

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

Monday, 27th September, 2021 - 2.00 p.m.

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 Fife Planning Review Body of 9th August, 2021. 5
4. **APPLICATION FOR REVIEW - ANNFIELD COTTAGE, BRUNTON, CUPAR (APPLICATION NO. 20/00489/FULL)** – Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear
 1. Notice of Review 6 – 23
 2. Decision Notice and Report of Handling 24 – 37
 3. Consultee Comments 38 - 42
5. **APPLICATION FOR REVIEW - 40 MILLHILL STREET, DUNFERMLINE (APPLICATION NO. 20/03024/FULL)** – Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door
 1. Notice of Review 43 – 54
 2. Decision Notice and Report of Handling 55 – 67
 3. Representations 68 – 71
 4. Consultee Comments 72 – 77
 5. Further Representations 78 – 80
 6. Response to Further Representations 81 - 84

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.

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services
Fife House
North Street
Glenrothes
Fife, KY7 5LT

20th September, 2021.

If telephoning, please ask for:
Michelle McDermott, Committee Officer, Fife House
Telephone: 03451 555555, ext. 442238; email: Michelle.McDermott@fife.gov.uk

Agendas and papers for all Committee meetings can be accessed on
www.fife.gov.uk/committees

Local Review meeting

Guidance Notes on Procedure

1. Introduction by Convener

- Convener introduces elected members and advisers; both there to advise the Review Body and not argue the officer's case; planning adviser in particular independent of the planning officer who made the decision.
- Convener advises members that photos/powerpoint are available
- Convener clarifies procedure for meeting and asks members if they have any points requiring clarification

2. Minutes of previous meeting

Review Body requested to approve minute of last meeting

3. Outline of first item - Convener

4. Powerpoint presentation of photos/images of site

Convener advises other documents, including Strategic Development/Local Plan and emerging plan(s) are there for Members to inspect if necessary, and asks members to ask Planning Adviser points of clarification on the details of the presentation.

5. Procedural agreement.

Members discuss application and decide whether –

- decision can be reached today
- if there is any new information, whether this is admissible or not in terms of the legislation
- more information required, and if so, if
- written submissions required
- site visit should be arranged (if not already happened)
- Hearing held

6. Assessment of case. Convener leads discussion through the key factors (assuming we can proceed)

Members should recall that planning decisions should be taken in accordance with the Development Plan, unless material considerations indicate otherwise. Accordingly, it is important the Members debate each point fully and explain whether they are following policy, or, if not, what material considerations lead them to depart from it. If they are taking a different view of policy from the officer who made the original decision they should make this clear.

a) Convener asks the LRB to consider

- Report of Handling and
- the applicant's Review papers

to establish the key issues pertinent to this case

- b) Detailed discussion then takes place on the key issues with specific regard to
- Strategic Development Plan
 - Local Plan
 - Emerging Plan(s)
 - Other Guidance
 - National Guidance
 - Objections

Legal/Planning Advisers respond to any questions or points of clarification from elected members

- c) Convener confirms the decision made by the LRB. At this stage if a conditional approval is chosen then additional discussion may be necessary regarding appropriate conditions

7. Summing Up by the Convener or the Legal Adviser identifying again the key decision reached by the LRB

8. Next stages Convener confirms the next stages for the benefit of the audience:

- Draft decision notice
- Agreed by Convener
- Issued to applicant and interested parties (posted on Idox)
- Approximate timescale for issuing decision. (21 days)

9. Closure of meeting or on to next item

Version 5
31.10.2017

THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY – REMOTE MEETING

9th August, 2021.

2.00 p.m. - 2.50 p.m.

PRESENT: Councillors David Barratt (Convener), Mino Manekshaw, Alice McGarry, Ross Paterson and Bill Porteous.

ATTENDING: William Shand, Planning Adviser to the FPRB; June Barrie, Manager (Legal Services) and Christopher Glendinning, Solicitor, Legal and Democratic Services.

110. DECLARATIONS OF INTEREST

No declarations of interest were made in terms of Standing Order No. 7.1.

111. MINUTE

The minute of the Fife Planning Review Body of 28th June, 2021 was submitted.

Decision

The Review Body approved the minute.

112. APPLICATION FOR REVIEW - 102 HIGH STREET, NEWBURGH, CUPAR (APPLICATION NO. 20/03123/FULL) - CHANGE OF USE FROM SHOP STORE TO MANAGER'S RESIDENTIAL ACCOMMODATION AND EXTERNAL ALTERATIONS

The Review Body considered the Application for Review submitted by Arthur Stone Planning and Architectural Design Limited, on behalf of Mr. Sharanjit Bookher, in respect of the decision to refuse planning permission for the change of use from shop store to manager's residential accommodation and external alterations including blocking up of door, installation of door and repairs to windows (Application No. 20/03123/FULL).

Decision

The Review Body agreed:-

- (1) sufficient information was before them to proceed to decide the matter; and
- (2) the application be approved subject to conditions (reversing the appointed officer's determination) and that the content of the Decision Notice be delegated to the Head of Legal and Democratic Services, in consultation with the Convener.

Agenda Item 4(1)

**Annfield Cottage, Brunton, Cupar, KY15 4NB
Application No. 20/00489/FULL**

Notice of Review



Fife House North Street Glenrothes KY7 5LT Tel: 03451 55 11 22 Email: development.central@fife.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100237462-008

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Arthur Stone Planning & Architectural Design Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alison	Building Name:	
Last Name: *	Arthur	Building Number:	85
Telephone Number: *	01337 840 088	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Newburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY14 6DA
Email Address: *	info@arthurstoneplanning.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="annfield cottage"/>
First Name: *	<input type="text" value="John"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Bell"/>	Address 1 (Street): *	<input type="text" value="Brunton"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Cupar"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY15 4NB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="Fife Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="ANNFIELD COTTAGE"/>
Address 2:	<input type="text" value="BRUNTON"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="CUPAR"/>
Post Code:	<input type="text" value="KY15 4NB"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="720853"/>	Easting	<input type="text" value="332192"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See local review body appeal statement attached to form

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

local review body refusal statement

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00489FULL

What date was the application submitted to the planning authority? *

25/02/2020

What date was the decision issued by the planning authority? *

06/04/2021

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Alison Arthur

Declaration Date: 30/06/2021

Local Review Body Appeal

Annfield Cottage, Brunton

Refusal of Planning Permission 20/00489/FULL Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear

Mr J Bell



Introduction

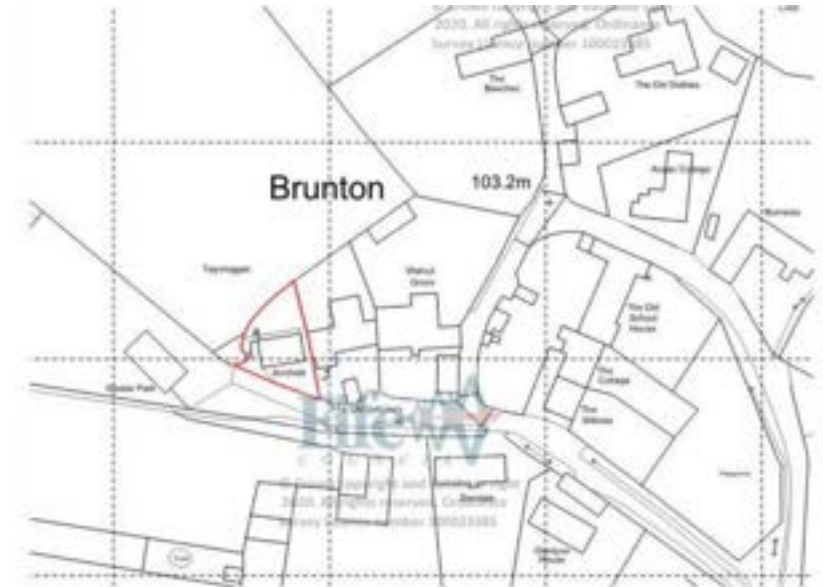
Annfield Cottage is a category C listed building located within Brunton Conservation area. The cottage has been owned by the same family for many years and has suffered due to the internal limitations of the building—those being a very steep stairs to the upper floor (2no.) bedrooms and a very low upper ceiling height resulting in almost unusable bedrooms. The ground floor contains a small living room, bathroom and kitchen space.

The application sought planning permission to upgrade the building to a liveable standard by create a one and a half storey extension to the rear of the property, make alterations to the wallhead, form 3 dormers to the front of the building and replace existing UPVC windows with traditional timber sash and case.



Despite various discussions with the Case Officer over the course of several months, the application was refused for the following reason:

1. In the interests of protecting the character and integrity of this Category C Listed Building and surrounding Conservation Area; the proposed works by virtue of their inappropriate scale and proportions (e.g. through the installation of dormers to the front, increase in wallhead, gable walls and roof ridge heights and roof pitch), overall design and choice of external finishing materials cumulatively would detrimentally impact on the traditional character, quality and authenticity of the Listed Building and wider Brunton Conservation Area within which the site and building are located. Furthermore, the use of non-traditional external finishing materials such as UPVC rainwater goods, inappropriate dormer cheek finishes, a lack of justification to merit replacement works as opposed to employing best conservation practices, and a lack of detail and specification with regards to the colours and external finishes would all have the potential to undermine the qualities and character of the building which merited a statutory listing. Such works, if permitted, would conflict with the objectives of Scottish Planning Policy (2020), Historic Environment Scotland (HES) - Policy Statement (2019), Managing Change in the Historic Environment - Roofs (2010), Managing Change in the Historic Environment - Extensions (2020), Managing Change in the Historic Environment - Windows (2018), Policies 1, 10 and 14 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018), Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016), and the Brunton Conservation Area Appraisal and Management Plan (2018), and if approved the decision would set an undesirable precedent on future decisions for dormer refurbishment on other Listed Buildings and properties within Conservation Area'



Overview

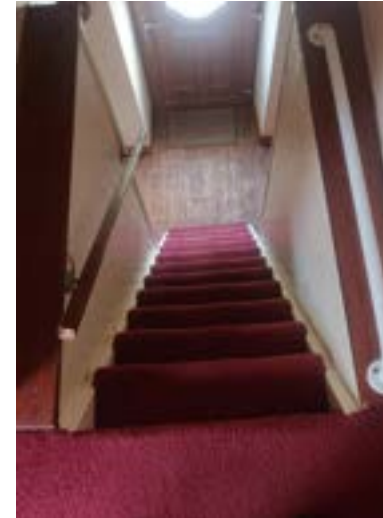
As can be seen by the internal photographs overleaf and as already noted, Annfield Cottage has several internal limitations which does not allow the property to be practically lived in. The stairwell is very steep and incorporates very short steps, which makes it almost impossible to walk up and down without great difficulty. The stairs certainly do not meet the Building Warrant standards that would be applied today. In addition, the low head height of the cottage means that the 2no. Small bedrooms located within the roof are also impactable for normal use. In addition, the roof beams are largely rotten and require to be replaced, which would result in the roof having to be replaced without risk of further deterioration. Damp proofing is also required throughout the property as well as an adequate fire escape at first floor level.

The Council have identified a number of concerns with the proposal, those largely relating to:

- Lack of justification for alterations
- Inappropriate scale, design and features
- Increased wallhead height
- inappropriate materials - wooden dormer cheeks, UPVC guttering, no window colours specified
- Scale and design of dormer windows and being on front elevation

Through various discussions with the Case Officer, it was advised that these alterations were required so as to enable the property to be practically lived in as noted above. The building works were kept at a minimum so as to retain the original character and appearance of the building and so as to not dominate the building given its listed status. It is not considered that any of the alterations lose the originality of the building.

The proposal involves the raising of the wallhead by just under 0.5m in height and also to provide 3 small dormers on the front elevation. Without these elements, we are unable to provide the space required to create larger more practical bedroom spaces for the applicant and meet the relevant Building Warrant standards. It is not considered that this raise in height would be noticeable in the overall appearance of the building in this case, given that it is so minimal.



The proposed dormer windows are considered to be of an acceptable and traditional shape and are in keeping with the character and appearance of the building. These style of dormers can be found throughout Brunton on a variety of traditional and listed buildings. Should the Case Officer have been so concerned, the applicant would have been happy to have clad the proposed cheeks of the dormer with slate rather than wood.

In terms of materials, it was proposed to utilise traditional materials including natural clay pantiles, stone skewes, and the applicant was also intending to replace non-traditional UPVC windows that had previously been fitted within the building to traditional wooden sash and case. As noted above, It is considered that these materials including wooden cheeks on the proposed dormer windows are all appropriate for the use on a listed building in a conservation area and that countless examples can be provided within Brunton alone. The use of more traditional metal or cast iron guttering was discussed with the case officer as was the use of an off-white colour for the proposed windows; matters which the applicant would have happily agreed to as conditions of a planning consent.

Other Examples

It is considered that there are various other examples of similar extensions to traditional and listed properties within Brunton. One particular example is an extension to Anzac Cottage, which is located a short distance away from the applicant's site. Both Planning Permission and Listed Building Consent were granted for significant extensions to the property in 2017 without any queries having been raised by the Council. The relevant planning permission reference number is 17/00784/FULL .

As noted on the following page, the property is a similar listed cottage to Annfield, with the applicants seeking to extend the property to create a more useable space. The proposal involved various extensions to the west and north including a large new entrance porch; dormers on the front, sides and rear of the building; a large open sided car port; and large French doors on two elevations.

More specifically, the proposal incorporated an increase in height in the wall head level to raise the height of the roof and large dormer windows on all elevations of the building with wooden cheeks and cladding. These elements weren't questioned by the Case Officer

involved and the application was approved under delegated powers by the Council.



Anzac Cottage Proposal - change in height of wallhead

Source — Fife Council Website

This proposal reflected significant fundamental alterations to a cottage to create a much larger accommodation unit with new dormer elements and modern elements that were not previously incorporated into the cottage including dormers on all elevations, a large modern entrance porch and a very large open sided car port. Other elements such as new chimney stacks, new skewes and new slate roofs were also incorporated.

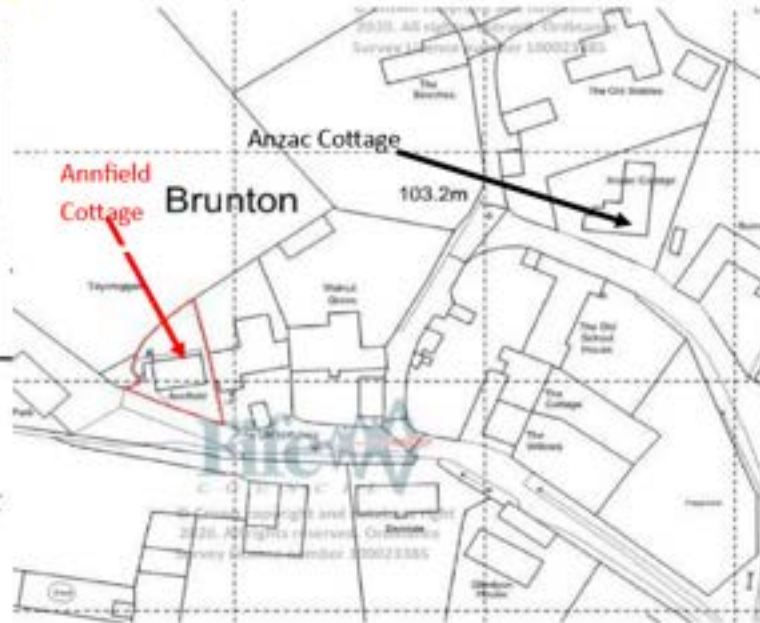
These are all elements that have been objected to in my client's application and which has now been subsequently refused. In comparison, it could be argued that the proposal for Annfield Cottage involves far less alterations cumulatively than the proposal at Anzac Cottage. Given that there has been no significant change in Policy from either Fife Council or Historic Environment Scotland we would question why our Client's proposal has been refused for these reasons when this property is located so close by, is listed and was originally so similar in character and appearance.

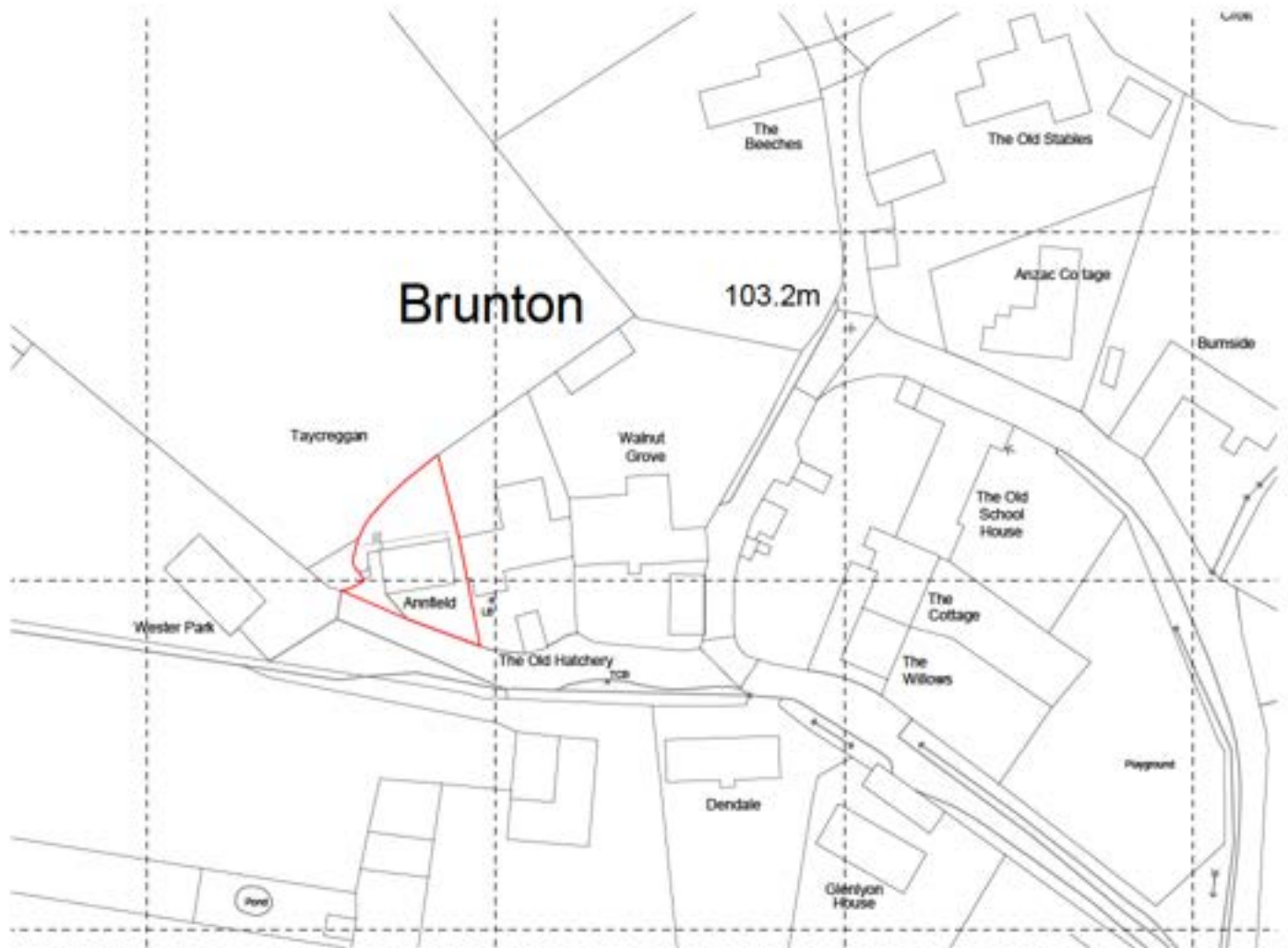
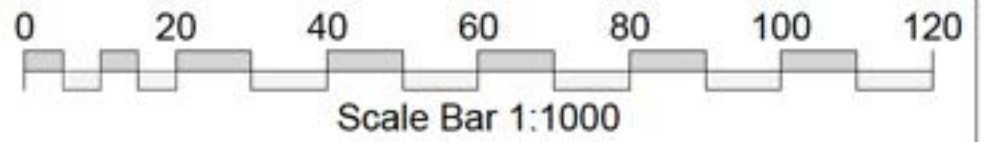
Given the above we would welcome the Local Review Body's comments and would hope that they would approve Mr Bell's application for planning permission in this case.

Annfield Cottage, Brunton 0/00489/FULL Refused



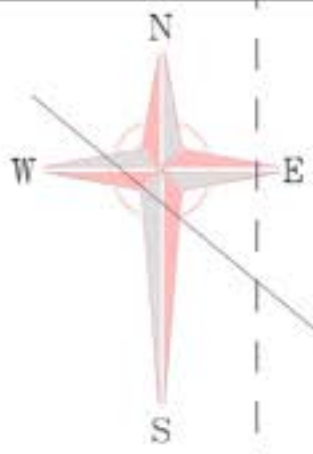
Anzac Cottage, Brunton 17/00784/FULL Approved





Arthur Stone Planning
& Architectural Design

Project				
Proposed Alterations & Extension at Annfield Cottage, Brunton, Fife, KY15 4NB				
Title				
Site Location Plan				
Drawn	Date	Scale	Drawing No	Rev
AC	Jan 19	1:1000@A4	3091-BELL-001	



Taycreggan

Walnut Grove

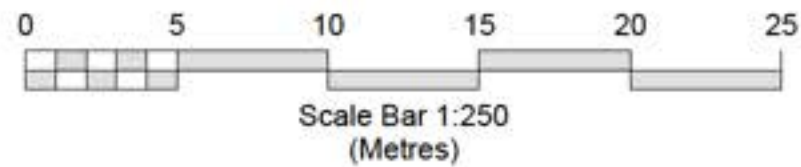
Wester Park

Annfield

LB

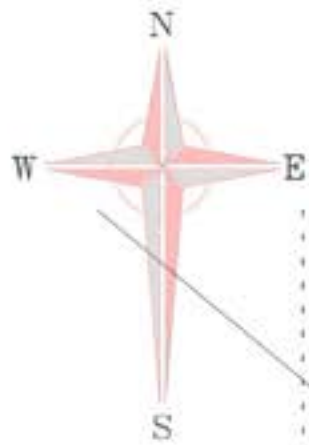
The Old Hatchery

TCB



Arthur Stone Planning & Architectural Design

Project				
Proposed Alterations & Extension at Annfield Cottage, Brunton, Fife, KY15 4NB				
Title				
Existing Block Plan				
Drawn	Date	Scale	Drawing No	Rev
AC	Jan 19	1:250@A3	3091-BELL-002	



Taycreggan

Walnut Grove

Proposed new access path to side/rear of new extension. Slate finish proposed, to be agreed with LBC.

Existing concrete access steps up to garden

Existing concrete paved side/rear access

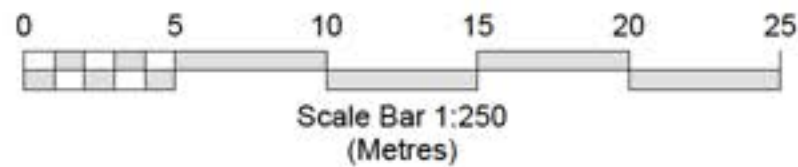
Annfield

LB

Wester Park

The Old Hatchery

TCB



Project

Proposed Alterations & Extension at Annfield Cottage, Brunton, Fife, KY15 4NB

Title

Proposed Block Plan

Drawn

AC

Date

Jan 19

Scale

1:250@A3

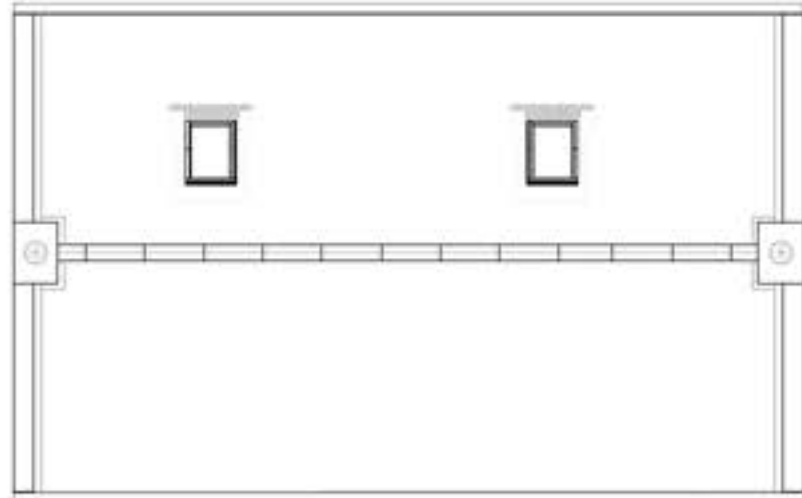
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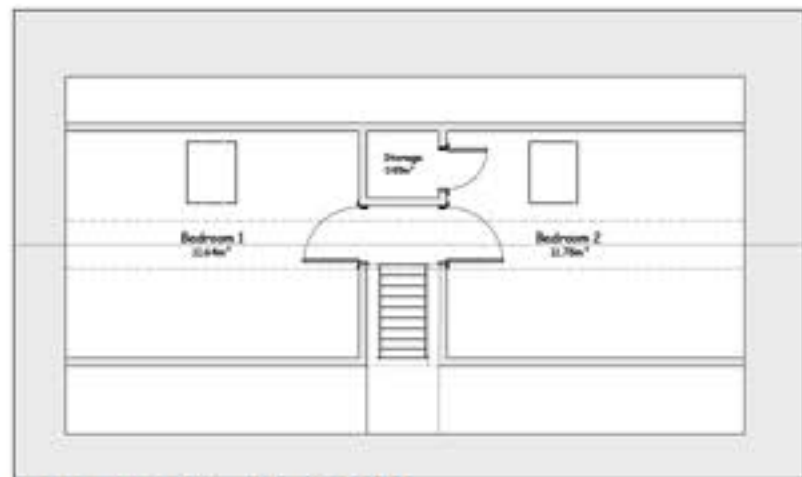
Rev

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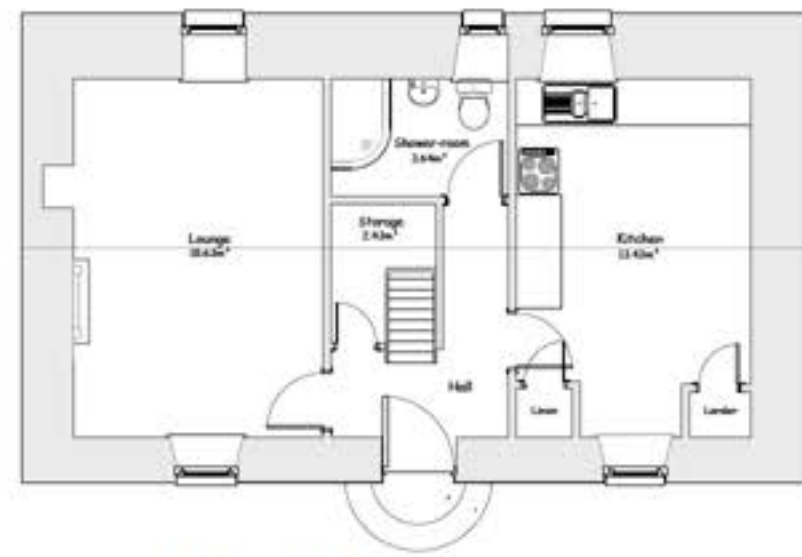
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1:100



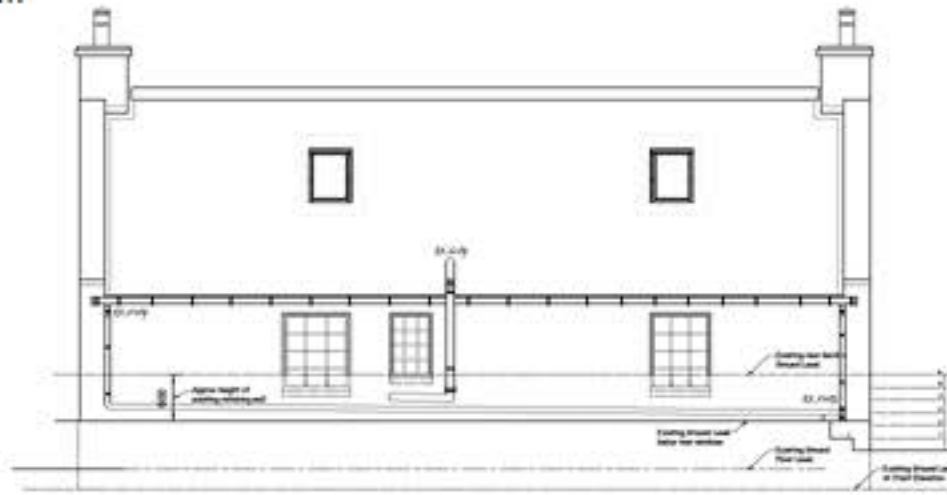
Existing Roof Plan @ 1-100



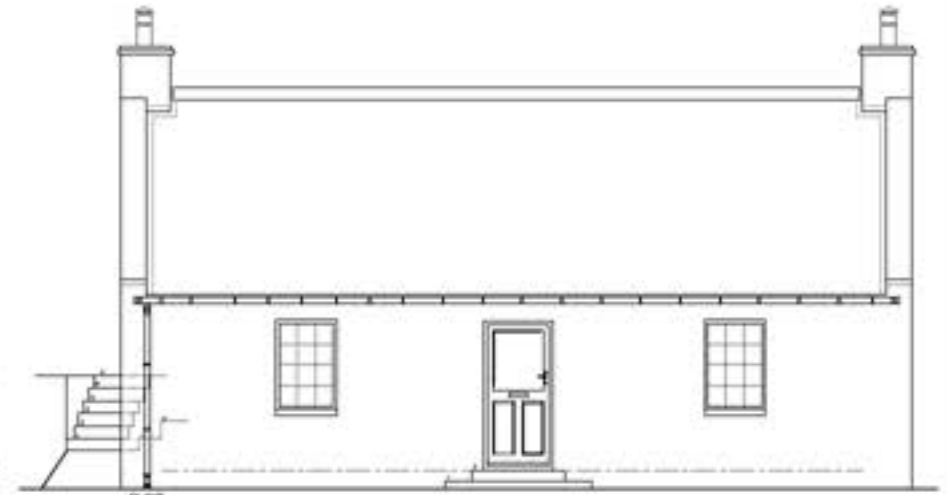
Existing First Floor Plan @ 1-100



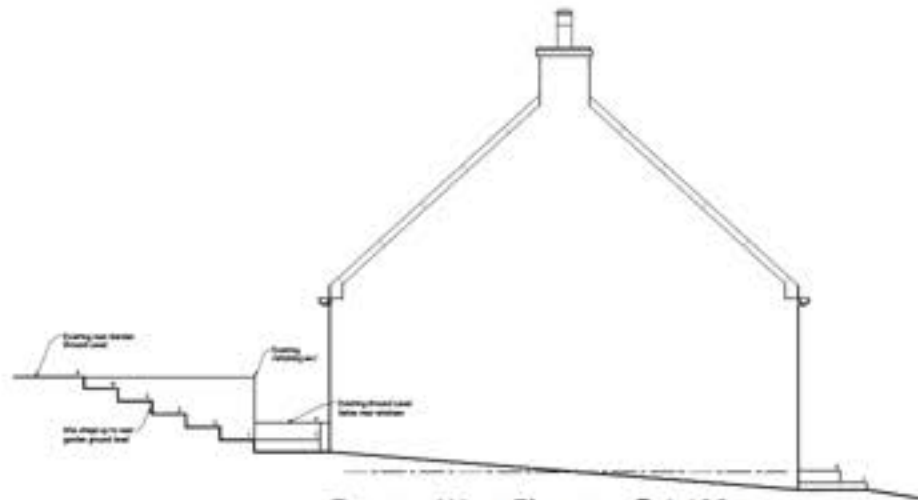
Existing Ground Floor Plan @ 1-100



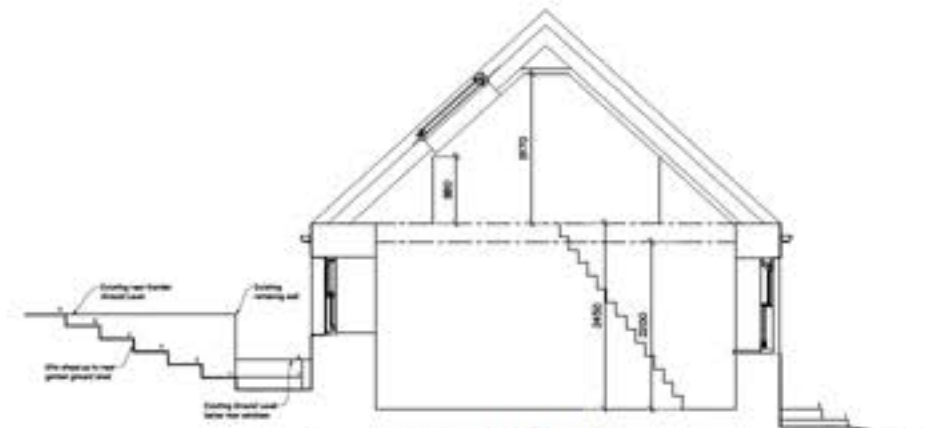
Existing North Elevation @ 1-100



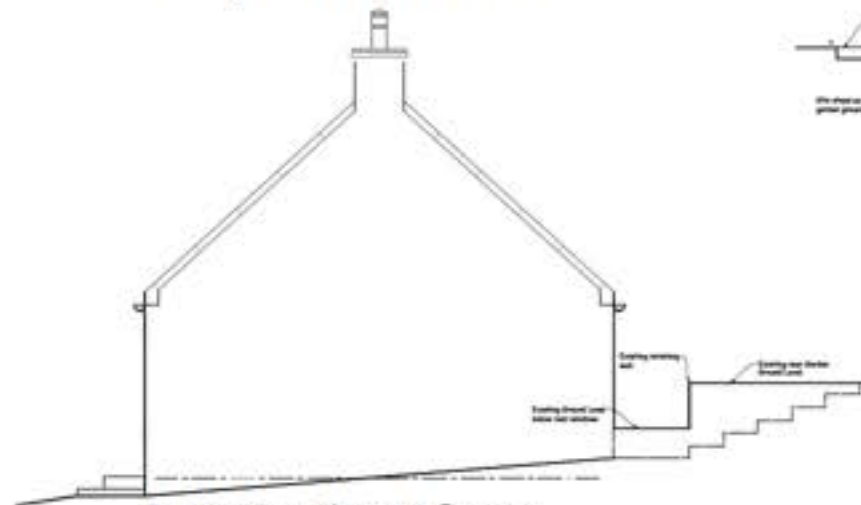
Existing South Elevation @ 1-100



Existing West Elevation @ 1-100



Existing Section @ 1-100



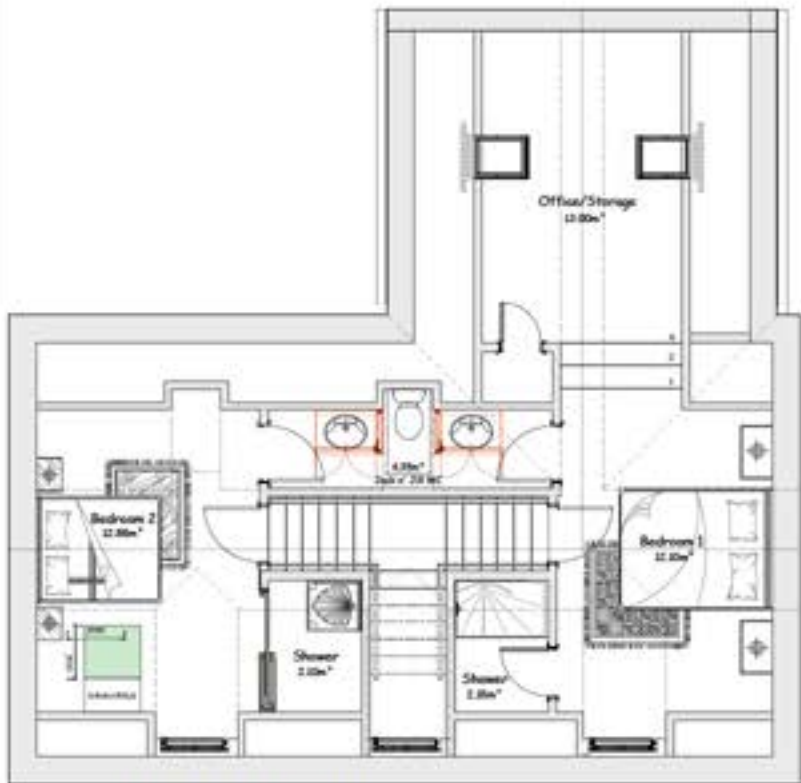
Existing East Elevation @ 1-100



Arthur Stone Planning
& Architectural Design

Project Proposed Alterations & Extension at Annfield Cottage, Brunton, Fife, KY15 4NB				
Title Existing Plans and Elevations				
Drawn AC	Date Jan 19	Scale 1:100@A3	Drawing No 3091-BELL-004	REV

Scale 0m 1m 2m 3m 4m 5m 6m 7m 8m 9m 10m
1:100



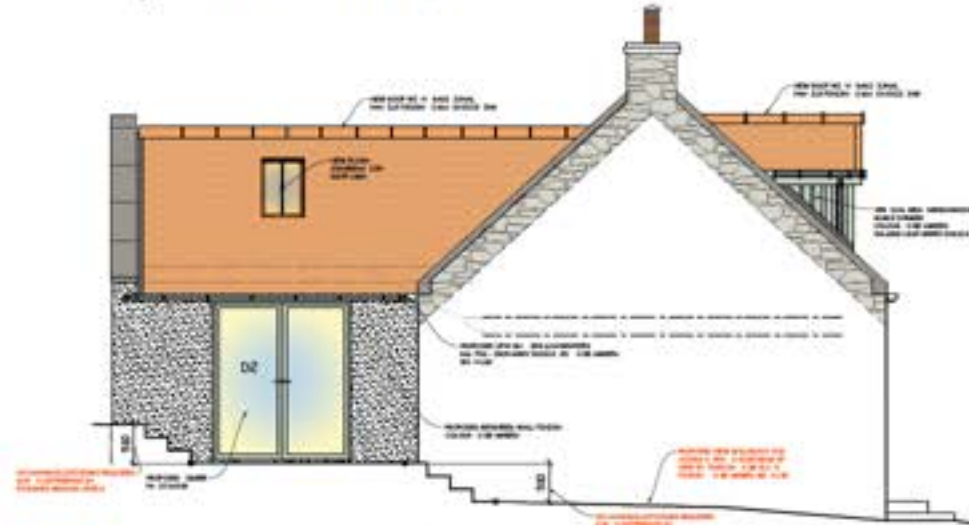
Proposed First Floor Plan @ 1-100



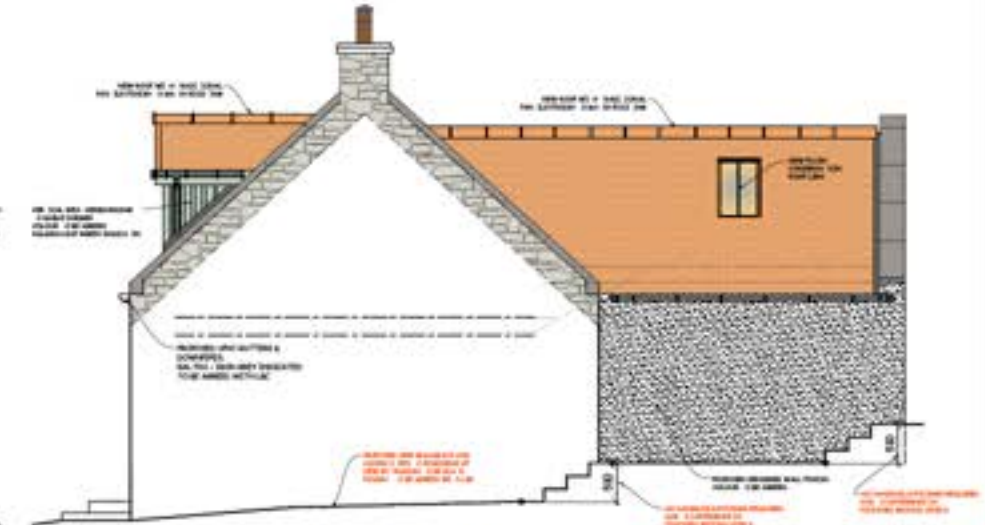
Proposed Ground Floor Plan @ 1-100



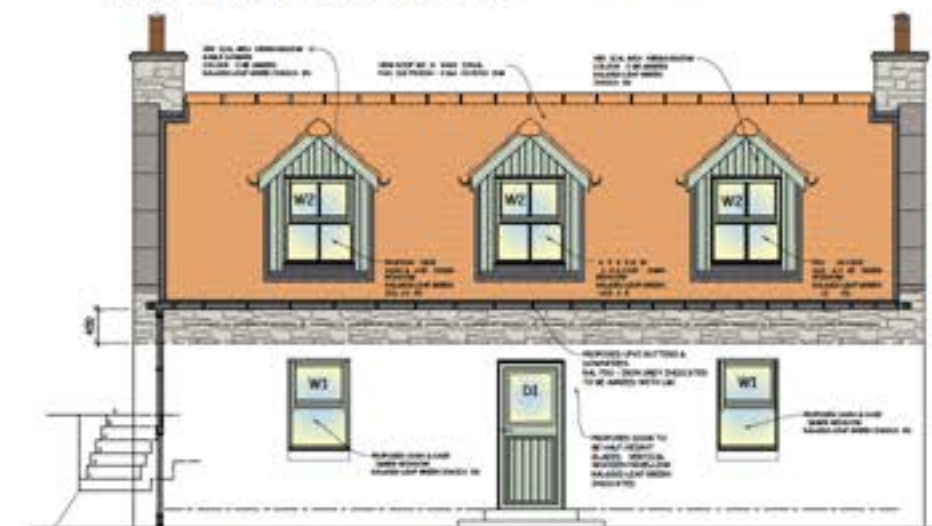
Proposed North Elevation @ 1-100



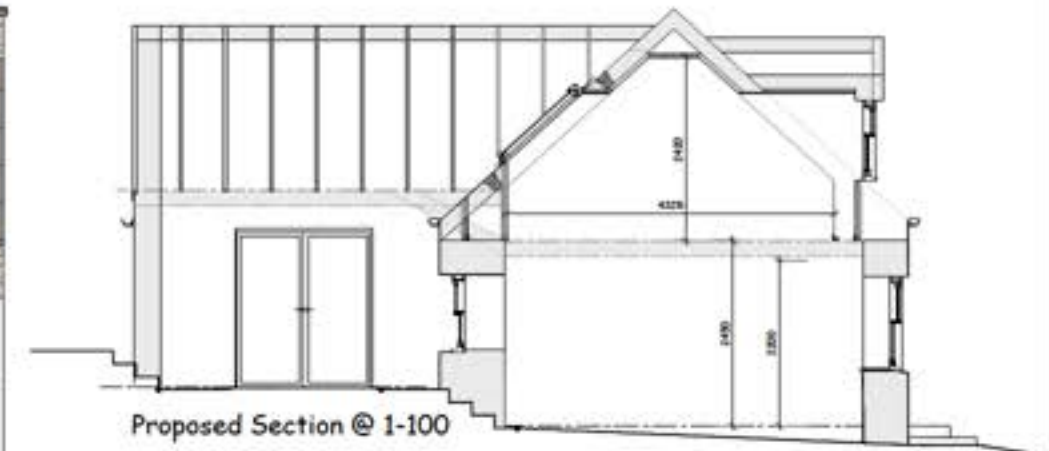
Proposed West Elevation @ 1-100



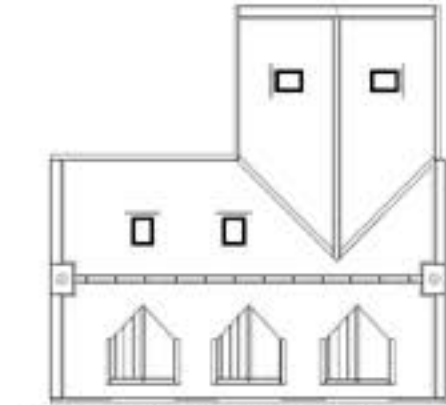
Proposed East Elevation @ 1-100



Proposed South Elevation @ 1-100



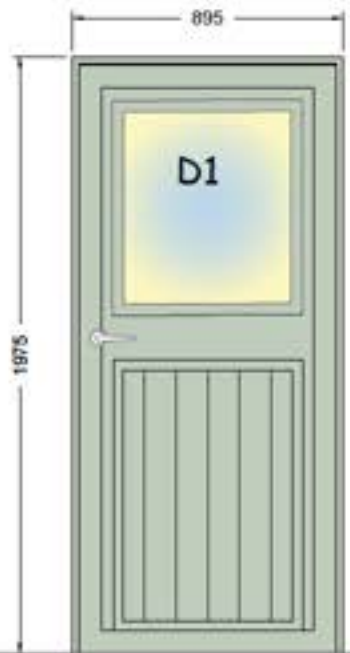
Proposed Section @ 1-100



Proposed Roof Plan @ 1-200

Arthur Stone Planning
& Architectural Design

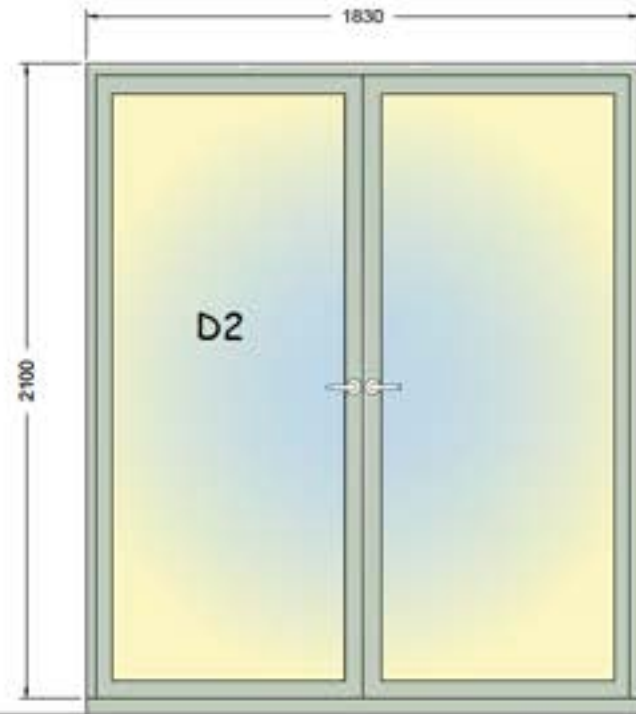
Project Proposed Alterations & Extension at Annfield Cottage, Brunton, Fife, KY15 4NB				
Title Proposed Plans and Elevations				
Drawn AC	Date Jan 19	Scale 1:100@A3	Drawing No 3091-BELL-005	REV C



Proposed Front Door Elevation D1 @ 1-25



Section of Doors @ 1-25



Proposed Patio Door Elevation D2 @ 1-25



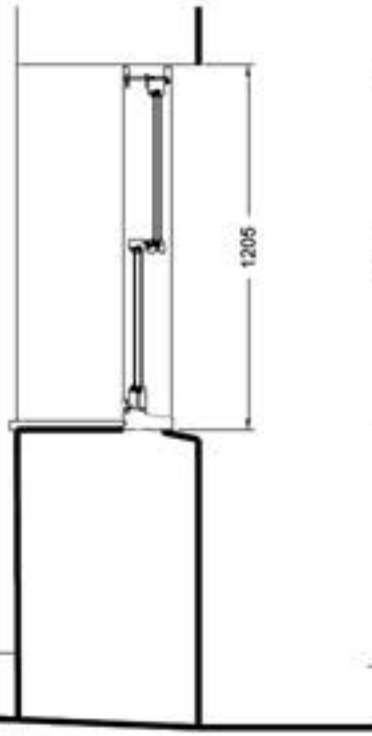
Proposed North Elevation @ 1-200



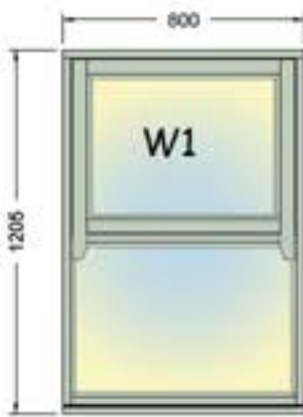
Proposed East Elevation @ 1-200



Proposed South Elevation @ 1-200



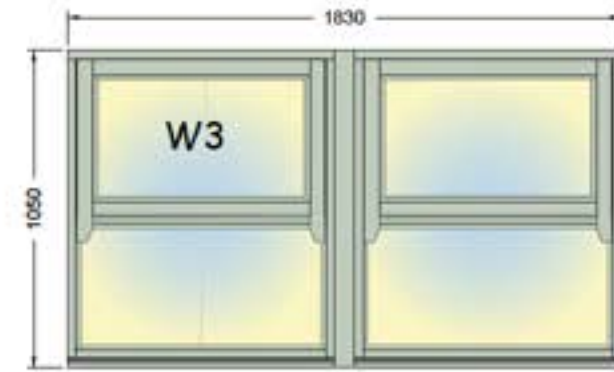
Section of Window @ 1-25



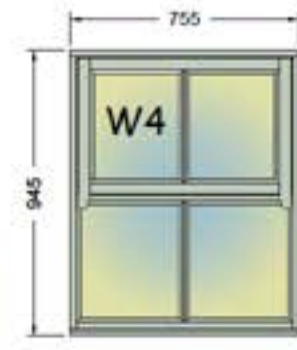
Window Elevation W1 @ 1-25



Window Elevation W2 @ 1-25



Window Elevation W3 @ 1-25



Window Elevation W4 @ 1-25



Window Elevation W5 @ 1-25



780 x 980mm Conservation Velux Window Elevation W6 @ 1-25

Arthur Stone Planning & Architectural Design

Project Proposed Alterations & Extension at Annfield Cottage, Brunton, Fife, KY15 4NB				
Title Proposed Door & Window Schedule				
Drawn AC	Date Jan 19	Scale 1:100@A3	Drawing No 3091-BELL-006	REV

Proposal Details

Proposal Name	100237462
Proposal Description	Proposed extension
Address	ANNFIELD COTTAGE, BRUNTON, CUPAR,
KY15	4NB
Local Authority	Fife Council
Application Online Reference	100237462-008

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
John Bell Annfield cottage Brunton- Appeal statement	Attached	Not Applicable
3091-BELL-002_Existing_block_plan	Attached	A3
3091-BELL-004 Existing plan and elevations	Attached	A3
3091-BELL-006 Proposed Door and Window Schedule	Attached	A3
3091-BELL-003 Rev B Proposed Block Plan	Attached	A3
3091-BELL-005 Proposed Plans and elevations Rev C	Attached	A3
Location Plan	Attached	A3
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-008.xml	Attached	A0

Agenda Item 4(2)

**Annfield Cottage, Brunton, Cupar, KY15 4NB
Application No. 20/00489/FULL**

Planning Decision Notice

Report of Handling

Arthur Stone Planning & Architectural Design
Limited
Alison Arthur
85 High Street
Newburgh
United Kingdom
KY14 6DA

Planning Services

Stacey Wotherspoon
development.central@fife.gov.uk

Your Ref:
Our Ref: 20/00489/FULL

Date 6th April 2021

Dear Sir/Madam

Application No: 20/00489/FULL
Proposal: Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear
Address: Annfield Cottage Brunton Cupar Fife KY15 4NB

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

Should you require clarification of any matters in connection with this decision please get in touch with me.

Yours faithfully,

Stacey Wotherspoon, Graduate Planner, Development Management

Enc



DECISION NOTICE FULL PLANNING PERMISSION

Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **REFUSES PLANNING PERMISSION** for the particulars specified below

Application No: 20/00489/FULL
Proposal: **Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear**
Address: **Annfield Cottage Brunton Cupar Fife KY15 4NB**

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 20/00489/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of protecting the character and integrity of this Category C Listed Building and surrounding Conservation Area; the proposed works by virtue of their inappropriate scale and proportions (e.g. through the installation of dormers to the front, increase in wallhead, gable walls and roof ridge heights and roof pitch), overall design and choice of external finishing materials cumulatively would detrimentally impact on the traditional character, quality and authenticity of the Listed Building and wider Brunton Conservation Area within which the site and building are located. Furthermore, the use of non-traditional external finishing materials such as UPVC rainwater goods, inappropriate dormer cheek finishes, a lack of justification to merit replacement works as opposed to employing best conservation practices, and a lack of detail and specification with regards to the colours and external finishes would all have the potential to undermine the qualities and character of the building which merited a statutory listing. Such works, if permitted, would conflict with the objectives of Scottish Planning Policy (2020), Historic Environment Scotland (HES) - Policy Statement (2019), Managing Change in the Historic Environment - Roofs (2010), Managing Change in the Historic Environment - Extensions (2020), Managing Change in the Historic Environment - Windows (2018), Policies 1, 10 and 14 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018), Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016), and the Brunton Conservation Area Appraisal and Management Plan (2018), and if approved the decision would set an undesirable precedent on future decisions for dormer refurbishment on other Listed Buildings and properties within Conservation Areas.

Dated: 6th April 2021

Chris Smith

For Head of Planning Services

Decision Notice (Page 1 of 2) Fife Council

PLANS

The plan(s) and other submissions which form part of this decision are: -

Reference	Plan Description
01	Location Plan
02	Block Plan
03	Proposed Block Plan
04	Existing various eg elevation, floor etc
05	Proposed various - elevation, floor etc
06	Window and Door Elevations

Dated:6th April 2021

Chris Smith

Decision Notice (Page 2 of 2) For Head of Planning Services
Fife Council

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 by notice sent within three months of the date specified on this notice. Please note that this date cannot be extended. The appropriate forms can be found following the links at www.fifedirect.org.uk/planning. Completed forms should be sent to:

Fife Council, Committee Services, Corporate Services Directorate

Fife House

North Street

Glenrothes, Fife

KY7 5LT

or emailed to local.review@fife.gov.uk

LAND NOT CAPABLE OF BENEFICIAL USE

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V Town and Country Planning (Scotland) Act, 1997.

**HOUSEHOLDER
REPORT OF HANDLING**
APPLICATION DETAILS

ADDRESS	Annfield Cottage, Brunton, Cupar		
PROPOSAL	Erection of two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear		
DATE VALID	10/04/2020	PUBLICITY EXPIRY DATE	02/06/2020
CASE OFFICER	Stacey Wotherspoon	SITE VISIT	12/05/2020
WARD	Howe Of Fife And Tay Coast	REPORT DATE	02/04/2021

ASSESSMENT

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. Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

1.0 BACKGROUND

1.1 This application relates to a Category 'C' Listed one-and-a-half storey detached dwellinghouse, located within the Brunton Conservation Area. Finishing materials of this property include traditional mixed stone walling, clay roof tiles, and light brown uPVC windows/doors. There are a mix of property types in the surrounding area, however, they follow a similar architectural form. The immediate area mostly consists of detached and semi-detached properties similar to the one that is the subject of this application. The property currently has garden ground to the front, sides, and rear, and is bound by hedges and fencing.

1.2 This application seeks full planning permission for a two storey extension to the rear of the dwellinghouse, alterations to the wall-head and roof ridge/gable wall heights of the property to match the height of the proposed extension, three dormer extensions to the front, and the

installation of replacement windows and doors and rainwater goods. There are also to be mixed engineering and landscaping works to the rear garden.

1.3 The related application for Listed Building Consent (20/00490/LBC) is also being considered. There is no other relevant planning history for this property.

1.4 Due to current government restrictions associated with the Coronavirus outbreak; it has not been possible to carry out a site visit to this property. The above assessment is therefore based on information submitted by the application/agent and that is available online. In this instance the applicant had provided sufficient photographs to enable a full assessment of the application to be undertaken along with the information available on Google mapping and street imaging.

2.0 POLICY ASSESSMENT

2.0.1 The issued are to be assessed against the Adopted FIFEplan 2017 policies and other related guidance are as follows:

- Design and Visual Impact on the Listed Building and Conservation Area
- Residential Amenity Impact
- Road Safety Impact

2.1 Design and Visual Impact on the Listed Building and Conservation Area

2.1.1 Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2020) (Valuing the Historic Environment), Historic Environment Scotland (HES) - Policy Statement (2019), Policies 1, 10 and 14 of the Adopted FIFEplan (2017), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018), Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016), Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), Brunton Conservation Area Appraisal and Management Plan (2018), Managing Change in the Historic Environment - Extensions (2020), Managing Change in the Historic Environment - Windows (2018), Managing Change in the Historic Environment - Roofs (2020) apply with regards to the design and visual impact of the development.

2.1.2 FIFEplan 2017 Policy 10 requires that development must not lead to a detrimental visual impact on the surrounding area and Fife Council Planning Customer Guidelines on Home Extensions reinforce that any proposed development should not dominate or detract from neighbouring development, be subsidiary to the existing dwelling house, respect existing materials and reflect the style of the original build. FIFEplan Policy 14 advises that proposals should safeguard the characteristics of the historic environment and proposals should not lead to a significant visual detrimental impact on their surrounds. Development, which protects or enhances buildings or other built heritage of special architectural or historic interest, will be supported. Fife Council's Planning Customer Guidelines on Dormer Extensions (2016) states that dormer extensions should appropriately fit in with the design, style, size, and materials of the existing dwelling. Historic Environment Scotland Managing Change Windows (2018) guidance states that where a window is of limited interest or beyond repair, its replacement should be permitted, and should match the original windows in design, form, fixing, method of opening and materials. Fife Council's Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018) states that replacement windows should protect and enhance the traditional character and appearance of the building. Managing Change in the Historic Environment - Roofs (2020) stresses that a properties roof is key in defining and maintaining the

character and appearance of a Listed Building, and traditional materials should be used when possible.

2.1.3 Fife Councils Built Heritage team were consulted on this application and raised concerns over a number of aspects of the proposed works; stating that no real justification for the works individually and cumulatively had been provided, the scale of the alterations to the property are unacceptable, as well as the material choices for some aspects, and overall the works would drastically change the appearance and lessen the historic value of both the Listed Building and surrounding Conservation Area, and has such have recommended this application be refused.

2.1.4 The proposed extension to the rear of the property would increase the footprint of the dwellinghouse by approximately 21 square metres, and the height of the extension would measure approximately 4.5 metres (taking account of the stepped rear garden height). The proposed extension would be finished with clay roof tiles to match the existing dwellinghouse, and roughcast render. The proposed two-storey extension is to the rear of the property and therefore would not be visible from a public road, and due to its scale, massing, and similarity to the existing dwellinghouse, it is considered that proposed works would not have a detrimental visual impact to the public street scene. The BS/RAL colour detail for the new windows and doors has not been specified, and there is a lack of clear material details for the extension itself including the additional materials required to increase the wallhead/gables/roof height. Whilst the principle of a rear extension has merit, however in this instance the proposal is considered to be unacceptable in terms of it's detrimental impact to the Listed Building and lack of a clear justification statement to take into account the issues raised by Built Heritage.

2.1.5 The roof height of the main property would be raised and would match that of the proposed two-storey rear extension, resulting in an increase of 0.5 metres, bringing the overall height of the property from approximately 5.3 metres to 5.8 metres. As the roof height and pitch are being altered, replacement roof tiles are also proposed in the form of clay pantiles to match the existing property. The raising of the roof height would be visible from the public road and would significantly alter the appearance of the property. The increase in wallhead, gable and roof ridge heights would significantly and detrimentally alter the traditional built proportions of the property. Built Heritage officers also raised concerns regarding the proposed alterations to other aspects such as the design of the chimney stacks, wall heads, eaves, and skew detailing; stating that the proposed works would negatively impact upon the architectural value and historic significance of the property. It is therefore considered that the proposed alterations and replacement roof tiles are unacceptable as they would have a detrimental impact upon the appearance and character of this Listed Building or the wider Conservation Area.

2.1.6 The proposed three dormers would be located to the front of dwellinghouse, and would be highly visible from the public road. The three dormers would each sit 0.4 metres below the roof ridge and 0.4 metres above the wall head, resulting in the dormers having an overall height of 2.1 metres. The dormer on the left side is located 1.7 metres from the gable end, and the dormer on the right side is located 1.6 metres from the gable end, with 1.4 metres separating each from the middle dormer. Each dormer would protrude 2.3 metres from the roof ridge, and be finished with clay roof tiles and have 1 no. window timber window which will match the existing dwellinghouse. The dormers would have vertical waterboard clad cheeks, which is considered to have a negative visual impact to the historic value of the property. The three proposed dormers would be located symmetrically with existing openings on the dwellinghouse, however due to their overall scale, are considered to dominate the front elevation of the property. Therefore, the proposed dormers are considered to have a significant detrimental

visual impact upon the Listed Building or surrounding Conservation Area, and so are not acceptable in this instance.

2.1.7 It is proposed would replace 1 no. window and 2 no. rooflights on the northern (rear) elevation and 2 no. windows and 1 no. door on the southern (front) elevation. The existing windows are brown uPVC units, and it is proposed to replace these with double glazed painted timber sash and case windows. The BS/RAL colour detail for the new windows and doors has not been specified. There is scope for the installation of replacement windows and doors to the property, however further clarity on the colour and design of these and a justification statement detailing why they are necessary would be required. Given the above, the replacement windows and doors are considered to be unacceptable in this case without being justified and without finishing details.

2.1.8 Iron grey (RAL 7011) uPVC downpipes and guttering are also to be installed to the property and proposed extension. These are not considered to be an appropriate materials and are not traditional and therefore inappropriate for a traditional Listed Building such as this. Therefore, the uPVC guttering is considered to be unacceptable in this instance.

2.1.9 Overall, the cumulative impact of the proposed works is considered to significantly alter the appearance and character of the property, and as such is not considered to be acceptable in terms of form, scale, detailing, built proportions and choice of external finishing materials; would not be compatible with the surrounding Brunton Conservation Area and would detrimentally impact upon the character and appearance of this Category 'C' Listed Building. As such the proposal is not in compliance with relevant policies of the Development Plan and the associated guidance.

2.1.10 The agent has been advised that the proposal in its current form would not be supported due to the cumulative visual impact to the property, however that there is scope for the proposed rear extension and replacement windows, however the agent has advised that his client wishes for the application to be determined as submitted.

2.2 Residential Amenity Impact

2.2.1 Policies 1 and 10 of the Adopted FIFEplan (2017), Fife Council Customer Guidelines on Daylight and Sunlight (2018) and Garden Ground (2016) apply in terms of residential amenity.

2.2.2 Policy 1 of the Adopted FIFEplan (2017) advise that a development proposal will be supported if it is in a location where the proposal use is supported by the Local Development Plan, and proposals address their individual and cumulative impacts. Policy 10 advises that development is required to be implemented in a manner that ensure that existing uses and the quality of life of those in the immediate area are not adversely affected by factors such as, (but not limited to) noise, potential losses of privacy, sunlight, or daylight etc. Fife Council Planning Customer Guidelines on Garden Ground recommends that a home extension should not reduce a garden's usefulness, reduce a neighbour's quality of life by blocking out the sun or harm the quality of the local environment. Fife Council Customer Guidelines on Daylight and Sunlight advises that the design of residential environments must seek to ensure that adequate levels of natural light can be achieved within new development and that unacceptable impacts on light to nearby properties are avoided.

2.2.3 The proposed extension to the rear would introduce 3 no. windows to the northern (rear) elevation, 1 no. patio door and 1 no. rooflight to the western (side) elevation and 1 no. rooflight

to the western (side) elevation. Existing boundary treatments on site include hedges and fencing to the front, sides, and rear. It is considered that there would be no significant overlooking/privacy issues than already exists from the proposed windows to the southern (rear) elevation as the views achievable from these are already readily available from existing openings. The 2 no. rooflights on the eastern and western (side) elevations are not considered to cause any significant privacy issues for neighbouring properties. Due to the distance to the neighbouring property on the western (side) elevation, the proposed 1 no. patio door is also not considered to have a significant detrimental impact on the privacy of the neighbouring property. Therefore, it can be deemed that the proposed extension is compliant with Fife Council's Planning Customer Guidance on Home Extensions and Policy 10 of FIFEplan in regards to privacy issues, and would not have a significant detrimental impact on the privacy of neighbouring properties.

2.2.4 The proposed dormer extensions to the front of the property would introduce 3 no. windows to this elevation. It is considered that there would be no significant overlooking/privacy issues than already exists from the proposed windows as the views achievable from these are already readily available from existing openings. Therefore, the dormer extension would not have a detrimental impact on the privacy of neighbouring properties

2.2.5 The proposed extension would be located to the east of the neighbouring property named Taychreggan and so its impact on current levels of daylight to windows and sunlight to garden ground must therefore be considered. In line with Fife Council's Planning Customer Guidelines on Daylight and Sunlight, a 45-degree assessment was undertaken and demonstrated that a 45-degree line drawn from the eaves of the proposed development would not intercept the centre point of the window serving the northern (rear) elevation of Taychreggan, and therefore it is considered the proposal would not result in the significant loss of daylight to the neighbouring windows.

Due to the path of the sun and the height and position of the development, it is noted that the proposal would not result in a significant adverse impact on sunlight to neighbouring amenity spaces. The amenity space at Taychreggan would still enjoy at least two hours of direct sunlight in accordance with the recommendations set out in the relevant BRE guidance. On this basis the proposal would meet the terms of residential amenity as set out through Development Plan policy and Fife Council's Planning Customer Guidelines on Home Extensions and Daylight and Sunlight respectively.

2.2.6 Fife Council Customer Guidelines on Garden Ground (2016) applies in this instance. Garden Ground guidelines advise that home extensions should not occupy more than 25% of the original private garden per dwellinghouse. The existing rear garden ground measures 114 square metres and the proposed works would occupy approximately 18.4% of the original garden area, with the remaining private garden ground to the rear measuring to approximately 93 square metres. Although the proposal covers more than 25% of the existing rear garden ground, it is considered that there is adequate private garden ground available due to the overall size of the property plot as well as the level of garden ground available to the front of the property, and so the proposed extension would not reduce the overall usefulness of the existing amenity space.

2.2.7 The proposal is considered acceptable in this respect in terms of overshadowing, overlooking and garden ground, would be compatible with its surrounds in terms of land use and would be in compliance with the Development Plan and relevant guidance.

2.3 Road Safety Impact

2.3.1 Policies 3 and 10 of FIFEplan applies in terms of road safety impact. These policies indicate development will only be supported where it has no road safety impacts. In this instance the policies will be applied to assess what impact the proposed development would have on the general road safety of the surrounding area. Making Fife's Places Transportation Development Guidelines (2018) also apply.

3.2.2 As this application does not propose any changes to the number of bedrooms the property currently has, the existing level of parking provision is considered sufficient. In light of the above, the proposal is deemed to comply with FIFEplan policies and Making Fife's Places Transportation Development Guidelines (2018).

CONSULTATION RESPONSES

Community Council

REPRESENTATIONS

There are no representations.

CONCLUSION

The proposal is not considered to be acceptable in terms of form, scale, building proportions, detailing and choice of external finishing materials; would not be compatible with the surrounding Brunton Conservation Area and would detrimentally impact upon the character and appearance of this Category 'C' Listed Building. As such the proposal is not in compliance with relevant policies of the Development Plan and the associated guidance.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of protecting the character and integrity of this Category C Listed Building and surrounding Conservation Area; the proposed works by virtue of their inappropriate scale and proportions (e.g. through the installation of dormers to the front, increase in wallhead, gable walls and roof ridge heights and roof pitch), overall design and choice of external finishing

materials cumulatively would detrimentally impact on the traditional character, quality and authenticity of the Listed Building and wider Brunton Conservation Area within which the site and building are located. Furthermore, the use of non-traditional external finishing materials such as UPVC rainwater goods, inappropriate dormer cheek finishes, a lack of justification to merit replacement works as opposed to employing best conservation practices, and a lack of detail and specification with regards to the colours and external finishes would all have the potential to undermine the qualities and character of the building which merited a statutory listing. Such works, if permitted, would conflict with the objectives of Scottish Planning Policy (2020), Historic Environment Scotland (HES) - Policy Statement (2019), Managing Change in the Historic Environment - Roofs (2010), Managing Change in the Historic Environment - Extensions (2020), Managing Change in the Historic Environment - Windows (2018), Policies 1, 10 and 14 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018), Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016), and the Brunton Conservation Area Appraisal and Management Plan (2018), and if approved the decision would set an undesirable precedent on future decisions for dormer refurbishment on other Listed Buildings and properties within Conservation Areas.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Guidance

Section 59 and 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997
Historic Environment Scotland - Policy Statement (2019)
Scottish Planning Policy (2014) (Historic Environment)
Managing Change in the Historic Environment - Extensions (2020)
Managing Change in the Historic Environment - Windows (2018)
Managing Change in the Historic Environment - Roofs (2020)

Development Plan

Adopted FIFEplan Development Plan (2017)

Other Guidance

Brunton Conservation Area Appraisal and Management Plan (2018)
Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016)
Fife Council's Planning Customer Guidelines on Garden Ground (2016)
Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018)
Fife Council's Planning Customer Guidelines on Dormer Extensions (2016)
Making Fife's Places Transportation Development Guidelines (2018)

Agenda Item 4(3)

**Annfield Cottage, Brunton, Cupar, KY15 4NB
Application No. 20/00489/FULL**

Consultee Comments

Charlie Ewan-fs

From: bernard o'donnell <[REDACTED]>
Sent: 21 April 2020 10:13
To: Development Central
Cc: 'Bob Arbuckle'
Subject: Planning application 20/00489/FULL not 20/00490/LBC

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Fife planning:

Applications: 20/00489/Full and 20/00490/Full

I refer to the above planning applications regarding Annfield Cottage, Brunton. Creich and Flisk Community Council wish to be regarded as a statutory consultee in this matter.

Yours,

B.O'Donnell
Chair of C&FCC



Planning Portfolio Internal Assessment Sheet

EPPS Team	Built Heritage - EPES
Application Ref Number:	20/00490/LBC
Application Description:	Listed building consent for internal and external alterations to dwellinghouse including erection of two storey extension to rear, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear. Annfield Cottage Brunton
Date:	20/08/2020
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input type="checkbox"/> Non-statutory
Consultation Summary	

Important Note

This is an internal planning assessment response provided from within Economy, Planning and Employability Service. It forms part of the overall assessment to be carried out by Staff on behalf of Fife Council as Planning Authority. The internal assessment is a material consideration in the determination of the application but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course.

1.0 POLICIES**Local Plans**

FIFEplan policies on built and historic environment only have minor challenges through the examination process. Given they will not change significantly through the Examination process they can be used as the context for the assessment of applications.

FIFEplan Fife's local Development Plan – adopted on 21 September 2017
<https://www.fifedirect.org.uk/topics/index.cfm?fuseaction=page.display&p2sid=D61AC1F5-DD4B-CE6A-51E3BDDED79D5ABC&themeid=2B482E89-1CC4-E06A-52FBA69F838F4D24>

Policy 1 (Part B) 10: Development Principles
 Development proposals must address their development impact by complying

with the following relevant criteria and supporting policies, where relevant:

Safeguard the characteristics of the historic environment

Policy 14 – Built and Historic Environment

Designated sites and buildings

Development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported. Proposals will not be supported where it is considered they will harm or damage:

-Listed Buildings or their setting, including structures or features of special architectural or historic interest

2.0 OVERALL ASSESSMENT

2.1 The proposed development relates to a category C listed, early 19th century building, located within the Brunton conservation area. The *Brunton Conservation Area Appraisal and Management Plan* is relevant.

2.2 The building is a rare, good, unaltered, example of this type of simple vernacular cottage which once characterised the hamlet. Although roof windows have been added to the rear roof slope the original design of the front elevation and materials have been retained. The building is for this reason particularly important as one of the last examples of what would have been the appearance of most cottages in the hamlet. The *Brunton Conservation Area Appraisal and Management Plan* highlights this and warns against the damage which can be caused by inappropriate alterations and additions.

2.3 It is likely that the fabric of the windows is not original. This should be confirmed. Assuming they are modern replacements the case could be made for their replacement with similar six over six pane traditional timber sash and case windows. The basic design of the proposed replacement windows is not appropriate. Insufficient details are supplied.

2.4 Similarly, the front door appears to be a modern replacement and assuming so could be replaced with one of more appropriate design for a building of this age and type. The half-glazed design proposed is not appropriate.

2.5 The replacement of the roof tiles could be supported if they can be confirmed to have reached the end of their life. The proposed replacement tile has not been specified.

2.6 The external masonry is the original bare whinstone with sandstone margins. The rendering of the walls would destroy this significant characteristic. The type of render is not specified and could if technically inappropriate also cause damage to the masonry.

2.7 Raising the wall heads at the eaves and the ridge would destroy the architectural integrity of the building design. The new masonry is not specified.

2.8 The addition of three dormer windows to the new front roof slope would introduce incongruous, inappropriate, architectural paradigms and destroy the architectural integrity of the building.

2.9 The external engineering works to the rear landscaping would have no impact on the building or conservation area.

2.10 The application does not include a design statement to help understand the design approach which should be based on an assessment of the heritage significance of the building and the conservation area. The design approach chosen, materials and detailing, should be explained. The proposed changes to the existing building subsume it within a new homogenous whole which includes the proposed extension. Historic Environment Scotland guidance, *Managing Change in the Historic Environment. Extensions* is relevant and has not been followed. The reason for example for the use of incongruous external render, and PVCu rainwater goods, should be explained.

3.0 CONCLUSIONS

3.1 The proposals would have a major adverse impact on the special architectural and historic interest of the listed building and the special character and appearance of the conservation area for the reasons listed above.

4.0 RECOMMENDATIONS (include any suggested conditions/planning obligations if considering approval)

4.1 Refusal.

Important note

The above internal planning assessment response has been prepared at officer level within the Economy, Planning and Employability Service team responsible for the specific topic area .It is an assessment of the specific issue being consulted upon but it is important to remember that the response cannot be considered in isolation and outwith the overall assessment of the proposal under consideration. Fife Council as Planning Authority, in considering all the material considerations in an individual application can legitimately give a different weighting to the individual strands of the assessment, including consultation responses and the final assessment is based on a comprehensive and balanced consideration of all the aspects under consideration.

Signed by: Matthew Price, Economy, Planning and Employability Services
E-mail: matthew.price@fife.gov.uk
Tel: 03451 555 555 Ext 476998

NB Referral to Senior Manager by Service Manager on a need to know basis.
Effective from January 2015.

Agenda Item 5(1)

**40 Millhill Street, Dunfermline, KY11 4TG
Application No. 20/03024/FULL**

Notice of Review

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	Kevin Ho Man	Forename	Pete
Surname	Kit	Surname	Cummins
Company Name	House Of Ikigai	Company Name	Architect Peter Cummins
Building No./Name	21 The Cairns	Building No./Name	1 West Road
Address Line 1		Address Line 1	
Address Line 2	Dunfermline	Address Line 2	Dunfermline
Town/City	Charlestown	Town/City	Charlestown
Postcode	KY11 3EP	Postcode	KY11 3EW
Telephone		Telephone	01383 872 692
Mobile		Mobile	07725981944
Fax		Fax	
Email		Email	pete@petecummins.co.uk
3. Application Details			
Planning authority	Fife Council		
Planning authority's application reference number	20/03024/FULL		
Site address	40 Millhill Street Dunfermline Fife KY11 4TG		
Description of proposed development	Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door		

Date of application	January 20th 2021	Date of decision (if any)	22nd June 2021
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Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)	<input checked="" type="checkbox"/>
Application for planning permission in principle	<input type="checkbox"/>
Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)	<input type="checkbox"/>
Application for approval of matters specified in conditions	<input type="checkbox"/>

5. Reasons for seeking review

Refusal of application by appointed officer	<input checked="" type="checkbox"/>
Failure by appointed officer to determine the application within the period allowed for determination of the application	<input type="checkbox"/>
Conditions imposed on consent by appointed officer	<input type="checkbox"/>

6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions	<input checked="" type="checkbox"/>
One or more hearing sessions	<input checked="" type="checkbox"/>
Site inspection	<input checked="" type="checkbox"/>
Assessment of review documents only, with no further procedure	<input type="checkbox"/>

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

Please see document “ House of Ikigai Notice of Review” Attached; SEE 6. Review procedure

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?	<input checked="" type="checkbox"/>
Is it possible for the site to be accessed safely, and without barriers to entry?	<input checked="" type="checkbox"/>

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Please see attached document “ House of Ikigai Notice for Review” SEE 7. Site inspection

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. **Note:** you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see attached document “ House of Ikigai Notice for Review” SEE 8. Statement

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

Please see document “ House of Ikigai Notice of Review” Attached SEE 8. Statement

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

I have attached a series of photos to show the spaces available on various days to show the access and the reason why the permission for change of use should be approved

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

Kevin Kit

Date:

06/07/2021

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

6. Review procedure

Further written submission, site inspection, and hearing is necessary to be subject of the review procedure.

Written submission will describe, explain and evident that the proposed development would have off-street parking spaces nearby, which would therefore not lead to an increase in the number of cars parking on-street on the surrounding roads which would not impede traffic flow and not constitute a safety hazard to other road users.

Site inspection, will evidence the above, as the last review of the surrounding traffic flow and parking was from many years ago. An up to date survey of the traffic will show that there is ample parking available.

Hearing, to discuss with the site inspector the current situation with the street, will evidence that the refusal, on the basis of

“the proposed development would have no off-street parking spaces which would lead to an increase in the number of cars parking on-street on the surrounding roads which could impede traffic flow and could constitute a safety hazard to other road users, furthermore, the proposal could also eventually displace vehicles to other streets within the surrounding area which could create issues with on- street parking within neighbouring streets’

Is in fact not valid.

As there is ample parking in local council and freely available parking at :

Asda (50 meters away)

Dunfermline train station (250 meters away)

Off street Parking spaces by church (300 meters away)

Off street Parking spaces on St Leonards St (300 meters away)

Off street Parking spaces along from St Leonards Church (300 meters away)

Off Street Parking, On Hospital Hill (500 meters away)

7. Site inspection

There are no reasons why the site inspection is can not be carried out unaccompanied

8. Statement

The refusal has been based on

The interests of road safety; the proposed development would have no off-street parking spaces which would lead to an increase in the number of cars parking on-street on the surrounding roads which could impede traffic flow and could constitute a safety hazard to other road users, furthermore, the proposal could also eventually displace vehicles to other streets within the surrounding area which could create issues with on- street parking within neighbouring streets. The proposal would, therefore, be contrary to Policies 1 and 3 of the Adopted FIFEPlan (2017) and Making Fife's Places Supplementary Guidance (2018)."

On the basis that there is ample parking spaces for the use of the premise, and because of this, will have no effect on traffic, parking, and congestion, a review of the application is sought after.

This is supported on 3 grounds, 1) there is ample and sufficient parking spaces immediately outside, and in nearby off street parking spaces, 2) the street is quiet, having lived in the street for more than 7 years, this is evidenced by images, 3) the previous commercial use of the property as driving test centre, would have had attracted more traffic to the area than the new proposed use case.

1) Policies 1 and 3 of the Adopted FIFEPlan (2017) and Making Fife's Places Supplementary Guidance (2018), has no specifics regarding the of street parking immediately outside the premisses.

It is noteworthy to present that there is off street parking spaces

Also noting that there is more than ample on street parking, see images attached.

There is ample parking in local council and freely available parking at :

Asda (50 meters away)

Dunfermline train station (250 meters away)

Off street Parking spaces by church (300 meters away)

Off street Parking spaces on St Leonards St (300 meters away)

Off street Parking spaces along from St Leonards Church (300 meters away)

Off Street Parking, On Hospital Hill (500 meters away)

Note that the use of the wellbeing clinic involves 2 staff and 1 patient.

Note that this is equivalent to any resident on the street having 2 guests visiting by car at one time. As you can see this is more than reasonable providing sufficient parking availability for its intended use.

2) I have previously lived in this premise for over 7 years of which the streets have been quiet. It is for this reason and others, it is worthwhile to have a survey carried out, and/or site inspection, to accurately consider the traffic flow, and car parking demands of this street.

Especially with the changes in COVID19 setting where more and more people are working from home, the parking spaces during the day will show you the most busiest situation. Of which after an on site inspection will evidence that, even at the time where most people's cars are on the street, there is still more than plenty of space.

3) Do also note that the premise in question was also previously the Dunfermline driving test centre, and would have had a lot more cars due to the nature of the test centre.

The use of the premise as a small 1 surgery medical wellbeing centre, will incur far fewer cars than it's previous commercial use as a driving test centre

We intend to be environmentally friendly and encourage, public transport, and cycling to the premise also, inline with the council's policies to reduce emissions, and retain green spaces.

If the site was to be visited, it will be clearly and obviously seen that there is plenty of parking on all streets around the area, we have visited the area, and lived in the area also so very familiar with the minima traffic and plenty of parking available throughout the day, everyday of the week.

Because there is plenty of parking in this area, the refusal is not aligned with the permission for change of use. When the local officer is to review the area in person they would understand the most up to date situation of the area, and will offer the most appropriate evidence for the review.

a) Why your are raising new material

The new material is presented to evidence the parking, and is being raised as it counters the only reason for which the change of use has not yet been approved.

was irrelevant to the application as there is clear and obvious evidence that parking and traffic will not be effected by the change of use.

b) Why it was not raised with the appointed officer before your application was determined

The material to evidence the parking was not previously raised as it was not relevant with clear and obvious evidence that parking and traffic will not be effected by the change of use, and that there is more than sufficient parking available.

c) The material should be considered with the review as it is the only reason given to refuse the change of use. In light of this, with the evidence, especially with an up to date on site inspection, this will show that the refusal is not aligned and not valid for the reasons stated.

Due to the above the proposal is not contrary to Policies 1 and 3 of the Adopted FIFEPlan (2017) and Making Fife's Places Supplementary Guidance (2018), and therefore we request reconsidering and approving the change of use.







Agenda Item 5(2)

**40 Millhill Street, Dunfermline, KY11 4TG
Application No. 20/03024/PPP**

Planning Decision Notice

Report of Handling



Pete Cummins Architect
Peter Cummins
1 West Road
Charlestown
Dunfermline
Fife
KY11 3EW

Planning Services

Scott Simpson
development.central@fife.gov.uk

Your Ref:
Our Ref: 20/03024/FULL

Date 22nd June 2021

Dear Sir/Madam

Application No: 20/03024/FULL
Proposal: Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door
Address: 40 Millhill Street Dunfermline Fife KY11 4TG

Please find enclosed a copy of Fife Council's decision notice indicating refusal of your application. Reasons for this decision are given, and the accompanying notes explain how to begin the appeal procedure should you wish to follow that course.

Should you require clarification of any matters in connection with this decision please get in touch with me.

Yours faithfully,

Scott Simpson, Planner, Development Management

Enc

Planning Services
Fife House, North Street, Glenrothes, KY7 5LT





DECISION NOTICE FULL PLANNING PERMISSION

Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 **REFUSES PLANNING PERMISSION** for the particulars specified below

Application No: 20/03024/FULL
Proposal: Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door
Address: 40 Millhill Street Dunfermline Fife KY11 4TG

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 20/03024/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of road safety; the proposed development would have no off-street parking spaces which would lead to an increase in the number of cars parking on-street on the surrounding roads which could impede traffic flow and could constitute a safety hazard to other road users, furthermore, the proposal could also eventually displace vehicles to other streets within the surrounding area which could create issues with on-street parking within neighbouring streets. The proposal would, therefore, be contrary to Policies 1 and 3 of the Adopted FIFEPlan (2017) and Making Fife's Places Supplementary Guidance (2018).

PLANS

The plan(s) and other submissions which form part of this decision are: -

Reference	Plan Description
01	Location Plan
02	Existing various eg elevation, floor etc
03	Proposed various - elevation, floor etc
04	Additional Information
05	Supporting Statement

Dated:22nd June 2021

Derek Simpson

For Head of Planning Services
Fife Council

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

If you are not satisfied with this decision by the Council you may request a review of the decision by the Council's Local Review Body. The local review should be made in accordance with section 43A of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006 by notice sent within three months of the date specified on this notice. Please note that this date cannot be extended. The appropriate forms can be found following the links at www.fifedirect.org.uk/planning. Completed forms should be sent to:

Fife Council, Committee Services, Corporate Services Directorate

Fife House

North Street

Glenrothes, Fife

KY7 5LT

or emailed to local.review@fife.gov.uk

LAND NOT CAPABLE OF BENEFICIAL USE

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Minister, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he/she may serve on the Planning Authority a purchase notice requiring the purchase of his/her interest in the land in accordance with Part V Town and Country Planning (Scotland) Act, 1997.

REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	40 Millhill Street, Dunfermline, Fife		
PROPOSAL	Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door		
DATE VALID	21/01/2021	PUBLICITY EXPIRY DATE	04/03/2021
CASE OFFICER	Scott Simpson	SITE VISIT	None
WARD	Dunfermline Central	REPORT DATE	17/06/2021

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

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 This application relates to an existing ground floor flatted dwelling (40 Millhill Street) which is located on the corner of Millhill Street and George Street within the Dunfermline Settlement Boundary as designated within the Adopted FIFEplan (2017). The property is a mid-terraced two storey building which has an ashlar stone block finish, UPVC casement windows and a pitched roof clad in slate. The flatted dwelling has one bedroom and a small garden ground area to the front which is bound by an approximately one metre high stone wall with stairs leading up to the shared access with 38 Millhill Street. There is an existing stairway on the corner of the property with access between the stone wall to this stairway having previously been infilled.

1.2 The proposal is for a change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and door. The proposed door would be timber with a glazed fanlight above it and would replace the existing UPVC window on the corner of the building with access to this door taken via the existing stairway. The previously infilled section of the boundary wall would be opened up with a stainless steel handrail installed either side of the stairway. The proposed staff operational hours of the dental and healthcare clinic would be Monday to Friday from 8 am to 8 pm and 9 am to 6 pm on a Saturday with the opening hours for customers being Monday to Friday from 10 am to 7 pm and 10 am to 5 pm on a Saturday with no operating hours on a Sunday. The proposed clinic would have one treatment room with no more than one client at a time (one to two customer per hour) with a maximum of two members of staff (welcome team member and practitioner). The submission states that the applicant is a dental surgeon and a psychologist who plans to bring a medical wellbeing service to the area with the centre not offering all of the treatments which are conventionally provided at a dental practice. The applicant advises that "there will be no drills, suction, compression or any machinery that would create offensive noises".

1.3 The relevant planning history for the site and surrounding area is as follows:

- Full planning permission (04/02702/WFULL) for change of use and alterations to office to form a flat was approved with conditions on 19th August 2004.
- Full planning permission (05/02641/FULL) for installation of two rooflights was approved with conditions on 17th May 2005.
- Full planning permission (15/02633/FULL) for erection of 30 affordable flatted dwellings in 2 three storey blocks with associated infrastructure and formation of vehicular accesses and off street car parking spaces on the open space area across the road to the west of 40 Millhill Street was approved with conditions on 26th November 2015. These dwellings have been built.

1.4 Application Process

1.4.1 A physical site visit has not been undertaken for this planning application, however, the case officer has been in the area on numerous occasions and site photos are also included within the Planning Statement. All necessary information has been collated digitally to allow the full consideration and assessment of the application. A risk assessment has been carried out and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

1.4.2 A neighbour notification advert was published in the Courier newspaper on 11th February 2021.

2.0 ASSESSMENT

2.1 The issues to be assessed against the Development Plan and other guidance are as follows:

- Principle of development
- Design, Scale and Finishes/Visual Impact
- Road Safety
- Residential Amenity
- Garden Ground
- Waste Management

2.2 Principle of Development

2.2.1 Scottish Planning Policy (2020) (SPP) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Act.

2.2.2 Policy 1, Part A, of the Adopted FIFEplan (2017) stipulates that the principle of development will be supported if it is either (a) within a defined settlement boundary and compliant with the policies for this location; or (b) is in a location where the proposed use is supported by the Local Development Plan.

2.2.3 As the proposal lies within the settlement boundary for Dunfermline as defined in the Adopted FIFEplan (2017) there is a presumption in favour of development subject to satisfactory details. The proposal would therefore be acceptable in principle and would comply with Development Plan Policy in this respect. The overall acceptability of such a development must, however also meet other policy criteria and these issues are considered in detail below.

2.3 Design, Scale and Finishes/Visual Impact

2.3.1 Policies 1 and 10 of the Adopted FIFEplan advise that development will only be supported if it does not have a significant detrimental visual impact on the surrounding area.

2.3.2 Fife Council's Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. These documents encourage a design-led approach to development proposals through placing the focus on achieving high quality design. These documents also illustrate how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.3.3 It is considered that the installation of a timber door and stainless steel handrail would be visually in keeping with the character of this existing building therefore, there would be no significant detrimental visual impact on the site or surrounding area as a result of these proposals. The proposal would therefore comply with the Development Plan in this respect and would be visually acceptable in this instance.

2.4 Road Safety

2.4.1 Policy 1, Part C, Criterion 2 of the Adopted 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 the Adopted 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. Further detailed technical guidance relating to this including parking requirements, visibility splays and street dimensions are contained within Appendix G (Transportation Development Guidelines) of Making Fife's Places Supplementary Guidance (2018).

2.4.2 Fife Council's Transportation Development Management team (TDM) advise that the existing use as a flat requires one off-street parking space, whilst, the proposed use as a clinic would require 4 off-street parking spaces (2 spaces per consulting room, 1 space per practitioner and 1 space per 3 other members of staff). This would be an increase of 3 off-street spaces when compared against the existing use and TDM consider that there are a lot of properties

within the surrounding area that do not have off-street parking, therefore, there will be a high demand for on-street parking. They have recommended refusal as they consider that the proposal would create an additional parking shortfall of 3 spaces leading to an increase in on-street parking on the surrounding public roads to the detriment of road safety.

2.4.3 The applicant has submitted a supporting statement which advises that the clinic will have only 1 treatment room with no more than 1 client at a time with a maximum of 2 members of staff. The applicant considers that the proposed operating hours will lessen the effect of the proposal on on-street parking and has submitted photos which show that there are very few cars parked on Millhill Street at 12 noon on Thursday 11th March 2021.

2.4.4 The objectors state that the proposal would increase traffic in a street with little parking spaces available for residents. These concerns are noted and the existing flat has no off-street parking associated with it, whilst, the proposed use would require 4 off-street parking spaces which would result in a shortfall of 3 off-street parking spaces, therefore, the proposal would not be acceptable as it would lead to an increase in the number of cars parking on-street on the surrounding roads which could impede traffic flow and which could constitute a safety hazard to other road users. The proposal could also eventually displace vehicles to other streets within the surrounding area which could create issues with on-street parking within neighbouring streets. The applicant has submitted a photograph showing Millhill Street having very few cars on it at 12 noon on a Thursday, however, it is considered that this street can be busy at times and this has been demonstrated when the case officer has historically visited the area. Fife Council's TDM have also confirmed by email that the on-street parking in this area has historically been very busy. Notwithstanding this, the proposal would not comply with the parking requirements as contained within Appendix G of Making Fife's Places and there is not considered to be any justifiable reason to relax this parking standard when taking into account all of the relevant material planning considerations. It is, therefore, considered that the proposal would not be acceptable as it would increase the demand for on-street parking within this street which already has a high demand for on-street parking which would lead to a detrimental impact on road safety. The proposal would, therefore, not be acceptable and would not comply with the Development Plan in this respect.

2.5 Residential Amenity

2.5.1 PAN 1/2011 provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise. Policies 1 and 10 of the FIFEplan states that new development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the local area are not adversely affected.

2.5.2 Fife Council's Environmental Health Public Protection team have advised that they have no objections to the proposal.

2.5.3 The objectors state that the proposal would result in an increase in noise before and after 5 pm and that noise pollution would not be acceptable. These concerns are noted, however, it is considered that the proposed change of use to a dental and healthcare clinic as described in the submitted supporting statement would have no further significant detrimental impact on the surrounding area in terms of noise as the proposal would only operate during daytime hours and there would be no significant noise generating machinery associated with the proposal. The proposed clinic would also have an entrance which is separate from the existing shared entrance with 38 Millhill Street, therefore, there would be no conflict between customers of the proposed clinic and existing residents within the shared close. The matter relating to the

proposed use could also be restricted by a condition were the overall proposal considered to be acceptable, however, this is not the determining factor in this instance. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.6 Waste Management

2.6.1 Policies 1 and 10 of the Adopted FIFEplan states that development proposals must not have a significant detrimental impact on amenity in relation to the operation of existing or proposed waste management facilities.

2.6.2 Objections also ask how waste will be dealt with safety and also state that bins should not be stored outside the building on the stairway. The applicant has advised that waste will be stored in the coal bunker which is the property of 40 Millhill Street and that domestic and clinical waste management including sharps, will be locked in a safe space with authorised access only. They also state that recyclables will be recycled at the local recycling centre. The proposal would, therefore, provide the required waste management facilities and would have no significant detrimental impact on amenity in relation to the operation of existing or proposed waste management facilities when compared to the existing flatted dwelling. The proposed development would, therefore, be acceptable and would comply with Development Plan Policy in this respect.

CONSULTATION RESPONSES

Transportation And Environmental Services - Operations Team	No response
Transportation, Planning Services	Object due to detrimental impact on road safety.
Asset And Facilities Management Services	No objections
Environmental Health (Public Protection)	No objections

REPRESENTATIONS

Two letters of objection and one letter of support have been received in relation to this application. The material planning concerns raised have been addressed under sections 2.4 (Road Safety) and 2.5 (Residential Amenity) of this report of handling.

Concerns have also been raised regarding the following:

- Object to any future proposed signage
- There are many other vacant commercial units in Fife that could be used.
- Opening up the access to the existing stairs could cause antisocial behaviour due to this being a commercial premises and as no one would be there after hours and they also ask
- Why did the previous test centre close?
- How will the current garden would be maintained in future.

The above concerns are noted, however, they are not considered to be material planning considerations in this instance, as any future proposed signage does not form part of this proposal and would possibly require an application for advertisement consent which would be fully assessed once it was submitted. There may be other vacant commercial units within Fife, however, the applicant was not required to submit a site selection process with regards to this proposal as per the Adopted FIFEplan (2017) and the impact the proposal would have on the area has been fully assessed. The opening up of the existing stairway would also not lead to an increase in anti-social behaviour when compared to the existing situation and the stairway would still be surveilled by other neighbouring properties.

The matter relating to why the previous test centre closed and the maintenance of the garden are also not material planning consideration in this instance.

A letter of support states that the proposal would bring the site into a positive use which would benefit the health and wellbeing of people within the area. The proposal could benefit the health and wellbeing of people in the area, however, this is not considered to be a material planning consideration in this instance.

CONCLUSION

The proposed development would not result in any adverse impact with respect to visual impact, residential amenity or waste management, however, it is considered that the proposal due to having no off-street parking associated with it would lead to a detrimental impact on road safety. The proposal would therefore not be acceptable and would be contrary to the terms of the Development Plan.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of road safety; the proposed development would have no off-street parking spaces which would lead to an increase in the number of cars parking on-street on the surrounding roads which could impede traffic flow and could constitute a safety hazard to other road users, furthermore, the proposal could also eventually displace vehicles to other streets within the surrounding area which could create issues with on-street parking within neighbouring streets. The proposal would, therefore, be contrary to Policies 1 and 3 of the Adopted FIFEPlan (2017) and Making Fife's Places Supplementary Guidance (2018).

National Policy and Guidance
Scottish Planning Policy (SPP) (2020)
PAN 1/2011 Planning and Noise

Development Plan
Adopted FIFEplan (2017)
Making Fife's Places Supplementary Guidance (2018)

Agenda Item 5(3)

**40 Millhill Street, Dunfermline, KY11 4TG
Application No. 20/03024/FULL**

Representation(s)

Comments for Planning Application 20/03024/FULL

Application Summary

Application Number: 20/03024/FULL

Address: 40 Millhill Street Dunfermline Fife KY11 4TG

Proposal: Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door

Case Officer: Scott Simpson

Customer Details

Name: Mr John Turner

Address: 6 George Street, Dunfermline, Fife KY11 4TQ

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I'd be grateful for consideration to the following:

potential antisocial behaviour

- kids/adolescents/young adults may be attracted to sitting on steps for smoking, drinking, etc. due to this being a commercial premises & noone being there after business hours e.g. if they are intoxicated coming back from a night out via Upper Millhill Street/Millhill Street/Rex Park (which is a thoroughfare). can something be done to mitigate this?

car parking - hope that George Street will not be too affected by this e.g. how many patients may be parking at any one time?

garden - currently maintained on an informal basis for many years by a neighbour above (Sheila Emmerson). hopefully this will continue to be maintained?

previous test centre - why was this closed in the first place?

could this reason still relate to how things are today, or is it not related?

waste - how will this be dealt with safely? there are cats in the neighbourhood that use the stairwell of 38 Millhill Street (next to the premises)

potential noise pollution - has consideration been given to e.g. 2 George Street (Janet & John Thow) & Flat 3, 38 Millhill Street (Sheila Emmerson) about this?

Dawn Batchelor

From: Vikki Wood [REDACTED] >
Sent: 09 February 2021 14:20
To: Development Central
Subject: Regarding planning application 20/03024/FULL

Categories: In Progress

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I am writing to the planning dept to strongly object to the planning application made by Mr Kevin Kitt for change of use for 40 Millhill St from a residential dwelling to a commercial property.

This will increase traffic in the street & overload a street with little parking spaces already available for residents. We also would not wish noise from clients & staff. Mr Kevin Kittening is a dental practitioner. He also predominantly offers cosmetic services, I believe in the nearby areas of Inverkeithing. <https://smilewithkev.co.uk/> As you can see from his website it is not dental work that is the main highlighted work.

This service runs out-with traditional office hours & I would object further due to noise & parking for residents after before & after 5pm. Signage is another issue. I would object to any signage being used outside the property on in the windows for aesthetics of the building. I would object to the current doorway in the stairway being kept as a doorway or any waste bins or sharps bins being in the stairway or outside the building. I believe that at the moment there is a massive glut of commercial properties available within Fife. Even more so due to covid, with businesses premises empty due to home working. There is no need to change a residential property in a quiet street to be changed into a commercial property. If there was a shortage of commercial properties then there would be more grounds for change of use.

I strongly object to this planning application as the owner of 38/2 Millhill St, Dunfermline, KY11 4TG. My tenant has spoken with me and she is planning to object too. She is renting in a quiet street with no commercial properties in it, she rented the flat in good faith & does not wish to be so close to a commercial property. I feel I may loose a good tenant & have trouble gaining further tenants or indeed when I go to sell it, a commercial property in the vicinity would be detrimental to residential prices within the area.

Yours Sincerely
Vikki wood
Waterside
Chapel Place,
North Queensferry,
KY11 1JT



Comments for Planning Application 20/03024/FULL

Application Summary

Application Number: 20/03024/FULL

Address: 40 Millhill Street Dunfermline Fife KY11 4TG

Proposal: Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door

Case Officer: Scott Simpson

Customer Details

Name: Mrs Cheryl Begbie

Address: 178 Allan Crescent, Dunfermline, Fife KY11 4HF

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I write to give full support to the above planning application.

The proposal would bring the site into positive use which would benefit the area. The change of usage would not only massively improve the dental health of the community but also the general health and well-being of people in the area.

Agenda Item 5(4)

**40 Millhill Street, Dunfermline, KY11 4TG
Application No. 20/03024/FULL**

Consultee Comments

Planning Portfolio Internal Assessment Sheet

EPES Team	Transportation Development Management
Application Ref Number:	20/03024/FULL
Application Description:	Change of Use from Flat to Dental Clinic (Class 2) at 40 Millhill Street, Dunfermline
Date:	15th February 2021
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input checked="" type="checkbox"/> Non-statutory
Consultation Summary	FILE:

Important Note

This is an internal planning assessment response provided from within Planning Services. It forms part of the overall assessment to be carried out by staff on behalf of Fife Council as Planning Authority. The internal assessment is a material consideration in the determination of the application but it requires to be read in conjunction with all the other relevant policies and strategies set out in the development plan, together with any other relevant and related material considerations. It should not be read in isolation or quoted out of this context. The complete assessment on the proposal will be made by the Planning Case officer in due course. The assessment will not be made publicly available until the case officer has completed the overall planning assessment.

Assessment Summary

1.0 OVERALL ASSESSMENT

1.1 This application is to change the use of an existing 1 bed flat to form a new dental clinic.

1.2 According to the current Fife Council Transportation Development Guidelines, the existing 1 bed flat must have the provision of 1 off-street parking space, whereas, proposed dental clinic must have the following off-street parking:-

- 2 spaces per consulting room (based on the premise that they operate an appointment system).
- 1 space per practitioner.
- 1 space per 3 other staff members. The floor plans show a reception area so there must be at least one other member of staff.

Therefore, the dental clinic requires the provision of 4 off-street parking spaces, which is an increase in 3 spaces when compared against the existing 1 bed flat.

1.3 There is no off-street parking associated with the property and none would be provided for the proposed clinic. There are a lot of properties within the surrounding area that do not have off-street parking, therefore, there will be a high demand for on-street parking.

2.0 CONCLUSIONS

2.1 The proposal is unacceptable to TDM, as it would create an additional parking shortfall of 3 spaces leading to an increase in on-street parking on the surrounding public roads to the detriment of road safety.

3.0 RECOMMENDATIONS

3.1 Refusal.

Important note

The above internal planning assessment response has been prepared at officer level within the Planning Service team responsible for the specific topic area. It is an assessment of the specific issue being consulted upon but it is important to remember that the response cannot be considered in isolation and outwith the overall assessment of the proposal under consideration. Fife Council as Planning Authority, in considering all the material considerations in an individual application can legitimately give a different weighting to the individual strands of the assessment, including consultation responses and the final assessment is based on a comprehensive and balanced consideration of all the aspects under consideration.

Author: Andy Forrester, Technician Engineer, Transportation Development Management

Date: 15/02/2021

E-mail: andy.forrester@fife.gov.uk

Number: 03451 555555 extension 480211

Signed by Mark Barrett, Lead Officer, Transportation Development Management

Date: 15/02/2021

E-mail: mark.barrett@fife.gov.uk

Number: 03451 555555 extension 480210

Dawn Batchelor

From: Chloe Grayson
Sent: 11 February 2021 14:51
To: Development Central
Subject: Fw: Neighbour Notifiaton

Categories: In Progress

Hi

Please see response from Dunfermline Area Housing Team.

Thanks!

Chloe Grayson
Project Officer (Estate Management)

Housing (Safer Communities) | Brunton House | High Street | Cowdenbeath | KY4 9QU
Call: 03451 55 55 55 ext 40 67 53 | Mob: 07895214721 | Email: chloe.grayson@fife.gov.uk |
Web: www.fifedirect.org.uk

From: Lynne Johnston <Lynne.Johnston@fife.gov.uk>
Sent: 11 February 2021 1:24 PM
To: Chloe Grayson <Chloe.Grayson@fife.gov.uk>
Subject: Re: Neighbour Notifiaton

Hi Chloe

Do you need a nil response comment? No objections from us.

Thanks

Lynne

Lynne Johnston
Lead Officer – Area Housing Management
Dunfermline
Tel: 03451 555 555 ext 443907

From: Chloe Grayson <Chloe.Grayson@fife.gov.uk>
Sent: 11 February 2021 12:31
To: Lynne Johnston <Lynne.Johnston@fife.gov.uk>; Claire Hallett <Claire.Hallett@fife.gov.uk>
Cc: Taylor McQuillan <Taylor.McQuillan@fife.gov.uk>
Subject: Fw: Neighbour Notifiaton

Hi Lynne/Claire,

Please see below/attached Planning Neighbour Notification for 40 Millhill Street, Dunfermline.

Can any comments please be submitted to development.central@fife.gov.uk .

Thanks!

Chloe Grayson
Project Officer (Estate Management)

Housing (Safer Communities) | Brunton House | High Street | Cowdenbeath | KY4 9QU
Call: 03451 55 55 55 ext 40 67 53 | Mob: 07895214721 | Email: chloe.grayson@fife.gov.uk |
Web: www.fifedirect.org.uk

From: Deanna Hadden <Deanna.Hadden@fife.gov.uk>
Sent: 10 February 2021 10:27 AM
To: Neil Watson <Neil.Watson@fife.gov.uk>; Donna Christie <Donna.Christie@fife.gov.uk>; Taylor McQuillan <Taylor.McQuillan@fife.gov.uk>; Chloe Grayson <Chloe.Grayson@fife.gov.uk>
Subject: Neighbour Notifiaton

Good Morning,

Please find the attached Planning Neighbour Notification concerning Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and formation of door opening at 40 Millhill Street, Dunfermlie (Ref: 20/03024/FULL).

Any comments are to be submitted to development.central@fife.gov.uk.

Regards,

Deanna Hadden
Trainee Estates Technician
Property Services: Estates Team
Fife Council
Bankhead Central, 1 Bankhead Park
Glenrothes, Fife
KY7 6GH

E-Mail: deanna.hadden@fife.gov.uk

Tel: 03451 555 555 ext. 450 382

GDPR: If you would like to know how we store and use your personal information the Property Service privacy notice can be viewed at <https://www.fife.gov.uk/kb/docs/articles/privacy-notices/propertyassetcontractual-activity>





Economy, Planning and Employability Services

Town and Country Planning (Scotland) Act 1997

Application for Permission to Develop Land

Response from Environmental Health (Public Protection)

PPT Reference No:	21/01742/CONPLA		
Name of Planning Officer dealing with the matter:	Scott Simpson		
Application Number:	20/03024/FULL		
Proposed Development:	Change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and formation of door opening		
Location:	40 Millhill Street Dunfermline Fife KY11 4TG		
Date Required By Planning:		Decision Notice Required?	-----
COMMENTS			
<p>After reviewing the above application, I have no comments.</p> <p>These comments do not cover Contaminated Land under PAN 33 or Air Quality under PAN 51, the Land & Air Quality Team will provide comment for those issues.</p>			
Date:	03/02/21	Officer	Brian Hill Environmental Health Officer Public Protection Team

Agenda Item 5(5)

**40 Millhill Street, Dunfermline, KY11 4TG
Application No. 20/03024/FULL**

Further Representation(s)

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Re MMc/J8.36.352
Date: 17 August 2021 09:58:49

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms McDermott

Thank you for your letter dated 11th August 2021. I continue to wish this application by Kevin Kitt refused on several grounds. I see that it has been refused on grounds of parking. This is a residential area with many now working from home thus the parking remains scarce on Millhill St, Elliot St & George St. For a clinic to be open 8.30am-8pm this would impact heavily on local residents due to staff needing parking, deliveries needing parking & clients needing parking.

I again reiterate that there is a glut of commercial properties that would be better suited to this. I am also unaware that Mr Kevin Kitt owns the property at no 40 Millhill St but is it is partners property, thus should a change of use not be made by the owner alone?

I would be very unhappy for the current door in the communal stair to be used as a fire exit. I would also like to note my earlier letter where any signage would ruin the look of the street & the building. This is a quiet communal stair & quiet street & I see no reason why this should change with a domestic property being changed into a commercial property with all the negatives that comes with this.

Regards

Vikki Wood

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Application ref: 20/03024/Full - 40 Millhill Street, Dunfermline
Date: 25 August 2021 20:23:05

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Michelle

Thank you for your letter of 11 August.

I don't have much to add, apart from commenting that the quietness of the street is generally quite accurate for during the day. However, in the evening there is often an increase in the number of cars, as some don't work from home, so I would be a little concerned if the clinic were to operate in the evening.

In addition, it's worth noting that the junction of Millhill Street, George Street & Malcolm Street is used quite often with people driving to/from the shortcut past Asda St Leonards (over Lyne Burn), or to the recycling area at the back Asda car park. Any additional cars parked near that junction may cause extra pressure / likelihood of an accident, especially if parked on the corner.

Many thanks for your consideration.

Kind regards,

John Turner

Agenda Item 5(6)

**40 Millhill Street, Dunfermline, KY11 4TG
Application No. 20/03024/FULL**

Response to Further Representation(s)

Thank you for the forwarding the letter from Vicki Wood, dated 17th August 2021.

Reading the points raised, I want to express that the last thing we want is to negatively affect the traffic, and the neighbourhood. I want to reassure residents and the council that we understand and hope we can address the concerns raised.

Considering the concerns expressed, there are 3 main points outlined:

- 1) Parking
- 2) Use of door to communal corridor as a fire exit
- 3) Signage

Parking

I agree with Vikki Wood that Millhill Street is a quiet street, and this is one of the reasons why the clinic would be suited to the area.

The nature of the business that change of use is requested for is a medical clinic that provides services in a private, confidential and discreet environment.

The property will have 1 clinic room; it will be a one-in-one-out operation and therefore there will be little to no effect on parking; unlike a business that might have multiple people in at one time. There are medical clinics (GP surgeries) on the same street, the main difference being the number of treatment rooms, practitioners/nurses/staff and patients present concurrently at those locations.

Alongside the previous submission of photos which show that there are parking spaces available throughout the week, at all times of the day on the streets, if 40 Millhill Street was occupied again by residential tenants, they may well own 2 vehicles, and therefore the same number of parking spaces would be occupied.

Many people are working from home, and despite this, there is plenty of space available on the streets. Plus the overspill of cars from the train station onto the neighbouring streets has lessened, as there are fewer people parking and taking the train.

This could be confirmed with an onsite visit, which is why we've requested this.

Regarding deliveries, we have one order a month, which is delivered to a different address for the purpose of product security and stock-keeping, so this will have no impact on the demand for parking or on residents nearby.

Our policy would be to request that staff travel by foot/bicycle/public transport where possible, and if they do drive, then to park out-with the direct area (ie. not on Millhill St or George Street).

Use of current door as a fire exit

As per the plans, the door will be reinstated on the front of the building, and this is to avoid the communal space being used.

When describing the current door as a fire exit, this will not be used for client access, and will only be used as a fire exit in the event of an emergency/evacuation.

Signage

Re the concern about signage, the clinic as aforementioned, operates discreetly for client privacy and confidentiality, and all appointments are pre-booked, so signage must also be discrete. The signage will be limited to a modest plaque on the wall beside the front door.

As you'll be aware, planning permission relates to the land, not the applicant, and therefore I am permitted to seek planning permission and change of use with permission of the current owner.

In summary, the refusal of the change of use was based on the assumption of limited availability of parking spaces, though observation can confirm ample space is available. This is evidenced by the photos previously submitted, and can be verified with an onsite visit.

I appreciate the opportunity to provide reassurance about the concerns raised, and thank you for considering the above regarding the appeal.

Regards
Dr Kevin Kit

Response to Further representations received from John Turner

Thank you for your correspondence and opportunity to address the points raised by the interested parties.

The further representation from an interested party agrees with the quietness of the street. I would agree that some people may not work from home, and that there may be differences in flow of traffic throughout the day, as per any street. On the same point, there is very little traffic, and a site inspection will confirm this.

I would also agree that parking on junctions and corners is not advisable. The change of use will not encourage cars to be parked on junctions, a site inspection will confirm this.

As per previous correspondence there is plentiful number of spaces on all of the adjacent streets as well as parking spaces nearby.

40 Millhill Street is defined as within the boundaries of Dunfermline town centre and the business will bring employment to the area, and the development proposal avoids loss of valuable cultural, tourism, and community resources.

With reference to the five local development plan, the development proposals will be supported if they conform to relevant development plan policies and proposals .

The principle of development is within a defined settlement boundary and compliant with policies for the location.

Warmest Regards

Kevin Kit