

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

10th February, 2021

1.35 p.m. – 6.55 p.m.

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

**ATTENDING:** Alastair Hamilton, Service Manager - Development Management; William Shand, Strategic Development Manager; Edward Bean, Planner; Richard Simmons, Lead Officer Transportation Development Management (North Fife), Economy, Planning & Employability Services; June Barrie, Manager - Legal Services; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Margaret Kennedy and Dominic Nolan.

**244. DECLARATIONS OF INTEREST**

Councillors Tim Brett and Bill Connor declared an interest in item 246 - '20/01622/FULL - Tayport Harbour, Harbour Road, Tayport' - as Councillor Brett had engaged in discussion with the applicant on the proposed development; and Councillor Connor was a member of Tayport Harbour Trust.

Councillor Andy Heer declared an interest in item 250 - '20/01098/FULL - Fife Council Environmental Services, Landfill Site, Lower Melville Wood' - as he was a Director of Fife Resource Solutions when the proposed project was initially considered.

**245. MINUTE**

The Committee considered the minute of the meeting of North East Planning Committee of 13th January, 2021.

**Decision**

The Committee agreed to approve the minute.

*Having earlier declared an interest in the following item, Councillors Brett and Connor left the meeting at this stage.*

**246. 20/01622/FULL - TAYPORT HARBOUR, HARBOUR ROAD, TAYPORT**

The Committee considered a report by the Head of Planning relating to an application for the erection of boundary fence, gates and lighting columns and formation of footpath.

**Decision/**

**Decision**

The Committee agreed to approve the application subject to the 4 conditions and for the reasons detailed in the report.

*Councillors Brett and Connor re-joined the meeting following consideration of the above item.*

**247. 20/01881/FULL - 13 KINKELL TERRACE, ST ANDREWS, FIFE**

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

**Decision**

The Committee agreed to approve the application unconditionally.

**248. 18/03578/PPP - LAND TO THE NORTH OF GRANGE ROAD, EARLSFERRY**

The Committee considered a report by the Head of Planning relating to a major residential development with associated car parking, landscaping, drainage and formation of new accesses.

**Decision**

The Committee agreed to approve the application subject to:-

- (1) the 31 conditions and for the reasons detailed in the report;
- (2) an amendment to Condition 2 to include: the requirement for an intrusive mining assessment; and the requirement to include details of the provision of high speed broadband;
- (3) an amendment to Condition 3 to ensure that the requisite upgrading of the sewer system was carried out prior to occupation of the first house;
- (4) the conclusion of an agreement to secure the necessary planning obligations relating to the provision of:
  - (a) a combined agreement covering 18/03579/PPP (Wadeslea) and 18/03578/PPP (The Grange) –

To secure the provision of affordable housing for The Grange site and the Wadeslea site and the timelimits for its provision. In the event that The Grange is developed, but Wadeslea is not, in order to ensure that the affordable housing required for The Grange still goes ahead, the relevant sized area of portion of land at Wadeslea corresponding to The Grange's share of affordable provision shall be given over to affordable housing at a value determined by Affordable Housing. No more than 50% of the residential units shall be constructed at Wadeslea before the agreed affordable housing units are constructed; and

(b)/

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- (b) a contribution of £1,000 per residential unit towards open space/play;  
and
- (5) delegating to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligation.

The Committee adjourned at 3.50 p.m.

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The Committee reconvened at 4.00 p.m.

### **249. 18/03579/PPP - LAND TO EAST OF WADESLEA, ELIE**

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for major mixed use development comprising: residential units (Class 9), associated car parking, open space, landscaping, drainage and formation of new access points, small business units (Class 4), a care home (Class 8), retirement housing (Class 8), additional parking for an existing doctor surgery and community space/facilities.

#### **Decision**

The Committee agreed to approve the application, subject to:-

- (1) the 37 conditions and for the reasons detailed in the report;
- (2) an amendment to Condition 2 to include: details of the provision of high speed broadband;
- (3) an amendment to condition 3 to ensure that the requisite upgrading of the sewer system was carried out prior to occupation of the first house;
- (4) an additional condition requiring a phasing plan relating to the provision of enhanced open space if no progress is made on any further phases of the Wadeslea allocation after this development has been complete for 2 years;
- (5) the conclusion of an agreement to secure the necessary planning obligations relating to the provision of:
  - (a) a combined agreement covering 18/03579/PPP (Wadeslea) and 18/03578/PPP (The Grange) –

To secure the provision of affordable housing for The Grange site and the Wadeslea site and the timelimits for its provision. In the event that The Grange is developed, but Wadeslea is not, in order to ensure that the affordable housing as required for The Grange still goes ahead, the relevant sized area of portion of land at Wadeslea corresponding to The Grange's share of affordable provision shall be given over to affordable housing at a value determined by affordable housing. No more than 50% of the residential units shall be constructed at Wadeslea, before the agreed affordable housing units are constructed;

(b)/

## 2021 NEPC 149

- (b) The Class 8 retirement homes proposed shall be age restricted to over 55 years and, in accordance with The Town and Country Planning (Use Classes) (Scotland) Order 1997, shall include an element of care to people in need of care other than a use within Class 9 (houses); and
- (c) A contribution of £1,000 per residential unit towards open space/play; and
- (6) delegating to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligation.

In general terms, arising from discussion regarding affordable housing, the Committee requested an elected member briefing/ workshop to facilitate their involvement in any future review of the Council's Affordable Housing Support Guidance, which formed part of the Adopted FIFEplan (2017).

The Committee also asked that the developer consider delivering the cyclepath required by Condition 17 be delivered sooner than the trigger, if possible.

*Councillors Marjoram and Miklinski left the meeting following consideration of the above item.*

*Having earlier declared an interest in the following item, Councillor Heer left the meeting at this stage.*

*Councillor MacDiarmid left the meeting during consideration of the following item.*

### **250. 20/01098/FULL - FIFE COUNCIL ENVIRONMENTAL SERVICES, LANDFILL SITE, LOWER MELVILLE WOOD**

The Committee considered a report by the Head of Planning relating to an application for the construction and operation of a facility for the storage, processing and recycling of non-hazardous incinerator bottom ash (IBA).

#### **Motion**

Councillor Porteous, seconded by Councillor Holt, moved to continue the application for further information relating to: any potential impact on residential amenity due to noise, dust and odour; the number of proposed campaigns and their potential impact on infrastructure/road safety.

#### **Amendment**

Councillor Verner, seconded by Councillor Connor, moved as an amendment to approve the application subject to:-

- (1) the 32 conditions and for the reasons detailed in the report, including an additional condition and an amendment to Condition 12, respectively, to:
  - (a) limit hours of operation/working to Monday to Saturday;
  - (b)/

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- (b) limit the storing and processing of incinerator bottom ash (IBA) to 45,000 tonnes, with the maximum number of campaigns being limited to 2 per annum; and
- (2) appropriate community liaison arrangements relating specifically to this operation within the site.

### **Roll Call Vote**

**For the Motion** - 4 votes

Councillors Holt, Liston, Porteous and Tepp.

**For the Amendment** - 6 votes

Councillors Brett, Connor, Docherty, Lothian, Thomson and Verner.

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

### **Decision**

The Committee agreed to approve the application, subject to:-

- (1) the 32 conditions and for the reasons detailed in the report, including an additional condition and an amendment to Condition 12, respectively, to:
  - (a) limit hours of operation/working to Monday to Saturday;
  - (b) limit the storing and processing of incinerator bottom ash (IBA) to 45,000 tonnes, with the maximum number of campaigns being limited to 2 per annum; and
- (2) appropriate community liaison arrangements relating specifically to this operation within the site.

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

## **251. 20/02824/FULL - TROMIE SHORE STREET, CELLARDYKE**

The Committee considered a report by the Head of Planning relating to an application for alterations to dwellinghouse and erection of two storey double garage.

### **Motion**

Councillor Holt, seconded by Councillor Porteous, moved to refuse the application on the grounds that the proposed development did not comply with Policies 1, 10 and 14 of the Adopted FIFEplan (2017) due to the design, colour and impact of the proposed two storey structure on residential amenity and the structure's detrimental impact on the character and appearance of the conservation area and the setting of nearby listed buildings.

### **Amendment/**

**Amendment**

Councillor Brett, seconded by Councillor Connor, moved to approve the application subject to the 2 conditions and for the reasons detailed in the report.

**Roll Call Vote**

**For the Motion** - 6 votes

Councillors Docherty, Holt, Liston, Lothian, Porteous and Tepp.

**For the Amendment** - 4 votes.

Councillors Brett, Connor, Heer and Thomson.

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

**Decision**

The Committee agreed to refuse the application on the grounds that the proposed development did not comply with Policies 1, 10 and 14 of the Adopted FIFEplan (2017) due to the design, colour and impact of the proposed two storey structure on residential amenity and the structure's detrimental impact on the character and appearance of the conservation area and the setting of nearby listed buildings.

*Councillor Verner left the meeting during consideration of the above item – prior to the roll call vote.*

**252. 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 28th December, 2020 to 24th January, 2021.

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