

THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

12th October, 2022

1.30 p.m. – 5.30 p.m.

PRESENT: Councillors Jane Ann Liston (Depute Convener), Al Clark, Fiona Corps, Sean Dillon, Alycia Hayes, Stefan Hoggan-Radu, Margaret Kennedy, Allan Knox, Robin Lawson, Donald Lothian, David MacDiarmid and Ann Verner.

ATTENDING: Chris Smith, Lead Officer, Derek Simpson, Lead Officer, Jamie Penman, Planner, Sarah Purves, Planner, Development Management; Steven Paterson, Solicitor and Diane Barnett, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Gary Holt and Jonny Tepp (Convener).

23. DECLARATIONS OF INTEREST

Councillor Lothian declared an interest in Para. No. 25 - '22/00833/FULL - Land to East of Stratheden Place, Auchtermuchty' - as he had been in contact with the objectors about the proposed development.

Councillor Lothian also declared an interest in Para. No. 27 - '22/01205/FULL – 3 Myreside, Kingskettle' - as he had spoken with the objector and the applicant about the proposed development.

24. MINUTE

The Committee considered the minute of the North East Planning Committee of 17th August, 2022.

Decision

The Committee agreed to approve the minute.

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

25. 22/00833/FULL - LAND TO EAST OF STRATHEDEN PLACE, AUCHTERMUCHTY

The Committee considered a report by the Head of Planning Services relating to an application for the erection of 21 dwellinghouses and associated works.

Decision/

Decision

The Committee agreed:-

- (1) to approve the application subject to the 9 conditions and for the reasons detailed in the report and following the conclusion of an agreement to secure the necessary planning obligations, namely:
 - (a) a greenspace contribution totalling £20,400; and
 - (b) an affordable housing contribution securing 4 units to be provided on-site; and
- (2) that authority was delegated to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligations.

Councillor Kennedy joined the meeting partway through the Planning Officer's detailed presentation of the above planning application and, having not had the benefit of the full presentation, did not participate in the debate on this item.

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

26. 22/00950/FULL - LAND TO EAST OF MANSE ROAD, SPRINGFIELD

The Committee considered a report by the Head of Planning Services relating to an application for the erection of 30 affordable housing units, formation of vehicular access points, landscaping and other supporting infrastructure.

Motion

Councillor Kennedy, seconded by Councillor Hoggan-Radu, moved to refuse the application on the grounds that the development did not comply with:

- (1) Scottish Planning Policy (2014), Policies 1 and 3 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Planning Guidance (2018) - on the basis that the applicant had failed to demonstrate that the number of trips the proposed development might generate would not have a significant detrimental impact on existing levels of road safety in the surrounding area; and
- (2) Scottish Planning Policy (2014) and Policies 1, 3 and 12 of the Adopted FIFEplan (2017) - on the basis that the applicant had failed to demonstrate the proposed development would not increase flooding or flood risk on or around the application site.

Amendment

Councillor MacDiarmid, seconded by Councillor Hayes, moved as an amendment to approve the application, subject to:

- (1) the 16 conditions and for the reasons detailed in the report; and
- (2)/

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- (2) additional conditions, together with the attendant reason, requiring that:
 - (i) no development would commence on site until the applicant had provided evidence of an agreement with Scottish Water to connect to its existing drainage network in relation particularly to foul drainage - so as not to worsen existing foul drainage issues in the area; and
 - (ii) for the avoidance of doubt, any site clearance works in relation to hedging and trees on or adjacent to the site be undertaken outwith the bird nesting season (beginning of March to end of August).

Roll Call Vote

For the Motion - 5 votes

Councillors Clark, Corps, Hoggan-Radu, Kennedy and Lawson.

For the Amendment - 7 votes

Councillors Dillon, Hayes, Knox, Liston, Lothian, MacDiarmid and Verner.

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

Decision

The Committee agreed to approve the application subject to:

- (1) the 16 conditions and for the reasons detailed in the report;
- (2) additional conditions, together with the attendant reason, requiring that:
 - (i) no development would commence on site until the applicant had provided evidence of an agreement with Scottish Water to connect to its existing drainage network in relation particularly to foul drainage - so as not to worsen existing foul drainage issues in the area; and
 - (ii) for the avoidance of doubt, any site clearance works in relation to hedging and trees on or adjacent to the site be undertaken outwith the bird nesting season (beginning of March to end of August); and
- (3) the Head of Planning, in consultation with the Head of Legal and Democratic Services, drafting and formulating appropriately worded planning conditions to properly reflect those outlined at (2) above.

Councillor Kennedy left the meeting at this point.

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

The Committee adjourned at 3.50 p.m. and reconvened at 3.55 p.m..

27. 22/01205/FULL - 3 MYRESIDE, KINGSKETTLE, CUPAR

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

Motion

Councillor MacDiarmid, seconded by Councillor Lawson, moved to conditionally approve the application against officer recommendation.

Amendment

Councillor Knox, seconded by Councillor Dillon, moved as an amendment to refuse the application for the reasons set out in the report.

Roll Call Vote

For the Motion - 5 votes

Councillors Hayes, Hoggan-Radu, Lawson, MacDiarmid and Verner.

For the Amendment - 5 votes

Councillors Clark, Corps, Dillon, Knox and Liston.

There being an equality of votes, the Chair used her casting vote in favour of the amendment.

Decision

The Committee agreed to refuse the application for the 2 reasons set out in the report.

Councillor Lothian re-joined the meeting at this point.

28. 22/01337/FULL - THE INN AT KINGSBARNS, 5 MAIN STREET, KINGSBARNS

The Committee considered a report by the Head of Planning Services relating to an application for the change of use from owner's accommodation (Class 7) to dwellinghouse (Class 9).

Decision

The Committee agreed to refuse the application for the reasons set out in the report.

29. 22/01884/FULL - 1 LOGIE'S LANE, ST-ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for a change of use from retail unit (Class 1) to restaurant (Class 3), including alterations to shopfront and installation of canopies.

Decision/

Decision

The Committee agreed to approve the application subject to the condition and for the reason detailed in the report.

30. 22/01885/FULL - 1 LOGIE'S LANE, ST-ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for a change of use from public open space to form outside seating area and erection of awnings and balustrades.

Decision

The Committee agreed to approve the application subject to the 7 conditions and for the reasons detailed in the report.

31. 22/02021/LBC - 1 LOGIE'S LANE, ST-ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for Listed Building Consent for internal and external alterations.

Decision

The Committee agreed to approve the application subject to the one condition and for the reason detailed in the report.

32. 22/01913/FULL - FARMHOUSE BALBUTHIE, BALBUTHIE ROAD

The Committee considered a report by the Head of Planning Services relating to an application for a change of use of part of an agricultural storage building to museum (Class 10).

Decision

The Committee agreed to approve the application subject to the one condition and for the reason detailed in the report.

Councillor Verner left the meeting following consideration of the above item.

33. LEGISLATIVE REQUIREMENT TO LIMIT THE DURATION OF PLANNING PERMISSION BY APPLYING TIME CONDITIONS

The Committee considered a report by the Head of Planning Services providing an update in respect of a change to planning legislation which came into effect on 1st October, 2022 and advising of the need to implement the requirements of the legislation in respect of the applications which the Committee had already indicated it was minded to grant where that decision had not yet been issued.

Decision

The Committee agreed that, in respect of the applications listed in Appendix 1 of the report, the additional conditions required to limit the life of the planning permission (also noted in Appendix 1 of the report) be added to those decisions.

34./

34. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.

Decision

The Committee noted the lists of applications dealt with under delegated powers for the period 8th August to 4th September, 2022; and 5th September to 2nd October, 2022.
