

Review Decision Notice

Decision by Fife Planning Review Body (the FPRB)

- Site Address: Douglas Bank Lodge, Pattiesmuir, Rosyth, Fife
- Application for review by Ms Lauren Jack against the decision by an appointed officer of Fife Council
- Application 24/01255/FULL for Full Planning Permission for single storey extension to front, and erection of replacement domestic garage/gymnasium to side of dwellinghouse
- Application Drawings:
03A - Various existing and proposed, 04A - Garage Details, 01 - Location Plan, 02 - Block Plan, 05 - Photographs,
- No Site Inspection took place.

Date of Decision Notice: 13th March 2025

Decision

The Fife Planning Review Body (FPRB) reverses the determination reviewed by them and approves Planning Permission, subject to conditions, outlined below in section 4.0.

1.0 Preliminary

- 1.1 This Notice constitutes the formal decision notice of the Local Review Body as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013.
- 1.2 The above application for Planning Permission in Principle was considered by the FPRB at its meeting on 24th February 2025. The Review Body was attended by Councillors David Barratt (Convener), Jane Ann Liston, Altany Craik, Lynn Mowatt and Robin Lawson.

2.0 Proposal

- 2.1 This application relates to a detached, one and a half storey dwellinghouse with a detached garage, associated garden and gravelled driveway. The site is situated some 260 metres to the north west of Pattiesmuir, to the south of Douglas Bank Cemetery. It is set in a principally rural location with the nearest neighbouring residential property some 110 metres to the south of the site.
- 2.2 This application seeks full planning permission for a single storey extension to the west-facing front elevation and erection of a replacement detached domestic garage/gymnasium to the north side of the house. The overall proposals for the property also include a single storey extension and a dormer to the rear, both of which benefit from permitted development rights and therefore, were not considered by the FPRB in their assessment of the local review.

3.0 Reasoning

- 3.1 The FPRB assessed the visual amenity impacts of the proposal against NPF4 Policies 14 (Design, Quality and Place) and 16 (Quality Homes); Policies 1 (Development Principles) and 10 (Amenity) of the Adopted FIFEplan. The FPRB examined the design and visual impact of the proposed development within the surrounding context. They acknowledged the remote location of the house and noted that no objections were received. They agreed with the Case Officer's assessment of the proposed replacement garage. On close inspection of the submitted drawings, they noted that the proposed front extension would comprise approximately one third of the existing house when considered against its existing floor area. They considered that the proposed extension would improve the symmetry of the house when balanced against the existing and proposed extensions to the rear of the property. Overall, they concluded that the extension would be well proportioned and there would be an improvement in visual amenity. On balance, the FPRB concluded that the design would be in-keeping with the surrounding area and the scale and massing of the proposal would therefore be appropriate within its context and would not appear incongruous. They were content that the proposal would meet the policy requirements of NPF4 Policies 14 and 16 and FIFEplan Policies 1 and 10 with regard to design and visual impact subject to a condition requiring approval of the proposed external finishes.
- 3.2 The FPRB also agreed with the Appointed Officer's position in relation to the other planning considerations that did not form part of the original refusal reasons. They contended that these matters did not have any material impact in changing their position on this application and concluded that relevant conditions should be included on any issued planning permission, where relevant, in line with the Appointed Officer's recommendation.
- 3.3 Overall, the FPRB concluded that the proposal would be acceptable subject to the conditions noted below. They did not consider there to be any other matters for consideration or any material considerations which would outweigh the Development Plan position. The FPRB reversed the Appointed Officer's Decision, granting planning permission for the proposed development subject to conditions and agreeing to delegate the precise wording of these conditions to the Head of Planning and Head of Legal and Democratic Services.

4.0 Decision

- 4.1 The FPRB reverses the decision of the Appointed Officer and grants planning permission subject to the following conditions and reasons:
1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.
 2. BEFORE ANY WORK STARTS ON SITE, details of the specification and colour of the proposed external finishes shall be submitted for approval in writing by this Planning Authority. A detailed specification, including trade names where appropriate, of the proposed external materials shall be submitted to and approved in writing by the Planning Authority before above ground work is commenced on site.

Reason: In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the character of the existing property.

Advisory notes

1. The length of the permission: This planning permission will lapse on the expiration of a period of three years from the date of this decision notice, unless the development has been started within that period (See section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
2. Notice of the start of development: The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action (See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended)).
3. Notice of the completion of the development: As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position (See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended)).

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Proper Officer

NOTICE TO ACCOMPANY REFUSAL ETC. TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

*Notification to be sent to applicant on refusal of planning permission or
on the grant of permission subject to conditions*

NOTICE TO ACCOMPANY REFUSAL ETC. TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

*Notification to be sent to applicant on determination by the planning authority of an application
following a review conducted under section 43A(8).*

1. If the applicant is aggrieved by the decision of the planning authority -
 - (a) to refuse permission for the proposed development;
 - (b) to refuse approval, consent or agreement required by a condition imposed on a grant of planning permission; or
 - (c) to grant permission or approval, consent or agreement subject to conditions,

the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions 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, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.