

## North East Planning Committee

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



Wednesday, 25th August, 2021 - 1.30 p.m.

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### AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest (s) at this stage.
3. **MINUTE** – Minute of Meeting of North East Planning Committee of 28th July, 2021. 3 – 9
4. **21/00178/FULL - LAND AT SPRINGFIELD EAST FARM, MAIN STREET, SPRINGFIELD** 10 – 44  
  
Erection of 30 affordable dwellings with associated access, landscaping, SUDS and other associated infrastructure (demolition of agricultural buildings).
5. **APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

List of applications dealt with under delegated powers for the period 12th July to 8th August, 2021.

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

**Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.**

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18th August, 2021

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

**28th July, 2021**

**1.30 p.m. – 6.00 p.m.**

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

**ATTENDING:** Alastair Hamilton, Service Manager - Development Management; Richard Simmons, Lead Officer Transportation Development Management (North Fife), Economy, Planning & Employability Services; Steven Paterson, Solicitor; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGY FOR ABSENCE:** Councillor Brian Thomson.

**280. DECLARATIONS OF INTEREST**

Councillor Verner declared an interest in Para. 282 - '20/01757/PPP - Land at East Craigs Farm, Blebocraigs, Fife' - as the applicant had supplied and delivered materials for her driveway.

Councillor Heer advised he had a connection to Para. 288 and Para. 289 - '5 Shuttlefield, Newburgh, Cupar' - as a next-door neighbour of the application site had contacted him about the planning application and he had referred them to an Enforcement Officer of Fife Council on one occasion and, on another occasion, to Planning Aid Scotland. However, having applied the objective test, Councillor Heer concluded that he had no interest to declare and would, therefore, remain and participate for those items.

**281. MINUTE**

The Committee considered the minute of the North East Planning Committee of 30th June, 2021.

**Decision**

The Committee agreed to approve the minute, subject to reference to 'Councillor Noble' being amended to read 'Councillor Nolan'.

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

**282. 20/01757/PPP - LAND AT EAST CRAIGS FARM, BLEBOCRAIGS, FIFE**

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

**Motion/**

**Motion**

Councillor Miklinski, seconded by Councillor Liston, moved to approve the application, delegating to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to draft appropriately worded conditions consistent to and pertinent with the grant of planning permission in principle including, where appropriate, planning conditions relating to:

- the residential caravan currently on site;
- land contamination;
- access to core path;
- low carbon matters;
- roads/access point(s); and
- the MOD Safeguarding Zone.

**Amendment**

Councillor Heer, seconded by Councillor Connor, moved as an amendment to refuse the application for the two reasons detailed in the report.

**Roll Call**

**For the Motion - 5 votes**

Councillors Kennedy, Liston, Marjoram, Miklinski and Porteous.

**For the Amendment - 9 votes**

Councillors Brett, Connor, Docherty, Heer, Holt, Lothian, MacDiarmid, Nolan and Tepp.

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

**Decision**

The Committee agreed to refuse the application for the two reasons detailed in the report.

*Councillor Verner re-joined the meeting following consideration of the above item.*

**283. 20/02272/FULL - HAWKSWOOD COUNTRY ESTATE, PEAT INN, FALFIELD**

The Committee considered a report by the Head of Planning relating to an application for the erection of restaurant/bistro (Class 3) with associated outdoor seating area, car parking and access road, installation of gates, helicopter landing facility and associated drainage infrastructure.

**Decision**

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

**284./**

**284. 21/00178/FULL - LAND AT SPRINGFIELD EAST FARM, MAIN STREET, SPRINGFIELD**

Alastair Hamilton, Service Manager (Committee Lead Officer) advised the Committee that, following the recent outcome of a planning court case of 21st July, 2021 relating to the most recent update to the Scottish Planning Policy (SPP) in December 2020, it was considered necessary to continue this application to enable the implications of the court decision to be properly considered in the context/assessment of this application.

**Decision**

The Committee agreed to continue consideration of the application to a future meeting, ideally at its next meeting on 25th August, 2021, if possible.

*Councillor Kennedy left the meeting following consideration of the above item.*

The Committee adjourned at 2.50 p.m.

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The Committee reconvened at 3.00 p.m.

**285. 20/02298/PPP - FORTH SIDE LIBERTY, ELIE**

The Committee considered a report by the Head of Planning relating to planning permission in principle for the erection of two dwellinghouses with associated parking (demolition of existing dwellinghouse).

**Decision**

The Committee agreed:-

- (1) to approve the application subject to the five conditions and for the reasons detailed in the report;
- (2) that a condition be added restricting the height of the proposed development to no higher than the ridge-line of the adjacent property; and
- (3) to delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to formulate an appropriately worded planning condition to properly reflect the additional condition outlined at (2) above.

**286. 20/02301/CAC - FORTH SIDE LIBERTY, ELIE**

The Committee considered a report by the Head of Planning relating to an application for conservation area consent for the demolition of a dwellinghouse.

**Decision**

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

**287./**

**287. 21/00145/FULL - 46 BRAEHEAD, ST MONANS, ANSTRUTHER**

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

**Decision**

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

**288. 21/00504/FULL - 5 SHUTTLEFIELD, NEWBURGH, CUPAR**

The Committee considered a report by the Head of Planning relating to an amendment to approved Planning Application 18/03481/FULL - for alterations to roof height and decking (in retrospect).

**Motion**

Councillor Holt, seconded by Councillor Porteous, moved to:-

- (1) refuse the application on the grounds that the alteration to the decking height, design, materials and screening - due to its detrimental visual impact on the conservation area and visual amenity of adjacent properties - was contrary to Policies 1, 10 and 14 of the adopted FIFEplan Local Development Plan (2017); and
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to initiate an enforcement investigation.

**Amendment**

Councillor Miklinski, seconded by Councillor Connor, moved as an amendment to:-

- (1) approve the application, subject to an amendment to the one condition detailed in the report, requiring 2 metre high opaque screen fence panels to be installed around the deck perimeter; and
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to formulate an appropriately worded planning condition relating to (1) above.

**Roll Call**

**For the Motion** - 6 votes

Councillors Docherty, Heer, Holt, Liston, MacDiarmid and Porteous.

**For the Amendment** - 7 votes

Councillors Brett, Connor, Lothian, Marjoram, Nolan, Miklinski and Verner.

Having/

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

**Decision**

The Committee agreed to:-

- (1) approve the application, subject to an amendment to the one condition detailed in the report, requiring 2 metre high opaque screen fence panels to be installed around the deck perimeter; and
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to formulate an appropriately worded planning condition relating to (1) above.

*Councillor Tepp left the meeting during consideration of the above item.*

**289. 21/00220/LBC - 5 SHUTTLEFIELD, NEWBURGH, CUPAR**

The Committee considered a report by the Head of Planning relating to an application for listed building consent for alterations to roof height and decking (work completed).

**Motion**

Councillor Holt, seconded by Councillor Porteous moved to:

- (1) refuse the application on the grounds that the alteration to the decking height, design, materials and screening - due to its detrimental impact on the appearance of the Category C Listed Building within the Newburgh Conservation Area - was contrary to Policies 1 and 14 of the adopted FIFEplan Local Development Plan (2017) ; and
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to initiate an enforcement investigation.

**Amendment**

Councillor Nolan, seconded by Councillor Brett, moved as an amendment to:-

- (1) approve the application subject to condition - reflecting the decision at Para. 288. (1) above (related application); and
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to formulate an appropriately worded planning condition as outlined at (1) above.

**Roll Call**

**For the Motion - 6 votes**

Councillors Docherty, Heer, Holt, Liston, MacDiarmid, Porteous.

**For/**

**For the Amendment - 6 votes**

Councillors Brett, Connor, Lothian, Nolan, Miklinski and Verner.

There being an equality of votes for each proposal, the Convener used his casting vote in support of the Amendment, therefore, the Amendment to approve the application, was carried.

**Decision**

The Committee agreed to:-

- (1) approve the application subject to condition - reflecting the decision at Para. 288. (1) above (related application); and
- (2) delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to formulate an appropriately worded planning condition as outlined at (1) above.

*Councillor Marjoram left the meeting during consideration of the above item and Councillor Porteous left the meeting following consideration of the above item.*

The meeting adjourned at 5.25 p.m.

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The meeting reconvened at 5.30 p.m.

**290. 21/00688/FULL - 8 BANKNOWE DRIVE, TAYPORT, FIFE**

The Committee considered a report by the Head of Planning relating to an application for a two-storey extension to the rear and a single storey extension to the side of a dwellinghouse.

**Decision**

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

**291. 21/01423/FULL - 10 GRANGE ROAD, ST ANDREWS, FIFE**

The Committee considered a report by the Head of Planning relating to an application for a single storey extension to the rear of a dwellinghouse.

**Decision**

The Committee agreed to approve the application without condition.

**292./**



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

**Decision**

The Committee noted the lists of applications dealt with under delegated powers for the period 14th June to 11th July, 2021.

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**ITEM NO: 4****APPLICATION FOR FULL PLANNING PERMISSION REF: 21/00178/FULL****SITE ADDRESS: LAND AT SPRINGFIELD EAST FARM MAIN STREET  
SPRINGFIELD****PROPOSAL : ERECTION OF 30 AFFORDABLE DWELLINGS WITH  
ASSOCIATED ACCESS, LANDSCAPING, SUDS AND OTHER  
ASSOCIATED INFRASTRUCTURE (DEMOLITION OF  
AGRICULTURAL BUILDINGS)****APPLICANT: THE NEWPORT PROPERTY DEVELOPMENT COMPANY  
LIMITED  
TORRIDON HOUSE 56 TORRIDON ROAD BROUGHTY FERRY****WARD NO: W5R20  
Cupar****CASE OFFICER: Bryan Reid****DATE 04/02/2021  
REGISTERED:****REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 5 representations have been received which are contrary to the Officer recommendation. Springfield Community Council has objected as a statutory consultee.

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

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

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

### **1.0 BACKGROUND**

1.1 The application site relates to an agricultural field on the edge of the defined settlement boundary of Springfield - the site covers land both within and outwith the settlement boundary (per FIFEplan Local Development Plan, 2017). The western extent of the site is allocated in FIFEplan as SPF003, a housing opportunity site with an estimated capacity of 8 units, whilst also being included on the vacant and derelict land register. A pedestrian right of way passes through the site, leading from Main Street to the west. Vehicular access to the site is proposed to be taken from Crawley Court to the south. The surrounding area is characterised by residential development, mostly comprising of two storey semi-detached and terraced rendered properties. Springfield Primary School is located approximately 100 metres to the south of the site. Open fields are located to the north and east of the site, with large trees forming the southern boundary.

1.2 The application is for planning permission for the erection of 30 affordable housing units with associated access, drainage, parking and landscaping. The proposed 30 units would comprise of a mixture of semi-detached buildings, including single and two storey properties. The mix of affordable dwellings proposed would include wheelchair accessible bungalows. A single point of vehicular access is proposed to be taken directly from Crawley Court. Finishing materials proposed include concrete roof tiles (red and grey); off white smooth rendered walls, timber effect composite cladding and off red coloured brick basecourses. All windows would be tilt and turn, formed of white uPVC. Main entrance doors would be uPVC, varied in colour to allow distinction between dwellings. All driveways would be finished with brindle coloured porous paving. Low level hedges are proposed to divide front curtilages, with timber fence to separate rear garden areas. Hedge planting is proposed to enclose the site boundaries. An area of public open space and drainage pond are proposed to the west of the site. Tree planting (including street trees) are proposed throughout the site).

1.3 With regard to the recorded planning history for the site:  
06/01604/PPP – In 2007, outline planning permission was approved for residential development on the site. It is believed that 8 units were envisioned for the site.

1.4 Per Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, the proposed development is below the 150 unit and 5ha application site area thresholds which would require the application to be considered for EIA.

### **2.0 PLANNING ASSESSMENT**

2.1 The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design and Layout/Visual Impact

- Residential Amenity
- Low Carbon Fife
- Transportation/Road Safety
- Loss of Prime Agricultural Land
- Flooding and Drainage
- Contaminated Land
- Natural Heritage and Trees
- Affordable Housing
- Developer Contributions
  - Education
  - Open Space and Play Areas
  - Public Art
- House in Multiple Occupation (HMO)

## 2.2 PRINCIPLE OF DEVELOPMENT

2.2.1 Scottish Planning Policy (2014), Policies 1 and 4 of TAYplan Strategic Development Plan (2017), Policies 1, 2, 7 and 8 of the Adopted FIFEplan Local Development Plan (2017), Fife Council's Strategic Housing Investment Plan 2021/22 - 2025/26, Housing Land Audit 2019 and Local Housing Strategy 2020-2022 apply with regard to the principle of development for this proposal.

2.2.2 Scottish Planning Policy (SPP) (2014) seeks to promote successful sustainable places with a focus on low carbon place; a natural, resilient place; and a more connected place. The SPP promotes the use of the plan-led system with plans being up-to-date and relevant, thus reinforcing the provisions of Section 25 of the Act. The SPP (Promoting Rural Development), amongst other criteria, states that in areas of intermediate accessibility and pressure for development, Development Plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a range of policies that provide for economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan. It elaborates that in accessible or pressured rural areas, plans and decision making should generally guide most new development to locations within or adjacent to settlements and should promote economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced. The SPP (Enabling the Delivery of New Housing) also requires the Development Plan to identify a generous supply of housing land, within a range of attractive, well designed sites that can contribute to the creation of successful and sustainable places. The Development Plan is the preferred mechanism for the delivery of housing / residential land rather than individual planning applications.

2.2.3 Paragraph 125 of the SPP 2014 states:

"Planning authorities, developers, service providers and other partners in housing provision should work together to ensure a continuing supply of effective land and to deliver housing, taking a flexible and realistic approach. Where a shortfall in the 5-year effective housing land supply emerges, development plan policies for the supply of housing land will not be considered up-to date, and paragraphs 32-35 will be relevant."

2.2.4 Of note is paragraph 33 of the SPP 2014 which states:

“Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.”

2.2.5 Policy 1 of TAYplan (2017) sets out a spatial strategy to deliver a sustainable pattern of development which says where development should and should not go in order to deliver the vision and the outcomes which underpin it. Most new development will be built in principal settlements. These are the TAYplan area's cities and towns where most people live and most jobs, services and facilities are already located. They can have significant land and infrastructure capacity to accommodate future development. Policy 1 (C) considers development outside of principal settlements, advising that Local Development Plans may also provide for some development in settlements that are not defined as principal settlements (Policy 1A). This is provided that development can be accommodated and supported by the settlement, and in the countryside; that the development genuinely contributes to the outcomes of this Plan; and it meets specific local needs or does not undermine regeneration of the cities or respective settlement. Proposals for development in the countryside should be assessed against the need to avoid suburbanisation of the countryside and unsustainable patterns of travel and development.

2.2.6 TAYplan Policy 4 Homes states that Local Development Plans will plan for the average annual housing supply targets and housing land requirements illustrated in Map 4 to assist in the delivery of the 20 year housing supply target of 38,620 homes between 2016 and 2036. For the first 12 years up to year 2028 the total housing supply target is of 23,172 homes across TAYplan. In the period 2028 to 2036 a housing supply target in the order of 15,448 homes may be required, subject to future plan reviews. To achieve this, Local Development Plans will identify sufficient land within each Housing Market Area to meet the housing land requirement. Policy 4/Map 4 plans for housing supply targets of 1,931 new homes per year across the TAYplan area. This is 23,172 over the first 12 years of this plan (2016-28) and approximately 38,620 homes over the whole 20 year period. Within the TAYplan area of Fife, noted as "North Fife" the housing supply target from 2016 to 2028 is 295 (74 affordable) and the housing land requirement is 325, for the Cupar and North West Fife Housing Market Area (HMA) this equates to a housing supply target of 110 and a housing land requirement of 121

2.2.7 There is a requirement on the Local Development Plan to ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives, including the provision of an appropriate level of affordable housing based on defined local needs. For the whole of the TAYplan area this will be an approximate ratio of 25% affordable to 75% market homes but may vary between housing market areas and Local Authorities.

2.2.8 The Adopted FIFEplan Local Development Plan (2017), Policy 1: (Development Principles) considers that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. 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.

If the proposal does not meet either of the above criteria, 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.

Development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C. In the instance of housing development in the countryside, the proposed development must be appropriate for the location through compliance with the relevant policies; Policies 2 and 7.

2.2.9 Under Part B of Policy 1, development proposals must address their development impact by complying with relevant criteria and supporting policies listed in the plan. In the case of housing proposals, they must 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, and Policy 4 Planning Obligations).

2.2.10 Part C of Policy 1 requires development proposals to be supported by information or assessments which demonstrate that the proposal will comply with criteria and supporting policies relevant to the specific development.

2.2.11 Policy 2 (Homes) of FIFEplan (2017) supports housing development to meet strategic housing land requirements and provide a continuous 5-year effective housing land supply;

- 1. on sites allocated for housing in the Plan; or
- 2. on other sites provided the proposal is compliant with the policies for the location.

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.

Policy 2 additionally sets out that all housing proposals must: meet the requirements for the site identified in the settlement plan tables and relevant site brief; and 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.

2.2.12 With regard to affordable housing development proposals, Policy 2 of FIFEplan (2017) states that 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.

2.2.13 Fife Council's most recent Housing Land Audit (2019) identifies that in the Cupar & North West Fife HMA, there is an expected shortfall of 9 units (all tenure) in the five year housing land supply target (2019-2024). This shortfall was calculated using the housing supply target figures within TAYplan (110 units per annum). In accordance with the recent 'Gladman 2 decision', using TAYplan's housing land requirement figure (121 units per annum), it is recognised that the expected (all tenure) shortfall in the five year land supply increases to 82 units.

2.2.14 Where a housing shortfall is shown to exist, Paragraph 125 of SPP (2014) dictates that paragraphs 32 to 35 become relevant. Paragraph 33 provides that the effect of this shortfall is that the presumption in favour of development becomes a significant material consideration, whilst also requiring that the development contributes to sustainability. Per the interpretation of SPP set out in the 'Gladman 2 decision', housing development which will remedy, to some extent, a housing shortage is something which almost inevitably “contributes to sustainable development”. Whether the development is, in overall terms, a sustainable development is another question, one that involves planning judgement and the use of the ‘tilted balance’. Thus, the above mentioned housing land shortfall a significant material consideration in favour of development. Paragraph 33 goes on to provide that, in such a situation, where the tilted balance is in play, the Planning Authority must take into account any adverse impacts. Each factor will play a part in the determination of whether, overall, the development is to be regarded as being ‘sustainable’. It should be noted that the existence of one or more adverse findings in relation to guiding principles to sustainability (per the SPP) does not prevent the operation of the tilted balance.

2.2.15 As identified through the combined HNDAs (2018-2030), Fife Council's Strategic Housing Investment Plan 2020/21 - 2024/25 identifies that the Cupar and North West Fife has an annualised affordable housing need of 46 units (230 units over the 5 year plan period). The SHIP identifies that 251 units might be delivered over the 5 year plan period; it is noted that the SHIP does include an overprovision of around 25% included to prepare for any slippage in the programme and to take advantage of any additional funding that may be available. The identified 251 units includes the 30 units proposed in this application. The Local Housing Strategy 2020-2022 identifies that the combined TAYplan HMAs (Cupar & North-West Fife, St Andrews & North East Fife and Greater Dundee Fife) require 26% of Fife's overall annual housing requirement which is greater than the 20% of households located within area.

2.2.16 The application site is approximately 1.4ha of land, located partially within and outwith the settlement boundary of Springfield, per FIFEplan (2017). The area of land located within the settlement boundary is allocated in FIFEplan as SPF002, a 0.5ha housing opportunity site with an estimated capacity of 8 units. The development of this allocated site for housing is therefore considered to be acceptable in principle. It is estimated that 6 of the proposed units would be located within the SPF002 site, leaving 24 units proposed to be erected in the countryside. As the proposal is for affordable housing. compliance with Part A of Policy 1 of FIFEplan (2017) is dependent on compliance with Policy 2 (Homes). Springfield has between 200 and 1,000 households within the settlement envelope as defined by the LDP, this means that the proposal for 24 affordable units on the edge of the settlement would comply with the acceptable scale of development set out in Policy 2. The scale of proposed affordable housing development is thus considered to be acceptable for the location, however, to comply wholly with Policy 2 of FIFEplan, the development must meet an identified local housing shortfall, with the applicant demonstrating that no other site are available.

2.2.17 Fife Council's Housing Service have provided information regarding the current housing need in the Local Housing Strategy Area (LHSA) that Springfield sits within (Cupar and Howe of Fife LHSA). Housing Services have advised that the housing mix presented in the planning application has been determined by Fife Council's Housing Services and reflects the needs for affordable housing identified in the Cupar and Howe of Fife LHSA. Furthermore, it is advised that the proposed development has the support of Housing Services and the Scottish Government. The allocation of Scottish Government funding for the proposed development has been identified through the Strategic Housing Investment Plan (SHIP) and the current Strategic Local Programme Agreement (SLPA). Lastly, the Housing Service as advised that there are currently 104 applicants on the Fife Housing Register for the settlement of Springfield. From the developments that Fife Council has programmed within the LHSA (including this application), it is predicted there is still a shortfall of around 170 units for the 10 year need in the area.

2.2.18 Taking all of the above into consideration, the Planning Authority is accepting that there is an established and unmet local need for affordable housing. To comply fully with Policy 2 of FIFEplan (2017), the developer must also demonstrate that there are no alternative brownfield or allocated housing sites available within the settlement boundary. An overview of alternative sites within the settlement envelope of Springfield has been provided by the applicant. The applicant considers two alternative sites:

- **SPF001 Land East of Pennyacre Court:** This housing opportunity site allocated in FIFEplan is estimated to have a capacity of 5 units. The applicant's supporting statements sets out that this site is bounded to the south by the main east coast railway line, whilst there is further industrial activity to the southeast of the railway line. It is contented that the site is subjected to very real concerns which may not be able to be mitigated sufficiently to ensure a satisfactory level of residential amenity to the prospective residents. Further, this site, which is allocated for 5 units, is considered too small to accommodate the required level of housing effectively and efficiently. The Planning Authority is satisfied that this site can be discounted as, whilst a recent approval on the site demonstrated that appropriate design and mitigation can rectify the noise issues identified (20/00278/FULL), it is accepted that it would not be possible to accommodate the 30 units on this site (with no addition land available to extend into the countryside to assist in meeting the identified affordable housing need). Furthermore, with planning permission recently being approved for market 5 units on this site, this is preventative to the applicant from developing this site.
- **SPF 002 Land East of Crawford Park:** This housing site, allocated in FIFEplan with an estimated capacity of 50 units, is currently being developed by another housebuilder following the approval of applications 15/01189/FULL and 16/00610/FULL and is substantially complete. The Planning Authority is satisfied that this site can be discounted.

There are no further allocated housing sites within Springfield. Whilst it is noted that there is an identified 0.6ha area of derelict land to the south of Station Road, it is also recognised that the application site is likewise included on the Vacant and Derelict Land Register and as such, the Planning Authority is satisfied that no additional considerations is required to be given to the Station Road site.

2.2.19 Policy 7 of the Adopted Local Plan stipulates that development in the countryside will be supported where it, amongst other criteria, is for housing in line with Policy 8 (Houses in the Countryside). Additionally, 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. Policy 8 of FIFEplan (2017) only supports



housing in the countryside where it meets certain criteria, these include where there is a shortfall in the 5 year effective housing land supply and the proposal meets the terms of Policy 2 (Homes) or is for small scale affordable housing adjacent to the settlement boundary which meets the terms of Policy 2. Compliance with Policy 8 therefore rests on the proposed development meeting the requirements of Policy 2. As detailed above, as the proposed development complies with Policy 2, it is thus deemed to meet the requirements of Policies 7 and 8 respectively. Policy 8 additionally requires all development in the countryside to be located and designed to protect the overall landscape and environmental quality of the area - this shall be explored in the subsequent sections of this report.

2.2.20 In conclusion, it is accepted by the Planning Authority that there is an identified affordable housing need in the local area which provides support the development of edge of settlement sites for the purposes of affordable housing (Policy 2 of FIFEplan). It is also noted that there is an identified housing shortfall in the relevant LHSA which is a significant material consideration in favour of development. The Planning Authority is satisfied that the proposed development meets the requirements of Policies 1 and 2 of FIFEplan (2017) and subsequently complies with Policies 7 and 8 of FIFEplan (2017). The proposed development is thus considered to be acceptable in principle. The overall acceptability of the development must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report, as advised however, given the housing land shortfall, a 'titled balance' in favour of development exists and must be taken into consideration in the final decision.

## 2.3 DESIGN AND LAYOUT/VISUAL IMPACT

2.3.1 As a result of the settlement edge location, further consideration must be given to the visual impacts of the development. SPP, Designing Streets (2010), TAYplan Strategic Development Plan (2017), FIFEplan Local Development Plan (2017) Policies 1, 7, 10, 13 and 14, and Making Fife's Places Supplementary Guidance (2018) apply with consideration to the design and layout of the proposed development.

2.3.2 SPP paragraph 42 sets out that a pleasant, positive sense of place can be achieved by promoting visual quality, encouraging social and economic interaction and activity, and by considering the place before vehicle movement. Paragraph 194 promotes positive change that maintains and enhances distinctive landscape character. In addition, SPP paragraph 202 states that development should be designed to take account of local landscape character and the potential effects on landscapes, including cumulative effects. The SPP directs Planning Authorities to adopt a precautionary approach when considering landscape impacts, but also to consider the ways in which modifications to a proposal could be made to mitigate the risk (paragraph 204).

2.3.3 Designing Streets (2010) is the Scottish Government's Policy Statement for street design and marks a change in the emphasis of guidance on street design towards place-making and away from a system focused upon the dominance of motor vehicles. This document sets out that street design must consider place before movement, whilst street design is a material consideration in determining planning applications. Street design should meet the six qualities of successful places. Furthermore, it is advised that street design should be based on balanced decision-making and must adopt a multidisciplinary collaborative approach.

2.3.4 TAYplan (2017) Policy 2 aims to deliver better quality development and places which respond to climate change, Local Development Plans, design frameworks masterplans/briefs and development proposals should be:

- a) Place-led;
- b) Active and healthy by design.
- c) Resilient and future-ready; and
- d) Efficient resource consumption.

2.3.5 FIFEplan (2017) Spatial Strategy promotes an increase in Quality of Place through new development in Fife. FIFEplan Policy 1 Part C requires proposals to demonstrate adherence to the six qualities of successful places. Policy 14 provides more detail on these principles of good placemaking, advising that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported. Policy 14 additionally sets out that developments are expected to achieve the six qualities of successful places: distinctive; welcoming; adaptable; resource efficient; safe and pleasant; and, easy to move around. Fife Council will apply the six qualities of successful places in order to assess a proposal's adherence to these principles.

2.3.6 Policy 7 of FIFEplan (2017) advises that development proposals must be of a scale and nature that is compatible with surrounding uses; be well-located in respect of available infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Policy 8 additionally requires all development in the countryside to be located and designed to protect the overall landscape and environmental quality of the area. Policy 10 (Amenity) requires proposals to demonstrate that development would not result in a significant detrimental impact on amenity in relation to visual impact. Policy 13 (Natural Environment and Access) aims to protect natural heritage and access assets and encourages the enhancement of designated sites of local importance, including Local Landscape Areas as well as landscape character and views more generally.

2.3.7 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. It additionally sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how development proposals can be evaluated to ensure compliance with the six qualities of successful places. The Supplementary Guidance also sets out the level of site appraisal an applicant is expected to undertake as part of the design process. This includes consideration of the landscape setting, character and the topography of the site. This consideration is particularly important when determining proposals at the edge of a settlement. The appraisal process may also require an assessment of the townscape character of the site context, where appropriate. Applicants are encouraged to demonstrate that the proposal has followed a robust design process. Making Fife's Places includes an evaluation framework to guide the assessment of the design process undertaken. Appendix B of the Supplementary Guidance sets out the detailed site appraisal considerations in relation to landscape change.

2.3.8 The site is located outwith the settlement boundary, to the north western edge of Springfield, accessed from Crawley Court. An existing track runs along the southern edge of the site which is an established right of way. The western part of the site contains disused agricultural structures that are proposed for demolition. A number of mature trees are present towards the western boundary. A single point of vehicular/pedestrian access is proposed, with the road culminating in a cul-de-sac. Street trees are proposed along the road, with landscaped

build out areas to narrow the road width at key points. In curtilage/private off-street parking spaces for each of the dwellinghouses is proposed.

2.3.9 The applicant has advised that the house types and mix reflect the requirements of Fife Council. In their consultation response, Fife Council's Housing Officers confirmed that the proposed mix, including amenity bungalows, is acceptable. A mixture of single and two storey properties are proposed, all of which would be semi-detached. Each property would be setback behind front garden areas, each of which would be contained by low hedges. The layout and set back of properties have been staggered to ensure that each semi-detached block is interpreted individually and forms a more aesthetically informal streetscape. The submitted design statement contends that this less formal layout reflects the character of settlement edge location of the site and allows for more street planting/trees. The housing mix has been distributed throughout the site, i.e. the single storey amenity units have not been grouped together. The proposed finishing materials would comprise concrete roof tiles (alternating between red and grey), white smooth finish rendered walls, timber effect composite cladding, off red coloured brick basecourses, white uPVC (tilt and turn) windows, soffits and eaves, uPVC doors (various colours) and black uPVC rainwater goods. This simple palette of materials, as well as the setback positioning and semi-detached design of the properties, is considered to be sympathetic to the specific context of this site and its residential surroundings which is characterised by uniformly designed (linear) rendered semi-detached and terraced units. Though the use of finishing materials, variety in the house types/sizes and the orientation of properties, it is considered that the layout of the proposed development would avoid excessive uniformity.

2.3.10 The Council's Urban Design Officer was consulted on this application where they advised that a single point of vehicular access (with no additional pedestrian access) is not in line with current Designing Streets and 'East to Move Around' recommendations which advocates multiple access points to ensure new developments are well connected to the existing built up area in order to promote social inclusion. Nevertheless, whilst the connectivity concerns of the Urban Design Officer are noted, recognising that Policy 2 of FIFEplan supports affordable housing developments on the edge of settlements, and given the small number of units proposed can often make it challenging to provide more than one access point where the proposed development is only bounded by existing development on one side, it is considered that the need for multiple vehicular access points can be set aside on this occasion. Additionally, it is considered that the application site is well located to local amenities, whilst there would be little benefit to providing additional points of (vehicular or pedestrian) access given the restrictive design of the existing road/footpath network surrounding the site, i.e. an additional road/footpath link would still require one to travel back along Crawley Court and down Crawley Crescent to gain access to the remainder of the settlement and beyond.

2.3.11 In their initial consultation response, the Urban Design Officer additionally raised concerns regarding how the proposed development responds to its edge of settlement location and how it facilitates a rural to urban transition (including views into the site). The Urban Design Officer recommended that more be done to ensure the development was outward facing to the countryside, whilst also overlooking the right of way in place to the south and east. Whilst some amendments were presented in the revised site layout, including the addition of enhanced boundary landscaping, this did not wholly satisfy the Urban Design Officer's concerns. Nevertheless, it is considered on this occasion that as views of the site from the countryside and on approach to the settlement from the north are limited – only fleeting views, if any, would be available from the road network – the need for the proposed development to act as a transition from the countryside to the urban environment is not as essential as described by the Urban Design Officer. Through the general architectural design, finishing materials and layout of the

proposed dwellings, it is considered that the proposed development would appear as a natural extension to the settlement. There is a core path running east/west to the north of the site, however this path has been formed through a woodland area and is located approximately 250m from the site boundary, meaning the proposed development would have little to no impression on views from the core path network against the existing backdrop of the settlement. With regard to the claimed right of way route which runs along the southern site boundary before veering north, it is important to consider how the settlement currently facilitates the rural to urban transition. In this regard, the northern and eastern settlement boundaries of Springfield are largely framed by the rear of dwellinghouses set behind long rear gardens enclosed by timber fences. It is thus considered that the orientation of the proposed dwellinghouses to the countryside would be acceptable on this occasion. The use of proposed hedgerow boundary treatments is considered to be a betterment than the timber fences which typically enclose properties at this location.

2.3.12 Lastly, in assessing the urban realm, it is considered that the proposed development would provide a positive and safe environment for future residents and visitors. At the recommendation of the Planning Authority, the proposed development has been altered since the initial submission, with street trees and landscaped build outs to reduce the speed of vehicles and the visual dominance of parked cars reduced by providing side of house parking throughout. Front garden areas would be contained by low hedges to provide a clear distinction between public and private spaces and encourage the usability of these spaces by residents. The development overall would have a green and open feel to it, with the SuDS pond, trees and open space area forming the entrance to the site. Despite featuring a cul-de-sac layout, it is considered on this occasion that the road design, footway width, extensive planting and location of open space would ensure a pedestrian friendly environment existed.

2.3.13 Overall, it is considered that the general form, massing, layout and architectural style, as well as the mix of house types, of the proposed units are considered to be acceptable in this location, whilst the proposed landscaping, street trees and area of open space would give a sense of identity to development. Through its design and layout, the proposed development is thus considered to be acceptable for its location at the edge of the settlement boundary and is therefore supported by the Planning Authority in accordance with the aforementioned development policies, supplementary guidance and design guidance documents.

## 2.4 RESIDENTIAL AMENITY

2.4.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017), Planning Advice Note (PAN) 1/2011: Planning and Noise and Fife Council Customer Guidelines on Daylight and Sunlight (2018), Minimum Distances between Window Openings (2011) and Garden Ground (2016) apply with regard to the consideration of residential amenity.

2.4.2 The above FIFEplan policies and guidance 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 in terms of their relationship to existing properties, and that they should not adversely affect the privacy and amenity of neighbours with regard to the loss of privacy; sunlight and daylight; and noise, light and odour pollution.

2.4.3 PAN 1/2011 promotes the principle of how noise issues should be taken into consideration with determining an application. The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It is recommended that Environmental Health Officers and/or professional acousticians should be involved in development proposals which are likely to have significant adverse noise impacts or be affected by existing noisy developments. The PAN recommends that Noise Impact Assessments (NIAs)/acoustic reports are submitted to aid the planning authority in the consideration of planning applications that raise significant noise issues. The purpose of a NIA is to demonstrate whether any significant adverse noise impacts are likely to occur and if so, identify what effective measures could reduce, control and mitigate the noise impact.

2.4.4 As per Fife Council Customer Guidelines on Daylight and Sunlight (2018), sunlight is considered to be the rays of light directly from the sun from a southerly direction, whereas daylight is the diffuse light from the sky that can come from any direction. The guidance considers these two forms of natural light as follows; sunlight received by residential properties' main amenity spaces; and daylight received by neighbouring windows serving habitable rooms. The guidance details the 25 degree and 45 degree assessment to measure the impact of loss daylight as a consequence of a development. This guidance additionally states that proposed developments should allow for the centre point of neighbouring properties' amenity spaces to continue to receive more than two hours of sunlight (calculated on 21st March). Fife Council's Minimum Distance between Window Openings (2011) guidance advises that there should be a minimum of 18 metres distance between windows that directly face each other, however, this distance reduces where the angle between the windows increases. If there is a road or pavement between the existing and proposed properties, or a permanent high barrier, the distances can be less.

2.4.5 Fife Council's Planning Customer Guidelines on Garden Ground advises that all new detached and semi-detached dwellings should be served by a minimum of 100 square metres of private useable garden space; with 50 square metres for terrace properties; and that a building footprint to garden space ratio of 1:3 is required. Flats must be set in, or have at least 50 square metres of private garden for each flat. Garden ground provision does not include space for garages, parking or manoeuvring vehicles.

2.4.6 The proposed development is located on the edge of the defined settlement envelope of Springfield (FIFEplan, 2017), adjacent the residential properties of Main Street and Crawley Court. The land to the north and east of the application site is farmland. With regard to noise, light and odour pollution, given the nature of the proposed development and character of the surroundings, it is determined that the proposed dwellings would not give rise to significantly adverse pollution impacts for existing neighbouring properties, nor would the development be adversely impacted by its surroundings. Fife Council Environmental Health Officers were consulted on this development where they advised they had no concerns regarding the proposed development, however, did request a Scheme of Works be submitted to detail how neighbouring residential properties would be protected during the construction phase. A condition has been included to ensure this.

2.4.7 With regard to privacy/window-to-windows distances within the site, the proposed development has been laid out in such a way to either meet the minimum distances/angles recommended in the Fife Council Customer Guidelines, or makes use of intervening roads, street trees or obscurely glazed gable windows to prevent direct views between windows and into private garden areas. Additionally, it is calculated that, given the distance between the proposed dwellings (as well as area of open space) and existing properties, with intervening

boundary treatments, the privacy of neighbouring properties would not be adversely impacted by the development. Furthermore, the layout of the proposed development would ensure that the habitable rooms of each dwelling would receive adequate daylight, whilst neighbouring residential properties would not experience a loss of daylight. Lastly, given the layout of the proposed development, path of the sun and position of neighbouring amenity spaces, it is considered that neighbouring properties would not be subjected to material loss of sunlight.

2.4.8 Lastly, with regard to garden ground provision, each of the proposed dwellinghouses would be served by an area of private amenity space greater than 100 square metres. Additionally, with the exception of the two bedroom wheelchair accessible bungalows, each of the proposed dwellinghouses would meet the Council's recommended 1:3 plot ratio. With the additional floor space to accommodate a wheelchair accessible bungalow, the Planning Authority is prepared to relax the plot ratio recommendations for these plots. The proposed development is therefore considered to be acceptable with regard to garden ground provision.

2.4.9 In conclusion, the proposed residential development would not give rise to, or be subjected to adverse pollution, privacy or overshadowing concerns. The proposed development would be provided with an acceptable level of garden ground for each unit, and open space provision. The proposed development is thus considered to comply with Policies 1 and 10 of FIFEplan Local Development Plan (2017).

## 2.5 LOW CARBON FIFE

2.5.1 Fife Council promotes sustainable development and consideration of this is set out within Policies 1 and 11 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018) and the Fife Council Low Carbon Fife Supplementary Guidance (January 2019).

2.5.2 FIFEplan Policy 11: Low Carbon states that planning permission will only be granted for new development where it has been demonstrated that: 1. The proposal meets the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards), and that low and zero carbon generating technologies will contribute at least 15% of these savings from 2016 and at least 20% from 2020; 2. Construction materials come from local or sustainable sources; 3. Water conservation measures are in place; 4. Sustainable urban drainage measures will ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment; and 5. Facilities are provided for the separate collection of dry recyclable waste and food waste.

2.5.3 The Fife Council Low Carbon Fife Supplementary Guidance (January, 2019) provides that applications for local developments are required to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into the proposal. Appendix B of this guidance provides a Low Carbon Sustainability Checklist which must be completed and submitted with all planning applications.

2.5.4 Information required by Fife Council's Low Carbon Sustainability Checklist for Planning Applications has been submitted as part of this application. The information submitted details that the proposed development would contain solar PV panels, whilst the generally north-south orientation would allow properties to benefit from natural solar gain. The information submitted details that the proposed development would adopt a 'fabric first' approach, making use of high levels of insulation to minimise heat loss. This approach would reduce the energy consumption of the dwellings to a minimum, with the small amount of energy required to heat the buildings

partly produced using low carbon technologies, namely solar PV panels. Energy efficient gas condensing boilers and LED lights are also proposed. There would be sufficient internal and external spaces for the storage of mixed recycling facilities consistent with current Building Standards - it is noted that the submitted document refers to 'Dundee City Council' standards, however this typo is not considered to invalidate the submission. Local building materials are proposed, with pre-fabricated timber panels to be erected on site to reduce construction waste on site; this approach is supported by the Planning Authority. With regard to travel and transport, it is acknowledged that the application site is located within close proximity to bus stops along Main Street and is within walking distance to local amenities, including the primary school.

2.5.5 In conclusion, it is considered that the proposed development, through its fabric first design, solar PV panels and local building materials, would comply with the above noted FIFEplan policies and Supplementary Guidance with respect to sustainability.

## 2.6 TRANSPORTATION/ROAD SAFETY

2.6.1 SPP, Policies 1, 3 and 10 of the Adopted FIFEplan Local Development Plan (2017), Fife Council Transportation Development Guidelines (contained within Making Fife's Places Supplementary Guidance) and Scottish Government Designing Streets (2010) apply with regard to this proposal.

2.6.2 The national context for the assessment of the impact of new developments on transportation infrastructure is set out in SPP (A connected Place). The SPP (Promoting Sustainable Transport and Active Travel) indicates that the planning system should support patterns of development which optimise the use of existing infrastructure and reduce the need to travel. The overarching aim of this document is to encourage a shift to more sustainable forms of transport and reduce the reliance on the car. Planning permission should also be resisted if the development would have a significant impact on the strategic road network. The design of all new development should follow the place-making approach set out in the SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and easy to move around and beyond.

2.6.3 Policy 1 of FIFEplan states that development proposals must provide the required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 of FIFEplan advises that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments.

2.6.4 Designing Streets is the Scottish Government's policy statement for street design. The premise upon which the document is based is that good street design should derive from an intelligent response to location, rather than the rigid application of standards, regardless of context. Designing Streets does not, thus, support a standards-based methodology for street design but instead requires a design-led approach that assists to create a sense of place for users. Designing Streets advocates that new development should have multiple access points to connect the proposed development to existing settlement, rather than creating a stand-alone development with poor connectivity to the existing built up area.

2.6.5 This application is for the construction of 30 affordable dwellings on land at Springfield East Farm, with a single vehicular access point proposed, taken from the bend at Crawley Court. A mixture of 2, 3 and 4 bedroom properties are proposed, including wheelchair accessible bungalows. In curtilage/private off-street parking spaces for each of the dwellinghouses is proposed. The proposed layout would comprise of a road with pedestrian footways on either side, with landscaping and tree planting located at points along the road to narrow its width. The application site is within walking distance of a number of bus stops on Main Street, the local Primary School, areas of protected open space, Springfield Train Station (approximately 1.15km) and Springfield's defined local shopping centre (FIFEplan, 2017), reducing the need for car dependence.

2.6.6 Fife Council's Transportation Development Management (TDM) Officers were consulted on this application, where much like the Urban Design Officer, advised that a single point of vehicular access is not in line with current Designing Streets recommendations which advocates multiple access points to ensure new developments are well connected to the existing built up area in order to promote social inclusion. Nevertheless, recognising that Policy 2 of FIFEplan supports affordable housing developments on the edge of settlements, and given the small number of units proposed can often make it challenging to provide more than one access point where the proposed development is only bounded by existing development on one side, TDM confirmed that they were willing set aside a request of multiple vehicular access points on this occasion.

2.6.7 The letters of objection submitted to Fife Council raise concern that the proposed cul-de-sac layout of the site would provide access to future phases of development. Whilst these concerns are noted, should an application be submitted in the future for additional phases of development, these applications would be assessed on their own merits, with one of the key considerations being whether the currently proposed single point of access would be suitable to serve additional developments. Objectors also raise concern regarding the future usability of the row of lockup garages located next to the site entrance. In response to these concerns, a condition has been included in this recommendation which requires this information to be provided by the developer prior to any works starting on site.

2.6.8 An existing pedestrian right of way runs from Main Street along the southern boundary of the site, running approximately 530 metres to the east of the site before veering north. The track is unmade. It had been hoped by TDM that the track could have been upgraded/resurfaced between Main Street and the application site to provide a pedestrian access, however the applicant has advised that they, nor the current landowner, have no control over this land and therefore cannot make improvements to it. Notwithstanding this, it is noted that the right of way will not be compromised as a result of proposed development. Whilst the proposed access road would cut across the route, this would not have any impact on pedestrians making use of the right of way, with only the surface material of the route changing for a short distance. Access to the route may be affected over a short length of time while the road crossing is being constructed. To ensure this is not to the detriment of users of the route, a condition is included for details of an alternative route to be provided during the construction period.

2.6.9 Following initial comments on the proposed layout by the Planning Authority, a revised layout was submitted, with landscaping, street trees and a build out added in an attempt to slow traffic. This is considered to be an improvement in both road safety and urban design terms, however it was noted by TDM Officers that the revisions to the road layout reduced the manoeuvring space for vehicles when entering and exiting some driveways. To ensure each of



the proposed driveways would be useable and safe, a condition has been recommended by TDM for swept paths to be submitted prior to the commencement of works.

2.6.10 Off-street parking has been proposed in accordance with the standards set out in the current Transportation Development Guidelines. Additionally, with driveways being located at the side of most properties, this would not only reduce the visual dominance of cars within the development site, but also provide space for visitor parking. TDM have confirmed their satisfaction with the proposed off-street parking arrangements, recommending a condition to ensure the spaces are provided for each property.

2.6.11 In conclusion, the proposed road layout and single point of vehicular access are considered to be acceptable on this occasion given the scale of the development. The proposed development would not give rise to adverse road safety concerns, nor disrupt the claimed right of way which passes through the site. The proposed development is thus considered to be acceptable with regard to transportation and road safety considerations.

## 2.7 LOSS OF PRIME AGRICULTURAL LAND

2.7.1 SPP (Promoting Rural Development) and Policies 1 and 7 of FIFEplan Local Development Plan (2017) apply with regard to the loss of prime agricultural land.

2.7.2 SPP (Promoting Rural Development) recommends that development on prime agricultural land, or land of lesser quality that is locally important should not be permitted except where it is essential:

- o 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; or
- o for small-scale development directly linked to a rural business; or
- o for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status.

2.7.3 Policy 1 of FIFEplan sets out that in the case of proposals in the countryside or green belt, development must be a use appropriate for its location. Policy 7 sets out that development on prime agricultural land will not be supported except where it complies with the requirements of SPP.

2.7.4 The application site is classified under the James Hutton Institute's land capability map for agriculture as class 3.1 agricultural land (considered to be prime). As discussed previously in this response, as the proposed development would be for affordable housing in an area where there is an established need, it is considered that proposed development would comply with the requirements of SPP and Policy 7 of FIFEplan with regard to development of prime agricultural land.

2.7.5 In conclusion, as the proposed development would meet an established need for affordable housing, it is considered that the loss of prime agricultural land would be acceptable on this occasion.

## 2.8 FLOODING AND DRAINAGE

2.8.1 SPP (Managing Flood Risk and Drainage, Policies 1, 3 and 12 of FIFEplan Local Development Plan (2017), the Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2021) and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) are taken into consideration with regard to drainage and infrastructure of development proposals.

2.8.2 The SPP (Managing Flood Risk and Drainage) indicates that the planning system should promote a precautionary approach to flood risk taking account of the predicted effects of climate change; flood avoidance by safeguarding flood storage and conveying capacity; locating development away from functional flood plains and medium to high risk areas; flood reduction: assessing flood risk and, where appropriate, undertaking flood management measures. Development should avoid an increase in surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

2.8.3 Policy 3 of the FIFEplan (2017) states that development proposals must incorporate measures to ensure that they would be served by adequate infrastructure and services; including foul and surface water drainage, and SuDS. Policy 12 of FIFEplan states that development proposals will only be supported where they can demonstrate compliance with a number of criteria, including 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. The Council's 'Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note' sets out the Council's requirements for information to be submitted for full planning permission to ensure compliance. Finally, CAR requires that SuDS are installed for all new development, with the exception of runoff from a single dwellinghouse or discharge to coastal waters.

2.8.4 Per the most recent SEPA flood maps, the application site is not identified as being a flood risk area. The development is of a size that requires attenuation of storm water, a SuDS and forward flow restriction. To manage surface water, it is proposed to install a detention basin within the area of open space at the western site boundary. The circular basin would be contained by gabion baskets, featuring grass and native species planting. The surface water at the site shall fall under gravity into infiltration pond - the pond is constructed below existing ground level. The size of the basin has been advised as being sufficient to meet the restricted forward flow parameters of the development. Appropriate calculations and signed design and check certificates have been submitted as part of this application. The SuDS would be adopted and maintained by Fife Council. A foul drainage connection to the existing Scottish Water network is proposed – Scottish Water consent shall be required. Upon review of the surface water drainage proposals (and information), Fife Council's Structural Services Officers confirmed that they had no comments or concerns to raise. The proposed SuDS is therefore considered to be acceptable. A condition is recommended to secure its construction.

2.8.5 In conclusion, it is calculated that the proposed development would not give rise to an increase in flood risk, whilst the modelling and calculations presented for the proposed drainage arrangements confirm that there is sufficient capacity to accommodate the development. Additionally, the design of the proposed SuDS on site to accommodate surface water runoff is considered to be acceptable. The proposed development is therefore considered to comply with the requirements of aforementioned FIFEplan policies, national legislation and local guidance.

## 2.9 CONTAMINATED LAND

2.9.1 PAN 33: Development of Contaminated Land (2000), PAN 51: Planning, Environmental Protection and Regulation (2006) and Policies 1 and 10 of FIFEplan Local Plan (2017) apply with regards to land stability in this instance.

2.9.2 PAN 33 advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use. PAN 51 aims to support the existing policy on the role of the planning system in relation to environmental protection regimes as set out in the SPP. Policy 10 of FIFEplan advises development proposals involving sites where land instability or the presence of contamination is suspected, the developer is required to submit details of site investigation to assess the nature and extent of any risks presented by land stability or contamination which may be present and where risks are known to be present, appropriate mitigation measures should be agreed with the Council.

2.9.3 The application site is identified as having previously been occupied by a quarry (potentially in-filled), farm buildings and an above-ground storage tank. Upon their review of the proposed development, Fife Council's Land and Air Quality Officers recommended that an appropriate contaminated land site-specific risk assessment would be required to ensure the site would be developed safely. 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. Given the former agricultural use of the site, Land and Air Quality Officers set out additional parameters which the necessary risk assessment should consider. To ensure the necessary assessments are undertaken and submitted to the Council for comment, appropriate conditions are included in the recommendation.

2.9.4 Overall, given the previous uses of the site, it is considered that there is potential for ground contamination to exist. Conditions are included in the recommendation to ensure the site conditions are properly investigated and any contamination remediated prior the commencement of works.

## 2.10 NATURAL HERITAGE AND TREES

2.10.1 Policies 1, 10 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018), Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), Wildlife and Countryside Act 1981 (as amended), Wildlife and Natural Environment (Scotland) Act (2011), Nature Conservation Scotland Act 2004 (as amended), BS 5837:2012 Trees in relation to Design, Demolition and Construction and Bat Conservation Trust Publication on Bat Surveys for Professional Ecologists (2016) apply in this instance with regard to natural heritage protection.

2.10.2 Policy 13 of the FIFEplan (2017) states that where a proposed development will only be supported where they protect or enhance natural heritage assets, including trees which have a landscape, amenity or nature conservation value. Where adverse impacts on existing assets are unavoidable the Planning Authority will only support proposals where these impacts will be satisfactorily mitigated. Development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets, as detailed in Making Fife's Places Supplementary Guidance. Where the proposed development would potentially impact on natural

heritage assets (including species), a detailed study must be undertaken by a suitably qualified person detailing the potential impact of the development.

2.10.3 Making Fife's Places Proposed Supplementary Guidance Document (2017) details that where large semi-mature/mature trees are present on and adjacent to a development site, distances greater than the British Standard will be expected and no new buildings or gardens should be built within the falling distance of the tree at its final canopy height. The purpose of the stipulation within Making Fife's Places Supplementary Guidance with regard to development within the falling distance of trees is primarily to safeguard the health of trees and make sure that trees are retained on site in the long-term. By ensuring that new developments are located outwith the falling distance of semi-mature/mature trees, this significantly reduces the future possibility of trees (regardless of whether or not they are protected) being pruned back or felled in the interests of residential amenity given the perceived (and actual) threat of trees (or large branches) falling which accompanies living in close proximity of large trees. BS 5837:2012 Trees in relation to Design, Demolition and Construction provides advice on the formation of hard surfaces within the Root Protection Areas (RPAs) of trees, suggesting the use of appropriate sub-base options such as three-dimensional cellular confinement systems.

2.10.4 Bat Conservation Trust Publication on Bat Surveys for Professional Ecologists (2016) sets out a planning trigger list for development situations where bats are likely to be encountered and therefore where it is most likely that a bat survey will be required.

2.10.5 The application site is predominately agricultural land, enclosed by trees. Reports on Habitat and Protected Species, Bat Survey and Recommendations for Biodiversity Enhancement have been submitted in support of this application. The Bat survey found no evidence of bat roosts and negligible bat roost potential in the buildings within the site. The Habitat and Protected Species Report describes that all but one tree having negligible or low bat roost potential, being mostly young trees and saplings. A more detailed survey was undertaken of the mature tree with medium potential, but no evidence of bats was found. If tree works or felling is required, then further survey for bats has been recommended prior to the works. Fife Council's Natural Heritage Officer was consulted on the submitted bat information, raising no concerns with the methodologies set out in the reports, nor their conclusions. Giving regard to the findings of the habitat and bat surveys, and the comments of the Natural Heritage Officer, it is concluded that the proposed development is unlikely to have an adverse impact on bats. As tree felling is proposed however, a condition is recommended to ensure a follow up survey is undertaken prior to the felling of any trees.

2.10.6 Habitat within and bordering the site comprised mainly mature trees along the western edge, a hawthorn hedge, scattered trees, and tall ruderal species especially around the buildings. Apart from breeding birds, no other protected species or evidence of them was found. As recommended by the Natural Heritage Officer, a condition is included to ensure no tree felling takes place during the bird breeding season.

2.10.7 The Recommendations for Biodiversity Enhancement report makes several planting recommendations, whilst also recommending the provision of bird and bat boxes (both integrated into buildings and on retained trees). Whilst the proposed planting has been specified on the submitted landscaping plan, no information regarding the proposed bat and bird boxes has been included. A condition is therefore recommended which sets the requirement for the bat and bird boxes to be installed on site, in locations agreed by the Planning Authority, prior to the occupation of the dwellings.

2.10.8 The submitted landscaping plan proposes a beech hedgerow to be planted along the north and south site boundaries. Whilst native hedgerows are appropriate, the Natural Heritage Officer has recommended that they should be species rich to encourage biodiversity enhancement, recommending that hawthorn, blackthorn, elder, rose or holly be considered. In this regard, a condition has been included for a revised landscaping plan to be submitted to encourage biodiversity enhancement. The Natural Heritage Officer also recommended that the proposed SuDS pond be design as a natural landscaped feature. Whilst it is proposed to include gabion baskets within the SuDS area which would reduce the 'natural feel' of the area, the gabion baskets are necessary to achieve to necessary retention/ground levels to enable the SuDS to function correctly. It is also noted that it is proposed SuDS area would be planted with wildflower grass mix, with its incorporation into the area of open space at the site entrance allowing for an overall welcoming and green transition into the site.

2.10.9 With regard to tree falling distance, by locating the SuDS and open space areas to the west of the site, the proposed dwellinghouses would not be at risk from existing semi-mature and mature trees at the western extent of the site.

2.10.10 Tree felling is proposed at the site entrance and within the western corner of the site to facilitate development, however it is not clear how many of the trees require to be removed. No trees within or adjacent the application site are protected. The loss of the trees at the entrance to the allocated development site is generally supported by the Planning Authority. Prior to the commencement of works, a condition is recommended for the applicant to survey all trees within and adjacent the application site and agree with the Planning Authority those which are to be felled. A condition is also included to ensure that retained trees shall be suitably protected during construction works. Similar conditions were included on the 2006 outline planning permission. An additional condition is also recommended to ensure that the required updated landscaping plan (referred to above) be submitted following the tree survey to account for any additional tree planting the Planning Authority may deem appropriate to compensate for the proposed felling.

2.10.11 In conclusion, the proposed development is not considered to raise any adverse natural heritage impacts, whilst the loss of trees to facilitate development is considered to be acceptable on this occasion. Conditions are included in the recommendation to ensure appropriate compensatory measures are included as part of the development.

## 2.11 AFFORDABLE HOUSING

2.11.1 PAN 2/2010: Affordable Housing and Housing Land Audits, Policies 1 and 2 of FIFEplan and Fife Council's Approved Supplementary Guidance on Affordable Housing (2018) will be taken into consideration with regard to affordable housing provision.

2.11.2 PAN 2/2010: Affordable Housing and Housing Land Audits provides advice on how the planning system can support the Government's commitment to increase the supply of affordable housing. Policy 1 of FIFEplan (2017) states that development proposals must meet the requirements for affordable housing. Policy 2 of FIFEplan sets out that open market housing developments must provide affordable housing at the levels for each Housing Market Area (HMA), consistent with the Affordable Housing Supplementary Guidance. Such affordable housing units must be fully integrated into development sites and be indistinguishable from other housing types. In order to achieve mixed and balanced communities, mixed tenure developments will be promoted. Off-site contributions shall be sought for developments comprising of 10-19 units in urban areas. Fife Council's Supplementary Guidance on Affordable Housing (2018) sets out that housing proposals must accord with the Fife Local Housing

Strategy (2015-2020). The Supplementary Guidance further sets out that affordable housing units provided on site should be fully integrated into the development and be visually indistinguishable from market housing, with an approximate density of 30 units per hectare.

2.11.3 Policy 2 sets out affordable housing contributions will not be sought for development proposals for open market housing which involve: fewer than 10 houses in total; remediation of contaminated land; redevelopment of long term vacant or derelict land; or building conversions where it can be demonstrated that the contribution to affordable housing would make the conversion unviable. The Supplementary Guidance provides further clarity on these matters. As per Policy 2 and the Supplementary Guidance, housing developments in the Cupar HMA are expected to provide an affordable housing contribution of 20% of the total number of units proposed.

2.11.4 Fife Council's Housing and Neighbourhood Service reviewed the application and confirmed that the development of the site for affordable housing was consistent with the Fife Strategic Housing Investment Programme. The mix and types of homes proposed has been agreed with applicant and the Council's Housing team. There is no need for additional affordable housing to be provided. The allocation of Scottish Government funding for this project has been planned through the Strategic Housing Investment Plan (SHIP) and Strategic Local Programme (SLP).

2.11.5 The proposals therefore comply with Policy 2 and the associated supplementary guidance with regard to affordable housing. In order to ensure that the homes are made available for those eligible for affordable housing, and to ensure no homes are available for private sale, a planning condition has been included in the recommendation.

2.11.6 In conclusion, as the proposed development is for affordable housing, the mix and type of which has been agreed with Housing Services, there is no requirement for the applicant to provide additional affordable housing contributions.

## 2.12 DEVELOPER CONTRIBUTIONS

2.12.1 Policies 1 and 4 of FIFEplan Local Development Plan (2017), Fife Council's Planning Obligations Framework Supplementary Guidance (2017) and Circular 3/2012: Planning Obligations and Good Neighbour Agreements, apply with regard to the planning obligations required of developments.

2.12.2 Circular 3/2012: Planning Obligations and Good Neighbour Agreements sets out Scottish Government expectations on the role planning obligations will play in addressing the infrastructure impacts of new development. The circular requires that planning obligations meet all of the five tests as set out in paragraphs 14-25 of the circular. A planning obligation should be necessary to make the proposed development acceptable in planning terms; serve a planning purpose and where it is possible to identify infrastructure provision requirements in advance, should relate to development plans; relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area; fairly and reasonably relate in scale and kind to the proposed development and be reasonable in all other respects.

2.12.3 Policy 1, Part B, of the FIFEplan advises that development proposal must mitigate against the loss of infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure. Policy 4 of the FIFEplan advises that developer contributions will be required from development if it will have an adverse impact on strategic infrastructure capacity or have an adverse community impact. Policy 4 also states that developments will be exempt from these obligations if they proposals for affordable housing.

2.12.4 Fife Council's Planning Obligations Supplementary Guidance (2017) advises that planning obligations will be requested by Fife Council as Planning Authority to address impacts arising from proposed development activity consistent with the tests set out in Circular 3/2012. The guidance sets out when planning obligations will be sought, where exemptions will apply and how methodologies will be applied when considering the impact a proposed development may have on existing infrastructure. The priorities to be addressed are educational provision, transport, affordable housing development, greenspace, public art and employment land. This document, approved by Fife Council's Executive Committee, provides up to date calculations and methodologies with regard to existing infrastructure.

2.12.5 Policy 4 of FIFEplan (2017) and Fife Council's Planning Obligations Supplementary Guidance (2017) also advises that planning obligations will not be sought for (amongst others) Town Centre redevelopment, development of brownfield sites (previously developed land) or development of affordable housing. The Supplementary Guidance (2017) further sets out that where a proposed development would create a critical infrastructure capacity issue, particularly in terms of the primary school estate, contributions may still be required.

2.12.6 Section 3.3 of Fife Council's Planning Obligations Supplementary Guidance (2017) sets out that developer contributions will be calculated on the basis of whole sites identified in the Local Development Plan. Applications for parts of allocated sites will pay a proportion of the total site contributions. The matter relating to the impact the proposed development would have on current infrastructure are considered in detail below.

## 2.12.7 DEVELOPER CONTRIBUTIONS: EDUCATION

2.12.7.1 The Planning Obligations Supplementary Guidance (2017) advises that new residential developments across Fife will have an impact on the school estate and certain types of development will be required to provide education contributions where there is a shortfall in local school capacity. These contributions will only be required when the need for additional school capacity is brought about directly through the impact of the development and these obligations will take the form of either direct school and nursery provision or financial contributions towards the cost of creating additional capacity for increased pupil numbers. Affordable housing is exempt from contributions towards education unless there is a critical capacity risk within a school in the catchment. Critical capacity is defined as where there is an expected shortage of school places within two years from the date of the education assessment, due to the cumulative impact of development within the relevant school catchment. In these instances, where critical capacity is an issue, the Council may have to refuse an application unless the capacity issue can be addressed through the provision of planning obligations in line with the methodologies included in the Planning Obligations Framework Supplementary Guidance (2017).

2.12.7.2 The application site is located in the catchment area for: Springfield Primary School; St Columba's Roman Catholic Primary School; Bell Baxter High School; and St Andrew's Roman Catholic High School. In accordance with Fife Council Planning Obligations Framework Supplementary Guidance 2017, planning obligations may be required for affordable housing

developments to contribute towards additional school capacity where there is a critical capacity risk at a school within the catchment. Education Services were consulted on this application to assess and provide comment on the impact on catchment schools. Education Services have used a first completion date of 2022 to assess impacts.

2.12.7.3 Projected school pupil numbers and subsequent school capacity risks are based on the impact of known effective housing sites and their expected annual completion rates. Where a planning application proposes development that is different to that detailed in the HLA, it is likely that the impact on school places will also be different, particularly where new or previously non effective sites are progressed; work does not start when expected or more houses are completed each year, even if the same number of houses are built overall. The cumulative impact on school rolls is based on development sites in these catchment areas. On this occasion, there are no additional applications with the locale to consider, however Education Services have taken consideration of recently submitted pre-application for 30 units in Springfield into their calculations.

2.12.7.4 From their assessment, Education Services have concluded that based on the available information and proposed house completion rates at this time, the proposed development is not expected to create or contribute to a critical capacity risk at the schools within the catchment area of the development site. Education Services have provided the following assessment of each of the schools:

#### Springfield Primary School

At the Pupil Census there were 70 pupils on the school roll organised in 3 classes in accordance with class size regulations. The school has 4 class areas available which provide capacity for a maximum of 75 pupils, only if all classes are 100% full at all stages across the school. School roll projections indicate that there is currently a risk that Springfield Primary School will need more class areas than are currently available, however, as this capacity issue is not expected within the two years and as the proposed development is for affordable housing, per the Planning Obligations Framework Supplementary Guidance (2017), there is no requirement for the applicant to provide financial contributes towards education infrastructure.

#### Bell Baxter High School

At the Pupil Census there were 1459 pupils on the school roll and the school as capacity for a total of 1696 pupils. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently no capacity risk expected at Bell Baxter High School.

#### St Columba's Roman Catholic Primary School

At the Pupil Census there were 237 pupils on the school roll, organised in 9 classes in accordance with class size regulations. The school has 10 class areas available which would provide capacity for a maximum of 292 pupils, only if all classes are 100% full at all stages across the school. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently no capacity risk expected at St Columba's Roman Catholic Primary School.

#### St Andrew's Roman Catholic High School

At the Pupil Census there were 802 pupils on the school roll and the school has a maximum capacity for 1137 pupils. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently no capacity risk expected at St Andrew's Roman Catholic High School.



### Cupar local nursery area

From August 2020 the Scottish Government and Fife Council is committed to increasing the funded entitlement to Early Learning & Childcare for all 3-4 year olds, and eligible 2 year olds from 600 hours to 1140 hours. This development site was not factored into the programme to deliver the Scottish Government's expansion of 1140 hours for nursery pupils when implemented in 2016, however a review of the capacity across the nursery local area has indicated there are sufficient nursery places to accommodate this development.

2.12.7.5 From the assessment undertaken by Education Services, it is concluded that the proposed affordable housing development would be exempt from providing financial contributions towards education infrastructure as the capacity issue identified at Springfield Primary School is not considered to be critical (per the definition in the Planning Obligations Framework Supplementary Guidance).

## 2.12.8 DEVELOPER CONTRIBUTIONS: OPEN SPACE AND PLAY AREAS

2.12.8.1 Policy 1 (Part C, criterion 4) of the FIFEplan requires proposals to provide green infrastructure in accordance with the Green Network Map. Policy 3 of FIFEplan (2017) ensures that new development makes provision for infrastructure requirements to support new development; including green infrastructure and green network requirements such as open space and amenity space. As detailed in The Planning Obligations Supplementary Guidance (2017), open space provides one part of the strategic green infrastructure requirement for a site, it is space designed for people to undertake recreational activity. Green infrastructure also includes structural landscaping, amenity planting, sustainable drainage systems, paths, and community growing spaces.

2.12.8.2 Making Fife's Places Supplementary Guidance (2018) sets out that the requirement for open space provision should be assessed on a case by case basis taking into account any existing greenspaces, play areas and sports facilities which may serve the proposed development. If there are existing open space facilities located within easy walking distance, along a safe and attractive route; then it may be more appropriate for a new proposal to contribute to improvements to existing nearby spaces and facilities rather than providing additional open space onsite.

2.12.8.3 Making Fife's Places Supplementary Guidance (2018) sets out the open space requirements for developments located outwith a 250 metre walking distance of an existing open space are required to provide 60 square metres of open space per dwelling on site. If the development is within a 250 metre walking distance to an area of open space, an alternative financial contribution towards existing open space is required. The open space provided should be able to accommodate informal activities such as play, walking, sitting, picnics, communal gardening, informal sports and recreation.

2.12.8.4 Making Fife's Places Supplementary Guidance (2018) states that open space needs to be usable space. It will generally be green in character with a significant proportion of soft landscaping although it can include elements of hard landscaped public spaces such as squares and plazas or people friendly (very low traffic) streets and courts. Some elements of SuDS may also be included as part of the open space requirement if they are fully accessible. Open space is space designed for people to undertake recreational activity. This will generally be informal activity such as play, walking, sitting, picnics, communal gardening, social/community gatherings, informal sports and recreation. Open spaces should have paths and routes passing

through them but narrow, connecting greenways and corridors should not be included as part of the open space requirement. Amenity planting and structural landscaping would only be included as part of the open space if it is accessible for people to pass through it (such as paths through a woodland). Small areas of greenspace which have limited usage will not be included as part of the open space requirement.

2.12.8.5 The application site is within 250m of Tarvit Terrace Playground, an area of useable public open space containing a multi-use games area (MUGA), play equipment and grassland approximately 165m (walking distance) south east of the site. Per the Supplementary Guidance, this requires the development to provide financial contributions to the existing play infrastructure, however, as the proposed development is for affordable housing, it is exempt from financial contributions towards upgrading existing play areas. It is additionally noted that the equivalent of 47sqm of public open space per unit would be provided within the north eastern corner of the site. Whilst this is below the 60sqm requirement of Making Fife's Places, given the large areas of private garden ground proposed for each unit (as discussed above) and proximity to existing protected open space area, the Planning Authority is prepared to relax the on-site open space requirements on this occasion.

2.12.8.6 In conclusion, there is no requirement for the proposed development to contribute towards existing open space, with an acceptable amount of open space proposed to be provided on site.

## 2.12.9 DEVELOPER CONTRIBUTIONS: PUBLIC ART

2.12.9.1 Policy 4 of the FIFEplan states that a contribution towards on-site public art will be sought in relation to major and prominent housing and retail proposals. Further guidance regarding this is set out in the Planning Obligations Supplementary Guidance (2017) and Making Fife's Places Supplementary Guidance (2018).

2.12.9.2 The Planning Obligations Supplementary Guidance (2017) and Making Fife's Places Supplementary Guidance (2018) state that contributions will be sought from major applications for housing. In these cases, the required contribution would be £300 per unit. This includes market units only, affordable units would be exempt from this requirement. This can be in the form of pieces of physical art, enhanced boundary treatment, enhanced landscaping etc. The Planning Obligations Supplementary Guidance (2017) sets out that once the financial contributions have been established, the public art element of the development should in general be integrated into the overall design of the proposal rather than providing a sum of money to be spent separately.

2.12.9.3 Making Fife's Places Supplementary Guidance (2018) advises that public art is about creative activity that takes place in public spaces. Public art may: o help to reveal or improve existing features of a local place; o refer to our heritage or celebrate the future; o be conceptual or highlight a specific issue; o lead to a temporary performance, event or installation, or to a permanent product; o engage a range of senses including smell and touch; o extend the fine arts such as painting or sculpture, or use applied art and design; o feature architectural craftwork or bespoke street furniture; o extend landscape design into land art, planting or paving schemes; o relate to site infrastructure such as bridge design or Sustainable Urban Drainage features; o use technology to project sound, light or images. Public art that is commissioned for a particular site must be relevant to the context of that location and to its audience - the public or community who occupy, use or see into that space. The main objective of public art is to enhance the quality of a place, so it must be an integral part of the design process for the overall development and

considered from the outset. It is closely related to urban design in the consideration of issues and design principles.

2.12.9.4 As the application is for affordable housing, there is no requirement for the applicant to provide public art within the site. Additionally, it is noted that the proposed development is not a 'major' development, nor is the application site considered to be visually 'prominent'.

## 2.13 HOUSE IN MULTIPLE OCCUPATION (HMO)

2.13.1 Policy 2 of FIFEplan Local Development Plan (2017) applies with respects to housing being utilised as an HMO.

2.13.2 Policy 2 of FIFEplan advises that the use of a new build house or flat as a house in multiple occupation will not be permitted unless the development is purpose built for such use and that the Planning Authority will impose this restriction by applying a condition to planning permissions.

2.13.3 The proposed dwellings are not intended to be used for housing multiple occupants, however, a condition has been attached to this recommendation to ensure that the properties will not be used as an HMO in the future unless an application for said use is submitted to the Planning Authority for consideration.

## CONSULTATIONS

Scottish Water	No objections.
Scottish Rights Of Way And Access Society	No comment.
Policy And Place Team (North East Fife Area)	Scale of affordable housing development generally accords with FIFEplan Policy 2.
Natural Heritage, Planning Services	No objections. Recommended further consideration be given to landscaping. Conditions recommended.
Trees, Planning Services	No comment.
Land And Air Quality, Protective Services	No objections. Conditions recommended.
Education (Directorate)	No critical capacity issues.
Parks Development And Countryside	No comment.
Community Council	Object as statutory consultee.
Parks Development And Countryside - Rights Of Way/Access	Requested to be informed of works to temporary close right of way.
Transportation, Planning Services	No objections. Conditions recommended.
Built Heritage, Planning Services	No comments.
Housing And Neighbourhood Services	Affordable housing mix meets local need.
Urban Design, Planning Services	Design and layout alterations recommended.
Environmental Health (Public Protection)	No objections. Conditions recommended.
Structural Services - Flooding, Shoreline And Harbours	No objections.

## REPRESENTATIONS

Ten representations have been received in response to this planning application, comprising of nine objections and one general comment. Springfield Community Council have objected as a statutory consultee.

The concerns raised in the submitted objections, and the Planning Authority's response to these, are summarised as follows:

1. Site is outwith defined settlement boundary
  - As explained in paragraph 2.2 of this report, the principle of affordable development in the countryside is considered to be acceptable.
2. Development will result in increased traffic (near school)

It is considered that the existing road network is of a suitable standard to accommodate the traffic from the proposed 30 units. As detailed in paragraph 2.6.5 of this report, the application site is within walking distance of a number of amenities and public transport options which would reduce car dependency.
3. Springfield has too much affordable housing already, resulting in over-representation of affordable housing residents within local demographic.
  - Fife Council's Housing Service have confirmed that additional affordable housing is required in the HMA and LHSA, with a high number of applicants on the Fife Housing Register for the settlement of Springfield.
4. Site layout shows connections to future phases of development
  - There are no plans to connect the proposed development to future phases. Should a planning application be submitted for further development, this would be assessed on its own merits.
5. Crawley Court is congested by parked cars on road
  - It is considered that the existing road network is of a suitable standard and width (notwithstanding a small number of cars being parked on the road) to accommodate the traffic from the proposed 30 units. As detailed in paragraph 2.6.5 of this report, the application site is within walking distance of a number of amenities and public transport options.
6. Plan for adjacent lock up garages not clear
  - A condition is included to ensure the developer makes clear their intentions to ensure access to the garages is maintained.
7. Proposed gas boilers not appropriate - district heating network should be explored
  - The combination of a fabric first approach to construction, solar PV panels and energy efficient gas boilers is considered to be acceptable in meeting current low carbon targets. Please see paragraph 2.5.4 of this report for further information. Additionally, the scale of development is below the 'major' threshold where the Planning Authority would expect the developer to consider a district heating network, whilst it does appear as if any connection would exist in the local area.
8. Asbestos contaminates site following demolition of farm building
  - Conditions are included to ensure the site is properly investigated for contaminated materials prior to any works starting on site. Should any contamination be encountered, a remediation strategy will be required.

9. Bin storage requirements to meet 'Dundee City Council' standards

- This is considered to be a typo in the applicant's submission. The proposed properties would be provided with Fife Council domestic bins. There is sufficient internal and external space within the proposed properties to accommodate bin storage.

## **CONCLUSIONS**

The proposal is considered to be acceptable in meeting Policies 1 and 4 of TAYplan Strategic Development Plan (2017), Policies 1, 2, 3, 7, 8, 10, 11, 13 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Low Carbon Fife Supplementary Guidance (2019), Affordable Housing Supplementary Guidance (2018), Planning Obligations Supplementary Guidance (2017) and relevant National Guidance and Fife Council Guidelines. The proposal is compatible with the area in terms of land use, design and scale and will not cause any detrimental impact to the amenity of the surrounding area, and is therefore considered to be acceptable.

## **RECOMMENDATION**

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

1. THE UNITS HEREBY APPROVED, shall be affordable housing as defined within Fife Council's Supplementary Planning Guidance on Affordable Housing (2018) and will be held as such for the lifetime of the development unless otherwise agreed by the express prior consent in writing of Fife Council as Planning Authority.

Reason: In order to define the terms of the consent.

2. PRIOR TO THE COMMENCEMENT OF WORKS, samples of the external construction materials finishes of the dwellings (in particular relating to the roof, windows and walls) shall be submitted to and agreed in writing with the Council as Planning Authority. Thereafter the houses shall be constructed and finished in full accordance with the agreed samples prior to occupation.

Reason: To define the terms of this permission and ensure that the dwellinghouses are in-keeping with the character of the surrounding area.

3. BEFORE ANY WORKS START ON SITE, the developer shall institute an accurate survey to be carried out by a qualified arboriculturist of all trees existing on the site and all trees adjacent to or overhanging the site and submit details of those trees proposed to be felled or lopped and those to be retained for the written approval of this Planning Authority. The survey shall contain details of the position, canopy spread, bole diameters, health, size and species of all trees within the curtilage of the site. No trees shall be felled, topped, lopped or have roots cut or damaged without the prior written approval of this Planning Authority.

Reason: In the interests of visual amenity; to ensure that all trees worthy of retention are satisfactorily protected before and during (demolition) construction works.

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

scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner.

FOR THE AVOIDANCE OF DOUBT, the revised landscaping plan and landscaping scheme shall be submitted following the written approval of the tree survey (referred to in condition 3) by this Planning Authority.

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

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

Reason: In order to ensure that no damage is caused to the existing trees during (demolition and) development operations.

6. BEFORE ANY WORKS START ON SITE, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

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

7. PRIOR TO ANY WORKS COMMENCING ON SITE, a Construction Environmental Management Plan (CEMP) shall be submitted to Fife Council as Planning Authority for approval in writing. The CEMP shall include a pollution protection measures to avoid an impact on the environment, as well as a scheme of works designed to mitigate the effects on sensitive premises/areas (i.e. neighbouring properties and road) of dust, noise and vibration from construction of the proposed development. The use of British Standard BS 5228: Part 1: 2009 "Noise and Vibration Control on Construction and Open Sites" and BRE Publication BR456 - February 2003 "Control of Dust from Construction and Demolition Activities" should be consulted.

It shall provide the following details:

- Site working hours;
- Adherence to good practise in protecting the environment and ecology;
- Dust, noise and vibration suppression; and
- Protection of water environment.

Reason: To ensure the environment in and around the site and residential amenity is protected during construction.

8. All tree and vegetation removal associated with this development shall be undertaken outwith the bird breeding season of 1 March to 31 August of any calendar year unless the site is first surveyed by a suitably qualified person and the findings, and any associated mitigation, have been submitted to, and approved in writing by, Fife Council as Planning Authority.

Reason: In the interests of safeguarding nesting birds.

9. The dwellinghouses provided on the site shall be used solely as a residence for (a) a single person or by people living together as a family; or (b) not more than 5 unrelated residents living together in a dwellinghouse. For the avoidance of doubt, the dwellinghouse hereby approved shall not be used for Housing in Multiple Occupation.

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

10. Unless otherwise agreed in writing with the Council as Planning Authority, the approved surface water drainage scheme as detailed in approved documents shall be implemented in full PRIOR TO THE OCCUPATION OF ANY DWELLING and thereafter maintained in full working order as per the approved maintenance scheme for the lifetime of the development. Appendix 5 of Fife Council's Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements shall be signed by a qualified engineer and submitted for the written approval of the Planning Authority prior to the commencement of any works on site.

Reason: In the interests of ensuring appropriate handling of surface water.

11. PRIOR TO THE OCCUPATION OF ANY DWELLING, Appendix 6 of Fife Council's Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements shall be signed by a qualified engineer and submitted for the written approval of the Planning Authority.

Reason: In the interests of ensuring appropriate handling of surface water.

12. A traffic management plan covering the construction of the development shall be submitted for written approval of this planning authority prior to commencement of any works on site. The traffic management plan will contain details on routing and timing of deliveries to site, site operatives parking area, traffic management required to allow off site operations such as public utility installation, pedestrian access etc. The traffic management plan shall specify an alternative route for users of the claimed public right of way which passes through the application site during the construction of the access road. The approved traffic management plan shall thereafter be implemented for the duration of the construction works.

Prior to the temporary closure of part of the claimed public right of way route, the developer shall inform the Planning Authority of when the route will be closed, and for how long.

Reason: In the interest of road safety; to ensure minimum disruption to residents, road users and users of the claimed public right of way in the vicinity of the site.

13. Prior to the commencement of any activity on site details of wheel cleaning facilities shall be submitted for the written approval of this planning authority and shall thereafter be available throughout the construction period of the development so that no mud, debris or other deleterious material is carried by vehicles onto the public roads.

Reason: In the interest of road safety; to ensure the provision of adequate wheel cleaning facilities

14. All roads and associated works serving the proposed development shall be designed in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interests of road safety; to ensure the provision of an adequate design layout and construction.

15. PRIOR TO THE OCCUPATION OF EACH PROPERTY, off street parking shall be provided for that property in accordance with the current Fife Council Transportation Development Guidelines. The parking shall thereafter remain in place in for the lifetime of the development unless otherwise agreed in writing with this Planning Authority.

Reason: To ensure the provision of adequate off-street parking.

16. Prior to the commencement of construction of any buildings, visibility splays of 2.4m x 25m shall be provided to the left and to the right at the development junction with Crawley Court, and thereafter maintained in for the lifetime of the development, clear of all obstructions exceeding 0.6 metres above the adjoining carriageway level. For the avoidance of doubt, all roadside boundary markers within the site, i.e., walls, fences, planting, shrubs etc. being maintained in for the lifetime of the development outwith the visibility splay line or at a height not exceeding 600mm above the adjacent carriageway.

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

17. Prior to the occupation of any of the residential properties, street lighting and footways (where appropriate) serving the property shall be formed and operational to the satisfaction of this planning authority.

Reason: In the interest of road safety; to ensure the provision of adequate pedestrian facilities.

18. Prior to the commencement of any construction on site details of swept paths for vehicles entering and exiting driveways opposite landscaped build outs shall be submitted to this planning authority for written approval. Any adjustments that are required to the layout to accommodate the swept paths must also be submitted for written approval prior to commencement of the any construction on site. The agreed amendments shall thereafter be incorporated into the layout of the site.

Reason: In the interest of road safety; to ensure the provision of adequate design.

19. Prior to the commencement of any construction works on site, details of the junction of the development access road and Crawley Court, including how the existing lockups will be accessed, shall be submitted for the written approval of this planning authority. The approved junction will thereafter be constructed prior to the occupation of the first dwellinghouse.

Reason: In the interest of road safety; to ensure the provision of adequate design



20. 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 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 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 planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures.

All land contamination reports shall be prepared in accordance with CLR11, 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.fifedirect.org.uk/contaminatedland](http://www.fifedirect.org.uk/contaminatedland).

Reason: To ensure potential risk arising from previous land uses has been investigated and any requirement for remedial actions is suitably addressed.

21. 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 20. 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 development work on site (save for site investigation work) shall cease immediately and the 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 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 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.

22. IN THE EVENT THAT CONTAMINATION NOT PREVIOUSLY IDENTIFIED by the developer prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the 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 planning authority or (b) the 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 planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

23. PRIOR TO THE FELLING OR LOPPING OF ANY TREES, all trees to be felled or lopped shall be inspected for the presence of bats. A bat survey report, advising of the findings of the inspections and, if relevant, setting out appropriate mitigation measures, shall thereafter be submitted for approval from this Planning Authority in writing before any works to trees take place.

Reason: In the interests of safeguarding bats.

24. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, a plan detailing the location of bat and bird boxes shall be submitted for the written approval of Fife Council as Planning Authority, per the recommendations of the submitted Recommendations for Biodiversity Enhancement document prepared by Tay Ecology (dated 2nd August 2019) (Planning Authority reference 21). Thereafter, the bat and bird boxes shall be retained for the lifetime of the development.

FOR THE AVOIDANCE OF DOUBT, all bat boxes shall be located a minimum of 3.0 metres from the ground and shall be unlit, with at least one positioned on a south-facing aspect.

Reason: In the interests of safeguarding bats and nesting birds.

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

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

National Guidance:

Scottish Planning Policy (2014)

PAN 1/2011: Planning and Noise

PAN 2/2010: Affordable Housing and Housing Land Audits

Circular 3/2012: Planning Obligations and Good Neighbour Agreements

Scottish Government Designing Streets (2010)

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

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

Wildlife and Countryside Act 1981 (as amended)

Wildlife and Natural Environment (Scotland) Act (2011)

Nature Conservation Scotland Act 2004 (as amended)

Bat Conservation Trust Publication on Bat Surveys for Professional Ecologists (2016)  
British Standard (BS) 5837:2012 Trees in relation to Design, Demolition and Construction

Development Plan:

TAYplan Strategic Development Plan (2017)  
FIFEplan Local Development Plan (2017)  
Making Fife's Places Supplementary Guidance Document (2018)  
Low Carbon Fife Supplementary Guidance (2019)  
Affordable Housing Supplementary Guidance (2018)  
Planning Obligations Supplementary Guidance (2017)

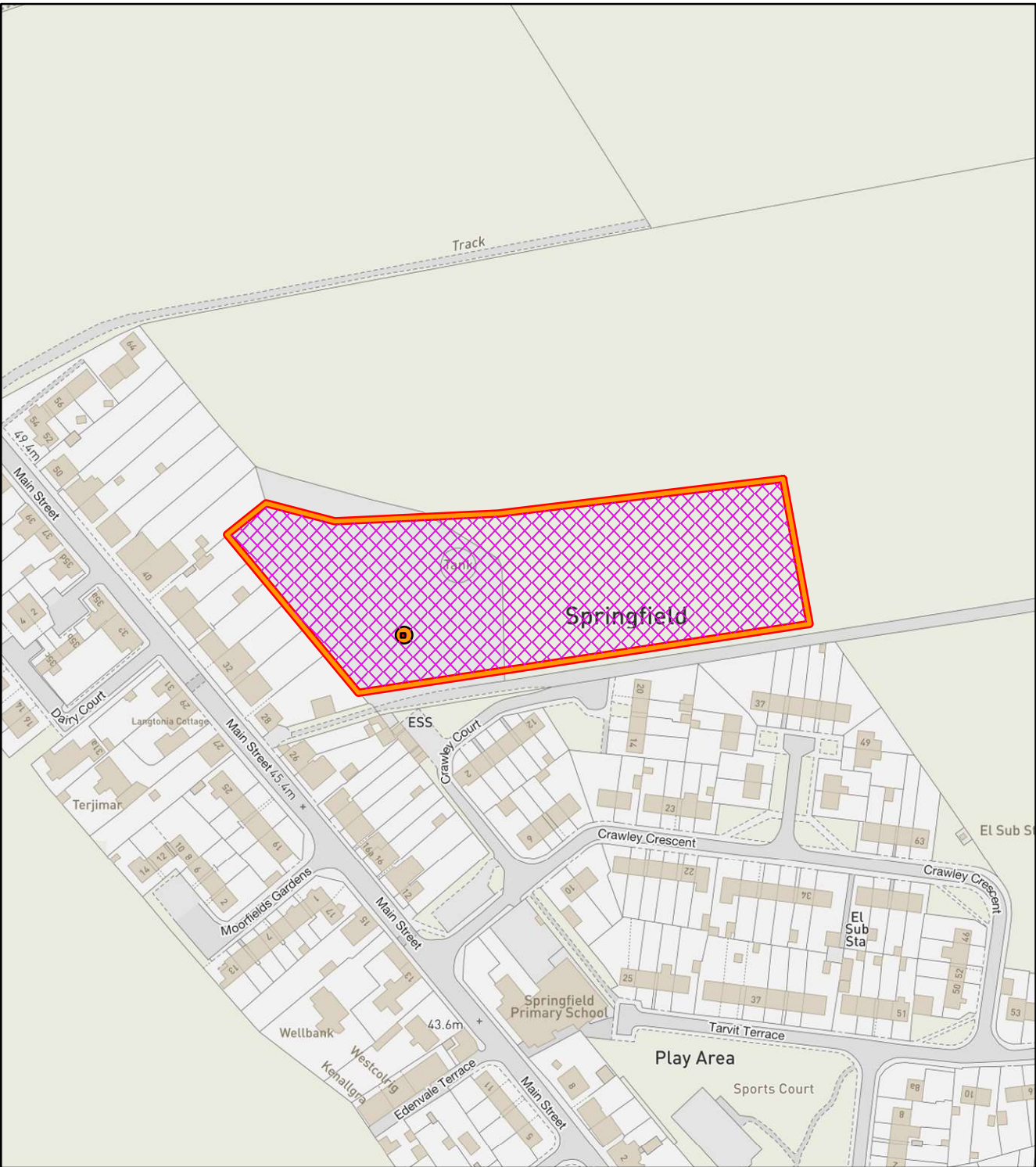
Other Guidance:

Fife Council Transportation Development Guidelines  
Fife Council Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note  
Fife Council Planning Customer Guidelines on Garden Ground (2016)  
Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)  
Fife Council Planning Customer Guidelines on Minimum Distances between Window Openings (2011)  
Fife Council Strategic Housing Investment Plan 2021/22 - 2025/26  
Fife Council Housing Land Audit 2019  
Fife Council Local Housing Strategy 2020-2022

Report prepared by Bryan Reid, Lead Professional

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 16/8/21.

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Legend			
 Application Boundary			