Officers have not been able to elaborate on any concerns in respect of flood risk. It is noted that the site is not highlighted as being at either low, medium or high risk of pluvial or fluvial flooding on SEPA’s flood map (see below and Document 7).





Extract from SEPA Flood Map – site is not shown as being at risk of flooding

Although the requested detailed calculations could not be supplied as requested, a detailed description of the functioning performance of the car park and interceptor filter trench was submitted. A survey of the car park levels was carried out and provided during assessment of the application (see Document 4).

The ground levels demonstrate the path surface water will take within the car park area. The car park and access sit below the level of the main carriageway, therefore surface water would run away from the carriageway towards the car park, not from the car park from the road, minimising the risk of surface water entering the carriageway at the vehicular access.

The levels are then designed within the car park to direct surface water towards the interceptor filter trench.

The existing interceptor filter trench measures around 6m<sup>3</sup>. Using a 30% void ratio, it would accommodate approximately 1.8m<sup>3</sup> of flood water. Soil bunds have been formed as shown to the north of the car park preventing surface water run-off from the field entering the car park.

Following the determination of the application we have undertaken further assessment of the performance of the interceptor filter trench.

It has been established that it has been constructed on a slight slope to suit the existing ground profile and as such, the filter trench as built may not perform to its full potential. Accordingly, an additional soakaway to the west of the car park has been tested.

To the west of the car park it is possible to accommodate an additional level based soakaway of 3m x 11.5m by 1m deep (34.5m<sup>3</sup>). Using a void ratio of 30% this gives a storage volume of 10.35m<sup>3</sup>.

Percolation testing was undertaken on the adjacent development site as part of site investigations. However, the percolation tests were undertaken at the location of the SUDS basin in the south eastern corner of the adjacent site. It is considered that as a consequence of the distance and the difference in ground levels and condition between the test location and the car park site, that the results of the percolation tests may not be reliable for use at the car park site.

Therefore in modelling the additional soakaway, a standard percolation rate has been assumed based upon the ground conditions encountered at the car park. Modelling a 1:200 year rainfall event and using the assumed percolation rate of  $2 \times 10^{-5}$  m/sec (0.072m/hr) equates to a flood volume of 1.9268m<sup>3</sup>. These results are based upon infiltration occurring through the sides and base of the soakaway.

These results do not however take into account any additional storage / percolation provided by the existing interceptor filter trench as such the flood volume would consequently be less than the 1.9268m<sup>3</sup> noted above.

This minimal volume of flood water would disperse over the car park area and may locally overflow across the adjacent Main Street carriageway for a short period of time.

Arisings from the soakaway can be used to form an additional soil bund between the car park and Main Street, minimising flow onto Main Street.

Road gullies on Main Street would also intercept any run-off. It is noted that there is an existing road gully adjacent to the south west corner of the car park.

It is also noted that the risk of a 1:200 year event occurring before the car park is no longer required is low due to the short term nature of the temporary car park. In any event, the additional soakaway will assist in mitigating impact.

In conclusion there is very limited risk of flooding of the adjacent carriageway or adjacent property.

If this appeal is upheld, CALA is willing to accept a condition to install this additional soakaway (Document 8) within one month of an appeal being granted and maintain it for the duration of the car park's retention.

### **Other matters**

Other matters are raised in the Report of Handling. These are addressed below:

#### Natural heritage

The Report of Handling states:

*"a condition could be added to ensure that the land is reinstated to its original state when the permission expires and the use of the car park ceases, which would neutralise or enhance the final impact, as mentioned previously."*

It is intended that the land be reinstated to its previous state. CALA is content that a condition could be used to control the removal of the car park when no longer required. The condition could specify that the car park is removed and land returned to previous state within one month of the use of the car park ceasing.

The Report of Handling also refers to the potential requirement for screen hedging to be planted around the car park. As already discussed, it would be illogical to require screen planting around the

car park. Hedging can take several years to establish. If approved, the hedging would need to be removed before it had even established before requiring to be removed as part of the above noted reinstatement of the site.

#### Road safety

The access to the car park and visibility splays have been designed to meet Council requirements. It is noted that the Council's Roads Department has no objection to the application.

#### National Planning Framework 4

National Planning Framework 4 was adopted on 13<sup>th</sup> February and forms part of the development plan. Whilst it covers many similar policy topics to the current LDP, it is a high level strategic policy framework. This proposal has sought to mitigate the impacts of climate change and flood risk. Any impacts or effects of the car park are temporary only, as it will no longer be required after December 2025. In the meantime, it provides a significant benefit to the local community.

#### **Conclusion**

The temporary car park was originally constructed to provide compensatory parking for neighbouring residents on Main Street whilst carriageway widening works and other works associated with the development approved under reference 17/02487/PPP and 20/02623/ARC were undertaken. The retention of the car park for the duration of the construction works up to 4 years (ie December 2025) was requested to provide additional parking for contractors to minimise on street parking during the development of the site south of Main Street – in order to minimise impacts on local residents. The car park has also been made available for use by local residents at weekends and outwith working hours.

There is no other location that the car park could have been accommodated for use by local residents. It has a negligible and temporary visual impact and will be removed and land re-instated following cessation of permission or when it is no longer required.

The site is not within an area identified by SEPA as being at risk of flooding. Additional assessment following refusal of the application has identified that an additional infiltration trench can be accommodated to further manage any surface water impacts.

This is a quite unique proposal, the circumstances of which are not foreseen in the development plan. Whilst there may be conflict with some policies in the development plan, Section 25 of the Planning (Scotland) Act 1997 requires that due consideration is given to material considerations. Whilst there may be some conflict with the development plan, there is no permanent demonstrable harm to the character and amenity of the area. The provision of the car park has been and will continue to be a benefit to the local community. This is a significant material consideration that outweighs and minor conflict with the development plan.

It is therefore recommended that this request for a review is upheld and planning permission is granted for the reasons set out above. Suggested conditions are set out below.

#### **Suggested conditions:**

1. This temporary consent will cease on 31 December 2025, unless otherwise agreed in writing by the Planning Authority. The temporary car park shall be removed and the land re-instated to agricultural use within one month of the permission lapsing, or within one month of the car park no longer being required, whichever is sooner.

**Reason:** The development is acceptable as a temporary measure only at this time and in order to ensure appropriate re-instatement of the land, in the interests of the visual amenity of the area.

2. The additional infiltration trench as illustrated in Document 8 shall be constructed within one month of the date of planning permission being issued. The infiltration trench shall be maintained as such through the lifetime of the development.

**Reason:** In order to manage surface water run-off from the car park.

3. The visibility splays shall be maintained clear of all obstructions exceeding 600mm 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 through the lifetime of the development.

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

4. Once the temporary planning permission lapses or when site works are completed, whichever is sooner, the vehicular access shall be stopped-up and reinstated as a grass verge.

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

#### Document list

1. Application form
2. Supporting statement
3. Application drawings
4. "As built" car park survey
5. Report of Handling
6. Decision Notice
7. SEPA flood map
8. Soakaway design



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 100515818-001

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.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Formation of hardstanding to form 10 space car parking area and formation of vehicular access from Main Street for a temporary period of four years

Is this a temporary permission? \*

Yes  No

## Description of Proposal Cont.

Please state how long permission is required for and why: \* (Max 500 characters)

Four years. The temporary car park and access are required in association with the implementation of the development approved under reference 17/02487/PPP and 20/02623/ARC.

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

Yes  No

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

No  Yes - Started  Yes - Completed

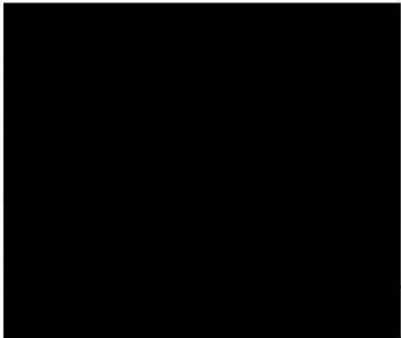
## Applicant or Agent Details

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

## Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	*	Building Name:	CAIRNLEE HOUSE
First Name: *	CALA	Building Number:	
Last Name: *	Management Ltd	Address 1 (Street): *	Callendar Business Park
Company/Organisation	CALA Management Ltd	Address 2:	Callendar Business Park
Telephone Number: *		Town/City: *	Falkirk
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	FK1 1XE
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:	Fife Council
Full postal address of the site (including postcode where available):	
Address 1:	
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	
Post Code:	

Please identify/describe the location of the site or sites

	
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Northing	685825	Easting	319583
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## Pre-Application Discussion

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

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Email discussion with Mark Barrett and Chris Smith regarding provision of temp car park including number of spaces to provide, provision of visibility splays, retention for four year period and submission requirements

Title:	<input type="text" value="Mr"/>	Other title:	<input type="text"/>
First Name:	<input type="text" value="Chris"/>	Last Name:	<input type="text" value="Smith"/>
Correspondence Reference Number:	<input type="text"/>	Date (dd/mm/yyyy):	<input type="text" value="21/09/2021"/>

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Agriculture

## Access and Parking

Are you proposing a new 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 propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

10

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## 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.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Not required

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No



## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

### Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

### 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

Do you have any agricultural tenants? \*

Yes  No

Are you able to identify and give appropriate notice to ALL the agricultural tenants?

Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*

Yes  No

### Certificate Required

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

Certificate B

## Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: \*

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed:

On behalf of:

Date:

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

Yes  N/A

A Design Statement or Design and Access Statement. \*

Yes  N/A

A Flood Risk Assessment. \*

Yes  N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

Yes  N/A

Drainage/SUDS layout. \*

Yes  N/A

A Transport Assessment or Travel Plan

Yes  N/A

Contaminated Land Assessment. \*

Yes  N/A

Habitat Survey. \*

Yes  N/A

A Processing Agreement. \*

Yes  N/A

Other Statements (please specify). (Max 500 characters)

Statement justifying requirement for temporary car park

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Steven Cooper

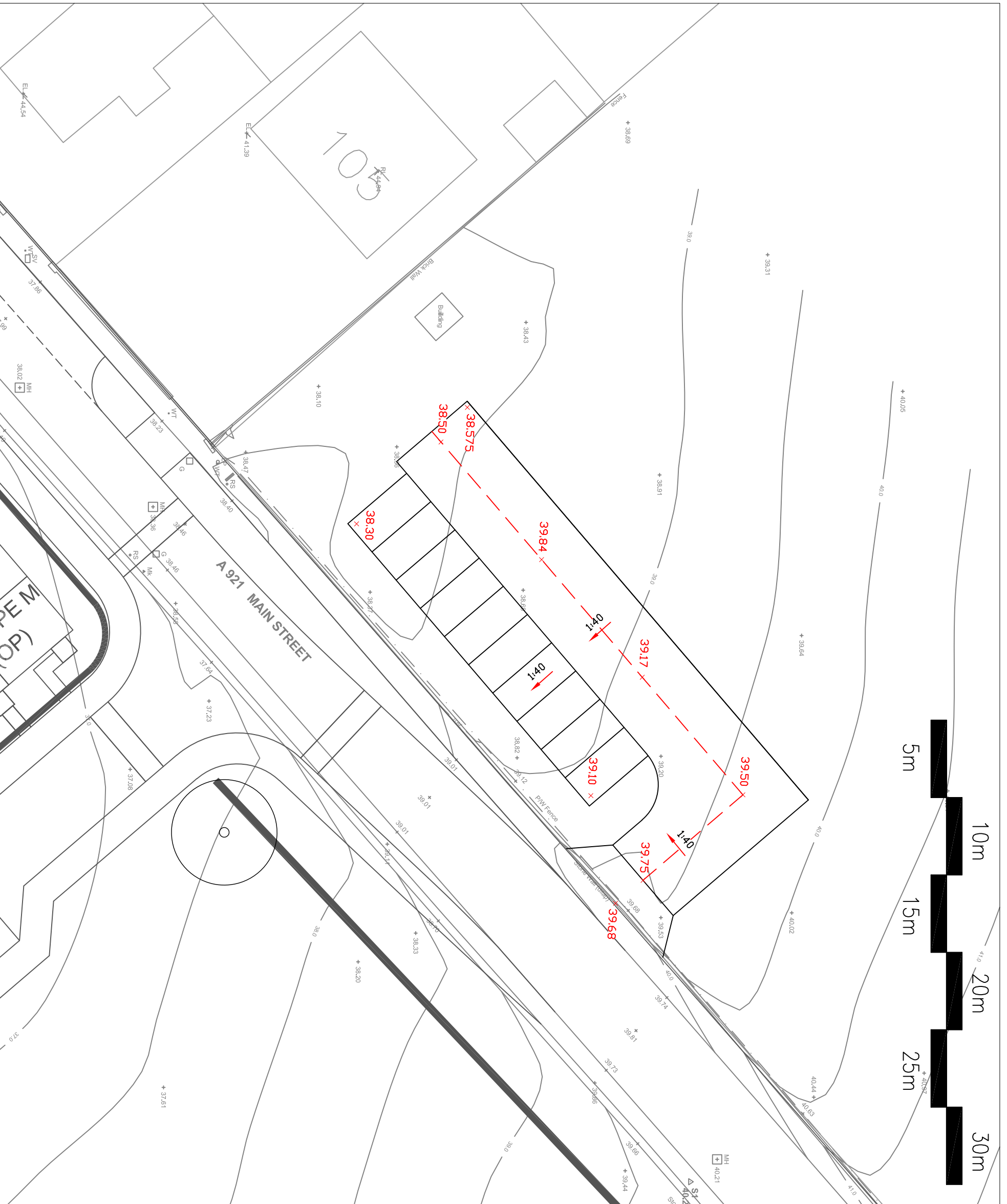
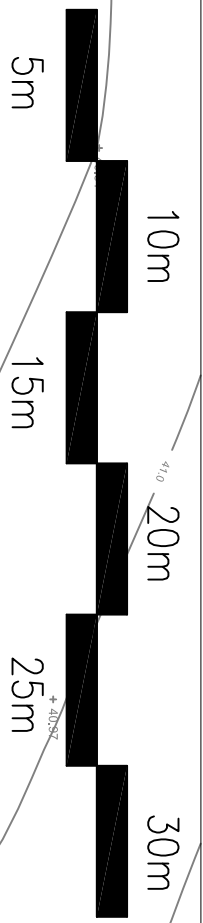
Declaration Date: 17/12/2021

## Payment Details

Online payment: ZZPL00011356

Payment date: 17/12/2021 11:26:00

Created: 17/12/2021 11:26



**REVISIONS**

rev	description	initl	check



Cairnlee House, Callendar Business Park  
 Callendar Road, Falkirk, FK1 1XE.  
 Tel 01324 600000 Fax 01324 600001  
 www.cala.co.uk

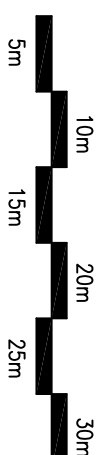
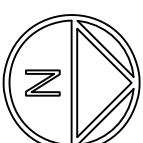
**JOB TITLE**  
 ABERDOUR  
 MAIN STREET

**DRAWING TITLE**  
 TEMP CAR PARK  
 LEVELS

SCALE: 1:250 SHEET SIZE: A3 DATE: 05/12/21

DRAWN BY: EC	PRELIMINARY	FINAL
CHECKED BY: RM	DEVELOPMENT MASTERED	MASTERED

SITE	MCOSKER	VER	MOD	DRG No.	REV	PLOT
				TCP-001	D	



**REVISIONS**

rev	description	initl	check



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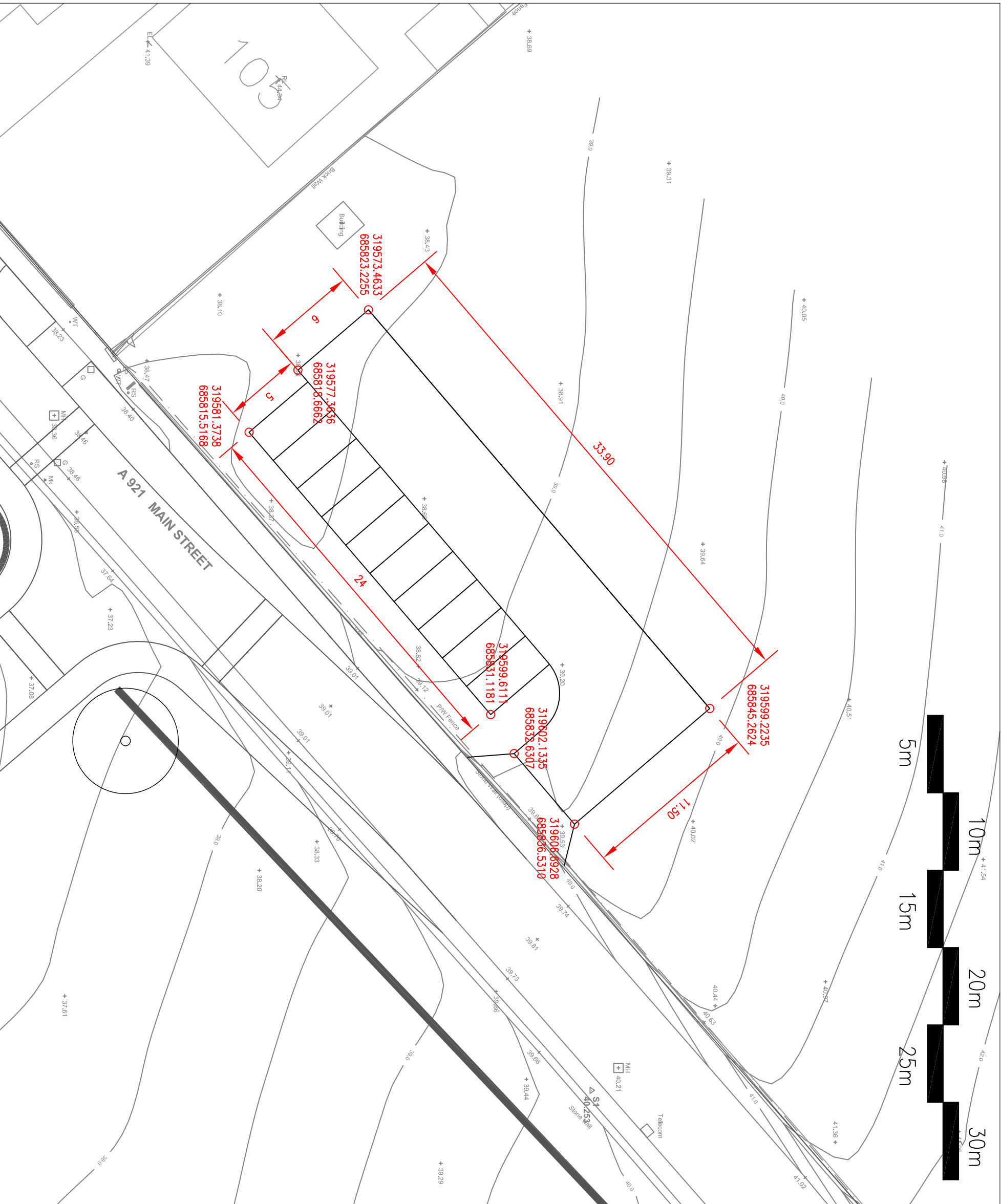
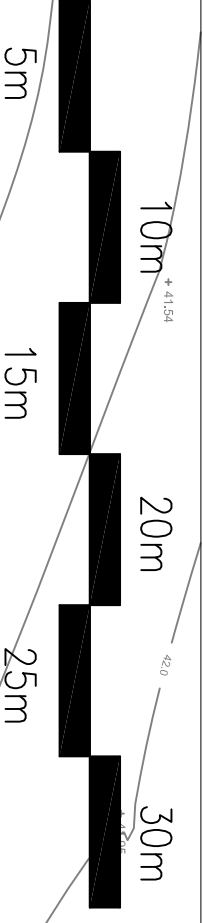
**JOB TITLE**  
 ABERDOUR  
 MAIN STREET

**DRAWING TITLE**  
 TEMP CAR PARK  
 VISIBILITY SPLAY

SCALE:1:300 SHEET SIZE:A3 DATE: 05/12/21

DRAWN BY: EC	PRELIMINARY	FINAL
CHECKED BY: RM	CENTRAL MASTERED	DEVELOPMENT MASTERED

SITE	MCCOSKER	VER	MOD	DRG No.	REV	PLOT
				TCP-002	B	



REVISIONS		Initl	check
rev	description		



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 Tel 01324 600000 Fax 01324 600001  
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**JOB TITLE**  
 ABERDOUR  
 MAIN STREET

**DRAWING TITLE**  
 TEMP CAR PARK  
 SETTING OUT

SCALE: 1:250 SHEET SIZE: A3 DATE: 05/12/21

DRAWN BY: EC	PRELIMINARY	FINAL
CHECKED BY: RM	DEVELOPMENT MASTERED	MASTERED

SITE	MCOSKER	VER	MOD	DWG No.	REV	PLOT
				TCP-003	B	



**Make Up**  
 10 boys @ 2.4\*5m long. 250mm Type 1 with 60mm Tar for duration. No kerbs required, kick rail fence to be installed on the south side of the parking boys.

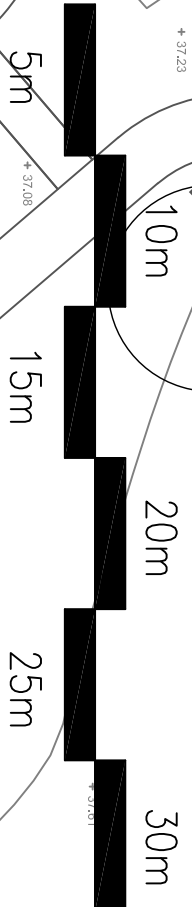
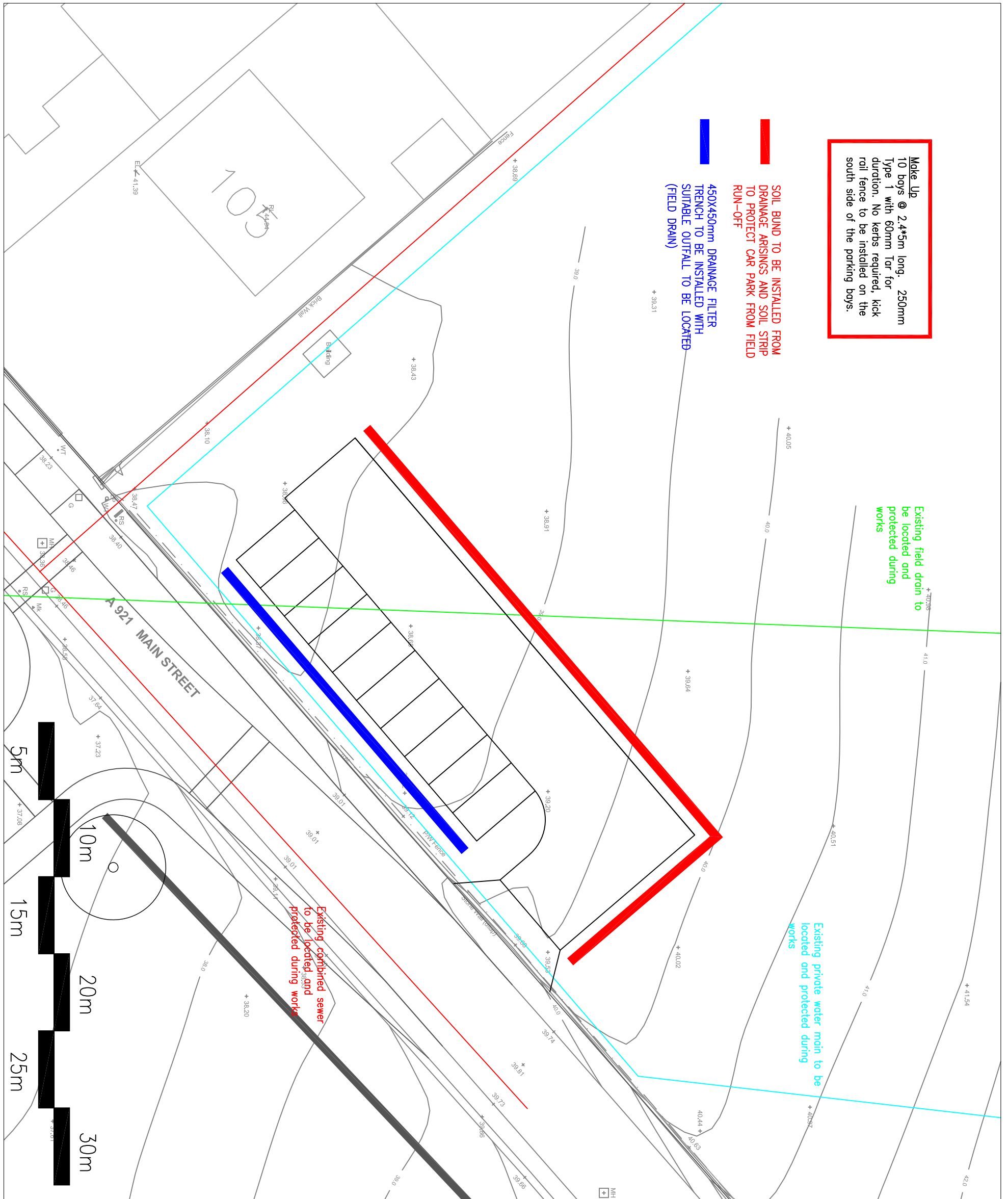
**SOIL BUND TO BE INSTALLED FROM DRAINAGE ARISINGS AND SOIL STRIP TO PROTECT CAR PARK FROM FIELD RUN-OFF**

**450X450mm DRAINAGE FILTER TRENCH TO BE INSTALLED WITH SUITABLE OUTFALL TO BE LOCATED (FIELD DRAIN)**

Existing field drain to be located and protected during works

Existing private water main to be located and protected during works

Existing combined sewer to be located and protected during works



**REVISIONS**

rev	description	Initl	check



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 Callendar Road, Falkirk, FK1 1XE.  
 Tel 01324 600000 Fax 01324 600001  
 www.cala.co.uk

**JOB TITLE**  
 ABERDOUR  
 MAIN STREET

**DRAWING TITLE**  
 TEMP CAR PARK  
 DRAINAGE + MAKE UP

SCALE: 1:250 SHEET SIZE: A3 DATE: 05/12/21

DRAWN BY: EC	PRELIMINARY	FINAL
CHECKED BY: RM	DEVELOPMENT MASTERED	
CENTRAL MASTERED		

SITE	MCCOSKER	VER	MOD	DWG No.	REV	PLOT
				TCP-004	B	



Land to the north west of Main Street (north east of 105 Main Street)

Formation of hard surface and vehicular access to form temporary car park. Works associated with the implementation of development approved under reference 17/02487/PPP and 20/02623/ARC on land south of Main Street

Supporting Statement

CALA Management Ltd



## Introduction and Background

This application seeks planning permission for the formation of an area of hard surfacing and creation of a new vehicular access to form a temporary car parking area. Permission is sought for a temporary period of four years.

Planning Permission in Principle (PPP) for the erection of 85 homes on land to the south of Main Street was granted under reference 17/02487/PPP. The requirement to widen the carriageway on Main Street along the frontage of the residential development was site was established during determination of that application. The road would require to be widened to provide parking bays on the north side of Main Street, as well as sufficient carriageway width (6m) to provide two way traffic flow along the frontage of the development site. This requirement is reflected in the conditions on 17/02487/PPP and subsequently through the application for approval of Matters Specified in Conditions (20/02623/ARC).

Although there are no specifically designated car parking spaces along Main Street in the vicinity of the site, it is evident Main Street is used by residents for car parking. Whilst the road widening works are being undertaken, parking restrictions will require to be put in place which will result in the temporary loss of this informal on street car parking.

During discussion with Fife Council regarding the carriageway widening works, it was suggested that in order to compensate for the temporary loss of the on street parking, a temporary car park could be provided on land to the north of Main Street. Initially it was intended that the car park would be retained for a period of around 16 weeks to cover the duration of the carriageway widening works. However, in order to provide additional contractor car parking over the duration of construction it is prudent to seek to retain the car park for a longer period of 4 years.

Following the completion of the carriageway widening works, public use of the car park will cease, and it will be used for contractor use only. The provision of this additional parking for contractors will provide an alternative to contractors potentially parking on streets within the neighbouring community.

The provision of the temporary car park and access is therefore required as a consequence of the works required to implement the carriageway widening as set out in the approval of 17/02487/PPP. The provision of the temporary car park and access has been discussed prior to submission of this application with Fife Council Planning and Roads Officers. In addition, CALA has discussed the provision of the temporary car park and access with local residents and the Community Council.

When no longer required, the land will be reinstated to agricultural use, the verge and post and wire fence reinstated on the south eastern boundary along with Main Street.

## Description of Works

The proposal will provide 10 off-street car parking bays. Each parking bay will measure 2.4m in width and 5m in length, accessed via a 6m wide temporary access. The junction formed at Main Street will measure 6m in width. Visibility splays of 2.5m by 40m to the south west and 2.5m by 105m to the north east will be provided and maintained. The access and car parking would be formed by stripping back the existing vegetation and laying 200mm type 1 with a 60mm tar surface. Existing field drains and any sewers will be located and protected during works. In order to manage surface water, a temporary filter trench drains will be installed tying in to existing field drainage. Arisings from the vegetation strip and drainage will be banded around the north eastern and north western boundaries and used for re-instated.

The access would remain open during carriageway widening works. However, following completion of the carriageway widening works, the car parking area would not be accessible by members of the public. A locked gate will be erected to ensure access for staff/contractors only. The gate will be closed and locked at the end of each working day during the construction period.

#### Planning Policy

The application site is located within an agricultural field to the north west of Main Street, Aberdour, and north east of existing housing on Main Street. The north western and north eastern boundaries of the site are currently undefined. The south eastern boundary is delineated by a post and wire fence with Main Street beyond. The south western boundary is delineated by a wall with housing beyond.

The site is within the Countryside adjacent to the Aberdour Settlement boundary. FIFEplan policies 1, 7 and 10 are of particular relevance. The site is within a Local Landscape Area and therefore policy 13 is also relevant.

Policy 1 Part A states that development should be located within a defined settlement boundary. The application site is not within a defined settlement boundary. The locational justification for the site is a requirement to comply with conditions on extent planning permission for the residential development on land to the immediate south of Main Street. As the site itself is a live construction site, it is not feasible to locate the temporary car park within the site that benefits from planning permission for residential development. The application site is not only the closest alternative location to the residential development site, but it is also the closest available location adjacent to the on street car parking for residents affected by its temporary removal whilst carriageway works are being undertaken. The proposal otherwise complies with the provisions of the Local Development Plan. The proposal also complies with the requirements of Parts B and C of Policy 1.

Policy 7 covers Development in the Countryside. The temporary car park is required as part of a package of works associated with implementing the development approved by 17/02487/PPP and 20/02623/ARC. It is not possible to locate the temporary car park within the site to the south of Main Street as this will be a live construction site and unsuitable.

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. The proposal will not have a detrimental impact on the amenity of the area.

The proposal is for a small car park that will be retained for a temporary period only. The land will be re-instated to agricultural use following decommissioning of the car park. By virtue of the minor scale of the development, and that it is retained for a temporary period only, the proposal will not have a significant impact on the Local Landscape Area and therefore complies with Policy 13.

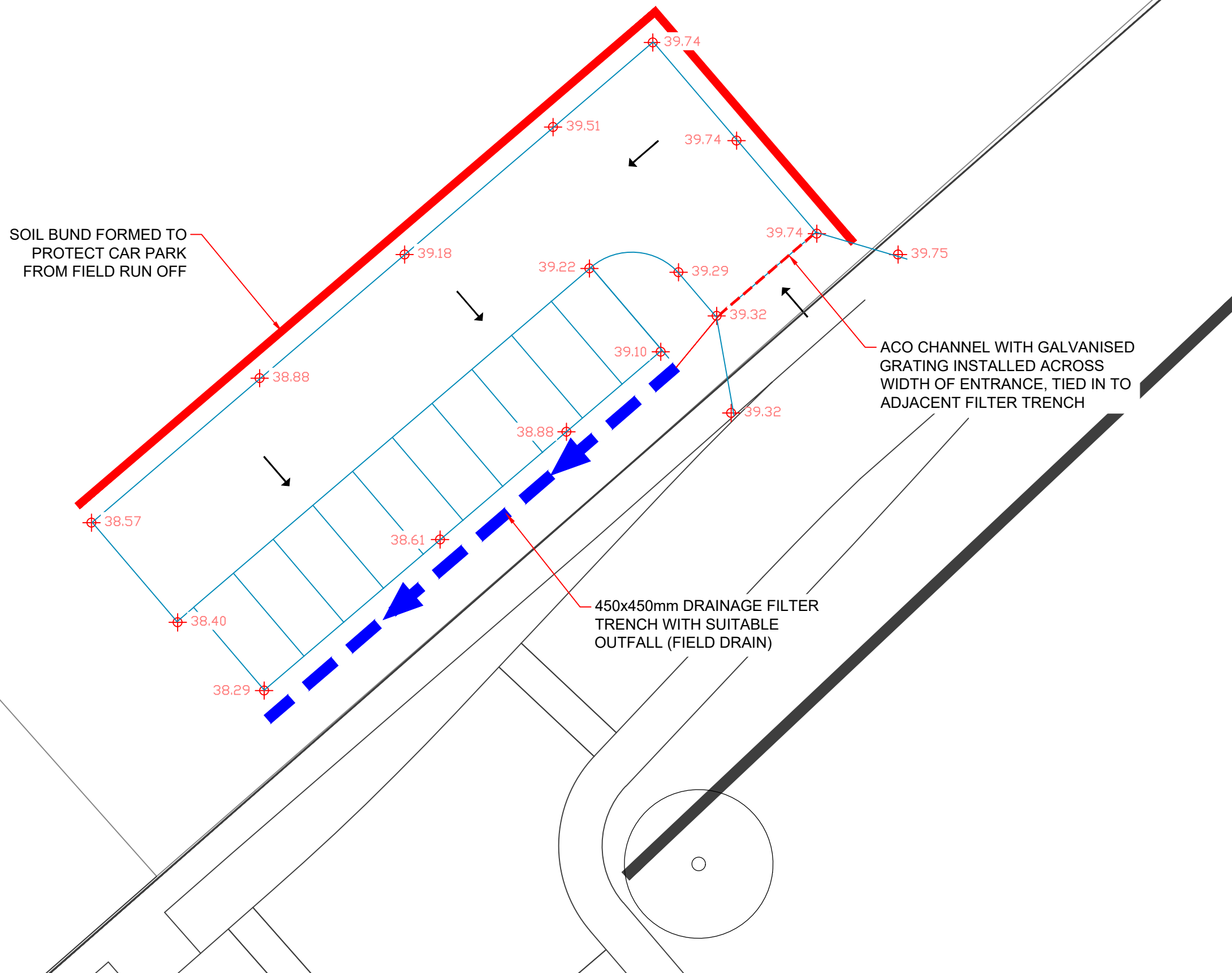
#### Conclusion

The temporary car park will provide compensatory parking for neighbouring residents whilst the carriageway widening works associated with the development approved under reference 17/02487/PPP and 20/02623/ARC are undertaken. The retention of the car park for the duration of the construction works up to 4 years will provide additional parking for contractors to minimise on street parking during the development of the site south of Main Street.

The provision of the car park is associated with the implementation of works required by condition on planning permission 17/02487/PPP and 20/02623/ARC and will provide local benefit. The proposal will have limited impacts on the character of the local area and will not impact on the

amenity of the area. In any event, any impacts will be temporary in nature as the car parking area will be reinstated to agricultural use following its decommissioning.

The proposal is generally in accord with the relevant provisions of the development plan and there are no material considerations that outweigh this. Therefore planning permission should be granted.



REVISIONS

rev	description	initl	check



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JOB TITLE  
**ABERDOUR  
 MAIN STREET**

DR-WING TITLE  
**TEMP CAR PARK  
 LEVELS**

SC-LE: SHEET SIZE:1:200 D-TE: OCT 22

DR-WN BY: DR	PRELIMIN-RY	FIN-L
CHECKED BY: SC		
CENTR-L M-STERED	DEVELOPMENT M-STERED	
SITE	McCOSKER	VER
		MOD
		DRG No.
		TCP-005
		REV
		A
		PLOT

## REPORT OF HANDLING

## APPLICATION DETAILS

ADDRESS	Land To The North Of, Main Street, Aberdour		
PROPOSAL	Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)		
DATE VALID	17/12/2021	PUBLICITY EXPIRY DATE	04/02/2022
CASE OFFICER	Sarah Purves	SITE VISIT	None
WARD	Inverkeithing And Dalgety Bay	REPORT DATE	17/01/2023

## SUMMARY RECOMMENDATION

The application is recommended for:

Refusal and Enforcement Action

## 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.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan, and provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 has six overarching spatial principles to deliver sustainable places, liveable places, and productive places.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and

associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced. When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

## 1.0 Background

1.0.1 This application relates to an area of land measuring approximately 775 square metres, which is located to the east of Aberdour. The site is bound by countryside to the north and east, residential properties to the west and residential properties under construction to the south. Vehicular access is taken from Main Street (A921) to the south of the site.

1.0.2 The site is outwith the Aberdour Settlement Boundary and within the Cullaloe Hills and Coast Local Landscape Area, as per the Adopted FIFEplan Local Development Plan (2017).

## 1.1 Proposal

1.1.1 This retrospective application is for the formation of hardstanding to accommodate a 10-space car parking area including vehicular access, which would be used for a temporary period of four years by contractors working on the adjacent site. The car park measures approximately 34 metres wide and 11.5 metres deep, with a 9-metre-wide vehicular access formed on to the Main Street.

## 1.2 Planning History

1.2.1 Whilst there is no planning history on the site itself, the history of the associated site to the south is as follows:

- Planning Permission in Principle for residential development and associated works including landscaping, greenspace, parking, access arrangements and related infrastructure was refused in 2018. This decision was subsequently appealed and allowed, with permission granted in 2019 (17/02487/PPP).
- In 2021, approval of matters specified by Condition 1 (A-E) of planning permission 17/02487/PPP for a residential development of 84 units, associated SUDS, drainage infrastructure, access arrangements, roads, footpaths, open space and landscaping was granted (20/02623/ARC).

## 1.3 Procedural Matters

1.3.1 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the application.

## 2.0 Assessment

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

- Principle of Development
- Design/Visual Impact
- Residential Amenity Impact
- Road Safety
- Natural Heritage
- Flooding/Drainage

## 2.2 Principle of Development

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

2.2.2 Policy 1 (Development Principles), Part A, of the Adopted FIFEplan (2017) stipulates that the principle of development will be supported if it is either (a) within a defined settlement boundary and compliant with the policies for this location; or (b) is in a location where the proposed use is supported by the Local Development Plan. Policy 7 (Development in the Countryside) states that, amongst other criteria, development in the countryside will only be supported where it is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location.

2.2.3 Concerns have been raised by objectors regarding the principle of development, given that the site is not allocated for development. In addition, the timescale sought for the use of the car park has been queried.

2.2.4 The development is outwith the Aberdour Settlement Boundary; therefore, the development would only be acceptable where the use is in a location which can otherwise be supported by the Local Development Plan. The Supporting Statement notes that the temporary car park was initially intended to be retained for 16 weeks to compensate for the loss of the on-street parking for residents whilst the road widening works were being undertaken, however the retention of the car park for a longer period of 4 years was requested to provide additional contractor parking. The justification for the retention of the car park for 4 years is not sufficient, however, as contractor parking could be accommodated within the construction site. The 'Revised Construction Management Strategy Report' which was submitted as condition compliance information for the related application (20/02623/ARC) stated that 'contractors shall be advised to park on site, within the compound area'. Therefore, there is no proven need for a countryside location in this instance.

2.2.5 One of the objections noted concerns that planning permission may be sought for development on the site after the car park use ceases. No alternative future use of the site has been proposed at this stage, therefore this has not been considered as part of this application.



2.2.6 The principle of development cannot be accepted in this case, as the development is outwith the settlement boundary and is not in a location where the use is supported by the Local Development Plan. As such, the development is not compatible with Policies 1 and 7.

## 2.3 Design/Visual Amenity

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

2.3.2 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regard to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. The document also illustrates how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.3.3 Concerns have been raised regarding the detrimental impact on amenity as a result of the development. Whilst the formation of hardstanding in the countryside is considered to have a negative impact in regards to visual amenity, Policy 10 of the FIFEplan states that 'in some instances, where potential negative impacts are identified, development proposals may still meet the requirements of this policy if suitable mitigation is implemented.' The visual impact of the development could be mitigated for the temporary period the car park is in use, with a condition to ensure that screen planting is provided. The land would then be reinstated to its original condition when the use ceases, with the addition of hedges and planting, to neutralise or enhance the final impact.

2.3.4 As such, the development could be acceptable in this respect, if the application were to be approved, subject to the aforementioned condition.

## 2.4 Residential Amenity

2.4.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017) apply in terms of residential amenity.

2.4.2 The above FIFEplan policies set out the importance of encouraging appropriate forms of development in the interests of residential amenity. They generally advise that development proposals should be compatible with their surroundings and that they should not adversely affect the privacy and amenity of neighbours.

2.4.3 Concerns have been raised regarding the potential impact of the car park on residential amenity grounds, due to the noise from traffic as well as the overshadowing impacts of large fencing.

2.4.4 Given the proximity of the site to the Main Street (A921), it is considered that the traffic noise associated with the car park would not significantly increase the noise which is already generated by the adjacent road. There may have been temporary fencing erected while the car park was being constructed, however, the most recently provided site photographs (08/12/22) show that there is no longer fencing located on the site. Given that no fencing is proposed, there would be no overshadowing impact as a result of the development.

2.4.5 Overall, the development would be acceptable with regard to the above noted FIFEplan policies concerning residential amenity.

## 2.5 Road Safety

2.5.1 Policy 1 Part C (2) of the Adopted FIFEplan states that the site must provide required on site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 (Infrastructure and Services) states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. The Transportation Development Guidelines within the Making Fife's Places Supplementary Guidance (2018) provide details of expected standards to be applied to roads and parking etc.

2.5.2 A number of objections have raised concerns with the potential detrimental impacts on road safety as a result of the development.

2.5.3 Transportation Development Management (TDM) have been consulted on this application and have raised no objections, subject to the implementation of conditions in the interest of road safety. Given the above, the development could be acceptable in regard to road safety if the application were to be approved, subject to the aforementioned condition.

## 2.6 Natural Heritage

2.6.1 Policies 1 and 13 of the Adopted FIFEplan note that development proposals will only be supported where they protect or enhance natural heritage and access assets including but not limited to designated sites of international, national and local importance, biodiversity in the wider environment and protected and priority habitats and species.

2.6.2 Objection comments have raised concerns with the impact on natural heritage, including the removal of threatened species habitat.

2.6.3 The site was previously non-prime agricultural land within the Cullaloe Hills and Coast Local Landscape Area. Policy 13 states that 'where adverse impacts on existing assets are unavoidable, we will only support proposals where these impacts will be satisfactorily mitigated'. Given the location of the site on the edge of the Local Landscape Area, the addition of hedges and planting would satisfactorily mitigate the impact on the Local Landscape Area in this instance, which could be secured by condition. In addition, a condition could be added to ensure that the land is reinstated to its original state when the permission expires and the use of the car park ceases, which would neutralise or enhance the final impact, as mentioned previously. Whilst it is noted that the site may have been used by threatened species, this cannot be confirmed at this stage, given that the development has been completed.

2.6.4 Given the above, the development could be acceptable in regard to natural heritage if the application were to be approved, subject to the aforementioned condition.

## 2.7 Flooding and Drainage

2.7.1 Policies 1 and 3 of the FIFEplan state that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of

the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such measures will include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS).

2.7.2 Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.7.3 Scottish Environmental Protection Agency (SEPA) flood maps have been analysed, which show that the application site is not located within an area of known river, coastal or surface water flood risk.

2.7.4 A number of objections raised concerns with flooding and drainage on the site as a result of the car park.

2.7.5 Fife Councils Infrastructure (Structural Services) Team has been consulted on the application and have asked for further information including a plan showing the development site boundary, drainage layout and final discharge point to either the public sewer or a watercourse. Calculations of any attenuation volume required and porosity checks have also been requested. In addition, a Simple Index Approach (SIA) tool to check the suitability of SuDS components in mitigating water quality risks to receiving waterbodies has been requested, along with predevelopment and post-development flow path diagrams, an assessment of the maximum groundwater level at the location of any underground attenuation feature and confirmation of Construction Status SuDS compliance including completed SuDS design and check certification. The applicant was made aware of these requests, however this information was not provided.

2.7.6 Given that the Structural Services team do not consider that there is sufficient information to determine the flooding and drainage impacts of the development, it has not been possible to confirm if the drainage solution is acceptable and if it would comply with the Development Plan in this respect. Accordingly, insufficient evidence has been submitted to confirm the development is compatible with Policies 1 and 12 and therefore, the development is contrary to the Local Development Plan.

## CONSULTATION RESPONSES

Scottish Water  
Structural Services - Flooding, Shoreline And  
Harbours

Scottish Water has no objections. Structural Services have requested further information including a plan showing the development site boundary, drainage layout and final discharge point to either the public sewer or a watercourse. Calculations of any attenuation volume required and porosity checks have also been requested. In addition, a Simple Index Approach (SIA) tool to check the suitability of SuDS components in

TDM, Planning Services

mitigating water quality risks to receiving waterbodies has been requested, along with pre-development and post-development flow path diagrams, an assessment of the maximum groundwater level at the location of any underground attenuation feature and confirmation of Construction Status SuDS compliance including completed SuDS design and check certification. Transportation Development Management have no objections, subject to conditions.

## REPRESENTATIONS

Six objection comments have been submitted for this application, which raise the following issues:

- Flooding/Drainage; this has been addressed in section 2.7 of this report.
- Excessive timescale applied for and no need for the car park; this has been addressed in section 2.2 of this report.
- Road safety; this has been addressed in section 2.5 of this report.
- Natural Heritage; this has been addressed in section 2.6 of this report.
- Detrimental impacts on amenity; this has been addressed in section 2.4 of this report.
- Principle of development; this has been addressed in section 2.2 of this report.
- Lack of consultation from developer; the statutory consultation process has been carried out.
- Works started before determination of this application; this is at the applicants' own risk of the application being refused.
- Security fencing creating overshadowing; given that the security fencing was a temporary measure, the impacts of this are no longer significant.

## CONCLUSION

The principle of development is not acceptable and the requirement for a countryside location has not been justified. Insufficient information has been submitted to allow a full assessment of the impact on flooding and drainage, therefore, it has not been possible to determine whether the proposal would have a detrimental impact in this regard. As such, the proposal would not be acceptable and would not comply with Policies 1, 3 and 7 of the Adopted FIFEplan (2017) and is therefore refused.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of safeguarding the countryside and the potential for flooding; it is considered that there is insufficient information to determine whether the proposal would have a significant detrimental impact on the site and surrounding area. The proposal is therefore contrary to Policies 1, 3 and 7 of the adopted FIFEplan Local Development Plan (2017).

and

That the appropriate enforcement action be taken with respect to the unauthorised activity

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Policy and Guidance  
Scottish Planning Policy (SPP) (2014)

Development Plan  
Adopted FIFEplan (2017)  
Making Fife's Places Supplementary Guidance (2018)  
Making Fife's Places - Transportation Development Management Guidelines (2018)



CALA Management Ltd  
CALA Management Ltd  
Cairnlee House  
Callendar Business Park  
Callendar Business Park  
Falkirk  
United Kingdom  
FK1 1XE

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**Planning Services**

---

Sarah Purves

development.central@fife.gov.uk

Your Ref:

Our Ref: 21/03908/FULL

Date 18th January 2023

Dear Sir/Madam

**Application No: 21/03908/FULL**

**Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)**

**Address: Land To The North Of Main Street Aberdour 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 or local review 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,

Sarah Purves, 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:** 21/03908/FULL  
**Proposal:** Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)  
**Address:** Land To The North Of Main Street Aberdour Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/03908/FULL on Fife Council's Planning Applications Online

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

1. In the interests of safeguarding the countryside and the potential for flooding; it is considered that there is insufficient information to determine whether the proposal would have a significant detrimental impact on the site and surrounding area. The proposal is therefore contrary to Policies 1, 3 and 7 of the adopted FIFEplan Local Development Plan (2017).

Dated:18th January 2023

Declan Semple

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	Drainage Plan
03	Levels
04	Site Plan
05	Visibility splay plan
06	Supporting Statement
07	Photographs

Dated:18th January 2023

Declan Semple

For Head of Planning Services

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

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

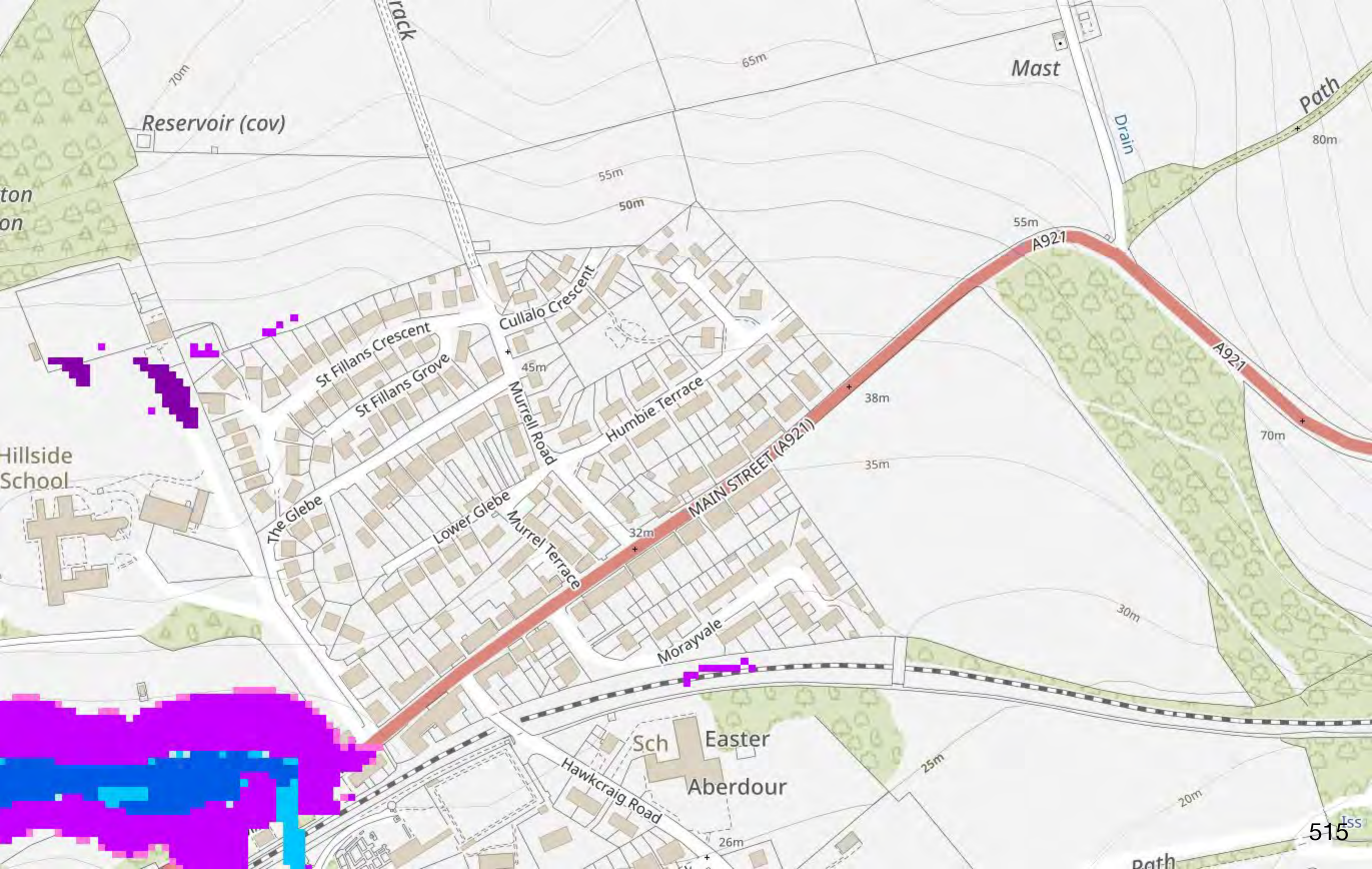
If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 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.fife.gov.uk/planning](http://www.fife.gov.uk/planning). Completed forms should be sent to:

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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.



Reservoir (cov)

Mast

ton  
on

Hillside  
School

St Fillans Crescent  
St Fillans Grove

Cullalo Crescent

Humbie Terrace

The Glebe

Lower Glebe

Murrell Terrace

MAIN STREET (A921)

Morayvale

Sch Easter  
Aberdour

Hawkcraig Road

Path

Drain

80m

55m

A921

A921

70m

30m

25m

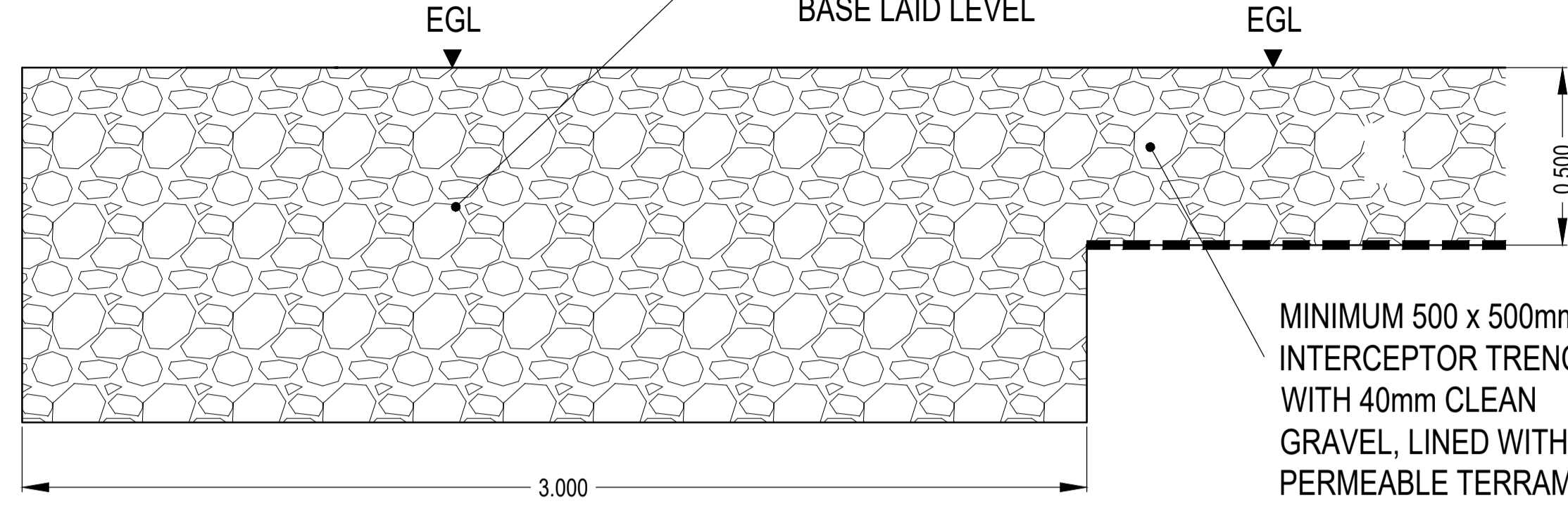
20m

26m

515

path

3000 x 11500mm SOAKAWAY TRENCH  
40mm CLEAN GRAVEL  
BASE LAID LEVEL



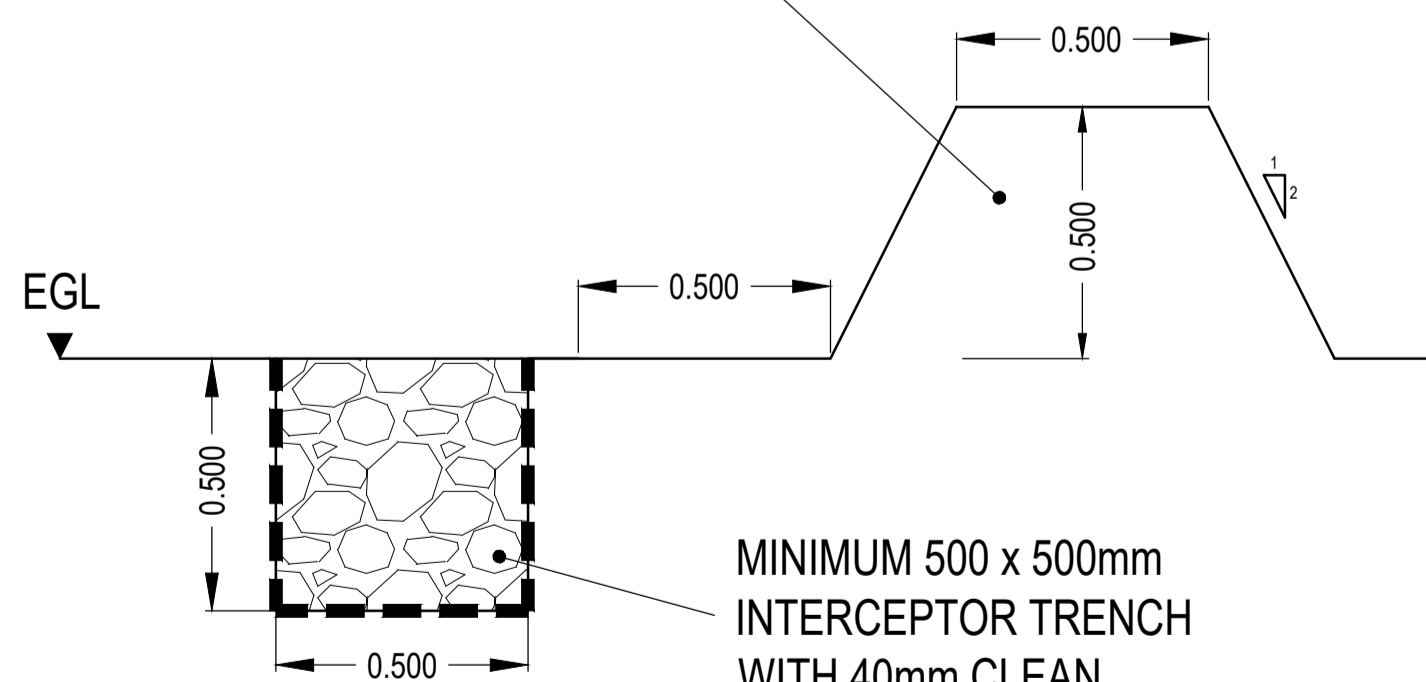
MINIMUM 500 x 500mm  
INTERCEPTOR TRENCH  
WITH 40mm CLEAN  
GRAVEL, LINED WITH  
PERMEABLE TERRAM.

- EXISTING FIELD DRAIN
- EXISTING PRIVATE WATER MAIN
- EXISTING COMBINED SEWER
- - - FILTER TRENCH
- SOIL BUND 500x500mm

CAR PARK TO BE 10 BAYS @ 2.4\*5m LONG.  
250mm TYPE 1 WITH 60mm TAR AND TIMBER  
EDGE FOR DURATION.

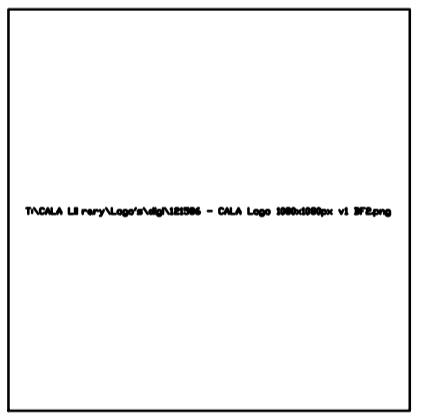
ANY EXISTING INFRASTRUCTURE TO BE  
LOCATED AND PROTECTED DURING WORKS

BUND FORMED FROM ARISINGS  
FROM FILTER TRENCH. MINIMUM  
DIMENSIONS 500mm x 500mm WITH  
SIDESLOPES



MINIMUM 500 x 500mm  
INTERCEPTOR TRENCH  
WITH 40mm CLEAN  
GRAVEL, LINED WITH  
PERMEABLE TERRAM.

REVISIONS			
rev	description	init	check



Cairnlee House, Callendar Business Park  
Callendar Road, Falkirk, FK1 1XE.  
Tel 01324 600000 Fax 01324 600001  
www.csla.co.uk

JOB TITLE  
**ABERDOUR  
INCHCOLM GREEN**

DR-WNG TITLE  
**TEMPORARY CAR PARK LAYOUT**

SC-LE:1:125 SHEET SIZE:A1 D-TE: APR 23

DR-WN BY: DR	PRELIM-RY	FIN-L
CHECKED BY:	DEVELOPMENT	
CENTR-L	M-STERED	
SITE	McCOSKER	VER MOD
	DRG No.	REV PLOT
	AB-TCPL	D

**Agenda Item 6(2)**

**Land to north of Main Street, Aberdour  
Application No. 21/03908/FULL**

**Planning Decision Notice**

**Report of Handling**

CALA Management Ltd  
CALA Management Ltd  
Cairnlee House  
Callendar Business Park  
Callendar Business Park  
Falkirk  
United Kingdom  
FK1 1XE

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**Planning Services**

---

Sarah Purves

development.central@fife.gov.uk

Your Ref:

Our Ref: 21/03908/FULL

Date 18th January 2023

Dear Sir/Madam

**Application No:** 21/03908/FULL  
**Proposal:** Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)  
**Address:** Land To The North Of Main Street Aberdour Fife

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Sarah Purves, Planner, Development Management

**Enc**



## **DECISION NOTICE FULL PLANNING PERMISSION**

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**Proposal:** Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)  
**Address:** Land To The North Of Main Street Aberdour Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/03908/FULL on Fife Council's Planning Applications Online

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

1. In the interests of safeguarding the countryside and the potential for flooding; it is considered that there is insufficient information to determine whether the proposal would have a significant detrimental impact on the site and surrounding area. The proposal is therefore contrary to Policies 1, 3 and 7 of the adopted FIFEplan Local Development Plan (2017).

Dated: 18th January 2023

Declan Semple

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	Drainage Plan
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04	Site Plan
05	Visibility splay plan
06	Supporting Statement
07	Photographs

Dated:18th January 2023

Declan Semple

For Head of Planning Services

**Decision Notice (Page 2 of 2)** 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.fife.gov.uk/planning](http://www.fife.gov.uk/planning). Completed forms should be sent to:

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## REPORT OF HANDLING

## APPLICATION DETAILS

ADDRESS	Land To The North Of, Main Street, Aberdour		
PROPOSAL	Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)		
DATE VALID	17/12/2021	PUBLICITY EXPIRY DATE	04/02/2022
CASE OFFICER	Sarah Purves	SITE VISIT	None
WARD	Inverkeithing And Dalgety Bay	REPORT DATE	17/01/2023

## SUMMARY RECOMMENDATION

The application is recommended for:

Refusal and Enforcement Action

## 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.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan, and provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 has six overarching spatial principles to deliver sustainable places, liveable places, and productive places.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and

associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced. When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

## 1.0 Background

1.0.1 This application relates to an area of land measuring approximately 775 square metres, which is located to the east of Aberdour. The site is bound by countryside to the north and east, residential properties to the west and residential properties under construction to the south. Vehicular access is taken from Main Street (A921) to the south of the site.

1.0.2 The site is outwith the Aberdour Settlement Boundary and within the Cullaloe Hills and Coast Local Landscape Area, as per the Adopted FIFEplan Local Development Plan (2017).

## 1.1 Proposal

1.1.1 This retrospective application is for the formation of hardstanding to accommodate a 10-space car parking area including vehicular access, which would be used for a temporary period of four years by contractors working on the adjacent site. The car park measures approximately 34 metres wide and 11.5 metres deep, with a 9-metre-wide vehicular access formed on to the Main Street.

## 1.2 Planning History

1.2.1 Whilst there is no planning history on the site itself, the history of the associated site to the south is as follows:

- Planning Permission in Principle for residential development and associated works including landscaping, greenspace, parking, access arrangements and related infrastructure was refused in 2018. This decision was subsequently appealed and allowed, with permission granted in 2019 (17/02487/PPP).

- In 2021, approval of matters specified by Condition 1 (A-E) of planning permission 17/02487/PPP for a residential development of 84 units, associated SUDS, drainage infrastructure, access arrangements, roads, footpaths, open space and landscaping was granted (20/02623/ARC).

## 1.3 Procedural Matters

1.3.1 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the application.

## 2.0 Assessment

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

- Principle of Development
- Design/Visual Impact
- Residential Amenity Impact
- Road Safety
- Natural Heritage
- Flooding/Drainage

## 2.2 Principle of Development

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

2.2.2 Policy 1 (Development Principles), Part A, of the Adopted FIFEplan (2017) stipulates that the principle of development will be supported if it is either (a) within a defined settlement boundary and compliant with the policies for this location; or (b) is in a location where the proposed use is supported by the Local Development Plan. Policy 7 (Development in the Countryside) states that, amongst other criteria, development in the countryside will only be supported where it is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location.

2.2.3 Concerns have been raised by objectors regarding the principle of development, given that the site is not allocated for development. In addition, the timescale sought for the use of the car park has been queried.

2.2.4 The development is outwith the Aberdour Settlement Boundary; therefore, the development would only be acceptable where the use is in a location which can otherwise be supported by the Local Development Plan. The Supporting Statement notes that the temporary car park was initially intended to be retained for 16 weeks to compensate for the loss of the on-street parking for residents whilst the road widening works were being undertaken, however the retention of the car park for a longer period of 4 years was requested to provide additional contractor parking. The justification for the retention of the car park for 4 years is not sufficient, however, as contractor parking could be accommodated within the construction site. The 'Revised Construction Management Strategy Report' which was submitted as condition compliance information for the related application (20/02623/ARC) stated that 'contractors shall be advised to park on site, within the compound area'. Therefore, there is no proven need for a countryside location in this instance.

2.2.5 One of the objections noted concerns that planning permission may be sought for development on the site after the car park use ceases. No alternative future use of the site has been proposed at this stage, therefore this has not been considered as part of this application.

2.2.6 The principle of development cannot be accepted in this case, as the development is outwith the settlement boundary and is not in a location where the use is supported by the Local Development Plan. As such, the development is not compatible with Policies 1 and 7.

## 2.3 Design/Visual Amenity

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

2.3.2 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regard to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. The document also illustrates how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.3.3 Concerns have been raised regarding the detrimental impact on amenity as a result of the development. Whilst the formation of hardstanding in the countryside is considered to have a negative impact in regards to visual amenity, Policy 10 of the FIFEplan states that 'in some instances, where potential negative impacts are identified, development proposals may still meet the requirements of this policy if suitable mitigation is implemented.' The visual impact of the development could be mitigated for the temporary period the car park is in use, with a condition to ensure that screen planting is provided. The land would then be reinstated to its original condition when the use ceases, with the addition of hedges and planting, to neutralise or enhance the final impact.

2.3.4 As such, the development could be acceptable in this respect, if the application were to be approved, subject to the aforementioned condition.

## 2.4 Residential Amenity

2.4.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017) apply in terms of residential amenity.

2.4.2 The above FIFEplan policies set out the importance of encouraging appropriate forms of development in the interests of residential amenity. They generally advise that development proposals should be compatible with their surroundings and that they should not adversely affect the privacy and amenity of neighbours.

2.4.3 Concerns have been raised regarding the potential impact of the car park on residential amenity grounds, due to the noise from traffic as well as the overshadowing impacts of large fencing.

2.4.4 Given the proximity of the site to the Main Street (A921), it is considered that the traffic noise associated with the car park would not significantly increase the noise which is already generated by the adjacent road. There may have been temporary fencing erected while the car park was being constructed, however, the most recently provided site photographs (08/12/22) show that there is no longer fencing located on the site. Given that no fencing is proposed, there would be no overshadowing impact as a result of the development.

2.4.5 Overall, the development would be acceptable with regard to the above noted FIFEplan policies concerning residential amenity.

## 2.5 Road Safety

2.5.1 Policy 1 Part C (2) of the Adopted FIFEplan states that the site must provide required on site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 (Infrastructure and Services) states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. The Transportation Development Guidelines within the Making Fife's Places Supplementary Guidance (2018) provide details of expected standards to be applied to roads and parking etc.

2.5.2 A number of objections have raised concerns with the potential detrimental impacts on road safety as a result of the development.

2.5.3 Transportation Development Management (TDM) have been consulted on this application and have raised no objections, subject to the implementation of conditions in the interest of road safety. Given the above, the development could be acceptable in regard to road safety if the application were to be approved, subject to the aforementioned condition.

## 2.6 Natural Heritage

2.6.1 Policies 1 and 13 of the Adopted FIFEplan note that development proposals will only be supported where they protect or enhance natural heritage and access assets including but not limited to designated sites of international, national and local importance, biodiversity in the wider environment and protected and priority habitats and species.

2.6.2 Objection comments have raised concerns with the impact on natural heritage, including the removal of threatened species habitat.

2.6.3 The site was previously non-prime agricultural land within the Cullaloe Hills and Coast Local Landscape Area. Policy 13 states that 'where adverse impacts on existing assets are unavoidable, we will only support proposals where these impacts will be satisfactorily mitigated'. Given the location of the site on the edge of the Local Landscape Area, the addition of hedges and planting would satisfactorily mitigate the impact on the Local Landscape Area in this instance, which could be secured by condition. In addition, a condition could be added to ensure that the land is reinstated to its original state when the permission expires and the use of the car park ceases, which would neutralise or enhance the final impact, as mentioned previously. Whilst it is noted that the site may have been used by threatened species, this cannot be confirmed at this stage, given that the development has been completed.

2.6.4 Given the above, the development could be acceptable in regard to natural heritage if the application were to be approved, subject to the aforementioned condition.

## 2.7 Flooding and Drainage

2.7.1 Policies 1 and 3 of the FIFEplan state that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of

the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such measures will include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS).

2.7.2 Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.7.3 Scottish Environmental Protection Agency (SEPA) flood maps have been analysed, which show that the application site is not located within an area of known river, coastal or surface water flood risk.

2.7.4 A number of objections raised concerns with flooding and drainage on the site as a result of the car park.

2.7.5 Fife Councils Infrastructure (Structural Services) Team has been consulted on the application and have asked for further information including a plan showing the development site boundary, drainage layout and final discharge point to either the public sewer or a watercourse. Calculations of any attenuation volume required and porosity checks have also been requested. In addition, a Simple Index Approach (SIA) tool to check the suitability of SuDS components in mitigating water quality risks to receiving waterbodies has been requested, along with predevelopment and post-development flow path diagrams, an assessment of the maximum groundwater level at the location of any underground attenuation feature and confirmation of Construction Status SuDS compliance including completed SuDS design and check certification. The applicant was made aware of these requests, however this information was not provided.

2.7.6 Given that the Structural Services team do not consider that there is sufficient information to determine the flooding and drainage impacts of the development, it has not been possible to confirm if the drainage solution is acceptable and if it would comply with the Development Plan in this respect. Accordingly, insufficient evidence has been submitted to confirm the development is compatible with Policies 1 and 12 and therefore, the development is contrary to the Local Development Plan.

## CONSULTATION RESPONSES

Scottish Water  
Structural Services - Flooding, Shoreline And  
Harbours

Scottish Water has no objections. Structural Services have requested further information including a plan showing the development site boundary, drainage layout and final discharge point to either the public sewer or a watercourse. Calculations of any attenuation volume required and porosity checks have also been requested. In addition, a Simple Index Approach (SIA) tool to check the suitability of SuDS components in

TDM, Planning Services

mitigating water quality risks to receiving waterbodies has been requested, along with pre-development and post-development flow path diagrams, an assessment of the maximum groundwater level at the location of any underground attenuation feature and confirmation of Construction Status SuDS compliance including completed SuDS design and check certification. Transportation Development Management have no objections, subject to conditions.

## REPRESENTATIONS

Six objection comments have been submitted for this application, which raise the following issues:

- Flooding/Drainage; this has been addressed in section 2.7 of this report.
- Excessive timescale applied for and no need for the car park; this has been addressed in section 2.2 of this report.
- Road safety; this has been addressed in section 2.5 of this report.
- Natural Heritage; this has been addressed in section 2.6 of this report.
- Detrimental impacts on amenity; this has been addressed in section 2.4 of this report.
- Principle of development; this has been addressed in section 2.2 of this report.
- Lack of consultation from developer; the statutory consultation process has been carried out.
- Works started before determination of this application; this is at the applicants' own risk of the application being refused.
- Security fencing creating overshadowing; given that the security fencing was a temporary measure, the impacts of this are no longer significant.

## CONCLUSION

The principle of development is not acceptable and the requirement for a countryside location has not been justified. Insufficient information has been submitted to allow a full assessment of the impact on flooding and drainage, therefore, it has not been possible to determine whether the proposal would have a detrimental impact in this regard. As such, the proposal would not be acceptable and would not comply with Policies 1, 3 and 7 of the Adopted FIFEplan (2017) and is therefore refused.

## DETAILED RECOMMENDATION



The application be refused for the following reason(s)

1. In the interests of safeguarding the countryside and the potential for flooding; it is considered that there is insufficient information to determine whether the proposal would have a significant detrimental impact on the site and surrounding area. The proposal is therefore contrary to Policies 1, 3 and 7 of the adopted FIFEplan Local Development Plan (2017).

and

That the appropriate enforcement action be taken with respect to the unauthorised activity

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Policy and Guidance  
Scottish Planning Policy (SPP) (2014)

Development Plan  
Adopted FIFEplan (2017)  
Making Fife's Places Supplementary Guidance (2018)  
Making Fife's Places - Transportation Development Management Guidelines (2018)



**Agenda Item 6(3)**

**Land to north of Main Street, Aberdour  
Application No. 21/03908/FULL**

**Representation(s)**

# Comments for Planning Application 21/03908/FULL

## Application Summary

Application Number: 21/03908/FULL

Address: Land To The North Of Main Street Aberdour Fife

Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)

Case Officer: Sarah Purves

## Customer Details

Name: Mrs Carolyn Craig

Address: 93 Main Street, Aberdour, Burntisland, Fife KY3 0UQ

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There is no pavement to this field. It stops short of it. How would anyone get from their car in this car park to their property with dogs, children and/or heavy shopping? I consider this application to be unnecessary. There is ample space south of main street for a temporary car park for the residents for the some 16 weeks and thereafter for contractors for 4 years while the works to the main road is completed. This is the lowest point in the field and water gathers there flooding it. An access road to the east, I consider to be dangerous, on a slope on a bend, being mains brae. I think a similar sized car park off main street on the south side of the street and sectioned off from the main side would be safer, easier and cheaper while protecting local amenity.

# Comments for Planning Application 21/03908/FULL

## Application Summary

Application Number: 21/03908/FULL

Address: Land To The North Of Main Street Aberdour Fife

Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)

Case Officer: Sarah Purves

## Customer Details

Name: Ms Carrie Todd

Address: Bradmont, 36 Humble Terrace, Aberdour Burntisland, Fife KY3 0XP

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I wish to object to this application on the following grounds:

- 1) The car park was not part of the original proposal for the development of around 80 houses in the adjacent field.
- 2) Cala have used underhand tactics in the past and my fear is that this car park project is a way to secure planning permission for this field following its use as a car park.
- 3) The field was deemed unsuitable for change of use when the Fife SES plan was last conducted.
- 4) The field is home to threatened species such as curlew.
- 5) The land they are developing is substantial in area and parking space for vehicles could easily be accommodated on this land on the other side of Main Street.

# Comments for Planning Application 21/03908/FULL

## Application Summary

Application Number: 21/03908/FULL

Address: Land To The North Of Main Street Aberdour Fife

Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)

Case Officer: Sarah Purves

## Customer Details

Name: Mr Alexander Craig

Address: 93 Main Street, Aberdour, Burntisland, Fife KY3 0UQ

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this proposal on the following reasons:

Amenity:

The proposal would have a detrimental impact on the amenity of the area.

The land proposed is not in a designated development area.

There is already provision:

Contractors are using the development area to the south of main street for parking and can continue to do so until the development is set out as per the developers plans.

It is stated that 'Following the completion of the carriageway widening works, public use of the car park will cease, and it will be used for contractor use only'. It is stated the development site will be 'dangerous', but Cala Homes have already stated that all contractors will be inducted in safe working practices from the outset. No need for a separate car park for contractors.

The site to the south of main street can easily accommodate the contractors requirements and this is evidenced by the plan set out by Cala Homes showing the areas set aside for contractor parking within the site approved by Fife Planning department.

Residents are currently dealing with restricted parking on Main Street without need for a 'temporary' car park. They will continue to do so.

To suggest that a business with the experience and attention to detail that Cala Homes purport to have cannot provide ten safe parking spaces for a limited within a large open development area is quite frankly ludicrous.

Timescale:

The period sought is excessive. The road improvements are scheduled to take 16 weeks, four years is well beyond the estimated time for completion of the project the parking is intended for.

Access:

The proposed car parking is out with the boundary of the village. There is only vehicular access.

No footpaths are proposed. It will be impossible for residents of Aberdour to utilise the carpark during the construction of the improved carriageway as it will be too dangerous to use whilst work is ongoing.

#### Drainage/flooding

There is no proper drainage proposed. The area proposed regularly gathers water during heavy rainfall. The risk of flooding of properties in Main Street by water flowing down Mains Brae will be increased materially. A repeat of recent flooding events in Aberdour of which Fife Council are well aware, must be avoided.

#### Consultation

CALA has discussed the provision of the temporary car park and access with a very few local residents .

# Comments for Planning Application 21/03908/FULL

## Application Summary

Application Number: 21/03908/FULL

Address: Land To The North Of Main Street Aberdour Fife

Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)

Case Officer: Sarah Purves

## Customer Details

Name: Mr charbel bouaoun

Address: 79 Main Street, Aberdour, Burntisland, Fife KY3 0UQ

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this proposal for the following reasons:

Amenity:

The proposal would have a detrimental impact on the amenity of the area.

The land proposed is not in a designated development area.

There is already provision:

Contractors are using the development area to the south of Main Street for parking and can continue to do so until the development is set out as per the developers' plans.

It is stated that 'Following the completion of the carriageway widening works, public use of the car park will cease, and it will be used for contractor use only'. It is stated the development site will be 'dangerous', but Cala Homes have already stated that all contractors will be inducted in safe working practices from the outset. They have plenty space on site so there is no need for a separate car park for contractors.

The site to the south of Main Street can easily accommodate the contractors' requirements and this is shown by the plan set out by Cala Homes highlighting the areas set aside for contractor parking within the site approved by Fife Planning Department.

Residents are currently dealing with restricted parking on Main Street without need for a 'temporary' car park. They will continue to do so.

To suggest that a business with the experience and attention to detail that Cala Homes purport to have cannot provide ten safe parking spaces for a limited period within a large open development area is quite frankly ludicrous.

Timescale:

The period sought is excessive. The road improvements are scheduled to take 16 weeks, four years is well beyond the estimated time for completion of the project the parking is intended for.

Access:



The proposed car parking is out with the boundary of the village. There is only vehicular access. No footpaths are proposed. It will be impossible for residents of Aberdour to utilise the carpark during the construction of the improved carriageway as it will be too dangerous to use whilst work is ongoing. The access to Mains Brae is on a bend.

#### Drainage/flooding

There is no proper drainage proposed. The area proposed regularly gathers water during heavy rainfall. The risk of flooding of properties in Main Street by water flowing down Mains Brae will be greatly increased. A repeat of recent flooding events in Aberdour, of which Fife Council is well aware, must be avoided. There is no SUDS provision.

#### Planning Permission:

The question remains why planning permission for this car park was not made in the initial application for construction? This is a completely new addition to the original proposal and Aberdour residents were unaware, and or consulted about it in the first instance.

# Comments for Planning Application 21/03908/FULL

## Application Summary

Application Number: 21/03908/FULL

Address: Land To The North Of Main Street Aberdour Fife

Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)

Case Officer: Sarah Purves

## Customer Details

Name: Mr Archie Toal

Address: 105 Main Street, Aberdour, Burntisland, Fife KY3 0UQ

## Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the formation of a car park on this site for the following reasons:

1/ It is my understanding that the original plans for the CALA housing development. (RCC ref. no. 20/03060/RCC) on the South side of the A921 opposite to the proposed car park included space for resident parking therefore question why this additional car park is deemed as necessary given the extensive size of the housing development site.

2/ I have spoken to a CALA representative who informed me that permission has already been granted by Fife Council for the car park to be developed and used for a 16 week period but I, as an immediate neighbour, had received no notice of this. The work has since started without me having an opportunity to make comments or objections. I have contacted Fife Planning via email and not had any response other than this being passed to the case officer for the development.

3/ I see little benefit of the car park to local residents given that they have already found alternative parking. It is 4 weeks into the development and after 16 weeks it will become for the sole use of CALA and their 'commercial vehicles' for the next 4 years.

4/ I am concerned in terms of the safety of road users and pedestrians in creating an ingress and egress onto a main trunk road just beyond the speed limit boundary.

5/ I note in the application form from CALA that they have stated this area is not known for flooding. However, it is the case that during heavy rainfall, the site floods to such an extent that water spills over onto the main road causing a potential hazard for drivers. CALA have made no arrangements for sustainable drainage, and as the site will be hard standing, this is likely to make

the flooding situation worse.

6/ The site has been marked off by high, security fencing overshadowing our property. This adds to the overall detrimental appearance of the CALA development to the village as a whole.

The noise created by the the car park in addition to the housing development itself is having a negative impact on my mental health.

# Comments for Planning Application 21/03908/FULL

## Application Summary

Application Number: 21/03908/FULL

Address: Land To The North Of Main Street Aberdour Fife

Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)

Case Officer: Sarah Purves

## Customer Details

Name: Mrs Elizabeth Toal

Address: 105 Main Street, Aberdour, Burntisland, Fife KY3 0UQ

## Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the formation of a car park on this site for the following reasons:

1/ It is my understanding that the original plans for the CALA housing development (RCC ref. no. 20/03060/RCC) on the South side of the A921 opposite to the proposed car park included space for local resident parking during the building period therefore question why this additional car park is deemed necessary given the extensive size of the housing development site.

2/ A CALA representative has said that permission has already been granted by Fife Council Planning Department for the car park to be developed and used for a 16 week period but I, as an immediate neighbour, had received no notification of this. The work has since started without me having an opportunity to make comments or objections. I have contacted Fife Planning via email and not had any response other than this being passed to the case officer for the development.

3/ I see little benefit of the car park to local residents given that they have had to find alternative parking for the last 4 weeks since the start of the housing development and after 16 weeks the car park will become for the sole use of CALA 'commercial vehicles' for the next 4 years.

4/ I am concerned in terms of the safety of road users and pedestrians in creating an ingress and egress onto a main trunk road just beyond the speed limit sign.

5/ I note in the application form from CALA that they have stated this area is not known for flooding. However, it is the case that during heavy rainfall, the site floods to such an extent at times that water spills onto the main road causing a potential hazard for drivers. CALA have also stated in the application that they will not make provision for sustainable drainage of surface

water and as the site will be hard standing, this is likely to make the flooring situation worse.

6/The site has been marked off by high, security fencing overshadowing our property. This also adds to the overall detrimental appearance of the CALA development site to the village as a whole. The noise created by the car park in addition to the housing development itself is having a negative impact on my sleep and well-being.

**Agenda Item 6(4)**

**Land to north of Main Street, Aberdour  
Application No. 21/03908/FULL**

**Consultee Comments**

Monday, 10 January 2022



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 Customer,

**Land To The South Of, Main Street, Aberdour, KY3 0EB**  
**Planning Ref: 21/03908/FULL**  
**Our Ref: DSCAS-0055814-BSB**  
**Proposal: Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years)**

**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:

## 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)

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 Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto:PlanningConsultations@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:** Sarah Purves, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 20 January 2022  
**OUR REF:** DR/21/03908/FULL  
**YOUR REF:** 21/03908/FULL  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years).  
Land to the south of Main Street, Aberdour.**

I refer to your memo dated 10 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.

**The Applicant must follow our current guidance on Flooding and Surface Water Management.**

[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)

**Appendix 8 checklist must be submitted with all Applications.**

We would also expect to see:

A drainage layout showing the proposed network and connection to the public sewer or watercourse.

Calculations of any attenuation volume required. The results should show the 1 in 200year return period events plus climate change (**40%**).

A Simple Index Approach (SIA) tool to check the suitability of proposed SuDS components in mitigating water quality risks to receiving waterbodies.

Pre-development and post-development flow path diagrams to demonstrate if there is any significant redirection of surface water flows to surrounding land.

Assessment of the maximum groundwater level at the location of any underground attenuation feature.

Confirmation of Construction Status SuDS compliance.

Completed SuDS design and check certification (Appendix 1 and 2)

## FIFE COUNCIL

### ASSETS, TRANSPORTATION AND ENVIRONMENT

**TO:** Sarah Purves, Planner, Development Management  
**FROM:** Denise Richmond, Structural Services, Flooding, Shoreline & Harbours  
**DATE:** 31 October 2022  
**OUR REF:** DR/21/03908/FULL  
**YOUR REF:** 21/03908/FULL  
**CONTACT:** Denise Richmond Ext 477003  
**SUBJECT:** **Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years).  
Land to the south of Main Street, Aberdour.**

I refer to your memo dated 10 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.

**The Applicant must follow our updated guidance on Flooding and Surface Water Management.**

[FC Flooding and SWMP Guidance v2.1 \(fife.gov.uk\)](https://www.fife.gov.uk)

**Appendix 8 checklist must be submitted with all Applications.**

As stated in the response to consultation in January 2022, the Applicant should provide a plan showing the development site boundary, drainage layout and final discharge point to either the public sewer or a watercourse.

If the drainage design includes infiltration then porosity checks will be required in accordance with BRE 365 to demonstrate the soil permeability.

Calculations of any attenuation volume required. The results should show the 1 in 200year return period events plus climate change (**39%**).

A Simple Index Approach (SIA) tool to check the suitability of proposed SuDS components in mitigating water quality risks to receiving waterbodies.

Pre-development and post-development flow path diagrams to demonstrate if there is any significant redirection of surface water flows to surrounding land.

Assessment of the maximum groundwater level at the location of any underground attenuation feature.

Confirmation of Construction Status SuDS compliance.

Completed SuDS design and check certification (Appendix 1 and 2)

## Planning Portfolio Internal Assessment Sheet

<b>EPES Team</b>	<b>Transportation Development Management</b>
<b>Application Ref Number:</b>	<b>21/03908/FULL</b>
<b>Application Description:</b>	<b>Formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years), Land to The North Of Main Street, Aberdour</b>
<b>Date:</b>	<b>9 February 2022</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>	

### 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 planning application is for the formation of hardstanding to form 10 space site car parking area and formation of vehicular access (temporary period of four years), Land to The North of Main Street, Aberdour.
- 1.2 The supporting statement notes that the temporary car park is being provided as a temporary car park for existing residents during the alterations to the A921 and formation of the vehicular access to the housing site on the south side of the road, which is welcome. The housing site is large enough to accommodate site management and contractor's vehicle parking during the build out of the site. I

am not convinced the temporary car park is required for the duration of the build-out of the site, but this would not be a reason to object to the proposal.

## 2.0 CONCLUSIONS

2.1 I have no objections to approval being granted subject to the following conditions.

## 3.0 RECOMMENDATIONS

- 3.1 Prior to the temporary car park opening for use, the visibility splays shown on document 05 shall be provided and maintained clear of all obstructions exceeding 600mm 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 through the lifetime of the development. **Reason:** In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access with the public road.
- 3.2 Prior to the temporary car park being for the sole use of site staff and contractors' vehicles the proposed gates shall be erected a minimum of 6 metres from the carriageway edge. **Reason:** to allow a vehicle to park clear of the [public road when the gates are being opened or closed.
- 3.3 Prior to the temporary car park opening for use, the construction of the vehicular crossing of the footway shall be carried out in accordance with the current Fife Council Transportation Development Guidelines. Once the temporary planning permission lapses or when site works are completed, whichever is sooner, the vehicular access shall be stopped-up and reinstated as a grass verge. **Reason:** In the interest of road safety; to ensure the provision of an adequate design layout and construction.

### 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.

Signed by Mark Barrett, Lead Officer, Transportation Development Management

Date: 09/02/2022

E-mail: mark.barrett@fife.gov.uk

Number: 03451 555555 extension 480210

**Agenda Item 6(5)**

**Land to North of Main Street, Aberdour  
Application No. 21/03908/FULL**

**Planning Case Officer's Position Statement  
on National Planning Framework 4 (NPF4)**

## **NPF4 Position Statement**

**Application Ref. 21/03908/FULL – Land to north of Main Street, Aberdour - Formation of hardstanding to form ten space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)**

**Fife Local Review Body – Monday, 14th August, 2023**

### **Request for Comments on National Planning Framework 4**

National Planning Framework 4 (NPF4) was formally adopted on 13 February 2023 and is part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them no longer form part of the Development Plan. The adopted FIFEplan Fife Local Development Plan (2017) and associated Supplementary Guidance continue to be part of the Development Plan.

Section 24(3) of the Town and Country Planning (Scotland) Act 1997 states that where there is any incompatibility between a provision of the National Planning Framework and a provision of a Local Development Plan, whichever of them is the later in date is to prevail. The Chief Planner's letter adds that provisions that are contradictory or in conflict would likely be considered incompatible.

This Position Statement has been prepared as the decision for the above application was issued before NPF4 was formally adopted. In addition to the matters raised within the Report of Handling, the following Policies of NPF4 are therefore considered to be relevant:

Policy 1 (Tackling the climate and nature crises) notes that 'significant weight' will be given to the global climate and nature crises when considering all development proposals. In addition, development that addresses the global climate emergency and nature crisis should be encouraged, promoted and facilitated. Whilst the site is adjacent to the Aberdour Settlement Boundary, it is within a countryside location as per the FIFEplan Local Development Plan. As such, the removal of agricultural land and replacement with hardstanding does not 'reduce emissions and adapt to current and future risks of climate change by promoting nature recovery and restoration in the area', as highlighted in Policy 1. Given that the development has resulted in the loss of natural space and has facilitated private vehicle parking (as the least sustainable transport option) in the countryside, this is not in compliance with Policy 1.

Policy 2 (Climate mitigation and adaptation) aims to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change. As noted above, the development facilitates unsustainable travel options which could otherwise be accommodated within the main construction site. In addition, the lack of information provided with regard to the Sustainable Urban Drainage Systems does not allow for a full assessment of the potential for surface water flooding as a result of the hardstanding. As such, there may be a flood risk to the public road and the adjacent property which does not adapt to current and future risks from climate change. Therefore, the development is not in compliance with Policy 2.

Policy 3 (Biodiversity) states that development proposals will contribute to the enhancement of biodiversity including, where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible. No biodiversity enhancement measures were submitted with the application, however, a condition could be added to ensure that the land is reinstated to its original state when the permission expires and the use of the car park ceases, which would neutralise or enhance the final impact. As such, this could be in compliance with Policy 3.

Policy 4 (Natural Places) aims to protect, restore and enhance natural assets making best use of nature-based solutions. Part (d) of the policy notes 'Development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where: i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified'. Given the location of the site on the edge of the Cullaloe Hills and Coast Local Landscape Area, the addition of hedges and planting would satisfactorily mitigate the impact on the Local Landscape Area in this instance, which could be secured by condition. As such, this could be in compliance with Policy 4.

Policy 9 (Brownfield, vacant and derelict land and empty buildings) notes that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP. Given that this greenfield site is not allocated for development in the FIFEplan Local Development Plan (2017) and is not explicitly supported by the LDP policies, this is unacceptable in regard to Policy 9.

Policy 13 (Sustainable Transport) aims to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Given that the development has facilitated private vehicle parking as the least sustainable transport method in a countryside location, this is not in compliance with Policy 13.

Policy 14 (Design Quality and Place) states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported. The visual impact of the development could be mitigated for a temporary period while the car park is in use, with a condition to ensure that screen planting is provided. The land would then be reinstated to its original condition when the use ceases, with the addition of hedges and planting, to neutralise or enhance the final impact. As such, the development could be in compliance with Policy 14.

Policy 22 (Flood risk and water management) states, amongst other criteria, that development proposals will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS); and seek to minimise the area of impermeable surface. As noted above, the lack of information provided with regard to the Sustainable Urban Drainage Systems does not allow for a full assessment of the surface water management. As such, there may be a flood risk to the public road and the adjacent property. Therefore, the development is not in compliance with Policy 22 as it stands.

Policy 29 (Rural Development) notes that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location. Whilst the development could be in keeping with the character of the area, if screening and planting were to be established, the additional spaces are no longer considered to be necessary. Therefore, the development is not in compliance with Policy 29.

**Agenda Item 6(6)**

**Land to North of Main Street, Aberdour  
Application No. 21/03908/FULL**

**Comments on Planning Case Officer's  
Position Statement on NPF4**



**From:** [REDACTED]  
**To:** [Michelle McDermott](#)  
**Subject:** Appl8cation Ref: 21/03908/Full- Land to North of Main Street, Aberdour  
**Date:** 11 July 2023 11:02:54

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**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.

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To Whom it may concern,

I am writing in objection to this planning application submitted, retrospectively, by Cala Homes.

I live at 36 Humbie Terrace Aberdour KY3 0XP which means the back of my house overlooks the parking site. I have an excellent view of the car park from my French widows on the first floor.

I initially confronted the builders when I saw that work was starting in the car park area and told them that planning permission had not been granted for that land. They disputed that despite my assertions and I then contacted my councillor, David Barrett.

The car park was the first ground to be broken for the new development of the land to the South of Main Street.

I am concerned for the following reasons:

The initial planning application for the site South of Main Street was controversially obtained through the system prior to NPF4 which enabled developers to continuously submit plans to the Government Reporter while the community had no such recourse. This application was heavily opposed by the community and was not approved by Fife Council but, once, finally approved by a single Government Reporter from Aberdeen, the development was nodded through. Further objections or appeals from opposition bodies were not, under the previous rules, considered.

I am pleased that NPF4 is an attempt to rectify some of the imbalances of the planning system in Scotland and I hope that voices like mine, those who live with the results of planning decisions, will be heard in future.

I feel it necessary to state the facts of the way Cala operated in regard of their Aberdour development as it serves to highlight their disregard for regulations, individuals and communities. It is not only land that they bulldoze in their drive for profit.

I have suspicions regarding this, retrospective planning application. I do not understand why Cala did not consider the need for a car park and add it into their initial application. I also question why the car park was not included in the land they have planning permission for.

I suspect that this retrospective planning application was done in order to try to develop a housing estate on the rest of the field to the North of Main Street.

This land has been continually dismissed by Fife Council for development. Were Cala to develop it further, the increase in the population of Aberdour would cause even more local strains.

For example: it is almost impossible to contact the GP surgery now and, in my own experience, it takes months to have an assessment from occupational therapy. I believe this must be, in some part, due to the exponential population growth in the Inverkeithing area. With the population of Aberdour now already set to grow by 50 per cent once the two new developments are completed, the local infrastructure of roads, rail, schools, medical, social, police and other services will be under even greater pressure.

This is a time of climate catastrophe. only last week, the Earth's temperature was the highest ever recorded. We have seen deaths due to heat globally and in the UK rise alarmingly this year. My mother died last summer having been hospitalised on the hottest day that year. I do not believe that was a coincidence.

Both the Scottish government and Fife Council have declared a Climate Emergency. This is included NPF4 policy.

I am increasingly alarmed by the scale of housing development, nationwide, over the past few years. This is massive in many regions and Fife is one of them.

I know that there is a need for decent housing but the developers are targeting the best food growing land. Fife and East Lothian both feed, not only our people, but exports to global markets.

As global warming and war devastates harvests worldwide, Scotland may very well, increasingly, become one of the few areas with a suitable climate for food production. Once fields are built on, it is practically impossible to reclaim the land for food. Now, is, most definitely, NOT the time to be relenting to pressure from housing developers who use any means to seize our Nation's natural assets.

This may only be a small area of land but it has, in effect, shaved off more of the field than its own area. The strip of land between the car park and the existing wall is no longer being tended by the farmer as it is, presumably, not viable to do so. Wild plants growing on the car park banks have been mown down and this area no longer supports a diversity of wildlife.

It is visually unattractive and especially so since the natural flora which had grown during the Spring has been removed.

I believe that my views expressed here and backed up by my unique vantage point on the parking bay support the issues stated on the NPF4 Position statement, all of which agree with.

Despite being used initially by a few cars, it is now mostly empty at night with only one or two vehicles there during the day.

The car park quickly became littered by discarded plastic and other detritus, presumably mainly from the motorists who parked there. This is environmentally detrimental and not in keeping with NPF4 policy.

I believe that Cala are requesting the land for 4 years. This seems excessive as there is now plenty of space to park in the site opposite, for which planning consents are in place.

This application, done, very cheekily, retrospectively, has already cost Fife Council money which all of us pay for. I think it is a disgraceful waste of our council tax.

I, therefore, believe that retrospective planning permission should not be granted and the land should be returned to its previous condition.

Regards,

Carolyn Todd

[Sent from Yahoo Mail on Android](#)

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**Application Ref. 21/03908/FULL – Land to north of Main Street, Aberdour - Formation of hardstanding to form ten space site car parking area and formation of vehicular access (temporary period of four years) (retrospective)**

**Fife Local Review Body – Monday, 14th August, 2023**

**Request for Comments on National Planning Framework 4**

**Appellant's response to Case Officer's Statement.**

As set out in detail in the original application and appeal statement of case, works on Main Street to widen the carriageway to accommodate two traffic lanes and parking bays on street for residents of Main Street was a condition of planning permission 17/02487/PPP. Following submission of the application for Roads Construction Consent, the temporary car parking area was requested by Fife Council officers in order to provide a safe area to park as a compensatory measure to residents on Main Street who would lose on street parking while roadworks including carriageway widening were undertaken.

National Planning Framework 4 (NPF4) was formally adopted on 13 February 2023. Upon adoption, NPF4 became a part of the statutory development plan. It was adopted 14 months after the original retrospective planning application for the temporary car park was submitted, and one month after the application was determined.

As stated in the Foreword to NPF4, it is Scotland's "...long-term spatial strategy with a comprehensive set of national planning policies..."

The appellant's view is that although NPF4 is now part of the statutory development plan, the application of such a strategic, national level document in the assessment of a small scale temporary proposal, that was submitted in retrospect more than a year before NPF4 was adopted, is of little relevance.

In December 2021, the application was made to retain the car park for a 4 year period. This was to enable use by contractors towards the end of development on site as there will be less space available within the compound for car parking. Currently, the area where plots 51 to 63 are located is used for storing and laying down materials. When these plots are being built, the area will no longer be available for storage. Further, works to prepare the compound area for affordable housing construction will need to be programmed and the compound will shrink in size. Space for staff and contractor parking on site would be at a premium. The temporary car park would provide a location for contractor parking at the later phases of development, therefore negating contractor parking on local streets.

Once development of private units is complete, the car park and access will be removed, the verge re-instated and remaining land returned to agricultural use. At worst, this means that the permission would expire in December 2025. However, if the site is completed in advance of this, then the removal and restoration would be undertaken sooner. The removal and re-instatement would be controlled by a planning condition.

The temporary car park has provided a benefit to the local community. If the appeal is upheld, it will continue to provide a benefit to local residents until development of the site is completed. If the appeal is dismissed, the car park will be removed. Not only would this remove the benefit to local

residents, but it would also result in contractors parking cars and vans on neighbouring roads. This would undoubtedly not be welcomed by local residents.

It is not reasonable to suggest that safe parking for local residents could have been provided within a live construction site. There was no suitable alternative location to provide safe parking for local residents as had been requested by the Council.

Further, it would be illogical to place a condition on an approval for the parking area requiring hedge planting around the boundaries. Such planting would not have any time to establish and therefore provide any screening effect. It would need to be removed within around 16 months from approval in any event as part of site restoration.

The appellant set out reasons why the appeal should be upheld in the statement of case. This included commentary on the relevance of NPF4. Adoption of NPF4 does not provide any logical reason to refuse permission for the temporary car parking area. The benefits of the retention of the car park significantly outweigh any detrimental impacts which would only be temporary in nature as the site will be restored to previous state in due course.