Fife Planning Review Body

Committee Room 2, Fife House, North Street, Glenrothes / Blended Meeting

Monday, 11 December 2023 - 2.00 pm

AGENDA

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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 the Fife Planning Review Body of 23 October 2023. 5 – 7

4. APPLICATION FOR REVIEW - 8 FRANKFIELD ROAD, DALGETY BAY, KY11 9LP (APPLICATION NO. 23/00044/FULL) – Erection of domestic outbuilding (retrospective).

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5. APPLICATION FOR REVIEW - 10 CARDENDEN ROAD, CARDENDEN, LOCHGELLY (APPLICATION NO. 23/00640/FULL) – Replacement dormer extension to front and dormer extension to rear of dwellinghouse.

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6. APPLICATION FOR REVIEW - SCOUT HALL, CARDENDEN, LOCHGELLY (APPLICATION NO. 23/00873/FULL) – Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp.

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Plans and papers relating to the applications and the review can be viewed online at www.fife.gov.uk/committees

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

4 December 2023

If telephoning, please ask for:
Michelle McDermott, Committee Officer, Fife House, North Street, Glenrothes
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

BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

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 – BLENDED MEETING

Committee Room 2, Fife House, North Street, Glenrothes

23 October 2023 **2.10 pm – 4.35 pm**

PRESENT: Councillors David Barratt (Convener), Alycia Hayes, Robin Lawson and Jane Ann Liston.

ATTENDING: Mary McLean, Legal Services Manager and Michelle McDermott, Committee Officer, Legal and Democratic Services; Steve Iannarelli, Strategic Development Manager and Bryan Reid, Lead Professional, Planning Service.

APOLOGY FOR ABSENCE: Councillor Altany Craik.

41. CHANGE OF MEMBERSHIP

The Review Body noted that Councillor Altany Craik had replaced Councillor Colin Davidson as a member of the Fife Planning Review Body.

42. DECLARATIONS OF INTEREST

Councilor David Barratt declared an interest in para. 46 - Application for Review - Goathill Quarry, Easter Bucklyvie, Crossgates, Cowdenbeath (Application No. 22/03593/FULL) as the application was within his Ward.

43. MINUTE

The minute of the Fife Planning Review Body of 14 August 2023 was submitted.

Decision

The Review Body approved the minute.

44. APPLICATION FOR REVIEW - PRESTONVIEW, 6 VEERE PARK, CULROSS, DUNFERMLINE (APPLICATION NO. 22/03236/FULL)

The Review Body considered the Application for Review submitted by AS Associates Ltd., on behalf of Mr. Paul Clarke, in respect of the decision to refuse planning permission for the erection of a dwellinghouse with associated access and parking (Application No. 22/03236/FULL).

Decision

The Review Body agreed:-

(1) sufficient information was before them to proceed to decide the matter; and

(2) the application be refused (varying 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.

Councillor Alycia Hayes joined the meeting following consideration of the above item.

45. APPLICATION FOR REVIEW - BELLFIELD FARM STEADING, MILTON OF BALGONIE, GLENROTHES (APPLICATION NO. 22/04032/FULL)

The Review Body considered the Application for Review submitted by Claymore Timber Frame Ltd., on behalf of Mrs. Alyson Anderson, in respect of the decision to refuse planning permission for the erection of four dwellinghouses (Class 9) and associated development, including formation of access and hardstanding (Application No. 22/04032/FULL).

Motion

Councilor David Barratt, seconded by Councilor Alycia Hayes, moved to refuse the application on design and visual amenity grounds based on refusal reason one of the issued decision notice.

Amendment

Councillor Robin Lawson, seconded by Councilor Jane Ann Liston, moved that the officer's recommendations be approved.

Roll Call Vote

For the Motion – 2 votes

Councillors Barratt and Hayes.

For the Amendment – 2 votes

Councillors Lawson and Liston.

As there was no clear majority, the Convener, Councillor Barratt, used his casting vote in favour of the motion which was accordingly carried.

Decision

The Review Body agreed:-

(1) to accept new information relating to flood risk and drainage;

(2) sufficient information was before them to proceed to decide the matter; and

(3) that the application be refused (varying 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.

The meeting adjourned at 3.35 pm and reconvened at 3.45 pm.

Having declared an interest in the following item, Councillor David Barratt left the meeting at this stage and Councillor Robin Lawson took the chair.

46. APPLICATION FOR REVIEW - GOATHILL QUARRY, EASTER BUCKLYVIE, CROSSGATES, COWDENBEATH (APPLICATION NO. 22/03593/FULL)

The Review Body considered the Application for Review submitted by Gray Planning and Development Ltd., on behalf of Mr. Duncan Collier, in respect of the decision to refuse planning permission for the erection of a dwellinghouse with associated access and hardstanding (Application No. 22/03593/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)

8 Frankfield Road, Dalgety Bay, KY11 9LP
Application No. 23/00044/FULL

Planning Decision Notice

Planning Services

Siobhan Brady

development.central@fife.gov.uk

Your Ref:
Our Ref: 23/00044/FULL

Date 27th June 2023

Mr Scott Leitch
8 Frankfield Road
Dalgety Bay
Dunfermline
Fife
KY11 9LP

Dear Sir/Madam

Application No: **23/00044/FULL**
Proposal: **Erection of domestic outbuilding (retrospective)**
Address: **8 Frankfield Road Dalgety Bay Dunfermline Fife KY11 9LP**

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 or local review 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,

Siobhan Brady, 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: **23/00044/FULL**
Proposal: **Erection of domestic outbuilding (retrospective)**
Address: **8 Frankfield Road Dalgety Bay Dunfermline Fife KY11 9LP**

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/00044/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of safeguarding the visual amenity of the street scene; The domestic outbuilding by virtue of its large scale, design and massing situated in a prominent location forward of the front building line of the dwellinghouse and neighbouring properties would result in an incongruous development that would have an adverse impact on the character and appearance of the surrounding area contrary to Policies 14 and 16 of NPF4 and Policies 1 and 10 of the FIFEplan 2017.

Dated:27th June 2023

Derek Simpson
For Head of Planning Services
Fife Council

PLANS

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

Reference	Plan Description
01	Location Plan
02	Photographs
03	Photographs
04	Proposed Elevations

Dated:27th June 2023

Derek Simpson

For Head of Planning Services

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.fife.gov.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.

Agenda Item 4(2)

8 Frankfield Road, Dalgety Bay, KY11 9LP
Application No. 23/00044/FULL

Report of Handling

23/00044/FULL

HOUSEHOLDER
REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	**8 Frankfield Road, Dalgety Bay, Dunfermline**		
PROPOSAL	**Erection of domestic outbuilding (retrospective)**		
DATE VALID	**31/01/2023**	PUBLICITY EXPIRY DATE	**07/03/2023**
CASE OFFICER	**Siobhan Brady**	SITE VISIT	**11/04/2023**
WARD	**Inverkeithing And Dalgety Bay**	REPORT DATE	**23/06/2023**

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 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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

1.0 Background

1.1 Description

1.1.1 This application relates to a detached one storey property located within the Dalgety Bay settlement boundary. The property is externally finished in a roughcast render, timber cladding, concrete roof tiles and uPVC windows and doors. The development site is located within an established residential area set amidst non-traditional properties of varying architectural scale.

1.2 The Proposal

1.2.1 This application seeks full planning permission (in retrospect) for the erection of a domestic outbuilding to the front of dwellinghouse that would be used as a home office.

1.3 Relevant Planning History

1.3.1 Relevant planning history associated with this site includes:

- 22/00393/ENF - Shed erected in garden located closer to the road than the property. Notice of a breach of planning control was served November 2022.

1.4 A physical site visit was undertaken in relation to the assessment of this application on 11th April 2023.

2.0 Assessment

2.0.1 The issues to be assessed against the Statutory Development Plan are as follows:

- Design and Visual Impact
- Residential Amenity
- Garden Ground

2.1 Principle of Development

2.1.1 Policy 1 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.

2.1.2 As the proposal is situated within the settlement envelope of Dalgety Bay there is a presumption in favour of development.

2.1.3 This notwithstanding, the proposal must also meet other policy criteria and these issues are considered below.

2.2 Design and Visual Impact

2.2.1 Policies 14 and 16 of NPF4 (2023) and Policies 1 and 10 of the adopted FIFEplan (2017) apply in this respect.

2.2.2 The proposed domestic outbuilding is located to the south-west of the dwellinghouse in front of the principal elevation. It is externally finished with horizontal timber boards and a pitched roof finished in shed felt material. One set of french doors and two windows on the east elevation of the outbuilding are finished in white uPVC. Mature hedge plants line the southern and western boundary of the proposal site which partially shields the outbuilding from public view. The proposal is considered to be subsidiary to the main dwellinghouse.

2.2.3 In terms of design, the outbuilding largely resembles a garden shed due to its timber construction and reverse apex pitched roof style. An outbuilding of this nature would not look out of place in a rear, private garden. However, it is considered that such a large timber shed located in the front garden of the proposal site appears incongruous within the context of the proposal site. This is in part due to there being no other such developments of this nature in the street (Frankfield Road) and also due to the front gardens in this same area being relatively open plan in nature.

2.2.4 It is worth noting that the applicant has expressed their intention to paint the proposed outbuilding a colour to complement the existing dwelling, whilst this would offer some improvement upon the existing arrangement, it is not considered that painting the proposed outbuilding would be enough to make the proposal acceptable in terms of its visual impact. Notwithstanding the size of the outbuilding and its reverse apex pitched roof style - the south-western elevation of the outbuilding (parallel with the street) provides no active frontage and does not relate to its street frontage. A large blank elevation of this nature offers little in the way of positive impact to the street scene.

2.2.5 In terms of visual impact, due to its prominent location in front of the property's principal elevation, the proposed outbuilding is clearly visible from public view. Design considerations aside, the size of the shed visually and physically dominates the front curtilage of the property and is not considered to be in-keeping with the setting.

2.2.6 It is acknowledged that mature hedge plants have been planted on the western and southern boundary of the proposal site which partially screens the outbuilding from view. It is accepted that the inclusion of this landscaping detail helps to soften the appearance of the outbuilding to a limited degree. However, it is not considered that this measure wholly satisfies the visual impact concerns of the outbuilding in terms of the front curtilage of the property as well as on the setting given the relatively open plan nature of the front gardens in the surrounding area.

2.3 Residential Amenity

2.3.1 Policies 14 and 16 of NPF4 (2023), Policies 1 and 10 of the adopted FIFEplan (2017) and Fife Council's Planning Guidelines on Garden Ground apply in this respect.

2.3.2 The proposed outbuilding includes window/door openings facing east. This may have introduced new views towards the neighbouring property immediately south. However, the inclusion of mature hedge plants lining the southern and western boundary of the proposal site has provided screening and thus is considered to preserve the privacy of the neighbouring property.

2.3.3 In light of the foregoing, it is considered that there are no residential amenity concerns regarding the proposal. Furthermore, the proposed outbuilding is considered to comply with the above policy guidance in this regard.

2.4 Garden Ground

2.4.1 Fife Council's Customer Guidelines on Garden Ground apply in this respect. The guidelines advise that home extensions must not take up more than 25% of the original, private garden.

2.4.2 This policy criteria is considered to be less relevant in this instance given the proposed outbuilding is currently located within the front garden of the property. This notwithstanding, were the outbuilding located in the rear garden it would occupy approximately 15% of the private garden ground which would comply with the 25% threshold set out in Fife Council's Garden Ground guidance.

CONSULTATION RESPONSES

None

REPRESENTATIONS

This application for full planning permission received 2 letters of representation objecting to the proposal. Material planning concerns raised in representation letters received are considered within the main body of this report and are summarised as follows:

- Size of the structure has a detrimental impact on the street.
- Outbuilding is out of character amidst the existing residential setting.
- The location of the outbuilding in the front garden will set a precedent for other proposals of a similar nature coming forward.

CONCLUSION

The proposal is considered acceptable in terms of residential amenity and garden ground. However, the proposal is considered contrary to the Development Plan in terms of its size, scale,

form, massing and siting; would have an incongruous and overbearing visual impact on the front curtilage of the property as well as on the setting.

It is accordingly recommended that the application be refused and enforced.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of safeguarding the visual amenity of the street scene; The domestic outbuilding by virtue of its large scale, design and massing situated in a prominent location forward of the front building line of the dwellinghouse and neighbouring properties would result in an incongruous development that would have an adverse impact on the character and appearance of the surrounding area contrary to Policies 14 and 16 of NPF4 and Policies 1 and 10 of the FIFEplan 2017.

and

That the appropriate enforcement action be taken with respect to the unauthorised activity

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Planning Framework 4 (2023)

Adopted FIFEplan (2017)

Fife Council's Garden Ground Guidance

Agenda Item 4(3)

8 Frankfield Road, Dalgety Bay, KY11 9LP
Application No. 23/00044/FULL

Notice of Review

Print Form

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

Title	Mr
Forename	Scott
Surname	Leitch
Company Name	
Building No./Name	8
Address Line 1	Frankfied Road
Address Line 2	Dalgety Bay
Town/City	Fife
Postcode	Ky119LP
Telephone	[redacted]
Mobile	
Fax	
Email	[redacted]

2. Agent's Details (if any)

Ref No.	
Forename	
Surname	
Company Name	
Building No./Name	
Address Line 1	
Address Line 2	
Town/City	
Postcode	
Telephone	
Mobile	
Fax	
Email	

3. Application Details

Planning authority: Fife Council

Planning authority's application reference number: 23/00044/FULL

Site address:

8 Frankfield Road, Dalgety Bay, Fife KY11 9LP

Description of proposed development:

see attached

Date of application 18/08/23 Date of decision (if any) 27/07/23

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) ☒

Application for planning permission in principle ☐

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) ☐

Application for approval of matters specified in conditions ☐

5. Reasons for seeking review

Refusal of application by appointed officer ☒

Failure by appointed officer to determine the application within the period allowed for determination of the application ☐

Conditions imposed on consent by appointed officer ☐

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 ☐
One or more hearing sessions ☐
Site inspection ☐
Assessment of review documents only, with no further procedure ☒

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 note a site inspection while home owners are present is requested - The form will only allow one option only

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? ☐
Is it possible for the site to be accessed safely, and without barriers to entry? ☒

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

To view entirety of the build, access to the property is required

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.

see attached

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.

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

All documents attached to email as evidence

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: Scott Leitch | Date: 27/09/23

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

Notice of Review

8 Frankfield Road, Dalgety Bay

Description of Proposed Review

The proposed development involves the construction of a 4.5m x 3m garden cabin within the confines of the property located at 8 Frankfield Road, Dalgety bay. This development seeks to provide an elegantly designed, versatile, and functional cabin that will enhance the property's utility and aesthetic appeal. The cabin will comprise a single, open-concept room, perfect for use as a home office, creative studio or relaxation space. The design takes into consideration ergonomic principles to maximise the available space while ensuring comfort and practicality. The interior will be finished with tasteful, neutral colours and durable materials, creating a tranquil ambiance that aligns with the property's atmosphere.

Purpose and Benefits: The primary purpose of the garden cabin is to provide an extension of usable living space that complements the main residence. In an era where remote work and flexible lifestyles are increasingly prevalent, the cabin will serve as a versatile workspace that enhances productivity and creativity. Additionally, it offers a retreat for our youngest child who suffers from Juvenile Arthritis. The development further aligns with sustainability goals, and will be equipped with energy-efficient lighting, heating, and insulation systems, reducing its environmental footprint and contributing to the overall efficiency of the property. This will have significant cost savings to the family during winter with home working. The proposed 4.5m x 3m garden cabin is a thoughtfully designed addition to the property that embodies elegance, functionality, and sustainability. This development aims to enrich the living experience of the residents by providing a versatile space that supports various activities, from work to relaxation. Through careful design and attention to environmental impact, the cabin is poised to be a valuable asset to both the property.

Statement – Reasons for Notice of Review

The application be refused for the following reason(s) 1. In the interests of safeguarding the visual amenity of the street scene; The domestic outbuilding by virtue of its large scale, design and massing situated in a prominent location forward of the front building line of the dwellinghouse and neighbouring properties would result in an incongruous development that would have an adverse impact on the character and appearance of the surrounding area contrary to Policies 14 and 16 of NPF4 and Policies 1 and 10 of the FIFEplan 2017 and That the appropriate enforcement action be taken with respect to the unauthorised activity.

In respect to the detailed information, the application was refused on the basis of the visual aspect of the building. In this regard we would oppose the opinion that the cabin affects any visual aspect as it is currently surrounded by a developing (currently) 8ft Laurel hedging in height and 3 foot in depth. The hedging is of similar character with neighbouring properties and due to the height and the developing rate, the cabin within the garden cannot possibly have a detrimental impact to the streetscape. To add, the cabin is constructed of timber cladding, which is in keeping with all properties within Frankfield. In respect to the comments of 'incongruous' development, and to use the phrase of the planning authority "each development should be carefully examined by the planning authority and considered on their own merits". Therefore detailing this aspect is irrelevant to the refusal as any development should be determined by the authority / local council. Whilst this has been a lengthy drawn out process, we have had no opportunities to meet with the planning team to discuss matters or had any solutions which would keep this cabin in keeping with the 'streetscape' - should that be changing the roof, alternating the size or design.

With the time spent on deciding the application, the cabin's works have been halted, therefore the interior is still of the wooden structure and the cabin has not been painted to protect the wood. For a young family trying to make their house more appealing, practical and sustainable to reduce costs, this process has brought nothing but pain, stress and costs. I appreciate that whilst the correct permission was not obtained in the initial instance, as per the application below in crammond place(18/02347/FULL), the obscure location of front and back doors on our property left us unaware this was required. We have had an architect support us throughout this process and I have detailed some of his comments below and attached supporting documentations.

Good morning, I write in response to your email dated 2nd May 2023, and in particular I refer to your statement as follows:- “Each application needs to be considered on their own merits. The examples of other lawful development highlighted by Mr Craig are not for large shed type developments in the front public facing garden areas within streetscapes where there are no other such developments.” Firstly, I take exception to your dismissal of my reasoned principle of the history of planning approvals granted in the area; and secondly, I agree with the planning statement that every application should be considered on their own merits…., however….The Planning Department have previously granted full planning permission and/or certified lawfulness on the projects I listed [as examples of development in front of the building line]…. That is in the front Garden! I may be being pedantic when I say that, at the time of each of the examples, I have listed, being submitted for Planning Approval, there were no presidents in the street/area until they were “approved” and built….. The very reason I listed them was to clearly identify the Planning Departments precedent to allow development in front of the building line AND on the principle elevation. Most, if not ALL… are much bigger in scale and more impactful on the ‘streetscape’ than the relative small scale outbuilding built by the applicant. You seem to ignore the relevance of your history of approvals in the area. The “planning” history is VERY relevant and you have a duty of care to ensure reasonableness and transparency in your consideration of all applications…. “ Each application needs to be considered on its own merits.” [your statement]. For the avoidance of doubt; the buildings I have listed are all in the Frankfield area and are accordingly within the same streetscape and design framework . . . with a high probability of all being granted permission as a housing development at the date of original consent, circa 1970/80. Extensions, alterations and development have been added, with planning permission subsequently. That is: - Balcony Structure - 27 Frankfield Place: At the date of application and approval there were no “large shed balcony type developments in the front public facing garden areas within streetscapes where there are no other such developments.” Two storey extension - 17 Frankfield Road: At the date of application and approval there were no “large shed two storey house extension type developments in the front public facing garden areas within streetscapes where there are no other such developments.” House Extension - 26 Frankfield Crescent: At the date of application and approval there were no “large shed roof extension/alteration type developments in the front public facing garden areas within streetscapes where there are no other such developments.” Decking - 4 Frankfield Road: At the date of application and approval there were no “large shed decking type developments in the front public facing garden areas within streetscapes where there are no other such developments.” New Detached Garage - 2 Frankfield Road At the date of application and approval there were no “large shed concrete freestanding garage type developments in the front public facing garden areas within streetscapes where there are no other such developments.” [particularly where the dwelling already had/has a freestanding garage within its curtilage!]. In summary, there is no difference between the current application and the history of approved applications that have been granted permission. They alter the character of the streetscape by building balcony structures, large two storey extensions, cantilever edges on all extremities of a large roof extension, large decking area/s and monstrous single storey concrete freestanding garage…. Which is why I sited them as examples of the Planning Department history of approving development on the principle elevations in this area. I have also pointed out that there are many other examples in the area that do not have planning approval. I beg you to take note of this very valid observation, rather

than dismiss it as spurious and irrelevant, for it is neither spurious nor irrelevant. Should you fail to recognise the relevance, perhaps the Scottish Office will should the applicant be minded to appeal a wrongful refusal.

CONTEXT and BACKGROUND Further to the above, which has previously been submitted for your consideration, we think it reasonable to state the context of the application within the conurbation of Dalgety Bay. Dalgety Bay lies on the north shore of the Firth of Forth, between Inverkeithing and Aberdour on the Fife coast. The name of Dalgety Bay applies to both the bay on the coast, and the town which has developed to the west and northwest of the bay. The new town is bounded by the east coast railway line to the North, Braefoot Petrochemical Station [and associated agricultural lands] to the East, the Forth to the South and a strip of open land and woodland to the West dividing Inverkeithing and Dalgety Bay. The mixed development conurbation has grown steadily over the years from its inception to the present day. Approximately sixty years of new town development with very few buildings that form an earlier heritage. These, however, include Donibristle House, Stables and Church, St Bridget's Kirk and scattered remains of a designed landscape of the Donibristle Estate. There are also a few remaining remnants of the more recent MoD installations relating to the World War defence efforts.From a small settlement [Dalgety Village], the area is said to have developed from 1962 onward, and was founded on land owned [Donibristle Estate] by the 20th Earl of Moray. The development of the agricultural and former MoD base/s were granted planning permission to establish the first 'private' development of a New Town in Scotland. The incentive to plan a New Town on the Fife Coast was stimulated by housing need and high costs in and around Edinburgh and the planned Forth Road Bridge, opened in 1964.

INDUSTRIAL UNITS AND MANUFACTURE Part of the former Donibristle Estate was developed as an aerodrome during World War I, and was used by both the Royal Navy and RAF, and subsequently reactivated for World War II as HMS Merlin. Donibristle Industrial Park was developed over the runway of the former air base, and evidence of the runway can still be found with the estate, near the local tennis courts, where the apron associated with aircraft repair and salvage operations was carried out. The Industrial Estate developed for the same economic reasons as the housing component. That is; more competitive rates outwith Edinburgh and with good transport links. It is worth noting that radioactive contamination is present along the shore and is a heritable factor from MoD activities in the 40s and 50s. Remediation of contamination is currently being carried out along the west edge of Dalgety Bay on the Forth shoreline. Dalgety Bay is a New Town of approximately Sixty Years old.

PLANNING HISTORY AND BACKGROUND Prior to the 1960s there were no housing in the area and no precedent for housing development, or indeed, the industrial estate build on the former MoD sites. The Planning Department and the Scottish Office made a decision that, despite there being no housing and no history of housing in the area… grant planning consent for a New Town. Dalgety Bay continues to develop and grow as a popular housing area. It has no conservation areas and very little remaining historic environment or buildings. Unlike the neighbouring settlements of Aberdour and Inverkeithing. It is a New Town of 1970's housing stock as it's datum with a progression of more modern housing being established thereafter. The St David's Harbour area is the only development area that has been themed with a pastiche of fife East Neuk 'fishing village' wallpaper on high rise, high density flatted development. [despite the fact that St Davids Harbour was a former industrial site very much removed from the quaint 'fishing ports' of the East Neuk…!] The relatively new clearance of industrial land and redesignation for housing on the north east boundary of the town has a more modern feel to the design approach but remains fairly standard as speculative housing for the private market. This recent addition to the housing stock does contain the statutory element of 'social' housing. I have included this brief history and background to Dalgety Bay to establish a datum on the 'streetscape' qualities the Planning Department are determined to protect. I contend there is no harm to the streetscape by the applicants outbuilding, and there are many :- "large shed type developments in the [front] public facing garden areas within streetscapes where there are no other such developments." I am

prepared to submit a summary of similar outbuildings and development which is in front of the building line and/or in ‘public’ view, however I believe the local examples I have previously given are more than sufficient to prove the Planning Department's history of granting permission for development in front of the building line in Dalgety Bay [Frankfield Area]. I strongly contend that the Planning Officers have been minded NOT to LOOK at the local environment or, indeed, review the planning history of applications THEY [the Planning Authority] have ‘approved’ in the past. I remain of the opinion that all aspects of Class 3 ‘Permitted Development’ guidelines are met by the outbuilding, with the exception of the ‘definition’ of “Principle Elevation”. This matter is deemed Not Relevant given the local proximity of six or more planning approvals for extensions, alterations, or other developments in front gardens. I consider that should the Planning Department refuse planning permission, it will be wrongful and prejudicial to the rights of the applicant. That is; to reasonable expect similar approvals to neighbours that have been granted much more significant development in front of their dwellings. Accordingly, I have recommended that the Planning Department approve the application retrospectively. Should this not be forthcoming, I recommend a full review be requested with a mind to seek a full appeal to the Scottish Office thereafter. We trust this will not be required and would welcome an on site meeting to discuss the above and the details of the application prior to determination.

I look forward to hearing from you.

Glen Craig. Glen F Craig. B.ARCH.HONS.telephone 01383 821832

Good Morning Derek,

We formally write to submit a copy of a Fife Planning “Report Of Handling” for a retrospective application for a domestic outbuilding located at 7 Cramond Place. I understand Scott [applicant] has brought this application to your attention, as it bears a great number of similarities to the application Scott has lodged for retrospective permission. In term of the Planning framework, the Development Plan and the local bye laws etc. I felt it pertinent to formally write to you and confirm my professional opinion on the Report of Handling of the 18/02347/FULL application. My previous reports to you have contended that the application complies with all Class 3 conditions of permitted development with the exception of building in front of the building line. This I have argued is significantly mitigated by the site geometry and the fact that the Planning Department have approved various other significant development on the principle elevations of six or more properties in close proximity to the applicants address. [see my email recently sent reaffirming these issues.] 18/02347/FULL is on the adjoining cul-de-sac of Cramond Place and like Frankfield is similar in shape size and style, with many of the house types and road layout being the same. The application is for a domestic outbuilding [retrospective] and is located on the ‘main’ frontage. The building is directly on the heel kerb of the public footpath and is accessed from the public footpath. The shed is overlooked directly by many more dwellings than that of Mr Leitch’s shed and Scott has significantly softened the impact of the outbuilding by ensuring a setback and the establishment of a Laurel Hedge which softens the development. 18/02347/FULL application was APPROVED on the 1st November 2018. The date of application being lodged was 17.08.2018 and verified on the 5th September 2018. Site Visit on the 27.09.2018 https://planning.fife.gov.uk/online/files/017FF90238A24D6DA5A6C99CCCD76FC7/pdf/18_02347_FULL-REPORT_OF_HANDLING-2219748.pdf I contend there was sufficient information provided to support the approval of the current application prior to emails lodged by myself and the applicant this week. We contend that the enclosure and the precedent of this recent APPROVAL is significant in term of the panning framework and obvious similarities between 18/02347/FULL and the current application before you. I urge you to formally approve the application before you without delay and confirm matters in writing. I look forward to receiving confirmation of planning approval forthwith. As always, should you wish to discuss any matters pertaining to this application, I would be delighted to meet you on site or discuss detail by telephone.

Regards, Glen F Craig. B.ARCH.HONS. Tel. 01383 821832 – email: glen.craig1304@icloud.com

Analysis of Permission Granted

Frankfield, Dalgety Bay

STREETSCAPE
FRANKFIELD DALGETY BAY

HISTORY OF DEVELOPMENT
FRANKFIELD AREA of DALGETY BAY
IN SUPPORT OF PLANNING APPLICATION FOR A

TIMBER OUTBUILDING
8 FRANKFIELD ROAD
DALGETY BAY . FIFE

16 MAY 2023

notes

All data has been based on information available on the Fife Council Planning Portal at time of production.

Red line marks development in the Frankfield area of Dalgety Bay that has no planning permission.

Development without permission has been gathered by site inspection by the author. It should not be assumed to be comprehensive or verified.

Fife Council have a duty to ensure Development is controlled by the legislation set out in law; which includes Planning Enforcement and Statutory Controls such as Building Standards Regulations.

The author of this production is a retired architect and should not be held to be an expert in Planning or Development Law.

ANALYSIS OF
PLANNING PERMISSIONS GRANTED
IN FRANKFIELD AREA OF DALGETY BAY. FIFE. WARD ; HILLEND AND DALGETY BAY

DATE : APRIL 2023

Good morning,

I write in response to your email dated 2nd May 2023, and in particular I refer to your statement as follows:-

> *"Each application needs to be considered on their own merits. The examples of other lawful development highlighted by Mr Craig are not for large shed type developments in the front public facing garden areas within streetscapes where there are no other such developments."*

Firstly, I take exception to your dismissal of my reasoned principle of the history of planning approvals granted in the area; and

Secondly, I agree with the planning statement that every application should be considered on their own merits…., however….
The Planning Department have previously granted full planning permission and/or certified lawfulness on the projects I listed [as examples of development in front of the building line]…. That is in the front Garden!

I may be being pedantic when I say that, at the time of each of the examples, I have listed, being submitted for Planning Approval, there were **no** presidents in the street/area until they were "approved" and built….. The very reason I listed them was to clearly identify the Planning Departments precedent to allow development in front of the building line AND on the principle elevation. Most, if not **ALL**… are much bigger in scale and more impactful on the 'streetscape' than the relative small scale outbuilding built by the applicant.
You seem to ignore the relevance of your history of approvals in the area.
The "planning" history is VERY relevant and you have a duty of care to ensure reasonableness and transparency in your consideration of all applications…. "Each application needs to be considered on its own merits." [your statement].

For the avoidance of doubt; the buildings I have listed are all in the Frankfield area and are accordingly within the same streetscape and design framework . . . with a high probability of all being granted permission as a housing development at the date of original consent, circa 1970/80. Extensions, alterations and development have been added, with planning permission subsequently.

That is: -

- **Balcony Structure - 27 Frankfield Place:**

  At the date of application and approval there were no *"large shed balcony type developments in the front public facing garden areas within streetscapes where there are no other such developments."*

- **Two storey extension - 17 Frankfield Road:**

  At the date of application and approval there were no *"large shed two storey house extension type developments in the front public facing garden areas within streetscapes where there are no other such developments."*

- **House Extension - 26 Frankfield Crescent:**

  At the date of application and approval there were no *"large shed roof extension/alteration type developments in the front public facing garden areas within streetscapes where there are no other such developments."*

- **Decking - 4 Frankfield Road:**

At the date of application and approval there were no *“large shed decking type developments in the front public facing garden areas within streetscapes where there are no other such developments.”*

- **New Detached Garage - 2 Frankfield Road**

At the date of application and approval there were no *“large shed concrete freestanding garage type developments in the front public facing garden areas within streetscapes where there are no other such developments.” [particularly where the dwelling already had/has a freestanding garage within its curtilage!]*

In summary, there is no difference between the current application and the history of approved applications that have been granted permission. They alter the character of the streetscape by building balcony structures, large two storey extensions, cantilever edges on all extremities of a large roof extension, large decking area/s and monstrous single storey concrete freestanding garage…. Which is why I sited them as examples of the Planning Department history of approving development on the principle elevations in this area. I have also pointed out that there are many other examples in the area that **do not** have planning approval.

I beg you to take note of this very valid observation, rather than dismiss it as spurious and irrelevant, for it is neither spurious nor irrelevant. Should you fail to recognise the relevance, perhaps the Scottish Office will should the applicant be minded to appeal a wrongful refusal.

CONTEXT and BACKGROUND

Further to the above, which has previously been submitted for your consideration, we think it reasonable to state the context of the application within the conurbation of Dalgety Bay.

Dalgety Bay lies on the north shore of the Firth of Forth, between Inverkeithing and Aberdour on the Fife coast.

The name of Dalgety Bay applies to both the bay on the coast, and the town which has developed to the west and northwest of the bay. The new town is bounded by the east coast railway line to the North, Braefoot Petrochemical Station [and associated agricultural lands] to the East, the Forth to the South and a strip of open land and woodland to the West dividing Inverkeithing and Dalgety Bay. The mixed development conurbation has grown steadily over the years from its inception to the present day. Approximately sixty years of new town development with very few buildings that form an earlier heritage. These, however, include Donibristle House, Stables and Church, St Bridget's Kirk and scattered remains of a designed landscape of the Donibristle Estate. There are also a few remaining remnants of the more recent MoD installations relating to the World War defence efforts.

From a small settlement [Dalgety Village], the area is said to have developed from 1962 onward, and was founded on land owned [Donibristle Estate] by the 20th Earl of Moray. The development of the agricultural and former MoD base/s were granted planning permission to establish the first 'private' development of a New Town in Scotland. The incentive to plan a New Town on the Fife Coast was stimulated by housing need and high costs in and around Edinburgh and the planned Forth Road Bridge, opened in 1964.

INDUSTRIAL UNITS AND MANUFACTURE

Part of the former Donibristle Estate was developed as an aerodrome during World War I, and was used by both the Royal Navy and RAF, and subsequently reactivated for World War II as HMS Merlin.

Donniebristle Industrial Park was developed over the runway of the former air base, and evidence of the runway can still be found with the estate, near the local tennis courts, where the apron associated with aircraft repair and salvage operations was carried out. The Industrial Estate developed for the same economic reasons as the housing component. That is; more competitive rates outwith Edinburgh and with good transport links.

It is worth noting that radioactive contamination is present along the shore and is a heritable factor from MoD activities in the 40's and 50's. Remediation of contamination is currently being carried out along the west edge of Dalgety Bay on the Forth shoreline.

Dalgety Bay is a New Town of approximately Sixty Years old.

PLANNING HISTORY AND BACKGROUND

Prior to the 1960's there were no housing in the area and no precedent for housing development, or indeed, the industrial estate build on the former MoD sites.

The Planning Department and the Scottish Office made a decision that, despite there being no housing and no history of housing in the area… grant planning consent for a New Town. Dalgety Bay continues to develop and grow as a popular housing area. It has no conservation areas and very little remaining historic environment or buildings. Unlike the neighbouring settlements of Aberdour and Inverkeithing. It is a New Town of 1970's housing stock as it's datum with a progression of more modern housing being established thereafter. The St David's Harbour area is the only development area that has been themed with a pastiche of fife East Neuk 'fishing village' wallpaper on high rise, high density flatted development. [despite the fact that St Davids Harbour was a former industrial site very much removed from the quaint 'fishing ports' of the East Neuk…!] The relatively new clearance of industrial land and redesignation for housing on the north east boundary of the town has a more modern feel to the design approach but remains fairly standard as speculative housing for the private market. This recent addition to the housing stock does contain the statutory element of 'social' housing.

I have include this brief history and background to Dalgety Bay to establish a datum on the ‘streetscape’ qualities the Planning Department are determined to protect. I contend there is no harm to the streetscape by the applicants outbuilding, and there are many :-

> *“large shed-type developments in the [front] public facing garden areas within streetscapes where there are no other such developments.”*

I am prepared to submit a summary of similar outbuildings and development which is in front of the building line and/or in ‘public’ view, however I believe the local examples I have previously given are more than sufficient to prove the Planning Departments history of granting permission for development in front of the building line in Dalgety Bay [Frankfield Area]
I strongly contend that the Planning Officers have been minded NOT to LOOK at the local environment or, indeed, review the planning history of applications THEY [the Planning Authority] have ‘approved’ in the past.

I remain of the opinion that all aspects of Class 3 ‘Permitted Development’ guidelines are met by the outbuilding, with the exception of the ‘definition’ of “Principle Elevation”.

This matter is deemed Not Relevant given the local proximity of six or more planning approvals for extensions, alterations, or other developments in front gardens.
I consider, that should the Planning Department refuse planning permission, it will be wrongful and prejudicial to the rights of the applicant. That is; to reasonable expect similar approvals to neighbours that have been granted much more significant development in front of their dwellings.

Accordingly, I have recommended that the Planning Department approve the application retrospectively. Should this not be forthcoming, I recommend a full review be requested with a mind to seek a full appeal to the Scottish Office thereafter.

We trust this will not be required and would welcome an on site meeting to discuss the above and the details of the application prior to determination.

I look forward to hearing from you.

Application of Cramond Place

Good Morning Derek,

We formally write to submit a copy of a Fife Planning “Report Of Handling” for a retrospective application for a domestic outbuilding located at 7 Cramond Place.

I understand Scott [applicant]has brought this application to your attention, as it bears a great number of similarities to the application Scott has lodged for retrospective permission.

In term of the Planning framework, the Development Plan and the local bye laws etc. I felt it pertinent to formally write to you and confirm my professional opinion on the Report of Handling of the 18/02347/FULL application.My previous reports to you have contended that the application complies with all Class 3 conditions of permitted development with the exception of building in front of the building line. This I have argued is significantly mitigated by the site geometry and the fact that the Planning Department have approved various other significant development on the principle elevations of six or more properties in close proximity to the applicants address. [see my email recently sent reaffirming these issues.]

18/02347/FULL is on the adjoining cul-de-sac of Cramond Place and like Frankfield is similar in shape size and style, with many of the house types and road layout being the same. The application is for a domestic outbuilding [retrospective] and is located on the ‘main’ frontage. The building is directly on the heel kerb of the public footpath and is accessed from the public footpath.

The shed is overlooked directly by many more dwellings than that of Mr Leitch's shed and Scott has significantly softened the impact of the outbuilding by ensuring a setback and the establishment of a Laurel Hedge which softens the development. 18/02347/FULL application was APPROVED on the 1st November 2018. The date of application being lodged was 17.08.2018 and verified on the 5th September 2018. Site Visit on the 27.09.2018

https://planning.fife.gov.uk/online/files/017FF90238A24D6DA5A6C99CCCD76FC7/pdf/18_02347_FULL-REPORT_OF_HANDLING-2219748.pdf

I contend there was sufficient information provided to support the approval of the current application prior to emails lodged by myself and the applicant this week. We contend that the enclosure and the precedent of this recent APPROVAL is significant in term of the planning framework and obvious similarities between 18/02347/FULL and the current application before you.

Agenda Item 4(4)

8 Frankfield Road, Dalgety Bay, KY11 9LP
Application No. 23/00044/FULL

Representation(s)

Comments for Planning Application 23/00044/FULL

Application Summary

Application Number: 23/00044/FULL
Address: 8 Frankfield Road Dalgety Bay Dunfermline Fife KY11 9LP
Proposal: Erection of domestic outbuilding (retrospective)
Case Officer: Siobhan Brady

Customer Details

Name: Mrs Yvonne Smith
Address: 17 Frankfield Road, Dalgety Bay, Dunfermline, Fife KY11 9LP

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I wish to object to this Planning Application for the following reasons.
1. The domestic outbuilding in the front garden blights the street scene and I'm concerned if this application is passed others will follow suit.
2. The submitted drawing of the domestic outbuilding and house (File01 Location Plan), the outbuilding (Blue Rectangle) isn't to scale in relation to the size of the front garden and house and doesn't give a true reflection of the size of the build.
3. The overall size of the structure has a detrimental effect on the street.

Comments for Planning Application 23/00044/FULL

Application Summary

Application Number: 23/00044/FULL
Address: 8 Frankfield Road Dalgety Bay Dunfermline Fife KY11 9LP
Proposal: Erection of domestic outbuilding (retrospective)
Case Officer: Siobhan Brady

Customer Details

Name: Mr Kamil Zaslona
Address: 19 Frankfield Road, Dalgety Bay, Dunfermline, Fife KY11 9LP

Comment Details

Commenter Type: Neighbour Notified
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:Comments regarding planning application no 23/00044/FULL

We would like to take this opportunity to comment on the planning application No 23/00044/FULL, submitted for the cabin at 8 Frankfield Road, Dalgety Bay.
We would like the permission not granted for the erection of the outbuilding for the following reasons:
1. The cabin built in front of the garden of the property is in real life twice the size than submitted on the planning schematics. (I would like a confirmation that according to the regulation you are allowed to use only 50% of your garden space for outbuildings, which is not the case here)
2. These kinds of constructions placed in front gardens are unusual and change the street landscape of Frankfield Road in an unprecedented manner. As a standard in the area sheds, cabins and outbuildings are placed in back gardens, away from the noise and view. We are concerned that this now sets a precedent and will be used as an example for others.
3. The appearance of this construction is out of character with existing properties and devalues the whole street
4. The shed/cabin constitutes the main view from our living room and master bedroom windows; we find it overwhelming, obstructive and attention drawing.

Also I would like to mention that our main view from our living room window and master bedroom is strait away on that construction. We have to look at this every day and we find it overwhelming and covering our full view when we look outside. It is stressful and too large for a front garden.

Agenda Item 4(5)

8 Frankfield Road, Dalgety Bay, KY11 9LP
Application No. 23/00044/FULL

Further Representations

From: [redacted]
To: Michelle McDermott
Subject: MMc/J8.36.389
Date: 08 October 2023 21:17:08

Dear Michelle

Thank you for the letter dated 28th September, ref MMc/J8.36.389, regarding the decision and appeal of the planning application ref 23/00044/FULL - 8 Frankfield Road, Dalgety Bay, KY11 9LP.

We would like to emphasise that we stand behind our original representation and that the applicant's appeal has not changed our opinion.
Neither the incorrect argumentation irrelevantly pointing at neighbouring properties, nor the assurance of the appearing hedge have any impact on the fact that the proposed outbuilding's size and positioning is against the Council's regulations. Rules should apply to all of us, if they are to be meaningful.

Lastly, we would like to express our concern regarding the length of the whole procedure, which is now reaching 9 months. We hope we are now approaching the end of it.

Thank you

Kind regards

Kamil Zaslona

From: [redacted]
To: Michelle McDermott
Subject: Application Ref: 23/00044/FULL -8 Frankfield Road Dalgety Bay KY119LP
Date: 09 October 2023 13:41:50

Dear Michelle

Thank you for your letter dated 28/09/23 with reference to the above planning application.

The appeal against Fife Council Planning decision doesn't change my original comments objecting to this application.

I do however, wish to add the following after reading the appeal statement.

The proposed domestic outbuilding does have/ would have an adverse effect upon the appearance of the street scene irrespective if the trees grow.
Given the content of surroundings, which is Canadian style chalet bungalows and open plan gardens, the structure is still in the front garden, too large and in the wrong position.

The example used in the appeal comments of 7 Cramond Place, Dalgety Bay - Ref number 18/02347/FULL is completely irrelevant as it is a shed, one third size of the proposed structure, on the side of a corner plot and not in a front garden.

I understand there's a process to follow, it has taken a long time to get to this stage and hopefully this will be resolved quickly.

Best regards
Yvonne Smith

From: [redacted]
To: Michelle McDermott
Subject: Application Ref 23/00044/FULL - 8 Frankfield Road Dalgety Bay KY119LP
Date: 09 October 2023 13:48:27

Dear Michelle

Please see attached picture related to the above application. This is our outlook, was taken today.

Best regards
Yvonne Smith

Agenda Item 5(1)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Planning Decision Notice

D7 Architecture Ltd.
David Christie
3 Faraday Road
Southfield Industrial Estate
Glenrothes
KY6 2RU

Planning Services

Andrew Cumming

development.central@fife.gov.uk

Your Ref:
Our Ref: 23/00640/FULL

Date 7th July 2023

Dear Sir/Madam

Application No: **23/00640/FULL**
Proposal: **Replacement dormer extension to front and dormer extension to rear of dwellinghouse**
Address: **10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA**

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 or local review 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,

Andrew Cumming, Planning Assistant, 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:	**23/00640/FULL**
Proposal:	**Replacement dormer extension to front and dormer extension to rear of dwellinghouse**
Address:	**10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA**

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/00640/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of visual amenity, the proposed front dormer extension in particular is considered contrary to National Planning Framework 4 (2023) Policies 14 and 16, Adopted FIFEplan (2017) polices 1 and 14, and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), as it would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

Dated:7th July 2023

Chris Smith

For Head of Planning Services

PLANS

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

Reference	Plan Description
01	Location Plan/Block Plan
02	Existing Site Plan
03	Proposed Site Plan
04	Existing various eg elevation, floor etc
05A	Proposed various - elevation, floor etc

Dated:7th July 2023

Chris Smith

For Head of Planning Services

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.fife.gov.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.

Agenda Item 5(2)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Report of Handling

23/00640/FULL

HOUSEHOLDER
REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	**10 Cardenden Road, Cardenden, Lochgelly**		
PROPOSAL	**Replacement dormer extension to front and dormer extension to rear of dwellinghouse**		
DATE VALID	**14/03/2023**	PUBLICITY EXPIRY DATE	**17/04/2023**
CASE OFFICER	**Andrew Cumming**	SITE VISIT	**None**
WARD	**Lochgelly, Cardenden And Benarty**	REPORT DATE	**07/07/2023**

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 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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

1.0 BACKGROUND

1.1 The application property is a mid-terraced, one and a half storey dwellinghouse, set in a mixed use area of mixed style properties, albeit the terraced row of 5 properties within which it is set is characterised by their traditional style, small, pitch-roofed dormer extensions on their north-facing front, public elevations.

1.2 This application is for a replacement dormer extension to the north-facing front elevation and a dormer extension to the south-facing rear elevation of the house.

1.3 There have been no recent, previous planning applications received for this property. However as also noted in the written representations received, authors note that No. 6, similarly set next to the other end-terraced house in the row (under application No. 06/03478/CFULL) included a proposed large, cat-slide dormer and was at that time deemed unacceptable on the front of that property. The subsequent revised application (application No. 07/01566/CFULL) was approved for a rear elevation box dormer only and the traditional small-scale pitched roof dormer was to remain. That later amended application was approved.

1.4 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application. The following evidence was used to inform the assessment of these proposals.
- Google imagery (including Google Street View and Google satellite imagery),
- GIS mapping software, and
- Current photographs of the site provided by the agent.
Therefore, given the scale and nature of the proposals it is considered that the evidence and information available to the case officer is sufficient to determine the application.

2.0 PLANNING ASSESSMENT

2.1 The key issues in the assessment of this application are Design/Visual Amenity, Residential Amenity and Representations.

2.2 DESIGN/VISUAL AMENITY

2.2.1 Policies 14 and 16 of NPF4 (2023), Adopted Local Plan Policies 1 and 10, and Fife Council's Approved Planning Customer Guidelines on Dormer Extensions apply and state amongst other things that development proposals that are poorly designed, detrimental to the amenity of the surrounding area, will not be supported; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to the visual impact of the development on the surrounding area; and where an area has been designed with an overarching design concept, the introduction of dormer windows should not interrupt the design balance or create an unacceptable visual interruption where the design was based upon symmetry or a strict set of design principles.

2.2.2 The terraced row of 5 properties is characterised by the traditional style, small, pitch-roofed dormer extensions on the north-facing front, public elevations. The propopsed replacement front dormer extension would remove 1 of these dormer extensions and replace it with a larger box style dormer, with a slightly sloping roof. Whilst with it to be set sufficiently up from the wallhead and down from the ridge and albeit only 0.8m in from the gables where a minumum of 1m is

required it could be considered to appear visually and physically acceptable for the house if it were purely considered in isolation, however, when considered in the context of the terraced row of 5 properties together it would appear incongruous and harmful to the character and appearance of the terraced row of properties as a whole, and therefore cannot be considered to comply with the design and visual amenity terms of these policies and guidelines.

2.2.3 In terms of the wider streetscene, it is recognised that there are 2 conjoined box dormers on the front elevation of No.s 14 and 16 Cardeden Road, however, these have not benefitted from any recent planning permission, pre-dating 1999, and pre-dating the current relevant national and local policies and guidelines relevant to this current application, which aim to protect properties and streetscenes from unacceptable, large, inappropriately scaled/proportioned and designed dormers. Indeed their presence in a streetscene such as this further characterised by traditional style, small-scale, pitch-roofed dormer extensions at an additional 10 properties on both sides of Cardenden Road serves to demonstrate that traditonal small-scale appropriately designed and positioned dormers are the dominant type and as a consequence these incongruous examples are very much in the minority in the streetscene and are considered to dominate the roof slopes of both properties contrary to current dormer design guidance for public/front dormers (as outlined above).

2.2.4 Converse to the proposed front dormer extension, the proposed rear dormer extension, to be set on the non-public rear elevation of the property, could be considered to be set sufficiently up from the wallhead, down from the ridge and in from the gables for the non-public rear elevation of the house. However, this element of the proposals cannot be approved in isolation from the unaccceptable front dormer extension and the application therefore has to be refused in its entirety.

2.2.5 Communications with the agent suggested removal of the proposed front dormer extension element of the proposals to allow a positive outcome for the rear dormer extension element of the proposals, however, this opportunity was not taken up, and with only some minor amendments to the drawings, the application is recommended for refusal in its entirety. The proposal if approved would it is considered set a dangerous precedent for other dormer replacements along Cardenden Road.

2.3 RESIDENTIAL AMENITY

2.3.1 Policy 16 of NPF4 (2023), Adopted Local Plan Policies 1 and 10, and Fife Council's Approved Planning Customer Guidelines on Dormer Extensions apply.

2.3.2 With the proposals to be set level with existing dormer extensions in the terrace, there would be no significantly increased overlooking/privacy issues with the proposals, and they therefore comply with the residential amenity terms of these policies and guidelines.

CONSULTATION RESPONSES

Land And Air Quality, Protective Services	No comment.

REPRESENTATIONS

2 representations have been received raising concerns about design, which has already been addressed at paragraph 2.2 in this report.

CONCLUSION

The proposed front dormer extension in particular would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of visual amenity, the proposed front dormer extension in particular is considered contrary to National Planning Framework 4 (2023) Policies 14 and 16, Adopted FIFEplan (2017) polices 1 and 14, and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), as it would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Adopted National Planning Framework 4 (2023)

Adopted FIFEplan (2017)

Fife Council's Approved Planning Customer Guidelines on Dormer Extensions

Agenda Item 5(3)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Notice of Review

Fife House North Street Glenrothes KY7 5LT 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 100620934-004

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 T Agent

Agent Details

Please enter Agent details

Company/Organisation:	D7 Architecture Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	
Last Name: *	Christie	Building Number:	4
Telephone Number: *	01592 630600	Address 1 (Street): *	Dunnikier Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Kirkcaldy
Fax Number:		Country: *	Scotland
		Postcode: *	KY1 2RN
Email Address: *	david@d7architecture.com		

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

T Individual ≤ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Lee	Building Number:	10
Last Name: *	Coombe	Address 1 (Street): *	Cardenden Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Cardneden
Extension Number:		Country: *	United Kingdom
Mobile Number:	[redacted]	Postcode: *	KY5 0PA
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	Fife Council

Full postal address of the site (including postcode where available):

Address 1:	10 CARDENDEN ROAD
Address 2:	CARDENDEN
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	LOCHGELLY
Post Code:	KY5 0PA

Please identify/describe the location of the site or sites

Northing	695252	Easting	321826

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)

Replacement dormer extension to front and dormer extension to rear of dwellinghouse.

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 a 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.

The dormer design has been carefully designed similar to the dormers of neighbouring properties. The decision notice reason for the refusal is "In the interests of visual amenity". I would agree with this statement if no properties had this style of dormer in the street, However, there is are similar dormers within the street including the 2 neighbouring properties. These properties may of not applied for planning for these dormers.

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)

01 - LOCATION AND BLOCK PLAN, 02 - EXISTING SITE PLAN, 03 - PROPOSED SITE PLAN, 04 - EXISTING FLOOR AND ROOF PLANS, AND ELEVATIONS, 05A - PROPOSED FLOOR AND ROOF PLANS, AND ELEVATIONS

Application Details

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

23/00640/FULL

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

13/03/2023

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

07/07/2023

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: Mr David Christie

Declaration Date: 26/09/2023

D7 Architecture Ltd.
David Christie
3 Faraday Road
Southfield Industrial Estate
Glenrothes
KY6 2RU

Planning Services

Andrew Cumming

development.central@fife.gov.uk

Your Ref:
Our Ref: 23/00640/FULL

Date 7th July 2023

Dear Sir/Madam

Application No: **23/00640/FULL**
Proposal: **Replacement dormer extension to front and dormer extension to rear of dwellinghouse**
Address: **10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA**

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 or local review 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,

Andrew Cumming, Planning Assistant, 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:	**23/00640/FULL**
Proposal:	**Replacement dormer extension to front and dormer extension to rear of dwellinghouse**
Address:	**10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA**

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/00640/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of visual amenity, the proposed front dormer extension in particular is considered contrary to National Planning Framework 4 (2023) Policies 14 and 16, Adopted FIFEplan (2017) polices 1 and 14, and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), as it would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

Dated:7th July 2023

Chris Smith

For Head of Planning Services

PLANS

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

Reference	Plan Description
01	Location Plan/Block Plan
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Dated:7th July 2023

Chris Smith

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

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23/00640/FULL

HOUSEHOLDER
REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	**10 Cardenden Road, Cardenden, Lochgelly**		
PROPOSAL	**Replacement dormer extension to front and dormer extension to rear of dwellinghouse**		
DATE VALID	**14/03/2023**	PUBLICITY EXPIRY DATE	**17/04/2023**
CASE OFFICER	**Andrew Cumming**	SITE VISIT	**None**
WARD	**Lochgelly, Cardenden And Benarty**	REPORT DATE	**07/07/2023**

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 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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

1.0 BACKGROUND

1.1 The application property is a mid-terraced, one and a half storey dwellinghouse, set in a mixed use area of mixed style properties, albeit the terraced row of 5 properties within which it is set is characterised by their traditional style, small, pitch-roofed dormer extensions on their north-facing front, public elevations.

1.2 This application is for a replacement dormer extension to the north-facing front elevation and a dormer extension to the south-facing rear elevation of the house.

1.3 There have been no recent, previous planning applications received for this property. However as also noted in the written representations received, authors note that No. 6, similarly set next to the other end-terraced house in the row (under application No. 06/03478/CFULL) included a proposed large, cat-slide dormer and was at that time deemed unacceptable on the front of that property. The subsequent revised application (application No. 07/01566/CFULL) was approved for a rear elevation box dormer only and the traditional small-scale pitched roof dormer was to remain. That later amended application was approved.

1.4 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application. The following evidence was used to inform the assessment of these proposals.
- Google imagery (including Google Street View and Google satellite imagery),
- GIS mapping software, and
- Current photographs of the site provided by the agent.
Therefore, given the scale and nature of the proposals it is considered that the evidence and information available to the case officer is sufficient to determine the application.

2.0 PLANNING ASSESSMENT

2.1 The key issues in the assessment of this application are Design/Visual Amenity, Residential Amenity and Representations.

2.2 DESIGN/VISUAL AMENITY

2.2.1 Policies 14 and 16 of NPF4 (2023), Adopted Local Plan Policies 1 and 10, and Fife Council's Approved Planning Customer Guidelines on Dormer Extensions apply and state amongst other things that development proposals that are poorly designed, detrimental to the amenity of the surrounding area, will not be supported; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to the visual impact of the development on the surrounding area; and where an area has been designed with an overarching design concept, the introduction of dormer windows should not interrupt the design balance or create an unacceptable visual interruption where the design was based upon symmetry or a strict set of design principles.

2.2.2 The terraced row of 5 properties is characterised by the traditional style, small, pitch-roofed dormer extensions on the north-facing front, public elevations. The propopsed replacement front dormer extension would remove 1 of these dormer extensions and replace it with a larger box style dormer, with a slightly sloping roof. Whilst with it to be set sufficiently up from the wallhead and down from the ridge and albeit only 0.8m in from the gables where a minumum of 1m is

required it could be considered to appear visually and physically acceptable for the house if it were purely considered in isolation, however, when considered in the context of the terraced row of 5 properties together it would appear incongruous and harmful to the character and appearance of the terraced row of properties as a whole, and therefore cannot be considered to comply with the design and visual amenity terms of these policies and guidelines.

2.2.3 In terms of the wider streetscene, it is recognised that there are 2 conjoined box dormers on the front elevation of No.s 14 and 16 Cardeden Road, however, these have not benefitted from any recent planning permission, pre-dating 1999, and pre-dating the current relevant national and local policies and guidelines relevant to this current application, which aim to protect properties and streetscenes from unacceptable, large, inappropriately scaled/proportioned and designed dormers. Indeed their presence in a streetscene such as this further characterised by traditional style, small-scale, pitch-roofed dormer extensions at an additional 10 properties on both sides of Cardenden Road serves to demonstrate that traditonal small-scale appropriately designed and positioned dormers are the dominant type and as a consequence these incongruous examples are very much in the minority in the streetscene and are considered to dominate the roof slopes of both properties contrary to current dormer design guidance for public/front dormers (as outlined above).

2.2.4 Converse to the proposed front dormer extension, the proposed rear dormer extension, to be set on the non-public rear elevation of the property, could be considered to be set sufficiently up from the wallhead, down from the ridge and in from the gables for the non-public rear elevation of the house. However, this element of the proposals cannot be approved in isolation from the unaccceptable front dormer extension and the application therefore has to be refused in its entirety.

2.2.5 Communications with the agent suggested removal of the proposed front dormer extension element of the proposals to allow a positive outcome for the rear dormer extension element of the proposals, however, this opportunity was not taken up, and with only some minor amendments to the drawings, the application is recommended for refusal in its entirety. The proposal if approved would it is considered set a dangerous precedent for other dormer replacements along Cardenden Road.

2.3 RESIDENTIAL AMENITY

2.3.1 Policy 16 of NPF4 (2023), Adopted Local Plan Policies 1 and 10, and Fife Council's Approved Planning Customer Guidelines on Dormer Extensions apply.

2.3.2 With the proposals to be set level with existing dormer extensions in the terrace, there would be no significantly increased overlooking/privacy issues with the proposals, and they therefore comply with the residential amenity terms of these policies and guidelines.

CONSULTATION RESPONSES

Land And Air Quality, Protective Services	No comment.

REPRESENTATIONS

2 representations have been received raising concerns about design, which has already been addressed at paragraph 2.2 in this report.

CONCLUSION

The proposed front dormer extension in particular would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of visual amenity, the proposed front dormer extension in particular is considered contrary to National Planning Framework 4 (2023) Policies 14 and 16, Adopted FIFEplan (2017) polices 1 and 14, and Fife Council's Planning Customer Guidelines on Dormer Extensions (2016), as it would be of a size and design which would have a significant adverse visual impact on the character and appearance of this mid-terraced house and would appear incongruous and detract from the visual amenity of the terraced row of 5 properties it is set within.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Adopted National Planning Framework 4 (2023)

Adopted FIFEplan (2017)

Fife Council's Approved Planning Customer Guidelines on Dormer Extensions

Fife House North Street Glenrothes KY7 5LT 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 100620934-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Enlargement of existing front dormer and formation of new rear dormer to accommodate and additional bedroom.

Has the work already been started and/ or completed? *

T No ≤ Yes - Started ≤ Yes – Completed

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 T Agent

Agent Details

Please enter Agent details

Company/Organisation:	D7 Architecture Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	
Last Name: *	Christie	Building Number:	3
Telephone Number: *	01592 630600	Address 1 (Street): *	Faraday Road
Extension Number:		Address 2:	Southfield Industrial Estate
Mobile Number:		Town/City: *	Glenrothes
Fax Number:		Country: *	United Kingdom
		Postcode: *	KY6 2RU
Email Address: *	david@d7architecture.com		

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

≤ Individual T Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Lee	Building Number:	1
Last Name: *	Coombe	Address 1 (Street): *	Merchant Place
Company/Organisation	LC Joinery and Roofing	Address 2:	
Telephone Number: *	[redacted]	Town/City: *	Kirkcaldy
Extension Number:		Country: *	Fife
Mobile Number:		Postcode: *	KY1 3NJ
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority: Fife Council

Full postal address of the site (including postcode where available):

Address 1: 10 CARDENDEN ROAD

Address 2: CARDENDEN

Address 3:

Address 4:

Address 5:

Town/City/Settlement: LOCHGELLY

Post Code: KY5 0PA

Please identify/describe the location of the site or sites

Northing 695252 Easting 321826

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * ≤ Yes T No

Trees

Are there any trees on or adjacent to the application site? * ≤ Yes T No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? * ≤ Yes T No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * ≤ Yes T No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? * T Yes ≤ No

Is any of the land part of an agricultural holding? * ≤ Yes T No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: David Christie

On behalf of: LC Joinery and Roofing

Date: 11/03/2023

T Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) Have you provided a written description of the development to which it relates?. * T Yes ≤ No

b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * T Yes ≤ No

c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? * T Yes ≤ No

d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. T Yes ≤ No

e) Have you provided a certificate of ownership? * T Yes ≤ No

f) Have you provided the fee payable under the Fees Regulations? * T Yes ≤ No

g) Have you provided any other plans as necessary? * T Yes ≤ No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals
(two must be selected). *

You can attach these electronic documents later in the process.

T Existing and Proposed elevations.

T Existing and proposed floor plans.

≤ Cross sections.

T Site layout plan/Block plans (including access).

T Roof plan.

≤ Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. ≤ Yes T No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * ≤ Yes T No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

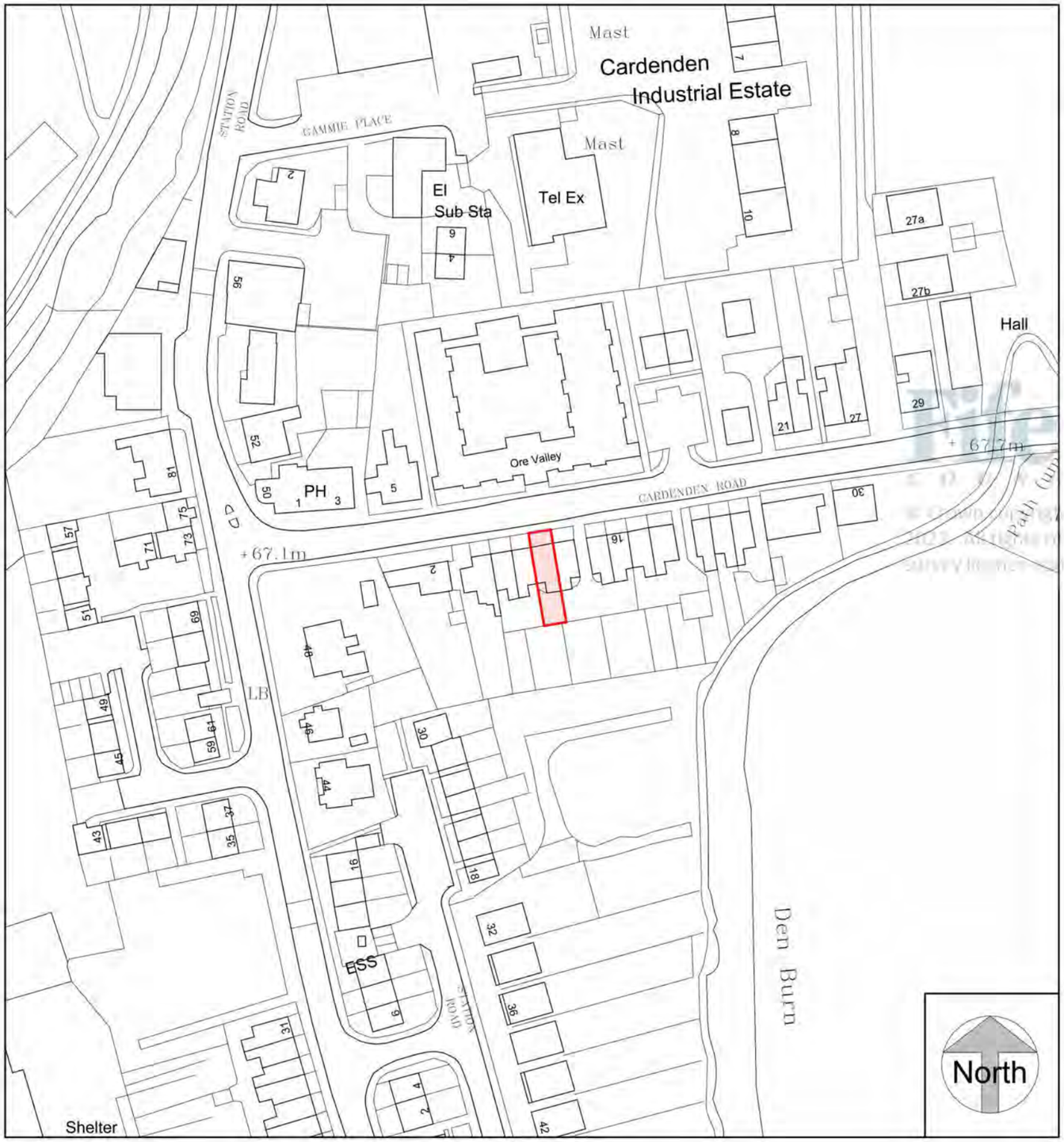
Declaration Name: Mr David Christie

Declaration Date: 11/03/2023

Payment Details

Pay Direct

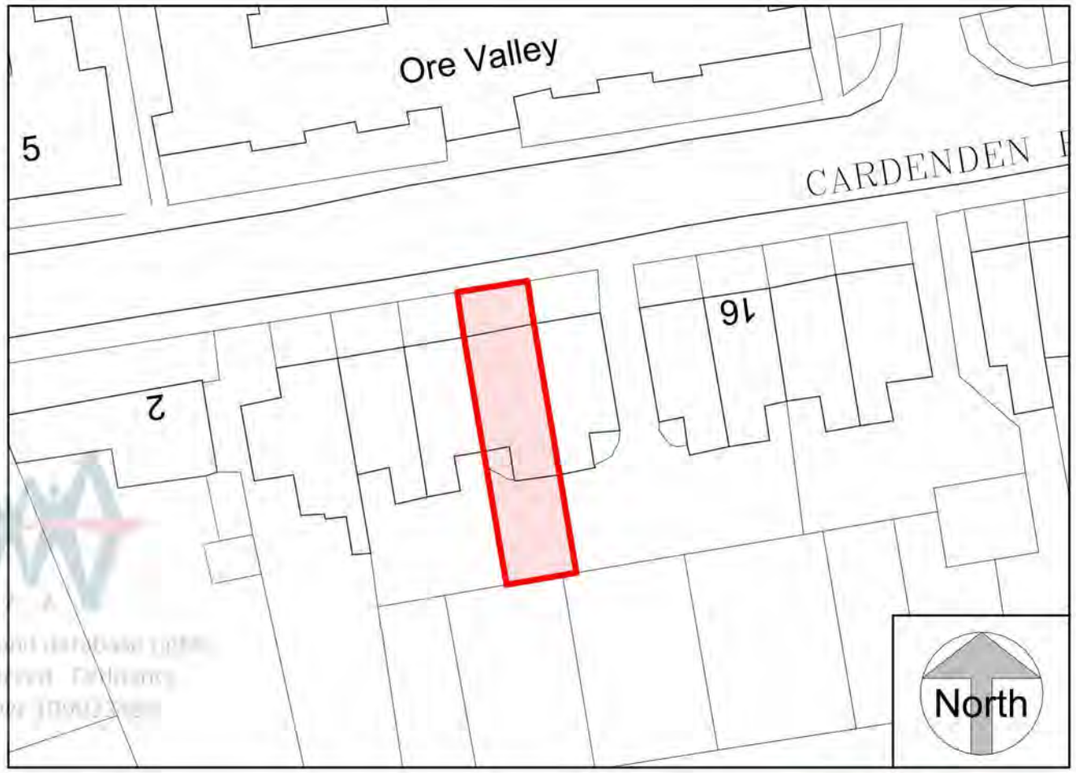
Created: 11/03/2023 07:59



Location Plan
1 : 1250

0m 25m 50m 75m 100m 125m

Scale 1:1250 @ A3



Block Plan
1 : 500

0m 10m 20m 30m 40m 50m

Scale 1:500 @ A3

KEY

NORTH POINT

RED LINE DENOTES APPLICATION BOUNDARY LINE

D7 ARCHITECTURE
SOUTHFIELD INDUSTRIAL ESTATE, 3 FARADAY ROAD, GLENROTHES, FIFE, KY6 2RU
www.d7architecture.com david@d7architecture.com

CLIENT
Lee Coombe

PROJECT
Proposed Rear Dormer Extension
10 Cardenden Road, Cardenden, Fife, KY5 0PA

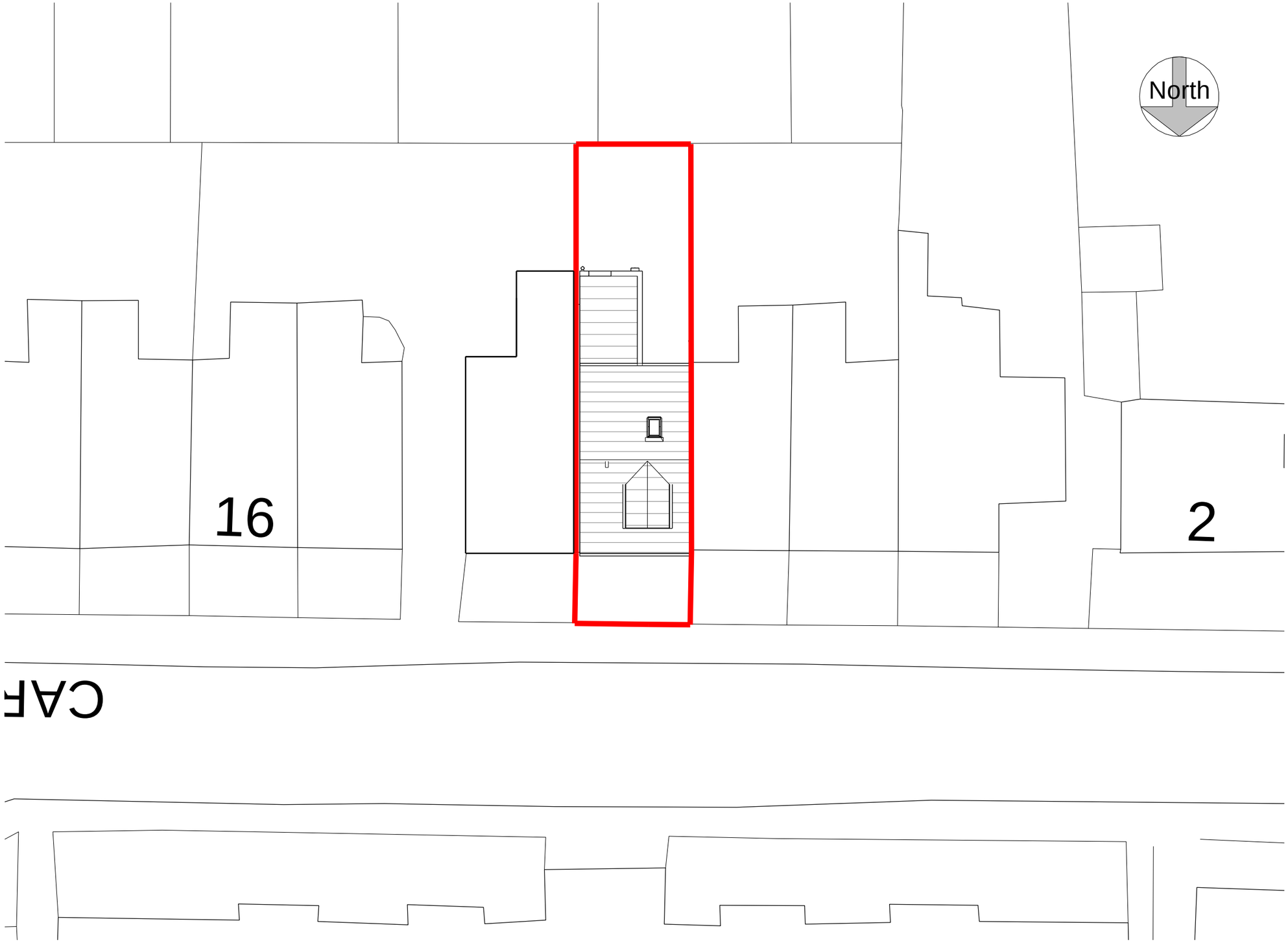
DRAWING
Location and Block Plan

STATUS
WARRANT

DATE	SCALE
OCTOBER 2022	As indicated

DWG NO.	REV
(A22-349)100	

Sheet Size: A3



Site Plan as Existing
1 : 200

0m 4m 8m 12m 16m 20m

Scale 1:200 @ A3

D7 ARCHITECTURE
SOUTHFIELD INDUSTRIAL ESTATE, 3 FARADAY ROAD, GLENROTHES, FIFE, KY6 2RU
www.d7architecture.com david@d7architecture.com

CLIENT
Lee Coombe

PROJECT
Proposed Rear Dormer Extension
10 Cardenden Road, Cardenden, Fife, KY5 0PA

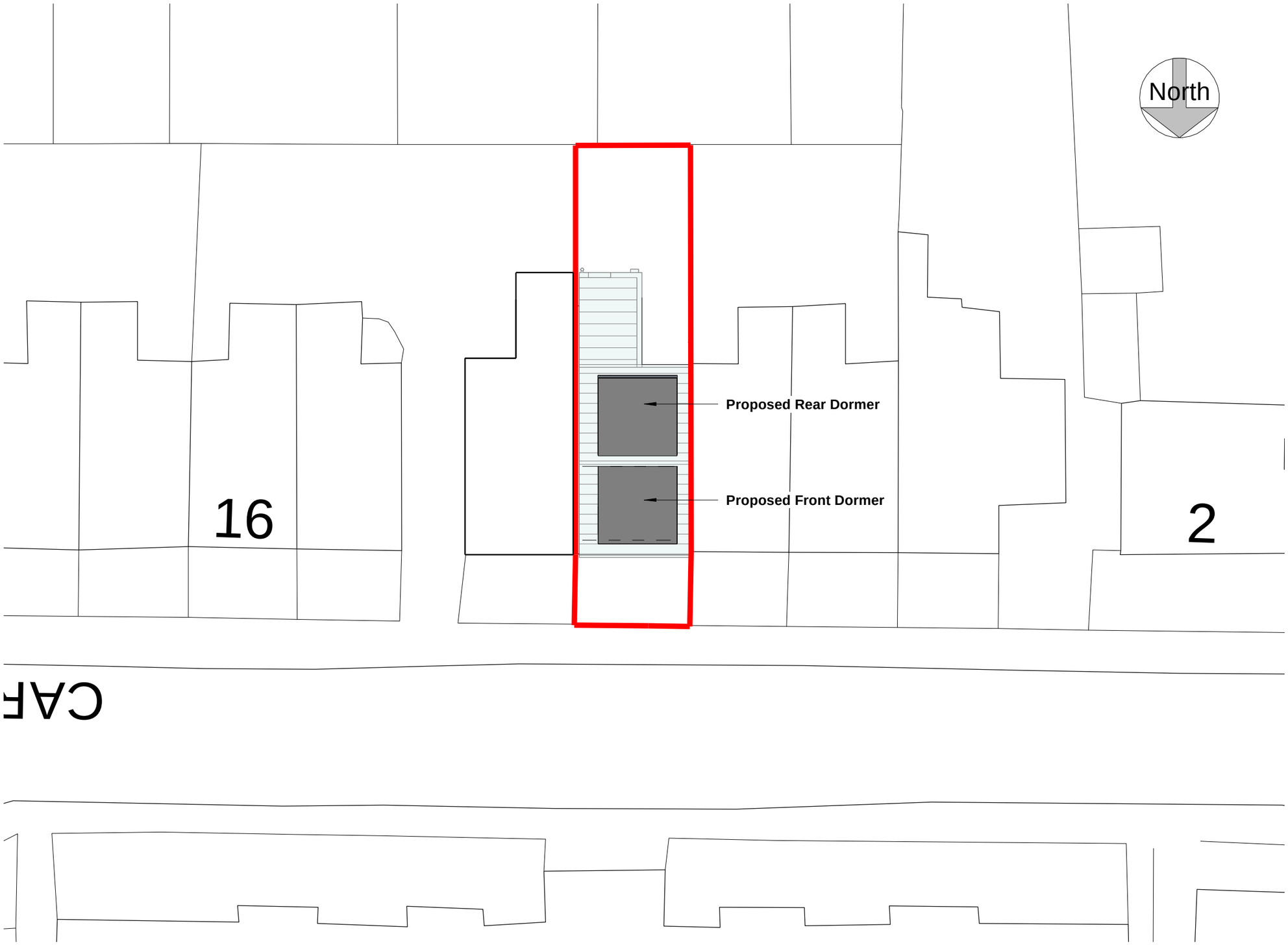
DRAWING
Site Plan as Existing

STATUS
WARRANT

DATE	SCALE
OCTOBER 2022	1 : 200

DWG NO.	REV
(A22-349)200	

Sheet Size: A3



Site Plan as Proposed

1 : 200

0m 4m 8m 12m 16m 20m

Scale 1:200 @ A3

ARCHITECTURE

SOUTHFIELD INDUSTRIAL ESTATE, 3 FARADAY ROAD, GLENROTHES, FIFE, KY6 2RU

www.d7architecture.com david@d7architecture.com

CLIENT

Lee Coombe

PROJECT

Proposed Rear Dormer Extension

10 Cardenden Road, Cardenden, Fife, KY5 0PA

DRAWING

Site Plan as Proposed

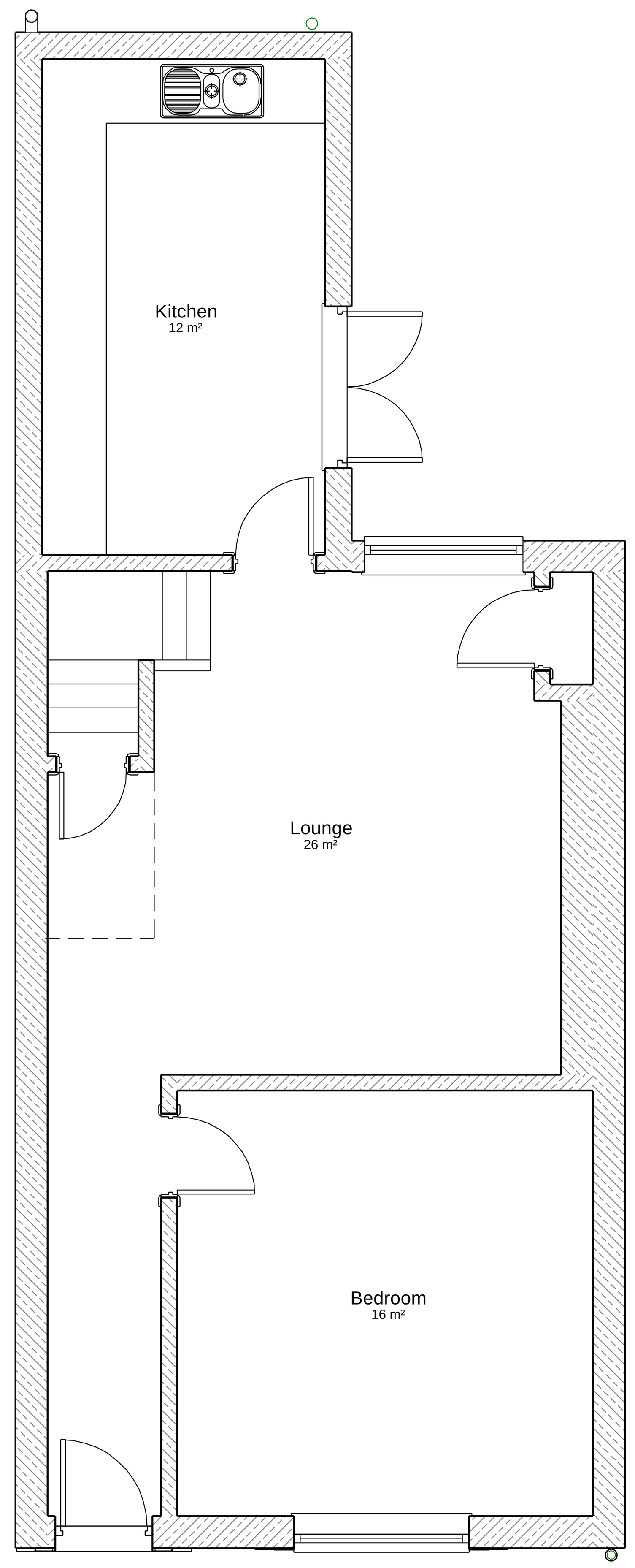
STATUS

WARRANT

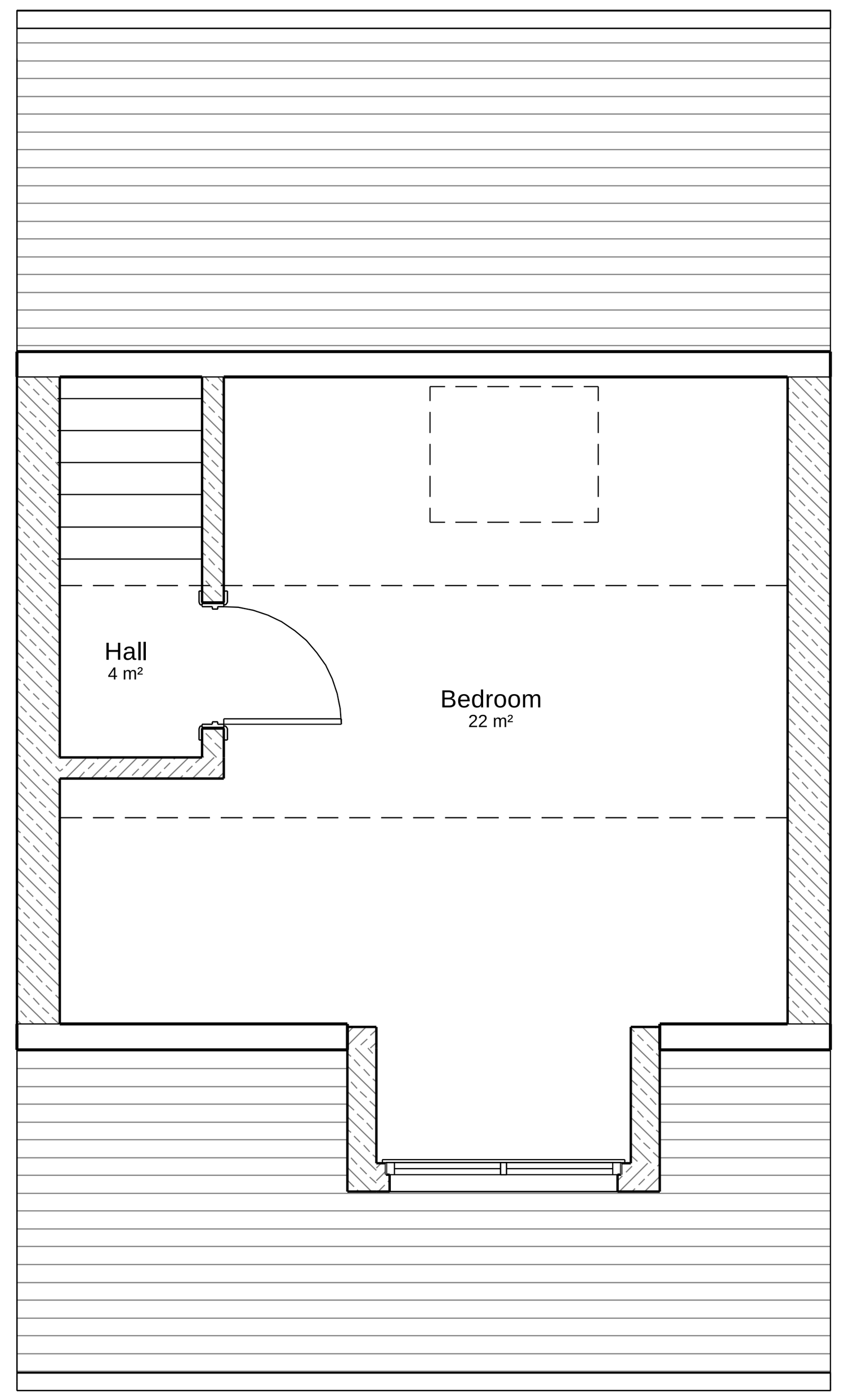
DATE	SCALE
MARCH 2023	1 : 200

DWG NO.	REV
(A22-349)300	

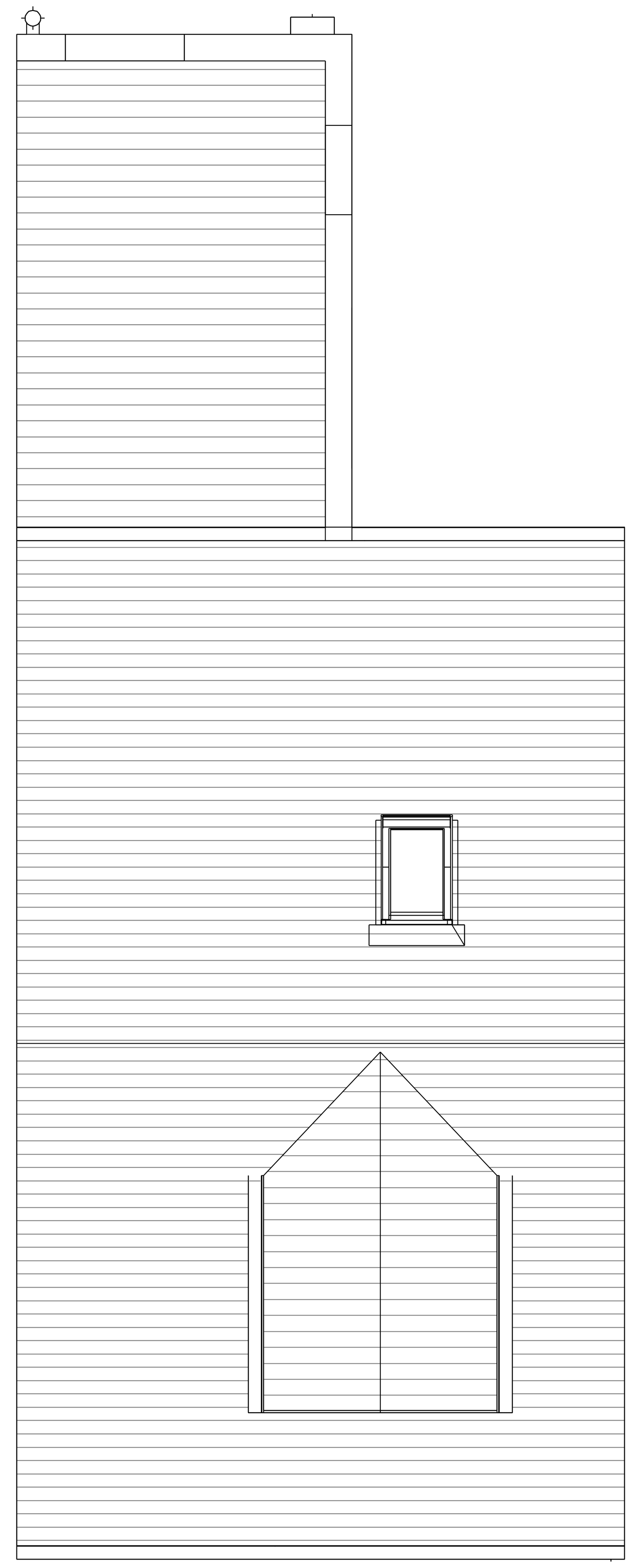
Sheet Size: A3



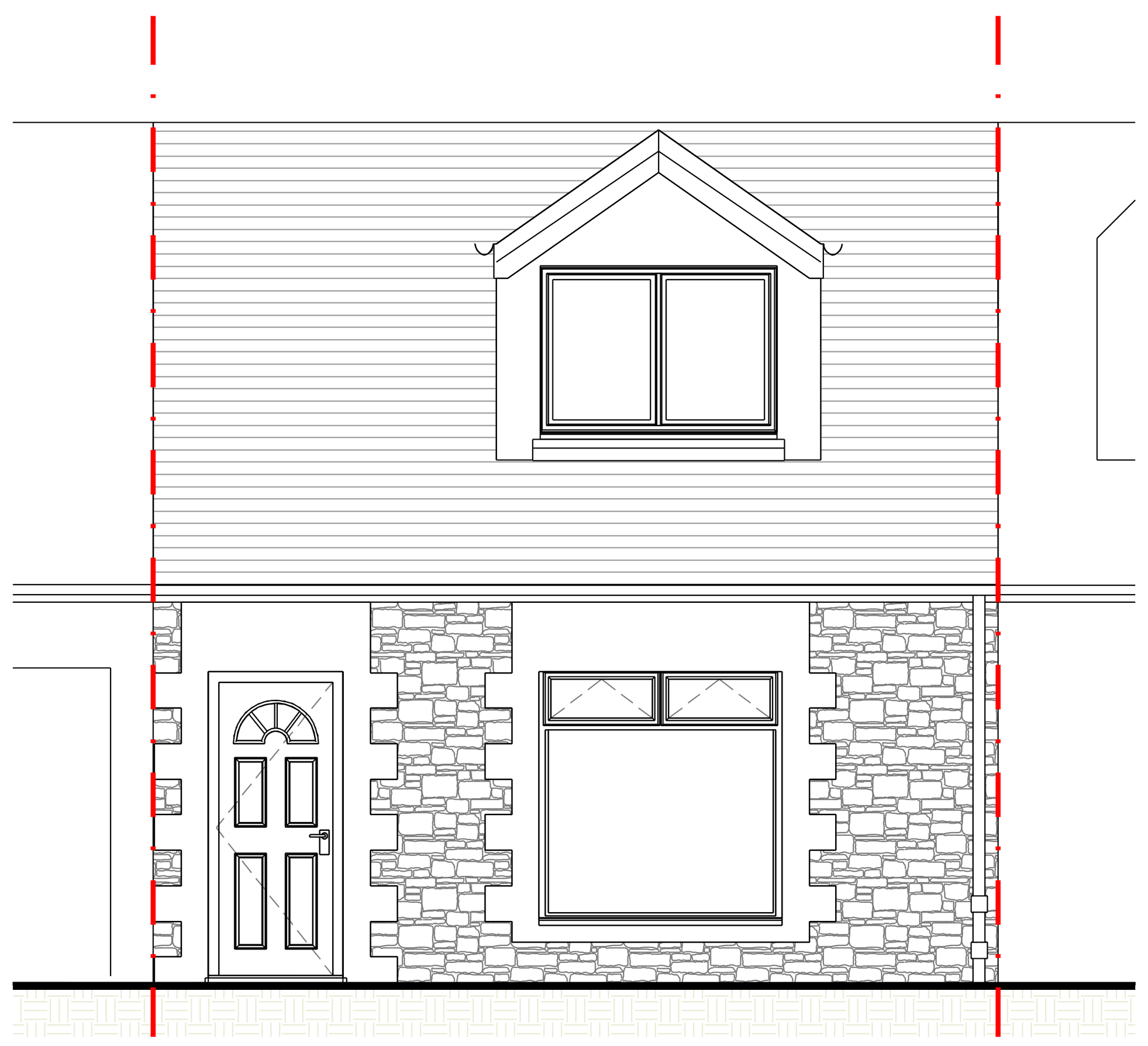
Ground Floor Plan as Existing
1 : 50



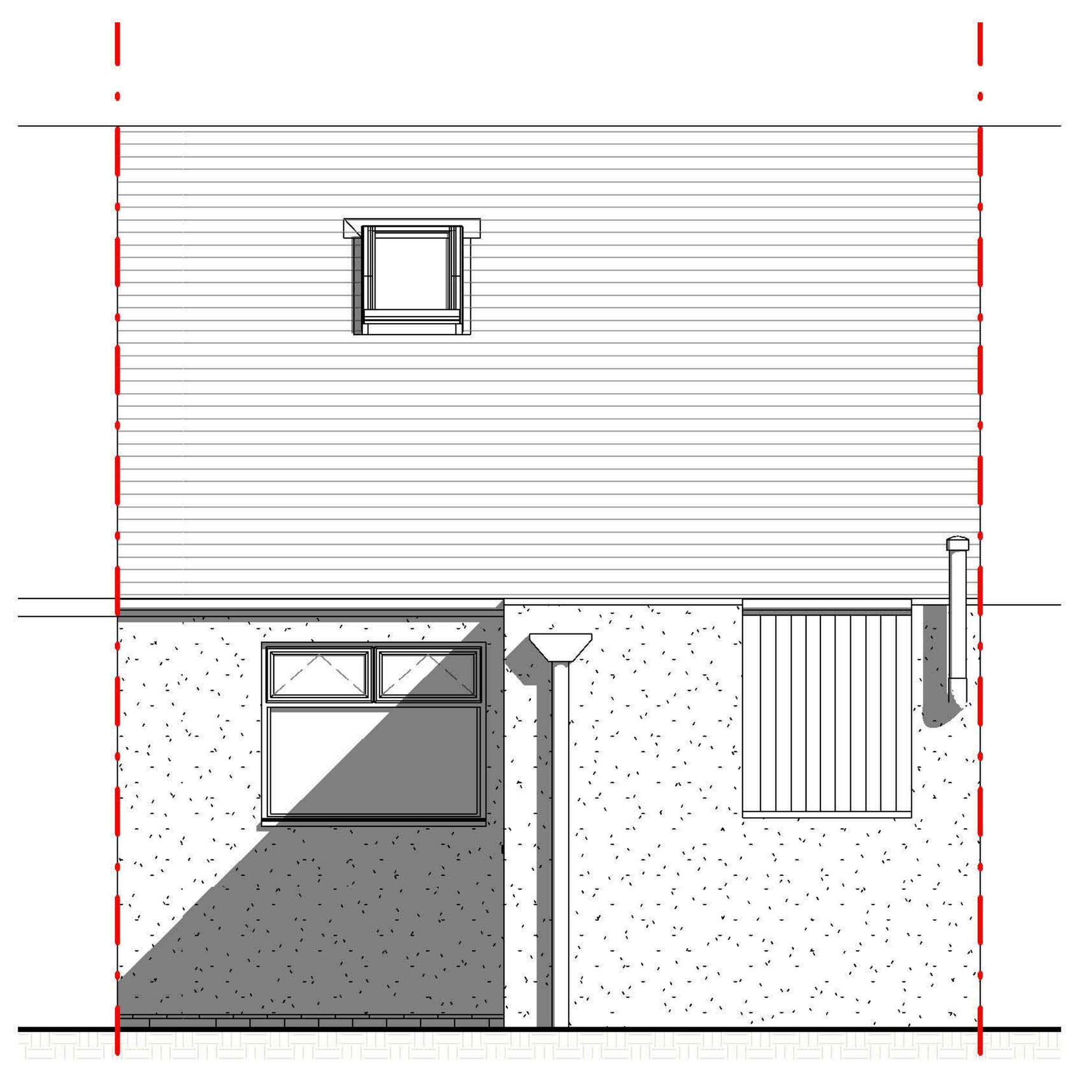
First Floor Plan as Existing
1 : 50



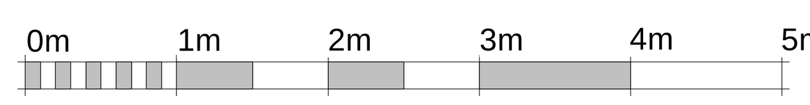
Roof Plan as Existing
1 : 50



(South) (Principle) Front Elevation as Existing
1 : 50



(North) Rear Elevation as Existing
1 : 50



Scale 1:50 @ A1

ARCHITECTURE

SOUTHFIELD INDUSTRIAL ESTATE, 3 FARADAY ROAD, GLENROTHES, FIFE, KY6 2RU
www.d7architecture.com david@d7architecture.com

CLIENT
Lee Coombe

PROJECT
Proposed Rear Dormer Extension
10 Cardenden Road, Cardenden, Fife, KY5 0PA

DRAWING
Plans and Elevations as Existing

STATUS
WARRANT

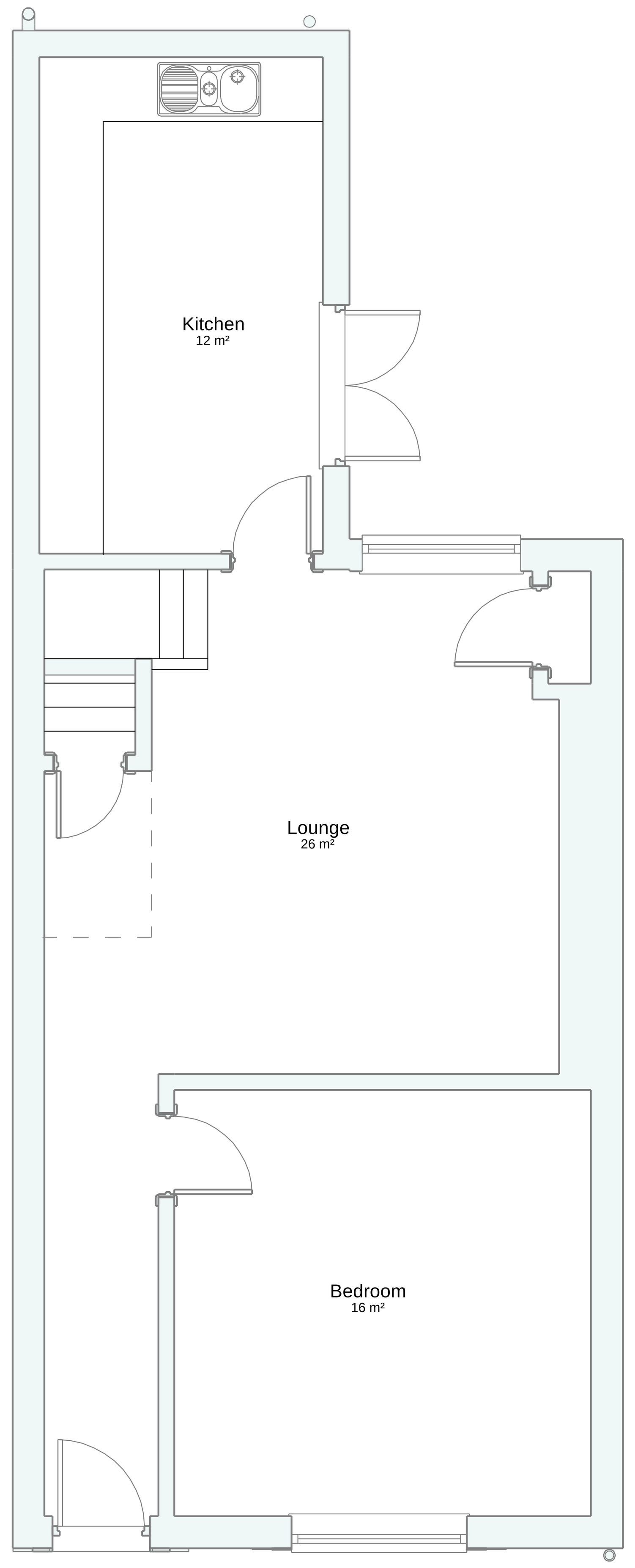
DATE	SCALE
OCTOBER 2022	1 : 50

DWG NO.	REV
(A22-349)201	

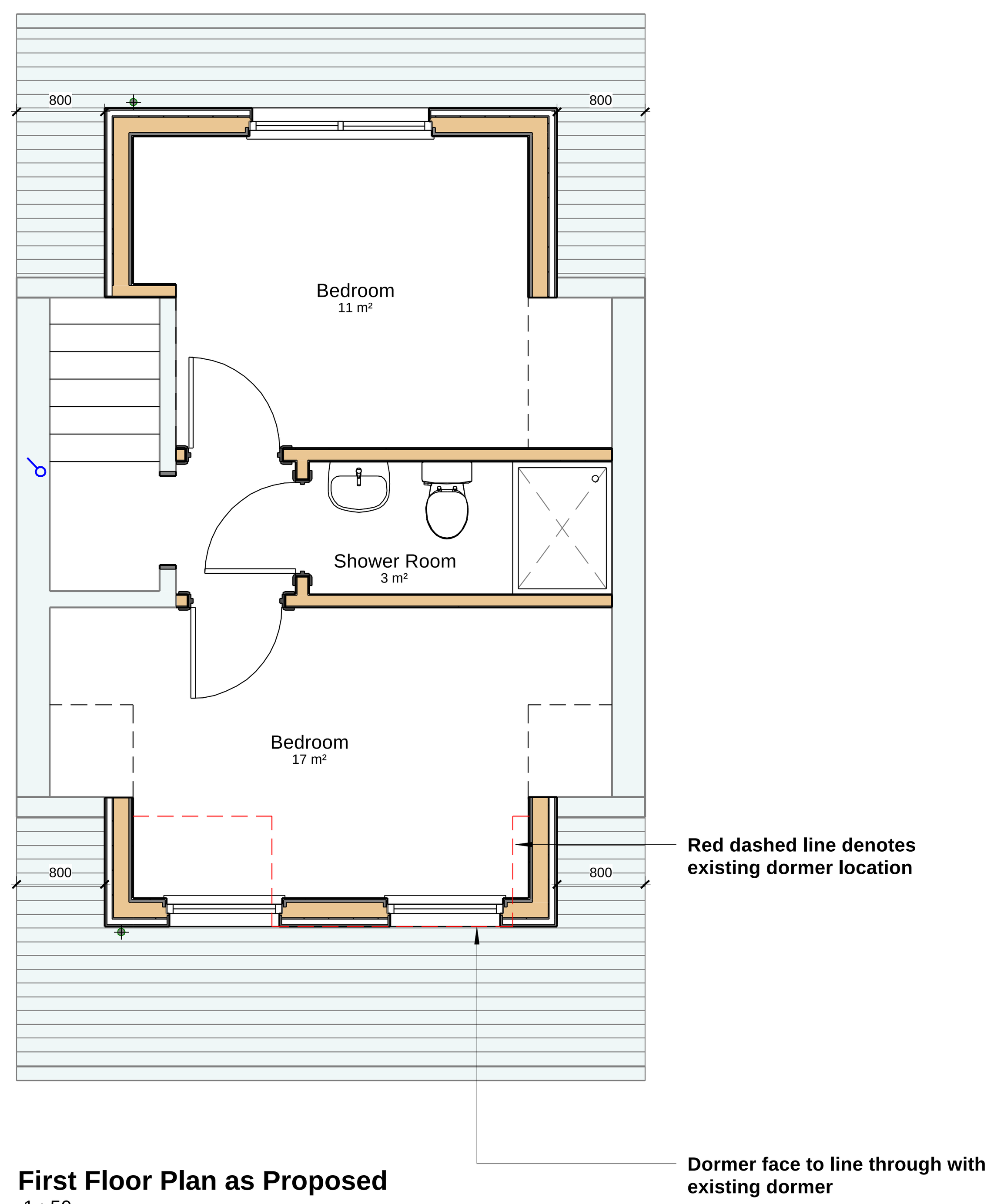
ALL DRAWINGS HAVE BEEN PREPARED FOR PLANNING AND BUILDING WARRANT PURPOSES ONLY. DRAWINGS NOT TO BE USED FOR CONSTRUCTION OR MANUFACTURING PURPOSES AS NO INTRUSIVE INVESTIGATIONS HAVE BEEN CARRIED OUT BY D7 ARCHITECTURE LTD. ALL DRAWINGS MUST BE READ IN CONJUNCTION WITH THOSE OF THE STRUCTURAL ENGINEER (IF APPLICABLE) WHICH TAKE PRECEDENCE ON ANY STRUCTURAL ITEMS INCLUDING (BUT NOT LIMITED TO) STEEL AND TIMBER MEMBERS AND ALL ASSOCIATED FIXINGS. ANY DEVIATIONS TO THE PLANS MUST BE BROUGHT TO THE ATTENTION OF BUILDING CONTROL AND OR PLANNING DEPARTMENT IMMEDIATELY.

A PRINCIPAL DESIGNER MUST BE APPOINTED SEPARATELY BY THE CLIENT TO ENSURE COMPLIANCE WITH THE CURRENT CONSTRUCTION DESIGN MANAGEMENT REGULATIONS.

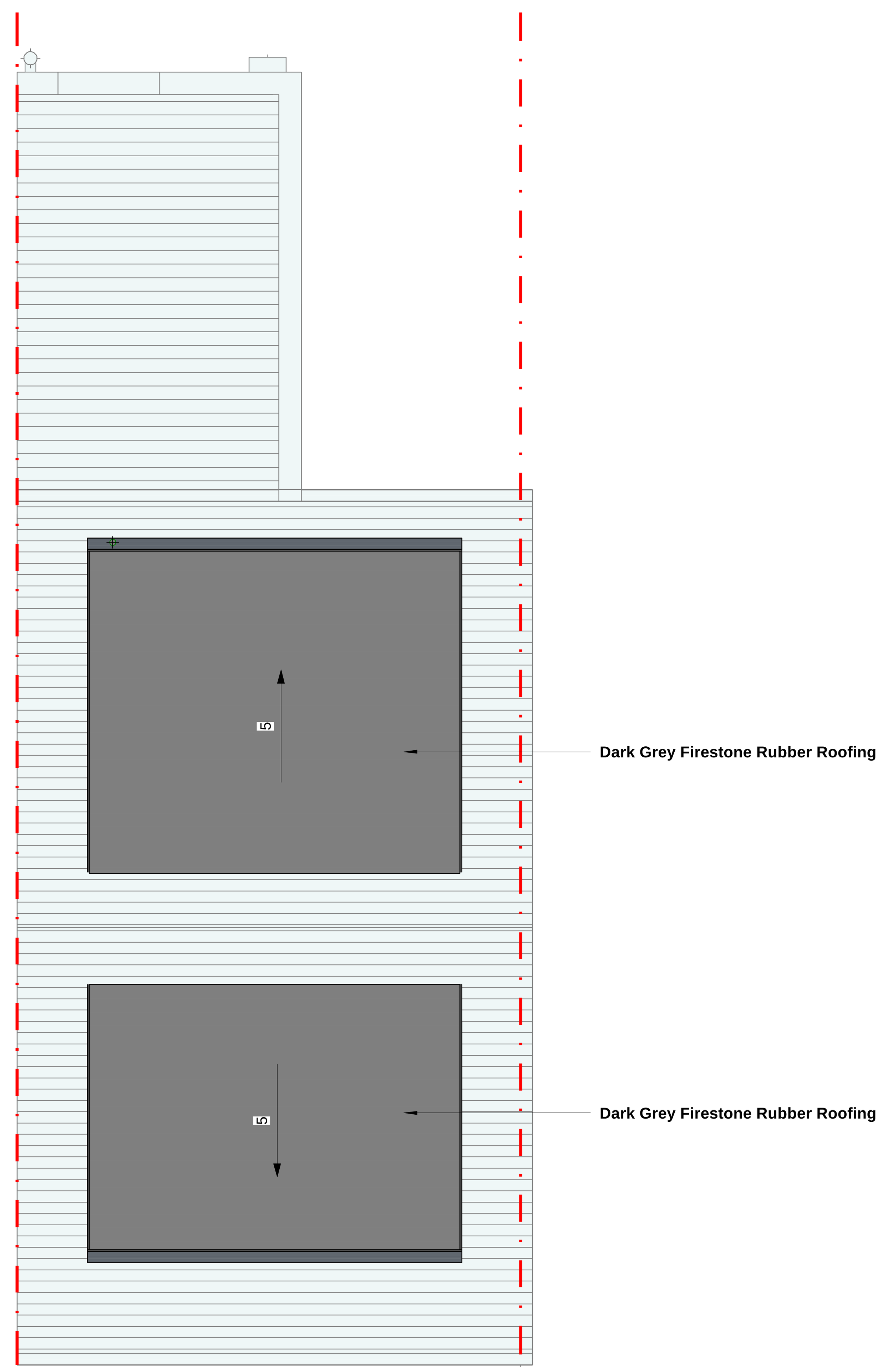
Sheet Size: A1



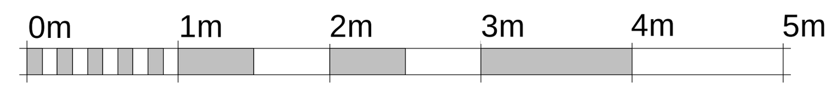
Ground Floor Plan as Proposed
1 : 50



First Floor Plan as Proposed
1 : 50



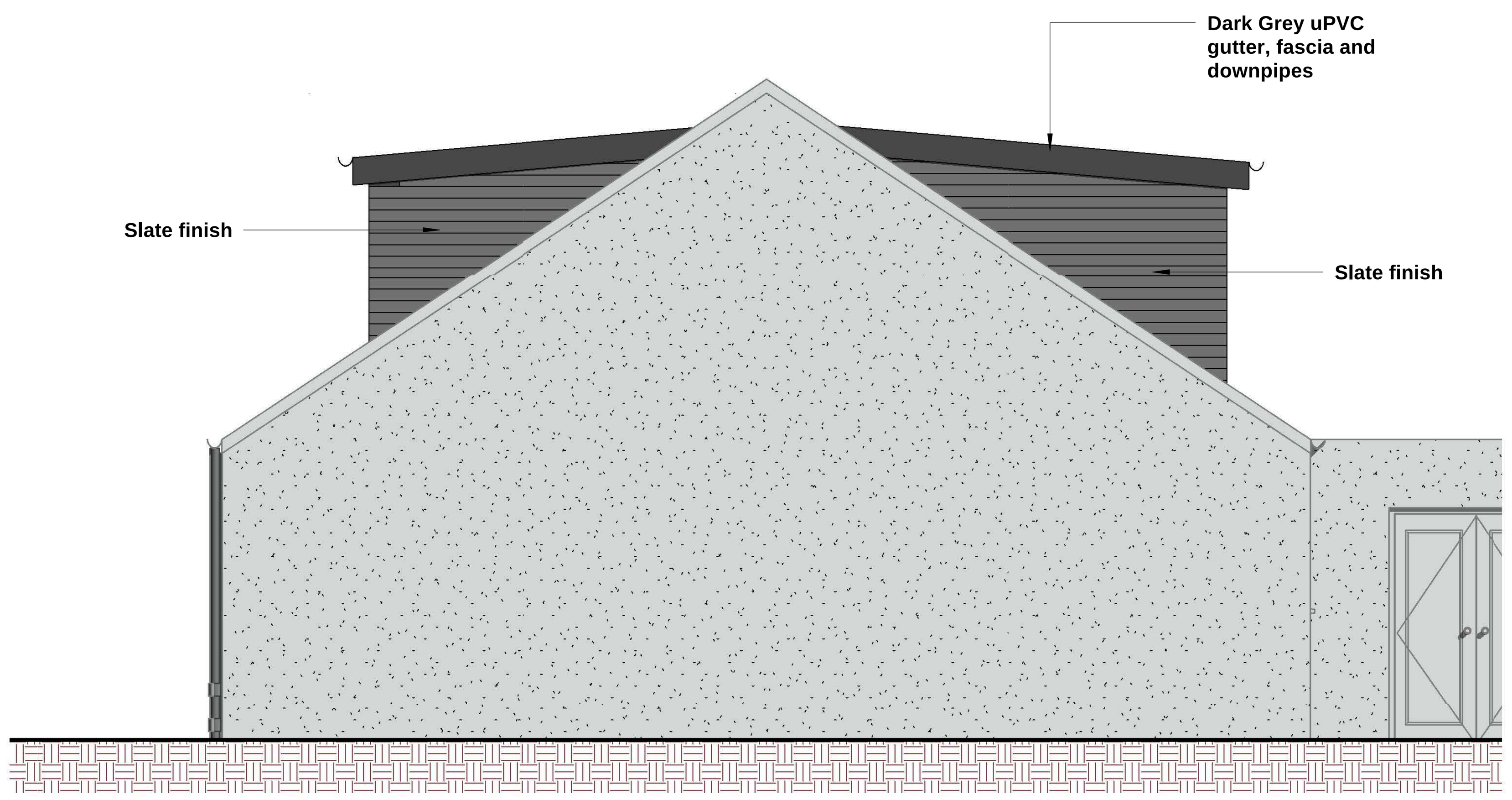
Roof Plan as Proposed
1 : 50



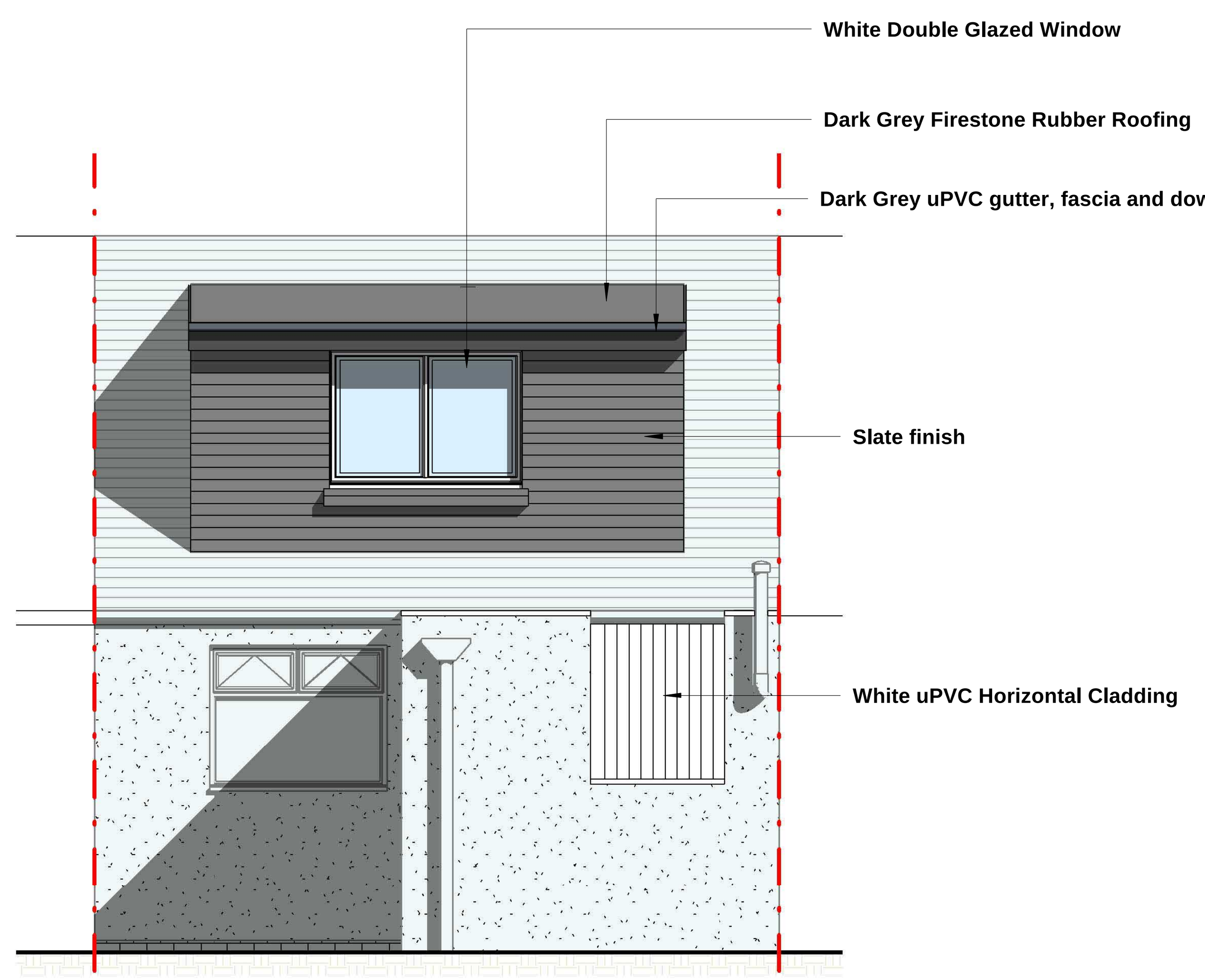
Scale 1:50 @ A1

DESIGN SPECIFICATION TO MATCH NEIGHBOURING PROPERTY

(North) Front (Principle) Elevation as Proposed
1 : 50



(East) Side Elevation as Proposed
1 : 50



(South) Rear Elevation as Proposed
1 : 50

D7 ARCHITECTURE
SOUTHFIELD INDUSTRIAL ESTATE, 3 FARADAY ROAD, GLENROTHES, FIFE, KY6 2RU
www.d7architecture.com david@d7architecture.com

CLIENT
Lee Coombe

PROJECT
Proposed Rear Dormer Extension
10 Cardenden Road, Cardenden, Fife, KY5 0PA

DRAWING
Plans and Elevations as Proposed

STATUS
PLANNING

DATE	SCALE
MARCH 2023	1 : 50

DWG NO.	REV
(A22-349)301	A

Sheet Size: A1

Proposal Details

Proposal Name	100620934
Proposal Description	Construction of new front and rear dormers to form an additional bedroom.
Address	10 CARDENDEN ROAD, CARDENDEN, LOCHGELLY, KY5 0PA
Local Authority	Fife Council
Application Online Reference	100620934-004

Application Status

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

Attachment Details

Notice of Review	System	A4
23_00640_FULL--3534231	Attached	Not Applicable
23_00640_FULL--3423161	Attached	Not Applicable
23_00640_FULL-REFUSED-3534234	Attached	Not Applicable
23_00640_FULL-04_-_EXISTING_FLOOR_AND_ROOF_PLANS__AND_ELEVATIONS-3422613	Attached	A1
23_00640_FULL-05A_-_PROPOSED_FLOOR_AND_ROOF_PLANS__AND_ELEVATIONS-3483612	Attached	A1
23_00640_FULL-03_-_PROPOSED_SITE_PLAN-3422614	Attached	A3
23_00640_FULL-02_-_EXISTING_SITE_PLAN-3422612	Attached	A3
23_00640_FULL-01_-_LOCATION_AND_BLOCK_PLAN-3423163	Attached	A3
Notice_of_Review-2.pdf	Attache	A0

	d	
Application_Summary.pdf	Attache d	A0
Notice of Review-004.xml	Attache d	A0

Agenda Item 5(4)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Representation(s)

Comments for Planning Application 23/00640/FULL

Application Summary

Application Number: 23/00640/FULL
Address: 10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA
Proposal: Replacement dormer extension to front and dormer extension to rear of dwellinghouse
Case Officer: Andrew Cumming

Customer Details

Name: Mrs Charlotte Allan
Address: 12 Cardenden Road, Cardenden, Lochgelly, Fife KY5 0PA

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Planning Application
Comment Reasons:
Comment:I am objecting to the larger dormer proposed at the FRONT of the dwelling house at 10 Cardenden Road. The block of houses, ie 4-12 Cardenden Road were built more than 100 years ago and the dormers in situ are in keeping with their character. I feel a larger dormer would take away the history and look of the area. I have noticed the majority of these cottages in Cardenden Road have not had their dormers extended at the front and would like it to remain that way.
I have no objection to a dormer being built at the BACK.

Comments for Planning Application 23/00640/FULL

Application Summary

Application Number: 23/00640/FULL
Address: 10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA
Proposal: Replacement dormer extension to front and dormer extension to rear of dwellinghouse
Case Officer: Andrew Cumming

Customer Details

Name: Mr Charlie Fyfe
Address: 14 Cardenden Road, Cardenden, Lochgelly, Fife KY5 0PA

Comment Details

Commenter Type: Neighbour
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:Whilst I am not fully against the proposed alterations to number 10 Cardenden Road, I believe that in the past the owner of number 6 Cardenden Road enquired about doing the same to his property (extended front dormer) some years ago and was denied planning permission to do so.

This would be controversial to say the least if approval is given to the buildings renovater, whereas number 6 was denied previously, but that is what you guys will need to ponder in your final decision.

Agenda Item 5(5)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Consultee Comments

Economy Planning and Employability Services

MEMORANDUM

TO: Andrew Cumming, Planning Assistant, Development Management.

DATE: 7th April 2023

OUR REF: PC230003.C1-JR-AC-NFC

CONTACT: Jim Robb, Technical Officer (Land & Air Quality) – Environmental Health (Public Protection).

TEL (VOIP) : 440 458 - **EMAIL:** Jim.Robb@fife.gov.uk

SUBJECT: **23/00640/FULL** | Replacement dormer extension to front and dormer extension to rear of dwellinghouse | 10 Cardenden Road Cardenden Lochgelly Fife KY5 0PA

This Document Is Double Sided

I thank you for your recent correspondence in which you requested comments regarding the above pre-planning application and associated plans and documents. I would comment as follows...

This response has been sent directly from the Land and Air Quality Team, our colleagues in other sections of Public Protection will provide their own comments where requested.

Land & Air Quality – No Further Comment

Following a review of the submitted documents and a search of our available mapping and database information. While the site is within 50m of the former Den Landfill this was largely a soil and construction waste landfill which has been assessed by the Land and Air Quality team of being of low significance for properties at this distance. Given the above the Land & Air Quality Team have no further comment to make regarding this application.

Should you require any further information or clarification regarding the enclosed comments please do not hesitate to contact this office.

Yours sincerely
JR

Jim Robb

Agenda Item 5(6)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Further representations

From: [redacted]
To: Michelle McDermott
Subject: Application Ref: 23/00640/FULL 10 Cardenden Road, Cardenden, Lochgelly
Date: 08 October 2023 10:48:10

Thank you for you correspondence re the above property, I apologise for the delay in replying but I am just home from Tenerife yesterday.

I totally agree with the Councils refusal of the larger dormer at the front of this property, my initial objection being that it would take away the character of the row of cottages. These houses were built in approximately 1904 and should retain that character from the era of their time.

I have lived in my property since 1976, at that time 14 and 16 Cardenden Road had the same style dormers as I have. In the late 1970's number 16 went on fire during a repair to the flat roof at the back of the house. The upper roofs of both houses were destroyed, hence sold as seen with fire damage and rebuilt to their present state. How they managed at that time to put the large dormers in without neighbours consultation at that time I don't know.

Thank you for contacting me.

Charlotte Allan
[redacted]Cardenden Road, Cardenden

Sent from my iPad

Agenda Item 5(7)

10 Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00640/FULL

Response to further representations

30/10/2023

Your Reference: 23/00640/FULL

Property Address: 10 Cardenden Road, Cardenden

Subject: Response to Building Warrant Query

Dear Michelle,

I refer to your recent email in relation to the objection letter for further information. Please see the applicant's response below:

I feel that the decision to refuse the initial application on the design is unfair as 12 and 14 Cardenden Road is designed to the same specification as our proposed design.

Both properties would have required to obtain planning permission for the front facing dormers/ If this was the case, Fife Council have set a precedence on the dormer designs.

If no planning permission was sought. Then there appears to be no repercussions for carrying out work without planning permission. It also shows that there were no objections and or complaints when the dormers to number 12 and 14 were constructed.

We would welcome the decision to overturn the decision to allow the work to commence. The proposed dormer for my application is designed to be in keeping with the surrounding area and will be finished to a high standard.

*B*est Regards,

David Christie BSc(Hons) MCIAT

Chartered Architectural Technologist

ARCHITECTURE
4 DUNNIKIER ROAD, KIRKCALDY, FIFE, KY1 2RN,
t. 01592 630600 e. david@d7architecture.com w. d7architecture.com

Agenda Item 6(1)

Scout Hall, Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00873/FULL

Planning Decision Notice

DX2 Consultancy Ltd
Derek Grubb
317 Rona Place
Glenrothes
United Kingdom
KY7 6RR

Planning Services

Brian Forsyth

development.central@fife.gov.uk

Your Ref:
Our Ref: 23/00873/FULL

Date 31st August 2023

Dear Sir/Madam

Application No: **23/00873/FULL**
Proposal: **Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp**
Address: **Scout Hall Cardenden Road Cardenden Lochgelly Fife**

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 or local review 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,

Brian Forsyth, 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:	**23/00873/FULL**
Proposal:	**Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp**
Address:	**Scout Hall Cardenden Road Cardenden Lochgelly Fife**

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/00873/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of resilience of the place to flood risk, climate resilience and the sustainable re-use of land; the development involving introduction of a use within a flood risk area which is significantly more vulnerable to flood risk than the existing use; contrary to adopted National Planning Framework 4 (2023) Policies 1 Tackling the Nature and Climate Crises, 14 Design, Quality and Place and 22 Flood Risk and Water Management, to the Scottish Environment Protection Agency Technical Flood Risk Guidance for Stakeholders, v.13 (2022), and to the Scottish Environment Protection Agency Flood Risk and Land Use Vulnerability Guidance v.4 (2018).

Dated:31st August 2023

Derek Simpson
For Head of Planning Services
Fife Council

PLANS

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

Reference	Plan Description
01	Location Plan
02	Site Plan
03	Proposed various - elevation, floor etc
04	Proposed Elevations
05	Design and/or Access Statement
06	Flood Risk Assessment
07	Low Carbon Sustainability Checklist
08	Shadow Impact Diagram -sunlight/daylight
09	Photographs
10	Specifications
11	Solar Panel Info
12	Noise Report
13	Statement

Dated:31st August 2023

Derek Simpson

For Head of Planning Services

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.fife.gov.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.

Agenda Item 6(2)

Scout Hall, Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00873/FULL

Report of Handling

23/00873/FULL

REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	**Scout Hall, Cardenden Road, Cardenden**		
PROPOSAL	**Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp**		
DATE VALID	**03/04/2023**	PUBLICITY EXPIRY DATE	**01/06/2023**
CASE OFFICER	**Brian Forsyth**	SITE VISIT	**None**
WARD	**Lochgelly, Cardenden And Benarty**	REPORT DATE	**25/08/2023**

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.

National Planning Framework 4 (NPF4) was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application process and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan Fife Local Development Plan (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

Section 24(3) of the Town and Country Planning (Scotland) Act 1997 states that where there is any incompatibility between a provision of the National Planning Framework and a provision of a Local Development Plan, whichever of them is the later in date is to prevail. The Chief Planner's letter adds that provisions that are contradictory or in conflict would likely be considered incompatible.

1.0 BACKGROUND

1.1 This c. 476 square metres application site relates to a fire-damaged single-storey former scout hall and grounds adjoining the north side of Cardenden Road, from which there is direct vehicular access, within the edge of the settlement of Cardenden in terms of FIFEplan. To the east of the site is the is the Den Burn with woodland and agricultural fields beyond. Adjoining on the other sides, including across Cardenden Road, are single-storey dwellinghouses and their gardens. The Scottish Environment Protection Agency (SEPA) Flood Maps show the site within an area subject to a high likelihood of river flooding.

1.2 Full planning permission is sought for erection of a single-storey dwellinghouse in lieu of the existing building. Its decked garden extension, access ramps and canopy aside, the dwellinghouse would be positioned within the footprint of the existing building. Provision for two parking spaces is shown, with vehicular access as existing. It is explained that the dwellinghouse is intended for the applicants, one of whom is disabled.

1.3 The following relevant planning history is listed in the Council's electronic register of planning applications:-

22/02381/PPP Planning permission in principle for erection of dwellinghouse (Class 9) and associated development, withdrawn on 7 September 2022.

1.4 A physical site visit has not been undertaken for this application. All necessary information has been collated digitally to allow for the full assessment of the proposal. 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. Online satellite/aerial and street imagery provides good coverage of the site.

2.0 ASSESSMENT

2.1 The issues to be assessed against the development plan and other guidance are:

- Principle of Development
- Flood Risk and Water Management
- Design/Visual Impact
- Residential Amenity
- Road Safety/Transportation
- Building Sustainability
- Ground Conditions

2.2 Principle of Development

2.2.1 NPF4 Policy 1 Tackling the Nature and Climate Crises states that when considering all proposals, significant weight will be given to the global climate crisis. NPF4 Policy 14 Design,

Quality and Places states that proposals that are inconsistent with the qualities of successful places, including 'Sustainable' (defined as including climate resilience), will not be supported. NPF4 Policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings supports the sustainable reuse of brownfield land including vacant and derelict land, stating "Given the need to conserve embodied energy, demolition will be regarded as the least preferred option." FIFEplan Policy 1: Development Principles supports the principle of development within a defined settlement boundary where the development is compliant with the policies for the location.

2.2.2 The site lies within the settlement boundary for Cardenden in terms of FIFEplan, therefore the principle of the development is supported in terms of its above policy provisions subject to compliance with its policies for the location, in this case its below policies in relation to flood risk. In terms of the above policy provisions of NPF4 relating to the principle of the development, it is considered that the fire-damaged state of the building justifies replacement development, however, whether the proposal represents a climate resilient/sustainable reuse of this brownfield site is subject to compliance with the framework's below policy provisions in relation to flood risk.

2.2.3 The overall acceptability of the proposal is subject to compliance with the below provisions of policy and guidance.

2.3 Flood Risk and Water Management

2.3.1 NPF4 Policy 22 Flood Risk and Water Management states proposals at risk of flooding or in a flood risk area will only be supported if they are for: essential infrastructure where the location is required for operational reasons; water compatible uses; redevelopment of an existing building or site for an equal or less vulnerable use (relevant in the case of the current application); or redevelopment of previously used sites in built up areas where the local development plan has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA guidance. Proposals will not: increase the risk of surface water flooding to others, or itself be at risk, managing all rain and surface water through sustainable urban drainage systems (SuDS); should presume no surface water connection to the combined sewer; and seek to minimise the area of impermeable surface. Proposals will be supported if they can connect to the public water mains. NPF4 Policy 1 Tackling the Nature and Climate Crises adds that when considering all proposals, significant weight will be given to the global climate crisis.

2.3.2 FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services and avoiding flooding and impacts on the water environment and complying with Policy 12: Flooding and the Water Environment. FIFEplan Policy 3 adds that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, foul and surface water drainage, including SuDS. FIFEplan Policy 12: Flooding and the Water Environment adds that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively, amongst other things, detrimentally impact on ecological quality of the water environment. The Council's Surface Water Management Plan Design Criteria

(2022), SEPA Technical Flood Risk Guidance for Stakeholders, v.13 (2022) and SEPA Flood Risk and Land Use Vulnerability Guidance v.4 (2018) are also relevant here.

2.3.3 The SEPA Flood Maps show the site within an area subject to a high likelihood of river flooding, each year the area having a 10% chance of flooding. The submitted Flood Risk & Drainage Assessment report confirms the site is within a flood risk area. The Council's Flooding, Shoreline & Harbours team consultation response notes that the development site boundary is within the area at highest likelihood of flooding on SEPA Flood Maps; considers the SEPA Flood Risk and Land Use Vulnerability Guidance would categorise the scout hall as a non-residential institution (Level 3, Least Vulnerable) and the proposed dwellinghouse at Level 2, (Highly Vulnerable), disagreeing with the submitted report; and recommending refusal in light of the increased vulnerability of development. Scottish Water does not highlight any issue in relation to public water supply and does not otherwise raise objection.

2.3.4 In more recent correspondence, the applicant's flood consultant continues to disagree with the above classification of a scout hall as least vulnerable, stating that scout halls are not adequately defined within the SEPA Land Use Vulnerability Guidance, being most closely aligned with 'nursery' or 'school' in the "most vulnerable" use category. The consultant notes that SEPA's guidance specifically takes the age / mobility of users of a site into account for the land use classification, quoting: "The classification recognises that certain types of development, and the people who use and live in them, are more at risk from flooding than others (e.g. children, the elderly and people with mobility problems that may have more difficulty in escaping fast flowing water)." The consultant argues that the proposed site use is at least of equal vulnerability to the existing use, NPF4's support for 'equal or less vulnerable uses' applying.

2.3.5 It is accepted that a scout hall is not clearly defined in the SEPA Land Use Vulnerability Guidance. It is also accepted that there is an educational aspect to scouting, however, it is considered that use by scouts of a scout hall is also more often characterised by being an 'assembly and leisure use' ("least vulnerable"), tending to be occupied intermittently and in a less sedentary manner than a school or even a nursery. Schools and nurseries are also included in the "most vulnerable" category by virtue of them also being civil infrastructure. On balance, it is considered that a dwellinghouse with a family normally sleeping on the premises overnight is a significantly more vulnerable scenario than intermittent use of a scout hall by active young people.

2.3.6 This proposal for more vulnerable development within an accepted flood risk area is directly contrary to the above provisions of NPF4, which states that an 'avoidance first' approach to development in flood risk areas now applies. As such, the proposal is contrary to the above provisions of policy and guidance in relation to flood risk and water management.

2.4 Design/Visual Impact

2.4.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the qualities of successful places, including 'pleasant', will not be supported. FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with Policy 10: Amenity; Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a

significant detrimental impact on, amongst other things, the visual impact of the development on the surrounding area.

2.4.2 Removal of the fire-damaged existing building would enhance the character and appearance of the streetscene, according with the above provisions of policy in relation to design/visual impact. In retaining single-storey development very largely within the existing building footprint, the proposal would generally respect the existing situation, the residential design further serving to enhance the character and appearance of the streetscence compared to the somewhat functional-looking existing building, further according with the above provisions of policy in relation to design/visual impact.

2.5 Residential Amenity

2.5.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are detrimental to the amenity of the surrounding area will not be supported. FIFEplan Policy 1: Development Principles states that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with Policy 10: Amenity. FIFEplan Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to, amongst other things, privacy and noise. Fife Council's Policy for Development and Noise (2021) and Planning Services' Garden Ground, Minimum Distance Between Window Openings and Sunlight & Daylight customer guidelines are also relevant here.

2.5.2 The proposal achieves the relevant expectations in the above customer guidelines. In relation to potential overlooking, existing boundary treatments to the immediately adjacent residential properties would continue to negate overlooking from ground floor windows of the proposed dwellinghouse. Proposed upper floor glazing on the west elevation of the dwellinghouse, facing residential property, would either not be directly over floorspace (rooflights over a void) or serve an en-suite and expected to be obscurely-glazed.

2.5.3 In relation to noise, the Council's Environmental Health (Public Protection) team expresses concern that the proposed development may be subject to elevated levels of noise from the road traffic and the proposed air source heat pump may affect the amenity of the existing adjacent residential dwelling, recommending that the applicant provides an acoustic report before any approval.

2.5.4 Given that this is a bespoke development for occupation by an applicant local to the area and most likely familiar with the prevailing noise environment, the requirement for an acoustic report in this instance is not considered justified. The positioning of and required noise rating for low and zero carbon equipment can be made a condition of planning permission. Subject to such a condition, and nothwithstanding the views of Environmental Health (Public Protection), it is considered that the proposal accords with the above provisions of policy and guidance in relation to residential amenity.

2.6 Road Safety/Transportation

2.6.1 FIFEplan Policy 1: Development Principles states that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3:

Infrastructure and Services. FIFEplan Policy 3 states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things: local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in the Council's Making Fife's Places Supplementary Guidance (2018); development proposals will demonstrate how they will, amongst other things, address any impacts on road safety.

2.6.2 Planning Services' Transportation Development Management team (TDM) has no objection subject to standard type conditions in relation to parking and visibility.

2.6.3 Taking the views of TDM into particular account, and subject to its recommended conditions, it is considered that the proposal accords with the above provisions of policy and guidance in relation to road safety/transportation.

2.7 Building Sustainability

2.7.1 NPF4 Policy 1: Tackling the Climate and Nature Crises states that significant weight will be given to the global climate crisis. NPF4 Policy 2: Climate Mitigation and Adaptation of NPF4 states that proposals will be sited and designed to minimise lifecycle greenhouse gases as far as possible. NPF4 Policy 14: Liveable Places states that development proposals will be supported where they are compliant with the qualities of successful places, including supporting the efficient use of resources, etc.

2.7.2 FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 adds that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, low and zero carbon generating technologies in accordance with Policy 11: Low Carbon Fife of FIFEplan. FIFEplan Policy 1: Development Principles states that development proposals must be supported by information requirements to demonstrate that they will comply with relevant criteria and supporting policies, including providing for energy conservation and generation in layout and design; contributing to national climate change targets; and complying with Policy 11: Low Carbon Fife. FIFEplan Policy 11 adds that planning permission will only be granted for new development where it has been demonstrated that the incorporation of low and zero carbon generating technologies will contribute to meeting the Building Standards Target Emissions rate, construction materials come from local or sustainable sources, water conservation measures are in place, acceptable SuDS measures are in place, and facilities are provided for the separate collection of dry recyclable waste and food waste. Fife Council's Low Carbon Fife Supplementary Guidance (2019) is also relevant here.

2.7.3 The submitted checklist shows general compliance with the above requirements, including an air source heat pump, photovoltaics, thermal envelope insulated to provide U-values in excess of the Building Standards Technical Standards, low permeability, low carbon dMEV fans,

time-and-temperature zone control, 100% low-energy lighting, etc. As such, it is considered that the proposal is acceptable in terms of the above provisions of policy and guidance in relation to building sustainability.

2.8 Ground Conditions

2.8.1 NPF4 Policy 14 Design, quality and place states that development proposals that are detrimental to the amenity of the surrounding area will not be supported. Policy 1: Development Principles of FIFEplan states that the individual and cumulative impacts of development proposals are to be addressed by complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with FIFEplan Policy 10: Amenity. FIFEplan Policy 10 states that development proposals must not lead to a significant detrimental impact on amenity in relation to, ground conditions. Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017) is also relevant here.

2.8.2 The site lies within a Development High Risk Area for Coal Authority consultation purposes. The Coal Authority has not been consulted. Commenting on the most recent previous application for development of similar footprint, the Coal Authority considered that the content and conclusions of the then submitted Coal Mining Risk Assessment Report dated 08 September 2021 were sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of McGregor McMahon Consulting Engineers) that the application site was safe and stable for the proposed development. The Coal Authority therefore had no objection to the proposed development but considered it prudent that the planning authority add the following wording as an informative note to the decision notice should planning permission be granted: "If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority". It is considered that this previous advice from the Coal Authority meets current consultation requirements.

2.8.3 The Council's Land and Air Quality Team (L&AQ) has no objection subject to a standard condition (formerly LQC3) to address any unexpected contamination being found during works.

2.8.4 Subject to the condition of planning permission recommended by L&AQ, it is considered that the proposal accords with the above provisions of policy and guidance in relation to ground conditions.

CONSULTATION RESPONSES

Scottish Water	No objection.
TDM, Planning Services	No objection subject to standard type conditions.
Environmental Health (Public Protection)	Requests acoustic report.
Land And Air Quality, Protective Services	No objection subject to standard condition (formerly LQC3) to address any unexpected contamination.
Natural Heritage, Planning Services	No objection.
Structural Services - Flooding, Shoreline And Harbours	Objection.

REPRESENTATIONS

None.

CONCLUSION

Subject to conditions of planning permission, the development accords with the provisions of policy and guidance in relation to design/visual impact, residential amenity, road safety/transportation, building sustainability and ground conditions. However, as the development would introduce a more vulnerable land use into a flood risk area, the development is contrary to the provisions of policy and guidance relating to flood risk and water management and, in turn, those relating to the principle of development. Whilst the positive impacts that would accrue from the development through improving the appearance of the area and re-using brownfield land/reducing the need for greenfield development are acknowledged, these benefits are significantly outweighed by flood risk and climate resilience/sustainability concerns when assessed against the relevant policy and guidance, particularly NPF4, which adopts an emphatic 'avoidance first' approach to development within flood risk areas. Overall, the development is contrary to the development plan, with no material considerations of sufficient weight to justify departing therefrom.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of resilience of the place to flood risk, climate resilience and the sustainable re-use of land; the development involving introduction of a use within a flood risk area which is significantly more vulnerable to flood risk than the existing use; contrary to adopted National Planning Framework 4 (2023) Policies 1 Tackling the Nature and Climate Crises, 14 Design, Quality and Place and 22 Flood Risk and Water Management, to the Scottish Environment Protection Agency Technical Flood Risk Guidance for Stakeholders, v.13 (2022), and to the Scottish Environment Protection Agency Flood Risk and Land Use Vulnerability Guidance v.4 (2018).

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan

Adopted National Planning Framework 4 (2023)
Adopted FIFeplan Fife Local Development Plan (2017)
Adopted Making Fife's Place's Supplementary Guidance (2018)
Adopted Low Carbon Fife Supplementary Guidance (2019)

Other

Fife Council Surface Water Management Plan Design Criteria (2022)
Fife Council Policy for Development and Noise (2021)
Fife Council Planning Services Garden Ground, Sunlight & Daylight and Minimum Distance Between Window Opening customer guidelines
Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017)
Scottish Environment Protection Agency Technical Flood Risk Guidance for Stakeholders, v.13 (2022)
Scottish Environment Protection Agency Flood Risk and Land Use Vulnerability Guidance v.4 (2018)

Agenda Item 6(3)

Scout Hall, Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00873/FULL

Notice of Review

Fife House North Street Glenrothes KY7 5LT 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 100643531-001

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 T Agent

Agent Details

Please enter Agent details

Company/Organisation:	KC Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Katherine	Building Name:	
Last Name: *	Crerar	Building Number:	37
Telephone Number: *	07730601996	Address 1 (Street): *	High Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Grantown-on-Spey
Fax Number:		Country: *	Scotland
		Postcode: *	PH26 3EG
Email Address: *	kcplanning@outlook.com		

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

T Individual ≤ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	
First Name: *	Pauline and James	Building Number:	120
Last Name: *	Smith	Address 1 (Street): *	Station Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Cardenden
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	KY5 0BW
Fax Number:			
Email Address: *	[redacted]		

Site Address Details

Planning Authority:	Fife Council

Full postal address of the site (including postcode where available):

Address 1:	SCOUT HALL
Address 2:	CARDENDEN ROAD
Address 3:	CARDENDEN
Address 4:	
Address 5:	
Town/City/Settlement:	LOCHGELLY
Post Code:	KY5 0PA

Please identify/describe the location of the site or sites

Northing	695309	Easting	321933

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 dwellinghouse (Class 9) and associated development, including raised deck and access ramp

Type of Application

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

T 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? *

T 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 a 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.

Please see Notice of Review Appeal Statement in Supporting Documents

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

• Notice of Review Appeal Statement • Location plan • Block Plan • Planning Comparison elevations • Proposed House - House Design and elevations • Low Carbon Checklist • Shadow Impact Study • Site photographs • Heat pump specification • Solar panel details • Noise Impact Assessment • Flood Risk and Drainage Assessment Report • Gondolin Land & Water's Response to Flood Risk Objection • Fife Council's Report of Handling • SEPA land use vulnerability guidance

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.	23/00873/FULL
What date was the application submitted to the planning authority? *	03/04/2023
What date was the decision issued by the planning authority? *	31/08/2023

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. *

T 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? *	T Yes ≤ No
Is it possible for the site to be accessed safely and without barriers to entry? *	T 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?. *	T Yes ≤ No
Have you provided the date and reference number of the application which is the subject of this review? *	T 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? *	T 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? *	T 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 *	T 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: Ms Katherine Crerar

Declaration Date: 27/09/2023

25 September 2023
07730601996
kcplanning@outlook.com

KC Planning

Notice of Review Appeal Statement

Proposal: 23/00873/FULL Erection of dwellinghouse (Class 9) and associated development

Location: Former Cardenden Scout Hall, Cardenden Road, Cardenden, Fife

For: Pauline and Jim Smith

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KC PLANNING

September 2023

1. INTRODUCTION

1.1. This Supporting Statement has been prepared on behalf of Pauline and Jim Smith and should be read in conjunction with the Notice of Review appeal submitted to Fife Council.

1.2. This Notice of Review relates to the refusal of planning application **23/00873/FULL** issued on 31st August 2023 for the erection of dwellinghouse (Class 9) and associated development at the former Cardenden Scout Hall, Cardenden Road, Cardenden, Fife.

1.3. The Report of Handling concluded that:

> *'Subject to conditions of planning permission, the development accords with the provisions of policy and guidance in relation to design/visual impact, residential amenity, road safety/transportation, building sustainability and ground conditions. However, as the development would introduce a more vulnerable land use into a flood risk area, the development is contrary to the provisions of policy and guidance relating to flood risk and water management and, in turn, those relating to the principle of development'*.
>
> *Report of Handling 25/08/2023*

1.4. This Appeal Statement along with the supporting material submitted requests that Fife Planning Review Body kindly reconsider this decision.

1.5. Along with the plans, elevations and specifications submitted as part of the planning application, of specific importance to this appeal is the **Flood Risk and Drainage Assessment Report** and **Gondolin Land & Water's Response to the Flood Risk Objection** which are also attached. A **Summary of Key Points** in relation to flood risk is contained in **Appendix 1** (Page 18).

2. BACKGROUND

2.1. The development site itself is a brownfield site located on Cardenden Road (B981) comprising the former Scout Hall (See **photo below**). It extends to 476m² and is bound by residential dwellings to the north and west, the Den Burn to the east and Cardenden Road to the south.

Cardenden Scout Hall
(Photo: DX2 Consultancy)

2.2. The site has lain redundant for the past four or so years following a fire which left the building severely damaged and in a state of disrepair (See **photo below**). The building is not capable of rehabilitation and this proposal will bring a currently disused and increasingly unsightly site back into use.

Internal fire damage
(Photo: DX2 Consultancy)

2.3. The Scout Hall building itself extends to 188m² and is situated to the western side of the site. Access is taken via an existing driveway on the southern boundary of the site directly from Cardenden Road. There is parking immediately in front of the Hall for two cars (See **photo below**).

Cardenden Scout Hall and surroundings (Photo: DX2 Consultancy)

2.4. A planning application for planning permission in principle for the erection of a dwellinghouse by the same applicants was submitted in July 2022 however this was withdrawn in order to submit the full detailed application to which this appeal statement relates.

2.5. To provide some context for this proposal, one of the applicant's suffers from Relapsing Remitting Multiple Sclerosis (RRMS) - a chronic progressive disease of the brain and spinal cord. The dwellinghouse has therefore been designed to accommodate the applicant's current and future caring needs (which will involve additional support and care in the home). The applicant recently experienced a relapse in their condition and with their health deteriorating, the location of this site has become increasingly critical to ensuring their longer term support and care due to its proximity to their immediate family.

3. PROPOSAL

3.1. A planning application (23/00873/FULL) was submitted in April 2023 to bring this previously developed site back into use by replacing the former Scout Hall with a 1½ storey three-bedroom dwellinghouse and creating a partially decked garden and parking (See **Block Plan**).

3.2. The dwellinghouse will be situated within the existing footprint and reflect the shape of the former Scout Hall with its rectangular form and dual pitched roof. The dwelling will be marginally narrower (just under 8m) and shorter in length (18m compared to 23m existing). It will be positioned 3 metres further back from the front of the original Hall with a total footprint of approximately 144m² (compared to the Hall's footprint of approximately 188m² - see **Block Plan**).

3.3. The main entrance to the dwelling will be located on the southern street facing elevation - like the existing Scout Hall – with a small porch providing covered steps up to the front door. There will be an additional entrance on the western elevation with ramp access comprising two five-metre-long ramp flights (with a gradient of 1:15) with a 1.5 metre landing area (See **House Design**) as well as two accesses on the eastern elevation into the decked garden.

3.4. There will be no windows on the rear (northern elevation) of the dwelling. On the western elevation, there will be three high-level 'slot' windows on the ground floor and two rooflights along with a flat roofed dormer window on the first floor.

3.5. The eastern elevation which looks out onto a decked garden will comprise a small single window onto the internal stairway along with two full height windows either side of a set of French doors to maximise natural light into the principal living space. There will also be another set of French doors in the ground floor bedroom at the rear of the house which also lead out to the decked garden area (See **House Design**). The roof on the eastern elevation will also contain six rooflights.

3.6. Internally, the ground floor will comprise a shower room, snug and utility located along a short corridor from the front door before opening into a light and open-plan, full height lounge, kitchen and dining area towards the rear of the house. Beyond this is an ensuite ground floor bedroom. There are a set of stairs in the corner of the main living space which lead to the first floor comprising an additional two bedrooms

at either end (front and rear), joined by a central bridge over a void. The rooflights will provide natural light to the two first-floor bedrooms and through the void to the main living space on the ground floor (see **House Design**).

3.7. The house will be constructed using red facing brick and the external walls above the finished floor level (FFL) will be rendered. The roof will be finished in grey flat profile roof tiles. The windows on the front of the house will be double glazed uPVC in anthracite grey along with the front door. The rest of the windows on the east and western elevations along with the French doors will be double glazed white uPVC. The roof lights will all be aluminium trim Velux roof windows finished in anthracite/grey.

3.8. As set out in the **Low Carbon Sustainability Checklist**, the dwelling will utilise a number of energy efficiency measures and technologies to create a low carbon home. All windows and doors will be double glazed, and the house will have thermal envelope insulation providing U-values in excess of the Technical Standards. The building will be heated using an ASHP (Air-source Heat Pump) which will be located on the western elevation of the dwelling. There will also be a PV (Photovoltaic) array of panels on the western elevation of the roof (See **House Design**). In addition, the dwelling will have low permeability, low carbon dMEV (decentralised Mechanical Extract Ventilation) fans; time-and-temperature zone control and 100% low-energy lighting.

3.9. In addition, surface water and run-off will be treated/managed via a number of SuDS components including rainwater harvesting, trench planters, tree pits and a bioretention area (See **Flood Risk and Drainage Assessment Report**).

3.10. All of these measures will significantly increase the resource efficiency of the new dwelling and create a comfortable and low carbon living space.

3.11. Outside there will be a deck to the east of the house (the same level as the FFL) with steps down to the garden (See **House Design**). The existing boundary treatment along the northern and western edges of the site will be retained and a 0.9m post and wire fence will be erected along the eastern boundary.

4. POLICY APPRAISAL

4.1. As required by Section 25 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc (Scotland) Act 2006, directs that all planning decisions should accord with the development plan unless material considerations indicate otherwise.

4.2. National Planning Framework 4 (NPF4) was adopted in February 2023 and now forms part of the statutory development plan – which for Fife is FIFEplan (2017). Legislation states that in the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 (”the 1997 Act”); section 24(3)).

Principle of Development

4.3. Criteria 1a) of FIFEplan: Policy 1 (Part A) supports the principle of development where it is located within a defined settlement boundary and complies with the settlement specific policies. As this development proposal is located within the settlement boundary of Cardenden, Dundonald, Auchterderran & Bowhill, the principle of the development complies with Policy 1, Part A.

4.4. Under Policy 1, development proposals must also meet parts B and C to ensure they do not impact on the surrounding infrastructure, resources and environment and where necessary, provide additional information demonstrating this.

4.5. The application site lies adjacent to the Den Burn (which connects to the River Ore) and as such, under part B (8) of Policy 1 - which states that development proposals should ‘*Avoid flooding and impacts on the water environment’* - compliance with Policy 12 is required (See **Policy 12 below**). The **Flood Risk and Drainage Assessment Report** that was submitted with the planning application is also attached with this Notice of Review Application.

4.6. Other than flooding considerations, this proposal will not have any other development impacts set out in part B, primarily on the basis that it proposes to bring a previously developed / brownfield site back into use and will not result in any significant impacts on the surroundings.

4.7. In addition, the infrastructure required to service the site is already in place and the development will benefit from the existing infrastructure, transport links and amenities immediately surrounding the site.

Design and Visual Impact

4.8. NPF4 Policy 14 and FIFEplan (2017) Policy 1: *Development Principles* require that proposals do not affect the amenity of the surrounding area and should be consistent with the qualities of successful places. In respect of the design and visual impact, the Report of Handling concluded *that 'Removal of the fire-damaged existing building would enhance the character and appearance of the streetscene, according with the above provisions of policy in relation to design/visual impact. In retaining single-storey development very largely within the existing building footprint, the proposal would generally respect the existing situation, the residential design further serving to enhance the character and appearance of the streetscence compared to the somewhat functional-looking existing building, further according with the above provisions of policy in relation to design/visual impact'.*

4.9. This emphasises the benefits that the proposal will have, not only improving the existing brownfield site itself, but also the wider character and streetscape of its immediate area.

Residential Amenity

4.10. Policy 10 seeks to ensure that proposals will '*not have a significant detrimental impact on the amenity of existing or proposed land uses'*. Occupancy of the former Scout Hall as a dwelling would not create unacceptable additional noise, light or odour pollution; result in the loss of privacy, sunlight or daylight or create unacceptable traffic movements.

Noise Impacts

4.11. The Report of Handling highlights that the Council's Environmental Health (Public Protection) team expresses concern that the proposed development may be subject to elevated levels of noise from the road traffic and the proposed air source heat pump may affect residential amenity. They therefore recommend that an acoustic report is provided before any approval. The Planning Officer accepted that the applicants were most likely familiar with the prevailing noise environment, however was also of the view that noise levels from the air source heat pump may affect surrounding residential amenity.

4.12. A Noise Impact Assessment was carried out and the report provided (RMP report R-GH-DJC, 1st June 2023), but was not acknowledged in the Report of Handling. It concludes *'The assessment shows that noise emanating from the air source heat pump are expected to comply with the recommended NR 25 criteria', and (as relates to road traffic noise) "the BS 8233 guideline indoor ambient noise level criterion for day and night time can be achieved with acoustic double glazing"* (See **Noise Impact Assessment**). Therefore, there are no noise related issues as a result of this proposal.

Garden ground / privacy

4.13. Fife Council's Garden Ground Planning Guidance requires a ratio of buildings to garden to be at least 1:3. The footprint of the house extends to 144m² and the plot area is 476m² which equates to a ratio of 1:3.3.

4.14. The Garden Ground Guidance also requires '*back gardens to be at least nine metres long [i.e. deep] where this is intended to be the main private amenity space. In any event, the house must have a well-proportioned 100 square metres of private amenity space'*.

4.15. The main garden space (shaded green on the **Block Plan**) is in excess of nine metres long and extends to 153m² which meets this requirement.

4.16. The Garden Ground Guidance also states that '*Front gardens must be at least 4.5 metres deep to give residents privacy. This is measured from the edge of the building to the property's boundary. If part of the house extends beyond the main building and has a window in it, for example a porch or an extension, we measure from the edge of that part of the building'*.

4.17. The **Block Plan** illustrates that this can comfortably be achieved. The house will be 3m shorted on the front elevation than the former Scout Hall meaning it would be 9.2m from the edge of the front porch to the boundary.

4.18. The Guidance also requires that upper floor windows should not be within 9 metres of the boundary of neighbouring residential gardens, unless these gardens are already similarly overlooked.

4.19. There will be no windows on the rear (northern elevation) of the house and as it is 1½ storey, almost all upper floor windows will be rooflights so will not overlook any private amenity spaces of neighbouring properties.

4.20. Only high-level 'slot' windows are proposed on the ground floor of the western elevation which neighbour another property (No. 29). The flat roofed dormer also looks towards the side of No. 29 however as it is an ensuite bathroom (and not a habitable room), it will be obscurely glazed and therefore not impact on any privacy.

Impacts on neighbouring privacy and daylight

4.21. Fife Council's Daylight and Sunlight Guidance is required to be used to assess applications that *'may have an impact on the amount of sunlight received by principal neighbouring amenity spaces and the level of daylight received by neighbouring windows serving habitable rooms'*.

4.22. The proposed dwelling lies within the footprint of the existing former Scout Hall which has residential properties to the north and west and is open to the east. The proposed footprint of the dwelling will be 5 metres shorter than the existing Scout Hall and the roof will be 1.8 metres higher (see **Comparison Elevations**). This combination ensures that there will be next to no impact on the sunlight and daylight received by the neighbouring gardens or habitable rooms.

4.23. There are no windows proposed on the northern elevation of the dwelling so would not affect the privacy of neighbouring property (No. 27b to the rear). Whilst the overall height will be increased by 1.8m, it will be two metres further back from the rear boundary meaning that it will not affect the daylight/sunlight to the garden of No. 27b as shown on the **Shadow Study** submitted with this application.

4.24. On the western elevation, only high level 'slot' windows will be used on the ground floor which will not overlook or impact on the privacy of the neighbouring property to the west (No. 29). Most of the first-floor windows are roof lights which would have no overlooking impact. There is one flat roofed dormer proposed (to accommodate an ensuite bathroom) which looks towards the side of No. 29 however this will be obscurely glazed and as it is not a habitable room, will not impact on neighbouring privacy.

4.25. As the properties lie side by side with No. 29's garden to the rear, the proposal will not have any further impact on the amount of sunlight and daylight already received.

4.26. Overall, the footprint of the proposed dwelling is over 40m² less than the former Scout Hall which will create more open space on the site and maintain the existing levels of natural light for both the property itself and its' neighbours. Taking into account the distance and relationship of the building to its neighbours, the proposed dwellinghouse will not adversely affect the privacy or sunlight/daylight of the neighbouring properties.

4.27. In respect of the design principles of the proposal and the above requirements, the Report of Handling is content that *'The proposal achieves the relevant expectations in the above customer guidelines. In relation to potential overlooking, existing boundary treatments to the immediately adjacent residential properties would continue to negate overlooking from ground floor windows of the proposed dwellinghouse'.*

4.28. The Report concludes that *'it is considered that the proposal accords with the above provisions of policy and guidance in relation to residential amenity'.*

Road Safety and Transportation

4.29. In terms of traffic movements and road safety impacts – Policies 3 and 10 state that development will only be supported where there are no road safety impacts. Access to the property will be taken via the existing vehicular entrance (with a dropped kerb) on the southern boundary of the site which has direct access onto Cardenden Road (B981). The driveway leads immediately into the parking area which will accommodate parking for two vehicles (see **Block Plan**). The site has direct street / pavement access providing good pedestrian links to the area.

4.30. Paragraph 5.10 of Appendix G of FIFEplan's Supplementary Guidance requires that *'Vehicular accesses formed directly onto classified roads (A, B & C) require the provision of a turning area for a car within the curtilage of the site'* and that this should be outwith any parking spaces. In this case, the property lies on the B981 and access from taken directly from it meaning this would apply.

4.31. There is existing vehicular access to the former Scout Hall from Cardenden Road (B981) and no turning space is currently provided on site. The proposed dwelling will continue to utilise the existing access and parking whilst also extending it three metres further back (to the north) and provide parking for two vehicles (see **Block Plan**).

4.32. The previous use of the site as a Scout Hall would have generated considerably higher levels of traffic and required more parking than for a single domestic property. Therefore using the existing access and parking would be adequate for the dwelling and the need for a turning area should not be necessary in this instance.

4.33. The Report of Handling was satisfied with this and concluded that *'it is considered that the proposal accords with the above provisions of policy and guidance in relation to road safety/transportation.'*

Flood Risk and Water Management

4.34. Policy 12 of FIFEplan supports development proposals that demonstrate they will not '*individually or cumulatively increase flooding or flood risk from all sources on the site or elsewhere'* (Criteria 1 of Policy 12).

4.35. The development site lies adjacent to the Den Burn (which connects to the River Ore) and SEPA's flood maps indicate it is located within a 'medium to high risk' flood extent. Therefore, a **Flood Risk and Drainage Assessment** has been prepared by Gondolin Land & Water to assess and address the potential flood risk to the proposed development from all possible sources in accordance with best practice and the guidance presented within NPF4. It also provides the relevant design information for the proposed site's surface water drainage / SuDS scheme taking due cognisance of local / national drainage design guidance (CIRIA Report C753) and Fife Council specific guidance.

4.36. It is important to note that *'The detailed bespoke flood modelling for the site indicates the site is not located in the 'high risk' flood extent from the Den Burn whereas the SEPA flood map indicates that it is. SEPA's flood maps are indicative and produced at a 'national strategic level' and not to be relied upon for site specific assessments'* (Gondolin Land & Water). Therefore considerable weight must be given to the **Flood Risk and Drainage Assessment Report** prepared and submitted with the planning application (referred hereon as 'the FRDA') which accurately assesses the specific characteristics of the individual development site.

4.37. The FRDA sets out that '*A bespoke 1D/2D hydraulic flood model was developed for the site… in accordance with SEPA's Technical Flood risk guidance and has been constructed using present day detailed terrain and river survey information,*

including ground survey data of the site area and local surrounds. The hydrological inputs to the model have been based on recognised flood estimation methods and two methods have been undertaken for comparison purposes and the most appropriate method has been adopted for the assessment'.

4.38. This flood modelling assessed the most extreme flooding events - 200-year plus climate change event which yields the highest peak flow estimate (greater than the 1,000-year event) – and taking this into account, the FRDA recommends that *'The Finished Floor Level of the proposed dwelling is to be set +600mm above the maximum design flood elevation at 68.53m Above Ordnance Datum (AOD). The proposed finished level of the raised decking / patio area within the garden space along the eastern boundary is also to be set at 68.53m AOD'.*

4.39. These measures would therefore mean that *'The proposed development for a residential dwelling is considered suitable in flood risk planning terms and the proposed use is for an equal or less vulnerable use than the current site use and will deploy suitable flood risk mitigation / resilience measures, including raising the Finished Floor Levels to a minimum of +600mm above the design flood elevation' (FRDA, 2023).*

4.40. The FRDA concludes that *'Fundamentally, the proposed development, taking account of the proposed mitigation and resilience measures would be a significant betterment in terms of flood risk resilience and safety compared to the existing site use. If the Scout Hall was recommissioned and put into use again the users would be at a greater level of flood risk than the users of the proposed development. Furthermore, the proposed development will increase local floodplain storage and thus have a positive impact in terms of local flood risk reduction'.* Overall *'it is considered that the proposed development is suitable, safe and sustainable in flood risk planning terms' (FRDA, 2023).*

Discussion / Appraisal

4.41. Despite the extensive flood modelling (incorporating the most extreme flooding events) which demonstrates that the proposed mitigation and resilience measures would be a significant betterment in terms of flood risk resilience and safety compared to the existing site use and that the proposed development is suitable, safe and sustainable in flood risk planning terms, the Report of Handling concluded that:

> *'As the development would introduce a more vulnerable land use into a flood risk area, the development is contrary to the provisions of policy and guidance relating to flood risk and water management and, in turn, those relating to the principle of development. Whilst the positive impacts that would accrue from the development through improving the appearance of the area and re-using brownfield land/reducing the need for greenfield development are acknowledged, these benefits are significantly outweighed by flood risk and climate resilience/sustainability concerns when assessed against the relevant policy and guidance, particularly NPF4, which adopts an emphatic 'avoidance first' approach to development within flood risk areas.'*

4.42. Whilst NPF4 (Policy 22) promotes an avoidance first policy, it does set out circumstances where proposals may be supported. Policy 22a states that '*Development proposals at risk of flooding or in a flood risk area will only be supported if they are for… iii. redevelopment of an existing building or site for an equal or less vulnerable use'* which in this case should apply.

4.43. The refusal of this application appears to be solely based on the unsubstantiated vulnerability classification of the sites most recent use. A Scout Hall is not defined within SEPA's land use vulnerability guidance and the Report of Handling is of the view that it should be categorised as *Class 3: Least Vulnerable Uses* making a residential dwelling on the site (*Class 2: Highly Vulnerable Use*) a more vulnerable use than currently.

4.44. However as set out in the considerable depth in **Gondolin's response to Flood Risk Objection** (Submitted with this Notice of Review), *'a scout hall is most closely aligned with a nursery or school as it is an educational premise for young children. These land uses fall under the 'most vulnerable' use category'.*

4.45. The Report of Handling's view that a Scout Hall is a *'non-residential institution'* (Class 3: Least vulnerable) does not adequately consider the use of the site as an educational premise exclusively for young children. A Scout Hall is much more vulnerable than other Class 3 uses such as shops, takeaways or offices. SEPA's Guidance specifically takes age and mobility of users of a site into account for the land use classification and as such, a Scout Hall would much more closely align with the 'Most Vulnerable Uses' including schools and nurseries.

4.46. Gondolin Land & Water conclude that *'given the significant evidence and justification [provided]… it is our professional opinion that a Scout Hall which is used for education purposes by groups of young children (exclusively) has at least the same land use vulnerability as a residential dwelling (high vulnerable) and therefore the proposed development is suitable in Flood Risk Planning Terms (Policy 22 of NPF4). Fife Council have provided no counter evidence, detailed consideration or justification to their position and have applied a 'blanket approach' to what is clearly a nuanced situation'* (See **Gondolin's Response to Flood Risk Objection**).

4.47. They add that ***'****Furthermore, with the proposed mitigation measures applied for the site (see Section 4.9 of the FRDA Report) the proposed development would likely be the most flood protected property on the street and certainly afforded greater flood protection / resilience than the existing site and current use. The proposed development also increases local floodplain storage and thus provides a positive impact in flood risk terms to the immediate surrounding area'.*

4.48. The Council does not appear to take full consideration of the fact that SEPA flood maps are strategic in nature and therefore due weight must be given to the findings of the FRDA which in this case demonstrates that the proposal has been designed with the highest flood resilience and safety measures in place making it far more resilient to any potential future flooding event than neighbouring properties. In addition, the reduced building footprint and raised deck will increase local floodplain storage. In addition, no objection or consultation response has been received from SEPA.

4.49. A **Summary of the Key Points** (contained within the above discussion) in respect of flood risk is contained in **Appendix 1 (Page 18).**

5. OTHER CONSIDERATIONS

5.1. As set out in the introduction, this proposal has been designed to create an accessible and comfortable home that meet the needs of the applicant both now and in the future. As a result of their Relapsing Remitting Multiple Sclerosis (RRMS), the applicant needs a home that can meet their current needs and be adapted for the future to ensure they can receive the care they need at home. The dwelling itself is provides the minimum required accommodation for the applicant's immediate needs, but also guest bedrooms for support stays in times of need.

5.2. In addition, this location has specifically been sought as the applicants children all live in the village and will provide additional much needed support. Every effort has been made to create a home that meets all the relevant policy criteria whilst ensuring that it supports and meets the needs of the applicant's disability.

6. CONCLUSION

6.1. This proposal seeks to create an accessible and comfortable home by bringing a disused and redundant site back into use. Whilst the development site has not been used for residential use previously, it lies within a largely residential area and as concluded in the Report of Handling, *'accords with the provisions of policy and guidance in relation to design/visual impact, residential amenity, road safety/transportation, building sustainability and ground conditions*'.

6.2. The core basis for this refusal lies in the interpretation of SEPA's land use vulnerability classifications and the fact that a Scout Hall does not clearly fit within these. There appears to be no consideration for the fact that SEPA's flood maps are intended to be strategic in nature and proposals should be assessed on the detailed FRDA's which in this case demonstrate that the proposal is suitable, safe and sustainable in flood planning terms. Fife Council's decision to refuse the application because they consider a dwelling to be more vulnerable than a Scout Hall has not been adequately evidenced or justified.

6.3. The development is acceptable in all other respects, and the case is made that a dwellinghouse is at least of equal vulnerability as a Scout Hall which is used for education purposes by groups of young children (high vulnerable). Therefore, this application is acceptable in Flood Risk Planning Terms (Policy 22 of NPF4) and on behalf of the applicants, I request that this decision is reviewed.

Sources:

National Planning Framework 4 (2023)
FIFEplan (2017)
FIFEplan (2017) Supplementary Guidance
Fife Council - Garden Ground Guidance
Fife Council - Daylight and Sunlight Guidance
Fife Council Transportation Development Guidelines
SEPA Flood Risk and Land Vulnerability Guidance (2018 – which notes: 'Scotland's 4th National Planning Framework has recently been published. This document is therefore being reviewed and updated to reflect the new policies. You can still find useful and relevant information here but be aware that some parts may be out of date and our responses to planning applications may not match the information set out here').

APPENDIX 1: SUMMARY OF KEY POINTS

The proposed house will be located within the existing building's footprint and is 23% smaller.

August 2020 *'Even during this extreme flood event (the worst on record in Scotland) which was made worse by the Den Burn culvert and River Ore bridge becoming blocked, the Scout Hall remained free of flooding'.* (Gondolin Land & Water)

'The [SEPA flood] map is of a strategic nature to support flood risk management planning at a community level. It is not appropriate for property-level assessment.' (Gondolin Land & Water)

There has been no objection or consultation response from SEPA.

The Scout Hall was regularly used by children (aged 4 and upwards) who were not necessarily acquainted with the building, making them vulnerable users in any flooding event. People living in their own home who are well acquainted with their environment are less vulnerable in such an event.

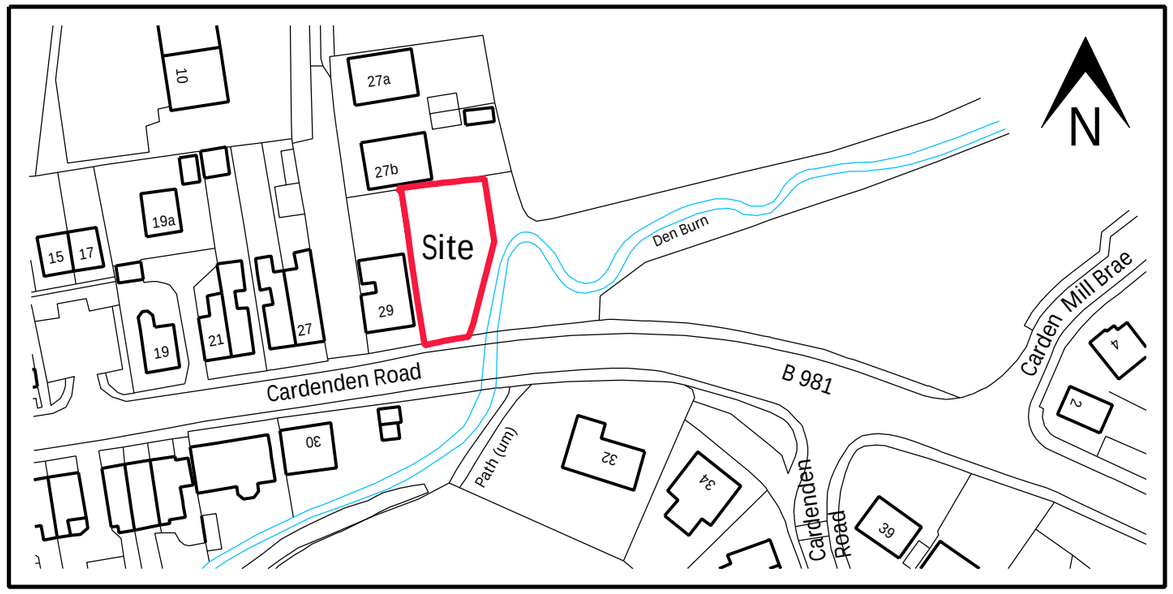
The house will also benefit from exemplar flood resilience and safety measures, whereas the current hall has none; if the hall was recommissioned, then its users would be at a greater level of flood risk than the occupants of the proposed dwelling.

The proposed house's floor level will be 600mm higher than the Scout Hall's, making it more flood resilient that any of the surrounding properties.

The proposal will also increase local floodplain storage and thus have a positive community impact in terms of local flood risk reduction.

Gondolin Land & Water, the expert flood risk assessors, summarise – '*It is considered there is no impediment to the development proposals being granted planning permission on the grounds of flood risk and drainage provision.'*

'… the proposed development is suitable, safe and sustainable in flood risk planning terms. With the implementation of flood risk mitigation and resilience measures, the residual fluvial flood risk is considered low.' (Gondolin Land & Water)



Scale (1:1250)

0m 20m 40m 60m 80m 100m

Rev'n	Date	Description	By
A	16 Feb 23	Application boundary updated	d.v.

Project / Client:

Proposed Dwellinghouse
at Former Scout Hall Site, Cardenden Rd, Cardenden
for Pauline & Jim Smith

Drawing Title:

Location Plan

DX2 CONSULTANCY

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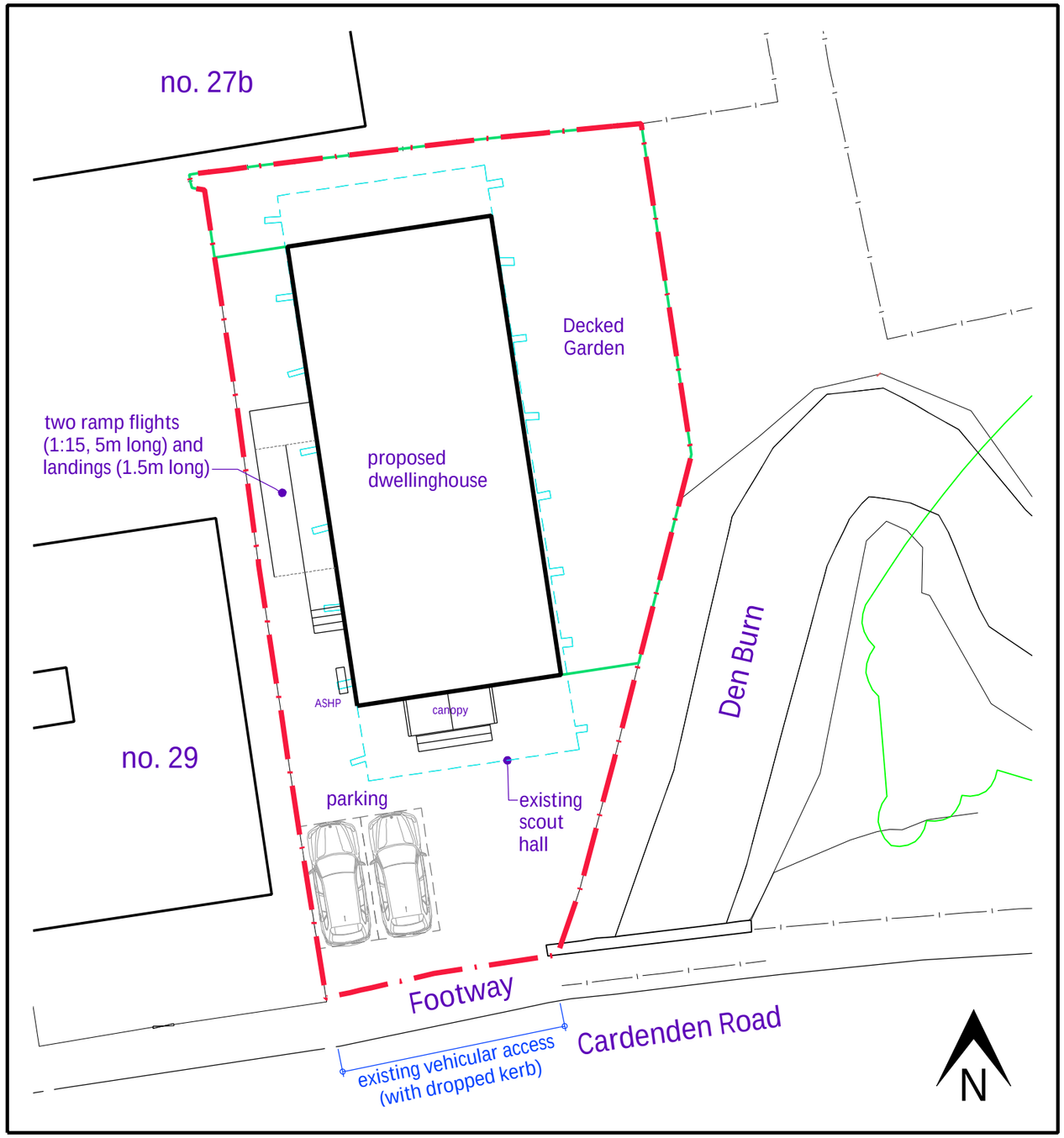

Scale (1:200)

0m 5m 10m 15m 20m

Plot area = 476m²
⅓ Plot area = 159m²
house footprint = 144m²
garden area = 153m² (shaded green)

Rev'n	Date	Description	By

Project / Client:

Proposed Dwellinghouse
at Former Scout Hall Site, Cardenden Rd, Cardenden
for Pauline & Jim Smith

Drawing Title:

Planning: Block Plan

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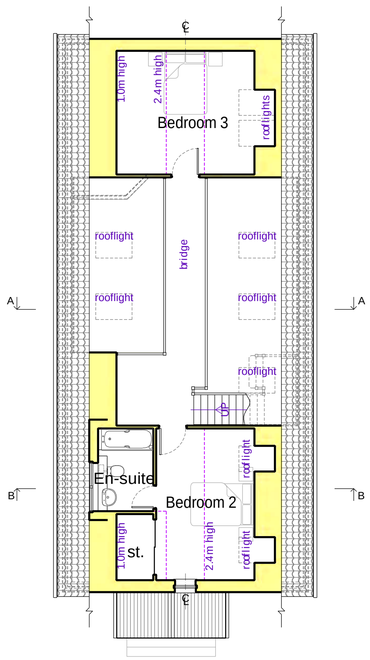
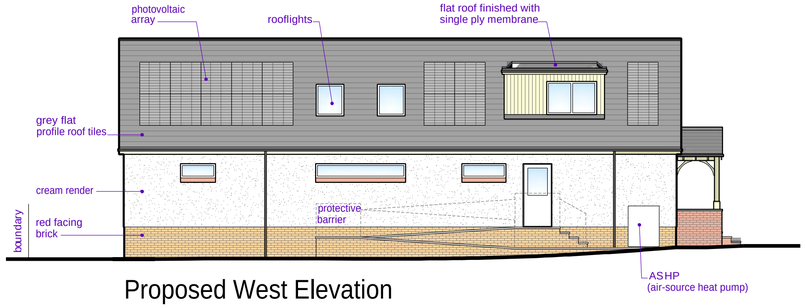


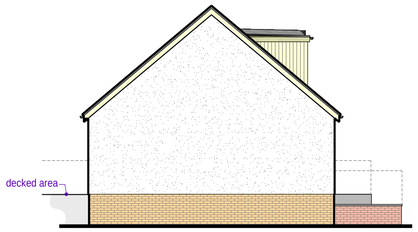
Proposed Upper Floor Plan

Floor Area = 60m^2 this floor only (internal face of plasterboard)
(Total 186m^2 for both floors)

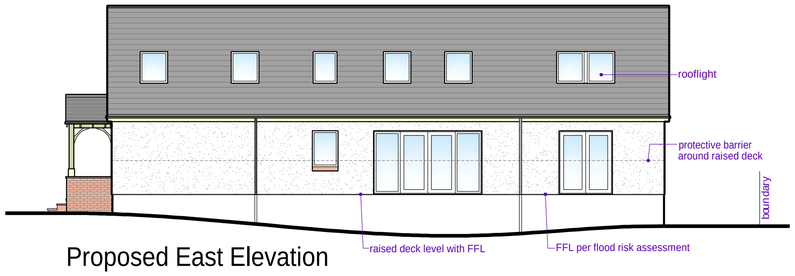
Proposed South Elevation



Proposed West Elevation



Proposed North Elevation



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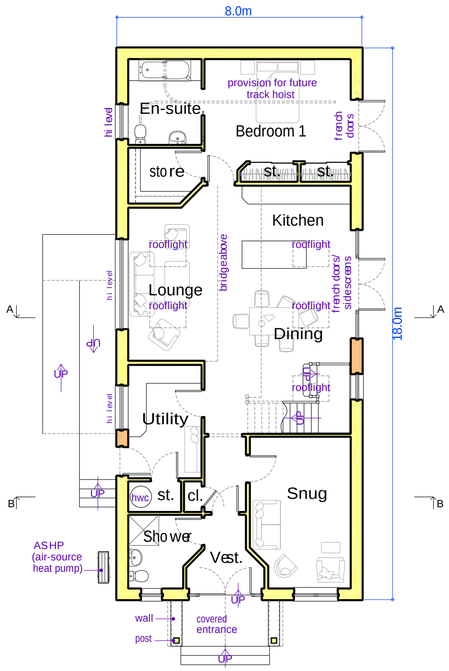

Proposed Ground Floor Plan

Floor Area = 126m^2 this floor only (internal face of plasterboard)
(Total 186m^2 for both floors)

Scale 1100

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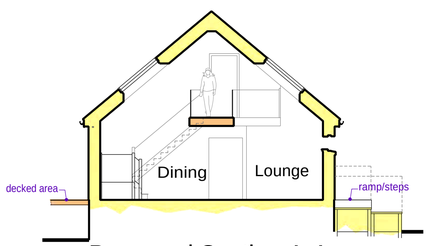
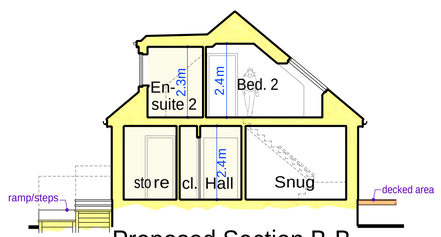


Proposed Section A-A



Proposed Section B-B

General Notes:

- This drawing must be read in conjunction with all other drawings and specifications produced specifically for this project.
- Any discrepancies found are to be brought to the attention of the building designer and/or Engineer at the earliest possible moment.
- All dimensions given on this drawing are in millimetres, unless stated otherwise.
- The contractor must check all sizes on site before proceeding with the works.
- All works are to be completed in strict accordance with the Building Regulations for Scotland as per the approved drawings.
- Where manufacturers' names are listed, they should be read as 'equal and approved'.
- The Contractor will allow for all necessary precautions to be undertaken to satisfy HSE requirements, including ensuring all construction risks including the use of hazardous materials are fully assessed, clearly highlighted and adequate safety measures are put in place to ensure the safety of the workforce, client and public at all times.
- Works shall be carried out in accordance with good building practices.
- All works to comply with the Building(Scotland) Act 2003, the Building (Scotland) Regulations 2004 and all current amendments.
- The Contractor shall be responsible for contacting the appointed Building Standards inspector as soon as works commence in order to establish the Local Authority's policy for carrying out inspections and witnessing the testing of drainage inspections. The Contractor is responsible for giving notice, arranging and carrying out the required inspections to the satisfaction of the the Local Authority. Work must not be covered over and concealed before the inspection takes place or the tests are witnessed.
- If in doubt, stop and ask.
- The Contractor is to satisfy himself as to the location of all overhead and underground services on site prior to the commencement of works.
- The Contractor is advised to expose all underground services by hand.
- The Contractor is responsible for notifying the building designer of any services below or adjacent to the building footprint.

Rev'n	Date	Description	By

Project / Client:

Proposed Dwellinghouse
at Former Scout Hall Site, Cardenden Rd, Cardenden
for Pauline & Jim Smith

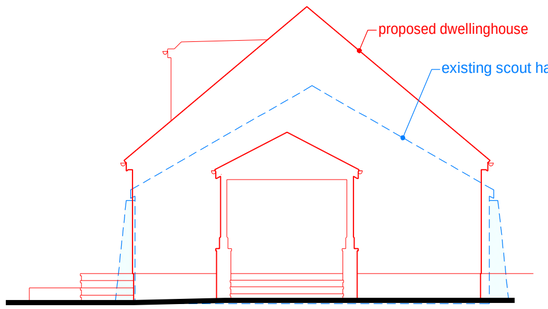
Drawing Title:

Planning:
House Design

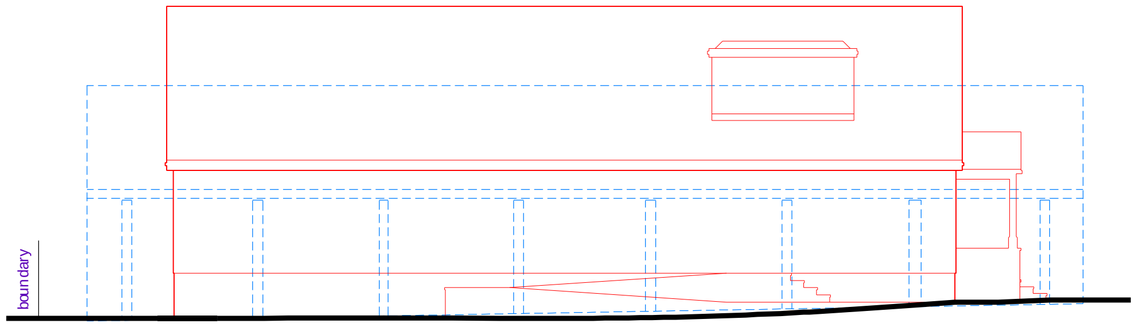
DX2 CONSULTANCY
Architectural Services and Technical Construction Specialists

A: 317 Rona Place, Glenrothes, Fife, KY7 6RR
T: 07925-372034 / 07925-130388
E: enquiries@DX2consultancy.com
W: www.DX2consultancy.com

Project Reference:	Scales:	Date:
21-025-Smith, Cardenden	1:100	Feb 23
Drawing Number:	Sheet size:	Drawn:
23-21/025-036	A1	d.v.
	Revision: –	Checked: d.d.g.



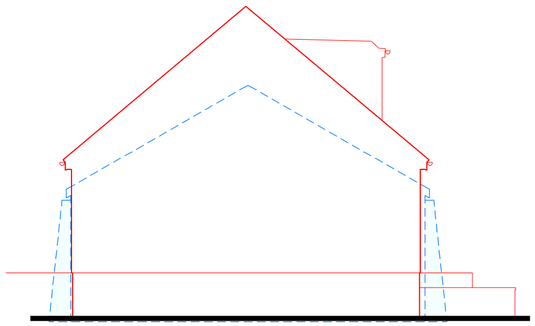
Proposed South Elevation



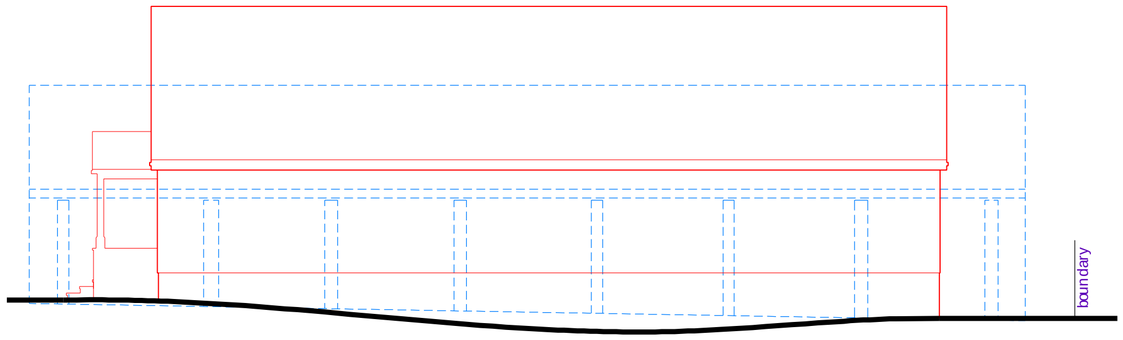
Proposed West Elevation

Scale

PP P PPP



Proposed North Elevation



Proposed East Elevation

General Notes:

- This drawing must be read in conjunction with all other drawings and specifications produced specifically for this project.
- Any discrepancies found are to be brought to the attention of the building designer and/or Engineer at the earliest possible moment.
- All dimensions given on this drawing are in millimetres, unless stated otherwise.
- The contractor must check all sizes on site before proceeding with the works.
- All works are to be completed in strict accordance with the Building Regulations for Scotland as per the approved drawings.
- Where manufacturers' names are listed, they should be read as 'equal and approved'.
- The Contractor will allow for all necessary precautions to be undertaken to satisfy HSE requirements, including ensuring all construction risks including the use of hazardous materials are fully assessed, clearly highlighted and adequate safety measures are put in place to ensure the safety of the workforce, client and public at all times.
- Works shall be carried out in accordance with good building practices.
- All works to comply with the Building(Scotland) Act 2003, the Building (Scotland) Regulations 2004 and all current amendments.
- The Contractor shall be responsible for contacting the appointed Building Standards inspector as soon as works commence in order to establish the Local Authority's policy for carrying out inspections and witnessing the testing of drainage inspections. The Contractor is responsible for giving notice, arranging and carrying out the required inspections to the satisfaction of the the Local Authority. Work must not be covered over and concealed before the inspection takes place or the tests are witnessed.
- If in doubt, stop and ask.
- The Contractor is to satisfy himself as to the location of all overhead and underground services on site prior to the commencement of works.
- The Contractor is advised to expose all underground services by hand.
- The Contractor is responsible for notifying the building designer of any services below or adjacent to the building footprint.

Rev'n	Date	Description	By

Project / Client:

Proposed Dwellinghouse
at Former Scout Hall Site, Cardenden Rd, Cardenden
for Pauline & Jim Smith

Drawing Title:

Planning:
Elevations Comparison

DX2 CONSULTANCY
Architectural Services and
Technical Construction Specialists

A: 317 Rona Place, Glenrothes, Fife, KY7 6RR
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Project Reference:	Scales:	Date:
21-025-Smith, Cardenden	1:100	Feb 23
Drawing Number:	Sheet size:	Drawn:
23-21/025-038	A2	d.v.
	Revision: –	Checked: d.d.g.

Low Carbon Sustainability Checklist for Planning Applications			
Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
Energy and Climate Change Demonstrate that the application meets the CO^2 emissions reduction targets currently in place and that the required proportion of that reduction is met by low and zero carbon generation technologies. Improve the energy efficiency of both domestic and non-domestic buildings to minimise total whole-life energy consumption. Support the use of renewable energy rather than fossil fuel sources during concept/design as well as in-service phases with the ultimate aim of decarbonising the energy and heat supply. Improve resilience to climate change, including higher temperatures; changing patterns of precipitation; more frequent extreme weather events; rising sea levels. Impacts on flooding and water supply are addressed.	For Local Developments - Provide information of the energy efficiency measures taken and energy generating technologies associated with this application For Major Developments - An energy statement on intention is required. See Low Carbon Fife Supplementary Guidance page 59 for more information	Domestic Applications Proposals which are not heated or cooled (other than heating or frost protection). Conversion of buildings Small extensions in line with Building standards 6.1 exemptions Temporary buildings with an intended life of less than 2 years	☒ Details: ASHP (Air-Source Heat Pump); PV (PhotoVoltaic) array; thermal envelope insulated to provide U-values in excess of the Technical Standards; low permeability; low-carbon dMEV fans; time-and-temperature zone control; 100% low-energy lighting; surface water treatment and run-off reduction/attenuation via rainwater harvesting, trench planters, tree pits and bioretention area
Materials Materials sourced from local or sustainable sources	A statement should be included setting out that the development will endeavour to provide the materials from local or sustainable sources.	Domestic Applications	☒ Details: Every opportunity should be taken to utilise materials derived

Low Carbon Sustainability Checklist for Planning Applications			
Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
	Additional detail should be included if available. See Making Fife's Places Supplementary Guidance page 37 for more information.		from local, sustainable and ethically-acceptable sources.
Sustainable Urban Drainage System (SUDS) As our climate changes and more rainfall is predicted in many parts of the world, it is important that we control the impact of rainwater to prevent flooding or pollution of watercourses. Sustainable Urban Drainage measures need to be put in place to ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment.	We require Compliance and Independent Check Certificate's to be submitted as per Fife Council's Sustainable Drainage Systems (SUDS) - Design Criteria Guidance Note See Making Fife's Places Supplementary Guidance page 14 for more information.	Domestic Applications Applications for erection of only one dwellinghouse	☐ Details: Though not required since the application is only for a single dwelling, surface water treatment and run-off reduction/attenuation is to be addressed by various measures, e.g. rainwater harvesting, trench planters, tree pits and bioretention area

Low Carbon Sustainability Checklist for Planning Applications			
Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
<u>Waste</u> Support applications that reduce the creation of waste. Facilities are provided for the separate collection of dry and recyclable waste and food waste. Drive the development of a plastic recycling facility	Planning Permission in Principle (PPP) Applications – A statement setting out that measures for the storage of dry recyclable waste and food waste will be provided as part of the development. Full Planning Permission Applications – Full details on how dry and recyclable waste and food waste will be stored.	Domestic Applications	☒ Details: Slabbed/hardstanding area will provide space for storage of refuse/recycling containers (wheelie bins).
<u>Travel and Transport</u> Developments make a positive contribution towards the improvement of sustainable transport network. Promoting sustainable transport modes in the following order of priority: walking, cycling, public transport, cars. Reducing car dependency. Minimising the amount of travelling required, thus reducing greenhouse gas emissions, especially for air and road travel	PPP Applications – A statement should be included setting out the intended measures to encourage and facilitate the use of sustainable transport focusing on the order of priority. Full Planning Permission Applications – Full details on how the development encourages and facilitates the use of sustainable transport focusing on the order of priority. (Demonstrated through a Transport Assessment or Green Travel Plan).	Domestic Applications	☒ Details: The site is on the village's main street, which is served by public transport, with bus stops being in close proximity (<100m). Cardenden train station is a 6-minute walk away, and shops (Premier and Tesco) are only a 3-minute walk away, as is the pub. Quiet local roads provide opportunities for cycling.
<u>Air Quality</u>	An Air Quality Impact Assessment is required	Domestic Applications	☐

Low Carbon Sustainability Checklist for Planning Applications			
Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications ✓
Address impacts on air quality by reducing congestion and address the poor air quality that already exists.	where any of the following apply: For all applications subject to an Environmental Impact Assessment (listed in Environmental Impact Assessment (Scotland) Regulations 2017) or 10 or more residential units or a site area of more than 0.5ha More than 1,000m2 of floor space for all other uses or a site area greater than 1ha Coupled with any of the following: The development has more than 10 parking spaces The development will have a centralised energy facility or other centralised combustion process See Low Carbon Fife Supplementary Guidance Appendix D for more information	Less than 10 residential units or a site area of less than 0.5ha Less than 1,000m2 of floor space for all other uses or a site area smaller than 1ha	Details: not applicable (single dwelling)
District Heating All applications which create a heat demand or waste heat will be assessed to establish if district heating is likely to be a viable option. All applications for proposals which fit this description need to be tested against the district heating process map set out in section 3.2.2 of the Low Carbon Fife Supplementary Guidance (see page 64) - to establish if a	Depending on answers to the questions below will determine whether a further investigation is required Is the proposal within 1km of an existing or proposed heat network? (See Low Carbon Fife SG Appendix E for more information) If yes – has an indicative heat demand been provided for the development? Is further investigation into heat networks required? If yes - has a further investigation into heat networks been provided?	Domestic Applications Applications out-with 1km of existing or proposed heat network and is not one of the following developments: • A public sector development; •A further education campus; •A proposal for over 10,000m2 non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or indeed any other building with a	☐ Details: Not applicable; no network within 1km

Low Carbon Sustainability Checklist for Planning Applications			
Issue Overview and Aim	Validation Requirement	Exemption	Information Submitted with Applications √
further investigation into heat networks is required. To reduce the cost of heat supply and the carbon intensity of heat generation.	Is the proposal for one of the following types of development? A public sector development; A further education campus; A proposal for over 10,000m2 non-domestic development with an anchor customer (anchor customers include swimming pools, hospitals, aqua-culture and industrial units or building with a significant and heat demand) A mixed use development – with at least 50 residential units and at least 10,000m2 of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial If yes – has information on the linear heat density of the development been provided? (see Low Carbon Fife SG section 3.2.2 for more information) Is the linear heat density 4 or over? (see Low Carbon Fife SG section 3.2.3 for more information) If yes – has further investigation into heat networks been provided?	significant and stable heat demand) •A mixed use development – with at least 50 residential units and at least 10,000m2 of buildings with the following uses, education, community and leisure, retail, healthcare, manufacturing/industrial And does not have a total aggregate thermal input exceeding 20Megawatts	

Proposed dwelling on former Scout Hall site
at Cardenden Road, Cardenden, KY5 0PA
Supporting photo set

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at Cardenden Road, Cardenden, KY5 0PA
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Proposed dwelling on former Scout Hall site
at Cardenden Road, Cardenden, KY5 0PA
Supporting photo set

PUZ-WM85VAA(-BS)

Ecodan R32
Monobloc Air Source Heat Pump

R32

Key Features:

- A+++ high efficiency system
- Ultra quiet noise levels
- Maintains full heating capacity at low temperatures
- Zero carbon solution
- MELCloud enabled

Key Benefits:

- Ultra low running cost
- Flexible product placement
- Confident and quick product selection
- Help to tackle the climate crisis
- Remote control, monitoring, maintenance and technical support

MELCloud

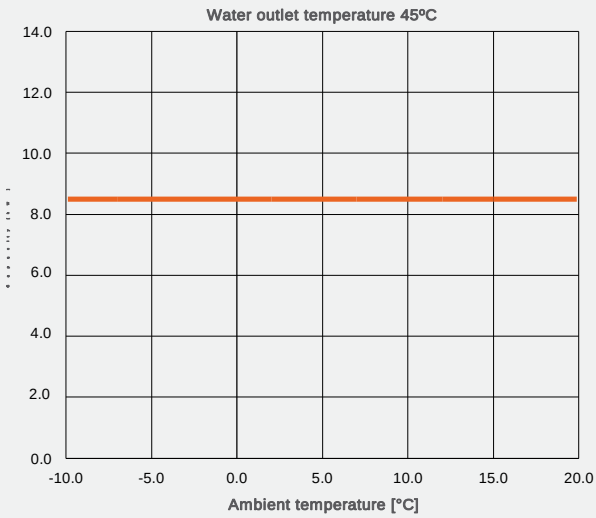
Manufactured in the UK

037 0033 20 03

PUZ-WM85VAA(-BS)
Ecodan R32
Monobloc Air Source Heat Pump

OUTDOOR UNIT		PUZ-WM85VAA(-BS)
HEAT PUMP SPACE HEATER - 55˚C	ErP Rating	A++
	η_s	139%
	SCOP (MCS)	3.48
HEAT PUMP SPACE HEATER - 35˚C	ErP Rating	A+++
	η_s	193%
	SCOP (MCS)	4.84
HEAT PUMP COMBINATION HEATER - Large Profile*1	ErP Rating	A+
	η_{wh}	145%
HEATING*2 (A-7/W85)	Capacity (kW)	8.5
	Power Input (kW)	3.27
	COP	2.60
OPERATING AMBIENT TEMPERATURE (°C DB)		-20 ~ +35
SOUND DATA*3	Pressure Level at 1m (dBA)	45
	Power Level (dBA)*4	58
WATER DATA	Pipework Size (mm)	28
	Flow Rate (l/min)	24
	Water Pressure Drop (kPa)	15.0
DIMENSIONS (mm)	Width	1050
	Depth	480
	Height	1020
WEIGHT (kg)		98
ELECTRICAL DATA	Electrical Supply	220-240v, 50Hz
	Phase	Single
	Nominal Running Current [MAX] (A)*5	9.1 [22]
	Fuse Rating - MCB Sizes (A)*6	25
REFRIGERANT CHARGE (kg) / CO_2 EQUIVALENT (t)	R32 (GWP 675)	2.2 / 1.49

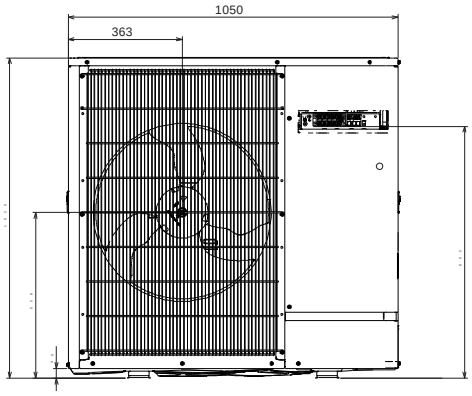
NOMINAL HEATING CAPACITY



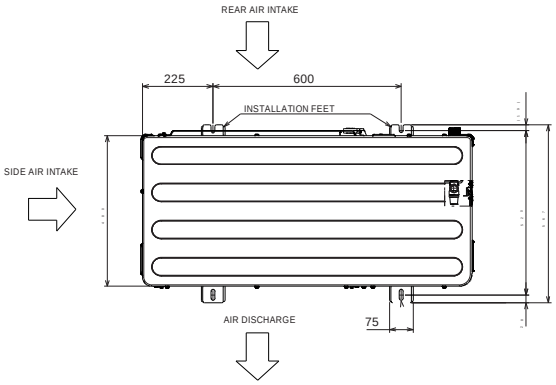
Notes:
*1 Combination with E*PT20X Cylinder
*2 Under normal heating conditions at outdoor temp: -7°CDB / -8°CWB, outlet water temp 35°C, inlet water temp 30°C.
*3 Under normal heating conditions at outdoor temp: 7°CDB / 6°CWB, outlet water temp 55°C, inlet water temp 47°C as tested to BS EN14511.
*4 Sound power level tested to BS EN12102.
*5 Under nominal heating conditions at outdoor temp: 7ºC, outlet water temp: 35ºC.
*6 MCB Sizes BS EN60898-2 & BS EN60947-2.
η_s is the seasonal space heating energy efficiency (SSHEE) η_{wh} is the water heating energy efficiency

PUZ-WM85VAA(-BS) DIMENSIONS

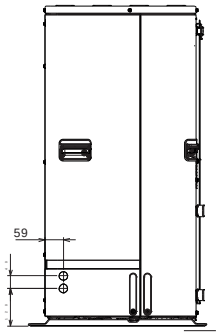
FRONT VIEW



UPPER VIEW



SIDE VIEW



All dimensions (mm)

MITSUBISHI ELECTRIC
Changes for the Better

Telephone: 01707 282880
email: heating@meuk.mee.com
heating.mitsubishielectric.co.uk

@meuk_les
@green_gateway
Mitsubishi Electric Living Environmental Systems UK
Mitsubishi Electric Cooling and Heating UK
mitsubishielectricuk_les
Mitsubishi Electric Living Environmental Systems UK
BLOG thehub.mitsubishielectric.co.uk

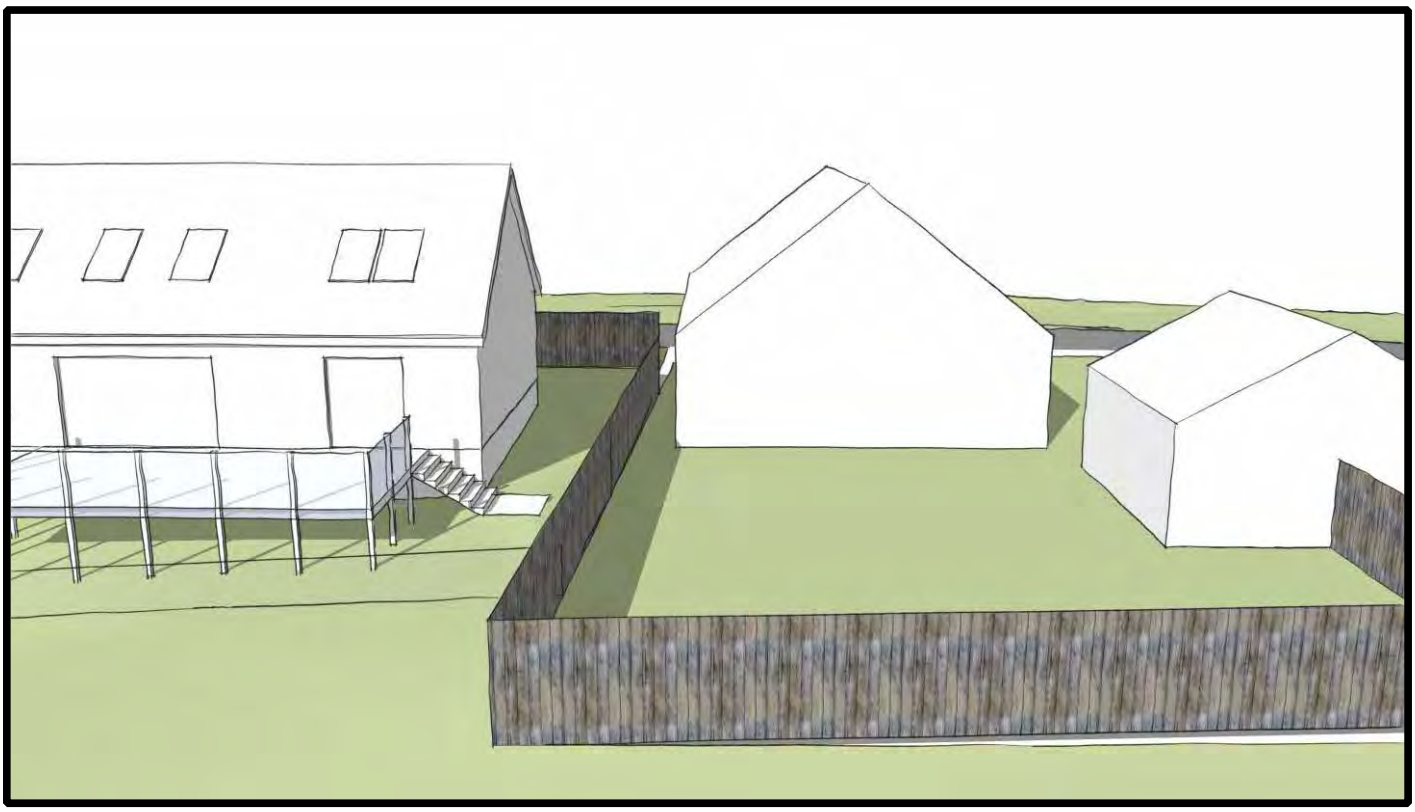
UNITED KINGDOM Mitsubishi Electric Europe Living Environment Systems Division, Travellers Lane, Hatfield, Hertfordshire, AL10 8XB, England. Telephone: 01707 282880 Fax: 01707 278881
IRELAND Mitsubishi Electric Europe, Westgate Business Park, Ballymount, Dublin 24, Ireland. Telephone: (01) 419 8800 Fax: (01) 419 8890 International code: (003531)

Note: Refer to 'Installation Manual' and 'Instruction Book' for further 'Technical Information'. The fuse rating is for guidance only and please refer to the relevant databook for detailed specification. It is the responsibility of a qualified electrician/ electrical engineer to select the correct cable size and fuse rating based on current regulation and site specific conditions. Mitsubishi Electric's air conditioning equipment and heat pump systems contain a fluorinated greenhouse gas, R410A (GWP:2088), R32 (GWP:675), R407C (GWP:1774), R134a (GWP:1430), R513A (GWP:631), R454B (GWP:466), R1234ze (GWP:7) or R1234yf (GWP:4). *These GWP values are based on Regulation (EU) No 517/2014 from IPCC 4th edition. In case of Regulation (EU) No.626/2011 from IPCC 3rd edition, these are as follows. R410A (GWP:1975), R32 (GWP:550), R407C (GWP:1650) or R134a (GWP:1300).

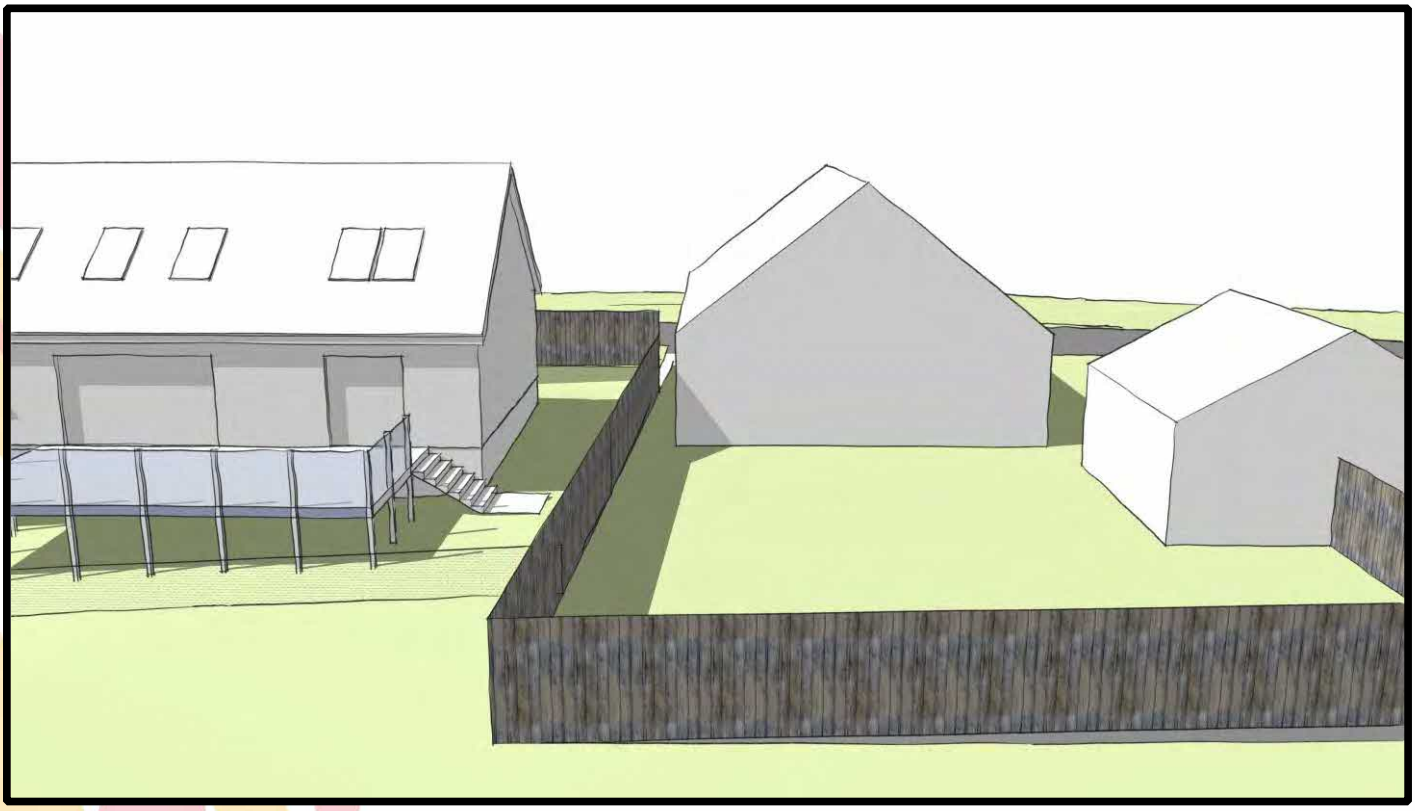
Effective as of August 2020

Green Gateway greengateway.mitsubishielectric.co.uk

Proposed dwellinghouse
at former Scout Hall site, Cardenden Road, Cardenden
Shadow study

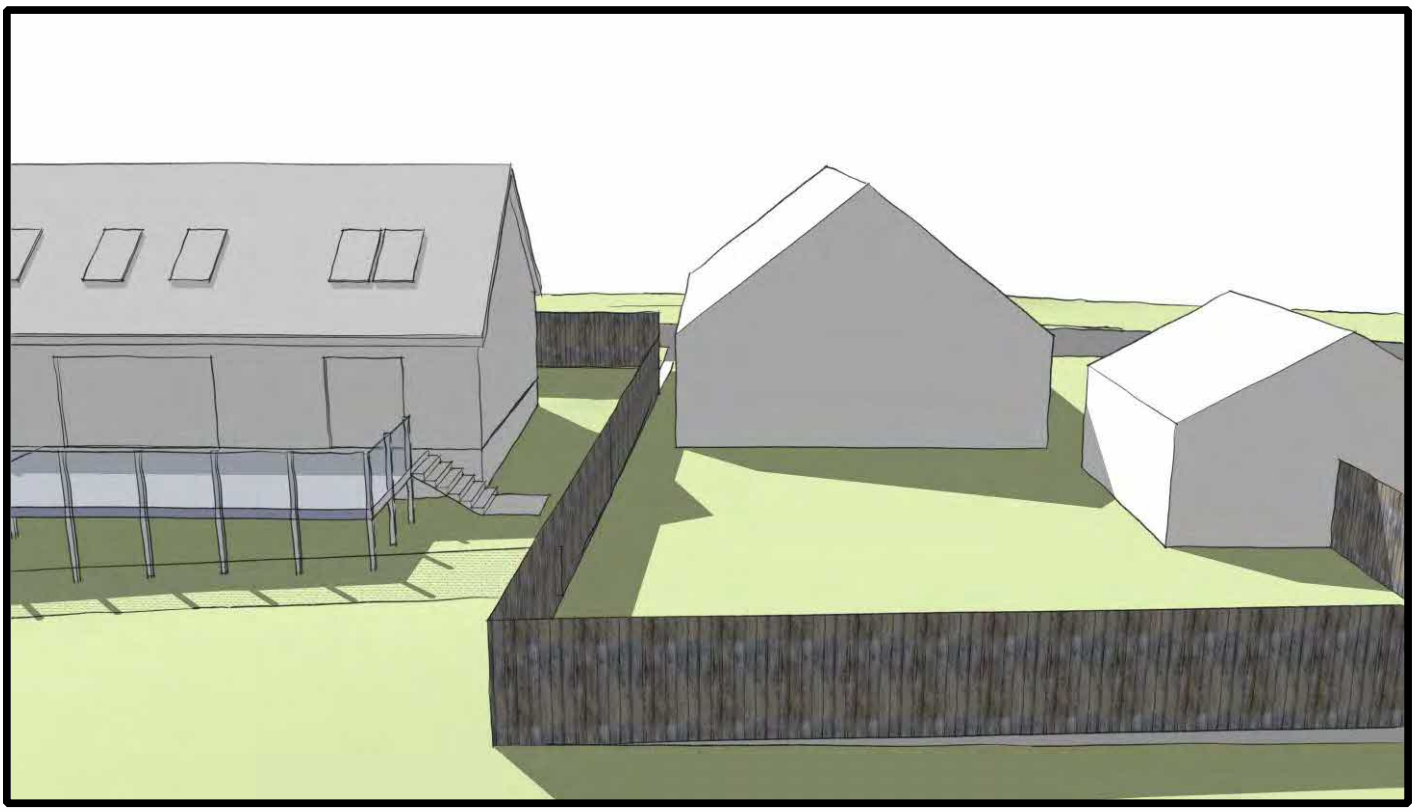


1st May, 08:00

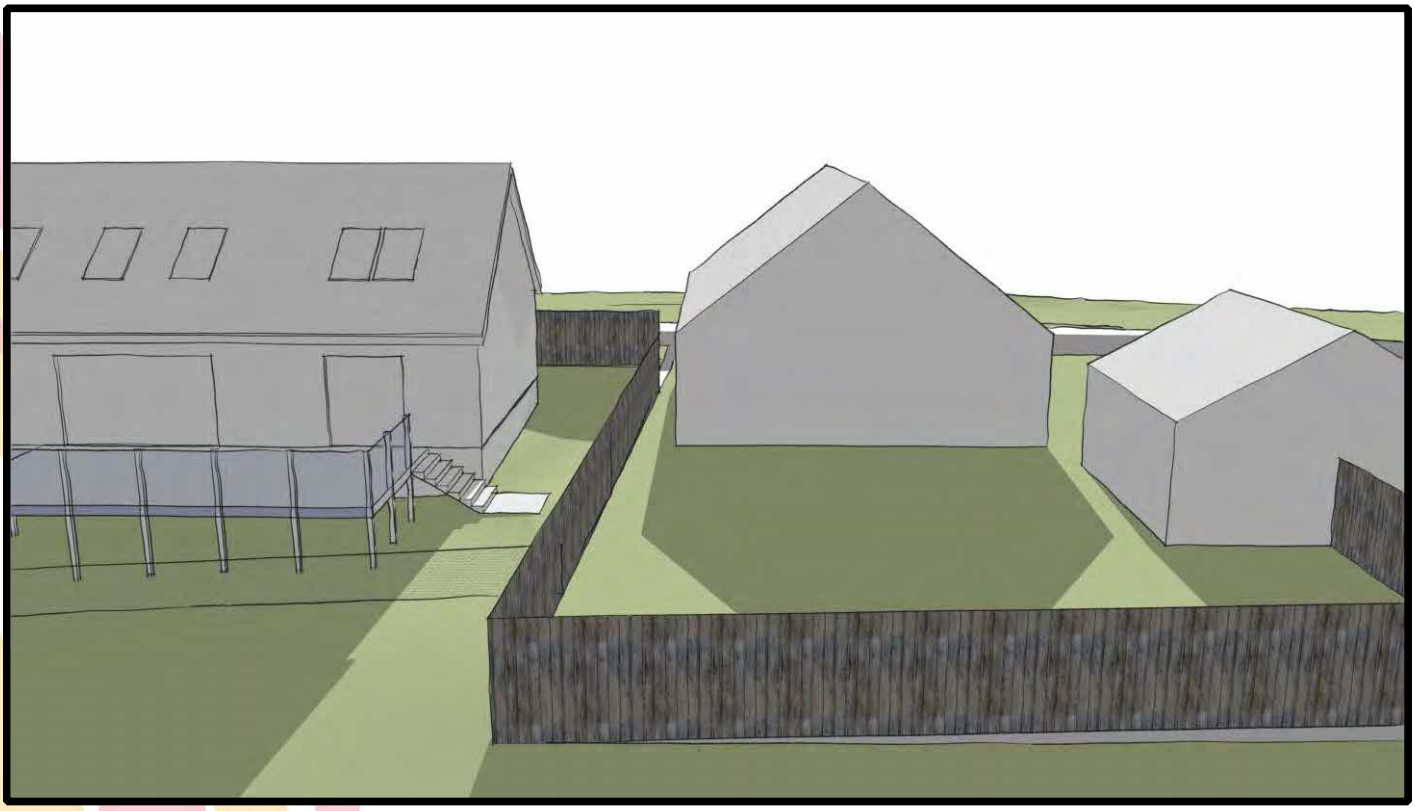


1st May, 11:00

Proposed dwellinghouse
at former Scout Hall site, Cardenden Road, Cardenden
Shadow study



1st May, 14:00



1st May, 17:00

STP280S - 20/Wfb
STP275S - 20/Wfb
STP270S - 20/Wfb

SUNTECH

280Watt
MONOCRYSTALLINE SOLAR MODULE

Features

High module conversion efficiency
Module efficiency up to 17.1% achieved through advanced cell technology and manufacturing capabilities

High PID resistant
Advanced cell technology and qualified materials lead to high resistance to PID

Positive tolerance
Positive tolerance of up to 5W delivers higher output reliablity

Suntech current sorting process
System output maximized by reducing mismatch losses up to 2% with modules sorted & packaged by amperage

Extended wind and snow load tests
Module certified to withstand extreme wind (3800 Pascal) and snow loads (5400 Pascal) *

Withstanding harsh environment
Reliable quality leads to a better sustainability even in harsh environment like desert, farm and coastline

Certifications and standards:
IEC 61215, IEC 61730, conformity to CE

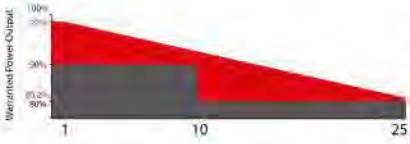
Trust Suntech to Deliver Reliable Performance Over Time

- World-class manufacturer of crystalline silicon photovoltaic modules
- Unrivaled manufacturing capacity and world-class technology
- Rigorous quality control meeting the highest international standards: ISO 9001: 2008, ISO 14001: 2004 and ISO17025: 2005
- Regular independently checked production process from international accredited institute/company
- Tested for harsh environments (salt mist, ammonia corrosion and sand blowing testing: IEC 61701, IEC 62716, DIN EN 60068-2-68)***
- Long-term reliability tests
- 2 x 100% EL inspection ensuring defect-free

Special 5 busbar design

The unique cell design leads reduction in electrodes resistance, shading area and raise in conversion efficiency. Residual stress distribution can be more even, reducing the micro-cracks risks.

Industry-leading Warranty based on nominal power



- 97% in the first year, thereafter, for years two (2) through twenty-five (25), 0.7% maximum decrease from MODULE's nominal power output per year, ending with the 80.2% in the 25th year after the defined WARRANTY STARTING DATE.****
- 12-year product warranty

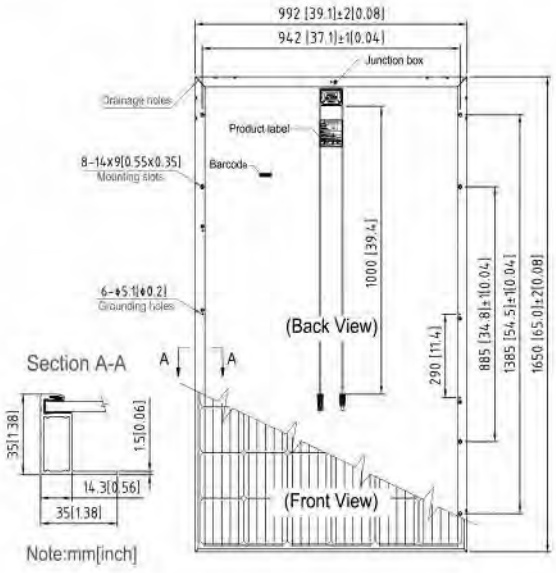
IP68 Rated Junction Box

The Suntech IP68 rated junction box ensures an outstanding waterproof level, supports installations in all orientations and reduces stress on the cables. High reliable performance, low resistance connectors ensure maximum output for the highest energy production.

* Please refer to Suntech Standard Module Installation Manual for details. **WEEE only for EU market
*** Please refer to Suntech Product Near-coast Installation Manual for details. **** Please refer to Suntech Product Warranty for details.

STP280S - 20/Wfb
STP275S - 20/Wfb
STP270S - 20/Wfb

SUNTECH



Electrical Characteristics

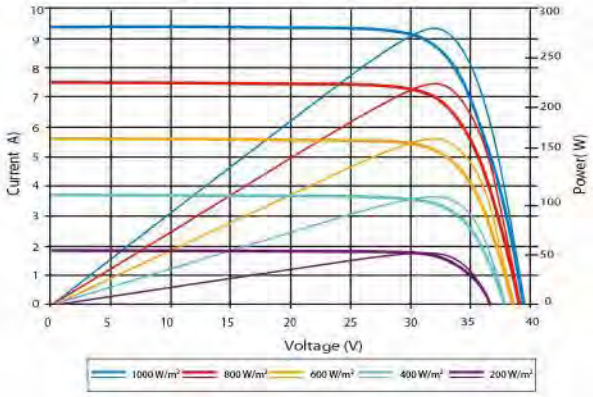
STC	STP280S-20/Wfb	STP275S-20/Wfb	STP270S-20/Wfb
Maximum Power at STC (Pmax)	280W	275 W	270 W
Optimum Operating Voltage (Vmp)	31.5 V	31.1 V	30.8 V
Optimum Operating Current (Imp)	8.89A	8.85 A	8.77 A
Open Circuit Voltage (Voc)	39.4V	38.5 V	38.3 V
Short Circuit Current (Isc)	9.41 A	9.34 A	9.28 A
Module Efficiency	17.1%	16.8%	16.5%
Operating Module Temperature	-40 °C to +85 °C		
Maximum System Voltage	1000 V DC (IEC)		
Maximum Series Fuse Rating	20 A		
Power Tolerance	0/+5 W		

STC: Irradiance 1000 W/m², module temperature 25 °C, AM=1.5;
Best in Class AAA solar simulator (IEC 60904-9) used, power measurement uncertainty is within +/-3%

NOCT	STP280S-20/Wfb	STP275S-20/Wfb	STP270S-20/Wfb
Maximum Power at NOCT (Pmax)	206 W	202 W	198 W
Optimum Operating Voltage (Vmp)	29.1 V	28.3 V	28.1 V
Optimum Operating Current (Imp)	7.09 A	7.14 A	7.05 A
Open Circuit Voltage (Voc)	36.3 V	35.4 V	35.2 V
Short Circuit Current (Isc)	7.62 A	7.55 A	7.49 A

NOCT: Irradiance 800 W/m², ambient temperature 20 °C, AM=1.5, wind speed 1 m/s;
Best in Class AAA solar simulator (IEC 60904-9) used, power measurement uncertainty is within +/- 3%

Current-Voltage & Power-Voltage Curve (280S-20)



Temperature Characteristics

Nominal Operating Cell Temperature (**NOCT**)	45±2°C
Temperature Coefficient of Pmax	-0.41 %/°C
Temperature Coefficient of Voc	-0.34 %/°C
Temperature Coefficient of Isc	0.060 %/°C

Mechanical Characteristics

Solar Cell	Monocrystalline silicon 6 inches
No. of Cells	60 (6 × 10)
Dimensions	1650 × 992 × 35mm (64.96 × 39.1 × 1.4 inches)
Weight	18.3 kgs (40.3 lbs.)
Front Glass	3.2 mm (0.13 inches) tempered glass
Frame	Anodized aluminium alloy
Junction Box	IP68 rated (3 bypass diodes)
Output Cables	TUV (2Pfg1169:2007)
	4.0 mm² (0.006 inches²), symmetrical lengths (-) 1000mm (39.4 inches) and (+) 1000 mm (39.4 inches)
Connectors	MC4 compatible

Dealer information

Packing Configuration

Container	20' GP	40' HC
Pieces per pallet	30	30
Pallets per container	6	28
Pieces per container	180	840

Information on how to install and operate this product is available in the installation instruction. All values indicated in this data sheet are subject to change without prior announcement. The specifications may vary slightly. All specifications are in accordance with standard EN 50380. Color differences of the modules relative to the figures as well as discolorations of/in the modules which do not impair their proper functioning are possible and do not constitute a deviation from the specification.

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BRIEF FOR CONSULTANCY:

To undertake a noise impact assessment of the proposed residential property to existing road traffic noise and noise breakout from proposed ASHP.

Noise Impact Assessment
Former Scouts Hall
Cardenden Road
Cardenden
KY5 0PA
23/00873/FULL

Technical Report No. R-9682-GH-DJC
1st June 2023

PREPARED FOR:

Derek Grubb
DX2 Consultancy Ltd
317 Rona Place
Glenrothes
KY7 6RR

Edinburgh Napier UNIVERSITY

Contents

1.0 Introduction

1.1 RMP have been instructed by Derek Grubb of DX2 Consultancy Ltd on behalf of Paulin Coughlin-Smith to undertake a noise impact assessment for the proposed residential development at the former Scout Hall, Cardenden Road, Cardenden, KY5 0PA.

1.2 The proposals for the development consist of re-development of the former scout's hall, with the existing building being demolished and replaced with a new single residential property in its location. The assessment is to be made with regard to the proposed site layout shown in Appendix A.

1.3 The existing site is exposed to road traffic noise to the south from Cardenden Road approximately 12m away.

1.4 Our noise impact assessment assesses noise break in from Cardenden Road to the proposed residential dwelling, as well as noise breakout from the proposed air source heat pump (ASHP) to the nearest noise sensitive receptor.

2.0 Planning Guidelines and Conditions

Road Traffic Noise

2.1 Current guidance for local authorities with regard to noise affecting planning matters is given in the Scottish Government's PAN 1/2011 "*Planning and Noise*" document, with further details on the assessment of noise provided in its associated Technical Advice Note (TAN): 'Assessment of Noise'.

2.2 Paragraph 15 of PAN 1/2011 gives the following advice:

2.3 Issues which may be relevant when considering noise in relation to a development proposal include:

- *Type of development and likelihood of significant noise impact,*
- *Sensitivity of location (e.g. existing land uses, NMA, Quiet Area),*
- *Existing noise level and likely change in noise levels,*
- *Character (tonal, impulsivity etc),duration, frequency of any repetition and time of day of noise that is likely to be generated, and*
- *Absolute level and possible dose-response relationships e.g. health effects if robust data available.*

2.4 Paragraph 19 recommends that in order to assist in the preparation and consideration of planning applications, Noise Impact Assessments may be requested by the planning authority. Noise Impact Assessments are to "*demonstrate whether any significant adverse noise impacts are likely to occur and if so, identify what effective measures could reduce, control and mitigate the noise impact*."

2.5 Paragraph 23 states "*Road traffic noise impact assessments should take account of level, potential vibration, disturbance and variation in noise levels throughout the day, the pattern of vehicle movements and the configuration of the road system".*

2.6 PAN 1/2011 (and the accompanying Technical Advice Note) do not provide explicit criteria to employ for the noise assessments; instead, this is recommended to be delegated to the Planning Authority.

2.7 The acoustic standards indicated by BS 8233:2014 'Sound Insulation and noise reduction for buildings' appropriate for a residential assessment; all outlined in Table 1 relative to urban noise including rail traffic noise.

Table 1. BS 8233:2014 Indoor ambient noise criteria (dB re 2 x 10^{-5} Pa)

Activity	Typical situation	Assessment period	
		07:00 to 23:00	23:00 to 07:00
Resting	Living room	35	-
Dining	Dining rooms/area	40	-
Sleeping (inc. daytime resting)	Bedroom	35	30

2.8 For single sound events, the sound pressure levels inside the bedrooms at night should not regularly (more than 10-15 times per night) exceed L_{Amax} 45 dB. In determining the significance of any noise events above this level, the consideration should be given to the number of events and the maximum sound pressure level as a small number of events with high maximum sound pressure level may affect sleep.

2.1 For external areas that are to be used for amenity space, BS8233 states that it is "...desirable that the external noise level does not exceed 50 dB $L_{Aeq, T}$, with an upper guideline value of 55 dB $L_{Aeq, T}$ which would be acceptable in noisier environments".

Plant Noise

2.2 The typical assessment method required by Fife Council for control of noise from building services, the standard is to achieve NR25 inside the adjacent properties allowing for their windows to be open for ventilation.

2.3 The NR 25 criteria is a spectrum based criteria which requires that the maximum noise level at a range of frequencies should not be exceeded as indicated in Table 2.

Table 2: Building services noise criteria – NR25

	Octave Band Centre Frequency					
	125 Hz	250 Hz	500 Hz	1kHz	2kHz	4kHz
NR 25	44	35	29	25	22	20

3.0 Noise Measurements and Methodology

3.1 Unattended measurements were undertaken between Monday 15th & Wednesday 17th May 2023 by Gareth Henderson, BEng (Hons), PGDip, MIOA to establish day and night-time noise levels.

3.2 The Meteorological conditions during the measurements were within acceptable parameters. The temperature was around 6 to 17 degrees and the wind speed does not appear to have adversely affected the measurement results (below 5 m/s).

3.3 They were carried out, insofar as was practicable, in accordance with BS 7445-1:2003 “Description and measurement of environmental noise”.

3.4 The microphone was at a height approximately 1.5m above local ground level. The measurement position was located approximately 12m from Cardenden Road. The measurement location is shown in Appendix A.

3.5 The sound level meter was calibrated before each set of measurements. No deviation from the calibration level of 93.8 dB re 2 x 10^{-5} Pa at 1000 Hz was recorded. The equipment used during the measurements is listed in Appendix B.

4.0 Noise Measurements Results and Assessment

4.1 The unattended night time measurement results shown in Table 3, presented as the 'A' weighted equivalent continuous sound level, L_{Aeq} (a logarithmic average over the measurement duration).

Table 3. Measured traffic noise levels (dB re 2 x 10^{-5} Pa)

Measurement period	Start (hh:mm)	End (hh:mm)	Duration (hh:mm)	L_{Aeq}, dB	L_{AFmax}, dB
Daytime	07:00	23:00	16:00	62	N/A
Night time	23:00	07:00	08:00	56	77*

* L_{AFmax} based on 10th highest.

4.2 The results in Table 3, show the external amenity level is above the BS8233 criteria for external amenity spaces. Due to the proximity of the road there is no practical mitigation measure that can be used to strictly meet the upper threshold level of 55 dB L_{Aeq} in the dwelling's rear garden. However, an imperforate fence to the south and east boundaries of the proposed garden, minimum 2 m in height would greatly improve these noise levels in the garden/amenity area.

4.3 It should also be noted that the surrounding area of the site is already a well-established residential area, and therefore an expectation that the external noise level will be tolerated by prospective occupiers who will be aware that the site is in close proximity to Cardenden Road.

Internal Amenity

4.4 To determine an adequate level of acoustic protection within the proposed properties, façade calculations have been performed to determine the internal levels of road traffic noise.

4.5 In order to predict internal noise levels it is assumed that the performance of the building façade will be dictated by the weakest element, which is considered to

be the glazing unit. We have therefore taken a worst case scenario where no additional attenuation is provided by the composite elements of the façade (e.g. walls).

4.6 We have not included any reductions in noise levels that would be associated with room absorption so as to take a worst case scenario where noise is being assessed at a position which is within 1m of the window.

4.7 The calculations of the internal road traffic noise levels for the proposed dwellings are given in Table 4 using a closed window approach.

Table 4: Prediction of Internal Noise Ground floor (dB re 2 x 10^{-5} Pa)

	$L_{Aeq,T}$	L_{Amax}
Daytime		
External Noise Level	62	N/A
Façade Insulation, 6/16/6.8 double glazing Rw + Ctr 32 dB	-32	
Predicted Internal Level	30	
Target Level	35	
Night time		
External Noise Level	56	77
Façade Insulation, 6/16/6.8 double glazing Rw + Ctr 32 dB	-32	-32
Predicted Internal Level	24	45
Target Level	30	45

4.8 The predictions in Table 3 indicate that the BS 8233 guideline indoor ambient noise level criterion for day and night time can be achieved with acoustic double glazing consisting of 6/16/6.8 or equivalent, with minimum performance requirements of $R_w + C_{tr}$ 32 dB for the window (glazing + frame + seals) and $D_{n,e,w}$ 40 dB for façade ventilators.

4.9 If multiple ventilator units are installed within the same room, the individual acoustic ventilator performance will need to be increased by a factor of 10 x log10(n), where n is the number of vents installed per room (i.e. If 2 ventilators are required then the acoustic rating of each ventilator should be Dn,e,w ≥ 43 dB).

5.0 Plant Noise Assessment

5.1 The new ASHP will be installed at the northwest façade of the proposed property. The nearest noise sensitive receptor is located approximately 4.65m away. The proposed ASHP location is shown in Appendix A.

5.2 It was confirmed that the proposed air source heat pump should be the Valiant aroTHERM plus VWL 105/6 A 230V. The sound pressure levels of the ASHP unit have been provided and are shown in Table 5.

Table 5. ASHP Sound Pressure Levels dB

	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
VWL 105/6 A 230V	46	48	50	48	46	47
Converted to linear (dB)	62	57	53	48	45	46

5.3 The ASHP has been assumed to operate continuously so no on-time correction has been applied, which represents a worst-case scenario. It is also evident from the levels in Table 2 that there are no overt tonal elements in the noise profile and therefore no associated tonal penalties have been applied to the plant noise assessment.

5.4 The calculations were corrected for the attenuation of a moderately open residential window (for ventilation purposes), attenuation due to distance, correction for directivity (where relevant).

5.5 The predictions for the noise breakout from the air source heat pump to the nearest noise sensitive location are shown in Table 6 below.

Table 3. Predicted internal plant noise level from ASHP breakout, L_{Aeq} dB						
	125 Hz	250 Hz	500 Hz	1 kHz	2 kHz	4 kHz
(1) ASHP	62	57	53	48	45	46
(2) Distance attenuation (4.65m)	-13	-13	-13	-13	-13	-13
(3) Open Window attenuation	-15	-15	-15	-15	-15	-15
(4) Predicted Internal Level	34	29	25	20	17	18
(5) NR25 Criteria	44	35	29	25	22	20
(6) Exceedance= (4)-(5)	-	-	-	-	-	-

5.6 The results in Table 3 above indicates that proposed air source heat pump unit will comply with the local authority's noise criteria.

6.0 Conclusion

6.1 RMP have been instructed by Derek Grubb of DX2 Consultancy Ltd on behalf of Paulin Coughlin-Smith to undertake a noise impact assessment for the proposed residential development at the former Scout Hall, Cardenden Road, Cardenden, KY5 0PA.

6.2 Measurements of the existing external noise source has been made at the proposed residential development.

6.3 Recommendations for the acoustic performance requirements of the proposed dwelling envelopes (Glazing, ventilator, façade) have been provided, in order to meet the relevant internal amenity noise standards.

6.4 A noise impact assessment was carried out to determine the likely effect of the noise breaking out from the proposed air source heat pump to the nearest noise sensitive receptor.

6.5 The assessment shows that noise emanating from the air source heat pump are expected to comply with the recommended NR 25 criteria.

Approved by:

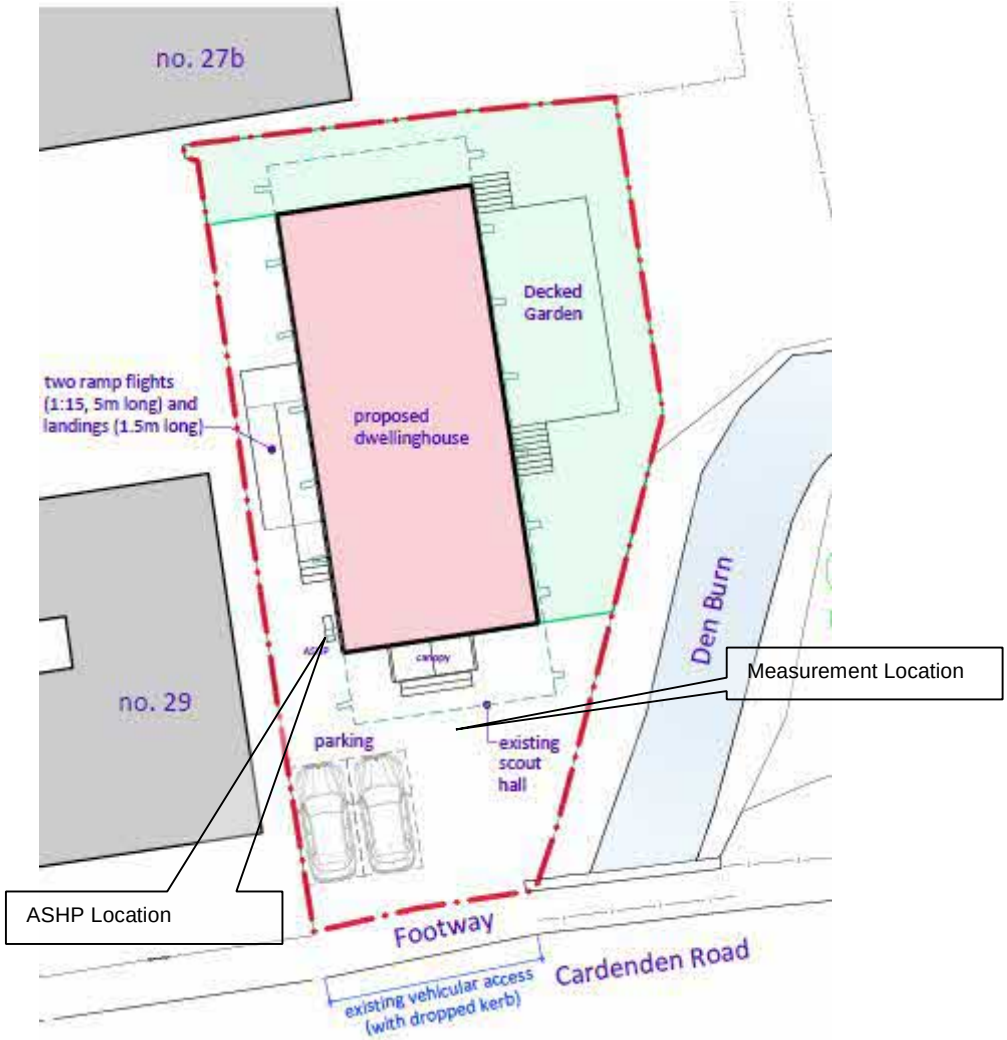
[redacted]

Gareth Henderson
BEng (Hons), PGDip, MIOA

Prepared by:

David Chapman
BEng (Hons), MIOA

Appendix A: Site Layout with Measurement Location



Appendix B: Acoustical Instrumentation

Equipment	Serial No.	Calibration expiry date	Calibration Certificate
RION Sound Level Meter Type NL52 Modular Precision Sound Analyzer running Rion's programs NX-42EX Version 1.3, NX-42WR Version 1.2 and NX-42RT Version 1.2	00810574	2/03/24	CONF032201
RION Pre-amplifier Type NH-25	11117	2/03/24	CONF032201
RION Condenser Microphone Type UC-59	19967	2/03/24	CONF032201
Brüel & Kjær Calibrator type 4230	1685303	07/11/24	TCRT22/1691

GONDOLIN
Land & Water
Civil Engineering & Environmental Solutions

Former Scout Hall, Cardenden

Proposed Dwelling

Flood Risk & Drainage Assessment Report

Client:	Mr & Mrs Smith
Project/Proposal No:	GON.0012.0010
Version:	1
Date:	24/03/2023

Document Information

Project Name:	Former Scout Hall, Cardenden
Site Address:	Former Scout Hall, Cardenden Rd, Lochgelly, KY5 0F
Document Title:	Flood Risk & Drainage Assessmer
Client Name:	Mr & Mrs Smith
Document Status:	Final for Issue
Author	Stephen Donna
Reviewed:	Zak Ritchie
Approved:	Zak Ritchie
Approver Qualifications:	B.Eng(hons), MSc, C.Eng, C.WEM, MCIWEM
Date:	28/03/2023
Version:	1
Project Number:	GON.0012.0010

Revision History

Version	Date	Authored	Reviewed	Notes
1	28/03/2023	Stephen Donna	Zak Ritchie	For Issue

Contents

Document References

Tables

Figures

Appendices

Drawings

1. Introduction

1.1 Preamble

Gondolin Land and Water Ltd (Gondolin) has been appointed by Mr & Mrs Smith to prepare a Flood Risk and Drainage Assessment (FRDA) in support of a planning application for a proposed re-development of the former Scout Hut site into a residential dwelling located at Cardenden Road, Cardenden, Fife, KY5 0PA.

The site has been visited on several occasions by an experienced Chartered Hydrologist to inform this assessment.

This report addresses any potential flood risk to the proposed development from all possible sources in accordance with best practice and in accordance with guidance presented within the National Planning Framework for Scotland 4 (NPF4)[1].

This report provides the relevant design information for the proposed site surface water drainage / SuDS scheme taking due cognisance of local / national drainage design guidance (CIRIA Report C753) and Fife Council specific guidance[2].

Completed compliance certificates required by Fife Council as per their SuDS / FRA Guidance are included as Appendix F.

Lastly, this assessment provides relevant information for the proposed management of wastewater from the proposed development.

1.2 Site & Development Context

The site is the former Scout Hut off Cardenden Road, Fife at approximate National Grid Reference (NGR): NO 21939 95308. It is understood the Scout Hut was subject to a serious fire a number of years ago and is therefore now disused and has fallen into disrepair.

The site is bounded to the north and west by existing property boundaries, and to the east by the Den Burn. The southern site boundary abuts Cardenden Rd and is where the site is accessed from.

The proposed development is for a single dwellinghouse to replace the Scout Hall. The development will also comprise a driveway and associated soft landscaping / garden / raised decking area.

The current Scout Hut building footprint is 188m^2 and the proposed dwelling house footprint is approximately 144m^2, therefore results in a net 44m^2 decrease in impermeable area.

A site proposed development layout is included as Appendix A and a Site Location Plan is produced as Drawing FRDA-001.

1.3 Topography

A topographic survey was undertaken in February 2022 by Aspect Surveys Ltd and a copy of this is included as Appendix B.

Review of this shows the minimum Finished Floor Level (FFL) of the existing Scout Hut building is 67.93mAOD. Ground levels within the site boundary around the building are lower and vary from 66.6mAOD to 67.9mAOD. Generally, the ground slopes downwards east to the Den Burn corridor.

[1] The Scottish Government (2023) National Planning Framework 4, February 2023
[2] Fife Council (2022) Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements

1.4 Geology and Hydrogeology

1.4.1 Geology

1.4.1.1 Superficial

Review of the British Geological Survey (BGS) online geology maps[3] indicates that the underlying superficial deposits at the site comprises Alluvium (clay, silt, sands and gravels).

Review of freely available BGS Borehole Logs directly adjacent to the site suggests the alluvium at the site location predominately comprises a band of clay down to c.1.7m below ground level (bgl) overlying a layer of fine, silty sand with occasional cobbles / gravel.

1.4.1.2 Bedrock

Review of the BGS online geology maps shows that the bedrock geology at site is the Upper Limestone Formation of the Clackmannan Group (sedimentary rock cycles).

1.4.2 Hydrogeology

Review of the Scotland Environment online map viewer[4] (references BGS data) indicates the site is underlain by a moderately productive bedrock aquifer with flows being virtually all through fractures and other discontinuities.

Review of the freely available BGS Borehole logs directly adjacent to the site suggests there is a shallow groundwater table within the Alluvium (superficial deposits) at approximately 1.8m bgl. This is likely to be in continuity with the adjacent Den Burn (and River Ore further to the North), and therefore is likely to rise and fall seasonally.

1.5 Local Hydrology and Existing Drainage Scheme

Review of the Flood Estimation Handbook (FEH) Web Service[5], topographic survey and based on site reconnaissance visits, the development is directly adjacent to and within the surface water catchment of the Den Burn which flows eastwards past the eastern boundary of the proposed development. The Den Burn is culverted beneath Cardenden Rd directly adjacent to the site.

A hydrological summary and catchment characteristics of the Den Burn are provided in Table 1 below. The data is extracted from the FEH Web Service and the catchment has been delineated at NGR: NT 21950 95250 –the point where the Den Burn is culverted beneath Cardenden Rd.

Table 1 Den Burn Catchment Hydrological Summary

Waterbody Catchment	Area (km^2)	SAAR[1] (mm)	URBEXT[2] (%)	PROPWET[3]	SPRHOST[4] (%)	ALTBAR[5] (m)
Den Burn	20.72	872	0.0507	0.450	42.15	130

[1]SAAR = Standard Annual Average Rainfall between 1961-1990
[2]URBEXT = Extent of Urban and Suburban Land Cover (1990)
[3]PROPWET = Proportion of Time the Soil Moisture Deficit (SMD) was equal to, or below, 6mm during 1961-1990
[4]SPRHOST = Standard Percentage Runoff using UK Hydrology of Soil Types (HOST) Classification
[3]ALTBAR = Mean Catchment Altitude

The FEH data indicates that the Den Burn catchment experiences a low –moderate SAAR value for a Scottish catchment and that the catchment is essentially rural. An SPRHOST value of 42.15% indicates a moderate-high runoff potential.

[3] British Geological Survey (2023) Natural Environment Research Council –online Geology of Britain Viewer, available at: https://mapapps.bgs.ac.uk/geologyofbritain/home.html (accessed on 14th March 2023)
[4] Scottish Government (2023) Scotland's Environment Web hub, available at: https://map.environment.gov.scot/sewebmap/ (accessed on 14th March 2023)
[5] UK Centre for Ecology and Hydrology (2023) Flood Estimation handbook Web Service, available at: https://fehweb.ceh.ac.uk/ (accessed on 14th March 2023)

Surface water drainage from the existing site is formally / informally drained and discharges directly to the Den Burn / Cardenden Rd. Wastewater drainage from the Scout Hall discharges directly to the Combined Sewer on Cardenden Road. Scottish Water plans are included as Appendix C.

2. Planning & Policy Context

2.1 Overview

This assessment has been completed in accordance with guidance presented within NPF4 and taking cognisance of the Flood Risk Management (Scotland) Act 2009.

The assessment also references and takes due consideration of the following principal guidance and policy documents:

- Fife Council (2017) Adopted Local Development Plan;
- Fife Council (2022) Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements;
- Fife Council (2018) Making Fife's Places Supplementary Guidance;
- Fife Council (2016) SuDS Design Criteria Guidance Note;
- CIRIA (2015) The SuDS Manual, Report C753;
- CIRIA (2006), Report C635 –Designing for Exceedance in Urban Drainage, Good Practice;
- British Standards Institution (2017) Assessing and Managing Flood Risk in Development – Code of Practice, Report BS-8533:2017;
- Scottish Environment Protection Agency (2022) Technical Flood Risk Guidance for Stakeholders (Reference: SS-NFR-P-002), v13, June 2022;
- Scottish Environment Protection Agency (2018) Flood Risk and Land Use Vulnerability Guidance (Reference: LUPS-GU24), Version 4, July 2018;
- Scottish Environment Protection Agency (2018) SEPA Development Plan Guidance Note 2a: Development Management Guidance: Flood Risk (Reference: LUPS-DM-GU2a), July 2018;
- Scottish Environment Protection Agency (2022) Climate Change Allowances for Flood Risk Assessment in Land Use Planning (Reference: LUPS-CC1), v2;
- Scottish Environment Protection Agency (2019), WAT-RM-08 –Sustainable Urban Drainage Systems (SuDS), v6.4, July 2019;
- Scottish Water (2018) –Sewers for Scotland v4; and
- Scottish Government (2023) –Building Standards Technical Handbook (Domestic).

It is noted that the recent release of NP4 has resulted in potential incompatibility of current SEPA and other stakeholder guidance documents with regards to flood risk assessment in particular. SEPA have acknowledged that their current guidance documents are currently being reviewed / updated to align with NP4 and information contained within their documents may no longer be valid.

2.2 SEPA Flood Risk and Land Use Vulnerability Guidance

With reference to Table 1 (SEPA Land Use Vulnerability Classifications) of SEPA's Flood Risk and Land Use Vulnerability guidance document, the proposed development of a dwellinghouse is considered *Highly Vulnerable Uses* category.

With reference to Table 2 (SEPA Matrix of Flood Risk) of the guidance, the proposed *Highly Vulnerable* development is only suitable in low to medium risk (0.1% - 0.5% AEP) and below. Anything that is medium to high risk is classified as generally not suitable unless mitigating circumstances apply. Applicable mitigating circumstances relevant to this development are as follows:

"Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use."

and

"Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use."

A scout hall is not adequately defined within SEPA's land use vulnerability guidance. From review of the guidance, a scout hall is most closely aligned with a nursery or school as it is an educational premise for young children. These land uses fall under the 'most vulnerable' use category. From review of the 'highly vulnerable' uses stated within the guidance, there are no applicable uses that would align with a scout hall. From review of the 'least vulnerable' uses stated within the guidance, it could be considered that a scout hall would fall under the generic category 'non-residential institutions not included in Most Vulnerable or Highly Vulnerable uses'. This is not considered applicable however as it does not adequately consider the use of the site as an educational premise exclusively for young children. It is considered that this use is certainly more vulnerable than other uses within the 'least vulnerable' category such as shops and offices. For example although there is no specific allocation for a 'Scout' premises SEPA's guidance specifically takes the age / mobility of users of a site into account for the land use classification:

"The classification recognises that certain types of development, and the people who use and live in them, are more at risk from flooding than others (e.g. children, the elderly and people with mobility problems that may have more difficulty in escaping fast flowing water)."

From review of the English National Planning Policy Framework's parallel guidance [6], land use vulnerability is further refined and more detailed for a variety of uses. The 'more vulnerable' category (equivalent to SEPA's 'highly vulnerable' use), within this guidance includes both dwelling houses and educational establishments (i.e., a scout hall). This guidance would indicate that the existing and proposed site uses are of equal vulnerability.

From the above assessment, it is considered that the proposed site use is at least of equal vulnerability to the existing use. Therefore, the proposed re-development of the site into a less vulnerable land use applies.

As SEPA's Flood Risk and Land Use Vulnerability guidance document is currently being updated to reflect the recent adoption of NPF4 the contents of this guidance document may no longer be valid. Therefore the judgment provided above and comparison to the English flood risk planning framework is considered acceptable.

Notwithstanding, the proposed flood design criteria for this assessment is the 200-year plus climate change event (see Section 3.2) and 1,000-year event whichever is the greatest. If the site is shown to be at flooding from these events then suitable flood resilience / mitigation measures are to be implemented in accordance with industry best practice guidance.

For example the Finished Floor Level (FFL) of the proposed dwelling is to be +600mm above the flood design criteria event which satisfies both SEPA and Fife Council's requirements.

2.3 National Planning Framework

This report has been prepared in accordance with NPF4 Policy 22 relating to Flood Risk and Water Management, which states:

" ***Policy Intent:***

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

Policy Outcomes:

- *Places are resilient to current and future flood risk.*
- *Water resources are used efficiently and sustainably.*

[6] Department for Levelling Up, Housing and Communities (2012), Annex 3 Flood Risk Vulnerability Classification

- *Wider use of natural flood risk management benefits people and nature."*

Furthermore, NP4 states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- *"Essential infrastructure where the location is required for operational reasons;*
- *Water compatible uses;*
- *Redevelopment of an existing building or site for an equal or less vulnerable use; or.*
- *Redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that longterm safety and resilience can be secured in accordance with relevant SEPA advice".*

3. Flood Risk Assessment

3.1 Screening Assessment of Potential Source of Flood Risk

3.1.1 Overview

There are a number of potential sources of flooding which should be evaluated in accordance with best practice and NPF4 such as:

- Flooding from rivers or fluvial flooding;
- Flooding from the sea or tidal / coastal flooding;
- Flooding from land;
- Flooding from groundwater;
- Flooding from sewers; and
- Flooding from reservoirs, canals, and other artificial sources.

The flood risk from each of these potential sources is discussed in the following sections and a 'screening assessment' is presented in Section 3.1.8 which confirms any potential flood risk sources requiring a more detailed analysis and specification of bespoke mitigation / control measures where applicable.

Flood 'risk' definitions within the screening exercise are based on a qualitative technical assessment taking into account the information reviewed, risk to site users and the Proposed Development itself.

3.1.2 Fluvial Flooding

Review of SEPA's Fluvial Flood Map for the site confirms that the proposed development site is potentially located within a 'high risk' flood extent from the adjacent Den Burn. The flood extent for the 'medium' and 'low' risk categories is almost identical to the 'high risk' event.

Therefore, for the purposes of this Screening Assessment, it is considered the development is at '**Low to High**' risk from fluvial sources and should be reviewed further –this is provided in Section 4.

3.1.3 Tidal/Coastal Flooding

The site is located sufficiently inland from tidally influenced waters and the coast, thus is not subject to tidal or coastal flood risk and designated as **'No Risk'** to the site.

Flooding from this source is therefore not considered further in the assessment.

3.1.4 Flooding from Land (Pluvial or Surface Water Flooding)

Review of SEPA's Surface Water Flood Map shows no significant accumulations of surface water flooding / ponding within the site –except along the western boundary which has a 'Low Risk' classification (1,000yr event).

As part of the overall site development, runoff from developed surfaces will be assessed and formally drained via appropriate drainage measures designed to industry standards.

Taking the above into account it is considered that there is '**Low Risk**' of surface water flooding and is therefore not considered further.

3.1.5 Groundwater Flooding

Review of SEPA's Groundwater Flood Map indicates the site and the surrounding local area is not located within a groundwater flood risk area. As outlined in Section 1.4, the site is underlain with clay based Alluvium to a depth of 1.8m bgl, beneath this is a more permeable layer of sand / silt / gravel in which a shallow groundwater table is present. This shallow groundwater unit will readily discharge to the River Ore and Den Burn horizontally and its vertical movement upwards would be inhibited by the impermeable clay layer above.

Taking the above into account it is considered that there is a **'Low Risk'** of groundwater flooding and therefore flooding from this source is not considered further.

3.1.6 Flooding from Sewers / Drainage Systems

A Scottish Water combined sewer is located along Cardenden Rd and adjacent to the western / northern site boundaries. In the event the sewer surcharges, shallow floodwaters would follow the natural topography and flow eastwards along the Den Burn river corridor away from the site. As the existing FFL of the Scout Hall building is raised above the surrounding ground level, surcharged waters would not be able to enter the building.

Taking the above into account it is considered that there is **'Low Risk'** of flooding to the site from sewers and drainage systems and therefore this source is not considered further in the assessment.

3.1.7 Flooding from Infrastructure Failure / Blockage

Review of SEPA's Reservoir Flood Mapping indicates that there are no significant impoundments of water immediately upgradient and in hydraulic continuity with the site which would pose a flood risk to the site in the event of failure.

In the event there was a total failure or block of the Den Burn culvert on Cardenden Rd, flows would overtop the road and re-join the channel immediately downstream and flow away from the site.

As such it is considered that the development site is at **'Low Risk'** of flooding from this source and therefore is not considered further (in isolation) in the assessment. Blockage / overwhelming of the Den Burn culvert is considered in Section 4 as part of the Technical Assessment of Fluvial Flood Risk.

3.1.8 Flood Risk Screening Assessment Review

A summary of the potential flood risk to the site from the sources reviewed in presented in Table 2 below. This 'Screening Assessment' is used to identify if any sources of flood risk are required to be investigated in more detail i.e., a 'Technical' more detailed assessment which would include consideration / specification of bespoke flood mitigation measures for the site development.

Table 2 Flood Risk Screening Assessment

Potential Flood Source	Screening Assessment of Flood Risk at Site[1]	Requiring Further Consideration i.e. Technical Assessment?
Fluvial flooding	Low to High Risk	Yes
Tidal flooding	No Risk	No
Flooding from lan	Lo w Risk	No
Groundwater flooding	Low Risk	No
Flooding from sewers / artificial drains	Low Risk	No
Flooding due to infrastructure failure / blockage	Low Risk	No

Notes: [1]only Flood Risks designated as being 'medium' or 'high' warrant further investigation

The Screening Assessment confirms that there is a '**Low to High Risk'** of fluvial flooding at the site from the Den Burn based on a qualitative review. As such a more detailed 'Technical Assessment' of flood risk is required for this source and is duly addressed in Section 4.

All other potential sources of flooding are not applicable or insignificant and therefore not considered further.

3.2 Climate Change

3.2.1 Context

The most recent Climate Change (CC) projections published by The UK Climate Impacts Programme are presented in report 'UKCP18'. Central estimates published in UKCP18 indicate marked increases in winter rainfall and decrease in summer rainfall but with more intense storms under all CO2 emissions scenarios across the majority of the country.

SEPA's most recent climate change allowances were published in March 2022[7] and are based on UKCP18 findings in conjunction with The Centre for Ecology and Hydrology's (CEH) 2020 study[8].

A climate change allowance in drainage and flood risk assessment terms is a prediction of anticipated change in peak river flow, peak rainfall intensity and sea level rise caused by future climate change.

The allowances applied for sea level rise, peak river flow and peak rainfall intensity are determined by river basin regions across Scotland. SEPA have developed a web map[9] to allow any location in Scotland to be identified for its applicable river basin region and respective climate change uplift allowanc es.

3.2.2 Peak River flow

With reference to SEPA's online map service, the site is located within the Tay river basin region. The peak river flow allowance until 2100 for this region is a 53% uplift.

In accordance with SEPA climate change guidance, given the relatively small catchment size of the Den Burn upstream of the site (20.72km^2), peak rainfall intensity uplifts (see below) should be used instead of peak river flow uplifts –in this case a 39% uplift should be applied.

3.2.3 Peak rainfall intensity

Using SEPA's online map service, the site is located within the Tay river basin region. The peak rainfall intensity allowance until 2100 for this region is a 39% uplift.

3.2.4 Sea Level Rise

Using SEPA's online map service, the site is located within the Tay river basin region. The cumulative sea level rise allowance until 2100 for this region is a 0.85m uplift.

This increase in predicted Sea Level rise will not increase flood risk as the site due to the distance inland and significant elevation differential.

[7] Scottish Environment Protection Agency (2022) Climate change allowances for flood risk assessment in land use planning
[8] Centre for Ecology & Hydrology (2021) Climate change impacts on peak river flows: Combining national-scale hydrological modelling and probabilistic projections
[9] SEPA Climate Change Allowances for Flood Risk Assessment in Land Use Planning: https://scottishepa.maps.arcgis.com/apps/webappviewer/index.html?id=2ddf84e295334f6b93bd0dbbb9ad7417

4. Technical Flood Risk Assessment - Fluvial

4.1 Introduction

4.1.1 Context

The screening assessment outlined above concludes a potential **'Low** to **High Risk'** of fluvial flooding from the Den Burn. As such, a detailed technical assessment of fluvial flooding at the site has been undertaken in the form of a detailed site-specific Hydraulic Flood Modelling Study.

4.1.2 Fluvial Flood Risk Overview

The local hydrology described in Section 1.5 of this report highlighted the locality of the Den Burn to the site. Given the proximity of the watercourse to the site there is a potential risk of high flows inundating the site as outlined in Section 3.1.2 previously.

SEPAs flood maps are not produced at a suitably accurate local scale to be relied upon for site specific assessments (as noted by SEPA themselves) and thus a bespoke hydraulic flood model has been constructed to determine the site specific risk.

4.1.3 Model Selection

To accurately assess the maximum water level that could occur both within the watercourse and out of bank flow, Gondolin have developed a 1D-2D linked hydraulic flood model using the Hydrologic Engineering Centre's River Analysis System (HEC-RAS). Additionally, the hydraulic flood model will assess the modes of flooding (i.e., onset of flooding, preferential flow routes etc.) and the maximum flood extents.

HEC-RAS has been successfully applied across the UK and is a recognised modelling package endorsed by SEPA and Local Authorities.

4.1.4 Model Extents

The 1D-2D linked model has been constructed to include all hydraulically significant features within the vicinity of the proposed development for the 1D domain and site area and local surroundings for the 2D domain. Following a site visit undertaken by an experienced Hydrologist, it was determined that only one hydraulically significant feature is relevant (the adjacent Cardenden Road Bridge) with respect to the proposed development and has been included within the 1D domain of the model.

The 1D domain has been constructed to include a sufficient length of the Den Burn both upstream and downstream of the proposed development. The total 1D reach length is approximately 300m with the site being located at the approximate middle point of the reach.

The 2D domain incorporates the local area adjacent to the left and right overbanks of the Den Burn and is extended sufficiently outward from the watercourse to ensure all potential floodplain inundation extents are included within the model.

An overview of the hydraulic flood model is shown on Drawing FRDA-002

4.2 Data Collection

4.2.1 Model Requirements

The construction of a 1D-2D linked hydraulic flood model requires a number of data sets and parameters which can be summarised under the following headings:

- Channel topographic sections
- Terrain data
- Hydraulic structures
- Hydrological inputs
- Hydraulic boundaries

- Roughness (Manning's n)
- Model Calibration

4.2.2 Channel Topographic Cross-Sections

Cross-sections of the Den Burn channel and immediate overbanks were surveyed by Aspect Land and Hydrographic Surveys Ltd (survey team) in February 2022 at locations specified by Gondolin. Georeferenced points were surveyed along 17no. cross-sections within the study area. Cross-sections were measured at regular intervals and where a significant change in river morphology occurred, such as a change in direction, channel width, channel depths and upstream and downstream of a structure. This allows the channel to be accurately represented within the 1D domain.

The surveyed sections are shown on Drawing FRDA-002.

4.2.3 Terrain Data

To assess out of bank flows within the model, terrain data must be applied to the model that accurately represents the local topography. A combination of topographic survey data and LiDAR data obtained from the Scottish Remote Sensing Portal[10] has been used to represent the local out of bank terrain within the model.

4.2.4 Hydraulic Structures

The Cardenden Road bridge was surveyed as part of the channel survey extents and the information obtained has been duly incorporated into the hydraulic flood model.

4.2.5 Hydrological Inputs

The hydrological inputs used in the model are detailed within Section 4.3 of the report.

4.2.6 Hydraulic Boundaries

A single inflow and outflow hydraulic boundary (boundary condition) were applied within the 1D domain of the hydraulic flood model. An additional outflow hydraulic boundary was applied within the 2D domain of the hydraulic flood model. The applied boundary conditions are summarised as follows:

- 1D Inflow Boundary: Flow hydrograph to represent the inflow into the model
- 1D Outflow Boundary: Normal Depth boundary to represent the outflow location of the 1D domain
- 2D Outflow Boundary: Normal Depth boundary to represent the outflow from the 2D domain (water flows that preferentially flow away from the watercourse once out of bank)

4.2.7 Roughness (Manning's n)

Channel and floodplain roughness were represented within the model by values of Manning's n. All values were chosen from standard values published in texts such as Chow[11], in comparison with photographs collected during site visits / provided by the survey team, satellite imagery and from professional experience / judgement.

4.2.8 Model Calibration / Validation

Model calibration / validation is detailed within Section 4.8 of the report.

4.3 Hydrological Analysis

4.3.1 Overview

The FEH offers two principal methods of flood flow estimation; the Rainfall-Runoff Method and the Statistical Method. The Statistical Method estimates peak flow for a catchment for a given annual

[10] https://remotesensingdata.gov.scot/data#/map
[11] Chow, V.T., Open Channel Hydraulics, 1959

exceedence probaility (AEP) event using a combination of historic gauging station data and catchment descriptors. The Rainfall-Runoff Method estimates the response of a catchment to a rainfall event of a given AEP and generates a peak flow based entirely on catchment descriptors.

The FEH is supported by WINFAP-FEH (WINFAP) and the Revitalised Flood Hydrograph V.2 (ReFH2) software applications published by Wallingford Hydrosolutions[12] which are used in combination with the FEH Web Service.

The WINFAP software supports the statistical procedures for flood frequency estimation, using historic annual maxima data alongside catchment descriptors. The latest version of WINFAP, version 5.0, has been used in this study in conjunction with the latest version of WINFAP data files.

Catchment charateristics outlined in Table 1 obtained from the FEH Web Service have been used within the hydrolgoical analysis.

4.3.2 Revitalised Flood Hydrograph V.2 (ReFH2)

The catchment associated with the reach of the Den Burn upstream of the site has been applied to the ReFH2 software to estimate peak flows for a range of AEP events and their respective hydrographs.

The hydrographs produced from the analysis are used as the basis of the upstream boundary conditions the hydraulic flood model.

Table 3 below provides the peak flow estimate for a range of typical return periods.

Table 3 ReFH2 Peak Flow Estimation Summary

Return Period (years)	AEP (%)	Peak Flow (m^3/s)
2	50	7.34
10	10	11.20
50	5	15.44
100	1	17.76
200	0.5	20.60
200 +39% CC*	0.5	30.44
1,000	0.1	30.48

* climate change uplift applied to rainfall model within ReFH2

4.3.3 Statistical Method

4.3.3.1 Overview

The Statistical Method is broadly a two-part process; the estimation of the median annual flood (QMED) and the derivation of a growth curve. The growth curve relates the increase in peak flow as a multiple of QMED against the rarity of the AEP event.

QMED can be generated from either annual maxima flow data or catchment descriptors, whereas the growth curve is generated solely from annual maxima data.

The annual maxima data required to generate the growth curve can either be from a single gauged site, or from a pooled group of hydrologically similar gauged sites. As there are no suitable gauging stations located near the application site, growth curves must be generated from a pooling group.

4.3.3.2 QMED Estimation

The QMED for the site is applied to the growth curve to estimate the flood flow of a given AEP event. WINFAP automatically estimates QMED from the catchment descriptors downloaded from the FEH

[12] https://www.hydrosolutions.co.uk/software/

Web Service. The estimation performed by WINFAP is in line with the updated 2008 statistical guidelines published by Kjeldsen (2008)[13].

The value of QMED rural from catchment descriptors has been estimated as 4.325m^3/s.

The value of QMED urban (used within the analysis) has been estimated as 4.643m^3/s.

4.3.3.3 Pooled Group Selection

Gauging stations within a pooling group need not to be close to one another in geographical space, but rather have similar hydrological characteristics for parameters such as AREA, SAAR and BFIHOST. The hydrological characteristics of the pooling group are centred on those of the subject site. WINFAP has been used to automatically generate a pooling group from the latest version WINFAP-FEH data files. This NRFA dataset contains Annual Maximum Flow (AMAX) and Peaks Over Threshold (POT) data for approximately 1,000 gauging stations in the UK. Only those catchments that are marked as 'suitable for pooling' have been considered for inclusion in the pooling group.

The minimum recommended pooling group size has a total record length of at least 500 years of Annual Maxima (AM) data.

4.3.3.4 Reviewing the Pooling Group

Once the pooling group has been generated, it must be reviewed to ensure that the most appropriate catchments are selected to predict the flood growth curve for the target site. The following factors were examined for each gauging station included in the initial pooling group:

- Station location and period of record;
- Similarity of flood seasonality;
- Similarity of further catchment descriptors;
- Comments and other information on the gauging station that may deem it unsuitable for inclusion in the pooling group; and
- Discordant sites and heterogeneity.

For each pooling group analysis, WINFAP provides a value of heterogeneity. Heterogeneity is a comparison of the l-moment ratios from site to site within the pooling group.

For the initial pooling group, a heterogeneity value of approximately 3.0 was calculated. The software provides a statement on what this means for the pooling group and in this case, the analysis was found to be 'heterogenous and a review of the pooling group is desirable'.

Upon review, the pooling group was refined with consideration of the above parameters and the updated pooling group recorded a heterogeneity value of approximately 1.9. A value of 1.9 is acceptable and therefore no further refinement of the pooling group was undertaken.

4.3.3.5 Deriving the Pooled Growth Curve

A set of flood growth curves have been generated for the pooling group in WINFAP. Growth curves are based on statistical distributions of which there are multiple methods within WINFAP. Goodness of fit analysis within the software enables the user to identify which distributions are suitable for use with the pooled analysis undertaken. Table 4 below provides a summary of the goodness of fit analysis undertaken.

Table 4 Pooling Group Goodness of Fit Test

Distribution	Goodness of Fit
General Logisti(	2.93
General Extreme Value	0.81*
Pearson Type II	-0.46*

[13] Kjeldsen et al, 2008. Improving the FEH statistical procedures for flood frequency estimation

Distribution	Goodness of Fit
General Paret	-3.93
Kappa 3	2.16

*Distribution gives an acceptable fit (absolute value < 1.645)

The analysis shows that the General Extreme Value (GEV) and Pearson Type III are statistically acceptable fits. The GEV method is more commonly used in UK flood frequency analysis and yielded a more conservative peak flow estimate and therefore has been used for growth curve estimation.

4.3.4 Peak Flow Estimation Comparison

Table 5 below provides a comparison of the range of peak flows estimated from both the ReFH2 method and the WINFAP method.

Table 5 Peak Flow Estimation Comparison

Return Period (years)	AEP (%)	ReFH2 Peak Flow (m^3/s)	WINFAP Peak Flow (m^3/s)
2	50	7.34	4.64
10	10	11.20	8.06
50	5	15.44	11.35
100	1	17.76	12.82
200	0.5	20.60	14.34
200 +39% CC	0.5	30.44	21.19
1,000	0.1	30.48	18.07

The above summary indicates that the ReFH2 method results in a significantly higher peak flow estimation. The ReFH2 method does not account for any attenuation of peak flows experienced by the presence of lakes or reservoirs within the catchment. This catchment characteristic is defined as FARL within the FEH Web Service. The subject catchment has a FARL value of 0.846. With reference to Volume 5 of the Flood Estimation Handbook[14], a FARL value of less than 0.9 indicates that significant attenuation of flows is likely. Approximately only 7.5% of gauged catchments (of which there are approximately 1,000) across the UK have a FARL value of less than 0.9.

Loch Gelly is located within the catchment and of the total subject catchment area (c.20km^2) approximately 75% of the area initially drains to Loch Gelly. As such, the FARL value for the subject site indicates significant attenuation of flows is likely. Therefore, it is considered that the ReFH2 flow estimates are not representative and have been discounted.

The WINFAP method accounts for attenuation from reservoirs and lakes through the application of the QMED estimation from catchment descriptors in which the applied equation includes consideration of FARL. As such, the WINFAP peak flow estimations have been adopted for the hydraulic flood model.

4.3.5 Adopted Model Hydrographs

WINFAP has been selected as the preferred method for peak flow estimations to be used within the hydraulic flood model. WINFAP only yields peak flow estimates and does not provide a flow-time hydrograph. As such, the hydrographs obtained from the ReFH2 analysis have been utilised within the hydraulic flood model but scaled accordingly to the WINFAP peak flow estimates.

Final adopted hydrographs for the reported design events modelled (200-year and 200-year plus climate change) are presented in Appendix D. It is noted that the 1,000 year event has not been modelled as the 200-year plus climate change results in the worst case event.

[14] Adrian Bayliss, 2008. Flood Estimation Handbook Volume 5 Catchment Descriptors

4.4 Model Implementation

4.4.1 1D Model Build

The 1D domain within the hydraulic flood model includes approximately 150m of the Den Burn both upstream and downstream of the site.

Channel geometry has been created using the surveyed cross-sections. The Cardenden Road bridge located immediately adjacent to the site has been modelled within the 1D domain.

4.4.2 2D Model Build

The 2D extents of the hydraulic flood model include the overbanks and potential floodplain extents of the Den Burn. The 2D domain consists of 2no. 2D flow areas accounting for both overbanks of the modelled watercourse.

4.4.3 1D/2D Model Build

The 1D reach within the hydraulic flood model has been connected to 2D flow areas at the overbanks using lateral structures. These structures allow flow to transition between the 1D and 2D domains of the hydraulic flood model. Lateral structures have been modelled as zero-height structures, with narrow widths and a weir coefficient of 0.3. These parameters best represent the application of the lateral structures within the hydraulic flood model, i.e., overland flow escaping the main channel and no physical structure present.

4.5 Model Results

Section 4.3 indicates that the 200-year plus climate change event yields the highest peak flow estimate (greater than the 1,000-year event) and thus this event was assessed.

The following flood model output drawings are appended to the FRDA report:

- Drawing FRDA-003: 200 Year Flood Extents
- Drawing FRDA-004: 200 Year +39% Climate Change Extents

The hydraulic flood model results show that the site is at risk of flooding during these events. During the 200-year event, flood depths within the site vary between approximately 0m –0.33m. The maximum flood elevation within the site is approximately 67.88mAOD at the site entrance from Cardenden Road.

During the 200-year plus climate change event, flood depths within the site vary between approximately 0m –0.41m. The maximum flood elevation within the site is approximately 67.93mAOD at the site entrance from Cardenden Road.

The flood extents shown include the footprint of the existing Scout Hall building. The proposed dwelling footprint will be less than the existing footprint (refer to Section 1.2) and thus the flood extents for the proposed development scenario will be less than the existing scenario as shown. The reduced proposed dwelling footprint will ensure no increased flood risk elsewhere and will in fact reduce local flood risk due to the additional floodplain storage provided at the site.

In accordance with CIRIA Report C624, Fife Council and SEPA's Technical Flood Risk Guidance, the FFL of the proposed dwelling is required to be +600mm above the design flood elevation. As such the finished flood level for the proposed dwelling shall be set at a minimum of 68.53mAOD. Further details regarding proposed flood mitigation and resilience measures are provided in Section 4.9.

4.6 Sensitivity Analysis

4.6.1 Overview

SEPA Flood Modelling Guidance recommends that key parameters in any hydraulic flood model should be varied to ensure model performance, given the inherent uncertainty in the modelling process.

The following parameters and variable have therefore been varied with the impact to the model performance assessed for the 200-year event:

- Channel and floodplain roughness
- Downstream boundary conditions
- Culvert blockage scenarios (modelled for 200-year plus climate change to represent worst case)

Sensitivity analysis on the model inflows has already been assessed in that a range of model inflows for a variety of return periods were ran to ensure model stability.

4.6.2 Channel and Floodplain Roughness

Manning's values both within the channel and floodplains within the hydraulic flood model have been varied by ± 10% as part of the sensitivity analysis. Table 6 below provides a summary of water levels at all cross-sections along the extent of the modelled channel including the upstream and downstream boundary.

The results within Table 6 indicate that the percentage changes in maximum water level of the sensitivity checks compared with the baseline model vary insignificantly within ± 0.15%. The analysis demonstrates that the model has very low sensitivity to changes in Manning's n values with respect to the 1D domain.

Table 6 Manning's Sensitivity Analysis

Cross-Section	-10%		Baseline Max Water Level (mAOD)	+10%	
	Max Water Level (mAOD)	Relative to Baseline (%)		Max Water Level (mAOD)	Relative to Baseline (%)
1	67.90	0.04%	67.93	67.96	-0.04%
2	67.91	0.01%	67.92	67.93	-0.01%
3	67.89	0.03%	67.91	67.93	-0.03%
4	67.9	0.01%	67.91	67.91	0.00%
5	67.85	0.01%	67.86	67.87	-0.01%
6	67.92	-0.01%	67.91	67.91	0.00%
7	66.92	0.00%	66.92	66.94	-0.03%
8	66.69	0.00%	66.69	66.71	-0.03%
9	66.75	-0.07%	66.70	66.70	0.00%
10	65.98	0.12%	66.06	66.16	-0.15%
11	66.06	0.02%	66.07	66.09	-0.03%
12	65.99	0.05%	66.02	66.03	-0.02%
13	65.86	0.02%	65.87	65.87	0.00%
14	65.57	0.03%	65.59	65.61	-0.03%
15	65.51	0.03%	65.53	65.56	-0.05%
16	65.48	0.02%	65.49	65.50	-0.02%
17	65.40	0.02%	65.5	65.43	-0.03%

An assessment of the sensitivity analysis within the floodplain has been undertaken. A sample of 2D cell flood elevations were assessed within the site boundary using a HEC-RAS profile line. The change in water level was within ±0.02m and the difference between baseline flood extents and sensitivity

analysis flood extents is insignificant. The analysis demonstrates that the model is insensitive to changes in Manning's n values with respect to the 2D domain.

4.6.3 Downstream Boundary Conditions

The normal depth downstream boundary conditions within the 1D and 2D domains have been varied by ± 20% as part of the sensitivity analysis. Table 7 below provides a summary of water levels at all cross-sections along the extent of the modelled channel including the upstream and downstream boundary

The results within Table 7 indicate that water levels at cross-sections in the upper areas of the reach are unaffected by the changes to the downstream boundary condition. Water levels at cross-sections near the downstream model extents vary insignificantly within ± 0.06%. The analysis demonstrates that the model is insensitive to changes in normal depth values at the downstream boundary condition with respect to the 1D domain.

Table 7 Downstream Boundary Condition Sensitivity Analysis

Cross-Section	-20%		Baseline Max Water Level (mAOD)	+20%	
	Max Water Level (mAOD)	Relative to Baseline (%)		Max Water Level (mAOD)	Relative to Baseline (%)
1	67.93	0.00%	67.93	67.93	0.00%
2	67.92	0.00%	67.92	67.92	0.00%
3	67.91	0.00%	67.91	67.91	0.00%
4	67.91	0.00%	67.91	67.91	0.00%
5	67.86	0.00%	67.86	67.86	0.00%
6	67.91	0.00%	67.91	67.91	0.00%
7	66.92	0.00%	66.92	66.92	0.00%
8	66.69	0.00%	66.69	66.69	0.00%
9	66.70	0.00%	66.70	66.70	0.00%
10	66.06	0.00%	66.06	66.06	0.00%
11	66.07	0.00%	66.07	66.07	0.00%
12	66.01	0.02%	66.02	66.02	0.00%
13	65.88	-0.02%	65.87	65.86	0.02%
14	65.59	0.00%	65.59	65.6	-0.02%
15	65.54	-0.02%	65.53	65.53	0.00%
16	65.48	0.02%	65.49	65.50	-0.02%
17	65.45	-0.06%	65.41	65.39	0.03%

An assessment of the sensitivity analysis within the floodplain has been undertaken. A sample of 2D cell flood elevations were assessed within the site boundary using a HEC-RAS profile line. No changes in water levels within the site were observed. The analysis demonstrates that the model is insensitive to changes in normal depth values at the downstream boundary condition with respect to the 2D domain.

4.6.4 Blockage Scenario

A blockage scenario of the Cardenden Road bridge has been modelled as part of the sensitivity analysis. The culvert opening is known to be relatively small (see Figure 1 below) with a clearance from the watercourse bed to the culvert soffit of approximately 1 metre. As such, a blockage during high flow events is probable and therefore has been assessed within the hydraulic flood model to

assess model performance and determine any increased flood risk posed to the site in the event of a culvert blockage.

Figure 1 Upstream face of Cardenden Road Culvert

A 75% blockage was applied to the upstream face of the culvert and Table 8 below provides a summary of the water levels during a blockage scenario in comparison to the baseline scenario for the 1-200 year plus climate change event.

The results within Table 8 indicate that water levels at cross-sections upstream of the culvert (cross-sections 1 –6) increase marginally by a maximum of 0.07%. Water levels at cross-sections downstream of the bridge a marginally reduced by a maximum of 0.2%. The analysis demonstrates that the model is insensitive to blockage scenarios with respect to the 1D domain.

Table 8 Blockage Scenario Sensitivity Analysis

Cross-Section	Baseline Max Water Level (mAOD)	75% Blockage	
		Max Water Level (mAOD)	Relative to Baseline (%)
1	67.98	68	0.03%
2	67.99	68.01	0.03%
3	67.96	67.98	0.03%
4	67.98	68.01	0.04%
5	67.89	67.94	0.07%
6	68.01	68.06	0.07%
7	67.06	66.96	-0.15%

Cross-Section	Baseline Max Water Level (mAOD)	75% Blockage	
		Max Water Level (mAOD)	Relative to Baseline (%)
8	66.84	66.81	-0.04%
9	66.95	66.82	-0.19%
10	66.23	66.1	-0.20%
11	66.15	66.09	-0.09%
12	66.08	66.04	-0.06%
13	65.96	65.9	-0.09%
14	65.67	65.62	-0.08%
15	65.63	65.57	-0.09%
16	65.53	65.5	-0.05%
17	65.49	65.44	-0.08%

An assessment of the sensitivity analysis within the floodplain has been undertaken. A sample of 2D cell flood elevations were assessed within the site boundary using a HEC-RAS profile line. The increase in water level is marginal with a maximum increase of 0.066m and the difference between baseline flood extents and sensitivity check flood extents is insignificant. The analysis demonstrates that the model is insensitive to blockage scenarios with respect to the 2D domain and changes to flood depths within the site due to a culvert blockage are insignificant.

Drawing FRDA-005 shows the flood extents associated with the culvert blockage scenario assessed above.

4.7 Mass Balance

It is noted that all hydraulic flood modelling of this nature carries inherent uncertainty, thus SEPA's flood modelling guidance recommends that mass balance errors should be less than 1%. This check ensures the model is not gaining or losing inappropriate amounts of water volume. Mass errors were reviewed for the design events modelled.

All modelled scenarios exhibited mass balance errors of approximately 0.01% or less.

As such, there is very high confidence in the developed 1D-2D linked hydraulic flood model results used to inform the flood risk to the site.

4.8 Model Calibration / Validation

4.8.1 Overview

It is understood a recent extreme flood event occurred on 11th and 12th August 2020 in which the Den Burn culvert (on Cardenden Rd) and Bowhill Bridge (on the River Ore some 250m to the northwest of the site) were partially / fully blocked with debris / silt and this contributed towards widespread flooding in Cardenden. It is reported by SEPA who undertook a specific review of this[15] that this extreme flood event was between a 300 and 1,000-year return period –the latter equates to the 'low risk' flood category as per SEPA Flood Map designations (see Section 2.3).

As such, this specific extreme flood event is reviewed below along with anecdotal photographic evidence to provide qualitative model validation. The available data is not suitable to inform model calibration given the lack of the gauging data within the Den Burn but a comparison of modelled flood elevations with the anecdotal evidence shall provide confidence in the modelling results if approximate observed levels during the flood event are comparable with the model outputs.

[15] Scottish Environment Protection Agency (2020) The Flash Floods of 11 and 12 August 2020 in Central and Eastern Scotland

4.8.2 Review of Flood Event on 11th and 12th August 2020

4.8.2.1 SEPA's Technical Review

Key extracts from SEPA's technical review of the 11th / 12th August 2020 flood event[5] are replicated below:

- *The rainfall measured during the evening of the 11 August and morning of the 12 August 2020 suggests that the rainfall was an extreme event compared to historical records and can be considered rare;*
- *Scotland has historically observed similar, if not higher rainfall totals as presented in this report, but nevertheless the intensities recorded between the 11 and 12 August were exceptional. What also makes these convective-driven thunderstorms unique is the relatively widespread nature of the event affecting large parts of Central and Eastern Scotland, rather than being isolated to a single location or urban centre;*
- *During the evening and overnight period of Tuesday 11 August and the morning of Wednesday 12 August, a cluster of thunderstorms formed and tracked northwards across the eastern half of Scotland before clearing into the North Sea. These brought significant amounts of rain and lightning, with the intensity of the rain resulting in large accumulations in a short period of time;*
- *Maximum hourly rainfall accumulations are typically expected to have a return period of a 1 in 100 years. However, the 4- and 12-hour accumulations for Kinghorn and Fife Airport are expected to have a return period in the range of 1 in 300 and 1 in 1,000 years.*

To visualise just how extreme the August 2020 event was in Fife, a Rainfall Depth-Duration graph was produced by SEPA comparing historically extreme short duration rainfall events across Scotland –this is replicated as Figure 2 below.

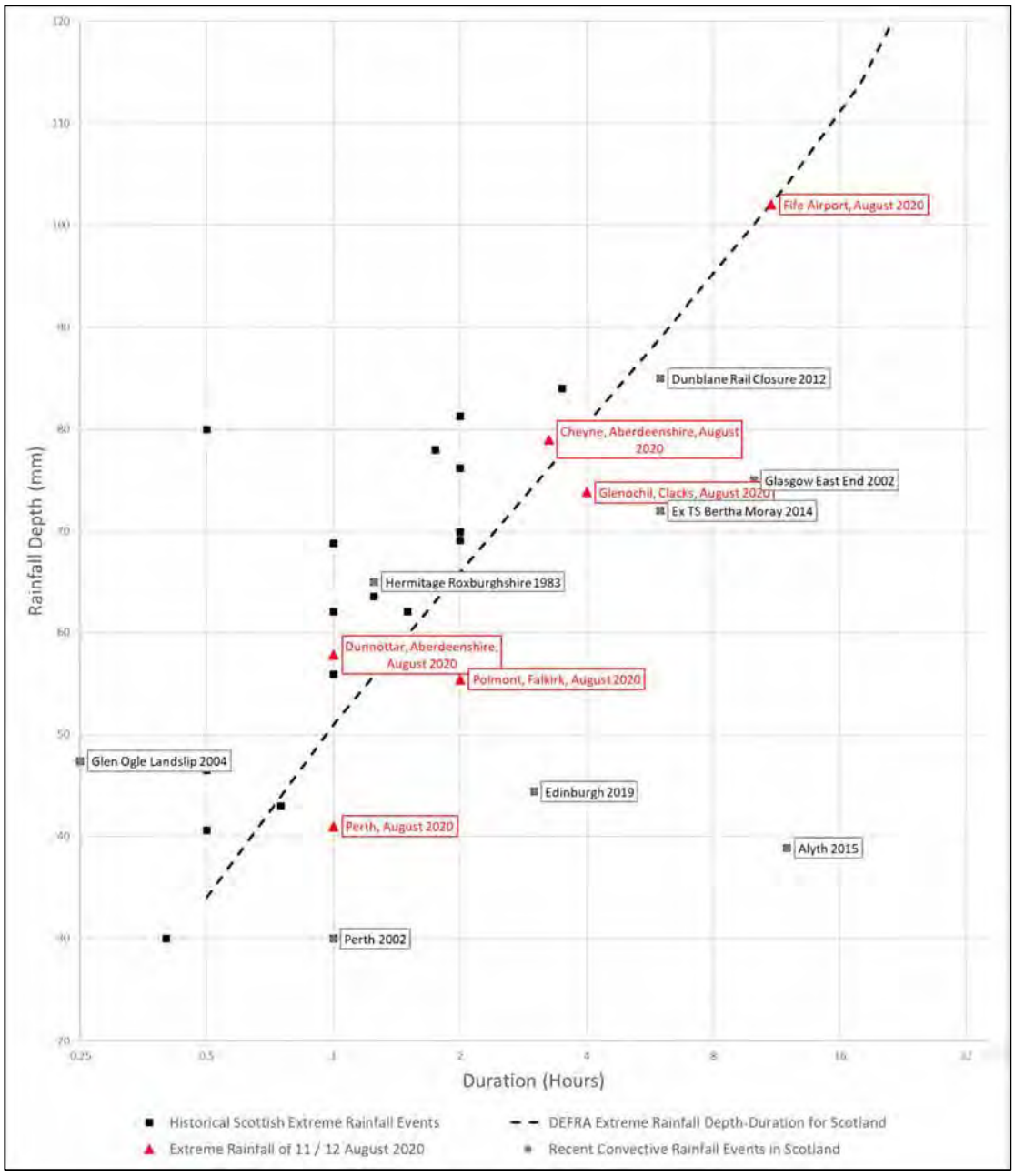


Figure 2 – Comparison of 11/12th August 2020 Rainfall with Historical Events in Scotland

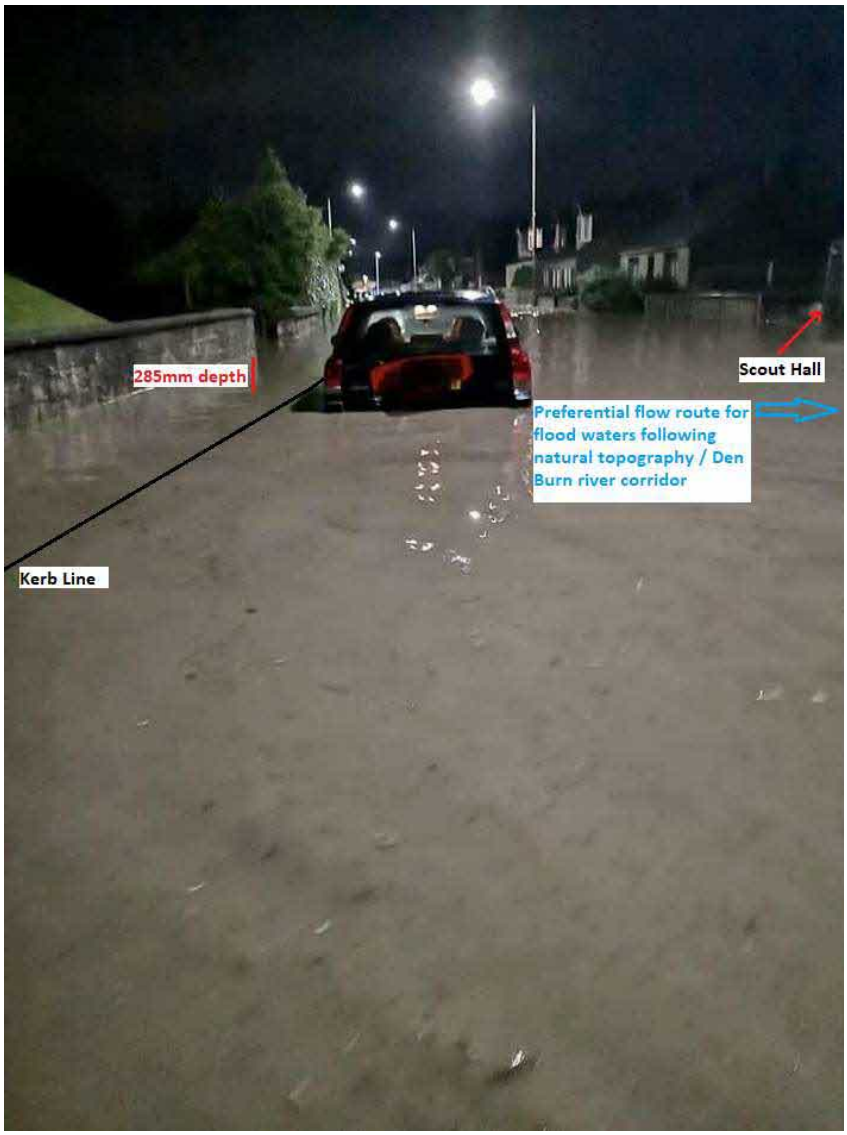
As can be seen from Figure 2 above, the extreme rainfall event within Fife is the worst on record in Scotland confirming the exceptional and unique nature of this event.

4.8.2.2 Impact on Proposed Development Site

A flood survey of the August 2020 event was undertaken to inform this report by an experienced Chartered Hydrologist. This involved data gathering from the event and obtaining eyewitness accounts from residents of Cardenden.

As the peak of the flood event occurred in the early hours of 12th August ~2-4am, there is limited evidence of the flood waters at the Scout Hut building, however evidence has been gathered on Cardenden Rd directly outside the site –refer to annotated Figure 3 below (photo taken at 3.05am on 12th August 2020).

Figure 3 – Photo of Peak Flood Event on Cardenden Rd at Den Burn Culvert



With reference to the Topographic Survey (Appendix B) the measured 285mm depth from the max water level to ground level results in a maximum flood elevation estimation of 67.85mAOD.

Given the minimum FFL of the existing Scout Hut Building is 67.93mAOD, then even during this extreme flood event (the worst on record in Scotland as per Figure 2) and the flood event being made worse by the Den Burn culvert and River Ore bridge becoming blocked the building remained free of flooding. The 4th Fife Scout Group who owned the Scout Hall at the time of the floods have confirmed in writing that the August 2020 floods did not flood / cause damage to the building –therefore corroborating the above (refer to Appendix E).

Assessing the estimated flood elevation of 67.85mAOD at the site is also a conservative approach, as the actual level is likely to have been lower due to the reference point being on the opposite side of the Den Burn corridor which would act as a preferential flow route for flood waters drawing them away from the site.

The short term nature of this extreme flood event is confirmed via post flood survey footage –refer to Figure 4 below (photo from Cardenden Flood Resilience Group and taken at ~10am on 12th August 2020).

Figure 4 – Photo of Post Peak Flood Event on Cardenden Rd at Den Burn Culvert / Scout Hall

As can be seen by the annotated photograph, the frontage of the Scout Hall is raised above Cardenden Rd and the Den Burn natural bank tops, with flood water being preferentially routed east along the Den Burn corridor away from the site.

4.8.3 Comparison of August 2020 Flood and Hydraulic Flood Model Outputs

As outlined above, the August 2020 flood was described by SEPA to have a return period in the range of 300 and 1,000-year event. The estimated maximum flood elevation during this event directly opposite the site on Cardenden Road is 67.85mAOD.

Given the stated range for the August 2020 event, it is not possible to accurately calibrate the hydraulic flood model to the above estimated flood level given the uncertainty of the exact return period. Nevertheless the modelled design events of 200-year and 200-year plus climate change are a good indication of the minimum and maximum return periods within the range stated by SEPA for the August 2020 event. As stated in Section 4.5, the maximum modelled flood elevations within the site extents are:

- 200-year event: 67.88mAOD
- 200-year plus 39% climate change event: 67.93mAOD

It is noted that these maximum flood elevations were observed at the site entrance from Cardenden Road and are thus in a comparable location to the flood depth measurement from Figure 2.

The modelled flood elevations are comparable with the estimated flood elevation during the August 2020 event, with less than 100mm between all three estimates, indicating that the model is representative of the real-world flood dynamics at the site and local area.

It is also noted that the two modelled design events exhibit a very similar maximum flood elevation with only 50mm of elevational increase for the climate change event, despite the large peak flow increase associated with this. This indicates that both the modelled design events and the August 2020 event flood elevations are nearing the 'maximum design' natural flood level that can reasonably be reached at the location given the minor changes in flood levels within increasing flows.

The natural flood level that can be achieved at the site is governed by the local topography as the Den Burn river corridor falls away quickly to the east and thus does not allow floodwaters to 'back up' from further downstream and raise flood levels.

This assessment therefore provides further confidence that the hydraulic flood model demonstrates a reliable correlation of the flood elevation estimates at the site to inform the proposed development.

4.9 Proposed Flood Mitigation Measures

4.9.1 Finished Development Levels

In accordance with CIRIA Report C624, Fife Council and SEPA's Technical Flood Risk Guidance, the FFL of the proposed dwelling is required to be +600mm above the design flood elevation.

During the 200-year plus climate change event, flood depths within the site vary between approximately 0m –0.41m. The maximum flood elevation within the site is approximately 67.93mAOD at the site entrance from Cardenden Road.

Therefore, the proposed FFL is to be 67.93mAOD + 600mm = **68.53mAOD**. An appropriate stair entrance and ramped entrance will be provided in accordance with the Scottish Building Regulations –refer to Appendix A for proposed development plans.

It is proposed that the garden area (green hatched area shown in Appendix A), would comprise a raised decking / patio area (in which flood water can pass beneath) which is accessible from the eastern side of the dwelling (via patio doors) in which the finished level will be set a minimum of +600mm above the design flood elevation: 67.93mAOD + 600mm = **68.53mAOD**. This satisfies the criteria set out in Fife Council's SuDS / FRA guidance.

4.9.2 Flood Resilience Measures

The proposed development (and existing Scout Hall platform in which the dwelling is to be built upon) will be made flood resilient taking account of the following key guidance documents and the Scottish Building Regulations:

- CIRIA Report C790 –Guidance on the code of practice for property flood resilience (2020)
- RIBA –Retrofitting for Flood Resilience, A Guide to Building & Community Design
- Department for Communities and Local Government –Improving the flood performance of new buildings, Flood Resilient Construction (May 2007)

Full resilience and protection measures will be specified at Building Warrant application stages in consultation with a flood expert.

4.10 Summary of Technical Flood Risk Assessment

The Flood Risk Screening Assessment undertaken in Section 3.1 identified that further assessment was required to determine the flood risk to the site in respect to the fluvial flooding from the Den Burn.

As such, a bespoke 1D/2D hydraulic flood model was developed for the site. This bespoke model has been developed in accordance with SEPA's Technical Flood risk guidance and has been constructed using present day detailed terrain and river survey information, including ground survey data of the site area and local surrounds. The hydrological inputs to the model have been based on recognised flood estimation methods and two methods have been undertaken for comparison purposes and the most appropriate method has been adopted for the assessment.

A range of return periods have been assessed within the hydraulic flood model, however only two have been reported on given they are the most extreme events that were modelled, the 200-year event and the 200-year plus climate change event.

The hydraulic flood model results show that the site is at risk of flooding during these events. During the 200-year event, flood depths within the site vary between approximately 0m –0.33m. The maximum flood elevation within the site is approximately 67.88mAOD at the site entrance from Cardenden Road.

During the 200-year plus climate change event, flood depths within the site vary between approximately 0m –0.41m. The maximum flood elevation within the site is approximately 67.93mAOD at the site entrance from Cardenden Road.

The modelling outputs have been comparted with the extreme flood event that occurred on the 11th and 12th August 2020. SEPA stated that the event was equivalent to between a 300 and 1,000-year event. Anecdotal photographic evidence taken during the flood event was reviewed and a

maximum flood elevation of 67.85mAOD was estimated on Cardenden Road, immediately opposite the site entrance.

The modelled flood elevations are comparable with the estimated flood elevation during the August 2020 event, with less than 100mm between all three estimates, indicating that the model is representative of the real-world flood dynamics at the site and local area.

It is also noted that the two modelled design events exhibit a very similar maximum flood elevation with only 50mm of elevational increase for the climate change event, despite the large peak flow increase associated with this. This indicates that both the modelled design events and the August 2020 event flood elevations are nearing the 'maximum design' natural flood level that can reasonably be reached at the location given the minor changes in flood levels within increasing flows.

The comparison to the August 2020 event therefore provides further confidence that the hydraulic flood model demonstrates a high quality correlation of flood elevation estimates at the site to inform the proposed development.

The FFL of the proposed dwelling is to be set +600mm above the maximum design flood elevation at 68.53mAOD. The proposed finished level of the raised decking / patio area within the garden space along the eastern boundary is also to be set at 68.53mAOD.

A new ramp and stair entrance will be implemented on the site frontage for access and egress to the raised dwelling.

Flood Resilience Measures will be duly incorporated into the design of the dwelling and detailed at the Building Warrant application stage.

The proposed development, taking account of the proposed mitigation and resilience measures would be a significant betterment in terms of flood risk resilience and safety compared to the existing site use. If the Scout Hall was recommissioned and put into use again the users would be at a greater level of flood risk than the users of the proposed development. Furthermore, the proposed development will increase local floodplain storage and thus have a positive impact in terms of local flood risk reduction.

Taking all the above into account, it is considered that the proposed development is suitable, safe and sustainable in flood risk planning terms.

5. Surface Water Drainage

5.1 Overview

The existing site is formally drained directly to the adjacent Den Burn / Cardenden Rd drainage via conventional methods (roof downpipes, drainage channels / gullies) and informally via direct runoff.

Section 4.2 of Fife Council's SuDS / FRA Guidance lists a series of exemptions in which a formal Surface Water Management Plan (SWMP) is not required to be submitted with a planning application and applicable to this proposed development are as follows:

"Alteration and small-scale extension proposed on an existing hardstanding area that has existing positive drainage in place."

And

"Changes of use not involving new buildings or hard surfacing."

As no new additional hardstanding is proposed, the dwelling footprint is largely aligned to the existing building and indeed as there is a small reduction in the proposed roof / impermeable area (See Section 1.2) there would be a net reduction in runoff / drainage discharge rates from the site and therefore both or one of the exemptions above are considered to apply.

Notwithstanding, the best available option for surface water drainage is expected to be demonstrated and the proposed strategy is summarised below.

5.2 Proposed Surface Water Drainage Strategy

Given the limited space on the plot, scale of development and the existing built-nature of it, the development is considered to be a Typology 7 –Neighbourhood Street (See Section 11 of the SuDS Manual, CIRIA report C753, Page 190).

Typical SuDS Components which are suitable in this development context are as follows:

- Rainwater harvesting components overflowing onto on-plot rain gardens
- Shared driveways and footpaths are drained using lined pervious pavements with sub-base storage
- Rain gardens and sub-base storage slowly drain into highways trench planters, underdrained swales and/or bioretention areas
- Trench planters collect, convey and treat runoff from adjacent footways and potentially roof catchment via downpipes. These can take the form of ground-level planted channels and/or raised planters
- The trench planter and the bioretention system conveys water to a local detention basin if space is available
- The trench planters and bioretention system with tree pits play an important role in treating surface water runoff

Drawing FRDA-006 provides a surface water drainage strategy for the development utilising a range of the above components.

Roof drainage is to be routed to above ground rainwater harvesting tanks within the raised patio area which will have overflows to raised trench planters located along the eastern edge of the garden area. These trench planters will be permeable and allow collected water to filter through slowly and be released to the Den Burn.

Runoff from the frontage of the site enters the road drainage on Cardenden Rd and directly runs off into the Den Burn. It is proposed below ground trench planters and a tree pit / bioretention area are installed to capture a proportion of this runoff. Once the capacity of the systems is reached then these would overflow to the existing Cardenden Rd drainage / discharge to the Den Burn.

These proposals provide suitable water quality treatment and runoff reduction / attenuation from the re-developed site and are proportional for the scale and nature of development.

Ultimately, the proposals provide a betterment in both water quality and quantity control terms compared to the current scenario.

6. Wastewater Drainage

The existing Scout Hall has basic kitchen facilities, toilets and wash basins and discharges effluent directly to the Combined Sewer on Cardenden Rd.

The proposed development will utilise this existing connection and appropriate consultation and a formal application would be made to Scottish Water at the post planning stage.

7. Closure

Gondolin Land and Water Ltd has been appointed by Mr & Mrs Smith to prepare a Flood Risk and Drainage Assessment in support of a planning application for a proposed re-development of the former Scout Hut site into a residential dwelling located at Cardenden Road, Cardenden, Fife, KY5 0PA.

The Flood Risk Screening Assessment undertaken identified that further assessment was required to more accurately quantify the potential fluvial flood risk to the site from the Den Burn.

As such, a bespoke 1D/2D hydraulic flood model was developed for the site. This bespoke model has been developed in accordance with SEPA's Technical Flood risk guidance and has been constructed using present day detailed terrain and river survey information, including ground survey data of the site area and local surrounds. The hydrological inputs to the model have been based on recognised

flood estimation methods and two methods have been undertaken for comparison purposes and the most appropriate method has been adopted for the assessment.

A range of return periods have been assessed within the hydraulic flood model, however only two have been reported on given they are the most extreme events that were modelled, the 200-year event and the 200-year plus climate change event.

The hydraulic flood model results show that the site is at risk of flooding during these events. During the 200-year event, flood depths within the site vary between approximately 0m –0.33m. The maximum flood elevation within the site is approximately 67.88mAOD at the site entrance from Cardenden Road.

During the 200-year plus climate change event, flood depths within the site vary between approximately 0m –0.41m. The maximum flood elevation within the site is approximately 67.93mAOD at the site entrance from Cardenden Road.

The modelling outputs have been comparted with the extreme flood event that occurred on the 11th and 12th August 2020. The modelled flood elevations are comparable with the estimated flood elevation during the August 2020 event, with less than 100mm between all three estimates, indicating that the model is representative of the real-world flood dynamics at the site and local area.

The FFL of the proposed dwelling is to be set +600mm above the maximum design flood elevation at 68.53mAOD. The proposed finished level of the raised decking / patio area within the garden space along the eastern boundary is also to be set at 68.53mAOD.

The proposed development for a residential dwelling is considered suitable in flood risk planning terms and the proposed use is for an equal or less vulnerable use than the current site use and will deploy suitable flood risk mitigation / resilience measures, including raising the Finished Floor Levels to a minimum of +600mm above the design flood elevation.

A new ramp and stair entrance will be implemented on the site frontage for access and egress to the raised dwelling.

Flood Resilience Measures will be duly incorporated into the design of the dwelling and detailed at the Building Warrant application stage.

Fundamentally, the proposed development, taking account of the proposed mitigation and resilience measures would be a significant betterment in terms of flood risk resilience and safety compared to the existing site use. If the Scout Hall was recommissioned and put into use again the users would be at a greater level of flood risk than the users of the proposed development. Furthermore, the proposed development will increase local floodplain storage and thus have a positive impact in terms of local flood risk reduction.

No other potential flood risk sources (in isolation) to the site were identified.

Taking all the above into account, it is considered that the proposed development is suitable, safe and sustainable in flood risk planning terms. With the implementation of flood risk mitigation and resilience measures, the residual fluvial flood risk is considered ‘low’.

This report also assesses the potential increase in surface water runoff attributed to the proposed development and proposes a surface water management strategy to manage this. The strategy is in accordance with sustainable drainage principles and proposed SuDS measures commensurate with the scale and nature of development in accordance with the SuDS Manual.

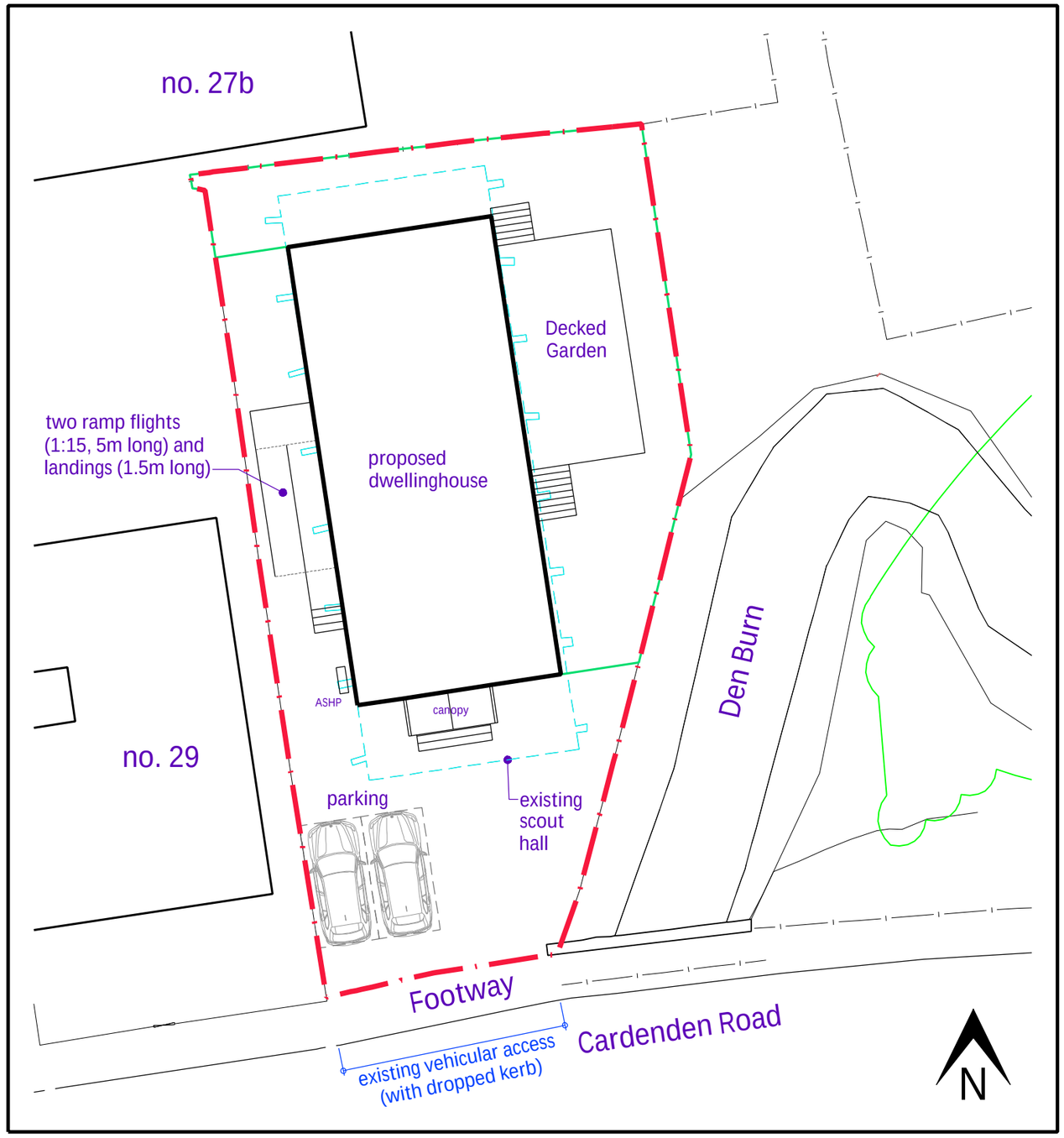
The site benefits from an existing wastewater connection to the Combined Sewer on Cardenden Rd which would be utilised as part of the site re-development.

Taking all of the above into account it is considered there is no impediment to the development proposals being granted planning permission on the grounds of flood risk and drainage provision.

Completed compliance certificates required by Fife Council as per their SuDS / FRA Guidance are included as Appendix F.

Appendix A

Proposed Development Plan



Scale (1:200)

0m 5m 10m 15m 20m

Plot area = 476m²
⅓ Plot area = 159m²
house footprint = 144m²
garden area = 153m² (shaded green)

Rev'n	Date	Description	By
A	29 Mar 23	Deck area shown	d.v.

Project / Client:

Proposed Dwellinghouse
at Former Scout Hall Site, Cardenden Rd, Cardenden
for Pauline & Jim Smith

Drawing Title:

Planning: Block Plan

DX2 CONSULTANCY

Architectural Services and
Technical Construction Specialists

A: 317 Rona Place, Glenrothes, Fife, KY7 6RR
T: 07925-372034 / 07925-130388
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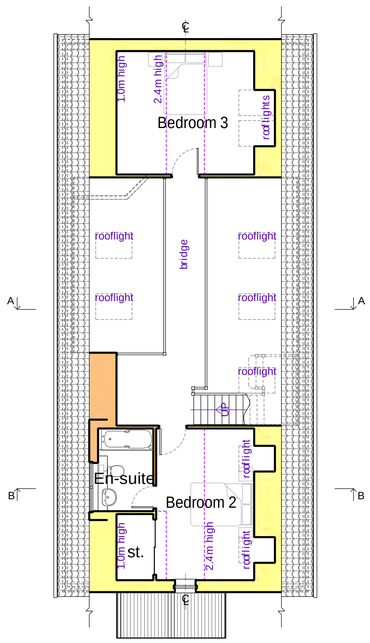
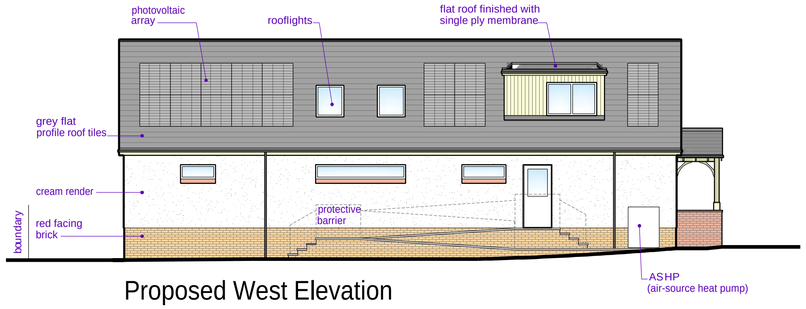
Project Reference:	Scales:	Date:
21-025-Smith, Cardenden	1:200	Feb 23
Drawing Number:	Sheet size:	Drawn:
23-21/025-037	A3	d.v.
	Revision:	Checked:
	A	d.d.g.



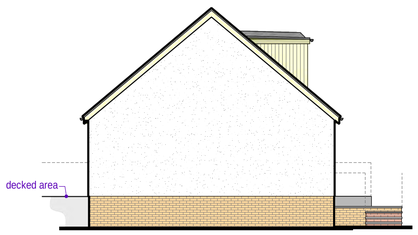
Proposed Upper Floor Plan

Floor Area = 60m^2 this floor only (internal face of plasterboard)
(Total 186m^2 for both floors)

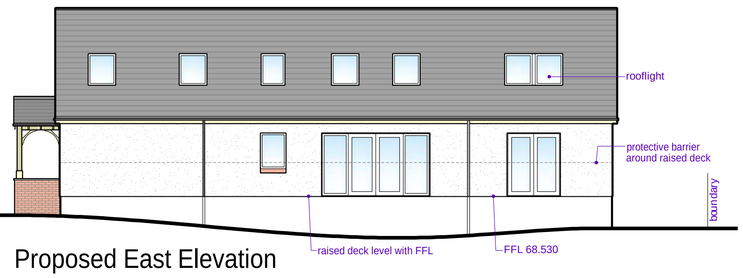
Proposed South Elevation



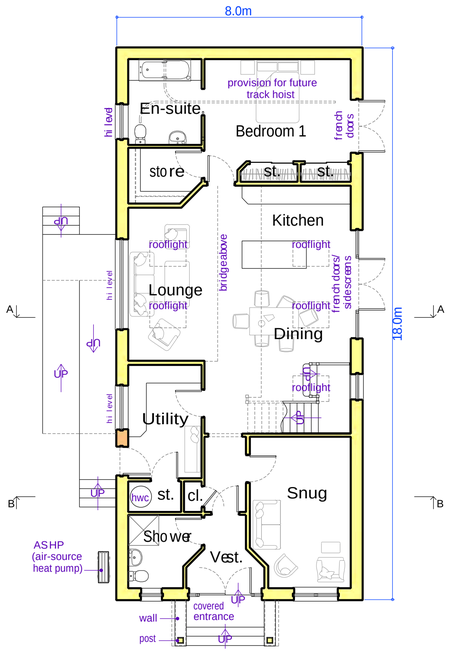
Proposed West Elevation



Proposed North Elevation



Proposed East Elevation

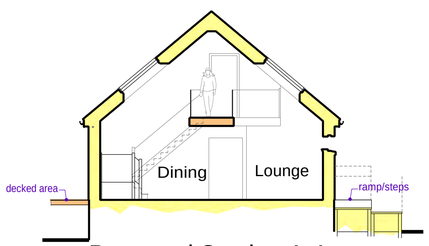


Proposed Ground Floor Plan

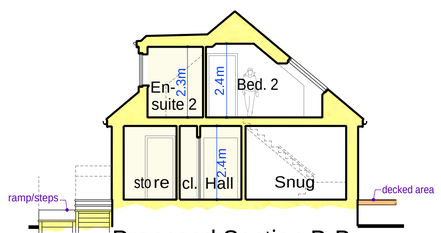
Floor Area = 126m^2 this floor only (internal face of plasterboard)
(Total 186m^2 for both floors)

Scale 1100

0m 1m 2m 4m 6m 8m 10m



Proposed Section A-A



Proposed Section B-B

General Notes:

- This drawing must be read in conjunction with all other drawings and specifications produced specifically for this project.
- Any discrepancies found are to be brought to the attention of the building designer and/or Engineer at the earliest possible moment.
- All dimensions given on this drawing are in millimetres, unless stated otherwise.
- The contractor must check all sizes on site before proceeding with the works.
- All works are to be completed in strict accordance with the Building Regulations for Scotland as per the approved drawings.
- Where manufacturers' names are listed, they should be read as 'equal and approved'.
- The Contractor will allow for all necessary precautions to be undertaken to satisfy HSE requirements, including ensuring all construction risks including the use of hazardous materials are fully assessed, clearly highlighted and adequate safety measures are put in place to ensure the safety of the workforce, client and public at all times.
- Works shall be carried out in accordance with good building practices.
- All works to comply with the Building(Scotland) Act 2003, the Building (Scotland) Regulations 2004 and all current amendments.
- The Contractor shall be responsible for contacting the appointed Building Standards inspector as soon as works commence in order to establish the Local Authority's policy for carrying out inspections and witnessing the testing of drainage inspections. The Contractor is responsible for giving notice, arranging and carrying out the required inspections to the satisfaction of the the Local Authority. Work must not be covered over and concealed before the inspection takes place or the tests are witnessed.
- If in doubt, stop and ask.
- The Contractor is to satisfy himself as to the location of all overhead and underground services on site prior to the commencement of works.
- The Contractor is advised to expose all underground services by hand.
- The Contractor is responsible for notifying the building designer of any services below or adjacent to the building footprint.

Rev'n	Date	Description	By
B	06 Mar 23	External steps altered/added	d.v.
A	23 Feb 23	FFL note amended	d.v.

Project / Client:

Proposed Dwellinghouse
at Former Scout Hall Site, Cardenden Rd, Cardenden
for Pauline & Jim Smith

Drawing Title:

Planning:
House Design

DX2 CONSULTANCY
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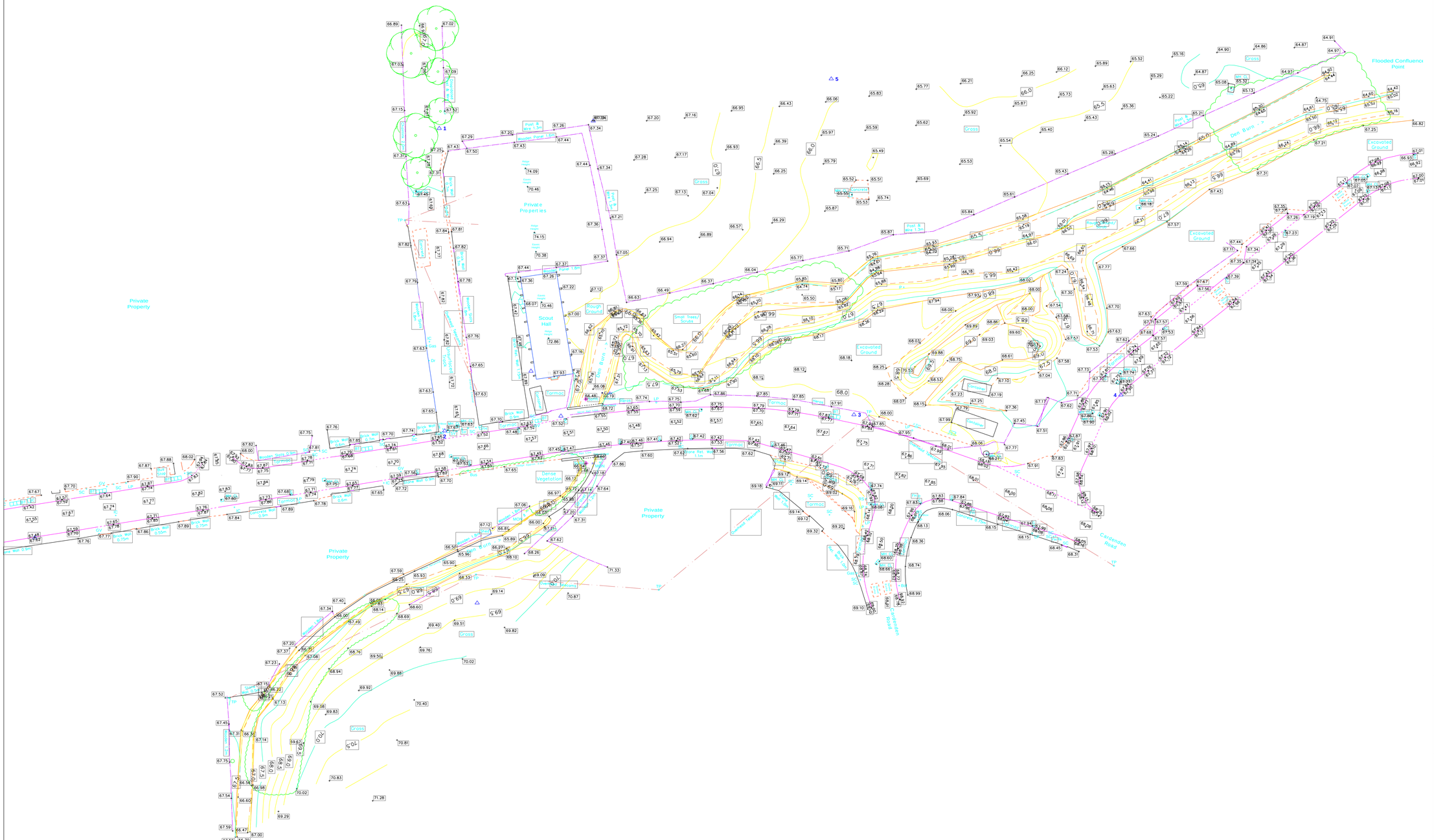
Project Reference:	Scales:	Date:
21-025-Smith, Cardenden	1:100	Feb 23
Drawing Number:	Sheet size:	Drawn:
23-21/025-036	A1	d.v.
	Revision: B	Checked: d.d.g.

Appendix B

Topographic Survey



Link Feature Legend

- Bottom of bank
- Building
- Building Overhang
- Ditch
- Fence
- Foliage
- Hedge
- Kerb
- Low Kerb
- Pipeline
- Stream
- Top of bank
- Verge
- Wall
- Water Line

Point Feature Legend

Air Valve	AV
O.S. Benchmark	BM
Bollard	Bol
Borehole	BH
Bus Stop	Bus
British Telecom	BT
Cable T.V.	CTV
Culvert	Culv
Drain	Dr
Electricity Pole	EP
Earth Rod	Erod
Fire Hydrant	FH
Gas Valve	GV
Gully	G
Inspection Cover	IC
Invert Level	IL
Kerb Outlet	KO
Lamp Post	LP
Manhole	MH
Meter	Met
Marker Post	MP
Post	P
Rodding Eye	RE
Road Sign	RS
Spot level	+
Stop Cock	SC
Stop Valve	SV
Telegraph Pole	TP
Threshold Level	TL
Traffic Signal	TS
Trial Pit	PIT
Ridge Level	Ridge Ht
Eaves Level	Eaves Ht

Tree (To scale)

SURVEY IS ROTATED TO GRID NORTH.

Notes:

Horizontal Control points are relative to the NATIONAL GRID.

All levels are relative to ORDNANCE DATUM.

The datum was established using corrected OS Rinex data and post processed using Business Centre Software.

CONTROL STATION COORDINATES

STN	EASTING	NORTHING	LEVEL
1	321909.859	695353.419	67.307
2	321911.096	695285.942	67.675
3	322002.349	695289.551	67.934
4	322061.875	695293.954	67.981
5	321997.298	695364.459	66.178

Aspect
Land + Hydrographic Surveys
CHARTERED SURVEYORS
Thornhouse Business Centre
Ballot Road
Tel : 01294 313399 Irvine Fax : 01294 313389
KA12 OHW
E-mail: mail@aspectsurveys.com
Web: www.aspectsurveys.com

Client :

GONDOLIN LAND & WATER
35/1 BALFOUR STREET
EDINBURGH
MIDLOTHIAN
EH6 5DL

Project Title :

TOPOGRAPHIC SURVEY
CARDENDEN
FIFE

Project No: A8089	Scale : 1:500
Surveyed date : 21st February 2022	Issued date : 1st March 2022
Surveyed by : LD	Checked by: SJS
Sheet No. : 1 of 1	Plot Scale: 1:1 @ A0

Appendix C

Scottish Water Asset Plans

Warning! Damaging a large diameter trunk main (12"/300mm and above) can result in loss of life and major water supply and water quality problems. If you're planning any extension work in the vicinity of any large diameter mains shown on our maps, you must contact Scottish Water to arrange a site visit 08000 778 778 WELL IN ADVANCE OF THE WORKS

Plotted By: sheila.maciver@national-one-call.co.uk

OP-OQWBR265 Waste Water Plan

The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District Office.

Date: 06/06/2022

0 5 10 20 Meters

SCALE: 1:1,323

Scottish Water
Castle House,
6 Castle Drive,
Dunfermline,
KY11 8GG
Tel No: 08000 778 778

Plotted By: sheila.macvicar@national-one-call.co.uk

The representation of physical assets and the boundaries of areas in which Scottish Water and others have an interest does not necessarily imply their true positions. For further details contact the appropriate District office.

Date: 06/06/2022

OP-OQWBR265 Water Plan

0 5 10 20 Meters

SCALE: 1:1,323

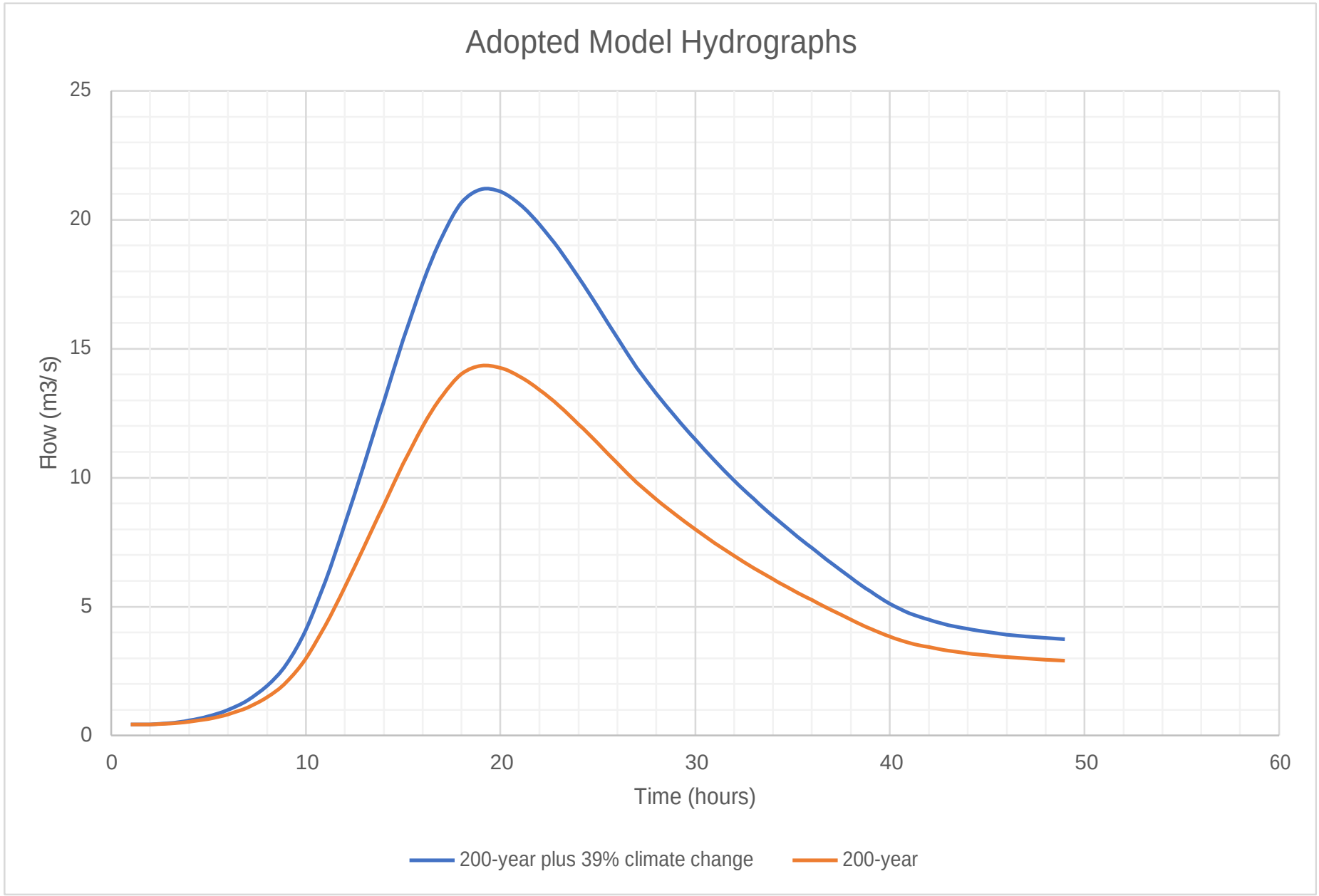
Scottish Water
Trusted to serve Scotland

Castle House,
6 Castle Drive,
Dunfermline,
KY118GG

Tel No: 08000 778 778

Appendix D

Adopted Model Hydrographs


Adopted Model Hydrographs
25
20
15
10
5
0
Flow (m3/s)
0
10
20
30
40
50
60
Time (hours)
200-year plus 39% climate change
200-year

Appendix E

Letter from 4th Fife Scout Group on August 2020 Floods

Easter Bowhill Farm
Cardenden
Fife
KY5 OHB
24th March 2022

Former Scout Hall, Cardenden Road. Cardenden

The flooding on Cardenden Road in August 2020 did not cause any damage to the Scout Hall on Cardenden Road.

The group is unaware of the hall ever having been damaged by flooding since it was built in the early 1950's.

Brodie Wallace

Chair

4th Fife Cardenden Scout Group

Appendix F

Fife Council Compliance Certificates

Appendix 1 - SuDS Design Compliance Certificate

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in designing the sustainable drainage system for the below named development in accordance with CIRIA C753: The SuDS Manual 2015, the current edition of Sewers for Scotland and Fife Council's – Design Criteria Guidance Note on Flooding and Surface Water Management Plan Requirements.

ePlanning Reference No. ✓

Planning Application No. (completed by Fife Council Planning Service) ✓

Roads Construction Consent No. (completed by Fife Council Planning Service) ✓

Name of Development Scathall, Cardenden

Name of Developer Mr. & Mrs. Smith

Name and Address of Designers Organisation Gordolm Land & Water Ltd
15 Quayside Street, Leith, Edinburgh, EH6 6EJ

Name of Designer Zak Ritchie

Position Held Managing Director

Engi[redacted] B.Eng(hons), C.Eng

Signe[redacted]

Date 30/03/2023

Drawing No's relative to this certificate

Drawing FRDA-006

[2] Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.

Appendix 3 - Flood Risk Assessment - Compliance Certificate

I certify that all the reasonable skill, care and attention to be expected of a qualified and competent professional in this field has been exercised in carrying out the Flood Risk Assessments and preparing the Flood Risk Assessment Report for the below named development in accordance with the Reporting Requirements for Flood Risk Assessments issued by SEPA.

ePlanning Reference No. ✓

Planning Application No. (completed by Fife Council Planning Service) ✓

Roads Construction Consent No. (completed by Fife Council Planning Service) ✓

Name of Development. Scothall, Cardenden

Name of Developer. Mr. & Mrs. Smith

Name and Address of Designers Organisation Gordon Land & Water Ltd. 15 Quayside Street, Leith, Edinburgh, EH6 6EJ

Name of Designer. Zak Ritchie

Position Held. Managing Director

Engineering Qualification[4] BEng(hons). C.Eng

Signature [redacted]

Date. 30/09/2025

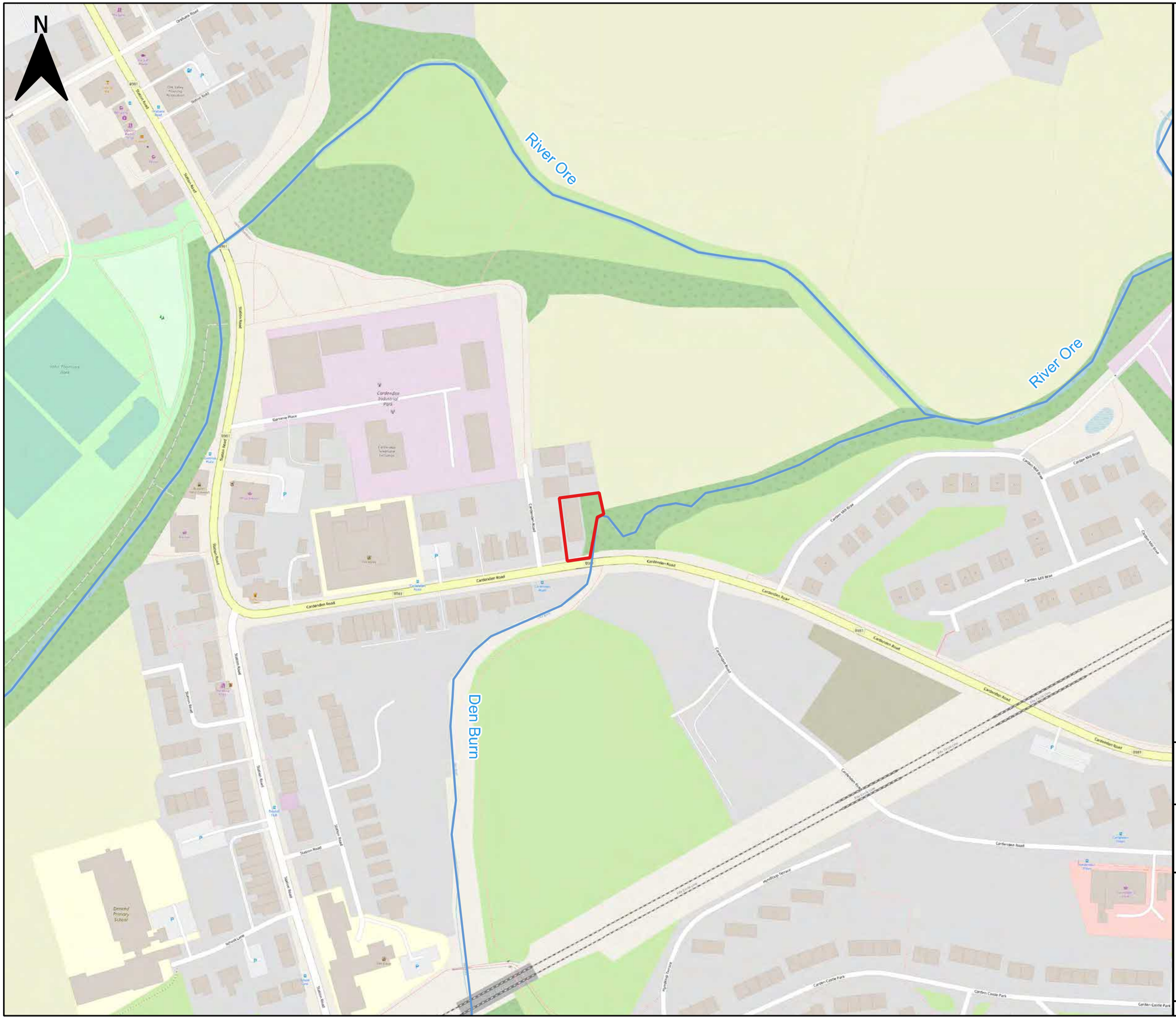
[4] Minimum Qualification - Incorporated Engineer or equivalent from an appropriate Engineering Institution.

Appendix 8 - Full Planning Application Checklist

Point	Description	Provided Y (Yes), N (No), N/A
3.0	Flood Risk Assessment.	Y
4.4.1	A drainage layout.	Y
4.4.2	Confirmation of discharge rate.	N/A
4.4.3	Calculations for any attenuation volume required.	N/A
4.4.4	Soakaway information (i.e. ground investigation, porosity test).	N/A
4.4.5	Pre-development and post-development flow path diagrams.	Y
4.4.6	Confirmation of the SuDS treatment train.	Y
4.4.7	Assessment of the maximum groundwater level at the location of any underground attenuation features is applicable.	N/A
4.4.8	Written evidence of Scottish Water's approval of the surface water drainage connection into their network at the rate agreed with Scottish Water.	N/A

4.4.9	Confirmation of who will adopt and maintain the surface water network, including any SuDS as per Appendix 5.	Y
4.4.10	A maintenance schedule for all proposed SuDS, to include a detailed list of activities and timescales.	N/A
4.4.11	Confirmation of Construction Status SuDS compliance.	N/A
4.4.12	Completed SuDS certification as per Appendices 1 and 2. (For single dwelling, only Appendix 1 is required)	Y

Drawings



KEY

Site Boundary

0 50 100 m

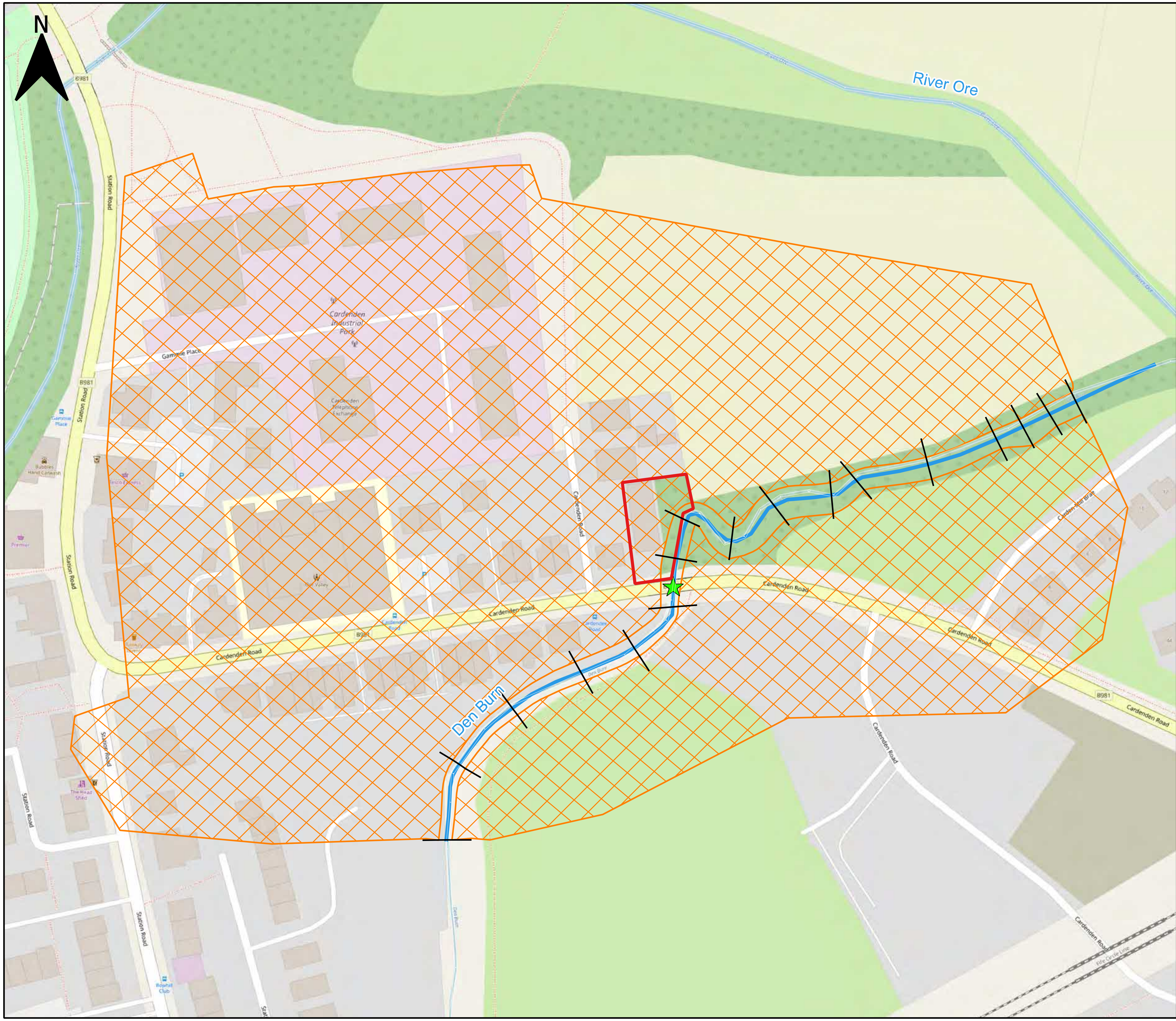
Scale @ A3: 1:2,000

GONDOLIN Land & Water

Cardenden Scout Hall
Flood Risk and Drainage Assessment

FRDA-001
Site Location Plan

Date:	Drawn by:	Checked by:	Version:
22-03-2023	RB	SD	V1



KEY

- Site Boundary
- 2D Flow Area
- Bridge
- Cross-Sections
- Den Burn 1D Study Area

0 25 50 m

Scale @ A3: 1:1,250

GONDOLIN
Land & Water

Cardenden Scout Hall
Flood Risk and Drainage Assessment

FRDA-002
Hydraulic Model Overview

Date: 22-03-2023	Drawn by: RB	Checked by: SD	Version: V

KEY

Site Boundary

Depth (Max) Flood Event

- <= 0.05
- 0.05 - 0.25
- 0.25 - 0.50
- 0.50 - 0.75
- 0.75 - 1.00
- > 1.00

NOTES:

-Water depths below 0.05m have been omitted in order to reduce noise from the modelling software.

0 10 20 m

Scale @ A3: 1:500

GONDOLIN Land & Water

Cardenden Scout Hall
Flood Risk and Drainage Assessment

FRDA-003
200 Year Flood Extents

Date:	Drawn by:	Checked by:	Version:
22-03-2023	RB	SD	V1

KEY

Site Boundary

Depth (Max) Flood Event

- <= 0.05
- 0.05 - 0.25
- 0.25 - 0.50
- 0.50 - 0.75
- 0.75 - 1.00
- > 1.00

NOTES:

-Water depths below 0.05m have been omitted in order to reduce noise from the modelling software.

0 10 20 m

Scale @ A3: 1:500

GONDOLIN Land & Water

Cardenden Scout Hall
Flood Risk and Drainage Assessment

FRDA-004
200 Year + 39%
Climate Change Flood Extents

Date:	Drawn by:	Checked by:	Version:
22-03-2023	RB	SD	V1

KEY

Site Boundary

Depth (Max) Flood Event

- <= 0.05
- 0.05 - 0.25
- 0.25 - 0.50
- 0.50 - 0.75
- 0.75 - 1.00
- > 1.00

NOTES:

-Water depths below 0.05m have been omitted in order to reduce noise from the modelling software.

0 10 20 m

Scale @ A3: 1:500

GONDOLIN Land & Water

Cardenden Scout Hall
Flood Risk and Drainage Assessment

FRDA-005
200 Year + 39%
Climate Change Flood Extents with Blockage

Date:	Drawn by:	Checked by:	Version:
22-03-2023	RB	SD	V1

NEW DRAINAGE PIPEWORK TO COLLECT ROOF DRAINAGE AND DIRECT RUNOFF

70.38 RAINWATER HARVESTING TANK

RAISED DECKING AREA (ALLOWING FLOOD WATER / FLOODPLAIN STORAGE BELOW)

NEW DRAINAGE PIPEWORK TO COLLECT ROOF DRAINAGE AND DIRECT RUNOFF

OVERFLOW FROM TRENCH PLANTER TO DEN BURN FOLLOWING EXISTING OVERLAND FLOW ROUTES

Decked Garden

proposed dwellinghouse

OVERFLOW FROM RAINWATER HARVESTING TANK TO SUDS TRENCH PLANTER

TREE PIT / BIO-RETENTION AREA WHICH OVERFLOWS TO DEN BURN (FLOODABLE REALM)

Den Burn

CONNECTION FROM NEW DWELLING TO EXISTING OUTLET PIPE FROM SCOUT HALL TO BE UTILISED FOR WASTEWATER DISCHARGE

ASHP

canopy

TREE PIT / TRENCH PLANTER AREA ALONG EASTERN EDGE OF SITE FRONTAGE

parking

SITE FRONTAGE RE-PROFILED TO SHED RUNOFF TO PROPOSED TRENCH PLANTER / TREE PITS ALONG EASTERN BOUNDARY

OVERFLOW FROM TRENCH PLANTER TO DEN BURN FOLLOWING EXISTING OVERLAND FLOW ROUTES

LINEAR DRAIN AT SITE FRONTAGE TO RESTRICT SITE RUNOFF DISCHARGING TO ROAD

TREE PIT / TRENCH PLANTER AREA ALONG EASTERN EDGE OF SITE FRONTAGE

DEN BURN CULVERT UNDER CARDENDEN ROAD

N

NOTES

1. SITE LAYOUT PROPOSALS BASED ON DX2 CONSULTANCY DRAWING REF: 22-21/025-071, APRIL 2022
2. SCOTTISH WATER SEWER LOCATIONS GEOREFERENCED FROM ACQUIRED SEWER PLANS (LOCATIONS APPROXIMATE)
3. TOPOGRAPHIC SURVEY DATA TAKEN FROM ASPECT SURVEY DATED 21st FEBRUARY 2022, PROJECT REF: A8089
4. EXISTING PRIVATE SURFACE WATER DRAINAGE AND FOUL WATER FEATURES ARE APPROXIMATE BASED ON SITE OBSERVATIONS
5. PROPOSED DRAINAGE LAYOUT IS PROVISIONAL AND WOULD BE SUBJECT TO DETAILED DESIGN AT THE DETAILED PLANNING / POST PLANNING STAGES
6. FINAL LOCATIONS, EXTENT AND SIZING OF PROPOSED DRAINAGE FEATURES TO BE CONFIRMED AT DETAILED PLANNING / POST PLANNING STAGES

LEGEND

- PLANNING APPLICATION BOUNDARY
- EXISTING PRIVATE FOUL WATER SEWER (LOCATION APPROXIMATE)
- EXISTING PRIVATE FOUL WATER MANHOLE (LOCATION APPROXIMATE)
- EXISTING SCOTTISH WATER PUBLIC COMBINED SEWER (LOCATION APPROXIMATE)
- EXISTING SCOTTISH WATER PUBLIC COMBINED SEWER MANHOLE (LOCATION APPROXIMATE)
- DEN BURN
- PROPOSED SURFACE WATER DRAINAGE PIPEWORK
- PROPOSED SURFACE WATER LINEAR DRAIN
- SURFACE WATER INSPECTION CHAMBER / MANHOLE / RODDING POINT (LOCATION APPROXIMATE)
- DRAINAGE DISCHARGE / OVERLAND FLOW ROUTE FROM SUDS FEATURES
- RAINFALL RUNOFF ROUTES FROM RE-PROFILED SITE FRONTAGE
- PROPOSED PRIVATE WASTEWATER DRAINAGE PIPEWORK
- PROPOSED PRIVATE WATERWATER DRAINAGE INSPECTION / MANHOLE CHAMBER
- PROPOSED RAINWATER HARVESTING TANK
- PROPOSED TREE PIT / BIO-RETENTION AREA
- PROPOSED TREE PIT / TRENCH PLANTER AREA

REV	DATE	DESCRIPTION	BY	CHK
00	03/23	INITIAL ISSUE	ZR	ZR

CLIENT:
MR. JAMES SMITH

PROJECT:
PROPOSED DWELLING HOUSE
FLOOD RISK AND DRAINAGE ASSESSMENT

DRAWING TITLE:
PROPOSED DRAINAGE STRATEGY

SCALE: 1:125 @ A2

DATE: MARCH 2023

DRAWING NUMBER: **FRDA-006**

REV: **00**

DRAWING STATUS: FOR PLANNING

GONDOLIN LAND & WATER LTD
15 QUAYSIDE STREET
EDINBURGH
EH6 6EJ
Registered Company No. SC706920

GONDOLIN Land & Water

FRDA-006 - Proposed Drainage Strategy.dwg

GONDOLIN
Land & Water

Civil Engineering and Environmental Solutions

Gondolin Land and Water Ltd is a small, client friendly environmental and engineering consultancy business based in Scotland with coverage throughout the UK.

Registered Address:

35/1 Balfour Street, Edinburgh, EH6 5DL, UK

Registered Company No.

SC706920

Sectors:

Onshore Renewables & Storage | Infrastructure | Mining and Minerals |Rural Tourism & Recreation| Property & Urban Regeneration | Corporate, Industrial & Manufacturing | Waste Management

GONDOLIN
Land & Water
Civil Engineering & Environmental Solutions

Denise Richmond
Brian Forsyth
Fife Council

Your refs: Letter: DR/23/00873/FULL
Email dated 7th June 2023

Our Ref: GON.0012.0010

Planning ref: 23/00873/FULL

Via Email

9th June 2023

Dear Denise & Brian,

RE: Erection of dwellinghouse (Class 9) and associated development including formation of raised decking and access ramp and installation of solar panels and air source heat pump. Scout Hall, Cardenden Road, Cardenden, KY5 0PA.

Response to Consultation Response: DR/23/00873/FULL and email from Brian Forsyth to Derek Grubb on 7th June 2023

1. Context

With respect to the above Application, please find a summary of our response to the recommendation for refusal on the said planning application on the basis of non-compliance to NPF4 Policy 22 and Flood Risk Planning guidance.

The response provided herein should be read in conjunction with the significant written evidence already provided in the Flood Risk and Drainage Assessment (FRDA) which has accompanied the planning application[1].

In the aim of providing a brief structured response to the comments and for ease of reference, we have replicated the key comments in the following sections and provided responses.

[1] Gondolin Land & Water Ltd (2023) Flood Risk and Drainage Assessment Report, ref: GON.0012.0010, 24th March 2023

Registered Company No. SC706920

2. Response to Comments

Comment: *"I note that the submitted planning consultant's report (April 2023) makes no mention of NPF4."*

Response:

Section 3.7 of The Planning Consultant's report refers to the FRDA report, the latter makes specific reference to NPF4 on multiple occasions and dedicates an entire section of the report to this. Please refer to Section 2.3 of the FRDA report.

Importantly, NPF4 states that development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

> *"Essential infrastructure where the location is required for operational reasons;*
>
> *Water compatible uses;*
>
> *Redevelopment of an existing building or site for an equal or less vulnerable use; or.*
>
> *Redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that longterm safety and resilience can be secured in accordance with relevant SEPA advice".*

As per the FRDA report, the proposed development is within a Flood Risk Area and considered at least equal land use vulnerability to the proposed development, therefore Bullet Point 3 above applies to this development.

Comment 1: " *It should be noted that there is a presumption against development within a site where flooding occurs during a 1 in 200year event (plus current allowances for climate change). This is in line with Fife Council's FIFEPlan (adopted on 21 September 2017) Policy No 12 Flooding and Water Environment*"

Response:

As highlighted by the email exchange form Brian Forsyth to Derek Grubb on 7th June 2023: *"National Planning Framework 4 (NPF4) has been adopted (February 2023), becoming part of the development plan for the purpose of making decisions on planning applications, changing the policy framework against which this proposal must be assessed."*

NPF4 takes precedence over the FIFEPlan Policy 12 in this respect as confirmed by the Chief Planner's letter regarding the adoption of NPF4 which states:

" Whether an LDP has been adopted prior to or after the adoption and publication of NPF4, legislation states that in the event of any incompatibility between a provision of NPF and a provision of an LDP, whichever of them is the later in date is to prevail (Town and Country Planning (Scotland) Act 1997 ("the 1997 Act"); section 24(3))."

As NPF4 was enacted in 2023 and the FIFEPlan in 2017, NPF4 takes precedent.

Comment 2: " *SEPA Flood Risk and Land Use Vulnerability Guidance would categorise the scout hall as a non-residential institution (level 3, least vulnerable). The change of use to a dwelling house (level 2, highly vulnerable), would be an increase in the land use vulnerability."*

and:

" The proposal constitutes an increase of land use vulnerability from least to highly vulnerable in an area at highest risk of flooding. On this basis we would recommend refusal of the proposed dwelling house on this development site."

Response:

Much attention was paid to this matter in Section 2.2 of the FRDA report and has been reproduced here for ease of reference:

" With reference to Table 1 (SEPA Land Use Vulnerability Classifications) of SEPA's Flood Risk and Land Use Vulnerability guidance document, the proposed development of a dwellinghouse is considered Highly Vulnerable Uses category.

With reference to Table 2 (SEPA Matrix of Flood Risk) of the guidance, the proposed Highly Vulnerable development is only suitable in low to medium risk (0.1% - 0.5% AEP) and below. Anything that is medium to high risk is classified as generally not suitable unless mitigating circumstances apply. Applicable mitigating circumstances relevant to this development are as follows:

"Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use."

and

"Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use."

A scout hall is not adequately defined within SEPA's land use vulnerability guidance. From review of the guidance, a scout hall is most closely aligned with a nursery or school as it is an educational premise for young children. These land uses fall under the 'most vulnerable' use category. From review of the 'highly vulnerable' uses stated within the guidance, there are no applicable uses that would align with a scout hall. From review of the 'least vulnerable' uses stated within the guidance, it could be considered that a scout hall would fall under t generic category 'non-residential institutions not included in Most Vulnerable or Highly Vulnerable uses'. This is not considered applicable however as it does not adequately consider the use of the site as an educational premise exclusively for young children. It is considered that this use is certainly more vulnerable than other uses within the 'least vulnerable' category such as shops and offices. For example although there is no specific allocation for a 'Scout' premises SEPA's guidance specifically takes the age / mobility of users of a site into account for the land use classification:

"The classification recognises that certain types of development, and the people who use and live in them, are more at risk from flooding than others (e.g. children, the elderly and people with mobility problems that may have more difficulty in escaping fast flowing water)."

From review of the English National Planning Policy Framework's parallel guidance , land use vulnerability is further refined and more detailed for a variety of uses. The 'more vulnerable' category (equivalent to SEPA's 'highly vulnerable' use), within this guidance includes both dwelling houses and educational establishments (i.e., a scout hall). This guidance would indicate that the existing and proposed site uses are of equal vulnerability.

From the above assessment, it is considered that the proposed site use is at least of equal vulnerability to the existing use. Therefore, the proposed re-development of the site into a less vulnerable land use applies.

As SEPA's Flood Risk and Land Use Vulnerability guidance document is currently being updated to reflect the recent adoption of NPF4 the contents of this guidance document may no longer be valid. Therefore the judgment provided above and comparison to the English flood risk planning framework is considered acceptable.

Notwithstanding, the proposed flood design criteria for this assessment is the 200-year plus climate change event (see Section 3.2) and 1,000-year event whichever is the greatest. If the site is shown to be at flooding from these events then suitable flood resilience / mitigation measures are to be implemented in accordance with industry best practice guidance.

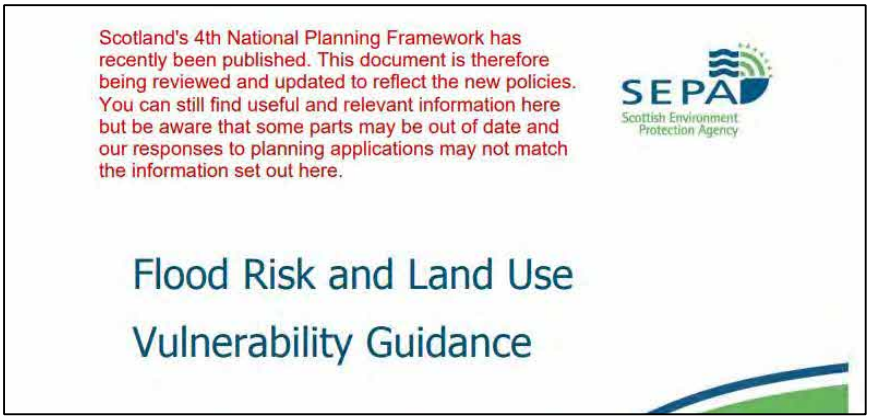
For example the Finished Floor Level (FFL) of the proposed dwelling is to be +600mm above the flood design criteria event which satisfies both SEPA and Fife Council's requirements."

The detailed bespoke flood modelling for the site indicates the site not located in the 'high risk' flood extent from the Den Burn whereas the SEPA flood map indicates that it is. SEPA's flood maps are indicative and produced and a 'national strategic level' and not to be relied upon for site specific assessments. This is caveated by SEPA themselves[2]:

" The flood risk maps have been developed using a nationally-applied methodology. They are a tool to help raise public awareness and understanding of flood risk and to support flood risk management decisions.

The map is of a strategic nature to support flood risk management planning at a community level. It is not appropriate for property level assessment. This is due to the application of a nationally consistent methodology being applied to provide Scotland wide mapping and with this approach there are assumptions and inherent uncertainty."

The matter of land use vulnerability classification is detailed in the reproduce above from the FRDA. It is noted that SEPA's Land Use Vulnerability Guidance document is in the process of being updated and therefore cannot be relied upon entirely for making land use definition decisions (see screenshot below of the current online version cover page):



This 'incompatibility' was recognised in Section 2.1 of the FRDA report:

[2] Scottish Environment Protection Agency. Impact of flooding (flood risk maps) summary: Methodology and Mapping

"It is noted that the recent release of NP4 has resulted in potential incompatibility of current SEPA and other stakeholder guidance documents with regards to flood risk assessment in particular. SEPA have acknowledged that their current guidance documents are currently being reviewed / updated to align with NP4 and information contained within their documents may no longer be valid."

Therefore, given the nuance of this situation Section 2.2 of the FRDA (reproduce above) sought to provide detailed reasoning and justification to the existing land use definition which we consider to be 'highly vulnerable' (i.e. the same as a residential dwelling).

It would appear very unreasonable for Fife Council to suggest that a Scout Hall should be designated as 'least vulnerable' which is used for education purposes by groups of young children (exclusively), as this also has the same vulnerability classifications as 'hot-food takeaways', 'night clubs' and 'storage and distribution' warehouses. These land uses will only have adults within them and as quoted from SEPA's Land Use Vulnerability Guidance:

"The classification recognises that certain types of development, and the people and live in them, are more at risk from flooding than others (e.g. children, the elderly and people with mobility problems that may have more difficulty in escaping fast flowing water)."

Therefore, groups of young children are at higher vulnerability to flooding than staff working in a 'hot food takeaway' for example, or a 'storage shed' which could frequently sit empty with no staff present for weeks and months at a time. It is clear then that a Scout Hall which is used for education purposes by groups of young children (exclusively) would not have the same land use vulnerability as these examples – it would appear absurd to suggest so.

Fife Council are attempting to categorise a Scout Hall use into the following description from the *'Least Vulnerable'* Land Use Definition: *"non-residential institutions not included in Most Vulnerable or Highly Vulnerable Uses"* This is a 'blanket approach' which in inappropriate as Section 1.9 of SEPA's Land Use Vulnerability Guidance states: *"The list of uses is neither exhaustive nor definitive."*

As per Section 2.2 of the FRDA report we drew upon parallel guidance in England which recognises that a Scout Hall would be in the same land use classification as a Dwelling House.

Therefore, given the significant evidence and justification above it is our professional opinion that a Scout Hall which is used for education purposes by groups of young children (exclusively) has at least the same land use vulnerability as a residential dwelling (high vulnerable) and therefore the proposed development is suitable in Flood Risk Planning Terms (Policy 22 of NPF4). Fife Council have provided no counter evidence, detailed consideration or justification to their position and have applied a 'blanket approach' to what is clearly a nuanced situation.

Furthermore, with the proposed mitigation measures applied for the site (see Section 4.9 of the FRDA Report) the proposed development would likely be the most flood protected property on the street and certainly afforded greater flood protection / resilience than the existing site and current use. The proposed development also increases local floodplain storage and thus provides a positive impact in flood risk terms to the immediate surrounding area.

Closure

We trust the additional information / responses presented herein satisfies Fife Council that the proposed development can be developed in Flood Risk Planning Terms and is safe and sustainable for the development lifetime.

Should you have any queries whatsoever please do not hesitate to contact me directly.

Yours sincerely,

[redacted]

Zak Ritchie
BEng(hons), MSc, C.Eng, C.WEM, MCIWEM

Managing Director

Email: zak.ritchie@gondolinltd.co.uk

Tel: 07895 221230

Scotland's 4th National Planning Framework has recently been published. This document is therefore being reviewed and updated to reflect the new policies. You can still find useful and relevant information here but be aware that some parts may be out of date and our responses to planning applications may not match the information set out here.

SEPA
Scottish Environment Protection Agency

Flood Risk and Land Use Vulnerability Guidance

SCOTTISH ENVIRONMENT PROTECTION AGENCY	Identifier:	LUPS-GU24
Land Use Planning System SEPA Guidance	Pages:	7
	Issue no:	Version 4
	Issue date:	10 July 2018
Flood Risk and Land Use Vulnerability Guidance		

Update Summary

Version	Description
Version 1	First issue 2012
Version 2	Second issue August 2017 – document shortened to remove repetition, and textual changes made to align document with Scottish Planning Policy 2014.
Version 3	Third issue February 2018 – minor amendments made to correct errors in document.
Version 4	Fourth issue July 2018 – minor amendments made to approach to most vulnerable uses to align with LUPS-BP-GU2a v.3.

Notes

This document provides SEPA guidance on land use planning and flood risk. It is based on SEPA's interpretation of national planning policy and duties and requirements under relevant legislation.

This document is uncontrolled if printed. Always refer to the online document for accurate and up-to-date information.

Flood risk vulnerability guidance

1 Summary and background

1.1 The purpose of this guidance is to:

- aid understanding of the relative vulnerability to flooding of different land uses;
- assist in the interpretation of SEPA's Flood Risk Planning Guidance, which is based upon the risk framework in the Scottish Government's Scottish Planning Policy 2014 (SPP).

1.2 SEPA has created this guidance to assist in our assessment of the vulnerability to flooding of different types of land use. Table 1 classifies the relative vulnerability of land uses, grouping them into five categories from Most Vulnerable through to Water Compatible Uses.

1.3 Table 2 of this document then provides a very brief outline of the likely SEPA planning response for each set of land uses relative to the category of flood risk, and based upon the risk framework in SPP. For a more detailed understanding of SEPA's likely planning response to proposals through both the Development Planning and Development Management process, this document must be read in conjunction with our Flood Risk Planning Guidance.

1.4 SEPA will use this guidance in the assessment of sites for both Development Planning and Development Management purposes.

1.5 This guidance classifies land uses according to how they are impacted by flooding, i.e. their relative susceptibility and resilience to flooding, and any wider community impacts caused by their damage or loss.

1.6 The classification recognises that certain types of development, and the people who use and live in them, are more at risk from flooding than others (e.g. children, the elderly and people with mobility problems that may have more difficulty in escaping fast flowing water).

1.7 The term 'land use vulnerability' is used in this guidance to differentiate between a range of land uses, taking account of flooding impacts on land uses in terms of their relative susceptibility and resilience to flooding. It also reflects wider community impacts caused by their damage or loss. For example, a police station is not more likely to suffer damage (be susceptible) or less able to recover (be resilient) than a comparable office building. However, it is in a more vulnerable category than an office use because a higher value is placed upon the wider community impacts that would be caused by its potential loss or damage during a flood event. Similar considerations apply to the inclusion of hazardous waste facilities within the highly vulnerable category and other waste treatment facilities being within the less vulnerable category.

1.8 The classification comprises five categories:

1. Most Vulnerable Uses
2. Highly Vulnerable Uses
3. Least Vulnerable Uses
4. Essential Infrastructure
5. Water Compatible Uses

1.9 In relation to Table 1, you should note that:

- The list of uses is neither exhaustive nor definitive.
- Flood risk management infrastructure, and other risk mitigation actions needed to ensure development is safe, may differ between uses within the same category.
- The impact of a flood may change in nature relative to the uses within the same category. In particular, a change of use to a dwelling house from other uses within the Highly Vulnerable Uses category could significantly increase the overall flood risk, especially in relation to human health and financial impacts.

1.10 The classification (Table 1) is linked to the risk framework in SPP by a matrix of flood risk (Table 2). Table 2 gives a very brief outline of SEPA's likely planning response for each of the three flood risk categories of the risk framework relative to each of the five vulnerability categories. In producing this guidance, SEPA has sought to refine and enhance the vulnerability classification and definitions identified in the SPP risk framework.

Table 1: SEPA Land Use Vulnerability Classification[1]

1. Most Vulnerable Uses	2. Highly Vulnerable Uses	3. Least Vulnerable Uses	4. Essential Infrastructure	5. Water Compatible Uses[3]
For the purpose of this guidance, Most Vulnerable Uses include land uses that are defined as both civil infrastructure and most vulnerable in the SPP 2014 glossary. Civil infrastructure is denoted with an asterisk (*) in the list below. Most Vulnerable Uses therefore comprise: • police stations* • ambulance stations* • fire stations* • command centers and telecommunications installations required to be operational during flooding* • emergency dispersal points* • hospitals* • schools* • care homes* • nurseries • residential institutions, e.g. prisons, children's homes • basement dwellings • isolated dwelling(s) in sparsely populated areas • dwelling houses situated behind informal embankments[2] • caravans, mobile homes, chalets and park homes intended for permanent residential use • holiday caravan, chalet, and camping sites • installations requiring hazardous substance consent (but where there is demonstrable need to locate such installations for bulk storage of materials with port or other similar facilities, or with energy infrastructure, that require a coastal or water-side location, or other high flood risk areas, then the facilities should be classified as Essential Infrastructure – see column 4).	Comprise: • buildings used for dwelling houses • social services homes (ambulant /adult) • hostels and hotels • student halls of residence • non-residential uses for health service • landfill and sites used for waste management facilities for hazardous waste	Comprise: • shops • financial, professional, and other services • restaurants and cafés • hot-food takeaways • drinking establishments • nightclubs • offices • general industry • storage and distribution • non-residential institutions not included in Most Vulnerable or Highly Vulnerable Uses • assembly and leisure • land and buildings used for agriculture and forestry that are subject to planning control • waste treatment (except landfill and hazardous waste facilities) • minerals working and processing (except for sand and gravel)	Comprises: • essential transport infrastructure (including mass evacuation routes) that has to cross the area at risk • essential utility infrastructure that has to be located in a flood risk area for operational reasons (this includes electricity generating power stations and grid and primary sub-stations, sewage treatment plants and water treatment works, wind turbines and other energy generating technologies) • installations requiring hazardous substance consent only where there is demonstrable need to locate such installations for the bulk storage of materials with port or other similar facilities, or with energy infrastructure that requires a coastal, water-side, or other high flood risk area location.	Comprise: • flood control infrastructure • environmental monitoring stations • water transmission infrastructure and pumping stations • sewage transmission infrastructure and pumping stations • sand and gravel workings • docks, marinas and wharves • navigation facilities • MOD defence installations • ship building, repairing, and dismantling • dockside fish processing and refrigeration and compatible activities requiring a waterside location • water-based recreation (excluding sleeping accommodation) • lifeguard and coastguard stations • amenity open space • nature conservation and biodiversity • outdoor sports and recreation and essential facilities such as changing rooms • essential ancillary sleeping or residential accommodation for staff required by uses in this category, subject to a specific operational warning[4] and evacuation plan.

[1] Developments that combine a mixture of uses should be placed in the higher of the relevant classes of flood risk vulnerability. The impact of a flood on the particular land use could vary within each vulnerability class. In particular, a change of use to a dwelling house within the 'Highly Vulnerable' category could significantly increase the overall flood risk, especially in relation to human health and financial impacts. Any proposal for a change of use to a dwelling house should therefore be supported by a flood risk assessment. The redevelopment (including change of use) of an existing building or site provides a valuable opportunity to reduce the vulnerability of that site to flooding and therefore to reduce overall flood risk. This can be achieved through changes to less vulnerable land uses and improvements to the management of flood risk on the site.

[2] Embankments not formally constituted under flood prevention legislation including agricultural flood embankments constructed under permitted development rights.

[3] Advice in the SPP risk framework on these activities is limited. The nature of the above activities necessitates locations that are prone to flooding. Generally, it is difficult to recommend a specific annual return period to guide development decisions for such uses. SEPA would recommend that the risk of flooding should be assessed giving particular consideration to:

1. Specific locational requirements of the development and availability of alternative locations;
2. Consideration of any loss of floodplain storage (in riverside developments) that may increase flood risk to nearby existing development and options to mitigate against this;
3. Appropriate mitigation measures, including water resistance and resilience measures;
4. Health and safety implications and the need for access, egress, and evacuation, with specific consideration of, and provision of, measures to provide for these where:
   - The development will attract the public especially vulnerable people such as children and old people.
   - Large numbers of the public may gather and where evacuation routes are limited.
   - Hazardous materials are stored or processed.

[4] In this context, specific warning does not mean a formal flood warning from SEPA. SEPA does not support the provision of flood warning as a viable reason to develop in flood risk areas. Warning is a non-structural measure that does not physically prevent flooding and has associated uncertainties.

Table 2: SEPA Matrix of Flood Risk (to be read in conjunction with our Flood Risk Planning Guidance)

Classification / Flood Risk	Most Vulnerable Uses	Highly Vulnerable Uses	Least Vulnerable Uses	Essential Infrastructure	Water Compatible Uses
Little or no risk (<0.1% AP)	No constraints	No constraints	No constraints	No constraints	No constraints
Low to medium risk (0.1% - 0.5% AP)	Generally not suitable for Civil Infrastructure: where Civil Infrastructure must be located in these areas, or is being substantially extended, it should be designed to be capable of remaining operational and accessible during extreme flood events (i.e. 0.1% AP). May be suitable for other Most Vulnerable Uses if the risk from a 0.1%AP event can be alleviated through appropriate mitigation, or where one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use. • Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim.	Generally suitable for development though an FRA may be required at upper end of the probability range (i.e. close to 0.5% AP).	Generally suitable for development though an FRA may be required at upper end of the probability range (i.e. close to 0.5% AP).	Generally suitable for development.	Generally suitable for development.
Medium to high risk within built up area (>0.5% AP)	Generally not suitable for development unless one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use.	Generally not suitable for development unless one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use.	Generally not suitable for development unless one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use.	Suitable for essential infrastructure, designed and constructed to remain operational during floods (i.e. 0.5% AP), and not impede water flow.	Generally suitable for development - job related accommodation and some recreational, sport, amenity and nature conservation uses are only suitable provided that appropriate evacuation procedures are in place

	• Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim.	• Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim. • The site is protected by a flood protection scheme of the appropriate standard that is already in existence and maintained, is under construction, or is planned for in a current flood risk management plan.	• Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim. • The site is protected by a flood protection scheme of the appropriate standard that is already in existence and maintained, is under construction, or is planned for in a current flood risk management plan.		
Medium to high risk within undeveloped and sparsely developed area (>0.5% AP)	Generally not suitable for development unless one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use. • Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim.	Generally not suitable for development unless one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use. • Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim.	Generally not suitable for development unless one of the following apply: • Redevelopment of an existing building, including changes of use to an equal or less vulnerable use to the existing use. • Redevelopment of a previously developed site where it involves the demolition of existing buildings and/or erection of additional buildings within a development site, and the proposed land use is equal or less vulnerable than the existing land use. • Where the principle of development on the site has been established in an up-to-date, adopted development plan or the National Planning Framework and flood risk issues were given due consideration as part of the plan preparation process and our assessment of risk has not changed in the interim.	Generally suitable where a flood risk location is required for operational reasons and an alternative lower-risk location, is not available – development should be designed and constructed to be operational during floods (i.e. 0.5% AP), and not impede water flow.	Generally suitable for development - job related accommodation and some recreational, sport, amenity and nature conservation uses are only suitable provided that appropriate evacuation procedures are in place, and an alternative, lower risk location is not available.

23/00873/FULL

REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	**Scout Hall, Cardenden Road, Cardenden**		
PROPOSAL	**Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp**		
DATE VALID	**03/04/2023**	PUBLICITY EXPIRY DATE	**01/06/2023**
CASE OFFICER	**Brian Forsyth**	SITE VISIT	**None**
WARD	**Lochgelly, Cardenden And Benarty**	REPORT DATE	**25/08/2023**

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.

National Planning Framework 4 (NPF4) was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application process and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan Fife Local Development Plan (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

Section 24(3) of the Town and Country Planning (Scotland) Act 1997 states that where there is any incompatibility between a provision of the National Planning Framework and a provision of a Local Development Plan, whichever of them is the later in date is to prevail. The Chief Planner's letter adds that provisions that are contradictory or in conflict would likely be considered incompatible.

1.0 BACKGROUND

1.1 This c. 476 square metres application site relates to a fire-damaged single-storey former scout hall and grounds adjoining the north side of Cardenden Road, from which there is direct vehicular access, within the edge of the settlement of Cardenden in terms of FIFEplan. To the east of the site is the is the Den Burn with woodland and agricultural fields beyond. Adjoining on the other sides, including across Cardenden Road, are single-storey dwellinghouses and their gardens. The Scottish Environment Protection Agency (SEPA) Flood Maps show the site within an area subject to a high likelihood of river flooding.

1.2 Full planning permission is sought for erection of a single-storey dwellinghouse in lieu of the existing building. Its decked garden extension, access ramps and canopy aside, the dwellinghouse would be positioned within the footprint of the existing building. Provision for two parking spaces is shown, with vehicular access as existing. It is explained that the dwellinghouse is intended for the applicants, one of whom is disabled.

1.3 The following relevant planning history is listed in the Council's electronic register of planning applications:-

22/02381/PPP Planning permission in principle for erection of dwellinghouse (Class 9) and associated development, withdrawn on 7 September 2022.

1.4 A physical site visit has not been undertaken for this application. All necessary information has been collated digitally to allow for the full assessment of the proposal. 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. Online satellite/aerial and street imagery provides good coverage of the site.

2.0 ASSESSMENT

2.1 The issues to be assessed against the development plan and other guidance are:

- Principle of Development
- Flood Risk and Water Management
- Design/Visual Impact
- Residential Amenity
- Road Safety/Transportation
- Building Sustainability
- Ground Conditions

2.2 Principle of Development

2.2.1 NPF4 Policy 1 Tackling the Nature and Climate Crises states that when considering all proposals, significant weight will be given to the global climate crisis. NPF4 Policy 14 Design,

Quality and Places states that proposals that are inconsistent with the qualities of successful places, including 'Sustainable' (defined as including climate resilience), will not be supported. NPF4 Policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings supports the sustainable reuse of brownfield land including vacant and derelict land, stating "Given the need to conserve embodied energy, demolition will be regarded as the least preferred option." FIFEplan Policy 1: Development Principles supports the principle of development within a defined settlement boundary where the development is compliant with the policies for the location.

2.2.2 The site lies within the settlement boundary for Cardenden in terms of FIFEplan, therefore the principle of the development is supported in terms of its above policy provisions subject to compliance with its policies for the location, in this case its below policies in relation to flood risk. In terms of the above policy provisions of NPF4 relating to the principle of the development, it is considered that the fire-damaged state of the building justifies replacement development, however, whether the proposal represents a climate resilient/sustainable reuse of this brownfield site is subject to compliance with the framework's below policy provisions in relation to flood risk.

2.2.3 The overall acceptability of the proposal is subject to compliance with the below provisions of policy and guidance.

2.3 Flood Risk and Water Management

2.3.1 NPF4 Policy 22 Flood Risk and Water Management states proposals at risk of flooding or in a flood risk area will only be supported if they are for: essential infrastructure where the location is required for operational reasons; water compatible uses; redevelopment of an existing building or site for an equal or less vulnerable use (relevant in the case of the current application); or redevelopment of previously used sites in built up areas where the local development plan has identified a need to bring these into positive use and where proposals demonstrate that long-term safety and resilience can be secured in accordance with relevant SEPA guidance. Proposals will not: increase the risk of surface water flooding to others, or itself be at risk, managing all rain and surface water through sustainable urban drainage systems (SuDS); should presume no surface water connection to the combined sewer; and seek to minimise the area of impermeable surface. Proposals will be supported if they can connect to the public water mains. NPF4 Policy 1 Tackling the Nature and Climate Crises adds that when considering all proposals, significant weight will be given to the global climate crisis.

2.3.2 FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services and avoiding flooding and impacts on the water environment and complying with Policy 12: Flooding and the Water Environment. FIFEplan Policy 3 adds that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, foul and surface water drainage, including SuDS. FIFEplan Policy 12: Flooding and the Water Environment adds that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively, amongst other things, detrimentally impact on ecological quality of the water environment. The Council's Surface Water Management Plan Design Criteria

(2022), SEPA Technical Flood Risk Guidance for Stakeholders, v.13 (2022) and SEPA Flood Risk and Land Use Vulnerability Guidance v.4 (2018) are also relevant here.

2.3.3 The SEPA Flood Maps show the site within an area subject to a high likelihood of river flooding, each year the area having a 10% chance of flooding. The submitted Flood Risk & Drainage Assessment report confirms the site is within a flood risk area. The Council's Flooding, Shoreline & Harbours team consultation response notes that the development site boundary is within the area at highest likelihood of flooding on SEPA Flood Maps; considers the SEPA Flood Risk and Land Use Vulnerability Guidance would categorise the scout hall as a non-residential institution (Level 3, Least Vulnerable) and the proposed dwellinghouse at Level 2, (Highly Vulnerable), disagreeing with the submitted report; and recommending refusal in light of the increased vulnerability of development. Scottish Water does not highlight any issue in relation to public water supply and does not otherwise raise objection.

2.3.4 In more recent correspondence, the applicant's flood consultant continues to disagree with the above classification of a scout hall as least vulnerable, stating that scout halls are not adequately defined within the SEPA Land Use Vulnerability Guidance, being most closely aligned with 'nursery' or 'school' in the "most vulnerable" use category. The consultant notes that SEPA's guidance specifically takes the age / mobility of users of a site into account for the land use classification, quoting: "The classification recognises that certain types of development, and the people who use and live in them, are more at risk from flooding than others (e.g. children, the elderly and people with mobility problems that may have more difficulty in escaping fast flowing water)." The consultant argues that the proposed site use is at least of equal vulnerability to the existing use, NPF4's support for 'equal or less vulnerable uses' applying.

2.3.5 It is accepted that a scout hall is not clearly defined in the SEPA Land Use Vulnerability Guidance. It is also accepted that there is an educational aspect to scouting, however, it is considered that use by scouts of a scout hall is also more often characterised by being an 'assembly and leisure use' ("least vulnerable"), tending to be occupied intermittently and in a less sedentary manner than a school or even a nursery. Schools and nurseries are also included in the "most vulnerable" category by virtue of them also being civil infrastructure. On balance, it is considered that a dwellinghouse with a family normally sleeping on the premises overnight is a significantly more vulnerable scenario than intermittent use of a scout hall by active young people.

2.3.6 This proposal for more vulnerable development within an accepted flood risk area is directly contrary to the above provisions of NPF4, which states that an 'avoidance first' approach to development in flood risk areas now applies. As such, the proposal is contrary to the above provisions of policy and guidance in relation to flood risk and water management.

2.4 Design/Visual Impact

2.4.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the qualities of successful places, including 'pleasant', will not be supported. FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with Policy 10: Amenity; Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a

significant detrimental impact on, amongst other things, the visual impact of the development on the surrounding area.

2.4.2 Removal of the fire-damaged existing building would enhance the character and appearance of the streetscene, according with the above provisions of policy in relation to design/visual impact. In retaining single-storey development very largely within the existing building footprint, the proposal would generally respect the existing situation, the residential design further serving to enhance the character and appearance of the streetscence compared to the somewhat functional-looking existing building, further according with the above provisions of policy in relation to design/visual impact.

2.5 Residential Amenity

2.5.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are detrimental to the amenity of the surrounding area will not be supported. FIFEplan Policy 1: Development Principles states that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with Policy 10: Amenity. FIFEplan Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to, amongst other things, privacy and noise. Fife Council's Policy for Development and Noise (2021) and Planning Services' Garden Ground, Minimum Distance Between Window Openings and Sunlight & Daylight customer guidelines are also relevant here.

2.5.2 The proposal achieves the relevant expectations in the above customer guidelines. In relation to potential overlooking, existing boundary treatments to the immediately adjacent residential properties would continue to negate overlooking from ground floor windows of the proposed dwellinghouse. Proposed upper floor glazing on the west elevation of the dwellinghouse, facing residential property, would either not be directly over floorspace (rooflights over a void) or serve an en-suite and expected to be obscurely-glazed.

2.5.3 In relation to noise, the Council's Environmental Health (Public Protection) team expresses concern that the proposed development may be subject to elevated levels of noise from the road traffic and the proposed air source heat pump may affect the amenity of the existing adjacent residential dwelling, recommending that the applicant provides an acoustic report before any approval.

2.5.4 Given that this is a bespoke development for occupation by an applicant local to the area and most likely familiar with the prevailing noise environment, the requirement for an acoustic report in this instance is not considered justified. The positioning of and required noise rating for low and zero carbon equipment can be made a condition of planning permission. Subject to such a condition, and nothwithstanding the views of Environmental Health (Public Protection), it is considered that the proposal accords with the above provisions of policy and guidance in relation to residential amenity.

2.6 Road Safety/Transportation

2.6.1 FIFEplan Policy 1: Development Principles states that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3:

Infrastructure and Services. FIFEplan Policy 3 states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things: local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in the Council's Making Fife's Places Supplementary Guidance (2018); development proposals will demonstrate how they will, amongst other things, address any impacts on road safety.

2.6.2 Planning Services' Transportation Development Management team (TDM) has no objection subject to standard type conditions in relation to parking and visibility.

2.6.3 Taking the views of TDM into particular account, and subject to its recommended conditions, it is considered that the proposal accords with the above provisions of policy and guidance in relation to road safety/transportation.

2.7 Building Sustainability

2.7.1 NPF4 Policy 1: Tackling the Climate and Nature Crises states that significant weight will be given to the global climate crisis. NPF4 Policy 2: Climate Mitigation and Adaptation of NPF4 states that proposals will be sited and designed to minimise lifecycle greenhouse gases as far as possible. NPF4 Policy 14: Liveable Places states that development proposals will be supported where they are compliant with the qualities of successful places, including supporting the efficient use of resources, etc.

2.7.2 FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 adds that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, low and zero carbon generating technologies in accordance with Policy 11: Low Carbon Fife of FIFEplan. FIFEplan Policy 1: Development Principles states that development proposals must be supported by information requirements to demonstrate that they will comply with relevant criteria and supporting policies, including providing for energy conservation and generation in layout and design; contributing to national climate change targets; and complying with Policy 11: Low Carbon Fife. FIFEplan Policy 11 adds that planning permission will only be granted for new development where it has been demonstrated that the incorporation of low and zero carbon generating technologies will contribute to meeting the Building Standards Target Emissions rate, construction materials come from local or sustainable sources, water conservation measures are in place, acceptable SuDS measures are in place, and facilities are provided for the separate collection of dry recyclable waste and food waste. Fife Council's Low Carbon Fife Supplementary Guidance (2019) is also relevant here.

2.7.3 The submitted checklist shows general compliance with the above requirements, including an air source heat pump, photovoltaics, thermal envelope insulated to provide U-values in excess of the Building Standards Technical Standards, low permeability, low carbon dMEV fans,

time-and-temperature zone control, 100% low-energy lighting, etc. As such, it is considered that the proposal is acceptable in terms of the above provisions of policy and guidance in relation to building sustainability.

2.8 Ground Conditions

2.8.1 NPF4 Policy 14 Design, quality and place states that development proposals that are detrimental to the amenity of the surrounding area will not be supported. Policy 1: Development Principles of FIFEplan states that the individual and cumulative impacts of development proposals are to be addressed by complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with FIFEplan Policy 10: Amenity. FIFEplan Policy 10 states that development proposals must not lead to a significant detrimental impact on amenity in relation to, ground conditions. Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017) is also relevant here.

2.8.2 The site lies within a Development High Risk Area for Coal Authority consultation purposes. The Coal Authority has not been consulted. Commenting on the most recent previous application for development of similar footprint, the Coal Authority considered that the content and conclusions of the then submitted Coal Mining Risk Assessment Report dated 08 September 2021 were sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of McGregor McMahon Consulting Engineers) that the application site was safe and stable for the proposed development. The Coal Authority therefore had no objection to the proposed development but considered it prudent that the planning authority add the following wording as an informative note to the decision notice should planning permission be granted: "If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority". It is considered that this previous advice from the Coal Authority meets current consultation requirements.

2.8.3 The Council's Land and Air Quality Team (L&AQ) has no objection subject to a standard condition (formerly LQC3) to address any unexpected contamination being found during works.

2.8.4 Subject to the condition of planning permission recommended by L&AQ, it is considered that the proposal accords with the above provisions of policy and guidance in relation to ground conditions.

CONSULTATION RESPONSES

Scottish Water	No objection.
TDM, Planning Services	No objection subject to standard type conditions.
Environmental Health (Public Protection)	Requests acoustic report.
Land And Air Quality, Protective Services	No objection subject to standard condition (formerly LQC3) to address any unexpected contamination.
Natural Heritage, Planning Services	No objection.
Structural Services - Flooding, Shoreline And Harbours	Objection.

REPRESENTATIONS

None.

CONCLUSION

Subject to conditions of planning permission, the development accords with the provisions of policy and guidance in relation to design/visual impact, residential amenity, road safety/transportation, building sustainability and ground conditions. However, as the development would introduce a more vulnerable land use into a flood risk area, the development is contrary to the provisions of policy and guidance relating to flood risk and water management and, in turn, those relating to the principle of development. Whilst the positive impacts that would accrue from the development through improving the appearance of the area and re-using brownfield land/reducing the need for greenfield development are acknowledged, these benefits are significantly outweighed by flood risk and climate resilience/sustainability concerns when assessed against the relevant policy and guidance, particularly NPF4, which adopts an emphatic 'avoidance first' approach to development within flood risk areas. Overall, the development is contrary to the development plan, with no material considerations of sufficient weight to justify departing therefrom.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of resilience of the place to flood risk, climate resilience and the sustainable re-use of land; the development involving introduction of a use within a flood risk area which is significantly more vulnerable to flood risk than the existing use; contrary to adopted National Planning Framework 4 (2023) Policies 1 Tackling the Nature and Climate Crises, 14 Design, Quality and Place and 22 Flood Risk and Water Management, to the Scottish Environment Protection Agency Technical Flood Risk Guidance for Stakeholders, v.13 (2022), and to the Scottish Environment Protection Agency Flood Risk and Land Use Vulnerability Guidance v.4 (2018).

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan

Adopted National Planning Framework 4 (2023)
Adopted FIFeplan Fife Local Development Plan (2017)
Adopted Making Fife's Place's Supplementary Guidance (2018)
Adopted Low Carbon Fife Supplementary Guidance (2019)

Other

Fife Council Surface Water Management Plan Design Criteria (2022)
Fife Council Policy for Development and Noise (2021)
Fife Council Planning Services Garden Ground, Sunlight & Daylight and Minimum Distance Between Window Opening customer guidelines
Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017)
Scottish Environment Protection Agency Technical Flood Risk Guidance for Stakeholders, v.13 (2022)
Scottish Environment Protection Agency Flood Risk and Land Use Vulnerability Guidance v.4 (2018)

Proposal Details

Proposal Name	100643531
Proposal Description	Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp
Address	SCOUT HALL, CARDENDEN ROAD, CARDENDEN, LOCHGELLY, KY5 0PA
Local Authority	Fife Council
Application Online Reference	100643531-001

Application Status

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

Attachment Details

Notice of Review	System	A4
Block Plan	Attached	A3
Planning Comparison Elevations	Attached	A2
Proposed House Design	Attached	A1
Low carbon checklist	Attached	A4
Shadow Impact Study	Attached	A4
Photoset	Attached	A4
Heat Pump Specification	Attached	A4
Solar Panel details	Attached	A4
Noise Impact Assessment	Attached	A4
Flood Risk and Drainage Assessment Report	Attached	A4
Response to Flood Risk Objection	Attached	A4
Report of Handling	Attached	A4
SEPA Land Use Vulnerability Guidance	Attached	A4
Notice of Review Appeal Statement	Attached	A4
Site Location Plan	Attached	A3
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

Agenda Item 6(4)

Scout Hall, Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00873/FULL

Consultee Comments

Friday, 28 April 2023

Local Planner
Fife House
North Street
Glenrothes
KY7 5LT

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk
Follow Us

Dear Customer,

Scout Hall Cardenden Road, Cardenden, Lochgelly, KY5 0PA
Planning Ref: 23/00873/FULL
Our Ref: DSCAS-0085698-L3X
Proposal: Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- There is currently sufficient capacity in the Glenfarg Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- There is currently sufficient capacity for a foul only connection in the Levenmouth Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

- The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- Scottish Water asset plans can be obtained from our appointed asset plan providers:
    - Site Investigation Services (UK) Ltd
    - Tel: 0333 123 1223
    - Email: sw@sisplan.co.uk
    - www.sisplan.co.uk
- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- Please find information on how to submit application to Scottish Water at our Customer Portal.

Next Steps:

All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via our Customer Portal prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

Trade Effluent Discharge from Non-Domestic Property:

- Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.
- If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject “Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found here.
- Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the

development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Ruth Kerr.
Development Services Analyst
PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

Protective Services

MEMORANDUM

TO: Case Officer not specified on Consultation Request

FROM: Blair Falconer, Technical Officer, Land & Air Quality

DATE: 25th April 2023

OUR REF: PC220130.C2

YOUR REF: 23/00729/FULL

SUBJECT: Erection of dwellinghouse (Class 9) and associated development including formation of raised decking and access ramp and installation of solar panels and air source heat pump at Scout Hall, Cardenden Road, Cardenden

---

After receiving your request for comment regarding the above planning application, I would provide the following:

Land Quality – Suspensive condition recommended/asbestos advice

Given the age of the current structure there may be the potential for Asbestos Containing Materials (ACMs) to be contained within the building fabric. In this regard any ACMs encountered during the demolition/development activities should be the subject of the appropriate removal and disposal arrangements. SEPA and the HSE should be consulted regarding asbestos removal companies, licensed by the Asbestos Licensing Unit (ALU). Further details, and the list of registered companies, can be accessed on the Health and Safety Executive website: www.hse.gov.uk

Given the above and the former landfill located in the vicinity of the site it is advised that Development Management should be notified if any unexpected materials or conditions such as made-ground, gassing, odours, asbestos, hydrocarbon staining or other apparent contamination are encountered during the development work. This may necessitate undertaking a suitable site-specific risk assessment for contaminated land.

If Development Management are minded to approve the application, it is advised that the land quality condition LQC3 (attached) be utilised to ensure any unforeseen contamination issues associated with the above site are suitably addressed.

Should you require any further information or clarification regarding the above comments, please do not hesitate to contact this office.

Regards, Blair Falconer - Technical Officer (Enc. Model Condition)

Model Planning Condition for Land Quality

LQC3

IN THE EVENT THAT CONTAMINATION NOT IDENTIFIED BY THE DEVELOPER prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

Protective Services

Town and Country Planning (Scotland) Act 1997
Application for Permission to Develop Land

Response from Environmental Health (Public Protection)

PPT Reference No:	23/05930/CONPLA		
Name of Planning Officer dealing with the matter:	Brian Forsyth		
Application Number:	23/00873/FULL		
Proposed Development:	Erection of dwellinghouse (Class 9) and associated development including formation of raised decking and access ramp and installation of solar panels and air source heat pump		
Location:	Scout Hall Cardenden Road Cardenden Lochgelly Fife KY5 0PA		
Date Required By Planning:	---	**Decision Notice Required?**	---

COMMENTS
Further to your email received on 26 April 2023 regarding the above planning application, I would now highlight the following comments- I observe that the proposal is adjacent to the B981 Cardenden Road. I also observe that the proposed location of the air source heat pump is to be located on the West elevation facing an existing residential dwelling at 29 Cardenden Road. I am concerned that the proposed development may be subject to elevated levels of noise from the road traffic and the proposed air source heat pump may affect the amenity of the existing adjacent residential dwelling. Therefore, before determining the application, it is recommended that the applicant provides the Planner with an acoustic report by a suitably competent person (see note). With regards to road traffic, the report shall (i) Determine the existing noise climate

(ii) Predict the noise climate in gardens (daytime), bedrooms (night-time) and other habitable rooms of the development

(iii) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new dwelling (including ventilation if required).

If levels predicted in the report are unacceptable, it may be necessary to refuse the application. Otherwise, it may be necessary to specify attenuation measures as conditions of consent.

With regards to the air source heat pump, the report shall include:

1. an assessment of noise emissions from the proposed development i.e. the air source heat pump

2. details of background and predicted noise levels at the boundary of 29 Cardenden Road

3. a written scheme of how the occupants of 29 Cardenden Road will be protected from noise from the proposed development with noise attenuation measures as appropriate

The development shall not be brought into use until all works comprised within the measures specified in the approved report have been carried out in full and such works shall be thereafter retained.

Note

A competent person should undertake any noise survey and developers may wish to contact the Association of Noise Consultants http://www.association-of-noise-consultants.co.uk (01736 852958) or the Institute of Acoustics http://www.ioa.org.uk (01727 848195) for a list of members.

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.

Date:	26/04/2023	**Officer:**	Tracy A Welch Environmental Health Officer

Consultee Comments for Planning Application 23/00873/FULL

Application Summary

Application Number: 23/00873/FULL
Address: Scout Hall Cardenden Road Cardenden Lochgelly Fife KY5 0PA
Proposal: Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp
Case Officer: Brian Forsyth

Consultee Details

Name: Mr Mark Berry
Address: Fife House, North Street, Glenrothes, Fife KY7 5LT
Email: Not Available
On Behalf Of: Natural Heritage, Planning Services

Comments

No Natural Heritage objections to the re-development of the Scout Hall site.

Planning Services

Planning Portfolio Internal Assessment Sheet

EPES Team	**Transportation Development Management**
Application Ref Number:	**23/00873/FULL**
	Erection of Dwellinghouse at Former Scout Hall, Cardenden Road, Cardenden
Date:	**5th May 2023**
Reason for assessment request/consultation **Consultation Summary**	☐ **Statutory** ☑ **Non-statutory** **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 for the erection of a dwelling on the site of the former Scout Hall with vehicular access proposed via the historical access to the site.

1.2 I haven't visited the site and have undertaken a desktop assessment using the application submission and Google Maps instead.

1.3 According to the current Fife Council Making Fifes Places Appendix G, 2m x 25m visibility splays must be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at the junction of the vehicular access and the public road. The proposed site plan (Drawing No 23-21/025-037 Revision A) shows the public footway is 2 metres wide at the frontage of the

site. Therefore, the necessary 2m x 25m visibility splays could be provided, based on the premise that the plan is accurate.

1.4 The proposed 3 bed house must have 2 off-street parking spaces in accordance with the current Fife Council Making Fifes Places Appendix G and these are shown on the proposed layout.

1.5 As the scout hall had a vehicular access at its frontage with no turning facilities, I am prepared to be pragmatic and not request a turning area for the proposed dwelling.

2.0 CONCLUSIONS

2.1 TDM have no objections to approval being granted, subject to the imposition of the following conditions.

3.0 RECOMMENDATIONS

3.1 Prior to the occupation of the dwelling, visibility splays 2m x 25m shall be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at the junction of the vehicular access and the public road, in accordance with the current Fife Council Making Fife's Places Appendix G. The visibility splays shall be retained for the lifetime of the development. Reason: In the interest of road safety; to ensure the provision of adequate visibility at road junctions etc.

3.2 Prior to the occupation of the dwelling, 2 off-street parking spaces shall be provided in accordance with the current Fife Council Parking Standards contained within the current Fife Council Making Fife's Places Appendix G and as per the layout shown on Drawing No 23-21/025-037 Revision A. The parking spaces shall be retained for the lifetime of the development. Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.

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: 05/05/2023
E-mail: andy.forrester@fife.gov.uk
Number: 03451 555555 extension 480211

FIFE COUNCIL ASSETS,
TRANSPORTATION AND ENVIRONMENT

TO: Planner, Development Management
FROM: Denise Richmond, Structural Services, Flooding, Shoreline & Harbours
DATE: 18 August 2022
OUR REF: DR/23/00873/FULL
YOUR REF: 23/00873/FULL
CONTACT: Denise Richmond Ext 447003
SUBJECT: **Erection of dwellinghouse (Class 9) and associated development including formation of raised decking and access ramp and installation of solar panels and air source heat pump.**
Scout Hall, Cardenden Road, Cardenden, KY5 0PA.

RECOMMEND REFUSAL

I refer to your memo dated 25 April 2023 requesting observations on the above proposed development and comment only on matters relating to flood risk and surface water management.

It should be noted that there is a presumption against development within a site where flooding occurs during a 1 in 200year event (plus current allowances for climate change). This is in line with Fife Council's FIFEPlan (adopted on 21 September 2017) Policy No 12 "Flooding and Water Environment"

SEPA Flood Risk and Land Use Vulnerability Guidance would categorise the scout hall as a non-residential institution (level 3, least vulnerable). The change of use to a dwelling house (level 2, highly vulnerable), would be an increase in the land use vulnerability.

The development site boundary is within the area at highest likelihood of flooding on SEPA flood maps.

The proposal constitutes an increase of land use vulnerability from least to highly vulnerable in an area at highest risk of flooding. **On this basis we would recommend refusal of the proposed dwelling house on this development site**.

Our updated guidance can be found here:

FC Flooding and SWMP Guidance v2.1 (fife.gov.uk)

Please cross reference with 22/02381/PPP and SEPA flood maps

From:	Planning South
To:	Steve Iannarelli
Subject:	SEPA Ref: 11115 - 23/00873/FULL
Date:	14 November 2023 15:52:34

OFFICIAL

Town and Country Planning (Scotland) Acts
23/00873/FULL
Erection of dwellinghouse (Class 9) and associated development, including raised deck and access ramp
Scout Hall, Cardenden

Dear Steven

Thank you for your email dated 10 November 2023. In response to the points you set out we offer the following comments.

With regards to the vulnerability classification that would apply to a Scout Hall, we agree with the assessment of your Planning Officer. We would consider this to fall under 'assembly and leisure'. This is a least vulnerable use as per our Land Use Vulnerability Guidance. As such the redevelopment of the site to a dwelling house would constitute an increase in vulnerability.

We believe that you could make the case for it being a 'non-residential institution', as Denise Richmond (from your Structural Services, Flooding, Shoreline & Harbours Team) does. This is also a least vulnerable use so it's a somewhat academic point in this instance. We do not believe that you can make a credible case to classify Scout Halls (and other venues used by school age youth groups) as 'nurseries'.

You are correct in stating that we should have been consulted on this. If a Planning Officer is in doubt, we are happy to provide clarification as to whether any of our triggers for consultation have been met.

In this instance because we were not consulted, and on the basis that you have refused the application, we will not provide more general comments on the Flood Risk Assessment or other planning submissions. We do however note the internal advice provided by your Structural Services, Flooding, Shoreline & Harbours Team – recommended refusal.

I trust these comments are of assistance - please do not hesitate to contact me if you require any further information.

Kind regards,

Jonathan Werritty
Senior Planning Officer

Agenda Item 6(5)

Scout Hall, Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00873/FULL

Further Representations

Laura Robertson

From: Consultations HFC
Sent: 26 October 2023 12:08
To: Development Central; Brian Forsyth
Cc: Rick Haynes
Subject: RE: Planning Application Consultation for 23/00873/FULL

Categories: LR

Afternoon
We fundamentally disagree with the claim by the consultant that the current Scout Hall should be classed as an "educational premise" for vulnerability assessment. Our position is that a Scout Hall is essentially a place of "assembly and leisure" within a "non-residential institution not included in Most Vulnerable or Highly Vulnerable Uses".

Regards
Moir

-----Original Message-----
From: development.central@fife.gov.uk <development.central@fife.gov.uk>
Sent: Wednesday, October 25, 2023 6:29 PM
To: Consultations HFC <Consultations.HFC@fife.gov.uk>
Subject: Planning Application Consultation for 23/00873/FULL

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.
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Please see attached. Responses should be uploaded via Consultee Access.

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Agenda Item 6(6)

Scout Hall, Cardenden Road, Cardenden, Lochgelly, KY5 0PA

Application No. 23/00873/FULL

Response to Further Representations

From: Katie Crerar
To: Michelle McDermott
Subject: RE: Application Ref. 23/00873/FULL - Scout Hall, Cardenden Road, Cardenden
Date: 15 November 2023 18:36:39

Dear Michelle,
Thank you for forwarding SEPA's response to the application and I acknowledge their conclusion that a residential dwelling would constitute an increase in vulnerability.

We are however disappointed that SEPA were not consulted on this application and have not had the opportunity to fully assess the extensive Flood Risk and Drainage Assessment that was submitted as well as the additional letter provided by the Flood Risk Engineers / Environmental Consultants.

As set out in the Supporting Statement, the Council does not appear to take full consideration of the fact that SEPA flood maps are strategic in nature and therefore due weight must be given to the findings of the FRDA which in this case demonstrates that the proposal has been designed with the highest flood resilience and safety measures in place making it far more resilient to any potential future flooding event than neighbouring properties. In addition, the reduced building footprint and raised deck will increase local floodplain storage.

I wish to reiterate the following key points:

- The proposed house will be located within the existing building's footprint and is 23% smaller.
- August 2020 *'Even during this extreme flood event (the worst on record in Scotland) which was made worse by the Den Burn culvert and River Ore bridge becoming blocked, the Scout Hall remained free of flooding'.* (Gondolin Land & Water)
- *'The [SEPA flood] map is of a strategic nature to support flood risk management planning at a community level. It is not appropriate for property-level assessment.'* (Gondolin Land & Water)
- There has been no objection or full consultation response from SEPA.
- The Scout Hall was regularly used by children (aged 4 and upwards) who were not necessarily acquainted with the building, making them vulnerable users in any flooding event. People living in their own home who are well acquainted with their environment are less vulnerable in such an event.
- The house will also benefit from exemplar flood resilience and safety measures, whereas the current hall has none; if the hall was recommissioned, then its users would be at a greater level of flood risk than the occupants of the proposed dwelling.
- The proposed house's floor level will be 600mm higher than the Scout Hall's, making it more flood resilient that any of the surrounding properties.
- The proposal will also increase local floodplain storage and thus have a positive

community impact in terms of local flood risk reduction.

- Gondolin Land & Water, the expert flood risk assessors, summarise – '*It is considered there is no impediment to the development proposals being granted planning permission on the grounds of flood risk and drainage provision.'*
- *'… the proposed development is suitable, safe and sustainable in flood risk planning terms. With the implementation of flood risk mitigation and resilience measures, the residual fluvial flood risk is considered low.'* (Gondolin Land & Water)

Kind Regards
Katie

Katie Crerar MRTPI BA (Hons) MA
Planning Consultant **KC Planning**

T: 07730601996
E: kcplanning@outlook.com