

## Fife Planning Review Body

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



Monday, 22nd November, 2021 - 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 of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of meeting of Fife Planning Review Body of 27th September, 2021. 5 - 6
4. **APPLICATION FOR REVIEW - 6 PROVOST NIVEN CLOSE, ST. ANDREWS (APPLICATION NO. 21/01281/FULL)** – Conversion of integral garage to form habitable accommodation
  1. Notice of Review 7 – 21
  2. Decision Notice and Report of Handling 22 – 33
  3. Consultee Comments 34 – 36
5. **APPLICATION FOR REVIEW - 11 FORESTER'S LEA CRESCENT, DUNFERMLINE (APPLICATION NO. 21/00315/FULL)** – Single storey extension with balcony to rear of dwellinghouse
  1. Notice of Review 37 – 47
  2. Decision Notice and Report of Handling 48 – 56
  3. Representations 57 – 60
  4. Consultee Comments 61 - 63

**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

15th November, 2021.

If telephoning, please ask for:

Michelle McDermott, Committee Officer, Fife House

Telephone: 03451 555555, ext. 442238; email: Michelle.McDermott@fife.gov.uk

Agendas and papers for all Committee meetings can be accessed on [www.fife.gov.uk/committees](http://www.fife.gov.uk/committees)



## Local Review meeting

### Guidance Notes on Procedure

#### 1. Introduction by Convener

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

#### 2. Minutes of previous meeting

Review Body requested to approve minute of last meeting

#### 3. Outline of first item - Convener

#### 4. Powerpoint presentation of photos/images of site

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

#### 5. Procedural agreement.

Members discuss application and decide whether –

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

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

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

a) Convener asks the LRB to consider

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

to establish the key issues pertinent to this case

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

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

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

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

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

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

**9. Closure of meeting or on to next item**

Version 5  
31.10.2017



**THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY – REMOTE MEETING**

27th September, 2021.

2.00 p.m. – 3.35 p.m.

**PRESENT:** Councillors David Barratt (Convener), Rosemary Liewald, Alice McGarry, Bill Porteous and Graham Ritchie.

**ATTENDING:** June Barrie, Manager (Legal Services), Legal and Democratic Services; Bryan Reid, Planner, Planning Service; and William Shand, Planning Adviser to the FPRB.

**113. DECLARATIONS OF INTEREST**

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

**114. MINUTE**

The minute of the Fife Planning Review Body of 9th August, 2021 was submitted.

**Decision**

The Review Body approved the minute.

**115. APPLICATION FOR REVIEW - ANNFIELD COTTAGE, BRUNTON, CUPAR (APPLICATION NO. 20/00489/FULL)**

The Review Body considered the Application for Review submitted by Arthur Stone Planning and Architectural Design Limited, on behalf of Mr. John Bell, in respect of the decision to refuse planning permission for the erection of a two storey extension to rear of dwellinghouse, installation of three dormers to front, alterations to roof height and roof covering, installation of replacement windows, door and rooflights and associated engineering works to rear (Application No. 20/00489/FULL).

**Decision**

The Review Body agreed:-

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

**116. APPLICATION FOR REVIEW - 40 MILLHILL STREET, DUNFERMLINE (APPLICATION NO. 20/03024/FULL)**

The Review Body considered the Application for Review submitted by Architect Peter Cummins, on behalf of Mr. Kevin Kit, in respect of the decision to refuse planning permission for change of use from flatted dwelling (Sui Generis) to dental and healthcare clinic (Class 2) and external alterations including installation of handrail and installation of door (Application No. 20/03024/FULL).

**Decision/**

**Decision**

The Review Body agreed:-

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

**Agenda Item 4(1)**

**6 Provost Niven Close, St. Andrews, KY16 9BL  
Application No. 21/01281/FULL**

**Notice of Review**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100401093-002

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

## Applicant or Agent Details

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

Applicant  Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Dr"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Alistair"/>	Building Number:	<input type="text" value="6"/>
Last Name: *	<input type="text" value="Dorward"/>	Address 1 (Street): *	<input type="text" value="Provost Niven Close"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07803159000"/>	Town/City: *	<input type="text" value="S Andrews"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="PA16 9BL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:

Fife Council

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

Address 1:

6 PROVOST NIVEN CLOSE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

ST ANDREWS

Post Code:

KY16 9BL

Please identify/describe the location of the site or sites

Northing

716481

Easting

350413

## Description of Proposal

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

Conversion of integral garage to form habitable accommodation

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

The decision to refuse is based upon the grounds of road safety caused by the conversion of the integral garage. This decision fails to take due account of the current sub-standard parking provision on this site which falls significantly short of national and Fife Council's Standards. The garage space provided is too small to safely or practically be used for car parking and has never been used for that purpose. Approval will not alter the status quo and therefore will not impact on road safety.

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

Yes  No

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

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

Commentary on Report of Handling - September 2021 Report on Car Parking Provision - April 2021

## Application Details

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

21/01281/FULL

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

16/02/2021

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

28/06/2021

## Review Procedure

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

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

Yes  No

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

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

Yes  No

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

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Entry would be required to the property to view the integral garage space

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## Declare – Notice of Review

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

Declaration Name: Dr Alistair Dorward

Declaration Date: 08/09/2021

## Planning Application - Conversion of Integral Garage to Family Room

6 Provost Niven Close, St Andrews, Fife KY16 9BL

### COMMENTARY ON REPORT OF HANDLING

#### Summary

The decision to refuse this application is in the interests of road safety; it is considered that the loss of this garage space would result in a shortfall of parking provision for the site and would not therefore comply with Fife Council Development Guidelines Parking Standards.

However, this decision fails to take any account of the fact that the current parking provision made at Provost Niven Close falls significantly short of and does not comply with the Fife Council Guidelines Parking Standards.

Whilst in “theory” this garage may be described as a parking space, due to its significantly limited size, it cannot safely be used for the purposes of parking a car. The proposal to convert the space to a family room will not change the historic and current car parking practices within Provost Niven Close and therefore cannot create the road safety concerns that are the basis for the refusal of this application. Following enquiries with Fife Council Transportation, it is understood that there are no specific road safety concerns at this location.

**The existing garage has never been used for car parking and therefore nothing will change if this proposal is approved.**

Throughout this process, dating back to October 2020, requests have been made for a site visit with officers from the Transportation team to discuss this proposal and to illustrate the impracticality of using this garage space to park a car. It is unfortunate that these requests have not been accepted.

#### Section 2.3.4

The Report of Handling notes that the internal width of the garage is 2.43m, whilst the external parking bays within the courtyard measure 2.2m in width. This is not disputed in any way; these parking bay widths are extremely tight and make parking difficult and sometimes impossible. The national standards adopted by Fife Council is for a “preferred” width of 2.9m and a “desirable” (generally accepted as a minimum practical) width of 2.5m.

However, it is disingenuous to infer from this that the parking width in the garage is therefore sufficient; it is not. The fundamental difference between the two situations is that when parked in the garage, there is brick wall that the car door cannot open beyond, as opposed to a white line painted on the ground, which does not impede the opening of the car door in any way.

The current overall car parking provision within this development falls **significantly** short of Fife Council’s Parking Standards and reinforces the argument to extend the Residents Parking Scheme to include this development.

Section 2.3.4 goes on to note that the garage can also be useful in storing things other than a car. Whilst this is not disputed, the point is not relevant in any way to the core issue relative to the car Parking Standards.

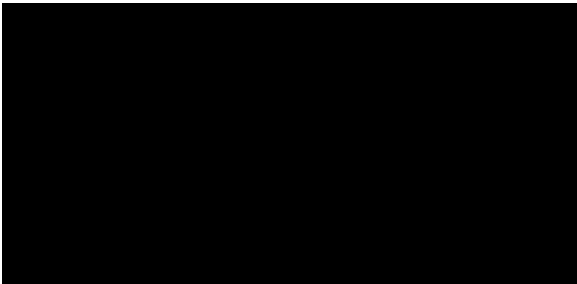


## **Safety**

The Report on Car Parking Provision submitted with the application, clearly demonstrates that whilst a medium sized family car can be driven into the garage, it would be impossible to open the car doors wide enough to safely get out of the car.

In addition, the internal fire door into the flat would be blocked by a car parked in the garage and could not be opened or closed, posing a significant fire safety concern. Likewise, the cupboard door housing the electrical switchgear for the property, which requires to be easily accessed in an emergency, would also be blocked by a car parked in the garage.

The Report of Handling does not appear to have considered nor taken account of these very real safety concerns.



Kenneth Laing BSc, CEng, MBA, FICE

7 September 2021

## Planning Application - Conversion of Integral Garage to Family Room

6 Provost Niven Close, St Andrews, Fife KY16 9BL

### Report on Car Parking Provision

#### 1. Background

- 1.1 The property at 6 Provost Niven Close is a two bedroomed ground floor flat comprising an open plan lounge/dining and kitchen area with integral garage. There are 11 flats within Provost Niven Close, the other ground floor flat is provided with an integral garage and parking is provided for the other flats along with 2 visitor spaces, 2 commercial spaces and a further space for the adjacent property at 55 Lade Braes.
- 1.2 The property was purchased almost 6 years ago and during this time the current owner has been unable to use the integral garage provided for car parking as it is too small and unsafe to do so, rendering it unusable as a parking space. The integral garage is effectively an oversized and underutilised storage space. The owners have two young grandchildren and when they come to visit or stay over, the open plan living area in the flat becomes extremely “busy”. The owners are therefore looking to convert the underutilised garage space into a family room, which will offer a much better and more practical use of the available space.
- 1.3 Over the last six years the integral garage has **never** been used for car parking. On one occasion the owner attempted to park a VW Up! in the garage. Whilst it was possible to drive into the garage, due to the restricted width, it was almost impossible to open the doors and safely exit of the car; certainly not for someone approaching 70 years of age. Similarly, it would be impossible to safely transfer a child into and out of a car seat whilst parked in the garage.
- 1.4 The integral garage to the other ground floor property at number 7 Provost Niven Close has also never been used for car parking, again due the inadequate size of the garage.
- 1.5 The unavailability of the garage as a parking space has never presented any significant problem to date, as generally there are spare parking spaces available within the close. The owner has an arrangement with one of his upstairs neighbours and uses this designated parking space when his neighbour is not living there. When this is not possible, one of the designated visitor spaces is generally available. On the occasions when no spaces are available within the close, the nearby Argyle Street off-street car park always has available spaces. This is very convenient, being only 100 yards from the flat and less than a minute’s walk.

#### 2. Previous Planning Application 20/2082/FULL

- 2.1 Planning application 20/2082/FULL was submitted in September 2020, seeking permission to convert the integral garage into a family room for the reasons noted above. A short car parking statement was provided as part of the application.
- 2.2 This application was refused in November 2020 for the following reason:

*“In the interests of road safety”; the loss of the garage would result in a shortfall in parking provision for the site which would not comply with Fife Council Development Guidelines Parking Standards and this would exacerbate the demands placed on the limited off street parking*

*facilities within the forecourt which in turn would impact on the existing parking problems on Argyle Street, to the detriment of road safety and as such would be contrary to Policies 1 and 3 of the Adopted FIFEplan (2017)."*

- 2.2 In reaching this decision, it was accepted that the garage does not meet the current Fife Council standards and that the garage is too small for the current owner to park within. It was however argued that in the future this may not always be the case. It was hypothesised that:

*"future occupants may have smaller vehicles, given the increasing drive to combat congestion, and for cars to be smaller so that they will be more energy efficient."*

- 2.3 This report seeks to address the concerns raised regarding compliance with parking standards and road safety, together with the likelihood that the existing garage may be suitable for parking at some time in the future.

### **3. Discussion**

#### **3.1 Compliance with Fife Council Development Guidelines**

- 3.1.1 In refusing the previous application, it was suggested that the removal of the integral garage would result in a failure to comply with Fife Council Development Guidelines Parking Standards. These guidelines contain Fife Council's regional variations to the SCOTS National Roads Development Guide, endorsed by all local authorities in Scotland. Clause 3.6.4 (f) of the SCOTS national guidance confirms the minimum garage size for cars to be 7.0m x 3.0m (internal dimension) and goes on to note that

*"Garages of the above dimensions and over will be considered a parking space as they are large enough to accommodate the average sized family car ..... To encourage garage use, functionality is equally important, therefore reasonable access and egress from a car within a garage is essential."*

- 3.1.2 Fife Council's Development Guidelines Parking Standards reflects and supports this national guidance and on page 18 confirms:

*"Garages with internal dimensions measuring less than 7m x 3m will not be included as part of the parking provision and will be classed as storage only."*

- 3.1.3 The actual internal dimensions of the integral garage at 6 Provost Niven Close are 4.75m x 2.43m, which falls significantly below the minimum standards noted above. The actual length of the garage is 32% shorter than the minimum standard and the width of the garage 19% narrower.

- 3.1.4 Sketch SK1 (Appendix 1) shows the footprint of a Renault Kadjar, an average sized family car, parked in the garage. Whilst this demonstrates that the car can fit into the garage, it also illustrates how impractical it would be for use as car parking. Parked centrally within the garage space, the width of the garage only allows 186mm each side to open the doors. Taking account of the width of the car doors, this leaves a maximum gap of approximately 112mm to enter or exit the car. Given the substandard length of the garage together with the reduced width available, there is no other option than to drive straight into the garage and park centrally.

It can also be seen that with the car parked in the garage, the internal pass door to the house and the door to access the electrical cupboard within the garage would be blocked. This is not considered to be safe nor practical and would not comply with building standards.

- 3.1.5 Sketch SK2 (Appendix 3) shows the footprint of a VW Up!, one of the smallest cars on the road. This again shows that whilst it is possible to park the car in the garage, there remains a limited width of only 392mm to open the door. Again, taking account of the width of the car door panel, this would leave a maximum gap of approximately 248mm to get in and out of the car. As previously stated, this is neither safe nor practical for anyone with mobility difficulties or trying to assist young children into or out of the car.
- 3.1.6 It is worth noting that the two vehicles shown in SK1 and SK2 have been used to illustrate the difficulty in parking a car in the garage, there are many vehicles on the road today which would simply not fit into the garage at all. If it would assist in gaining a better visual appreciation of the actual size of the garage and the space available for safely parking a car, a site visit is recommended.
- 3.1.7 It is clear that, by virtue of its size, the existing garage fails to comply with Fife Council's Development Guidelines Parking Standards and cannot sensibly be classified as a parking space. It is argued therefore that the proposal to convert this space into a family room, does not reduce the current parking provision at Provost Niven Close and nor does it create a failure to comply with these guidelines.
- 3.1.8 The current Fife Council Guidelines Parking Standards provides guidance on the minimum provision of parking required for any new development. The development at Provost Niven Close was built prior to these standards coming into effect and would not meet those current minimum requirements, with or without the inclusion of the sub-standard integral garages. It is therefore again argued that by removing the sub-standard integral garage at 6 Provost Niven Close, this proposal does not create a failure to comply, which in itself is a legacy issue that exists at present.

## **3.2 On-Street Parking and Road Safety**

- 3.2.1 In reaching its previous decision to refuse planning, it was concluded that the proposal would have a negative impact on the existing on-street parking problems on Argyle Street, to the detriment of road safety. Following enquiries through both Planning and Road Network Management within Fife Council, there were no current or specific road safety concerns at this location that were brought to the applicant's attention. Given that the applicant has never used the integral garage for parking, and that there are no current road safety concerns noted in the area, it is clear that this proposal will not impact on the status quo and therefore will not lead to any increased road safety risk.
- 3.2.2 The concerns expressed that this proposal will result in increased problems with on-street parking take no account of the proximity of the Argyle Street public car park, which is within less than a minute's walk from Provost Niven Close. This car park has very good availability and this is where the applicant currently parks, when unable to find a space within the close.
- 3.2.2 The availability of parking in this public car park was considered within the recent planning application 17/01526, which approved the construction of four flats adjacent to the Argyle Street car park. This development is within 150 yards of Provost Niven Close for which no private car parking provision was made and in mitigation, the residents parking scheme was extended

to include these new flats. An independent car parking survey was undertaken in support of this development and confirmed the following with regard to the Argyle Street car park, which has a total of 164 spaces:

*“The Parking Study indicates that car occupancy ranges from a low of 10 spaces occupied at 0700 hrs or 6.1% to an absolute peak of 55.5% at 1300 hrs when only 91 spaces were occupied. Usage of the car park only rises above 30% occupancy between the hours of 1000 – 1600 hrs and never exceed 55% of total spaces occupied.”*

3.2.3 It is understood that the residents parking scheme currently extends to 55 Lade Braes, which immediately adjoins Provost Niven Close to the east. Given the legacy position regarding the sub-standard parking provision at Provost Niven Close and the road safety concerns expressed regarding on-street parking, the applicant has confirmed they would be open to a planning condition requiring participation in the residents parking scheme as mitigation. This would be consistent with the recent development for the construction of the four flats referred to above (17/01526).

### **3.3 Future Development in Car Technology**

3.3.1 It is fully accepted that planning should seek to protect the long term as well as the short-term impacts of any development. It has been speculated that future occupants may have smaller cars and that this may be driven by the development of more energy efficient vehicles. The implication being that at some future stage the existing garage may become useable as a parking space.

3.3.2 The recent development of electric battery technology in cars strongly contradicts this hypothesis. When pure electric vehicles were first developed, it is true that these were used exclusively in very small cars such as the Renault Twizy, Mitsubishi i-MiEV, BMW i3 and the Tesla Roadster. However, as battery technology and range have improved, so too we have seen the development of much larger electric vehicles such as the VW id-4, Volvo XC40 P8 and the Tesla Y-2020.

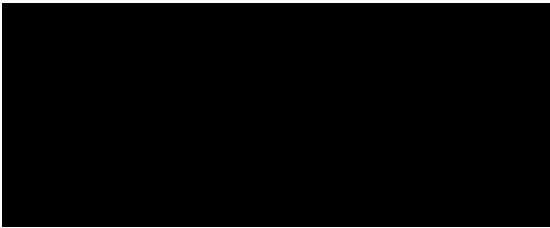
3.3.3 A recent AA study (2019) concluded that cars in the UK are growing larger on average, with the most popular models growing by between 28%-53%. The study suggested that in addition to lifestyle choices, one of the main reasons for this growth was safety, with vehicles having to grow to accommodate increasing safety features and a sturdier construction.

3.3.4 Whilst it is possible that these trends may reverse in the future, given that it is not possible to safely park a VW Up! in the garage at present, one of the smallest cars on the road today, it remains highly unlikely that this will ever be capable of being safely used as a parking space. In the meantime, the existing garage remains unusable as a parking space.

## **4. Summary**

4.1 The existing garage falls far short of the minimum requirements within Fife Council's Development Guidelines Parking Standards and cannot safely be used as a car parking space. The proposal to convert this underutilised space to form a family room, does not remove a parking space. The existing garage does not actually constitute a parking space either in reality or on paper and therefore its removal does not create a failure to comply with these standards.

- 4.2 If it would assist in demonstrating the size of the garage space available for safely parking a car, a site visit (in person or virtual by video link) might be considered of benefit.
- 4.3 Given that the current car parking provision and arrangements at Provost Niven Close are not being modified nor impacted by this proposal, it follows that this proposal will have no adverse impact for on-street car parking on Argyle Street nor impact on road safety in the area.
- 4.4 Although the applicant has not been made aware of any current road safety concerns on Argyle Street, to address the legacy issues of car parking provision at Provost Niven Close, a planning condition requiring participation in the residents parking scheme for use within the Argyle Street car park is proposed as mitigation.



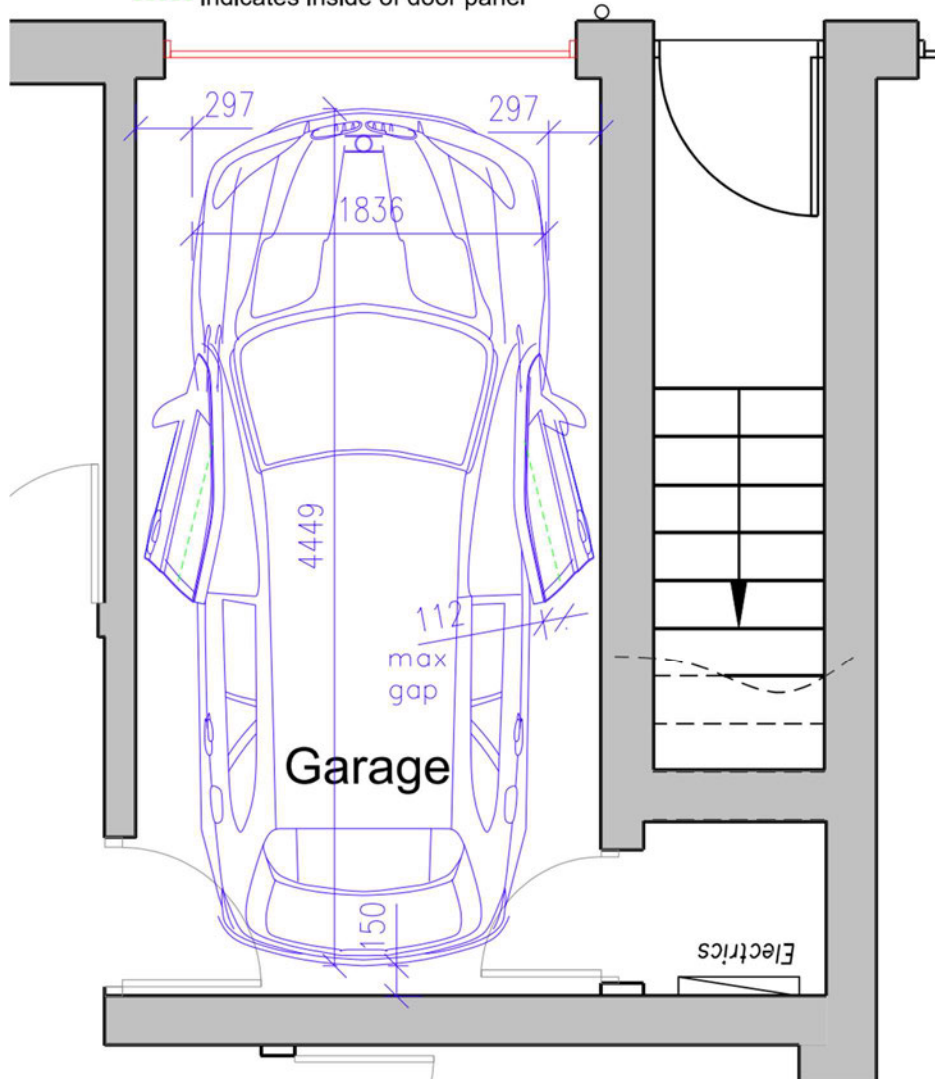
Kenneth Laing BSc, CEng, MBA, MICE

20 April 2021

## Appendix 1

### SK1 – Renault Kadjar Footprint

Existing Garage - 4750x2430mm  
Renault Kadjar Illustrated - 4449x1836mm  
Parked centrally leaves 297mm clearance  
to both doors and 150mm to boot and bonnet.  
----- indicates inside of door panel

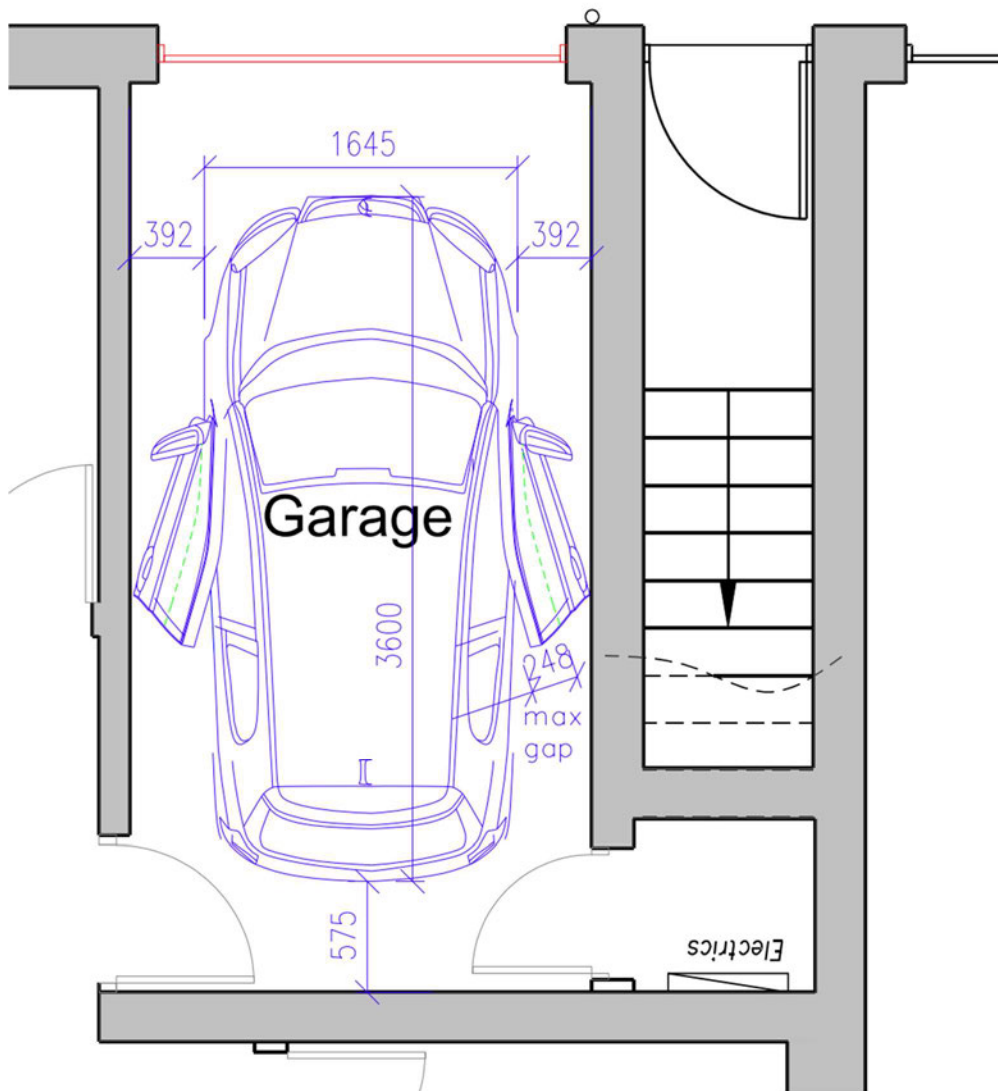


## Appendix 2

### SK2 – VW Up! Footprint

Existing Garage - 4750x2430mm  
Volkswagon UP Illustrated - 3600x1645mm  
Parked centrally leaves 392mm clearance  
to both doors and 575mm to boot and bonnet.

--- indicates inside of door panel





### **Proposal Details**

Proposal Name	100401093
Proposal Description	Proposed garage conversion to form a habitable room.
Address	6 PROVOST NIVEN CLOSE, ST ANDREWS, KY16 9BL
Local Authority	Fife Council
Application Online Reference	100401093-002

### **Application Status**

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

### **Attachment Details**

Notice of Review	System	A4
Commentary on Report of Handling	Attached	A4
Report on Car Parking Provision	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

**Agenda Item 4(2)**

**6 Provost Niven Close, St. Andrews, KY16 9BL  
Application No. 21/01281/FULL**

**Planning Decision Notice**

**Report of Handling**

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**Planning Services**

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Dr Alistair Dorward  
6 Provost Niven Close  
S Andrews  
Scotland  
PA16 9BL

Kirsten Morsley  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 21/01281/FULL

Date 28th June 2021

Dear Sir/Madam

**Application No: 21/01281/FULL**  
**Proposal: Conversion of integral garage to form habitable accommodation**  
**Address: 6 Provost Niven Close St Andrews Fife KY16 9BL**

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

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

Yours faithfully,

Kirsten Morsley, Planning Assistant, Development Management

**Enc**





## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 21/01281/FULL  
**Proposal:** Conversion of integral garage to form habitable accommodation  
**Address:** 6 Provost Niven Close St Andrews Fife KY16 9BL

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/01281/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interests of road safety; the loss of the garage would result in a shortfall in parking provision for the site which would not comply with Fife Council Development Guidelines Parking Standards and this would exacerbate the demands placed on the limited off street parking facilities within the forecourt which in turn would impact on the existing parking problems on Argyle Street, to the detriment of road safety and as such would be contrary to Policies 1 and 3 of the Adopted FIFEplan (2017).

### **PLANS**

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

Reference	Plan Description
01	Location Plan/Block Plan
02	Floor Plan - existing and proposed
03	Elevations existing and proposed
04	Statement

Dated:28th June 2021

Chris Smith

For Head of Planning Services  
Fife Council

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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

## APPLICATION DETAILS

ADDRESS	<b>6 Provost Niven Close, St Andrews, Fife</b>		
PROPOSAL	<b>Conversion of integral garage to form habitable accommodation</b>		
DATE VALID	<b>26/04/2021</b>	PUBLICITY EXPIRY DATE	<b>10/06/2021</b>
CASE OFFICER	<b>Kirsten Morsley</b>	SITE VISIT	<b>None</b>
WARD	<b>St. Andrews</b>	REPORT DATE	<b>25/06/2021</b>

## ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

## 1.0 BACKGROUND

1.1 The application relates to a 2 bedroomed ground floor flatted dwelling located within the town centre of St. Andrews. The flatted dwelling is accessed via a pend off Argyle Street and is part of a 3-storey modern flatted complex covering two separate buildings. External finishes comprise of a slate roof, modern render, re-constituted stone, and double-glazed timber mock sash and case windows. The site is also positioned within the St Andrews Conservation Area. The site serves 11 flatted dwellings and includes a private car park accessed via the pend where there is parking for 15 cars; 2 commercial, 2 visitor, 9 domestic and 2 garage spaces. Each flatted dwelling has been allocated one parking space. The applicant owns one of the two integral garage spaces. Three of the properties within the development have planning consent to operate as HMO's - Houses in Multiple Occupancy.

1.2 Planning consent is sought to convert the flat's integral garage into a family room. The submission proposes to replace the existing garage door with re-constituted stone and to insert one new window, all to match existing details and external finishes. The new window would align

through with the existing windows located on the front elevation. This application is a re-submission of an earlier planning submission, reference 20/02082/FULL, which was refused. A similar proposal to convert the garage into habitable accommodation was also refused under planning reference 19/02917/FULL.

1.3 The 20/02082/FULL submission was refused in the interests of road safety, as Transportation Development Management considered the loss of the garage would result in a shortfall in parking provision for the site which would not comply with Fife Council Development Guidelines Parking Standards. The loss would exacerbate the demands placed on the limited off street parking facilities within the forecourt which in turn would impact on the existing parking problems on Argyle Street, to the detriment of road safety and as such would be contrary to Policies 1 and 3 of the Adopted FIFEplan (2017).

1.4 This new planning submission includes a supporting statement which states that the integral garage is too small and unsafe to be used as a parking space, and that the garage is an oversized and under-utilised storage space. It is also argued that the open-plan kitchen/living area becomes 'extremely busy' when the applicant's grandchildren visit or stay and as a consequence the owners now propose to convert the garage into a family room, which they contend, would be a more practical use of the garage. The owners state that they have never used the garage for car parking and whilst they can park a car in the garage, they say it is almost impossible to open any of the car doors to get out of the car. They also highlight that this has not been a significant problem to date as they usually can park within the spare parking spaces within the close or if no spaces are available, they use the nearby car park on Argyll Street which they say always has available spaces. The applicant has also highlighted that he has an arrangement with an upstairs neighbour to use his parking space when his neighbour is not living there.

1.5 In addressing the reason for refusal under the 20/02082/FULL submission, the applicant disagrees that the removal of the integral garage would result in a failure to comply with Fife Council Development Guidelines Parking Standards. This failure to comply, the supporting statement highlights, 'does not stand-up' as the parking standards guidance states,

' Garages with internal dimensions measuring less than 7m x 3m will not be included as part of the parking provision and will be classed as storage only.'

The supporting statement goes on to highlight that the internal dimensions of the garage are 4.75m x 2.43m which are significantly below the minimum standards quoted in the Fife Council's guidance. Two sketch drawings are also included which illustrate the impracticality of parking a Volkswagen UP and a Renault Kadjar within the garage and as such it is argued that the garage size 'cannot sensibly be classified as a parking space' and as such converting the garage into a family room would not either reduce the current parking provision at Provost Niven Close or fail to comply with Fife Council's parking guidelines. It is also argued that the development at Provost Niven Close was built prior to the current Fife Council Parking Standards coming into effect, are already sub-standard, and therefore the proposal 'does not create a failure to comply' and that the concerns expressed do not take into account parking availability elsewhere, including the nearby Argyle Street public car park. A comparison has also been drawn on a historic approval, planning reference 17/01526/FULL, for the construction of four two-bedroomed dwellinghouses located adjacent to the Argyle Street car park. It is highlighted that despite approval been granted for this development, no private parking provision was made for these new flats. In addition, the independent car parking survey undertaken to support this 2017 development highlighted that as the Argyle car park occupancy never exceeded 55% at any time



it had capacity to absorb this site's parking requirements. This survey, and the proposition that the parking short fall for this new 2017 development could be satisfied through the purchase of parking permits for use in the Argyle car park is considered by the applicant the reason why this development was supported. Given this, the applicant for this current application has confirmed that he too would be open to participate in the residents parking scheme as a way of mitigation for this submission.

1.6 In the earlier refused application, 20/02082/FULL, it was accepted that the garage does not provide satisfactory accommodation for the applicants car, however it was also highlighted that future occupants may have smaller vehicles, given the increasing drive to combat congestion, and for cars to be smaller so that they will be more energy efficient. The applicants supporting statement contradicts this view, stating that recent developments show the recent development of much larger electric vehicles and a recent 2019 AA study suggests that one of the main reasons for larger cars was to improve car safety. Whilst the applicant agrees that this trend may change he highlights that it is still not possible to park a VW Up within the existing garage and this is one of the smallest cars available at present. In concluding, the supporting statement highlights that a site visit in person, or by video link, could assist in demonstrating the size of the current garage.

1.7 Planning history associated with the site can be summarised as follows;

- 19/02917/FULL - Conversion of integral garage to form habitable accommodation including replacing existing garage door with 2 No. windows - refused
- 20/02082/FULL - Conversion of integral garage to form habitable accommodation - refused

1.8 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 this proposal.

## 2.0 ASSESSMENT

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

- Design and Visual Impact on the Conservation Area
- Road Safety and Parking

### 2.2 Design and Visual Impact on the Conservation Area

2.2.1 Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Design and materials which will affect a Conservation Area shall be appropriate to the character and appearance of the Conservation Area.

2.2.2 Scottish Planning Policy (2020) (Valuing the Historic Environment), Historic Environment Policy Scotland (HEPS) (April 2019), policies 1, 10, and 14 of The Adopted FIFEplan (2017), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas, and the St. Andrews Conservation Area Appraisal and Management Plan (2013) apply to this application.

2.2.3 Scottish Planning Policy (2020) (Valuing the Historic Environment) advises that the design, materials, scale and siting of new development should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the Conservation Area and to ensure that its special characteristics are protected, conserved or enhanced. FIFEplan Policies 1 (Development Principles), 10 (Amenity), and 14 (Built and Historic Environment) stipulate that development will be supported provided it makes a positive contribution to its immediate environment in terms of the quality of the development and respects the character and appearance of the adjacent townscape in terms of scale, design, and external finishes.

2.2.4 The property is part of a modern 3 storey building with no special architectural or historic features. Its frontage is however highly symmetrical and balanced. The removal of the garage door and its replacement with one window aligned as shown and with matching re-constituted stone walling and a window matching in size, material, style, opening method and colour to the existing windows would have a neutral impact on the character and appearance of the building. Whilst the alteration to the façade and the addition of the window would be visible through the pend opening on Argyle Street, the alteration would only be seen from distance and would have little impact on the character of the wider Conservation Area.

2.2.5 In light of the above the current proposal would be considered acceptable and would be compliant with the terms of the Development Plan and all guidance related to Design and Visual Impact on the Conservation Area.

## 2.3 Road Safety and Parking

2.3.1 Policies 1, 3 and 10 of the Adopted Fifeplan (2017) and Scots National Roads Development Guide and Making Fife's Places - Appendix G (Transportation Guidelines) apply.

2.3.2 Policies 1 and 3 of the Adopted FIFEplan advise that development must be designed in a manner that ensures that the capacity and safety of infrastructure is not compromised and that it functions in a sustainable manner. Policy 10 states that support shall be given where development will not have a significant detrimental impact on amenity in relation to traffic movements and this relates to impacts on neighbouring sites and uses beyond the site as well. Making Fife's Places Supplementary Planning Guidance and associated transportation guidelines provide further advice in this regard.

2.3.3 The supporting statement draws a comparison with this application to an earlier approved application, 17/01526/FULL, for 4 two bedroomed dwellings located close to the site which had no parking allocation. The 17/01526/FULL committee report states that the lack of parking provision would be contrary to the Council's Transportation Development Management Guidelines and confirmed that there was no desire to create a precedent whereby public car parks could be used in lieu of off-street car parking, as this would result in reduced capacity for visitors and workers who contribute much to the economy and vitality of the St. Andrews town centre. Whilst it was accepted at the time that the Argyle Street car park could absorb the parking short fall for this particular development, it was also highlighted that on balance this proposed development would bring further greater benefits. It would result in an under used site being brought back into use, it would create a high quality and distinct piece of architecture which the case officer stated would enhance the streetscape and provide a focal point at its junction with Argyle Street and the Argyle street car park and the creation of 4 dwellinghouses would offer the potential to support town centre businesses and activities.

2.3.4 Transportation Development Management (TDM) were consulted again on this proposal to convert the existing garage into habitable accommodation within the existing dwelling. They have advised that all parking for residents, visitors and servicing of these flatted dwellings is accommodated either within the allocated parking spaces in the forecourt or within the integral garages, one of which serves the application property. They advise that any loss of the current off-street parking provision within this forecourt, or within the integral garages, will have a detrimental knock on effect to the overall off-street parking provision for these dwellings and will only encourage further on street parking. They re-iterate that they have previously responded with objections to the proposed loss of the existing parking space on the previous applications, 19/02917/FULL and 20/02082/FULL. They highlight that with no replacement parking space, this would be to the detriment of road safety. It is considered that the signing up to a residents parking scheme as a form of mitigation would not be a satisfactory long term solution as this could not be enforceable in the longer term. They note that within the supporting statement, the applicant compares the dimensions of the existing garage to the current standards within Fife Council's Making Fife's Places, Appendix G and advise once again that these dimensions in the current guidance relate to new build garages and include both a parking space and integrated storage space which is often lacking in new build projects. Furthermore, TDM note that the internal dimensions of the integral garage are 2.43 x 4.75 metres and state that this is larger than the parking spaces contained within the courtyard, which measure 2.2 x 4.7 metres. In concluding TDM confirm that the integral garage space within this property counts as an off-street parking space which is allocated to this dwelling and they have objections should this parking space be lost with no replacement being offered, or available within the parking courtyard as this would only lead to an exacerbation of the limited off street parking facilities within the forecourt or to an existing on street parking problem on Argyle Street. TDM confirm that this is a policy refusal based on the fact that Fife Council Development Guidelines Parking Standards would not be met on this site should the application be approved. It is also noted that garages are not only used to store cars they are also valuable storage spaces for other types of vehicles, such as motorbikes, e-bikes, bicycles and disability scooters etc, and for this further reason, the garage is a valuable asset to the property. Should permission be granted to convert the existing garage into habitable accommodation this would likely set an undesirable precedent whereby the other garage could also be converted in the same way in the future, thus further exacerbating the parking shortfall. Furthermore, a family room could, without any need for planning permission, be changed in the future into a third bedroom, the parking requirements of which would trigger the requirement for two off-street parking spaces, which the site forecourt cannot clearly accommodate.

2.3.5 In light of the above the loss of the garage to habitable accommodation would not be considered acceptable and would not comply with the terms of the Development Plan and guidance relating to Road Safety and Parking.

## CONSULTATION RESPONSES

Transportation, Planning Services

This is a policy refusal based on the fact that Fife Council Development Guidelines Parking Standards are not being met on this site and as a consequence this will only lead to an exacerbation of the limited off street parking facilities within the forecourt or to the existing

on street parking problem on Argyle Street.

## REPRESENTATIONS

There are no representations

## CONCLUSION

Planning permissions are granted with a view to protecting the long term interests/viability of a site. Whilst the proposed alterations to the principle frontage would have a neutral impact on the character and appearance of the building and the surrounding Conservation Area, the loss of the garage would result in a shortfall in parking provision. The proposal would not comply with Fife Council's Development Guidelines Parking Standards and this would exacerbate demand placed on the limited off-street parking facilities available within the forecourt. This in turn would impact on the existing parking problems on Argyle Street, to the detriment of road safety.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of road safety; the loss of the garage would result in a shortfall in parking provision for the site which would not comply with Fife Council Development Guidelines Parking Standards and this would exacerbate the demands placed on the limited off street parking facilities within the forecourt which in turn would impact on the existing parking problems on Argyle Street, to the detriment of road safety and as such would be contrary to Policies 1 and 3 of the Adopted FIFEplan (2017).

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

National Guidance

Scottish Planning Policy (2020) (Valuing the Historic Environment)  
Historic Environment Policy Scotland (HEPS) (April 2019)

Development Plan

The Adopted FIFEplan (2017)

Other Guidance

Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas

St. Andrews Conservation Area Appraisal and Management Plan (2013)

Scots National Roads Development Guide and Making Fife's Places - Appendix G (Transportation Guidelines)

**Agenda Item 4(3)**

**6 Provost Niven Close, St. Andrews, KY16 9BL  
Application No. 21/01281/FULL**

**Consultee Comments**

## Planning Portfolio Internal Assessment Sheet

EPES Team	Transportation Development Management
Application Ref Number:	21-01281-FULL
Application Description:	Conversion of integral garage to form habitable accommodation at 6 Provost Niven Court, ST ANDREWS.
Date:	24/06/2021
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input type="checkbox"/> Non-statutory
Consultation Summary	

### Important Note

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

### Assessment Summary

#### 1.0 OVERALL ASSESSMENT

1.1 The application is for the conversion of the existing integral garage to form habitable accommodation within the existing dwelling.

1.2 The off street parking for all of the residents, visitors and servicing of the dwellings within this courtyard is accommodated either within the allocated parking spaces in the forecourt or, by the individual dwelling having an integral garage.

1.3 The integral garage of this property is that dwellings off street parking space. Any loss of the current off street parking provision within the forecourt or, within the integral garages, will have a detrimental knock on effect to the overall off street parking provision for these dwellings and will only encourage further on street parking.

1.4 Transportation Development Management responded to previous applications for this site (19/02917/FULL and 20/02082/FULL) and responded with objections to both on the grounds of the loss of the existing parking space with no replacement which would be to the detriment of road safety.

1.5 The applicant has submitted a parking statement which gives the internal dimensions of the existing garage and compares these to the current standards as stated within the Fife Council's Making Fife's Places, appendix G.

1.6 I can only re-iterate that the dimensions stated within this document are for new build garages and were a necessary introduction to accommodate a required parking space and, integrated storage space, which is sadly lacking within new build properties.

1.7 The applicant states within the parking statement that the internal dimensions of the integral garage are 2.43 x 4.75. This is a larger space than the actual off street parking spaces contained within the courtyard. The parking spaces within the courtyard measure 2.2m x 4.7m.

1.8 It is clear that, when this development was built, the integral garages were included as that properties off street parking space. The parking space within the integral garage is similar in size, in fact a little bit larger, than the parking spaces within the courtyard which are used by the other residents of this development. For the avoidance of doubt, the integral garage within this property counts as an off street parking space allocated to this dwelling.

## **2.0 CONCLUSIONS**

2.1 Based on the above overall assessment, Transportation Development Management have **objections** in the interest of road and pedestrian safety as noted in the following paragraphs;

## **3.0 RECOMMENDATIONS (include any suggested conditions/planning obligations if considering approval)**

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3.1 The proposal will result in the off street parking space allocated to this dwelling being lost with no replacement being offered, or available within the parking courtyard. This will only lead to an exacerbation of the limited off street parking facilities within the forecourt or to an existing on street parking problem on Argyle Street.

There has been no off-street car parking provision included within the development to accommodate the loss of this dwellings off street parking space.

This is a policy refusal based on the fact that Fife Council Development Guidelines Parking Standards are not being met on this site.

### **Important note**

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

Author: George MacDonald, Technician Engineer, Transportation Development Management

Date: 24/06/2021

E-mail: [george.macdonald@fife.gov.uk](mailto:george.macdonald@fife.gov.uk)

Signed by Richard Simmons, Lead Officer, Transportation Development Management

Date: 24/06/2021

E-mail: [richard.simmons@fife.gov.uk](mailto:richard.simmons@fife.gov.uk)



**Agenda Item 5(1)**

**11 Forester's Lea Crescent, Dunfermline,  
KY12 7TE**

**Application No. 21/00315/FULL**

**Notice of Review**



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100359575-005

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Andrew Allan Architecture Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	Balcain House
Last Name: *	Allan	Building Number:	
Telephone Number: *	01383730500	Address 1 (Street): *	Viewfield Terrace
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	UK
		Postcode: *	KY12 7HY
Email Address: *	info@andrewallanarchitecture.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr &amp; Ms"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="D (Mr) &amp; L (Ms)"/>	Building Number:	<input type="text" value="11"/>
Last Name: *	<input type="text" value="Peck &amp; Almond"/>	Address 1 (Street): *	<input type="text" value="Foresters Lea Crescent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Dunfermline"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY12 7TE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="info@andrewallanarchitecture.com"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Fife Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="11 FORESTERS LEA CRESCENT"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DUNFERMLINE"/>
Post Code:	<input type="text" value="KY12 7TE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="687608"/>	Easting	<input type="text" value="311094"/>
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## Description of Proposal

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

Appeal against the decision of refusal (ref 21/00315/FULL) - main reason for refusal is a lack of privacy

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Appeal grounds attached in separate document

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

Yes  No

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

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

Supporting Statement & Site photos

## Application Details

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

21/00315/FULL

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

02/02/2021

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

23/07/2021

## Review Procedure

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

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

Yes  No

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## **Declare – Notice of Review**

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

Declaration Name: Mr Andrew Allan

Declaration Date: 19/08/2021

## Introduction

Following the refusal of our planning application, reference 21/00315/FULL, we wish to submit the following appeal to the Local Review Body.

## Site info & Proposals

As a brief introduction, the property is a detached, two-storey dwelling. The site is located in Garvock, where the topography slopes down from North-West to South-East. The applicant is looking to construct a single storey extension to the rear of the property, with access to a first floor level balcony that would be accessed from the Master Bedroom;



*Site Photo - View to Rear Elevation*



Site Photo - View to North-East



View to South-East



## **Application info**

We understand that there are no issues with the general design of the ground floor extension, nor are there objections to the flat roof design. There is a small section between two proposed rooflights which is proposed as a modest outdoor area, which is likely to be used as a seated area in favourable weather

There is a raised rear garden which can comfortably be used as a social space and without the need for any form of application & scrutiny from neighbouring properties.

Our application was determined on 23<sup>rd</sup> July and references our initial application drawings. I understand our application is refused on the basis after the applicant had agreed to adding two 1.8m high screens on either side of the balcony, and an additional 1.8m high screen along the entire width of the rear garden boundary.

## **Application Timeline & Process**

As a starting point, I feel it is worth referring to the sequence of events throughout the application. This is relevant in order to highlight the applicant's willingness to compromise, and their desire to avoid any loss of privacy between them and the surrounding neighbours.

Our application was registered on 12<sup>th</sup> February, with the neighbor consultation expiry scheduled for 25<sup>th</sup> March. Initially, the applicant offered to construct a new boundary fence along the back boundary line (between their rear garden, and the rear gardens of 60 & 62 Scotland Drive), this was in response to the registered objections at that point. I spoke with the planner on 16<sup>th</sup> April, and the impression I was given was that the inclusion of a fence would greatly help our case. While no guarantees were given at this stage, the general feedback was undoubtedly positive.

After a series of attempts to catch up on the progress of our application, a site visit was requested by the planner and eventually carried out on 14<sup>th</sup> May, with the applicant present. The focus was switched to the boundary between the applicant, and no. 13 Forester's Lea Crescent (refer to photos above, specifically the double window on first floor which serves an existing hallway). The applicant agreed to further screening at an increased height of 1.8m along the projection of the balcony. Again, we felt more assured based on the relatively positive language from the planner.

At this point, the applicant had offered and agreed to additional raised screening along the projection of the boundary. On the 25<sup>th</sup> May, I received an email from the planner who advised that he would be looking to recommend an approval later that week.

On 28<sup>th</sup> May, I spoke with the planner and was advised that a third boundary screen would be prompted, this time to the boundary between 11 & 9 Forester's Lea Crescent. Initially, this was contested as the small, useable balcony area between the proposed rooflights would be further set back from the 1.1m high proposed barrier on this elevation. The planner and

line manager comments were received via email on 8<sup>th</sup> June, at which point we offered the applicant more time to consider their position.

On 21<sup>st</sup> July, I spoke with our client, who advised that they were willing to add a 1.8m high boundary screen to the South-West facing elevation. I followed up by speaking with the planner, who again offered positive comments regarding concluding our application. Shortly after this conversation, the planner called to say that his team leader would not support the proposals, even after the applicant's acceptance of the latest advice on screening.

I feel it is worth noting that I have no personal issue with the planner, and that I appreciate the complexities of this application. That said, the way that our application was handled as been a complete farce and we would question whether the application has been fairly, or properly assessed.

### **Additional Comments**

We believe there is some mis-interpretation of how the balcony space would be used, for example, the planner notes;

*".....a roof terrace would be a well-used space and given the position of the extension in the wider context the terrace would afford a direct view into these neighbouring gardens and as such would significantly diminish the privacy enjoyed by the neighbouring properties."*

Referring to our drawing sheet 5, the useable space is limited to between the proposed rooflight sections. The applicant's intention is not to have a first floor social space that could be used to observe all around them, but instead to use this as an area for outdoor seating during times when the weather is favourable.

The concession of additional screening appears to completely remove any privacy concerns to any elevation. In this instance, we feel that the proposals have not been appropriately considered.

### **Proposal Details**

Proposal Name	100359575
Proposal Description	Proposed single storey extension to property rear & internal alterations. 1st floor balcony area over proposed extension
Address	11 FORESTERS LEA CRESCENT, DUNFERMLINE, KY12 7TE
Local Authority	Fife Council
Application Online Reference	100359575-005

### **Application Status**

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

### **Attachment Details**

Notice of Review	System	A4
Appeal Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-005.xml	Attached	A0

**Agenda Item 5(2)**

**11 Forester's Lea Crescent, Dunfermline,  
KY12 7TE**

**Application No. 21/00315/FULL**

**Planning Decision Notice**

**Report of Handling**

Andrew Allan Architecture Ltd  
Andrew Allan  
Balcairn House  
Viewfield Terrace  
Dunfermline  
UK  
KY12 7HY

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**Planning Services**

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Martin Mackay  
development.central@fife.gov.uk

Your Ref:  
Our Ref: 21/00315/FULL

Date 23rd July 2021

Dear Sir/Madam

**Application No: 21/00315/FULL**  
**Proposal: Single storey extension with balcony to rear of dwellinghouse**  
**Address: 11 Foresters Lea Crescent Dunfermline Fife KY12 7TE**

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

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

Yours faithfully,

Martin Mackay, Planning Assistant, Development Management

**Enc**





## DECISION NOTICE FULL PLANNING PERMISSION

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

**Application No:** 21/00315/FULL  
**Proposal:** Single storey extension with balcony to rear of dwellinghouse  
**Address:** 11 Foresters Lea Crescent Dunfermline Fife KY12 7TE

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 21/00315/FULL on Fife Council's Planning Applications Online

### **REFUSE FOR THE FOLLOWING REASON(S):**

1. In the interest of protecting residential amenity; the proposed roof terrace by virtue of its location, size and orientation, would result in a significant increase in vantage points for which to overlook neighbouring garden areas to the detriment of the amenity and privacy of the neighbouring residents. As such it is considered that the proposal does not comply with Policies 1 and 10 of the Adopted FIFEplan (2017).

### **PLANS**

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

Reference	Plan Description
02	Floor Plan Existing
03	Floor Plan Existing
05	Floor Plan Proposed
06	Floor Plan Proposed
07A	Proposed Elevations
08	Photographs
09	Photographs
10	Photographs
11	Photographs

Dated: 23rd July 2021

## IMPORTANT NOTES ABOUT THIS DECISION

### LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate**

**Fife House**

**North Street**

**Glenrothes, Fife**

**KY7 5LT**

**or emailed to [local.review@fife.gov.uk](mailto:local.review@fife.gov.uk)**

### LAND NOT CAPABLE OF BENEFICIAL USE

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



## APPLICATION DETAILS

ADDRESS	11 Foresters Lea Crescent, Dunfermline, Fife		
PROPOSAL	Single storey extension with balcony to rear of dwellinghouse		
DATE VALID	12/02/2021	PUBLICITY EXPIRY DATE	25/03/2021
CASE OFFICER	Martin Mackay	SITE VISIT	14/05/2021
WARD	Dunfermline Central	REPORT DATE	21/07/2021

## ASSESSMENT

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise.

## 1.0 BACKGROUND

1.1 The application property is a two-storey detached dwellinghouse, finished in wet dash render and a tiled roof. The site is located within a modern residential area, with the properties within the immediate locale being of a similar architectural style. To front the properties are enclosed by way of low walls and there is a driveway providing off street parking for at least two vehicles along with a detached garage. To the rear the boundaries are established by way of fencing. It is noted that the land in which the dwellinghouse sit is a significantly lower level to the garden ground to the rear and the properties beyond.

1.2 The proposal is for the erection of a single storey rear extension, with roof terrace. The extension would be to the northwest facing rear elevation and would have a footprint of 37 sqm and would measure 4m (d), 2.9m (h) (3.9m to include terrace and enclosure) and 9.3m (w). The extension would be constructed from materials to match the existing building and would include floor to ceiling bi-fold doors to the southwest elevation, a new door to the northeast elevation and new windows to the rear elevation, along with two rooflights. The terrace would be enclosed by way of 1.4m high railings

1.3 There is no planning history associated with this site.

1.4 A site visit has been conducted to fully assess the overlooking issues.

## 2.0 ASSESSMENT

2.1 The key issues to be considered in the assessment of this application are as follow:

- design and visual impact
- impact on residential amenity

### 2.2 Design and Visual Impact

2.2.1 Adopted Local Plan Policies 1 and 10, and Fife Council's Approved Planning Customer Guidelines on Home Extensions (including garages and conservatories) apply.

2.2.2 The proposed extension would be located to the rear of the property and would not be visible from any public elevation. Given the single storey nature of the extension it would be lower than the existing building and as such would be a subservient addition. The existing boundary would provide adequate screening of the development from neighbouring properties. The extension, excluding the terrace would be considered as permitted development under Class 1A of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992. However, the application considered as a whole with the roof terrace requires planning permission. Overall, the proposal would be of an appropriate design, scale and mass and would result in an acceptable addition to the existing dwellinghouse and as such would be in compliance with the Development Plan and its related guidance.

### 2.3 Residential Amenity

2.3.1 Adopted Local Plan Policies 1 and 10 and Fife Council's Approve Customer Guidelines on Home Extensions (including garages and conservatories) apply. Policy 10 places particular importance on potential loss of light to neighbouring properties.

2.3.2 The extension would not project beyond the rear elevation of the neighbouring property to the east (13 Foresters Lea Crescent). The extension would be adjacent to the garage and set well back from the main dwelling. As such, the proposal, would not have any impact on the daylight received to neighbouring windows and this property would continue to receive sufficient light. Given this, the extension would not result in any concerns in respect of loss of daylight in this instance.

2.3.3 The proposal would introduce new doors and windows to the rear and east facing side elevation, these openings would project primarily towards private garden areas, an area already overlooked by existing windows, moreover, the extension would be single storey and as such these opening would be suitably screened by the existing boundary treatment.

2.3.4 The proposed roof terrace would result in a significant increase in overlooking/privacy issues when considering the neighbouring properties garden ground areas. The roof terrace would extend beyond the rear building line of the property to the southwest (9 Foresters Lea Crescent) and set just behind the building line with the building to the northeast (13 Foresters Lea Crescent). The roof terrace would be set 1.4m from the boundary with number 13 and 5.9m from the boundary with number 9. It is recognised that a feature such as a roof terrace

would be a well-used space and given the position of the extension in the wider context the terrace would afford a direct view into these neighbouring gardens and as such would significantly diminish the privacy enjoyed by the neighbouring properties.

2.3.5 Two objections have been received from the owner/occupier of the property to the northwest (58 & 60 Scotland Drive) with respect to overlooking/loss of privacy. 60 Scotland Drive would be some 18m from the rear elevation of the extension/roof terrace (6.5m from the boundary) and given the significant difference in ground level the application property would be much lower. A cross sectional drawing has demonstrated the land levels and the range of views from the proposed balcony. Having stood within this garden ground, the property feels enclosed by the existing boundary treatment which would contribute to the required screening. The applicant has suggested that further mitigation could take the form of a new fence which would increase this height to 1.8m (from 1.6m). It is considered this would make a minimal contribution to ameliorating any overlooking concerns. There will still be substantial overlooking of the neighbouring properties with a detrimental impact on the privacy of neighbours.

2.3.5 Fife Council Customer Guidelines on Garden Ground state that the proposed extension should not take up more than 25% of the original private garden ground. The site has an existing garden ground area of 166 sqm. This addition would reduce this to 129 sqm, well within the permitted 25% and such would maintain sufficient garden ground for current and future occupiers.

2.3.6 Given the orientation of the application site in relation to the surrounding properties, there would be no significant impact upon the sunlight enjoyed within the neighbouring property or the sunlight enjoyed within the neighbouring rear amenity spaces. Those amenity spaces would still enjoy at least two hours of direct sunlight in accordance with the recommendations set out in the relevant BRE guidance. Given the above considerations it is considered that the proposal would be in compliance with the Development Plan and associated guidance.

2.3.7 Given the above it is concluded that the proposed development fails to comply with the Development Plan and related guidelines with regards to residential amenity impacts in particular on privacy and overlooking and as such refusal is recommended.

## CONSULTATION RESPONSES

Scottish Water

No objection

## REPRESENTATIONS

Two letters of objection received from neighbouring properties objecting to the proposed terrace in respect of overlooking; this has been addressed in paragraphs 2.3.4 and 2.3.5

## CONCLUSION

The proposal would result in an unacceptable increase in overlooking to neighbouring properties and would afford direct views into private garden areas significantly diminishing the privacy currently enjoyed by these properties. The proposal does not meet the terms of the Development Plan and relevant Fife Council Planning Customer Guidelines. Accordingly, the application should be refused planning permission.

## DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interest of protecting residential amenity; the proposed roof terrace by virtue of its location, size and orientation, would result in a significant increase in vantage points for which to overlook neighbouring garden areas to the detriment of the amenity and privacy of the neighbouring residents. As such it is considered that the proposal does not comply with Policies 1 and 10 of the Adopted FIFEplan (2017).

## STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

FIFEPlan Local Development Plan (2017)

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

Fife Council Planning Customer Guidelines on Daylight and Sunlight

Fife Council Planning Customer Guidelines on Garden Ground

**Agenda Item 5(3)**

**11 Forester's Lea Crescent, Dunfermline,  
KY12 7TE**

**Application No. 21/00315/FULL**

**Representation(s)**

## Dawn Batchelor

---

**From:** Catriona Reid [REDACTED]  
**Sent:** 21 March 2021 15:06  
**To:** Development Central  
**Subject:** Objection to Planning Application No. 21/00315/FULL

**Categories:** In Progress

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

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Dear Sirs

**APPLICATION NO. 21/00315/FULL  
SINGLE STORY EXTENSION WITH BALCONY TO REAR OF DWELLINGHOUSE  
11 FORESTERS LEA CRESCENT, DUNFERMLINE, KY12 7TE**

The rear of our house backs onto the rear of the property at 11 Foresters Lea Crescent. As our property is in an elevated position, the erection of a single storey extension does not pose significant concern.

However, we would like to note our opposition to the creation of the balcony on top of the large single storey extension and change to the bedroom window. This has a very significant impact over the privacy of our property and the amenity of our rear garden.

Our kitchen and master bedroom are both located on the ground floor at the rear of our property and would both be overlooked by the change to the window and creation of the balcony.

Of greatest concern is the master bedroom. When you walk into our bedroom, you face the window. The first thing you see when entering our bedroom is their bedroom window. Any changes above the single storey level would impact our privacy greatly. Our bedroom is used a great deal throughout the day, especially in the last year when working from home. I would hate to feel so overlooked and have our privacy impacted in such a way.

The balcony/seating area, as well as overlooking our bedroom and kitchen, would remove any privacy over our rear garden for us and our children. The creation of a balcony at such a height would mean there would be very little prospect of us being able to create any private spaces in our garden to prevent us feeling overlooked. Again, outdoor spaces have become more important than ever and do not believe it is fair for us and our children to feel so overlooked. These are generally family homes and I do not believe this is in-keeping with other houses in the area or what a family house should be. I would not like to have a precedent set, with balconies appearing on other flat roof extensions elsewhere in the vicinity.

In addition to the privacy issues, the balcony raises concern over noise, especially in the evenings/night, that might occur due to any socialising. Given the balcony would be so high up, there is no fence or other obstacles to deaden any noise.

Should you require any clarification of further information, please do not hesitate to contact us.

I would be grateful if you could acknowledge the safe receipt of my email.

Kind regards,

Catriona and Graeme Reid

**Mr and Mrs G Reid  
60 Scotland Drive**

Dunfermline  
KY12 7PE



# Comments for Planning Application 21/00315/FULL

## Application Summary

Application Number: 21/00315/FULL

Address: 11 Foresters Lea Crescent Dunfermline Fife KY12 7TE

Proposal: Single storey extension with balcony to rear of dwellinghouse

Case Officer: Martin Mackay

## Customer Details

Name: Mr Alistair Donald

Address: 58 Scotland Drive, Dunfermline, Fife KY12 7TP

## Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have no objection to single story extension however I would like to object to the balcony above extension as it would overlook our rear garden and as it would overlook it would take away our privacy when in rear garden.



**Agenda Item 5(4)**

**11 Forester's Lea Crescent, Dunfermline,  
KY12 7TE**

**Application No. 21/00315/FULL**

**Consultee Comments**

Friday, 26 February 2021



Local Planner  
Fife House  
North Street  
Glenrothes  
KY7 5LT

Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Steps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - [DevelopmentOperations@scottishwater.co.uk](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)

Dear Sir/Madam

**SITE: 11 Foresters Lea Crescent, Dunfermline, KY12 7TE**  
**PLANNING REF: 21/00315/FULL**  
**OUR REF: DSCAS-0033904-964**  
**PROPOSAL: Single storey extension with balcony to rear of dwellinghouse**

**Please quote our reference in all future correspondence**

### Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

For all extensions that increase the hard standing area within the property boundary, you must look to limit an increase to your existing discharge rate and volume. Where possible we recommend that you consider alternative rainwater options. All reasonable attempts should be made to limit the flow.

No new connections will be permitted to the public infrastructure. The additional surface water will discharge to the existing private pipework within the site boundary.

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Planning Application Team**  
Development Operations Analyst  
[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)



SW Public  
General  
To find out more about connecting your  
property to the water and waste water supply visit:



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**Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*



To find out more about connecting your  
General enquiry to the water and waste water supply visit:



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