

## West and Central Planning Committee – Blended Meeting

Committee Room 2, 5th Floor, Fife House, North Street,  
Glenrothes



Wednesday, 1 May, 2024 - 2.00 p.m.

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### AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** - In terms of Section 5 of the Code of Conduct, members 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 the meeting of West and Central Planning Committee of 3 April 2024 3 – 7
4. **23/01380/FULL- - DEVELOPMENT LAND WHITWORTH ROAD GLENROTHES** 8 – 28  

Erection of a crematorium (Sui Generis), construction skills academy (Class 10) and manufacturing facility (Class 5) including the formation of associated vehicular access, car parking and hard and soft landscaping and other associated supporting infrastructure.
5. **23/01953/FULL - 27 SEASIDE PLACE ABERDOUR BURNTISLAND** 29 – 42  

Erection of dwellinghouse and formation of access including associated works
6. **24/00095/FULL - 117 LIME GROVE METHIL LEVEN** 43 – 49  

Erection of domestic outbuilding (retrospective)
7. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS**  

<https://www.fife.gov.uk/kb/docs/articles/planning-and-building2/planning/planning-applications/weekly-update-of-applications2>

**Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.**

Lindsay Thomson  
Head of Legal and Democratic Services  
Finance and Corporate Services

Fife House  
North Street  
Glenrothes  
Fife, KY7 5LT

24 April, 2024

If telephoning, please ask for:  
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### **BLENDING 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.

**THE FIFE COUNCIL - WEST AND CENTRAL PLANNING COMMITTEE – BLENDED MEETING**

**Committee Room 2, 5th Floor, Fife House, North Street, Glenrothes**

**3 April, 2024**

**2.00 pm – 4.15 pm**

**PRESENT:** Councillors David Barratt (Convener), David Alexander, Lesley Backhouse, Alistair Bain, John Beare, James Calder, Ian Cameron, Altany Craik, Dave Dempsey, Derek Glen, James Leslie, Derek Noble, Gordon Pryde and Sam Steele.

**ATTENDING:** Kevin Treadwell, Service Manager Strategic Development and Infrastructure, Steve Iannarelli, Team Manager, Development Management, Bryan Reid, Lead Professional, Development Management, Planning Service; Steven Paterson, Solicitor and Michelle Hyslop, Committee Officer, Legal and Democratic Services.

Prior to the start of business, the Convener intimated the intention to vary the sequence of that on the agenda to take item 6 (para 159) prior to item 4 (para 160) due to members of the public attending the committee for Item 6.

**157. DECLARATIONS OF INTEREST**

No declarations of interest were submitted in terms of Standing Order No. 22.

**158. MINUTE**

The committee considered the minute of the West and Central Planning Committee of 6 March 2024.

**Decision**

The committee agreed to approve the minute.

**159. 23/02598/FULL - GLENNISTON FARM GLENISTON AUCHTERTOOL**

The committee considered a report by the Head of Planning Services relating to an application for the Installation of 39MW solar PV array with 10MW embedded battery storage facility and associated infrastructure including vehicular access, internal access tracks, security fencing, CCTV cameras, underground cabling, inverters, substations, auxiliary transformer and other ancillary development.

Members were advised of an amendment to para 2.6.4 of the report: -

- Para 2.6.4 of the report, the sentence beginning "A visibility" should read - A visibility of 3m x 50m can be achieved to the south, with a visibility of 3m x 215m achievable to the north for access point 3.

**Motion**

Councillor Barratt, seconded by Councillor Cameron moved to approve the application subject to: -

- (1) the 18 conditions and for the reasons detailed in the report;
- (2) the amendment of condition 9
- (3) the amendment of condition 26

**Amendment**

Councillor Backhouse, moved to refuse the application on the grounds that the proposed development impacted on the loss of visual amenity/landscape character impacts, loss of agricultural land and natural heritage, however having failed to find a seconder, Councillor Backhouse requested that her dissent be recorded.

**Decision**

The committee agreed to: -

- (1) approve the application subject to the 18 conditions and for the reasons detailed in the report;
- (2) an amendment to condition 9 to read: -

9. UNLESS OTHERWISE AGREED IN WRITING WITH FIFE COUNCIL AS PLANNING AUTHORITY, if the solar farm and battery storage facility fails to export electricity to the grid for a continuous period of 12 months, the developer shall; (i) notify the Planning Authority within 1 month of the end of the 12 month period that the development has failed to export electricity; (ii) submit a scheme to Fife Council as Planning Authority setting out how the solar farm and battery storage facility and its ancillary equipment and associated infrastructure shall be removed from the site and the ground fully restored; and (iii) following written approval of the scheme by Fife Council as Planning Authority, implement the approved scheme within 12 months of the date of its approval, all to the satisfaction of Fife Council as Planning Authority.

Reason: In the interests of maintaining adequate control of the solar array facility should it become redundant, and to ensure that the site is restored.

- (3) an amendment to condition 26 to read: -

BEFORE ANY WORKS START ON SITE, a Traffic Management (TM) plan covering the construction of the development has been submitted for and approved in writing by the Planning Authority. The Traffic Management plan shall contain details on routing and timing of deliveries to site, site operatives parking area, traffic management required to allow off site operations such as public utility installation, etc. The approved Traffic Management plan shall thereafter be implemented for the duration of the construction works.

FOR THE AVOIDANCE OF DOUBT, construction traffic travelling to/from the site shall not be directed through Auchtertool.

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Reason: In the interest of road safety; to ensure the safe operation on construction traffic on the surrounding public road network.

*Councillor Leslie joined the meeting during consideration of the above item.*

*Councillor Calder left the meeting during consideration of the above item.*

### **160. 19/01725/PPP - LAND TO EAST OF A823, WELLWOOD, FIFE**

The committee considered a report by the Head of Planning Services relating to an application for the Planning Permission in Principle for residential development, open space areas, path and cycle network and associated development at Colton SDA at Land To East Of A823, Wellwood, Fife.

The committee noted the following verbal updates to the report: -

- The following reference should have included at the top of Page 41 of the Committee Papers to read “Appendix 3 – original committee report”;
- The adjacent development site DUN044 – The Land North of Wellwood had been granted planning permission for residential development since the original committee report was prepared and the previous references to the DUN044 being subject to appeal within the original committee report were no longer correct; and
- The original committee report (pages 41-103) considered the relationship between Colton SDA and DUN044. It would be confirmed that as residential development had been approved on DUN044, development brief(s) would be required to consider residential development on this site and introduce appropriate design principles that integrated both residential developments.

### **Decision**

The committee agreed: -

- (1) to approve the application subject to the 41 conditions and reasons detailed in the report and the conclusion of a legal agreement to secure the necessary planning obligations, namely: -
  - (a) the proportionate financial contribution towards a new Primary School;
  - (b) the provision of access to the land associated with the link road within the site should this be needed to deliver the Northern Link Road;
  - (c) a Strategic Transport Contribution of £5332 (indexed) per market unit;
  - (d) a contribution of £6067 (indexed) per 3-bedroom residential units towards secondary school education. This shall be increased and decreased on a sliding scale per bedroom and index linked;
  - (e) a contribution of £226 (indexed) per 3-bedroom residential units towards St Margaret's Roman Catholic Primary School. This shall be increased and decreased on a sliding scale per bedroom and index linked;

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- (f) 25% affordable housing on the site;
  - (g) the final delivery of landscaping and open space for development areas should the development stall for 3 years or more;
  - (h) a financial contribution or direct completion of the Northern Link Road at the eastern end of the development site outwith the area of site specified on plan 50126\_106 and condition 22 including land, CPO and construction costs; and
  - (i) a contribution towards general or project specific improvements to enhance the wider setting of, including accessibility to/from, Townhill Country Park.
- (2) to delegate to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligations set out in paragraphs (1) (a), (b), (c), (d), (e), (f), (g), (h) and (i) above; and
- (3) that should no agreement be reached in relation to the planning obligations within 12 months of the Committee's decision, authority would be delegated to the Head of Planning Services in consultation with the Head of Legal and Democratic Services to refuse the application.

*The meeting adjourned at 3.35pm and reconvened at 3.40pm*

### 161. **23/00997/FULL - LAND TO SOUTH OF MILLBURN AVENUE COALTOWN OF BALGONIE**

The Committee considered a report by the Head of Planning Services relating to an application for the Residential development of 102 units (including 10 affordable units) with associated infrastructure including two vehicular access points, roads, landscaping, playpark and SuDS.

Members were advised of amendments to the reports: -

- Para 2.3.5 of the report, the sentence beginning "Three principal" should read – "Three principal amenity spaces are proposed; landscaped area in the south east corner (containing SuDS cellular storage system)";
- Para 2.3.5 of the report, the sentence beginning "The total" should read – "The total area of open space proposed would meet the policy requirements (discussed in full detail later in this report), with the proposed development feeling generally open through the location and function of the proposed spaces, particularly the large open spaces proposed at the site entrance and north east corner, aided by the pocket of open spaces and street trees and hedgerow planting proposed throughout"; and
- Para 2.5.8 of the report, the sentence beginning "In response" should read – "In response to this recommendation, it is ultimately considered that not extending the footway beyond the easternmost units would not raise any significant concerns given the anticipated desire lines of pedestrians".

**Decision**

The committee agreed: -

- (1) to approve the application subject to the 35 conditions and reasons detailed in the report and the conclusion of a legal agreement to secure the necessary planning obligations, namely: -
  - (a) a contribution towards Strategic Transport Interventions Measures in line with the Adopted Fife Plan (2017) and Planning Obligations Framework Guidance (2017);
  - (b) a contribution towards the planned extensions to Coaltown of Balgonie Primary School and Auchmuty High School in line with the Adopted FIFEplan (2017) and Planning Obligations Framework Guidance (2017); and
  - (c) the provision of 10 affordable housing units on the site.

- (2) the addition of the following condition: -

36. Prior to the occupation of the first residential unit, written evidence of Scottish Water's agreement to connect the development to the public drinking water/foul water infrastructure network, and confirmation that the mitigation measure identified within the approved Water Impact Assessment (or any reasonable alternative mitigation measures agreed in writing between the developer and Scottish Water) have been carried out, shall be submitted to Fife Council as Planning Authority for approval in writing.

Reason: In the interest of preserving existing infrastructure capacity; to ensure that the development does not have a negative impact on existing water infrastructure capacity.

- (3) to delegate to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligations; and
- (4) that should no agreement be reached in relation to the planning obligations within 6 months of the Committee's decision, authority would be delegated to the Head of Planning Services in consultation with the Head of Legal and Democratic Services to refuse the application.

**162. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS**

The committee noted the applications dealt with under delegated powers since the last meeting.

1 May 2024

Agenda Item No. 4

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**Application for Full Planning Permission**

**Ref: 23/01380/FULL**

**Site Address: Development Land Whitworth Road Glenrothes**

**Proposal: Erection of a crematorium (Sui Generis), construction skills academy (Class 10) and manufacturing facility (Class 5) including the formation of associated vehicular access, car parking and hard and soft landscaping and other associated supporting infrastructure.**

**Applicant: Mr Mark Williams, 4 King Edwards Court King Edwards Square**

**Date Registered: 25 July 2023**

**Case Officer: Jamie Penman**

**Wards Affected: W5R13: Glenrothes West and Kinglassie**

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### **Reasons for Referral to Committee**

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This application proposal requires to be determined by Committee as the application is for a Major Development in accordance with the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

### **Summary Recommendation**

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The application is recommended for: Refusal

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## **1.0 Background**

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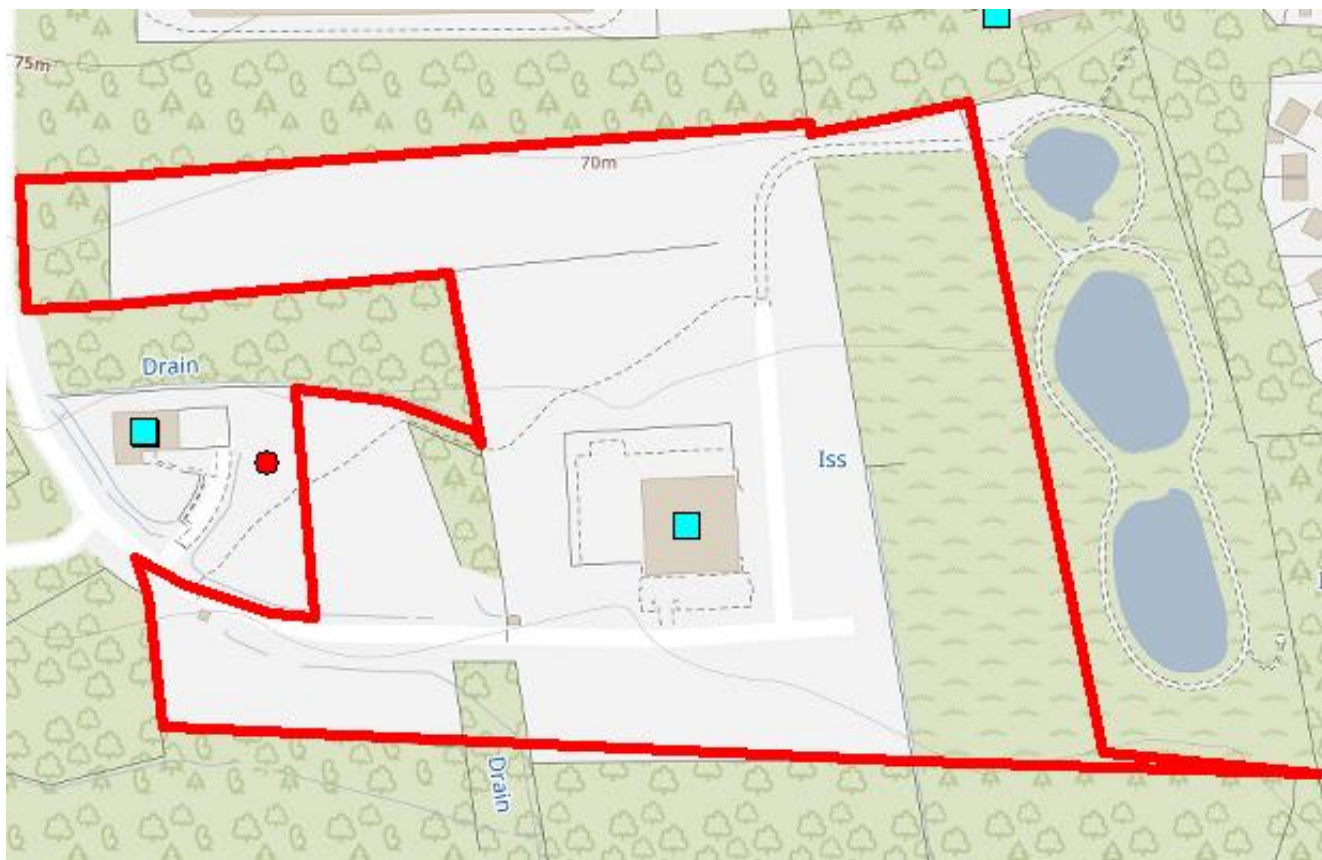
### **1.1 The Site**

1.1.1 This application relates to around 10Ha of land located within and towards the southwestern boundary of the settlement of Glenrothes. The site is located within the Southfield Industrial Estate, along Whitworth Road and is approximately 1.5 miles to the south of Glenrothes Town Centre. The application site is greenfield land and slopes gradually downhill towards its southern boundary. It is bound by a tree belt to the north. Sustainable urban drainage (suds) ponds, a tree belt and housing within Finglassie is located to the east. Tree belts are also located to the south and west, along with existing business units. There is also an existing business located within the centre of the application site boundary which does not form part of this application. Whitworth Road forms a single point of access into the site and access to the wider strategic road network can be gained from Kinglassie Road (B921). There is a pedestrian path network through (Core Path P403/03) and around the site (LP120/LP121), with the nearest bus stop located on Whitworth Road 650m to the north. Part of the site is a designated Safeguarded Employment Area and part of the site is covered by the Local



Development Plan 2017 (FIFEPlan) allocation GLE020 which identifies that the site is suitable for employment uses falling within Classes 4 (Business), 5 (General Industry) and 6 (Storage and Distribution).

### 1.1.2 Location Plan



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### 1.2 The Proposed Development

The application proposal consists of the erection of a crematorium (Sui Generis), a construction skills academy (Class 10 – Non- Residential Institution) and a manufacturing facility (Class 5 – General Industry). The proposal also includes the formation of an associated vehicular access, car parking, hard and soft landscaping and other associated supporting infrastructure. The crematorium would be located towards the northern part of the site and occupies around 2.7Ha of land. The crematorium building would have a footprint of around 1,900sqm, it would be single storey, have a flat roof with a maximum finishing height of around 10m and would be finished with a mix of finishing materials including brick cladding and precast concrete. The crematorium would also feature a remembrance garden measuring approximately 8,200sqm and 193 visitor parking spaces would also be provided. Both the construction skills academy and the timber kit manufacturing facility would be located towards the southern boundary of the site and would occupy around 4,500sqm and 6,900sqm of land respectively. A visitor and staff car park comprising of 91 parking bays would also be provided. The construction skills academy building would have a footprint of around 2,200sqm, have a flat roof with a maximum finishing height of 10m and be finished with large areas of glazing and metal cladding. The timber kit manufacturing facility would have a footprint of around 3,500sqm, have a pitched roof with a maximum finishing height of 8.5m and would be finished with metal cladding. Large areas of landscaping and compensatory tree planting would be provided, and additional drainage infrastructure would be located along the eastern boundary of the site.

### **1.3 Relevant Planning History**

10/00834/FULL - Formation of SUDS retention pond and access track – Application Approved with Conditions - 10/05/11

11/02040/FULL - Formation of SUDS retention ponds (revised application re 10/00834/FULL) - Application Approved with Conditions - 22/06/11

22/04227/PAN - Proposal of Application Notice for the development of a crematorium and construction skills academy and manufacturing facility with associated vehicular access, car parking and hard and soft landscaping – Proposal of Application Notice Agreed - 22/12/22

### **1.4 Application Procedures**

1.4.1 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. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017).

1.4.2 The proposal falls within Class 9: Other Development of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. As the site measures over 2Ha, the proposal is categorised as a Major development. The applicant has carried out the required Pre-Application Consultation (PAC) through holding public information events (Ref: 22/04227/PAN). A PAC report outlining comments made by the public and the consideration of these in the design process of the proposal has been submitted as part of this application. Overall, the manner of public consultation was considered acceptable.

1.4.3 As the application site exceeds 0.5ha, in accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, the proposed development is identified as a 'Schedule 2' development which requires to be screened for EIA. The proposed development was screened by the Planning Authority where it was concluded that an EIA was not required.

### **1.5 Relevant Policies**

#### **National Planning Framework 4 (2023)**

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 3: Biodiversity

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy 4: Natural places

To protect, restore and enhance natural assets making best use of nature-based solutions.

Policy 6: Forestry, woodland and trees

To protect and expand forests, woodland and trees.

**Policy 9: Brownfield, vacant and derelict land and empty buildings**

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

**Policy 13: Sustainable transport**

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

**Policy 14: Design, quality and place**

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

**Policy 15: Local Living and 20 minute neighbourhoods**

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

**Policy 18: Infrastructure first**

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

**Policy 20: Blue and green infrastructure**

To protect and enhance blue and green infrastructure and their networks

**Policy 22: Flood risk and water management**

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 23: Health and safety**

To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

**Policy 26: Business and industry**

To encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses

**Adopted FIFEplan (2017)**

**Policy 1: Development Principles**

Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts.

**Policy 3: Infrastructure and Services**

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

**Policy 5: Employment Land and Property**

Outcomes: An increase in the percentage of settlements in Fife with a population of 5,000 or more which have an immediately available 7 year supply of employment land. Improved employment prospects. More opportunities for economic investment.

**Policy 10: Amenity**

Outcome: Places in which people feel their environment offers them a good quality of life.

#### Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

#### Policy 12: Flooding and the Water Environment

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved.

#### Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

### **National Guidance and Legislation**

PAN 01/2011 – Planning and Noise

PAN 33 – Development of Contaminated Land

### **Supplementary Guidance**

Supplementary Guidance: Making Fife's Places (2018)

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

Supplementary Guidance: Low Carbon Fife (2019)

Low Carbon Fife Supplementary Planning Guidance provides guidance on: demonstrating compliance with CO2 emissions reduction targets and district heating requirements.

### **Planning Policy Guidance**

Planning Policy Guidance: Development and Noise (2021)

Policy for Development and Noise looks at both noisy and noise sensitive land. Noise sensitive developments may need to incorporate mitigation measures through design, layout, construction or physical noise barriers to achieve acceptable acoustic conditions.

Planning Policy Guidance: Planning Obligations (2017)

Planning Obligations guidance seeks to ensure that new development addresses any impacts it creates on roads, schools and community facilities. It assists the development industry to better understand the costs and requirements that will be sought by Fife Council and provides certainty to communities and public bodies that new development will have no negative impact.

## 2.0 Assessment

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### 2.1 Relevant Matters

The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design, Layout and Visual Impact
- Residential Amenity
- Sustainable Travel and Road Safety
- Flooding and Drainage
- Contaminated Land and Air Quality
- Natural Heritage and Trees
- Sustainability

### 2.2 Principle of Development

2.2.1 National Planning Framework 4 (NPF4) Policies 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) and 26 (Business and Industry) apply to this proposal. NPF4 Policy 9 aims to reduce the need for greenfield development and states that proposals on greenfield sites will not be supported unless the site has been allocated for development or the proposal is explicitly supported by policies in the LDP. Policy 26 aims to encourage, promote and facilitate business and industry uses. It states that development proposals for business and industry uses on site allocated for those uses in the LDP will be supported.

2.2.2 Fife's Local Development Plan (FIFEplan) Policies 1 (Development Principles) and Policy 5 (Employment Land and Property) apply to this proposal. Policy 1 supports development proposals within a defined settlement boundary or on other sites where the use is supported by the LDP. Policy 5 states that all existing employment areas and those allocated in the LDP will be safeguarded for continued industrial and business use. Policy 5 advises that for a change of use away from employment land, it must be demonstrated that the site cannot be reused or redeveloped for employment uses based on prevailing market conditions. Furthermore, the change of use must also not create a shortfall in the 7-year employment land supply. Policy 5 also details that in all cases, proposals must have no significant impact on established business operations, must consider the amenity of the new use and the amenity of surrounding uses.

2.2.3 Submitted representations raise concerns with regard to the principle of development in that part of the proposal is for a non-employment use which would be located on designated employment land. Many objections also question the need for another crematorium facility in the area. Further concerns are noted regarding the impact the development would have on open, greenfield space which is used regularly by the local community.

2.2.4 Fife Council's Economic Development Team (EDT) has been consulted and has advised that they cannot support the proposal. EDT advise that the site forms both allocated and safeguarded employment land and that for a change of use away from an employment use to be considered acceptable, it must be demonstrated that the site cannot be reused or developed for employment use purposes, based on current, prevailing market conditions. Furthermore, a change of use should not create a shortfall in the 7-year employment land supply. EDT raise no significant concerns with regard to the construction skills academy and the timber kit

manufacturing facility, given their close link to employment uses. However, EDT advise that with regard to the proposed crematorium, the information included in the submitted marketing assessment is not current and that since the site was marketed, there has been substantial amounts of employment land sold within Glenrothes which suggests there may be demand for the land for employment uses, were the site to be marketed today. Furthermore, EDT note that the most recent Employment Audit 2022 (ELA) records Glenrothes as having 80 – 99% of the required employment land availability which suggests that there could be limited land availability for employment uses looking to locate within the town. EDT advise that due to more recent employment land sales within Glenrothes, the next version of the ELA (2023) will likely see a reduced employment land availability for Glenrothes, with only 51% of the requirement being met. EDT therefore suggest that this development would create a shortfall in the 7-year land supply. In more general terms, EDT also raise further concerns regarding the general compatibility of the proposed crematorium use within an industrial estate and that the operational requirements of the use could represent a risk to the viability of existing business operations which surround the site.

2.2.5 Fife Council's Bereavement Services (BS) has also been consulted with regard to the crematorium element of this proposal. Their consultation response questions whether there is a need for a further crematorium within Fife, given three already exist. They note that Council run crematoria are running at almost full capacity, however, there are periods during the year when that is not the case. BS advise that it is difficult to predict what the mortality rate will be over the coming years and advise that it is unlikely to have any bearing on the need for another facility. BS also raise more general concerns with the compatibility of a crematorium use within an industrial estate.

2.2.6 The whole application site is either allocated or designated employment land. FIFEplan advises that such areas contribute significantly to the Fife economy and such sites should be safeguarded for continued employment uses. Employment uses are specified as those falling within Class 4, 5 and 6 as defined by the Town and Country Planning (Use Classes) (Scotland) Order 1997. Approximately 70% of the site is LDP allocated employment land Ref:GLE020, allocated for Class 4, 5 and 6 uses. The remainder of the site whilst not allocated, is designated Safeguarded Employment Land. The ELA advises that Safeguarded Employment Land is for critical expansion of existing business and specialist key sector growth and will not, by virtue of its specialist nature, be able to accommodate general employment or inward investment uses.

2.2.7 This application presents a mix of different uses. The timber kit manufacturing facility falls within Class 5 (General Industry) and would be located within FIFEplan allocation GLE020 and as such, no concerns would be raised with regard to the principle of this part of the proposal. The construction skills training academy falls within Class 10 (Non-Residential Institution) and would be located within FIFEplan allocation GLE020. Whilst this part of the proposal would not fall within a typical employment uses category, it would have a clear link to employment uses through providing education to those going on to work within employment uses. It would also be a compatible and complementary use within an industrial estate. This part of the proposal would also be closely linked to the timber kit manufacturing facility, both in terms of its operation and location, where students enrolled at the academy can visit and learn from the timber kit manufacturing facility. As such, whilst the Class 10 part of this proposal does not fall within an employment use, on balance it can be accepted in principle.

2.2.8 With regard to the proposed crematorium and its associated development (approx. 2.7Ha), this is partly located on Safeguarded Employment Land (crematorium and garden of remembrance 1.7Ha) and partly on allocated FIFEplan employment site Ref:GLE020 (193 space car park 1Ha). The applicant has submitted a supporting planning statement which advises that the proposal is in accordance with NPF4 Policies 9 and 26 but provides little detail

as to why the applicant considers this to be the case. The supporting statement details that the proposal would represent sustainable use of land in accordance with Policy 9 and goes on to acknowledge that whilst the crematorium does not fall within a use class normally associated with an employment area, they consider it to be an appropriate use in an employment area and a much-needed community facility which would be compatible with the existing character of the surrounding area.

2.2.9 In terms of FIFEplan Policy 5, the supporting statement again acknowledges that the proposed crematorium use is not an employment use but does contest that it is an employment generator. The supporting statement also notes that the site has been marketed for a number of years with no interest coming forward for a specific employment use. The supporting statement also contends that there is a need for a crematorium facility in Glenrothes as detailed in the submitted supporting Need Report.

2.2.10 The applicant has submitted marketing information with this application which details that the site was originally advertised by Scottish Enterprise, for use classes 4, 5 and 6 in September 2008. This included website advertising, site signage and social media marketing. In April 2011, a proportion of the site was acquired by Scottish Water for the creation of SUDS ponds and the remainder of the site was still for sale. In May 2013, further land was acquired by Scottish Water. In May 2018, the site was exposed to auction and failed to sell however the site continued to be marketed. In December 2020, a proposal for the crematorium progressed and the site was marketed during this time. In August 2021, the applicant bought the site, with further marketing to find an employment occupier being undertaken.

2.2.11 The submitted Need Assessment details that the proposed crematorium would have a capacity for 150 visitors. It is expected that it would generate around 10 -15 jobs. It is proposed that the crematorium would provide 1-hour long services. In order to demonstrate need, the Need Report sets out that national death rates are expected to rise over the coming years along with the demand for cremation services. The Need Report acknowledges that the catchment area for the proposed crematorium is largely similar to the catchment area for the existing facility in Kirkcaldy, however, it is argued that the proposal would facilitate competition and choice which would ultimately benefit the customer. The Need Report sets out that there is likely to be capacity for an additional crematorium where the number of cremations at an existing facility is at or above 80% of the core capacity (between 10am – 4pm). The Need Report sets out that for the existing crematorium facility in Kirkcaldy, based on predicted death rates and cremation demand for 2025, the theoretical usage vs capacity of an average month is 77%. This increases to 103% when considering the core period only. In terms of the peak period of 2025, the theoretical usage vs capacity of Kirkcaldy crematorium would be around 94%, with this increasing to 125% when considering the core period only. The Need Report also projects demand and theoretical capacity looking further forward in time to 2035. The average theoretical usage vs capacity of Kirkcaldy crematorium is expected to be around 93%, increasing to 124% when considering the core period only. In terms of the peak period, the theoretical capacity is expected to be at 114%, increasing to 152% when considering the core period only. The Need Report also considers that the proposal if approved would result in shorter journey times and shorter waiting times for customers. It also details that the proposal would provide generous service times and a wide choice of memorial options.

2.2.12 The applicant has also referred to a recent study undertaken by Fife Council's Bereavement Services into the reducing quality and capacities of existing cemeteries. The report states that Fife has 61 active cemeteries with only 51 of these having lairs available to purchase. The report notes that within the next 20 years, 16 cemeteries are nearing capacity, 11 cemeteries have less than 10 years capacity and 7 cemeteries have less than 5 years capacity. The report also advises that 7 cemeteries are nearing capacity within the next 30 years and 28 cemeteries have more than 40 years of capacity. The report outlines a number of

steps which aims to help mitigate capacity issues which includes investing in additional cemetery capacity and plan for continued provision by identifying new sites, ceasing the presale of lairs and reclaiming previously sold lairs where there are no successors. In relation to this report the applicant has advised that the introduction of a new crematorium would relieve some of the pressures facing burial plots within Fife. They also note that they would be willing to assist in providing burial space whilst acknowledging this would involve separate planning approval.

2.2.13 The timber kit manufacturing facility falls within use class 5 and is therefore acceptable in principle. The construction skills academy whilst not specifically falling within an employment use class, is closely linked to an employment use and would complement surrounding uses and the proposed timber kit manufacturing facility. The crematorium also proposed as part of this application, however, does not fall within an employment use class, nor would it complement surrounding uses within the wider industrial estate. This part of the proposal receives no policy support from NPF4 Policies 9 or 26. FIFEplan Policy 5 does note instances where a change of use away from employment land may be acceptable and marketing information has been submitted by the applicant in an attempt to demonstrate compliance with Policy 5. This information advises however that marketing of the site ceased when the site was purchased by the applicant in August 2021. The marketing information is therefore not based on current market demands and the ELA, along with the consultation response from Fife Council's Economic Development Team suggests that given the employment land supply within Glenrothes is below the required level and likely to be constrained further in the next ELA publication, there may be interest in the site for an employment use, were it to be marketed today.

2.2.14 Whilst the need for a new crematorium is not a significant material consideration, if the applicant had demonstrated that a change of use away from employment land had been acceptable, the need for a new crematorium may have informed planning balance in assessing the proposal. The figures in the submitted Need Report have not been independently verified, however, the report does not raise any significant concerns in terms of current capacity levels at existing crematorium facilities within Fife. This has been supported in general terms by Fife Council's Bereavement Services Team.

2.2.15 The application site is private land and designated for development of employment uses. Whilst representations raise concerns regarding the potential development of well used open space, given that the land is private and that it is not designated open space, no significant concerns would be raised in this regard with respect to the general principle of the area being developed.

2.2.16 Furthermore, the proposed crematorium use class would not be considered a compatible use within an industrial estate environment. The crematorium and its associated remembrance garden would be considered a noise sensitive development and may conflict with noisy activities generally found within industrial estates. Whilst a lot of the land within the surrounding area is currently undeveloped, it is either allocated or safeguarded employment land and there are existing businesses within close proximity to the site. It is duly considered that establishment of a crematorium in the proposed location could prejudice the operation of established and future business activities in the surrounding area, thereby undermining the land use strategy for the area.

2.2.17 Whilst parts of the proposal do largely comply with NPF4 and FIFEplan Policies, the proposed crematorium aspect conflicts with NPF4 Policies 9 and 26 and FIFEplan Policies 1 and 5 in that it would represent an unjustified change of use of designated and allocated employment land. The principle of the proposal as a whole cannot therefore be considered acceptable. The proposal will therefore be recommended for refusal with this as the primary



refusal reason. The remaining assessment criteria will still be fully assessed in the following sections of this report.

## **2.3 Design, Layout and Visual Impact**

2.3.1 National Planning Framework 4 (NPF4) Policy 14 (Design, Quality and Place) applies to this proposal. Policy 14 aims to encourage well designed places and states that development proposals will be designed to improve the quality of an area.

2.3.2 Fife's Local Development Plan (FIFEplan) Policy 10 (Amenity) applies to this proposal. Policy 10 aims to protect amenity and advises that development which has a significant detrimental impact on the visual amenity of the surrounding area will not be supported.

2.3.3 Submitted representations raise concerns that the design of the proposal would not fit in with the wider industrial estate environment.

2.3.4 Whilst located within an existing industrial estate, the site is greenfield land which has naturalised over time and there are significant areas of tree planting within and around the site boundary. As such, any development on this site will have a significant visual impact, however, given the site's employment land allocated/designation, such visual impacts are to be expected. There are existing businesses in the surrounding area and their design and character reflects what would generally be expected within an industrial estate.

2.3.5 The application would consist of the erection of three separate buildings and other associated supporting infrastructure. The crematorium would be located towards the northern part of the site and. The crematorium building would have a footprint of around 1,900sqm, it would be single storey, have a flat roof with a maximum finishing height of around 10m and would be finished with a mix of finishing materials including brick cladding and precast concrete. The crematorium would also feature a remembrance garden measuring approximately 8,200sqm and 193 visitor parking spaces would also be provided.

2.3.6 Both the construction skills academy and the timber kit manufacturing facility would be located towards the southern boundary of the site and would occupy around 4,500sqm and 6,900sqm of land respectively. A visitor and staff car park comprising of 91 parking bays would also be provided. The construction skills academy building would have a footprint of around 2,200sqm, have a flat roof with a maximum finishing height of 10m and be finished with large areas of glazing and metal cladding. The timber kit manufacturing facility would have a footprint of around 3,500sqm, have a pitched roof with a maximum finishing height of 8.5m and would be finished with metal cladding.

2.3.7 Large areas of landscaping and compensatory tree planting would be provided throughout the site and additional drainage infrastructure would be located along the eastern boundary of the site. Boundary treatments would consist of masonry walls and acoustic screens.

2.3.8 The proposal would raise no significant concerns in terms of its visual impact. Whilst the site is currently undeveloped and is in a natural state, it is allocated for development and a certain level of visual impact is therefore to be expected. The physical form of the buildings and their layout would represent a higher quality of development than what is normally found in industrial estates and as such, would be acceptable and in compliance with NPF4 Policy 16 and FIFEplan Policy 10.

## 2.4 Residential Amenity

2.4.1 National Planning Framework 4 (NPF4) Policies 14 (Design, Quality and Place) and 23 (Health and Safety) apply to this proposal. Policy 14 aims to encourage well designed place and states that proposals that are detrimental to the amenity of the surrounding area will not be supported. Policy 23 aims to protect people and places from environmental harm and states that development which is likely to have significant effects on air quality or raise unacceptable noise issues will not be supported.

2.4.2 Fife's Local Development Plan (FIFEplan) Policy 10 (Amenity) applies and aims to protect the amenity of a surrounding area. It states that development proposals which have a significant detrimental impact on air quality, noise, light, odour, traffic movements, construction impacts or on the privacy or overshadowing of adjacent properties will not be supported.

2.4.3 Submitted representations raise concerns with the proposals impact on air and noise pollution in the surrounding area, given the proximity of residential properties to the application site. Representations also note that the proposals would impact on existing privacy levels in the surrounding area. Concerns are also raised regarding the proposal's potential odour impact.

2.4.4 The closest residential properties in relation to the proposed buildings (Nether Stenton Farm Cottages) are approximately 150m to the north. Further residential properties are located approximately 250m east on Courthill Drive, Cortachy Place and Auchavan Gardens within Finglassie. Drainage infrastructure and trees are located on the intervening land. Given the separation distances involved and the fact that the residential properties do not have a direct line of sight of the development, no significant concerns would be raised with regard to overshadowing or privacy impacts or light pollution.

2.4.5 In terms of noise impacts, the submitted Noise Impact Assessment raises no significant concerns with regard to the crematorium, however, the yards associated with the skills academy and timber kit manufacturing facilities may create a moderate impact on existing background noise levels. The report details that these impacts can be mitigated through the installation of acoustic screens. The final form of these screens has not been clarified, due to the unknown level of activity associated with the development at this time, however, this further noise assessment investigation could be secured by condition. Ultimately, it is considered that the proposal could successfully operate without having a significant noise impact on noise sensitive receptors. Fife Council's Environmental Health Team has reviewed the submitted Noise Impact Assessment and has raised no significant concerns.

2.4.6 As with any development, residential amenity impacts may arise during the construction period. It is considered however that these would only be temporary in nature and could be controlled through a construction management plan.

2.4.7 An Air Quality Impact Assessment has also been submitted in support of the application. It notes that emissions from the crematorium will ultimately be controlled by the Scottish Environment Protection Agency (SEPA). Notwithstanding, the assessment details that emissions from the crematorium development will not have a detrimental impact on the air quality in the surrounding area. This assessment has been reviewed by Fife Council's Land & Air Quality Team with no significant concerns being raised.

2.4.8 Neither Fife Council's Land & Air Quality Team or Environmental Health Team has raised any concerns regarding the potential for odour impacts from the development.

2.4.9 The proposal would raise no significant concerns in terms of residential amenity impacts and is therefore acceptable in this regard and in compliance with NPF4 Policies 14 and 23 and FIFEplan Policy 10.

## **2.5 Sustainable Travel and Road Safety**

2.5.1 National Planning Framework 4 (NPF4) Policies 13 (Sustainable Transport), 15 (Local Living and 20 Minute Neighbourhoods) and 18 (Infrastructure First) apply to this proposal. Policy 13 aims to encourage developments that prioritise sustainable transport options. It states that development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car. Policy 15 aims to encourage developments where they are within a reasonable distance of people's homes and have access to sustainable transport options. It states that proposals will contribute to local living and have access to sustainable transport modes. Policy 18 aims to encourage an infrastructure first approach to land use planning. It states that impacts of development proposals on infrastructure should be mitigated and will only be supported where provision is made to address impacts on infrastructure.

2.5.2 Fife's Local Development Plan (FIFEplan) Policies 3 (Infrastructure and Services) and Policy 11 (Low Carbon) apply to this proposal. Policy 3 advises that development must be designed in a manner that ensures it delivers the required level of infrastructure and can function in a sustainable manner. This includes local transport and safe access routes. Policy 11 aims to promote sustainability and advises that development will only be supported where it encourages and facilitates the use of sustainable transport.

2.5.3 Submitted representations raise concerns with regard to the high levels of traffic that the development would generate and the impact that this may have on the local road network. Concerns also note the poor availability of public transport options in the area.

2.5.4 The application site is located off Whitworth Road, approximately 900m to the south of the strategic road network. All three parts of the proposal would take access off Whitworth Road, with a new additional access road also being proposed to serve the crematorium. Off-street parking areas are being provided to serve each part of the proposal. There is a core path through the site, local paths around the site and good footpath provision along Whitworth Road. The closest bus stop is located approximately 700m to the north on Whitworth Road.

2.5.5 A Transport Assessment has been submitted in support of the application which considers that the site is located adjacent to a network of pedestrian and cycle facilities which offer convenient access. It notes that bus services serve the wider industrial estate and the neighbouring residential area of Finglassie. The assessment also considers that the site has good vehicular connectivity by virtue of its proximity to the A92. The Transport Assessment considers trip generation and notes that the crematorium is likely to generate around 400 two-way vehicle trips throughout the day. The skills academy and timber kit manufacturing facility are expected to generate approximately 80 two-way vehicle trips each. The Transport Assessment considers that the level of trips generated by the development is forecast to have a minimal impact on the operational capacity of the local road network. The Transport Assessment also considers parking demand and notes that the proposed parking areas will be sufficient to serve the projected level of demand.

2.5.6 Looking at public transport options in further detail, the submitted Transport Assessment details that the local bus service (Moffat and Williamson - M6) which serves the wider industrial estate operates at a frequency which is tailored to serve employees working in the area. It is noted that this service has 4 services in the morning between 06:08 and 07:38 and 4 services in

the evening between 16:34 and 18:04. The Transport Assessment also details that bus service which serves neighbouring Finglassie (Stagecoach – 38) at 30-minute frequencies throughout the day and the service which serves the neighbouring Whitehill Industrial Estate (Stagecoach – 43) at 30 minute frequencies throughout the day could also be utilised to access the application site.

2.5.7 Fife Council's Transportation Development Management Team (TDM) has been consulted on this application and has advised that they have no objections to the proposal subject to conditions.

2.5.8 No significant concerns would be raised with regard to the projected trip generation associated with the development and the impact that this would have on the local road network. Whilst Fife Council's TDM Team have raised no objection to the proposal, some concerns are raised with the proposed level of parking provision. With regard to the crematorium, Fife Council parking standards indicate that 1 space per 4 seats should be provided. This would equate to around 38 vehicles, however, the proposal would see 190 spaces being provided which would appear to be a significant over provision. Whilst concerns are raised, this issue could be overcome with a simple layout revision. As such, this issue on its own is not sufficient to support a recommendation for refusal of planning permission.

2.5.9 It is accepted that there is good sustainable transport links in the surrounding area in terms of walking and cycling. However, the closest bus stop to the development is located approximately 700m to the north of the site and the only service to this stop runs on a restricted basis to serve the employment uses within the area. Whilst this bus stop is located further away than the recommended 400m walking distance, it may have been considered suitable for the proposed skills academy and timber kit manufacturing facility. However, it would be inadequate to serve the proposed crematorium, both in terms of the walking distance to the stop from the crematorium but also its service frequency. This would result in a development which would prioritise the use of a private car. Whilst the presence of bus stops that have more frequent services are available in the wider area, these would be at least 700m away and visually detached from the site, which would not encourage their use.

2.5.10 Submitted plans indicate that local paths and core paths in and around the site would be unaffected by the proposal.

2.5.11 Whilst no significant concerns are raised with regard to the proposal's impact on general road safety matters in the surrounding area, concerns are raised with regard to the proximity of existing bus stops in the surrounding area, combined with the limited frequencies in which existing services run. This would result in a development which is reliant on the private car, contrary to NPF4 Policy 13 and 15 and FIFEplan Policies 3 and 11.

## **2.6 Flooding and Drainage**

2.6.1 National Planning Framework 4 (NPF4) Policy 22 (Flood Risk and Surface Water Management) applies to this proposal. Policy 22 aims to strengthen resilience to flood risk and reduce vulnerability of existing and future development to flooding. It states that development sites which are at risk of flooding or are in a flood risk area will only be supported in limited circumstances. Furthermore, development proposals will not increase the risk of surface water flooding to itself or others and all surface water run-off will be sustainably managed.

2.6.2 Fife's Local Development Plan (FIFEplan) Policies 3 (Infrastructure and Services) and Policy 12 (Flooding and the Water Environment) apply to this proposal. Policy 3 encourages

development where the required level of infrastructure has been provided and it functions in a sustainable manner. It states that surface water drainage will be managed through a sustainable urban drainage system (SUDS). Policy 12 advises that development proposals will only be supported where they can demonstrate that they will not increase flooding or be at risk of flooding.

2.6.3 Submitted representations raise concerns that that the development may increase flood risk in the surrounding area.

2.6.4 The SEPA flood maps have been reviewed and indicate that small pockets of surface water flooding occur within and around the site. The development is also of a size which requires a sustainable urban drainage scheme with a forward flow restriction. A Flood Risk Assessment and drainage proposals have been submitted and reviewed by Fife Council's Structural Services Team with no objections being raised.

2.6.5 The proposal therefore complies with NPF4 Policy 22 and FIFEplan Policies 3 and 12 in this regard.

## **2.7 Contaminated Land and Air Quality**

2.7.1 National Planning Framework 4 (NPF4) Policies 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) and 23 (Health and Safety) apply to this proposal. Policy 9 advises that where land is suspected to be unstable or contaminated, proposals will demonstrate that the land is, or can be made safe. Policy 23 advises that proposals which are likely to have significant effects on air quality will not be supported.

2.7.2 Fife's Local Development Plan (FIFEplan) Policies 10 (Amenity) aims to protect the amenity of a surrounding area and advises that proposals which have a significant detrimental impact on contaminated land or air quality will not be supported.

2.7.3 Submitted representations raise concerns with the proposal's potential impact on pollution and air quality impacts in the surrounding area.

2.7.4 The submitted Air Quality Impact Assessment details that whilst the crematorium emissions will be controlled by SEPA, atmospheric dispersion modelling indicates that the crematorium will have no detrimental impact on the air quality of the surrounding area. Furthermore, no significant impact is anticipated from the traffic that would be generated from the development. Fife Council's Land & Air Quality Team has been consulted and has raised no significant concerns with the submitted Air Quality Impact Assessment. They do however note that emissions from the crematorium will be controlled by an environmental permit issued by SEPA, which will specify emission limit values and monitoring requirements. No concerns have been raised within regard to the site being located within a smoke control area. It should be noted that SEPA is not a statutory consultee for this application in line with their consultation triage framework. This guidance states that proposals which have air emissions may require a permit under the Pollution Prevention and Control (Scotland) Regulations 2012 (PPC 2012). The triage framework confirms that this advice applies to crematoriums.

2.7.5 In terms of potential land contamination, a desktop study was submitted by the applicant which details that the site is considered to present a low risk of contamination but does recommend that site investigations are undertaken. This could be secured by condition.

2.7.6 The proposal raises no significant concerns in terms of its land or air quality impact and therefore complies with NPF4 Policies 9 and 23 and FIFEplan Policy 10.

## **2.8 Natural Heritage and Trees**

2.8.1 National Planning Framework 4 (NPF4) Policies 3 (Biodiversity) and 6 (Forestry, Woodland and Trees) apply to this proposal. Policy 3 aims to protect biodiversity and reverse biodiversity loss. It states that proposals should and deliver significant biodiversity benefits and that this should be based on an understanding of the site's characteristics, including its ecological context. Where potential negative impacts are identified, these should be fully mitigated. Policy 6 states that development proposals will only be supported where woodland removal will achieve clearly defined public benefit and where compensatory planting is delivered.

2.8.2 Fife's Local Development Plan (FIFEplan) Policy 13 (Natural Environment and Access) applies to this proposal. It states that development proposals will only be supported where they protect and preserve natural heritage assets including protected and priority habitats and species, green networks, biodiversity in the wider environment and trees/woodlands.

2.8.3 Submitted representations raise concerns that the development would result in unacceptable impacts on local ecology, both with respect to flora and fauna.

2.8.4 Whilst allocated/designated employment land, the application site is greenfield land which could accommodate a variety of animal species and habitat. Furthermore, there are significant areas of mature tree planting within and around the site.

2.8.5 An Extended Phase 1 Habitat Survey has been submitted with this application which details that the site offers suitable habitat for bats, great crested newt, red squirrel, water vole, reptiles, badger and nesting birds. The survey recommends that further survey work for protected species should be undertaken to identify which protected species may be present on or around the site. The recommended surveys include bat, water vole and great crested newt. Whilst the submitted survey recommends that the additional surveys should be undertaken prior to submission of the planning application, no detail regarding the additional surveys has been received. Whilst this was requested, the applicant advised that the survey window was closed and would not reopen until May.

2.8.6 Insufficient information has therefore been submitted to assess the presence of protected species on or around the site and to determine what impact the development may have on these if any were found to be present. As the proposal is being refused for other reasons, it was not considered reasonable to delay determination of the application any further to allow the submission of the additional surveys. The applicant has however outlined that they are committed to undertaking the surveys.

2.8.7 Fife Council's Natural Heritage Officer has been consulted and has advised that the recommendations made within the Extended Phase 1 Habitat Survey should be carried out.

2.8.8 A Tree Impact Assessment and Protection Plan has been submitted in support of the application. It shows that there would be tree/woodland loss (88 individual trees/groups) as a result of the proposal, however, a replanting plan has been submitted which details that around 2,500 trees will be replanted to compensate for the loss of existing trees. The assessment also details that whilst the aim is to retain existing trees, in particular category A and B trees, several have been listed for removal to facilitate the development. It is estimated that around 52

category A trees, 18 category B and 18 category C are planned for removal. The submitted protection plan indicates that where trees are to be retained, these will be protected from construction works, which would include protective fencing and minimising development within the root protection areas.

2.8.9 Fife Council's Tree Protection Officer has been consulted and has advised that the number and quality of trees to be replanted is appropriate to mitigate for tree loss. It is also noted that the protection plan is generally acceptable. The consultation response does however raise concerns with regard to the removal of category A and B trees and requested further evidence that demonstrates that the layout of the site could not be amended to retain these trees.

2.8.10 The site is allocated/designated employment land and as such, some tree loss may have to be accepted to facilitate development, providing that alternative layouts have been considered and if the proposed development is of public benefit. It is noted that a significant amount of tree removal is proposed in this instance and whilst the removal of category C trees is not normally considered a barrier to development, the number of category A and B trees to be removed is not acceptable, particularly given that alternative layouts do not appear to have been considered in an attempt to retain trees of high quality.

2.8.10 Insufficient information has been submitted to assess the proposal's impact on any protected species which may be present within the site. Furthermore, the proposal would result in the removal of around 70 high quality trees, thereby having a significant detrimental impact on biodiversity and nature in the surrounding area. Whilst the submitted survey does recommend biodiversity enhancement measures, given the issues which have been identified above, the proposal cannot be considered to provide significant biodiversity benefit. The application proposal is therefore contrary to NPF4 Policies 3 and 6 and FIFEplan 13.

## **2.9 Sustainability**

2.9.1 National Planning Framework 4 (NPF4) Policy 1 (Tackling the Climate and Nature Crises) and 11 (Energy) applies and aims to support development which will reduce emissions.

2.9.2 Fife's Local Development Plan (FIFEplan) Policy 3 (Infrastructure and Services) and Policy 11 (Low Carbon Fife) apply to this proposal. Both Policies 3 and 11 advise that development proposals will be served by low and zero carbon energy generating technologies.

2.9.3 Submitted representations raise concerns with regard to the high levels of carbon emissions that the crematorium would generate. Concerns are also raised with regard to the type of cremator proposed. Some concerns are also noted regarding the lack of detail submitted in respect of renewable energy generating technology.

2.9.4 A sustainability statement has been submitted in support of the application which details that a fabric first approach will be applied in order to minimise energy consumption through passive means. In terms of heating, it is noted that the crematorium would use waste heat from the cremators to heat the building and a mini district heat network is also proposed which would distribute low temperature hot water to adjacent properties to provide heating and hot water. It is also proposed that a centralised air source heat pump would be utilised to provide a back-up energy source. The sustainability statement continues to note that solar panels would be utilised to offset demand from the national grid. Battery storage would also be utilised. The statement also notes the electric vehicle (EV) charging points would be provided in accordance with building regulations at 1 charger per 10 spaces. Further enabling EV infrastructure would also

be provided to 50% of all parking spaces. Whilst little detail has been provided on the specifics of the heat network and renewable energy technology, further detail could be requested by condition.

2.9.5 Emissions from the crematorium would be controlled by SEPA. Planning cannot control the apparatus used within the crematorium. Furthermore, the level of renewable energy technology required for the development will be determined by Building Standards.

2.9.6 The proposal would meet the terms of NPF4 Policies 1 and 11 and FIFEplan Policies 3 and 11.

## 3.0 Consultation Summary

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Scottish Water	No objection.
Community Council	No response.
Tayside Aviation Ltd	No response.
Business And Employability	Does not support.
Natural Heritage, Planning Services	Habitat Survey recommendations should be undertaken.
Trees, Planning Services	Concerns raised regarding removal of Category A and B trees.
Land And Air Quality, Protective Services	No objection, conditions recommended.
Structural Services - Flooding, Shoreline And Harbours	No objection.
TDM, Planning Services	No objection.

## 4.0 Representation Summary

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4.1 116 Objections have been received. Comments received have been summarised below.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

Issue	Addressed in Section
Proposal would have a negative impact on pollution and air quality in the surrounding area and in turn have a negative impact on human health.	2.4 & 2.7



Proposal would lead to a significant increase in traffic resulting in pollution and road safety issues.	2.5 & 2.7
Industrial estate is an inappropriate setting for a crematorium.	2.2
The area is allocated for employment uses, not a crematorium.	2.2
There is a lack of public transport options in the area.	2.5
Proposal will have a negative impact on natural heritage including protected species and trees.	2.8
Proposal is too close to residential properties.	2.4
Pre-application consultation fell short of requirements.	1.4
There will be a loss of open space.	2.2
Proposals will result in increase in noise pollution.	2.4
Proposal is a high Co2 generator.	2.9
Proposal will result in increased flooding in the area.	2.6
Development will result in unacceptable odours.	2.4
Proposal will cause privacy impacts on nearby houses.	2.4
The proposal would develop greenfield land.	2.2
Development is not visually in-keeping with the surrounding area.	2.3
Submitted noise assessment does not consider full impacts.	2.4
Development will result in unacceptable construction noise.	2.4
Mix of uses proposed in application are not complementary.	2.2
Crematorium will not result in significant job creation.	2.2
Lack of detail regarding shared energy strategy/renewable energy tech.	2.9
Site is within a smoke control area.	2.7

#### 4.2.2 Other Concerns Expressed

Issue	Addressed in Section
Lack of detail regarding abatement measures.	Assessment would be undertaken by SEPA.

Type of cremator being used.	Not a material planning consideration.
Biomass plant was previously refused nearby.	Each planning application is assessed on its own merits.
There are already existing crematoriums in Fife with available capacity.	Not a significant material planning consideration.
Cremator will be gas fired.	Not a material planning consideration.
Council should not be approving new crematorium when they are spending money to upgrade Council owned facilities.	Not a material planning consideration.
Applicant has poor record of compliance with regulations.	Not a material planning consideration.
Proposals will impact on surrounding property values.	Not a material planning consideration.
Will parking be available?	Addressed in Section 2.5
Will the site be a one-way system?	Addressed in Section 2.5
Development will put a strain on local utilities.	Not a material planning consideration.
Car park areas may be used for fly tipping.	Not a material planning consideration.
Proposal will cause emotional distress.	Not a material planning consideration.
Other sites are more appropriate.	Not a material planning consideration.
Full due diligence of the applicants should be undertaken.	Not a material planning consideration.
Some drawings reference West Dunbartonshire Council	This could have been revised through condition.
No need for further training academy.	Not a material planning consideration.
Packaged development may result in crematorium being built and other uses not coming forward.	Not a material planning consideration.

## 5.0 Conclusions

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Whilst aspects of the application proposal are acceptable in principle, the proposed crematorium would constitute an unjustified change of use of allocated and designated employment land in an area where the Fife Employment Land Strategy suggests there is a shortfall in employment land availability. Insufficient marketing information has been submitted to demonstrate there is no demand for the site for employment uses based on current prevailing market conditions. Furthermore, concerns are raised with regard to the compatibility of the proposed crematorium use within an existing industrial estate in that it may prejudice existing and future employment operations in the area and compromise the land use strategy for the wider industrial estate. Evidence of need has been submitted with the application, however, this fails to demonstrate an overriding need for a greater cremation capacity within the area which would outweigh the loss of employment land. Further concerns are also raised regarding the lack in availability of convenient public transport options, particularly for those visiting the crematorium, which would result in a new development which prioritises the use of the private car.

In terms of ecology and biodiversity impacts, insufficient information has been submitted to allow a full assessment of the proposal's impact on protected species which may be present on the site. Furthermore, the proposal would result in an unacceptable loss of around 70 category A/B trees where it would appear that many of these could be retained through amended layouts. The proposal would not, therefore, deliver significant biodiversity benefits. No significant concerns are raised with regard to the proposals visual impact, residential amenity impact, general road safety impact, flooding/drainage impact or land/air quality impact. The application proposal is ultimately recommended for refusal as it is unacceptable in principle and in terms of lack of availability of convenient public transport options, lack of information regarding protected species which may be present within the site and due to the unjustified removal of high-quality trees, all contrary to NPF4 Policies 1, 3, 6, 9, 13, 15 and 26 and FIFEplan Policies 1, 3, 5 and 13.

## 6.0 Recommendation

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It is accordingly recommended that:

The application be refused for the following reason(s)

1. The application proposal would result in, the unjustified loss of allocated and designated employment land in a settlement where there is already an identified shortfall in supply, contrary to NPF4 Policies 9 and 26 and FIFEplan Policies 1 and 5.
2. The application proposal has failed to demonstrate through the submission of up-to-date marketing information that an active marketing campaign has been undertaken to rule out any interest from employment use occupiers based on current prevailing market conditions, contrary to NPF4 Policies 9 and 26 and FIFEplan Policies 1 and 5.
3. The application proposal would result in a use which would not complement and may prejudice existing and future employment uses within the industrial estate, thereby having a significant detrimental impact on the land use strategy of the area, contrary to NPF4 Policies 26 and FIFEplan Policies 1 and 5.

4. The application proposal would result in a use which would prioritise the use of the private car as a result of there being a lack in the availability of convenient, accessible and usable public transport options in the surrounding area, contrary to NPF4 Policies 13 and 15 and FIFEplan Policies 1, 3 and 11.
5. Insufficient information has been submitted to allow a full assessment of the proposal's impact on protected species to be undertaken, contrary to NPF4 Policy 3 and FIFEplan Policies 1 and 13.
6. The application proposal would result in an unjustified and unacceptable loss of high-quality trees which have amenity and biodiversity value, contrary to NPF4 Policies 1, 3 and 6 and FIFEplan Policies 1 and 13.
7. The application proposal fails to demonstrate that significant biodiversity enhancements have been provided, contrary to NPF4 Policy 3 and FIFEplan Policy 13.

## **7.0 Background Papers**

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In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Report prepared by Jamie Penman, Chartered Town Planner

Report reviewed and agreed by Mary Stewart, Service Manager and Committee Lead

1 May 2024

Agenda Item No. 5

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**Application for Full Planning Permission**

**Ref: 23/01953/FULL**

**Site Address: 27 Seaside Place Aberdour Burntisland**

**Proposal: Erection of dwellinghouse and formation of access including associated works**

**Applicant: Mr Jordan Wilkie, Hollybank Lower High Street**

**Date Registered: 30 August 2023**

**Case Officer: Gary Horne**

**Wards Affected: W5R06: Inverkeithing And Dalgety Bay**

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### **Reasons for Referral to Committee**

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This application requires to be considered by the Committee because the application has attracted six or more separate individual representations which are contrary to the officer's recommendation.

### **Summary Recommendation**

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The application is recommended for: Conditional Approval

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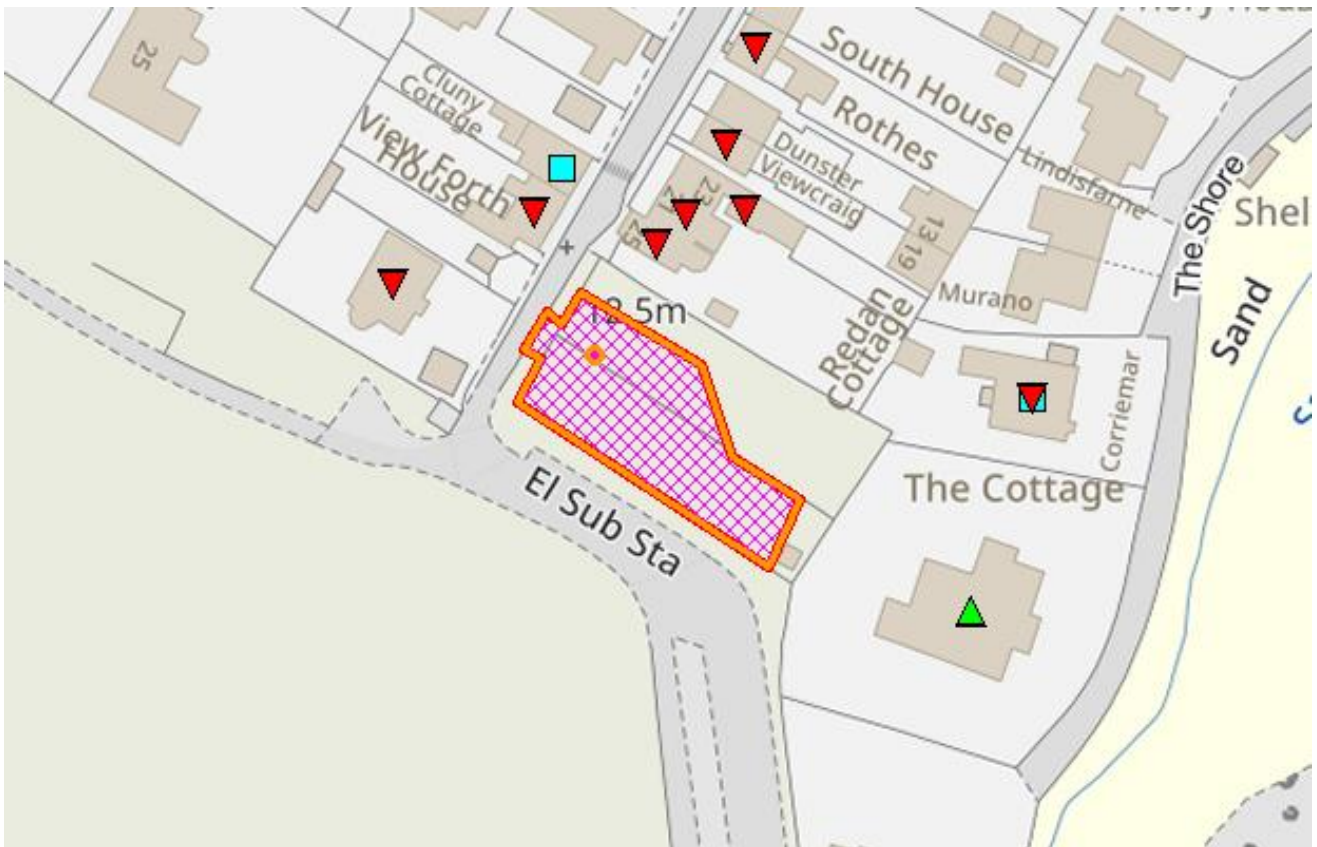
## **1.0 Background**

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### **1.1 The Site**

1.1.2 This application relates to a vacant area of land sited within the Aberdour Conservation Area, which measures approximately 840m<sup>2</sup> and which fronts Seaside Place. The site is set within an established residential area which comprises of traditional dwellings of varying scale and form. Aberdour Golf Course is situated directly to the south of the development site, the access for which is positioned adjacent to frontage of the site. The site is contained by a traditional stone wall and includes sporadic positioned of trees within.

#### **1.1.2 LOCATION PLAN**



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## 1.2 The Proposed Development

1.2.1 Planning Permission is sought for the erection of a dwellinghouse including the formation of a vehicular access and associated works. The proposed dwellinghouse would occupy a footprint of approximately 305m<sup>2</sup> and comprises of single storey and two storey pitched roof sections, adjoined by a single storey flat roof link corridor with single storey flat roof wing to the rear. The two storey section of the dwelling will include a double garage access from the side elevation internal to the site with the main access to the building contained to the front within the single storey link. The proposed materials include random rubble Scottish stone walls throughout the two storey section with the single storey section finished with a white smooth render. Natural slates would be used on all pitched roofs whilst the flat roof sections would be finished with rubber membrane. Modern window openings are proposed throughout with full length glazed sliding doors featured throughout the single storey rear wing. A vehicular access would be formed via a 3.5m opening to be formed through the existing boundary wall, with the current gated access closed off. A gravel driveway would be formed to the front of the property with terraced area and a grass lawn to the rear. It is proposed to remove one young apple tree from the middle of the site in order to accommodate the proposal.

## 1.3 Application Procedures

1.3.1 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. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

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

### **1.3 Relevant Planning History**

- 22/03603/FULL Erection of dwellinghouse, withdrawn February 2023
- 17/02094/FULL Erection of dwellinghouse and formation of vehicular access (amendment to application reference 16/02578/FULL), approved September 2017
- 16/02578/FULL Erection of dwellinghouse, approved November 2016
- 14/00141/FULL Erection of detached dwellinghouse with vehicular access (renewal of 09/00075/WFULL), approved February 2014
- 09/00075/WFULL Erection of detached dwellinghouse with vehicular access, approved March 2009

### **1.5 Relevant Policies**

#### **National Planning Framework 4 (2023)**

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 7: Historic assets and places

To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

Policy 9: Brownfield, vacant and derelict land  
and empty buildings

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

Policy 11: Energy

To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and

distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).

#### Policy 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

#### Policy 14: Design, quality and place

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

#### Policy 15: Local Living and 20 minute neighbourhoods

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

### **Adopted FIFEplan (2017)**

#### Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts.

#### Policy 2: Homes

Outcomes: An increase in the availability of homes of a good quality to meet local needs. The provision of a generous supply of land for each housing market area to provide development opportunities and achieve housing supply targets across all tenures. Maintaining a continuous five year supply of effective housing land at all times.

#### Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

#### Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

#### Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

#### Policy 14: Built and Historic Environment

Outcomes: Better quality places across Fife from new, good quality development and in which environmental assets are maintain, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

### **Supplementary Guidance**

Supplementary Guidance: Making Fife's Places (2018)



Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

Supplementary Guidance: Low Carbon Fife (2019)

Low Carbon Fife Supplementary Planning Guidance provides guidance on: assessing low carbon energy applications demonstrating compliance with CO2 emissions reduction targets and district heating requirements.

### **Planning Customer Guidelines**

Daylight and Sunlight (2022)

Garden Ground (2016)

Minimum Distances between Window Openings (2011)

Trees and Development (2016)

### **Other Relevant Guidance**

Aberdour Conservation Area Appraisal and Management Plan (2015)

This provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management. The general advice, guidance, and management considerations referred to are relevant to all new development opportunities within the Conservation Area itself and mirror the advice contained within the HES Historic Environment Policy for Scotland (May 2019).

BRE's Site Layout Planning for Daylight and Sunlight: a guide to good practice (2022)

This provides guideline criteria and methodology for considering the daylight and sunlight amenity relating to new developments within new dwellings.

## **2.0 Assessment**

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### **2.1 Relevant Matters**

The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design and Layout/Visual Impact
- Residential Amenity
- Transportation/Road Safety
- Flooding and Drainage
- Natural Heritage and Trees
- Low Carbon / Climate Mitigation
- House in Multiple Occupation (HMO)

## **2.2 Principle of Development**

2.2.1 The principle of a single dwellinghouse on this site is considered to have been established through the various, now extant, consents for similar developments previously issued for this site. In simple land use terms, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within a defined settlement; within an established residential area of Aberdour all as defined in the Adopted FIFEplan - Fife Local Development Plan (2017). Notwithstanding this, the overall acceptability of the changes proposed within this application are subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

## **2.3 Design And Layout / Visual Impact**

2.3.1 Concerns have been raised in relation to the design and scale of the dwelling, the height of the two storey 'block' in relation to the street, the shallow hipped roof pitch, alterations to the wall, the proposed finishing materials, that the dwelling is out of keeping with the Conservation Area, inadequate distances to the boundaries and the building's incongruous appearance.

2.3.2 Representations offering support highlighted that the proposal was an improvement on previous approved designs for this site, was of a smaller footprint than previous approvals, is distanced further from neighbouring properties, would use suitable materials, would complement existing properties without copying, would be in keeping with the size of the rest of the properties on the street, would balance the street by filling an empty plot, would be sympathetic to surroundings, would remove and derelict eyesore site improving the aesthetics of the area

2.3.3 The design for this proposal has undergone several iterations following discussions with the applicant and the appointed architect in relation to concerns highlighted with the design, scale and form of the proposed dwellinghouse. Alterations to the initial proposals include the repositioning of the two-storey section of the dwelling from the north side of the site to the south, the removal of a hipped roof, the reduction in overall height by approximately 1m and use of stone walls at both first and second floor level within the two-storey section. The final design is now considered to be of an appropriate scale and mass for the site, suitably distanced from both the frontage of the site and the adjacent neighbouring property. Despite the large footprint of the proposed dwellinghouse, it is considered to fit comfortably into the site given the site's extent, whilst the one and two storey design of the building would reflect the prevailing pattern of development within the street scene which features limited uniformity and a mixture of form and finishes. The requested alterations to the roof and façade have alleviated concerns related to the proportions of the building, whilst the use of stonework at first floor level is considered to assist in breaking up the mass of the south-west elevation by providing a textured finish which would reflect the traditional character of the setting. It is considered that the marrying of traditionally formed two storey and single storey sections with modern asymmetrically proportioned window openings would introduce a building of deferential contrast, respectful to the historic surrounds whilst providing a positive aesthetic in its own right. The modern features to the rear of the dwelling, including the extended flat roof, full length glazing and sliding doors, would be obscured from public view and are considered acceptable.

2.3.4 Whilst the proposed palette of materials is considered to be acceptable, given the historic setting, a condition is recommended for a sample of the finishing materials to be submitted to the Planning Authority for its prior approval and all rooflights should of a Conservation style. Alterations to the street facing boundary wall are considered acceptable on balance. The removal of the existing unkempt vegetation and the re-pointing of the wall is welcomed and whilst it would be regrettable to lose a section of the wall to form an access, it is accepted that this is necessary to provide off-street parking given the principle of a dwellinghouse on this site has been established. The provision for bin storage external to site is not accepted and a

condition should be included within the consent to ensure this is facilitated within the boundary walls.

2.3.5 In light of the above, the proposal is considered acceptable in this instance in terms of form, scale, layout, detailing and choice of materials; would protect the character and appearance of the surrounding Aberdour Conservation Area and would be in compliance with the Development Plan and its related guidance.

## **2.4 Residential Amenity**

2.4.1 Concerns have been raised that the proposed dwellinghouse would overshadow neighbouring properties, impact upon the surrounding privacy and would not comply with garden ground guidance in terms of plot ratios.

2.4.2 Given the orientation of the proposed dwellinghouse, the 11m distance it is sited from the adjacent property to the north and the repositioning of the two storey section to the south side of the plot, it is considered that there would be no significant loss of daylight issues associated with this proposal. The applicant has provided shadow diagrams and it is accepted that the proposed dwellinghouse would not significantly impact upon the sunlight enjoyed within neighbouring properties spaces which would still enjoy at least two hours of direct sunlight in accordance with the recommendations set out in the relevant BRE guidance.

2.4.3 The proposed windows would all comply with the relevant window to window distance guidance and there are considered to be no significant loss of privacy implications given that views can already be achieved into the neighbouring gardens from various vantage points including the raised level golf course car park to the south and the upper floor windows within the surrounding properties to the north and north-east. Views from the proposed garden ground areas would be restricted by the layout of the pitched roof single storey section of the proposed dwelling and the outbuilding positioned on the boundary of the adjacent site.

2.4.4 The proposed site plan includes provision for approximately 240m<sup>2</sup> of private garden ground to the rear of the building which exceeds the 100m<sup>2</sup> minimum set out with Fife Council's guidance. The dwellinghouse would fall short of complying with the recommended plot ratio of 1:3, however it is acknowledged that the guidance allows for relaxations of the standards where developments are high quality in design. In addition, it should be noted that that larger footprint developments have previously been approved on this site. Taking all these factors into account, it is considered that the proposed development is adequately served with recreational space within and around its curtilage and therefore meets the overall aims and objectives of the Adopted Local Plan and supplementary guidance in this regard.

2.4.5 In light of the above, the proposal is considered acceptable in this respect in terms of loss of privacy, loss of natural light and loss of garden ground; would be compatible with its surrounds in terms of land use and would be in compliance with the Development Plan and relevant guidance.

## **2.5 Transportation/Road Safety**

2.5.1 Concerns have been raised regarding the impact upon road safety during the construction phase and with regards to visibility whilst egressing from the site.

2.5.2 Fife Council's Transportation Development Management (TDM) were consulted on this application and confirmed that there were no objections to approval being granted subject to the imposition of conditions relating to off-street parking, driveway gradients visibility splays and verge crossings. It was noted that drivers taking egress from the Aberdour Golf Club car park must negotiate a sharp turn before entering Seaside Place. TDM were therefore satisfied that vehicle speeds would be low and there should not be any conflict with vehicles taking egress

from the proposed driveway access. In addition, there would be adequate inter-visibility between drivers exiting the golf club car park and a driver taking egress from the proposed access.

2.5.3 In light of the above, the proposed development is not considered to give rise to any road or pedestrian safety concerns, subject to compliance with the recommended conditions. The proposed development is therefore deemed to comply with the above noted policies and guidance with regard to road and pedestrian safety.

## **2.6 Flooding and Drainage**

2.6.1 Concern has been raised that a comprehensive drainage plan has not been provided and the development would impact upon the storm drains within the street under heavy rainfall and the drainage within the adjacent Golf Course.

2.6.2 Scottish Environment Protection Agency (SEPA) flood maps have been analysed and it is confirmed that the development site is not located within an area of known river, coastal or surface water flood risk. The applicant has provided an indicative scheme to indicate the dispersal of surface water, highlighting that surface water drainage to surface water soakaways would be utilised within the gravel driveway to the front and garden ground area to the rear. It has been confirmed with the applicant that an engineer backed 'Surface Water Management Plan' will be required before any works can commence on site, a condition for which should be included within any consent, and which should comply with Fife Council's Design Criteria Guidance on Flooding and Surface Water Management. Fife Council's Structural Services were consulted on the proposed development and confirmed that there were no objections to the flooding proposals however were awaiting further information of surface water management proposals, this information shall be forwarded for further comment upon receipt prior to construction. Scottish Water were also consulted on the application and raise no objection to planning permission being granted.

2.6.3 In light of the above, the proposal is considered acceptable in this instance subject to compliance with the recommended conditions.

## **2.7 Natural Heritage And Trees**

2.7.1 Concerns have been raised in relation to the loss or impact upon the Red Oak tree to the front of the site.

2.7.2 One young Apple tree is proposed to be removed to make way for this development. The submitted 'Tree Report' evaluates this tree as a Category C tree (trees of low quality) and its removal is considered appropriate providing this tree is replaced on a 2 to 1 ratio. The applicant has agreed to this measure however a condition should be included within any consent to ensure this and agree upon a suitable replacement species.

2.7.3 Fife Council's Tree Protection Officer raised concerns with the initial proposed removal of an early-mature Red Oak tree sited to the front of the plot. It was identified that this tree is a prominent and established tree which is highly visible within the landscape, significantly contributing to the local amenity. Following discussions with the applicant, the front elevation of the building has been pulled back 3m to ensure that this tree including its crown can be retained which has been confirmed as acceptable by the Tree Protection Officer. In order to protect the root area and the tree itself, conditions requiring the submission of tree and root protection plans should be included within any consent and only low impact hand dug methods should be utilised.

2.7.4 In light of the above, the proposed development is considered to be acceptable with regard to its impact on protected trees and would continue to comply with the aforementioned local policies and national guidance. Whilst some tree works would be undertaken, it is determined that this would not have a negative impact on the health of any protected trees subject to compliance with the recommended conditions.

## 2.8 Sustainability

2.8.1 Applicants are expected to submit a Low Carbon Sustainability Checklist in support of development proposals. The applicant has submitted a low carbon checklist which states that the design of the house would be heated via a ground source heat pump. The building is designed to benefit from passive solar gain, by maximising areas of glazing to the south for heating and daylight. Low carbon and local materials are to be prioritised and energy efficient windows/doors, air sealing and insulation is to be used to minimise heat loss and gain.

2.8.2 In light of the above, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low sustainability.

## 2.9 Houses in Multiple Occupation

2.9.1 The proposed dwellinghouse is not intended to be used for housing multiple occupants, however, a condition has been attached to this recommendation to ensure that the property will not be used as an HMO in the future unless an application for said use is submitted to the Planning Authority for consideration.

## 3.0 Consultation Summary

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Transportation And Environmental Services - Operations Team	No response at time of writing
Trees, Planning Services	No objections subject to condition, following amendments
TDM, Planning Services	No objections subject to condition
Structural Services - Flooding, Shoreline And Harbours	No objection to flooding proposals, awaiting further information on surface water management proposals
Scottish Water	No objections

## 4.0 Representation Summary

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4.1 25 representations have been received in this instance, 13 of which are objecting to the proposal and 12 of which are in support of the proposal.

## 4.2 Material Planning Considerations

### 4.2.1 Objection Comments:

<b>Issue</b>	<b>Addressed in Paragraph</b>
a. Height, scale and design	2.3.3
b. Finishing materials	2.3.4
c. Alterations to boundary wall	2.3.4
d. Overshadowing	2.4.2
e. Privacy	2.4.3
f. Garden ground	2.4.4
g. Drainage	2.6.2
h. Road safety	2.5.2
i. Trees	2.7.2
j. Bin Storage	2.3.4

### 4.2.2 Support Comments

<b>Issue</b>
a. Improvement upon previous consents approved on this site in terms of design and footprint
b. Appropriate finishing materials
c. Would compliment existing properties without copying
d. In keeping with scale of surrounding properties
e. Would remove derelict eyesore site
f. Would provide balance to the street by filling an empty plot

### 4.2.3 Other Concerns Expressed

<b>Issue</b>	<b>Comment</b>
a. Traffic concerns during construction phase	Applicant shall have to seek relevant permissions from Fife Council Transportation should the seek to occupy a road or site a skip

## 5.0 Conclusions

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The proposal is considered acceptable in meeting the terms of the Development Plan and relevant guidance. In land use terms, and by virtue of previous approvals on site and it being located within the settlement envelope of Aberdour, the principle of the proposed residential development is acceptable. In respect to the impact on the built and historic environment, the overall design represents a well-considered contemporary development that would reflect the traditional surrounds and be consistent with the prevailing pattern of development within the street. The development uses the landscape and topography of the site to ensure the development would have a positive impact on the visual appearance of the site and that within

its wider surroundings. It is considered that the application would also not have any significant detrimental impacts in terms of residential amenity and road safety and appropriate conditions have been included to ensure infrastructure matters are adequately addressed.

## 6.0 Recommendation

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It is accordingly recommended that the application be approved subject to the following conditions and reasons:

### **PRE-COMMENCEMENT CONDITIONS:**

2. BEFORE ANY WORK STARTS ON SITE, details of the specification and colour of the proposed external finishes shall be submitted for approval in writing by this Planning Authority.

A detailed specification, including trade names where appropriate, of the proposed external materials shall be submitted to and approved in writing by the Planning Authority before above ground work is commenced on site. A full size sample panel of all facade components should be erected if requested at a location agreed with the Planning Authority.

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

9. PRIOR TO WORKS COMMENCING ON SITE, a detailed Drainage Report in line with current best practice shall be submitted to Fife Council for written approval. The required confirmation shall comprise the submission of a completed and signed Appendix 8 of Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements.

Reason: To ensure that surface water is adequately dispersed on site in accordance with current best practice.

12. PRIOR TO ANY WORKS COMMENCING ON SITE a tree protection plan and arboricultural method statement demonstrating that all relevant protections will be sufficiently recognised throughout all construction activities as outlined in BS5837:2010, shall be submitted for the written approval by Fife Council as Planning Authority.

All works shall then commence as agreed unless otherwise agreed in writing.

Reason: To ensure that any incursion into existing tree root zones do not result in significant adverse effect to trees.

13. PRIOR TO ANY WORKS COMMENCING ON SITE a tree replacement plan shall be submitted for the written approval by Fife Council as Planning Authority for the replacement of the Apple tree (NT2 as referenced on the submitted Tree Report) to be felled unless otherwise

agreed. For the avoidance of doubt, two new trees shall be planted within one month of the tree being felled and the replacement plan shall confirm the species and location of the replacement trees.

Reason: To ensure that any incursion into existing tree root zones do not result in significant adverse effect to trees.

### **CONDITIONS:**

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

3. FOR THE AVOIDANCE OF DOUBT, the downtakings from vehicular access opening to be created through the boundary wall shall be re-used to infill the existing gate opening to be closed off. Final details of any further alterations to the wall shall be submitted for written approval prior to works commencing and all re-pointing works to the wall shall be carried out using lime mortar.

Reason: All proposed external finishing materials including roofing materials, shall match those of the existing building in size, type, colour, specification and texture unless otherwise agreed in writing with Fife Council as Planning Authority.

4. Prior to the first occupation of the dwelling, all access driveways shall be constructed at a gradient not exceeding 1 in 10 (10%) and shall have appropriate vertical curves to ensure adequate ground clearance for vehicles

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

5. Prior to the first occupation of the dwelling, all roadside boundary markers shall be maintained at a height not exceeding 600mm above the adjacent road channel level through the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at road junctions etc.

6. Prior to the first occupation of the dwelling, the construction of the vehicular crossing of the verge shall be carried out in accordance with the current Fife Council Making Fife's Places Appendix G.



Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

7. Prior to the first occupation of the dwelling, there shall be provided within the curtilage of the site 3 parking spaces for vehicles, in accordance with the current Fife Council Making Fife's Places Appendix G and as per the layout shown on Drawing No 304\_p003a. The parking spaces shall be retained in perpetuity.

Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.

8. FOR THE AVOIDANCE OF DOUBT, the formation of a bin storage hardstanding area outwith the boundary walls of the curtilage is not hereby approved. Bin storage facilities shall be provided within the curtilage, details of which shall be confirmed in writing by Fife Council as Planning Authority prior to works commencing on site.

Reason: In the interests of visual amenity; to ensure that finishes are appropriate to the character of the area.

10. FOR THE AVOIDANCE OF DOUBT, all hereby approved rooflights shall be of a conservation style including central glazing bar and shall be maintained as such for the lifetime of the development unless otherwise agreed in writing by Fife Council as Planning Authority.

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

11. The dwellinghouse hereby approved shall be used solely as a residence for (a) a single person or by people living together as a family; or, (b) not more than 5 unrelated residents living together in the dwellinghouse. For the avoidance of doubt the dwellinghouse hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Policies 1 and 2 of the Adopted FIFEplan 2017.

## **7.0 Background Papers**

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In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

National Guidance:

Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Historic Environment Scotland Policy Statement (June 2016)

Historic Environment Scotland's Managing Change in the Historic Environment (2010)

Development Plan:

NPF4 (2023)

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance:

Fife Council Planning Customer Guidelines - Garden Ground (2016)

Fife Council Planning Customer Guidelines - Daylight and Sunlight (2018)

Fife Council Planning Customer Guidelines - Minimum Distances between Window Openings (2011)

BRE's Site Layout Planning for Daylight and Sunlight: a guide to good practice (2022)

Report prepared by Gary Horne, Planning Assistant

Report reviewed and agreed by Mary Stewart, Service Manager and Committee Lead

1 May 2024

Agenda Item No. 6

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**Application for Full Planning Permission**

**Ref: 24/00095/FULL**

**Site Address: 117 Lime Grove Methil Leven**

**Proposal: Erection of domestic outbuilding (retrospective)**

**Applicant: Mr Hassan Ali, 117 Lime Grove Methil**

**Date Registered: 23 January 2024**

**Case Officer: Manasa Kappadi Channabasavaiah**

**Wards Affected: W5R22: Buckhaven, Methil and Wemyss Villages**

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### **Reasons for Referral to Committee**

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This application requires to be considered by the Committee because the application has attracted six or more separate individual representations which are contrary to the officer's recommendation.

### **Summary Recommendation**

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The application is recommended for: Conditional Approval

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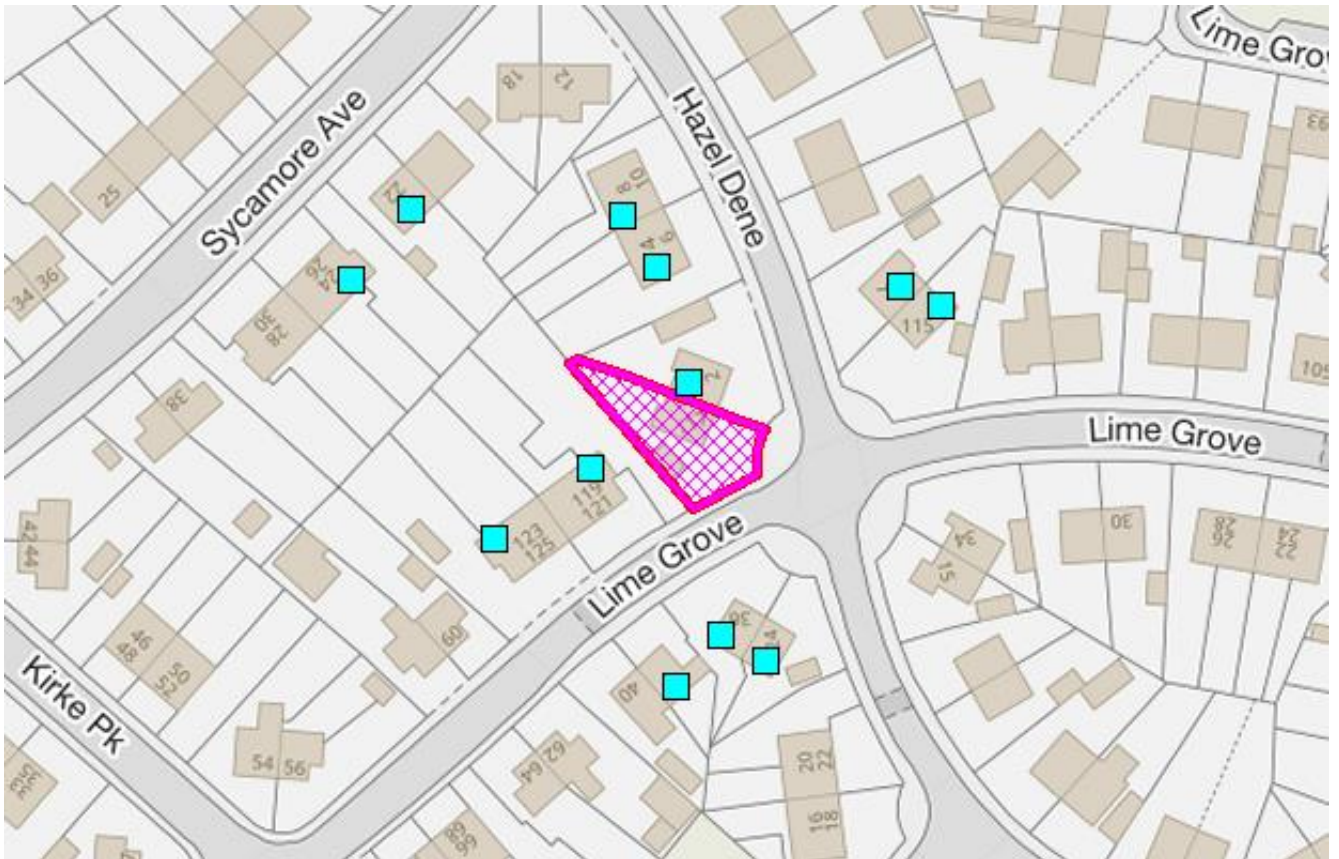
## **1.0 Background**

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### **1.1 The Site**

1.1.1 This application relates to a two-storey, semi-detached dwellinghouse located within an established residential area of Methil. The property is externally finished with roughcast rendered walls, concrete roof tiles, and uPVC windows and doors. The site curtilage includes garden ground to the front, side and rear, with the side and rear gardens bound by fencing and low brick wall to the front. There is a mixture of property types in the surrounding area, most of which follow a similar modern architectural style.

## 1.1.2 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 This application seeks retrospective planning permission for the erection of a domestic outbuilding to the rear of the dwellinghouse. The proposed outbuilding occupies a footprint of approximately 18.5 square metres and is 2.5 metres in height and is externally finished with timber walls and a felt single pitch roof.

## 1.3 Relevant Planning History

1.3.1 The previous planning application history associated with this property includes - 23/00429/ENF - Alleged unauthorised building work. Complaint received on 20.10.2023.

## 1.4 Application Procedures

1.4.1 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. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017).

1.4.2 A physical site visit has not been undertaken. All necessary information has been collated digitally to allow the full consideration and assessment of the application. A risk assessment has been carried out and it is considered, given the evidence and information

available to the case officer, that this is sufficient to determine the proposal. Information has been gathered using Google maps, google Streetview and ArcGIS mapping.

## **1.5 Relevant Policies**

### **National Planning Framework 4 (2023)**

Policy 14: Design, quality and place

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

Policy 16: Quality Homes

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

### **Adopted FIFEplan (2017)**

Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts.

Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life.

## **Planning Customer Guidelines**

Garden Ground

Home Extensions

Daylight and Sunlight

## **2.0 Assessment**

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### **2.1 Relevant Matters**

2.1.1 The matters to be assessed against the development plan and other material considerations are:

- Design and Layout/Visual Impact
- Residential Amenity
- Garden Ground

### **2.2 Design and Layout / Visual Impact**

2.2.1 NPF4 (2023) Policy 14 (Design, quality and place) section (a) and (b) state that a proposal should seek to enhance the surrounding environment, regardless of scale or location. Further to

that, the proposal should comply with the six qualities of successful places: Healthy, Connected, Pleasant, Sustainable, Distinctive and Adaptable. Policy 16 (Quality homes) (g) (i) state that householder development will only be supported where it does not have a detrimental impact on the quality of the home and the surrounding area in terms of size, design and materials.

2.2.2 FIFEplan Policy 1 (Development Principles) requires all new development to be placed where the proposed use is supported by the Local Development Plan and for it to be well located and designed to ensure it makes a positive contribution and protects the overall landscape and environmental quality of the surrounding area. Policy 10 (Amenity) requires that development must not lead to a detrimental visual impact on the surrounding area and Fife Council Planning Customer Guidelines on Home Extensions reinforce that any proposed development should not dominate or detract from neighbouring development, be subsidiary to the existing dwelling house, respect existing materials and reflect the style of the original build.

2.2.3 Representations have been made in relation to this application raising concerns with regards to the appearance and scale of the outbuilding.

2.2.4 In this instance, the proposed outbuilding would be used as a domestic garden shed and it is considered it is suitably scaled, designed and externally finished and is subsidiary to the main dwellinghouse. Further to that, the development would be discretely positioned to the rear and would be typical of larger domestic garden sheds. In terms of potential impact on the wider area and streetscene in general, it is noted that there are already a range of garden sheds and porch extensions built to the rear of properties locally, so it would not be out of place. Whilst the shed would be slightly larger than the existing neighbouring ones, the views of it from public areas would be limited and again the design and finishes are acceptable. Therefore, there are no concerns with regards to the impact upon the surrounding streetscene or the general amenity of the area in terms of design, scale and positioning.

2.2.5 The outbuilding would be positioned towards the corner of the rear garden ground and from a review of the photographs submitted it would appear the proposed outbuilding would be only slightly higher than the height of the adjacent neighbouring garden shed. Furthermore, the proposed outbuilding would project approximately 1 metre above the existing boundary fence and would be finished with timber. Therefore, on balance the proposal would not have a significant detrimental impact on the visual amenity of the surrounding environment.

2.2.6 In light of the above, the proposal is considered acceptable by the way of scale and design, the proposed works would not have a detrimental visual impact on the existing property; would have no adverse effect upon the surrounding environment and would be in compliance with the Development Plan and its related guidance.

## **2.3 Residential Amenity**

2.3.1 National Planning Framework 4 (NPF4) Policy 14 focuses on Design, Quality and Place and supports development that is consistent with the Six Qualities of Successful Places. Policies 1 and 10 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018) apply in this regard.

2.3.2 Fife Council's Planning Customer Guidelines on Daylight and Sunlight advises that the design of residential environments must seek to ensure that adequate levels of natural light can be achieved within new development and that unacceptable impacts on light to nearby properties are avoided. The Planning Authority's guidelines apply the nationally recognised Building Research Establishment (BRE) considerations in terms of daylight, sunlight and overshadowing assessment criteria.

2.3.3 Representations received raised concerns with regards to overshadowing and loss of daylight/sunlight. With regards to daylight and sunlight, due to the path of the sun, the height of the garden outbuilding, the position of the proposed works relative to neighbouring properties, and the position and height of windows on neighbouring properties, it is considered that the proposal would not result in the loss of any significant additional amounts of sunlight to neighbouring garden ground nor would it reduce any natural daylight entering neighbouring windows. Those properties external amenity spaces would still enjoy at least two hours of direct sunlight in accordance with the recommendations set out in the relevant BRE guidance.

2.3.4 In addition, to the above and given the orientation and position of the proposed development in relation to the surrounding curtilages, it is considered that the proposal would not cause any significant additional overshadowing concerns, there would be no significant increased impacts with regards to overshadowing within the neighbouring property or the sunlight enjoyed within the neighbouring rear amenity spaces.

2.3.5 The proposed outbuilding would introduce window on the south east elevation; however, this would overlook the applicant's own garden and there are no neighbouring windows within the direct vicinity of the proposed extension. Therefore, there would be no significant increased impacts with regards to overlooking or loss of privacy.

2.3.6 In light of the above, the proposal is considered acceptable in this respect in terms of amenity protections (daylight, sunlight and overshadowing) as well as potential loss of privacy and it would be compatible with its surrounds in terms of land use and is therefore considered to be acceptable in terms of compliance with the relevant policies of NPF4, Development Plan and its related guidance.

## **2.4 Garden Ground**

2.4.1 National Planning Framework 4 (NPF4) 2023, Fife Council Customer Guidelines on Garden Ground (2016) apply in this regard.

2.4.2 Garden Ground guidelines advise that home extensions etc. should not occupy more than 25% of the original private garden of a dwelling house.

2.4.3 In this instance, the development would have a substantial area of garden ground remaining, and it is therefore deemed that the proposal meets the requirements in relation to garden ground.

## **3.0 Consultation Summary**

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Scottish Water

No objections.

## **4.0 Representation Summary**

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4.1 6 representations have been received, all of which were objections. The concerns raised are detailed as follows,

## 4.2 Material Planning Considerations

### 4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. the scale, design and appearance of the outbuilding	2.2.4 and 2.2.5
b. overshadowing and loss of daylight/sunlight	2.3.3, 2.3.4 and 2.3.5

### 4.2.2 Other Concerns Expressed

Issue	Comment
c. the illumination of the outbuilding	Whilst this concern is not relevant to planning, the agent has confirmed that the applicant will replace the installed floodlights with LED lighting.
d. issues relating to health	These issues are not material to the consideration of the application
e. concerns re structural integrity of the outbuilding	These issues are not material to the consideration of the application

## 5.0 Conclusions

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The proposal is considered acceptable in meeting the terms of the National Guidance, Development Plan and relevant Fife Council Planning Customer Guidelines. The proposal is compatible with its surrounds in terms of form, scale, design, choice of materials; would not cause any detrimental visual impact to the surrounding properties.

## 6.0 Recommendation

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It is accordingly recommended that the application be approved subject to the following conditions and reasons:

### **CONDITIONS:**

1. The outbuilding hereby approved shall only be used for domestic related uses ancillary to the main dwellinghouse and shall not be used for any commercial or business related use,



unless otherwise agreed in writing with this Planning Authority or unless with further express planning approval.

Reason: In order to retain full control over the development and to avoid the creation of a commercial premises in a residential area.

## 7.0 Background Papers

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In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Development Plan -

National Planning Framework 4 (Approved February 2023)

Adopted FIFEplan Development Plan (2017)

Other Guidance -

Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016)

Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2022)

Fife Council's Planning Customer Guidelines on Garden Ground (2016)

Report prepared by Manasa Kappadi Channabasavaiah, Graduate Planner and Case Officer

Report reviewed and agreed by Mary Stewart, Service Manager and Committee Lead