

THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

6th April, 2022

1.00 p.m. – 5.45 p.m.

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

**ATTENDING:** Alastair Hamilton, Service Manager, Development Management; Steve Iannarelli, Strategic Development Manager, Development Management; Mark Barrett, Lead Officer, Transportation Development Management; Steven Paterson, Solicitor; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Tim Brett, Margaret Kennedy and Tony Miklinski.

**344. DECLARATIONS OF INTEREST**

Councillor Thomson declared an interest in Para. No. 348 - 21/00088/ARC - Land to South West of Younger Gardens, Melville Road, St Andrews; Para. No. 349 - 21/00091/ARC - Land to South West of Younger Gardens, Melville Road, St Andrews; and Para. 350 - 21/00917/FULL - Street Record C5 from Q14 Junction to Q15 Junction, Craigtoun (associated proposed roundabout access) - as a close friend was one of the objectors to the development (Application Ref. 21/00088/ARC and 21/00091/ARC as noted).

Councillor Docherty declared an interest in Para. 347 - 20/02763/FULL – 67 Spottiswoode Gardens, St Andrews - as he knew the applicant.

**345. MINUTE**

The Committee considered the minute of meeting of the North East Planning Committee of 9th March, 2022.

**Decision**

The Committee agreed to approve the minute.

*The Convener, Councillor Lothian, left the meeting during consideration of the following item (due to technical reasons), and the Vice-Convener, Councillor Verner took the chair for the remainder of the meeting.*

**346. 19/01270/FULL - CARPHIN HOUSE, LUTHRIE, CUPAR**

The Committee considered a report by the Head of Planning relating to the installation of a grass reinforcement system (retrospective).

**Decision/**

**Decision**

The Committee agreed to:-

- (1) refuse the application in the interests of preventing flood risk and adopting a precautionary principle to flood risk, on the grounds that the applicant had failed to adequately demonstrate that the application proposal would not lead to an increase in flooding and that the development would deliver the required level of surface water drainage infrastructure and function in a sustainable manner. The application proposal was therefore considered to be contrary to Scottish Planning Policy (2014) and Policies 1, 3 and 12 of the Adopted FIFEplan Local Development Plan (2017);
- (2) delegate authority to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to finalise the full reason for refusal in order to ensure that a decision on the application was not unduly delayed; and
- (3) delegate authority to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to consider potential enforcement action to facilitate site restoration including the removal of any hardcore and any plastic membrane systems.

*Prior to consideration of the following item, Councillor Docherty, having declared an interest, left the meeting at this point.*

**347. 20/02763/FULL - 67 SPOTTISWOODE GARDENS, ST ANDREWS**

The Committee considered a report by the Head of Planning relating to an application for the erection of a dwellinghouse with associated access and parking on land to the South East of No. 67 Spottiswoode Gardens, St Andrews.

**Decision**

The Committee agreed to approve the application subject to the 9 conditions and for the reasons detailed in the report.

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

The Committee adjourned at 2.35 p.m.

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The Committee reconvened at 2.45 p.m.

*Prior to consideration of the following 3 items, Councillor Thomson, having declared an interest, left the meeting at this point.*

*Councillor Docherty re-joined the meeting partway through the Planning Officer's detailed presentation of the following Planning application and, having not had the benefit of the full presentation, was not entitled to participate in the debate or vote on the item.*

**348./**

**348. 21/00088/ARC - LAND TO SOUTH WEST OF YOUNGER GARDENS, MELVILLE ROAD, ST ANDREWS**

The Committee considered a report by the Head of Planning relating to an application for approval of a strategic infrastructure delivery plan and design/development brief required by conditions 1(J) and 1(K) of planning permission 15/01823/EIA.

**Decision**

The Committee agreed to approve the application unconditionally.

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

**349. 21/00091/ARC - LAND TO SOUTH WEST OF YOUNGER GARDENS, MELVILLE ROAD, ST ANDREWS**

The Committee considered a report by the Head of Planning relating to an application for approval of matters specified by condition 1(a), 1(e), 1(f), 1(g) and 1(h) and 2(a-ff) of 15/01823/EIA for residential development of UP TO 363 residential units.

**Decision**

The Committee agreed to approve the application subject to the 20 conditions and for the reasons detailed in the report.

**350. 21/00917/FULL - STREET RECORD C65 FROM Q14 JUNCTION TO Q15 JUNCTION, CRAIGTOUN**

The Committee considered a report by the Head of Planning relating to an application for a proposed roundabout access from Craigtoun Road.

**Decision**

The Committee agreed to approve the application subject to:-

- (1) the 7 conditions and for the reasons detailed in the report; and
- (2) an additional condition (8) as follows:

'PRIOR TO ANY WORK COMMENCING ON SITE, a revised landscaping plan and a scheme of landscaping indicating the siting, numbers, species, nursery planting stage, heights and girth (at time of planting) of all trees, shrubs and hedges to be planted and retained shall be submitted for approval in writing by the Planning Authority.

Reason: In the interests of securing an appropriate landscaping species mix and planting stage that reflects the compensatory planting requirements within the approved Arboricultural Implication Assessment.'

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

**351./**

**351. 21/00550/FULL - LAND TO NORTH OF 14A DURA VIEW, PITSCOTTIE**

The Committee considered a report by the Head of Planning relating to an application for the erection of a dwellinghouse and associated garage and installation of an electric vehicle charging point.

**Decision**

The Committee agreed to approve the application subject to the 5 conditions and for the reasons detailed in the report.

**352. 21/01075/FULL - LAND TO SOUTH EAST OF BALMUNGO HOUSE, BALRYMONTH, ST ANDREWS**

The Committee considered a report by the Head of Planning relating to an application for the erection of a dwellinghouse, including associated infrastructure, access, landscaping and parking (at land to the South East of Balmungo House, Balrymonth Street, St Andrews).

**Motion**

Councillor Liston, seconded by Councillor Docherty, moved to refuse the application :-

- (1) in the interests of safeguarding the countryside from unjustified sporadic residential development, the need for a new dwellinghouse in this location was not justified as the application site was outwith any defined settlement boundary, was not allocated for housing and did not address a shortfall in the 5 year effective housing land supply in the TAYPlan area of Fife nor meet any of the other criteria set out in Policy 8 of the Adopted Local Plan all contrary to Scottish Planning Policy (2014) and Policies 1, 2, 7, and 8 of the Adopted FIFEplan Local Development Plan (2017).
- (2) in the interests of protecting the environmental quality of the St Andrews Greenbelt, the proposed development would result in the formation of a dwellinghouse on an area of Greenbelt land which would be outwith any existing cluster of dwellinghouses and would not result in either (i) the rehabilitation and/or conversion of a complete or substantially complete existing building; nor (ii) the demolition and subsequent replacement of an existing house as set out within Policy 9 of the adopted Local Development Plan, all contrary to Scottish Planning Policy 2014 and Policies 1, 7, 8, 9 and 10 of the adopted FIFEPlan Local Development Plan (2017); and
- (3) in the interests of road safety and sustainable travel, the application site was located in an area where more sustainable modes of transport, including public transport, was not readily and safely available necessitating the need for the use of private motor vehicles to access local amenities all contrary to Scottish Planning Policy (2014); Policies 1, 3, 7 and 11 of the adopted FIFEPlan Local Development Plan (2017); and the adopted Making Fife's Places Supplementary Planning Guidance (2018).

**Amendment/**

**Amendment**

Councillor Porteous moved as an amendment to approve the application subject to the 7 conditions and for the reasons detailed in the report. Having not been seconded, the amendment was not competent, however, Councillor Porteous requested his dissent be recorded.

**Decision**

The Committee agreed:-

- (1) to refuse the application:-
  - (a) in the interests of safeguarding the countryside from unjustified sporadic residential development, the need for a new dwellinghouse in this location was not justified as the application site was outwith any defined settlement boundary, was not allocated for housing and did not address a shortfall in the 5 year effective housing land supply in the TAYPlan area of Fife nor meet any of the other criteria set out within Policy 8 of the Adopted Local Plan all contrary to Scottish Planning Policy (2014) and Policies 1, 2, 7, and 8 of the Adopted FIFEplan Local Development Plan (2017);
  - (b) in the interests of protecting the environmental quality of the St Andrews Greenbelt, the proposed development would result in the formation of a dwellinghouse on an area of Greenbelt land which would be outwith any existing cluster of dwellinghouses and would not result in either (i) the rehabilitation and/or conversion of a complete or substantially complete existing building; nor (ii) the demolition and subsequent replacement of an existing house as set out in Policy 9 of the Adopted Local Development Plan, all contrary to Scottish Planning Policy (2014) and Policies 1, 7, 8, 9 and 10 of the Adopted FIFEPlan Local Development Plan (2017); and
  - (c) in the interests of road safety and sustainable travel, the application site was located in an area where more sustainable modes of transport, including public transport was not readily and safely available necessitating the need for the use of private motor vehicles to access local amenities all contrary to Scottish Planning Policy (2014); Policies 1,3, 7 and 11 of the adopted FIFEPlan Local Development Plan (2017); and the adopted Making Fife's Places Supplementary Planning Guidance (2018); and
- (2) to delegate to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to finalise the full reasons for refusal in order to ensure that a decision on the application was not unduly delayed.

**353. 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 21st February to 20th March, 2022.

**VICE-CONVENER'S VALEDICTORY COMMENTS**

As this was the last meeting of the Committee prior to the Local Government Elections in May 2022, the Vice-Convenor expressed her appreciation of the contributions of all members and officers in supporting the work of the Committee.

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