

THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

20th October, 2021

1.30 p.m. – 3.30 p.m.

PRESENT: Councillors Donald Lothian (Convener), John Docherty, Andy Heer, Linda Holt, 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; Martin McGroarty, Lead Professional - Minerals, Economy, Planning & Employability Services; Steven Paterson, Solicitor; and Diane Barnet, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Tim Brett and Brian Thomson.

304. DECLARATIONS OF INTEREST

Councillor Lothian declared an interest in Para. 306. - '21/00913/FULL - Pitmedden Farm, Fife' - as he had had some involvement relating to animal welfare concerns relative to the application site.

Councillors Holt and Nolan declared an interest in Para. 308. - '20/00568/EIA - Land at Kenly Farms, Kippo, Kingsbarns' - as Councillor Holt had led a campaign against wind farm/turbine developments prior to being elected as a Fife Councillor; and Councillor Nolan had previously expressed a view in principle on applications of this nature.

305. MINUTE

The Committee considered the minute of the North East Planning Committee of 22nd September, 2021.

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 and Councillor Verner, Vice-Convener took the Chair.

306. 21/00913/FULL - PITMEDDEN FARM, FIFE

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

Motion/

Motion

Councillor Heer, seconded by Councillor MacDiarmid, moved to refuse the application on the grounds that the proposed development was contrary to SPP (2014), Policy 1 of TAYplan and Policies 1, 7 and 8 of the adopted FIFEplan 2017, as the proposed development at this rural/countryside location was not considered to be justified and essential to support the existing needs of the rural business.

Amendment

Councillor Porteous, seconded by Councillor Tepp, moved as an amendment, to approve the application subject to the six conditions and for the reasons detailed in the report.

Roll Call Vote

For the Motion - 8 votes

Councillors Docherty, Heer, Holt, Marjoram, MacDiarmid, Nolan, Miklinski and Verner.

For the Amendment - 3 votes

Councillors Liston, Porteous and Tepp.

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

Decision

The Committee:-

- (1) agreed to refuse the application on the grounds that the proposed development was contrary to SPP (2014), Policy 1 of TAYplan, and Policies 1, 7 and 8 of the adopted FIFEplan 2017, as the proposed development at this rural/countryside location was not considered to be justified and essential to support the existing needs of the rural business; and
- (2) delegated 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.

Prior to consideration of the following item, Councillor Lothian re-joined the meeting.

307. 21/01091/FULL - LAND 300M SOUTH OF BALMULLO FARM, MOONZIE MILL, BALMULLO

The Committee considered a report by the Head of Planning relating to an application for engineering operations to construct an agricultural lagoon for the storage of farm derived digestate.

Motion/

Motion

Councillor Tepp, seconded by Councillor Liston, moved to refuse the application in the interests of residential amenity on the grounds that the proposed development, due to its scale, siting and proximity to nearby residential properties, would detrimentally impact their residential amenity due to odour/malodour and was therefore contrary to Policies 1 and 10 of the adopted FIFEPlan 2017.

Amendment

Councillor Miklinski, seconded by Councillor Verner, moved as an amendment to approve the application subject to the two conditions and for the reasons detailed in the report.

Roll Call Vote

For the Motion - 4 votes

Councillors Docherty, Holt, Liston and Tepp.

For the Amendment - 8 votes

Councillors Heer, Lothian, Marjoram, MacDiarmid, Nolan, Miklinski, Porteous 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 the two conditions and for the reasons detailed in the report.

308. 20/00568/EIA - LAND AT KENLY FARMS, KIPPO, KINGSBARNES

The Committee considered a report by the Head of Planning relating to an application under Regulation 11 for renewal of planning permission 16/01425/EIA - erection of 6 wind turbines (100m to tip) and ancillary development including control building, construction of access roads, upgrading of existing access road and temporary construction compound (Section 42 application to vary planning conditions 13, 14, 15, 16, 17, 18, 37 and 38) at land at Kenly Farms, Kippo, Kingsbarns, Fife.

Decision

The Committee agreed to approve the application for renewal of planning permission 16/01425/EIA subject to the 38 conditions and for the reasons detailed in the report.

309./

309. 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 6th September to 1st October, 2021.