

Monday, 17 June 2024 - 2.00 pm

AGENDA

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1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of meeting of the Fife Planning Review Body of 29 April 2024. 5 - 6
4. **APPLICATION FOR REVIEW - LAND EAST OF KEBRONI COTTAGE, BAIN TOWN, LEVEN (APPLICATION NO. 23/02345/PPP)** – Planning permission in principle for erection of eco-demonstrating testing dwellinghouse and garage including business use (Class 4) and associated access and landscaping works
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5. **APPLICATION FOR REVIEW - CADHAM SERVICE STATION, CADHAM ROAD, GLENROTHES (APPLICATION NO. 23/02396/FULL)** – Erection of tyre fitting facility (Class 5)
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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

10 June 2024

If telephoning, please ask for:

Michelle McDermott, Committee Officer, Fife House, North Street, Glenrothes
Telephone: 03451 555555, ext. 442238; email: Michelle.McDermott@fife.gov.uk

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

BLENDED MEETING NOTICE

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

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

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

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

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

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

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

Local Review meeting

Guidance Notes on Procedure

1. Introduction by Convener

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

2. Minutes of previous meeting

Review Body requested to approve minute of last meeting

3. Outline of first item - Convener

4. Powerpoint presentation of photos/images of site

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

5. Procedural agreement.

Members discuss application and decide whether –

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

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

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

a) Convener asks the LRB to consider

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

to establish the key issues pertinent to this case

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

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

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

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

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

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

9. Closure of meeting or on to next item

Version 5
31.10.2017

THE FIFE COUNCIL - FIFE PLANNING REVIEW BODY - BLENDED MEETING

Committee Room 2, Fife House, North Street, Glenrothes

29 April, 2024

2.00 pm - 4.25 pm

PRESENT: Councillors David Barratt (Convener), Ken Caldwell, Altany Craik, Robin Lawson and Jane Ann Liston.

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

57. DECLARATIONS OF INTEREST

Councillor David Barratt declared an interest in para. 61 - Application for Review - Woodland at Craigs Plantation, Fordell, Dunfermline (Application No. 23/01726/FULL) as the application was within his Ward.

58. MINUTE

The minute of the Fife Planning Review Body of 26 February 2024 was submitted.

Decision

The Review Body approved the minute.

59. APPLICATION FOR REVIEW - SITE AT FORMER IRONWORKS, STATION ROAD, AUCHTERMUCHTY (APPLICATION NO. 23/01208/FULL)

The Review Body considered the Application for Review submitted by Campbell of Doune Ltd., on behalf of St. John's Holdings Ltd., in respect of the decision to refuse planning permission for an extension to industrial unit (Class 5) and change of use of agricultural land to form associated hardstanding for yard and car parking including formation of SUDS infrastructure and erection of fencing (Application No. 23/01208/FULL).

Decision

The Review Body agreed:-

- (1) to accept new information that had been submitted by the applicant - which included a Soil Survey and Land Capability for Agriculture Classification Report (Dec 2023) prepared by the Hutton Institute;
- (2) sufficient information was before them to proceed to decide the matter; and
- (3) 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.

**60. APPLICATION FOR REVIEW - 159 MAIN STREET, LOCHGELLY
(APPLICATION NO. 22/04007/FULL)**

The Review Body considered the Application for Review submitted by Montgomery Forgan Associates, on behalf of Mr. John Hamill, in respect of the decision to refuse planning permission for alterations to and change of use from shop (Class 1A) to form enlargement to flatted dwelling (sui generis) including formation of window openings to front elevation (Application No. 22/04007/FULL).

Decision

The Review Body agreed:-

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

Having declared an interest in the following item, Councillor David Barratt left the meeting at this stage and Councillor Altany Craik took the Chair.

The meeting adjourned at 3.10 pm and reconvened at 3.20 pm.

**61. APPLICATION FOR REVIEW - WOODLAND AT CRAIGS PLANTATION,
FORDELL, DUNFERMLINE (APPLICATION NO. 23/01726/FULL)**

The Review Body considered the Application for Review submitted by AS Associates Ltd., on behalf of Mr. Paul Simpson, in respect of the decision to refuse planning permission for the erection of a holiday accommodation cabin and associated drainage infrastructure and formation of access (retrospective) (Application No. 23/01726/FULL).

Decision

The Review Body agreed:-

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

Agenda Item 4(1)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Planning Decision Notice

Anthony Robertson Design Limited
Stewart Robertson
3 Broomhill Wynd
Monifieth
United Kingdom
DD5 4RE

Planning Services

Andy Taylor

development.central@fife.gov.uk

Your Ref:

Our Ref: 23/02345/PPP

Date 19th December 2023

Dear Sir/Madam

Application No: 23/02345/PPP
Proposal: Planning permission in principle for erection of eco-demonstrating testing dwellinghouse and garage including business use (Class 4) and associated access and landscaping works
Address: Land East Of Kebroni Cottage Baintown Fife

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

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

Yours faithfully,

Andy Taylor, Planner, Development Management

Enc



DECISION NOTICE PLANNING PERMISSION IN PRINCIPLE

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 IN PRINCIPLE** for the particulars specified below

Application No: 23/02345/PPP
Proposal: Planning permission in principle for erection of eco-demonstrating testing dwellinghouse and garage including business use (Class 4) and associated access and landscaping works
Address: Land East Of Kebroni Cottage Baintown Fife

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/02345/PPP on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of safeguarding the countryside from unplanned, sporadic and unjustified residential development; the need for a residential development in this rural location is not considered fully justified as the application site lies outwith any defined settlement boundary; does not fully meet any of the housing/development in the countryside policy criteria; does not justify a countryside location is necessary to demonstrate the eco-credentials of the proposal; and therefore the proposal is considered to be contrary to National Planning Framework 4 (2023) Polices 17 (Rural Homes) and 29 (Rural Development), and Policies 1 (Development Principles); 7 (Development in the Countryside); and, 8 (Houses in the Countryside) of the Adopted FIFEplan - Fife Local Development Plan (2017). For that reason, the development would also fail to protect the overall landscape and environmental quality of the area, contrary to Policies 1 (Development Principles), 7 (Development in the Countryside), 8 (Homes in the Countryside), 10 (Amenity) and 13 (Natural Environment and Access) of FIFEplan and Making Fife's Places Supplementary Guidance (2018). Overall, the development is contrary to the development plan, there being no relevant material considerations of sufficient weight to justify departing therefrom.

Dated: 19th December 2023

Chris Smith

For Head of Planning Services

PLANS

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

Reference	Plan Description
01	Location Plan
02	Site Plan
03	Block Plan
04	Proposed Site Plan
05	Supporting Statement
06	Supporting Statement

Dated: 19th December 2023

Chris Smith

For Head of Planning Services

Decision Notice (Page 2 of 2) 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.fife.gov.uk/planning. Completed forms should be sent to:

**Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT**

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

LAND NOT CAPABLE OF BENEFICIAL USE

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

Agenda Item 4(2)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Report of Handling

REPORT OF HANDLING
APPLICATION DETAILS

ADDRESS	Land East Of Kebroni Cottage, Baintown, Fife		
PROPOSAL	Planning permission in principle for erection of eco-demonstrating testing dwellinghouse and garage including business use (Class 4) and associated access and landscaping works		
DATE VALID	01/09/2023	PUBLICITY EXPIRY DATE	05/10/2023
CASE OFFICER	Andy Taylor	SITE VISIT	None
WARD	Leven, Kennoway And Largo	REPORT DATE	15/12/2023

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

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

1.0 BACKGROUND

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

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

As per Section 24 (3) of the Town and Country Planning (Scotland) Act 1997 (as amended) where there is any incompatibility between a provision of the National Planning Framework and a provision of a Local Development Plan, whichever of them is the later in date is to prevail. The Chief Planner's Letter dated 8th February 2023 also advises that provisions that are contradictory or in conflict would be likely to be considered incompatible.

1.2 This application refers to an area of non-prime agricultural grassland to the east of Kebroni Cottage, just outside the edge of the small settlement boundary of Baintown, within the countryside as defined by the Adopted FIFEplan to the north-west of Cupar. The surrounding residential properties are mainly single-storey.

1.3 This planning application seeks planning permission in principle for the erection of dwellinghouse and formation of new access

1.4 There is no previous relevant planning history associated with this site.

1.5 A physical site visit has not been undertaken for this planning application; however, the planning case officer has previously visited the area on numerous occasions. All necessary information has been collated digitally to allow the full consideration and assessment of the proposal. A risk assessment has been carried out and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

2.0 ASSESSMENT

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

- Principle of Development
- Design, Scale and Finishes/Visual Impact on Local Landscape Area
- Residential Amenity
- Road Safety
- Natural Heritage/Biodiversity Enhancement
- Water/Drainage
- Waste Management
- Low Carbon
- Right of Way
- Core Paths and Rights of Way

2.2 Principle of Development

2.2.1 NPF4 sets out the overarching spatial strategy for Scotland to 2045. Policy 1 (Tackling the climate and nature crises) of NP4 states that when considering all development proposals significant weight will be given to the global climate and nature crises.

2.2.2 NPF4 Policy 16(f) states that development proposals for new homes on land not allocated for housing in the LDP will only be supported in limited circumstances where;

- the proposal is supported by an agreed timescale for build-out; and
- the proposal is otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20-minute neighbourhoods;

and either

- delivery of sites is happening earlier than identified in the deliverable housing land pipeline. This will be determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or
- the proposal is consistent with policy on rural homes; or
- the proposal is for smaller scale opportunities within an existing settlement boundary; or
- the proposal is for the delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan

2.2.3 NPF4 Policy 17(a) applies and states that development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development:

- is on a site allocated for housing within the Local Development Plan;
- reuses brownfield land where a return to a natural state has not or will not happen without intervention;
- reuses a redundant or unused building;
- is an appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets; is demonstrated to be necessary to support the sustainable management of a viable rural business or croft, and there is an essential need for a worker (including those taking majority control of a farm business) to live permanently at or near their place of work;
- is for a single home for the retirement succession of a viable farm holding;
- is for the subdivision of an existing residential dwelling; the scale of which is in keeping with the character and infrastructure provision in the area; or
- reinstates a former dwelling house or is a one-for-one replacement of an existing permanent house.

2.2.4 Policy 29 (Rural Development) of NPF4 states that development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected. This policy further states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

2.2.5 Policy 1: Development Principles of the Adopted FIFEplan states that the principle of development will be supported if it is either: a) within a defined settlement boundary and compliant with the policies for the location; or b) in a location where the proposed use is supported by the plan. In the case of development in the countryside, such as here, development will only be supported where it is, amongst other things, for housing in line with Policy 8: Houses in the Countryside. Policy 8 states that development of housing in the countryside will only be supported where:

1. It is essential to support an existing rural business;
2. It is for a site within an established and clearly defined cluster of five houses or more;
3. It is for a new housing cluster that involves imaginative and sensitive re-use of previously used land and buildings, achieving significant visual and environmental benefits;
4. It is for the demolition and subsequent replacement of an existing house provided the following all apply:
 - a) the existing house is not listed or of architectural merit;
 - b) the existing house is not temporary and has a lawful use; or
 - c) the new house replaces one which is structurally unsound and the replacement is a better quality design, similar in size and scale as the existing building, and within the curtilage of the existing building;
5. It is for the rehabilitation and/or conversion of a complete or substantially complete existing building;
6. It is for small-scale affordable housing adjacent to a settlement boundary and is required to address a shortfall in local provision, all consistent with Policy 2 (Homes);
7. A shortfall in the 5 year effective housing land supply is shown to exist and the proposal meets the terms of Policy 2 (Homes);
8. It is a site for Gypsy/Travellers or Travelling Showpeople and complies with Policy 2 (Homes); or
9. It is for an eco-demonstration project proposal that meets the strict requirements of size, scale, and operation set out in Figure 8.1 of the plan.

In all cases, development must be: of a scale and nature compatible with surrounding uses; well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and located and designed to protect the overall landscape and environmental quality of the area.

2.2.6 Objections have been received concerned that the proposal does not comply with the Council's countryside policy in addition to concerns regarding the lack of information relating to the Class 4 use on the site. Class 4 uses include any use for any industrial process which can be carried out within a residential area without causing detriment to the amenity of the area.

2.2.7 Within the applicants supporting statement they have stated that the application is supported under Policy 8 (Housing in the Countryside) based on an "eco-home proposal" as defined in FIFEplan, Figure 8.1. The following applies along with the applicants intentions.

Figure 8.1 - Requirements of eco-home proposals

1. Not exceed 20 dwelling units.

The applicant is only proposing one property.

2. Follow the zero waste, zero energy model, making no demands on water, sewerage, power, and waste collection infrastructure.

In the statement provided, the applicant states it will make use of an on-site water supply and will utilise water efficient sanitary fitting.

3. Produce energy from renewable sources on-site and demonstrates a strategy for energy conservation.

The applicant states that they propose solar panels, solar thermal panels, battery storage and low temperature air to water heat pumps.

4. Provide an on-site water supply and sewage disposal.

It is stated that an on-site water supply will be provided, foul drainage will be disposed of via a package sewage treatment plant and soakaway subject to the ground achieving a suitable level of percolation.

5. Include a strategy for the minimisation of waste on site.

The development will include an area for storage and sorting of general, compostable, biodegradable and recyclable waste.

6. Demonstrate low impact and resource efficient building design and construction which is fully reversible, permitting the land to be restored to its former condition after the project ceases.

The applicant has stated that the property would be of timber construction and easily dismantled.

7. Include a sustainable travel plan with a car sharing club removing the need for individual car ownership or individual car parking.

The applicant intends to live and work from home, electric car charging point.

8. Include the ecological management and enhancement of the site by using sustainable techniques to provide for the resident's economic livelihood and food production.

According to the statement, the existing hedge on the site will be retained in full and the proposal will also incorporate an area in the garden ground that will be allowed to wild/mini meadow, to promote and encourage biodiversity on the land, an allotment garden is also proposed.

9. Feature research and/or educational aspect.

The application is proposed as a test/research project though it is proposed that it will be used as a normal dwelling.

10. Be managed by a trust, co-operative, housing association, or a similar entity in which the residents have an interest.

This is a single property, no other interested parties.

11. Be accompanied by a management and business plan to show how the proposal would meet the foregoing criteria and illustrate the positive benefits of the scheme. Community engagement must be undertaken as part of the development management process.

Applicant states that positive benefits of the scheme include data collected from prototype development to be used nationwide and how other developments should incorporate low and zero carbon energy technologies.

2.2.8 The justification statement does not provide evidence that one dwelling with a number of low carbon technologies on this site meets the requirements for Policy 8 Eco-homes. It is considered that the testing of the new low carbon technology does not necessarily require a countryside location and in fact many of the technologies being tested could be tested on any home regardless of the location. Providing an electric car charger is no different from any other housing proposal and as little has been submitted as to the actual vehicle movements for the house and the Class 4 use and why this is any different from any other home in the countryside which tend to be car dependant. No actual details to water supplies and drainage have been provided so whether or not this "eco-house" is any different from any other proposal is not clear at this stage. It is considered taking all aspects into account that this proposal clearly does not comply and as it does not fully meet any of the other related above criteria or justified need, the principle for a residential development in this location is not considered fully justified and would therefore be contrary to NPF4 and Adopted FIFEplan related development plan policies.

2.3 Design, Scale and Finishes/Visual Impact on Countryside

2.3.1 Policy 14 of NPF4 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. It further advises that development proposals will be supported where they are consistent with the six qualities of successful places (Health, Pleasant, Connected, Distinctive, Sustainable and Adaptable) and development which is poorly designed or inconsistent with the six qualities will not be supported. Annex D of NPF4 sets out further details relating to the delivery of these six qualities of a successful place. Policy 29 of NPF4 states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. Policy 8 of NPF4 requires that proposals should be compatible with the surrounding established countryside and landscape character and proposals should be designed to ensure that they are of an appropriate scale, massing and external appearance.

2.3.2 Policy 4 (Natural Places) of NPF4 states that development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. It further states that development proposals that affect a site designated as a landscape area in the LDP will only be supported where development will have no significant adverse effects on the integrity of the area or the qualities for which it has been identified or any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

2.3.3 Policies 1 and 10 of FIFEplan advises that development will only be supported if it does not have a significant detrimental visual impact on the surrounding area. Policy 7 of the Adopted Local Plan continues that new development in the countryside must be of a scale and nature that is compatible with its surrounding uses and must be located and designed to protect the overall landscape and environmental quality of the area. Policy 13 of the FIFEplan states that development proposals will only be supported where they protect or enhance natural heritage and access assets including Local Landscape Areas and rural character.

2.3.4 Policy 14 of FIFEplan and Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. Making Fife's Places encourages a design-led approach to development proposals through placing the focus on achieving high quality design. These documents also illustrate how development proposals can be evaluated to ensure compliance with the six qualities of successful places. The guidance sets out the level of site appraisal an applicant is expected to undertake as part of the design process. This includes a consideration of the landscape setting, character and the topography of the site. Appendix B of

the Supplementary Guidance sets out the detailed site appraisal considerations in relation to landscape change. Details of the assessment to be undertaken to determine a proposals consistency with these principles is provided in the Scottish Government's Creating Places: A Policy Statement on Architecture and Place for Scotland and Designing Streets.

2.3.5 As this application is for planning permission in principle, detailed elevation drawings have not been submitted. The submitted site plan shows an existing site area of 3595 square metres. It is acknowledged that the surrounding area is categorised by mainly single storey detached and terraced dwellings.

2.3.5 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of NPF4 Policies 4 and 14. FIFEplan (2017) Policies 1 and 10, Fife Council's Planning Customer Guidelines on Garden Ground and Making Fife's Places Supplementary Planning Guidance (2018) with regard to its design and visual impact. Further consideration of detailed design aspects of the proposal can be undertaken during the assessment of any future application of matters specified by condition. No development can take place on site, prior to any further application being approved. This is not a determining factor in the case given the principle of development is not supported in policy terms.

2.4 Residential Amenity

2.4.1 PAN (Planning Advice Note) 1/2011 provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise. Policies 1 and 10 of the Adopted FIFEplan state that new development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the local area are not adversely affected and that development will only be supported where it will have no significant detrimental impact on the operation of existing or proposed businesses and commercial operations or on the amenity of surrounding existing land uses.

2.4.2 Policy 14 of NPF4 states that development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. This policy further states that development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported. Policy 23 (Health and Safety) of NPF4 requires that development proposals that are likely to raise unacceptable noise issues will not be supported, whilst the agent of change principle applies to noise sensitive development and a noise impact assessment may be required where the nature of the proposal or its location suggests that significant effects are likely.

2.4.3 Policies 1 and 10 of FIFEplan further state that new development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the local area are not adversely affected and that development will only be supported where it will have no significant detrimental impact on the operation of existing or proposed businesses and commercial operations or on the amenity of surrounding existing land uses.

2.4.4 Fife Council's Policy for Development and Noise (2021) sets out how noise impact should be considered through the planning process. It advises that the noise impact arising from development should be considered and mitigated and residential development should not unacceptably affect existing businesses or be built in locations which would be affected by excess or inappropriate noise levels.

2.4.5 Objections have been raised in relation to noise, the potential impact on the area created by the Class 4 part of the proposal and the adverse impact that any "failed technologies" might bring to the immediate area. As this application is for planning permission in principle and detailed elevation drawings have not been submitted, it is not possible at this stage, to fully assess possible residential amenity impacts. This can, however, be fully assessed through any future application of matter specified by condition, if this application was to be approved.

2.4.6 Appropriate boundary treatments would also ensure there are no overlooking impacts on neighbouring garden ground areas. Furthermore, window to window distances could also be met and those details would have been considered at any future detailed stage had the principle of this application been supportable.

2.4.7 The submitted site plan does not indicate a defined layout for the new dwelling, however with a total area of area of approximately just over 0.3 hectares there is more than an adequate amount of private garden ground to serve the property which would be in line with Fife Council Planning Customer Guidelines on Garden Ground.

2.4.8 As with any development, there are likely to be some residential amenity impact during the construction period. It should be noted however that this would be limited to the construction phase and can be controlled through separate legislation, not relevant to planning.

2.4.9 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of NPF4 Policy 14 and FIFEplan (2017) Policies 1 and 10, Fife Council's Planning Customer Guidelines on Garden Ground and Making Fife's Places Supplementary Planning Guidance (2018) with regard to its residential amenity impact, however these are not determining factors in this instance.

2.5 Road Safety

2.5.1 Policy 14 of NPF4 states that development proposals will be supported where they provide well connected networks that make moving around easy and reduce car dependency. Policy 15 (Local Living and 20 Minute Neighbourhoods) requires that development proposals will contribute to local living including, where relevant, 20-minute neighbourhoods. To establish this, consideration will be given to existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area. Policy 13 (Sustainable Transport) of NPF4 advises that proposals which improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. It further states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they will provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation. A Transport Assessment should also be submitted where a proposal would generate a significant increase in the number of person trips. Policy 14 also advises that development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.

2.5.2 Policy 1, Part C, Criterion 2 of the Adopted FIFEplan states that development proposal must provide the required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 of the Adopted FIFEplan advise that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Further

detailed technical guidance relating to this including parking requirements, visibility splays and street dimensions are contained within Appendix G (Transportation Development Guidelines) of Making Fife's Places Supplementary Guidance (2018).

2.5.3 Fife Council's Transportation Development Management team (TDM) were consulted and within their response confirmed that the speed limit on the road adjacent to this proposal is 30mph. Whilst there is street lighting on the public road there are no adjacent continuous footways throughout the settlement. TDM state that the details submitted do not define the number of bedrooms the residential development will have. There are also no details of the Class 4 business unit to allow the transportation impact of the proposal. These omissions do not allow a full parking assessment for the development to be carried out. There would be a requirement for the vehicle access to be formalised by formation of a vehicular crossing point. No gates would be allowed unless set back from the edge of the public highway by at least 6m. TDM also confirm that the visibility splay required for the development would be 2m x 60m, due to the number of dwellings served by the access and its location within a 30mph limit. Further details are required to make a full assessment of this application. However, these are not a determining factor at this stage.

2.6 Natural Heritage/Biodiversity Enhancement

2.6.1 Policy 3 (Biodiversity) of NPF4 states that proposals will contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them, whilst, proposals should also integrate nature-based solutions, where possible.

2.6.2 Policy 4 of NPF4 advises that proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence, whilst the level of protection required by legislation must be factored into the design of the development.

2.6.3 Policies 1 and 13 of the FIFEplan states that development proposals will only be supported where they protect or enhance natural heritage and access assets including protected and priority habitats and species, green networks and greenspaces and woodlands (including native and other long-established woods), and trees and hedgerows that have a landscape, amenity, or nature conservation value.

2.6.4 Given the current state of the application site as area of non-prime agricultural grassland with hedgerows, it currently has some bio-diversity benefits. The applicant has stated that the hedges would remain. However, a condition could be imposed requiring that a landscaping plan be submitted to and approved by Fife Council as Planning Authority. This would allow the landscaping around the proposed building to ensure that the landscape stated in the statement actually occurs and is appropriate to help soften the visual impact of the building and to also provide some form of biodiversity enhancement. The proposal subject to these conditions would, therefore, have no significant natural heritage impact and would comply with the Development Plan in this respect. However, this is not a determining factor given the basic principles to support the proposal are not met. Again, this is not a determining factor.

2.7 Water/Drainage

2.7.1 Policy 22 (Flooding) of NPF4 requires that development proposals will not increase the risk of surface water flooding to others, or itself be at risk, manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should also presume no surface water connection to the combined sewer and development should seek to minimise the area of impermeable surface.

2.7.2 Policy 20 (Blue and Green Infrastructure) of NPF4 states that proposals for or incorporating new or enhanced blue infrastructure will be supported and where appropriate, this will be an integral element of the design that responds to local circumstances. This policy further states that proposals that include new or enhanced blue infrastructure will provide effective management and maintenance plans covering the funding arrangements for their long-term delivery and upkeep, and the party or parties responsible for these.

2.7.3 Policies 1 and 3 of the FIFEplan state that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such measures will include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS).

2.7.4 Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.7.5 Concerns have been raised as to the impact the house would have on the existing infrastructure. The site is not within a known flood area. Scottish Water also have no objections to the proposal. The proposed development, therefore, could incorporate sufficient measures to ensure that it is served by adequate infrastructure and services relating to surface water management. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect. However, it is not clear if the development meets the requirement of the Eco-home criteria. A condition could be imposed but as the application does not meet the basic principles to allow it to be fully supported such a condition cannot be included.

2.8 Waste Management

2.8.1 Policy 12 (Zero Waste) of NPF4 states that proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.

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

2.8.3 There is sufficient space within the curtilage of the site and the proposal would incorporate sufficient waste management measures which have been shown on the proposed block plan.

The proposal would, therefore, provide the required waste management facilities and would have no significant detrimental impact on amenity in relation to the operation of existing or proposed waste management facilities. However, as the applicant has stated this is an Eco-home there are requirements to include a strategy for the minimisation of waste on site. Not enough details other than normal recycling have been provided.

2.9 Low Carbon

2.9.1 Policy 1 of NPF4 requires that when considering all development proposals significant weight will be given to the global climate and nature crises.

2.9.2 Policy 2 of NPF4 states that proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and will be sited and designed to adapt to current and future risks from climate change.

2.9.3 Policies 1 and 11 (Low Carbon) of FIFEplan (2017) state that planning permission will only be granted for new development where it has been demonstrated that:

- The proposal meets the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards), and that low and zero carbon generating technologies will contribute at least 15% of these savings from 2016 and at least 20% from 2020. Statutory supplementary guidance will provide additional advice on compliance with this requirement;
- Construction materials come from local or sustainable sources

2.9.4 Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. In addition, applicants are expected to submit a completed sustainable building statement (Appendix B of the guidance).

2.9.5 The developer has submitted a Low Carbon Checklist.

2.9.6 Given the nature of the proposed dwelling it is certain that the proposal would incorporate sufficient energy efficiency measures and technologies and has demonstrated that the proposal would be energy efficient and sustainable. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.10 Core Paths and Rights of Way

2.10.1 Adopted Core Path R377 (Kennoway, Baintown and Torloisk, Walking, Cycling, Horse Riding) runs adjacent the applicant site. The development would have no impact on this access.

CONSULTATION RESPONSES

TDM, Planning Services
Scottish Water

Not enough information
No objection

REPRESENTATIONS

Eight representations have been received regarding this planning application in principle, 3 making general comments and 5 objecting on the following grounds;

- Impact on "right of way".

See Section 2.10

- Road safety issues with both house and Class 4 use.

See Section 2.5

- Uncertain regarding the level of Class 4 use on the site.

See Section 2.2

- Adverse impact that "failed technologies" might bring on the area.

See Section 2.4 (Without knowing what actual technologies are being tested, this is not possible to predict)

- Noise

See Section 2.4

- Bring a loss of residential character to the area.

See Section 2.4

- Question non-agricultural designation of the site.

The site is non-prime agricultural

- Impact on village infrastructure including drainage.

See Section 2.7

CONCLUSION

The development constitutes unplanned, sporadic and unjustified residential development in the countryside; contrary to NPF4 Policies 17 and 29, and policies 1: Development Principles, 7: Development in the Countryside and 8: Houses in the Countryside of FIFEplan of the adopted FIFEplan Fife Local Development Plan (2017). For that reason, the development would also fail to protect the overall landscape and environmental quality of the area, contrary to Policies 1:

Development Principles, 7: Development in the Countryside, 8: Homes in the Countryside, 10: Amenity and 13: Natural Environment and Access of FIFEplan and Making Fife's Places Supplementary Guidance (2018). Overall, the development is contrary to the development plan, there being no relevant material considerations of sufficient weight to justify departing therefrom.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of safeguarding the countryside from unplanned, sporadic and unjustified residential development; the need for a residential development in this rural location is not considered fully justified as the application site lies outwith any defined settlement boundary; does not fully meet any of the housing/development in the countryside policy criteria; does not justify a countryside location is necessary to demonstrate the eco-credentials of the proposal; and therefore the proposal is considered to be contrary to National Planning Framework 4 (2023) Policies 17 (Rural Homes) and 29 (Rural Development), and Policies 1 (Development Principles); 7 (Development in the Countryside); and, 8 (Houses in the Countryside) of the Adopted FIFEplan - Fife Local Development Plan (2017). For that reason, the development would also fail to protect the overall landscape and environmental quality of the area, contrary to Policies 1 (Development Principles), 7 (Development in the Countryside), 8 (Homes in the Countryside), 10 (Amenity) and 13 (Natural Environment and Access) of FIFEplan and Making Fife's Places Supplementary Guidance (2018). Overall, the development is contrary to the development plan, there being no relevant material considerations of sufficient weight to justify departing therefrom.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan:

Adopted National Planning Framework 4 (2023)
FIFEplan Local Development Plan (2017)

Other Guidance:

Making Fife's Places Supplementary Guidance Document (2018)
Low Carbon Fife Supplementary Guidance (2019)
Fife Council Appendix G - Transportation Development Guidelines
Fife Council Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note
Fife Council Planning Customer Guidelines on Garden Ground (2016)
Fife Council Planning Customer Guidelines on Daylight and Sunlight (2022)
Fife Council Planning Customer Guidelines on Minimum Distances between Window Openings (2011)

Agenda Item 4(3)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Notice of Review



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100640512-003

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:	Anthony Robertson Design Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stewart	Building Name:	
Last Name: *	Robertson	Building Number:	3
Telephone Number: *	07751963959	Address 1 (Street): *	Broomhill Wynd
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Monifieth
Fax Number:		Country: *	United Kingdom
		Postcode: *	DD5 4RE
Email Address: *	hello@wesketchspace.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Alistair"/>	Building Number:	<input type="text" value="15"/>
Last Name: *	<input type="text" value="McGowan"/>	Address 1 (Street): *	<input type="text" value="Fernlea Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Windygates"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Leven"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="KY8 5FB"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="hello@wesketchspace.co.uk"/>		

Site Address Details

Planning Authority:

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

Address 1:	<input type="text"/>
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"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="Land east of Kebroni Cottage, Baintown, Fife, KY8 5SJ"/>
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Northing	<input type="text" value="703718"/>	Easting	<input type="text" value="335393"/>
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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)

Planning permission in principle for erection of eco-demonstrating dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

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.

We disagree with the decision of the planning team and therefore seek a Notice of Review, see our attached additional supporting statement. Policy 8 of the FIFEplan allows for the construction of dwellings in the countryside outwith settlement boundaries where is it for an eco-demonstration project, that is exactly what we propose; a carbon negative sustainable dwelling that will exist without depleting any natural resources that won't have a detrimental impact on its countryside setting.

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)

Original submission documents; 01 Location plan, 02 Site location plan, 03 Existing block plan, 04 Proposed indicative site plan, 05 Supporting statement + 06 Applicants supporting statement. Additional Notice of Review supporting statement also provided.

Application Details

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

23/02345/PPP

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

24/08/2023

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

19/12/2023

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Stewart Robertson

Declaration Date: 18/03/2024

APPLICATION FOR NOTICE OF REVIEW

23/02345/PPP | ERECTION OF LOW ENERGY DETACHED 'ECO DEMONSTRATION' DWELLING, DETACHED GARAGE INCLUDING AN AREA DEDICATED FOR CLASS 4 BUSINESS USE + ASSOCIATED ACCESS, SERVICING + LANDSCAPING WORKS AT LAND EAST OF KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ FOR MR ALISTAIR MCGOWAN

PROPOSAL

OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE PROPOSED A PROTOTYPE SUSTAINABLE DEVELOPMENT THAT WOULD HAVE DISCRETELY INCLUDED A VARIETY AND COMBINATION OF LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES ON THE UNUSED SURPLUS NON-PRIME AGRICULTURAL LAND EAST OF KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ.

THE INTENTION WAS TO CONSTRUCT A SUSTAINABLE DWELLING ON A FAVOURABLY ORIENTATED AND OPEN COUNTRYSIDE SITE THAT WOULD INVESTIGATE AND MONITOR WHICH LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGIES ARE THE MOST EFFICIENT AND EFFECTIVE DURING DIFFERENT ENVIRONMENTAL CONDITIONS THROUGHOUT THE YEAR WITH THE AIM OF DEVELOPING AN AUTONOMOUS DWELLING.

TO GIVE SOME CONTEXT AND THE REASONS BEHIND THE APPLICANTS PROPOSAL; SCOTLAND WAS ONE OF THE FIRST NATIONS IN THE WORLD TO DECLARE A GLOBAL CLIMATE EMERGENCY IN APRIL 2019 AND THE NEED TO TAKE ACTION TO TACKLE CLIMATE CHANGE IS MORE URGENT THAN EVER. POST THIS DECLARATION, SCOTLAND SET AN AMBITIOUS TARGET TO BECOME 'NET ZERO' BY 2045.

'NET ZERO' MEANS THE AMOUNT OF GREENHOUSE GAS EMISSIONS WE PUT INTO THE ATMOSPHERE AND THE AMOUNT WE'RE ABLE TO TAKE OUT WILL ADD UP TO ZERO.

BEING 'NET ZERO' WILL HELP TRANSFORM THE WAY WE LIVE FOR THE BETTER, MAKING SCOTLAND A HEALTHIER, CLEANER, SAFER, FAIRER PLACE FOR US AND FOR GENERATIONS TO COME. WE MUST ACT NOW TO ACHIEVE IT.'

NET ZERO SCOTLAND, SCOTTISH GOVERNMENT

IN ORDER TO ACHIEVE NET ZERO THERE IS A NEED TO CREATE SCHEMES THAT BALANCE AND OFFSET THE AMOUNT OF GREENHOUSE GASES ENTERING THE ATMOSPHERE; OUR APPLICATION PROVIDED SUCH AN OPPORTUNITY TO CREATE SUCH A SCHEME; A SUSTAINABLE DWELLING THAT WE BELIEVE WOULD GO BEYOND NET ZERO TO CARBON NEGATIVE. THE OUTCOMES AND CONCLUSIONS OF THE RESEARCH + DATA OBTAINED COULD THEN HAVE BEEN USED TO INFORM FUTURE DEVELOPMENTS.

REFUSING OUR APPLICATION AND PREVENTING SUCH A DEVELOPMENT FROM BEING CONSTRUCTED SHOWS A RECKLESS DISREGARD TOWARDS THE CLIMATE EMERGENCY AND SCOTLAND'S AIM AND OBJECTIVE OF BECOMING NET ZERO. OUR PROPOSAL WOULD BE A PERFECT EXAMPLE OF THINKING GLOBALLY BY ACTING LOCALLY.



FIGURE 1 | BAIN TOWN SETTLEMENT PLAN, FIFEPLAN LOCAL DEVELOPMENT PLAN

SITE DESCRIPTION

THE APPLICATION SITE SUBJECT OF OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE IS LOCATED IMMEDIATELY ADJACENT BUT OUTWITH THE SETTLEMENT BOUNDARY OF BAIN TOWN AS PER THE FIFEPLAN LOCAL DEVELOPMENT PLAN.

THE APPLICATION SITE IS SURPLUS NON-PRIME AGRICULTURAL LAND AND IS LOCATED IMMEDIATELY TO THE EAST OF THE EXISTING DWELLING, KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ, NORTH OF THE MAIN ROAD SERVING THE SETTLEMENT AND IS SURROUNDED TO THE NORTH AND EAST WITH LARGE EXPANSES OF PRIME AGRICULTURAL LAND.

SUPPORTING STATEMENT

THE FIFEPLAN STATES THAT THE PRINCIPLE OF DEVELOPMENT WILL BE SUPPORTED IF IT IS EITHER: A) WITHIN A DEFINED SETTLEMENT BOUNDARY AND COMPLIANT WITH THE POLICIES FOR THE LOCATION; OR B). IN A LOCATION WHERE THE PROPOSED USE IS SUPPORTED BY THE LOCAL DEVELOPMENT PLAN.

WE FIRMLY BELIEVE THAT OUR APPLICATION FOR PLANNING PERMISSION IS AN EXAMPLE OF A PROPOSAL OUTWITH A DEFINED SETTLEMENT BOUNDARY THAT IS SUPPORTED BY THE LOCAL DEVELOPMENT PLAN.

POLICY 8 HOUSES IN THE COUNTRYSIDE STATES THAT PROPOSALS WILL BE SUPPORTED WHERE IT IS FOR AN ECO-DEMONSTRATION PROJECT THAT MEETS THE STRICT REQUIREMENTS SET OUT IN FIGURE 8.1. TO PREVENT REPEATING THE SAME INFORMATION, OUR ORIGINAL SUPPORTING STATEMENT, 23/02345/PPP, ANALYSED THE SPECIFIC REQUIREMENTS OF FIGURE 8.1 AND DEMONSTRATED HOW, IN OUR INTERPRETATION, WE COMPLIED WITH ALL PARTS.

UNFORTUNATELY, IN A POST DETERMINATION MEETING WITH THE PLANNING TEAM THEY EXPRESSED THAT THERE IS UNCERTAINTY WITHIN THE PLANNING TEAM ON THE MAIN AIM AND OBJECTIVE OF FIGURE 8.1 AND,' ECO-DEMONSTRATION,' PROJECTS SPECIFICALLY; THERE IS UNCERTAINTY ON WHAT EXACTLY AN ECO-DEMONSTRATION PROJECT IS, WHAT IT SHOULD INCLUDE AND WHERE IT SHOULD BE LOCATED.

DESPITE COMPLYING WITH THE REQUIREMENTS OF FIGURE 8.1 WITHIN POLICY 8, OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE WAS REFUSED BASED ON THE FOLLOWING CONSIDERATIONS:

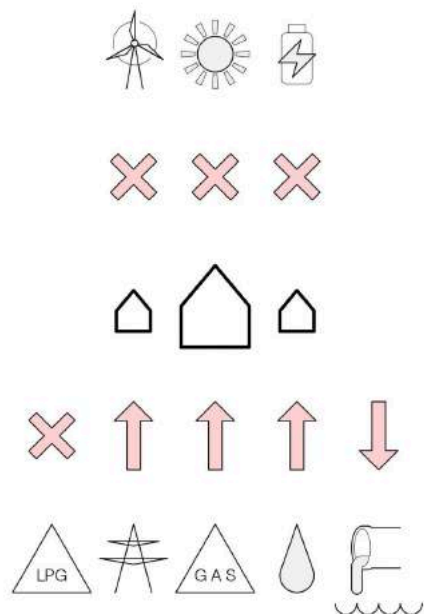


FIGURE 2 | TYPICAL URBAN/ SUBURBAN DWELLING IN SCOTLAND

1. WHY IS A COUNTRYSIDE LOCATION MOST APPROPRIATE FOR OUR PROPOSAL? WOULD OUR PROPOSAL NOT BE BETTER SUITED IN AN URBAN SETTING WITHIN A DEFINED SETTLEMENT BOUNDARY?

2. HOW IS OUR PROPOSAL ANY DIFFERENT FROM ANY OTHER DWELLING IN THE COUNTRYSIDE IE WHY DO WE CLASS OUR PROPOSAL AS AN ECO-DEMONSTRATION DWELLING?

THE PLANNING TEAM WERE OF THE OPINION THAT OUR PROPOSAL WOULD BE BETTER LOCATED ON ANOTHER SITE AND THEY FAILED TO UNDERSTAND HOW OUR PROPOSAL DIFFERED FROM ANY OTHER TYPICAL DWELLING IN THE COUNTRYSIDE.

IN THE FOLLOWING TEXT WE WILL JUSTIFY WHY OUR PROPOSAL FOR AN,' ECO-DEMONSTRATION,' DWELLING IS MORE APPLICABLE, RELEVANT + SUITED FOR A COUNTRYSIDE LOCATION COMPARED TO AN URBAN SETTING AND WHY OUR PROPOSAL IS SIGNIFICANTLY DIFFERENT FROM ANY OTHER NEW BUILD DWELLING IN SCOTLAND ON EITHER URBAN/ SUBURBAN OR COUNTRYSIDE LOCATIONS.

TYPICAL URBAN/ SUBURBAN DWELLING

FIGURE 2 OPPOSITE ILLUSTRATES WHAT WE WOULD DESCRIBE AS A TYPICAL DWELLING IN SCOTLAND WITHIN AN URBAN/ SUBURBAN SETTING; THE SITE AND DWELLING WOULD TYPICALLY HAVE THE FOLLOWING ATTRIBUTES:

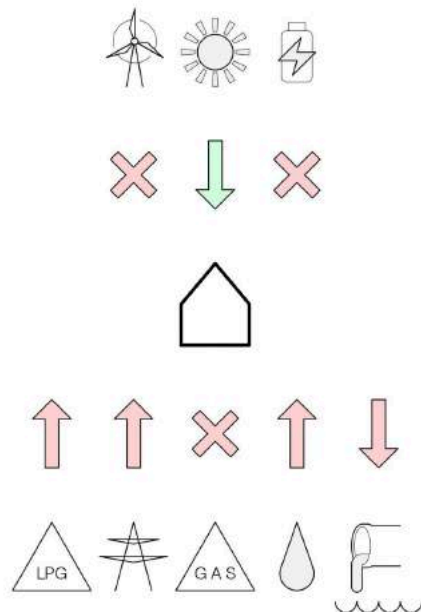
- i) UTILITIES SUCH AS POWER, MAINS GAS, MAIN WATER + BOTH FOUL + SURFACE WATER SEWERS ARE GENERALLY READILY AVAILABLE WITH CLOSE PROXIMITY OF THE SITE.
- ii) DWELLINGS IN THESE LOCATIONS CONNECT TO THESE UTILITIES FOR PRACTICAL + ECONOMIC REASONS AND THE ENERGY USED BY THESE DWELLINGS COMES FROM NON-RENEWABLE SOURCES. FOUL + SURFACE WATER DRAINAGE ARE DISCHARGED INTO THE SCOTTISH WATER NETWORK WHICH THEN USES HUGE AMOUNTS OF ENERGY + RESOURCES TO TREAT FOUL WATER BEFORE RETURNING IT TO THE WATER TABLE..
- iii) THE SITE IS LIKELY TO BE BOUNDED AND OVERSHADOWED BY ADJACENT BUILDINGS THEREFORE THE ORIENTATION + DESIGN OF ANY NEW DWELLINGS ARE LIMITED AND HEAVILY INFORMED BY THE CONTEXT IN ORDER TO PREVENT HAVING A DETRIMENTAL IMPACT ON ANY EXISTING BUILDINGS SURROUNDING THE SITE.

GENERALLY, THE BUILDINGS AREN'T VERY SUSTAINABLE; THEY MEET A BASELINE FOR SUSTAINABILITY AS DICTATED BY THE BUILDING STANDARDS SYSTEM IN SCOTLAND.

ALTHOUGH NEW BUILDS ARE CONCEIVED AS ENERGY EFFICIENT AND INCLUDE A HIGH PERFORMANCE THERMALLY INSULATED BUILDING ENVELOPE, THEY DO NOT GENERATE ANY OF THEIR OWN ENERGY, THEY ONLY DEplete NATURAL RESOURCES.

TYPICAL COUNTRYSIDE DWELLING

COUNTRYSIDE LOCATIONS CAN BE SLIGHTLY MORE ONEROUS + CHALLENGING TO DEVELOP; FIGURE 3 ILLUSTRATES WHAT WE WOULD DESCRIBE AS A TYPICAL COUNTRYSIDE DWELLING EITHER WITHIN OR OUTWITH A SETTLEMENT BOUNDARY:



i) LIMITED ACCESS TO UTILITIES; POWER, MAINS WATER + COMBINED SEWERS ARE GENERALLY READILY AVAILABLE, BUT AT TIMES, A DISTANCE FROM THE SITE.

ii) DWELLINGS IN THESE LOCATIONS CONNECT TO THE AVAILABLE UTILITIES FOR THE SAME REASONS AS URBAN/ SUBURBAN LOCATIONS BUT HAVE TO UTILISE ALTERNATIVE MEANS OF ENERGY GENERATING TECHNOLOGIES FOR SPACE + WATER HEATING TO COMPENSATE FOR ANY SHORTFALL, TYPICALLY LPG (MOST COST EFFECTIVE, PERCEIVED RELIABLE + READILY KNOWN), SOLAR OR A COMBINATION OF BOTH.

iii) IN CONTRAST TO URBAN/ SUBURBAN SETTINGS, SITES ARE GENERALLY LARGER, THE CONTEXT IS MORE OPEN + LESS CONSTRAINED, THEREFORE THERE ARE BETTER OPPORTUNITIES TO DESIGN BESPOKE DWELLINGS WITH ENERGY GENERATION IN MIND. THE ORIENTATION CAN BE ALTERED TO ACHIEVE EFFICIENT SOLAR ENERGY GENERATION OR THE DWELLING + ANY OPENINGS CAN BE ORIENTATED + DESIGNED TO TAKE ADVANTAGE OF SOLAR GAIN AND LIMIT THE NEED FOR ENERGY GENERATION.

AGAIN, THESE DWELLING WILL SOLELY MEET A BASELINE FOR SUSTAINABILITY AS DICTATED BY THE BUILDING STANDARDS SYSTEM IN SCOTLAND. THEY WILL BE SIMILAR TO DWELLINGS IN URBAN/ SUBURBAN SETTINGS AS THEY WILL DEplete NATURAL RESOURCES. OVERALL THEY WILL HAVE A POSITIVE CARBON FOOTPRINT AND WILL GENERATE EMISSIONS THAT CONTRIBUTE TO CLIMATE CHANGE.

IF THE APPLICATION SITE SUBJECT OF OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE, 23/02345/PPP, WAS LOCATED WITHIN A DEFINED SETTLEMENT BOUNDARY THEN THE ABOVE EXAMPLE COUNTRYSIDE DWELLING WOULD BE ACCEPTABLE.

THE FACT THAT OUR APPLICATION SITE LIES OUTWITH BUT IMMEDIATELY ADJACENT TO THE SETTLEMENT BOUNDARY OF BAIN TOWN REQUIRES AN,' ECO-DEMONSTRATION,' PROPOSAL IN ORDER TO COMPLY WITH THE REQUIREMENTS OF THE FIFEPLAN.

FIGURE 3 | TYPICAL COUNTRYSIDE DWELLING IN SCOTLAND

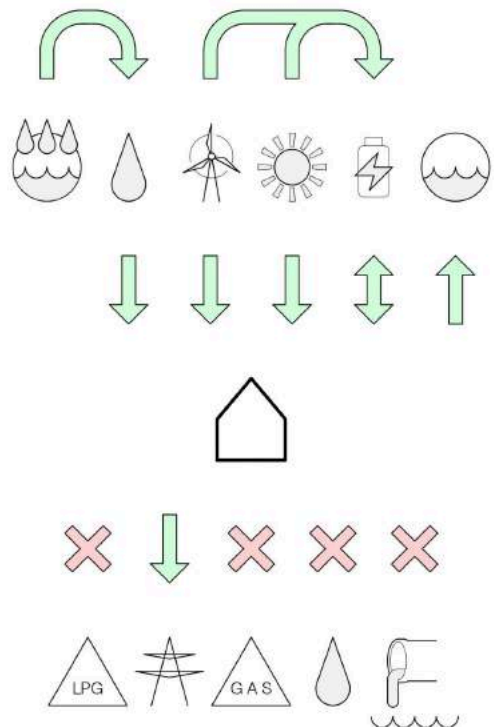


FIGURE 4 | 'ECO-DEMONSTRATION' DWELLING

IT IS CLEAR IN OUR VIEW, THAT THE REQUIREMENTS OF AN, 'ECO-DEMONSTRATION,' OR SUSTAINABLE DWELLING FAR EXCEED THE REQUIREMENTS FOR A TYPICAL DWELLING AS DEMONSTRATED BELOW.

'ECO DEMONSTRATION DWELLING

THE TERM, 'ECO-DEMONSTRATION,' PROJECT WOULD IMPLY THAT THE DEVELOPMENT SHOULD BE SUSTAINABLE IN ALL PARTS.

SUSTAINABILITY IS DEFINED AS THE ABILITY TO EXIST + DEVELOP WITHOUT DEPLETING NATURAL RESOURCES FOR THE FUTURE; DEVELOPMENTS THAT MEET THE NEEDS OF THE PRESENT WITHOUT COMPROMISING THE ABILITY OF FUTURE GENERATIONS TO MEET THEIR OWN NEEDS.

BOTH OF THE EXAMPLES DISCUSSED PREVIOUSLY, TYPICAL URBAN/ SUBURBAN DWELLINGS + COUNTRYSIDE DWELLINGS, DEplete NATURAL RESOURCES AND HAVE AN ASSOCIATED CARBON FOOTPRINT THAT HARM THE ENVIRONMENT, AN, 'ECO-DEMONSTRATION,' OR SUSTAINABLE DWELLING IN OUR VIEW WOULD EITHER HAVE A CARBON NEUTRAL FOOTPRINT AT WORSE, AND WOULD TAKE A HOLISTIC APPROACH TO REDUCE ITS OVERALL CARBON EMISSIONS.

OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE, 23/02345/PPP, PROPOSED A CARBON NEGATIVE DWELLING THAT WOULD GENERATE MORE ENERGY THAN IT WOULD USE AND WOULD HAVE THE FOLLOWING ATTRIBUTES:

i) NO UTILITY CONNECTIONS OTHER THAN A CONNECTION TO POWER, WHICH WOULD BE PROVIDED IN ORDER TO FEED ANY EXCESS ENERGY GENERATED BACK TO THE NATIONAL GRID. ALL OTHER RESOURCES WOULD BE AUTONOMOUS, RENEWABLE + ENTIRELY WITHIN THE CURTILAGE OF THE APPLICATION SITE; AN ON SITE TREATED WATER SUPPLY, GREYWATER HARVESTING, LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGIES INCLUDING LOW TEMPERATURE AIR TO WATER AIR SOURCE HEAT PUMPS, SOLAR + SOLAR THERMAL SYSTEMS, ENERGY STORAGE FACILITIES + PRIVATE FOUL + SURFACE WATER TREATMENT SYSTEMS.

ii) OUR APPLICATION SITE HAS A VERY FAVOURABLE GENTLY INCLINED SOUTH FACING ASPECT WITH A LIMITED NUMBER OF BUILDINGS IN THE IMMEDIATE CONTEXT THAT WILL OVerSHADOW IT ALLOWING FOR EFFECTIVE + EFFICIENT ENERGY GENERATION. THE SITE AREA IS ALSO GENEROUS TO ACCOMMODATION AREAS OF BIODIVERSITY, FOOD PRODUCTION ALONGSIDE THE ASSOCIATED INFRASTRUCTURE FOR THE PRIVATE WATER SUPPLY + DRAINAGE ARRANGEMENTS.

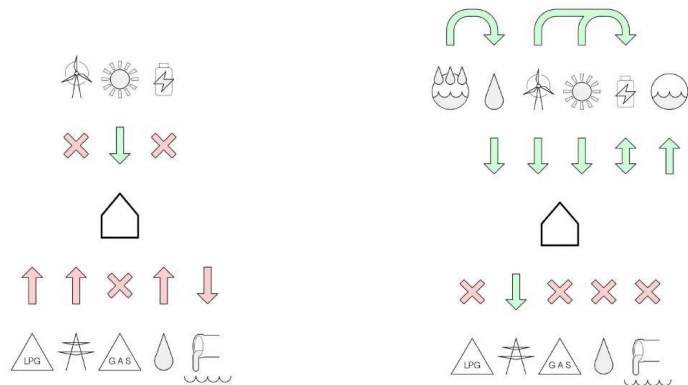


FIGURE 5 | VISUAL COMPARISON

Figure 8.2 - Examples of suitable housing proposals as part of cluster

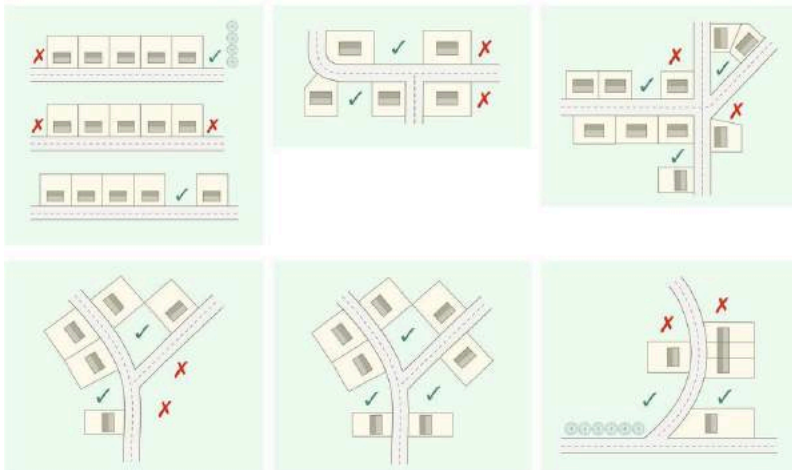


FIGURE 6 | EXTRACT FROM POLICY 8 HOUSES IN THE COUNTRYSIDE, FIGURE 8.2

iii) THE OPEN ASPECT AND FLEXIBILITY OF THE SITE WOULD ALLOW FOR AN EFFICIENT DESIGN THAT WOULD ALLOW ALL PRINCIPLE HABITABLE ROOMS TO BE LOCATED OF A SOUTH FACING ASPECT IN ORDER TO MAXIMISE SOLAR GAIN WHICH IN TURN WOULD LIMIT THE NEED FOR ENERGY GENERATION.

IN SUMMATION, THE ENERGY + RESOURCES NEEDED FOR THE DWELLING TO SUCCESSFULLY FUNCTION ARE ALL PRODUCED AND AVAILABLE WITHIN THE CURTILAGE OF THE APPLICATION SITE; THERE WILL BE NO RELIANCE ON ANY RESOURCES FROM OUTWITH THE SITE. THIS IS HOW OUR 'ECO-DEMONSTRATION' PROPOSAL SIGNIFICANTLY DIFFERS FROM AND EXCEEDS THE REQUIREMENTS + SUSTAINABILITY CREDENTIALS OF A TYPICAL DWELLING. IT IS CLEAR IN A DIAGRAMMATIC VISUAL COMPARISON AS SHOWN OPPOSITE, FIGURE 5, HOW OUR PROPOSAL DIFFER GREATLY FROM THE NORM. IT IS FOR THIS REASON THAT WE FIRMLY BELIEVE THAT THERE IS STRONG JUSTIFICATION TO GRANT PERMISSION IN PRINCIPLE FOR OUR PROPOSAL.

POLICY 8: HOUSES IN THE COUNTRYSIDE HAS AN ALLOWANCE TO GRANT PERMISSION FOR,' ECO-DEMONSTRATION,' PROJECTS ON SITES OUTWITH DEFINED SETTLEMENT BOUNDARIES; IN WHAT MANNER COULD OUR PROPOSAL BE MORE SUSTAINABLE?

SITING NEW HOUSES IN THE COUNTRYSIDE

SINGLE HOUSES IN THE COUNTRYSIDE ARE ALSO PERMITTED OUTWITH DEFINED SETTLEMENT BOUNDARIES WHERE THEY ARE SITED ON SITES THAT FORM,' HOUSING CLUSTERS.' AS REQUIRED BY THE FIFEPLAN. A CLUSTER SHOULD BE CONTAINED BY A WELL-ESTABLISHED BOUNDARY, SUCH AS ROADS, TREES OR OTHER LANDSCAPING FEATURES, AND SHOULD BE VISUALLY CONNECTED THROUGH THE FORM OR THE PATTERN OF THE DEVELOPMENT. APPLICATION SITES SHOULD BE LOCATED WITHIN A CLEARLY DEFINED GAP AND SHOULD NOT RESULT IN RIBBON OR LINEAR DEVELOPMENT OR SHOULD NOT JOIN TOGETHER DIFFERENT HOUSING CLUSTERS OR ADJACENT SETTLEMENTS; SEE FIGURE 6 FOR FURTHER DETAILS.

FIGURE 7 SHOWS THE AERIAL IMAGERY OF THE SETTLEMENT OF BAIN TOWN, IT IS CLEAR + OBVIOUS THAT THE APPLICATION SITE SUBJECT OF, 23/02345/PPP, MEETS WITH THE REQUIREMENTS OF FIGURE 6 SHOWN OPPOSITE (OR FIGURE 8.2 WITH POLICY 8: HOUSES IN THE COUNTRYSIDE, FIFEPLAN); EXISTING BUILDINGS, NATURAL LANDSCAPING FEATURES AND PRIME AGRICULTURAL LAND FULLY ENCLOSE THE SITE AND WILL PREVENT FUTURE LINEAR DEVELOPMENT.



FIGURE 7 | AERIAL IMAGE OF APPLICATION SITE + BAIN TOWN SETTLEMENT

CONCLUSION

OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE, 23/02345/PPP, WAS REFUSED IN THE INTERESTS OF SAFEGUARDING THE COUNTRYSIDE FROM UNPLANNING, SPORADIC AND UNJUSTIFIED RESIDENTIAL DEVELOPMENT. WE STRONGLY CONTEST THIS DECISION HENCE OUR APPLICATION FOR A NOTICE OF REVIEW.

ALTHOUGH THE APPLICATION SITE IS LOCATED OUTWITH THE DEFINED SETTLEMENT BOUNDARY OF BAIN TOWN, WE SUGGEST THAT THE SITE IS A CLEAR GAP SITE OF UNUSED SURPLUS NON-PRIME AGRICULTURAL LAND BOUNDED AND CONTAINED BY THE EXISTING DWELLINGS TO THE WEST AND WELL-ESTABLISHED MATURE HEDGEROWS THAT DEFINE PRIME AND UTILISED AGRICULTURAL LAND TO THE NORTH AND EAST IE TREES OR OTHER OBVIOUS LANDSCAPING FEATURES. OUR PROPOSAL WILL NOT RESULT IN RIBBON DEVELOPMENT NOR WILL IT NEGATIVELY IMPACT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE OR SETTLEMENT OF BAIN TOWN.

THE COUNTRYSIDE LOCATION OF OUR PROPOSAL IS ALSO HIGHLY RELEVANT WHEN DETERMINING OUR APPLICATION AS IT DEFINES WHICH POLICIES OF THE FIFEPLAN ARE RELEVANT AND MOST APPLICABLE. IF OUR APPLICATION SITE WAS NOT OUTWITH A DEFINED SETTLEMENT BOUNDARY THEN POLICY 8; HOUSES IN THE COUNTRYSIDE WOULD NOT BE APPLICABLE AND OUR CLIENT/ THE APPLICANT WOULDN'T NEED TO GO TO THE LEVELS OF SUSTAINABILITY, EXPENSE + COMPLEXITY PROPOSED.

OUR CLIENT/THE APPLICANT IS AIMING FOR NEAR AUTONOMY FROM RESOURCES OUTWITH THE CURTILAGE OF THE APPLICATION SITE. IF OUR PROPOSED 'ECO-DEMONSTRATION' DWELLING IS SUCCESSFUL THEN IT SHOULD BE VIEWED AS A MODEL DEVELOPMENT THAT WILL HELP OTHER SELF-BUILDERS, SMALL-SCALE DEVELOPERS AND HOUSE BUILDERS AIM TOWARDS SCOTLAND'S AMBITIOUS TARGET OF BECOMING 'NET ZERO' BY 2045.

WE SUBMITTED AN APPLICATION IN GOOD FAITH FOR AN 'ECO-DEMONSTRATION' PROJECT, AS NOTED IN POLICY 8 OF THE FIFEPLAN, SO IT WAS DISAPPOINTING TO RECEIVE FEEDBACK POST DETERMINATION OF OUR APPLICATION AND AT A POINT WHERE WE HAD NO OPPORTUNITY TO FURTHER INPUT INTO THE PROCESS THAT THE PLANNING AUTHORITY HAVE A LIMITED KNOWLEDGE + UNDERSTANDING ON THE EXACT REQUIREMENTS AND EXPECTATIONS FOR SUCH A PROJECT. HOW CAN WE BE EXPECTED TO SUBMIT AN APPLICATION FOR AN 'ECO-DEMONSTRATION' PROJECT WHEN THE PLANNING AUTHORITY RESPONSIBLE FOR DETERMINING OUR APPLICATION DOESN'T HAVE A CLEAR UNDERSTANDING OF THE CRITERIA TO ASSESS IT AGAINST?

AS WE NOTED PREVIOUSLY, 'ECO-DEMONSTRATION,' OR ANYTHING BOASTING TO HAVE ECO-CREDENTIALS IN OUR VIEW REFERS TO THE OVERALL SUSTAINABILITY OF THE PROJECT, THEREFORE AS WE HAVE DISCUSSED, THE FACT THAT OUR PROPOSAL WILL BE CARBON NEGATIVE SURELY DEMONSTRATES THAT IT IS ECO FRIENDLY OR AN 'ECO-DEMONSTRATION,' PROJECT TO USE THE TERMINOLOGY IN POLICY 8; HOUSES IN THE COUNTRYSIDE WITHIN THE FIFEPLAN.

OUR CLIENT/ THE APPLICANT IS NOT A LAY PERSON IN REGARD TO SUSTAINABLE ENERGY GENERATING TECHNOLOGIES, HE IS A DIRECTOR OF THE MCS ACCREDITED FIRM, MB SERVICES GROUP (SCOTLAND) LIMITED, WHO SPECIALISE IN DESIGNING + INSTALLING THESE TECHNOLOGIES IN BOTH DOMESTIC + COMMERCIAL BUILDINGS THROUGHOUT SCOTLAND.

THIS PROJECT OFFERS OUR CLIENT/ THE APPLICANT WITH A UNIQUE OPPORTUNITY TO DESIGN AN ENTIRE BUILDING FROM SCRATCH GIVING CONSIDERATION TO THE ORIENTATION AND INTERNAL LAYOUT OF THE HABITABLE ROOMS, THE OPTIMUM AREA OF GLAZING, THE PERFORMANCE OF THE BUILDING INSULATION ENVELOPE AND MAINLY THE THEORETICAL OPTIMUM SYSTEM + COMBINATION OF SUSTAINABLE ENERGY GENERATING TECHNOLOGIES.

POST COMPLETION OF THE, ' ECO-DEMONSTRATION,' PROJECT, OUR CLIENT/ THE APPLICANT WILL MONITOR THE OVERALL PERFORMANCE OF THE DWELLING, ENERGY GENERATED + ENERGY USED, COLLECTING DATA CONTINUOUSLY TO ASSESS WHICH OF THE INSTALLED SUSTAINABLE ENERGY GENERATING TECHNOLOGIES PERFORM MOST EFFICIENT. THIS DATA AND THE CONCLUSIONS DRAWN FROM THE FINISHED DWELLING WILL THEN HELP INFORM OUR CLIENT/ THE APPLICANT'S FUTURE DESIGN WORK.

IN SUMMATION, WE FIRMLY BELIEVE THAT THE PROPOSAL SUBJECT OF OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE, 23/02345/PPP, AND SUPPLEMENTED BY THIS ADDITIONAL SUPPORTING STATEMENT CLEARLY DEMONSTRATES THAT OUR PROPOSAL FULLY COMPLIES WITH ALL THE RELEVANT LOCAL DEVELOPMENT PLAN POLICIES, OVERRIDING NATIONAL POLICIES AND RESPONDS DIRECTLY TO THE SURROUNDING BUILT AND NATURAL ENVIRONMENTS IN A SUSTAINABLE AND APPROPRIATE MANNER.

FOR THE REASONS NOTED ABOVE AND INCLUDED IN THIS SUPPORTING STATEMENT AND THE ORIGINAL SUBMISSION DOCUMENTS, WE SEE NO MATERIAL JUSTIFICATION OR OTHER REASON THAT WOULD RESULT IN REFUSAL OF PLANNING PERMISSION IN PRINCIPLE FOR WORKS PROPOSED AND ILLUSTRATED.

A + R

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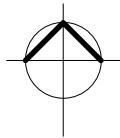
hello@wesketchspace.co.uk
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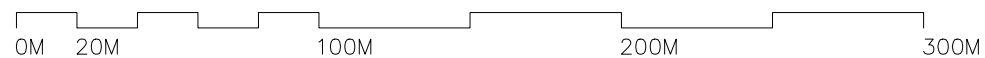
Erection of detached low energy 'eco demonstration' dwelling, detached garage including an area dedicated for Class 4 business use + associated access, servicing + landscaping works at land east of Kebroni Cottage, Baintown, Fife, KY8 5SJ for Mr Alistair McGowan

Drawing Title | Location plan
Reference | 004

Date | July 2023



LOCATION PLAN
Scale 1:2500



A + R

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07902030911 | 07751963959

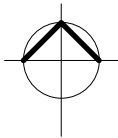
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Erection of detached low energy 'eco demonstration' dwelling, detached garage including an area dedicated for Class 4 business use + associated access, servicing + landscaping works at land east of Kebroni Cottage, Baintown, Fife, KY8 5SJ for Mr Alistair McGowan

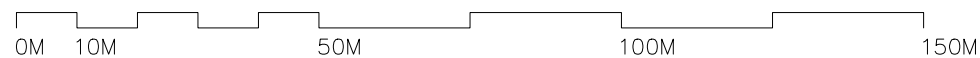
Drawing Title | Location plan
Reference | 001

Date | July 2023

A 20230829 Planning validation



LOCATION PLAN
Scale 1:1250



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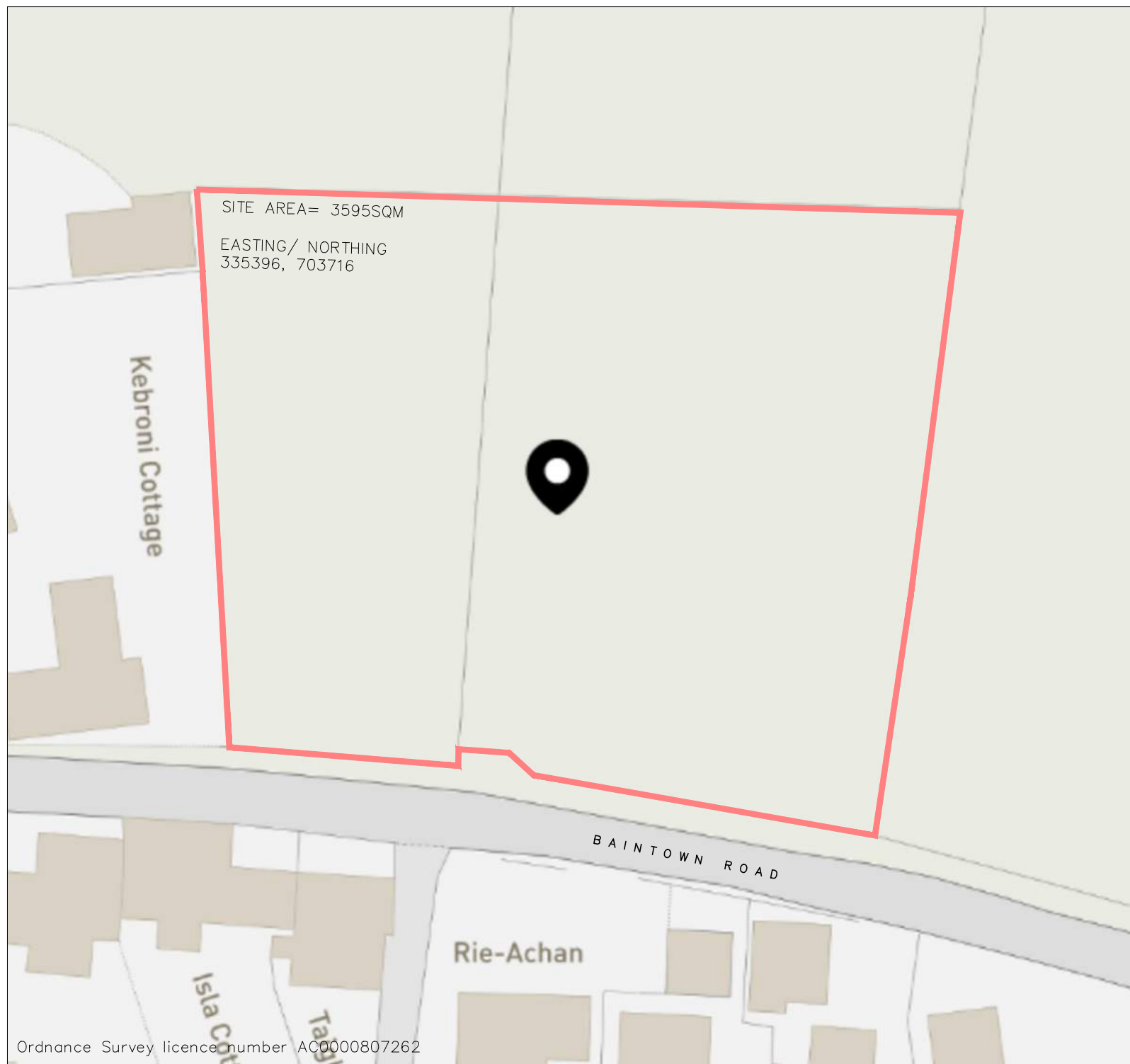
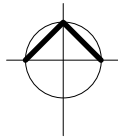
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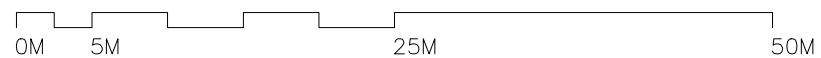
Drawing Title | Existing site plan
Reference | 002

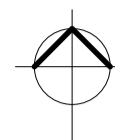
Date | July 2023

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EXISTING SITE PLAN
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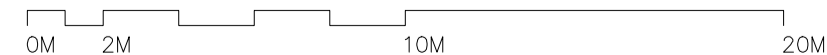




PALETTE OF VERNACULAR FINISHING MATERIALS SYMPATHETIC TO THE SURROUNDING BUILT ENVIRONMENT

PROPOSED SITE PLAN

Scale 1:200



APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE

ERECTION OF LOW ENERGY DETACHED 'ECO DEMONSTRATION' DWELLING, DETACHED GARAGE INCLUDING AN AREA DEDICATED FOR CLASS 4 BUSINESS USE + ASSOCIATED ACCESS, SERVICING + LANDSCAPING WORKS AT LAND EAST OF KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ FOR MR ALISTAIR MCGOWAN

PROPOSAL

OUR CLIENT/ THE APPLICANT, ALISTAIR MCGOWAN, IS THE DIRECTOR OF THE SUCCESSFUL MCS CERTIFIED RENEWABLES BUSINESS, MB SERVICES GROUP (SCOTLAND) LIMITED BASED IN KINGENNIE, ANGUS. THE COMPANY SPECIALISES IN DESIGNING, INSTALLING AND COMMISSIONING A RANGE OF LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES TO BOTH RESIDENTIAL AND COMMERCIAL PROJECTS ACROSS SCOTLAND.

OUR CLIENT PROPOSES A PROTOTYPE SUSTAINABLE DEVELOPMENT THAT WILL TEST A VARIETY AND COMBINATION OF LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES ON THE UNUSED SURPLUS NON-PRIME AGRICULTURAL LAND EAST OF KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ.



FIGURE 1 | AERIAL IMAGE OF APPLICATION SITE + BAIN TOWN SETTLEMENT

THE WORKS WOULD INCLUDE A LOW ENERGY DETACHED 'ECO DEMONSTRATION' DWELLING, A DETACHED GARAGE INCLUDING A SEPARATE AREA FOR CLASS 4 BUSINESS USE FOR MB SERVICES (GROUP) SCOTLAND LIMITED, BOTH DESIGNED TO SYMPATHETICALLY RESPECT THE CHARACTER AND APPEARANCE OF THE SURROUNDING BUILT AND NATURAL ENVIRONMENTS, ACCESS, SERVICING AND VARIOUS LANDSCAPING WORKS.

THE AIM OF SELF-BUILD DEVELOPMENT WOULD BE TO RESEARCH AND TEST A VARIETY OF LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGIES TO ASCERTAIN THE OPTIMUM COMBINATION, ORIENTATION AND THE SIZE OF ANY SYSTEM AND THE SUPPLEMENTARY ENERGY STORAGE SYSTEM REQUIRED IN ORDER TO ACHIEVE AUTONOMOUS LIVING WITH LITTLE RELIANCE ON ENERGY FROM THE NATIONAL GRID OR NON RENEWABLE SOURCES OF ENERGY.

COMBINED WITH SUSTAINABLE DRAINAGE SYSTEMS FOR BOTH FOUL AND SURFACE WATER, RAINWATER HARVESTING, AN ALLOTMENT GARDEN FOR ON SITE FOOD PRODUCTION AND THE INCLUSION OF A MINI MEADOW TO ENCOURAGE BIODIVERSITY AND WILDLIFE; THE COMPLETED DEVELOPMENT WE HOPE WILL BE AN EXAMPLE DEVELOPMENT THAT PROMOTES SUSTAINABLE WORKING AND LIVING PRACTICES.



FIGURE 2 | STREET VIEW OF APPLICATION SITE LOOKING NORTH WEST

THE DATA COLLECTED FROM THE COMPLETED DEVELOPMENT WILL ALSO PROVE INVALUABLE TO THE APPLICANTS BUSINESS; THIS DATA WILL HELP INFORM THEIR FUTURE DESIGN WORK TO ENSURE THAT THEY PROVIDE THE MOST EFFICIENT AND COST EFFECTIVE COMBINATIONS OF LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES FOR ALL THEIR FUTURE CLIENTS AND PROJECTS. THE POTENTIAL BENEFITS OF THE DEVELOPMENT WILL NOT BE LIMITED TO THE LOCAL AREA, THE OUTCOMES AND CONCLUSIONS OF THE RESEARCH WILL BE USED NATIONWIDE AND COULD HELP SCOTLAND ACHIEVE ITS AMBITIOUS CARBON EMISSION REDUCTION TARGETS IN 2030 AND 2040.

THE DEVELOPMENT WILL ALSO PROVIDE A SATELLITE OFFICE FOR MB SERVICES GROUP (SCOTLAND) LIMITED TO EXPAND THEIR ESTABLISHED BUSINESS TO FIFE; REMOTE FROM THEIR MAIN REGISTERED PREMISES IN ANGUS. IN ORDER TO SAVE THE CARBON EMISSIONS GENERATED FROM COMMUTING BACK AND FORWARD BETWEEN CENTRAL FIFE AND ANGUS, OUR CLIENT/ THE APPLICANT INTENDS TO LIVE AND WORK FROM THE SITE.

FINALLY, THERE IS AN OVERWHELMING DEMAND BUT SHORTFALL OF MCS CERTIFIED CONTRACTORS OPERATING IN THE FIFE AREA THAT HAVE AN EXPERTISE IN A RANGE OF RENEWABLE TECHNOLOGIES.

HAVING A PHYSICAL PRESENCE IN FIFE WILL ALLOW OUR CLIENT'S/ THE APPLICANT'S BUSINESS, MB SERVICES GROUP (SCOTLAND) LIMITED, TO REACH THESE UNDERSERVED INDIVIDUALS AND COMPANIES KEEN TO REDUCE THEIR CARBON FOOTPRINT AND REDUCE THEIR ENERGY COSTS AT A TIME WHEN THE GLOBAL ENERGY MARKET IS HIGHLY VOLATILE AND THE CLIMATE EMERGENCY IS IN THE FOREFRONT OF EVERYONE'S MIND.

IN SHORT, OUR PROPOSED 'ECO DEMONSTRATION' DEVELOPMENT WE HOPE CAN BE USED AS A PRECEDENT FOR FUTURE SELF BUILDERS/ DEVELOPERS CONSCIOUS OF THEIR IMPACT ON THE ENVIRONMENT.

SITE DESCRIPTION

THE APPLICANT SITE SUBJECT OF OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE IS LOCATED IMMEDIATELY ADJACENT BUT OUTWITH THE SETTLEMENT BOUNDARY OF BAIN TOWN AS PER THE FIFE PLAN LOCAL DEVELOPMENT PLAN.

THE APPLICATION SITE IS SURPLUS NON-PRIME AGRICULTURAL LAND AND IS LOCATED IMMEDIATELY TO THE EAST OF THE EXISTING DWELLING, KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ, NORTH OF THE MAIN ROAD SERVING THE SETTLEMENT AND IS SURROUNDED TO THE NORTH AND EAST WITH LARGE EXPANSES OF PRIME AGRICULTURAL LAND.

THE SITE IS ACCESSED VIA AN EXISTING FARM ACCESS GATE AND DROP KERBS FROM THE MAIN ROAD AND IS BOUNDED ON ALL SIDES WITH LOW LEVEL POST + WIRE FENCES. TYPICAL OF THE RURAL SETTING, MATURE HEDGING IS ALSO PRESENT ON THE EAST, PART SOUTH AND WEST BOUNDARIES OF THE SITE.

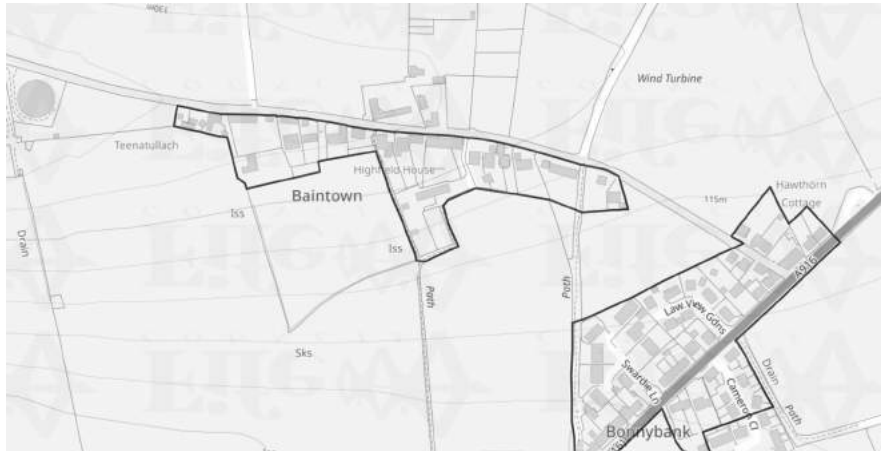


FIGURE 3 | BAINTOWN SETTLEMENT PLAN, FIFEPLAN LOCAL DEVELOPMENT PLAN

SITE HISTORY

NO RELEVANT SITE HISTORY.

RELEVANT PRECEDENT APPLICATION: 21/03507/FULL | ERECTION OF DWELLINGHOUSE AND BUSINESS UNIT (CLASS 4) AND ASSOCIATED ACCESS, SERVICING AND LANDSCAPING AT LAND TO SOUTH OF LILAC COTTAGE, WOODSIDE, FIFE. DECISION | APPLICATION PERMITTED WITH CONDITIONS.

ADJACENT APPLICATIONS: 01/00842/CFULL | FORMATION OF ONE AND A HALF STOREY DWELLINGHOUSE FROM DERELICT COTTAGE AND ERECTION OF DETACHED DOMESTIC GARAGE AT THE COTTAGE, BAIN TOWN, LEVEN, FIFE. DECISION | APPLICATION PERMITTED WITH CONDITIONS. (KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ).

00/03173/CFULL | CONVERSION OF AND ALTERATIONS AND EXTENSIONS TO DERELICT FARM BUILDING TO FORM ONE DWELLINGHOUSE AND TRIPLE GARAGE AT DERELICT FARMHOUSE, BAIN TOWN, LEVEN, FIFE. DECISION | APPLICATION PERMITTED WITH CONDITIONS. (RED CLOUDS, BAIN TOWN, LEVEN, FIFE, KY8 5SJ).

RELEVANT POLICIES + GUIDANCE

FIFEPLAN LOCAL DEVELOPMENT PLAN 2017

- POLICY 1: DEVELOPMENT PRINCIPLES
- POLICY 3: INFRASTRUCTURE AND SERVICES

- POLICY 7: DEVELOPMENT IN THE COUNTRYSIDE
- POLICY 8: HOUSES IN THE COUNTRYSIDE
- POLICY 11: LOW CARBON FIFE
- POLICY 13: NATURAL ENVIRONMENT AND ACCESS
- POLICY 14: BUILT AND HISTORIC ENVIRONMENT

NATIONAL PLANNING FRAMEWORK 4

SUSTAINABLE PLACES

- POLICY 1: TACKLING THE CLIMATE AND NATURE CRISES
- POLICY 2: CLIMATE MITIGATION AND ADAPTATION
- POLICY 3: BIODIVERSITY
- POLICY 11: ENERGY
- POLICY 12: ZERO WASTE
- POLICY 13: SUSTAINABLE TRANSPORT

LIVEABLE PLACES

- POLICY 14: DESIGN, QUALITY AND PLACE
- POLICY 15: LOCAL LIVING AND 20 MINUTE NEIGHBOURHOOD
- POLICY 16: QUALITY HOMES
- POLICY 17: RURAL HOMES

PRODUCTIVE PLACES

- POLICY 26: BUSINESS AND INDUSTRY

SUPPORTING STATEMENT

POLICY 1: DEVELOPMENT PRINCIPLES OF FIFEPLAN LOCAL DEVELOPMENT PLAN 2017 STATES THAT DEVELOPMENT PROPOSALS WILL BE SUPPORTED IF THEY CONFORM TO RELEVANT DEVELOPMENT PLAN POLICIES AND PROPOSALS, AND ADDRESS THEIR INDIVIDUAL AND CUMULATIVE IMPACTS. SUCH DEVELOPMENT PROPOSALS MUST MEET ONE OF THE POINTS IN PART A, UNDERLINED, AND CONFORM TO ALL APPLICABLE REQUIREMENTS IN PARTS B AND C.

IN REGARD TO PART A, IT STATES THAT: *THE PRINCIPLE OF DEVELOPMENT WILL BE SUPPORTED IF IT IS EITHER: A) WITHIN A DEFINED SETTLEMENT BOUNDARY AND COMPLIANT WITH THE POLICIES FOR THE LOCATION; OR B) IN A LOCATION WHERE THE PROPOSED USE IS SUPPORTED BY THE LOCAL DEVELOPMENT PLAN.*

IN REGARD TO THE APPLICABLE REQUIREMENTS OF PARTS B AND C, WE BELIEVE THE FOLLOWING ARE RELEVANT AND THAT OUR PROPOSAL WILL FULLY CONFORM WITH EACH OF THEIR REQUIREMENTS; RELEVANT POLICIES UNDERLINED.

PART B | 5. IN THE CASE OF PROPOSALS IN THE COUNTRYSIDE OR GREEN BELT, BE A USE APPROPRIATE FOR THESE LOCATIONS (SEE POLICY 2 HOMES, POLICY 7 DEVELOPMENT IN THE COUNTRYSIDE, POLICY 8 HOUSES IN THE COUNTRYSIDE, POLICY 9 GREENBELT AND POLICY 11 LOW CARBON FIFE);

7. SAFEGUARD THE CHARACTER AND QUALITIES OF THE LANDSCAPE (SEE POLICY 13 NATURAL ENVIRONMENT AND ACCESS, AND POLICY 15 MINERALS);

PART C | 2. PROVIDE REQUIRED ON-SITE INFRASTRUCTURE OR FACILITIES, INCLUDING TRANSPORT MEASURES TO MINIMISE AND MANAGE FUTURE LEVELS OF TRAFFIC GENERATED BY THE PROPOSAL (SEE POLICY 3 INFRASTRUCTURE AND SERVICES);

3. PROVIDE MEASURES THAT IMPLEMENT THE WASTE MANAGEMENT HIERARCHY AS DEFINED IN THE ZERO WASTE PLAN FOR SCOTLAND (SEE POLICY 3 INFRASTRUCTURE AND SERVICES);

5. PROVIDE SUSTAINABLE URBAN DRAINAGE SYSTEMS IN ACCORDANCE WITH ANY RELEVANT DRAINAGE STRATEGIES APPLYING TO THE SITE OR FLOOD ASSESSMENTS (SEE POLICY 3 INFRASTRUCTURE AND SERVICES);

7. PROVIDE A LAYOUT AND DESIGN THAT DEMONSTRATES ADHERENCE TO THE SIX QUALITIES OF SUCCESSFUL PLACES AS SET OUT IN THE GOVERNMENT'S CREATING PLACES POLICY (SEE POLICY 14 BUILT AND HISTORIC ENVIRONMENT);

8. PROVIDE FOR ENERGY CONSERVATION AND GENERATION IN THE LAYOUT AND DESIGN (SEE POLICY 3 INFRASTRUCTURE AND SERVICES, POLICY 11 LOW CARBON FIFE, POLICY 13 NATURAL HERITAGE, WOODLAND, AND ACCESS, AND POLICY 14 BUILT AND HISTORIC ENVIRONMENT);

9. CONTRIBUTE TO ACHIEVING THE AREA'S FULL POTENTIAL FOR ELECTRICITY AND HEAT FROM RENEWABLE SOURCES, IN LINE WITH NATIONAL CLIMATE CHANGE TARGETS, GIVING DUE REGARD TO ENVIRONMENTAL, COMMUNITY AND CUMULATIVE IMPACT CONSIDERATIONS (SEE POLICY 11 LOW CARBON FIFE).

AS NOTED PREVIOUSLY, THE APPLICATION SITE IS LOCATED OUTWITH THE SETTLEMENT BOUNDARY OF BAIN TOWN, ON NON-PRIME AGRICULTURAL LAND WITH LIMITED AGRICULTURAL USES DEFINED AS COUNTRYSIDE, THEREFORE POLICY 7: DEVELOPMENT IN THE COUNTRYSIDE APPLIES TO OUR PROPOSAL.

POLICY 7: DEVELOPMENT IN THE COUNTRYSIDE STATES THAT; *DEVELOPMENT IN THE COUNTRYSIDE WILL ONLY BE SUPPORTED WHERE IT:*

3. IS FOR THE EXTENSION OF ESTABLISHED BUSINESSES; OR

7. IS FOR HOUSING IN LINE WITH POLICY 8 (HOUSES IN THE COUNTRYSIDE).

IN ALL CASES, DEVELOPMENT MUST:

- *BE OF A SCALE AND NATURE COMPATIBLE WITH SURROUNDING USES;*
- *BE WELL-LOCATED IN RESPECT OF AVAILABLE INFRASTRUCTURE AND CONTRIBUTE TO THE NEED FOR ANY IMPROVED INFRASTRUCTURE; AND*
- *BE LOCATED AND DESIGNED TO PROTECT THE OVERALL LANDSCAPE AND ENVIRONMENTAL QUALITY OF THE AREA.*

OUR PROPOSAL WILL COMPLY WITH BOTH CRITERIA 3 + 7 OF POLICY 7 IN THE FACT THAT IT WILL ALLOW FOR THE EXTENSION OF THE ESTABLISHED BUSINESS, MB SERVICES GROUP (SCOTLAND) LIMITED TO FIFE, AND THAT IT WILL ALSO FULLY ACCORD WITH CRITERIA 9 OF POLICY 8: HOUSES IN THE COUNTRYSIDE.

POLICY 8: HOUSES IN THE COUNTRYSIDE STATES THAT: *DEVELOPMENT OF HOUSES IN THE COUNTRYSIDE WILL ONLY BE SUPPORTED WHERE:*

9. IT IS FOR AN ECO-DEMONSTRATION PROJECT PROPOSAL THAT MEETS THE STRICT REQUIREMENTS OF SIZE, SCALE AND OPERATION SET OUT IN FIGURE 8.1.

WE WILL ASSESS OUR PROPOSAL AGAINST EACH OF THE REQUIREMENTS OF FIGURE 8.1 REQUIREMENTS OF ECO-HOME PROPOSALS BELOW:

- *NOT EXCEED 20 DWELLING UNITS.*

OUR PROPOSAL IS FOR THE ERECTION OF A SINGLE DWELLING.

- *FOLLOW THE ZERO WATER, ZERO ENERGY MODEL, MAKING NO DEMANDS OF WATER, SEWERAGE, POWER, AND WASTE COLLECTION INFRASTRUCTURE.*

OUR PROPOSAL WILL TAKE ADVANTAGE OF AN ON-SITE WATER SUPPLY, WILL UTILISE WATER EFFICIENT SANITARY FITTINGS, WILL BE FITTED WITH LOW ENERGY LIGHT FITTINGS, WILL INCORPORATE GREYWATER COLLECTION FOR USE ON THE ALLOTMENT GARDEN, WILL UTILISE A PACKAGE SEWAGE TREATMENT PLANT AND SOAKAWAY FOR FOUL DRAINAGE AND SEPARATE SOAKAWAY FOR EXCESS SURFACE WATER DRAINAGE, WILL INCLUDE AN AREA FOR STORAGE AND SORTING OF GENERAL, COMPOSTABLE, BIODEGRADABLE AND RECYCLABLE WASTE AND WILL BE FITTED WITH LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES.

- *PRODUCE ENERGY FROM RENEWABLE SOURCES ON-SITE AND DEMONSTRATE A STRATEGY FOR ENERGY CONSERVATION.*

AS NOTED ABOVE, THE PROPOSAL WILL INCORPORATE A VARIETY OF LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES COMBINED WITH A HIGH EFFICIENCY AIR TIGHT BUILDING INSULATION ENVELOPE IN ORDER TO LIMIT HEAT LOSS VIA THERMAL BRIDGING IN ORDER TO CONSERVE THE ENERGY GENERATED.

THE BUILDINGS ON SITE WILL INCORPORATE SOLAR PHOTOVOLTAIC PANELS, SOLAR THERMAL PANELS, BATTERY STORAGE AND LOW TEMPERATURE AIR TO WATER HEAT PUMPS THAT WILL GENERATE CLEAN ENERGY THAT EXCEEDS THE POWER, SPACE HEATING AND HOT WATER HEATING DEMANDS OF THE COMPLETE DEVELOPMENT.

AT THIS EARLY CONCEPT STAGE IT IS HOPED THAT THE SOLAR PHOTOVOLTAIC PANEL ARRAY WILL PROVIDE 191% OF THE ANNUAL ELECTRICITY REQUIRED FOR THE DEVELOPMENT, THE SOLAR THERMAL PANEL ARRAY ALONE WILL PROVIDE 60% OF THE ANNUAL HOT WATER DEMAND FOR THE DEVELOPMENT AND THAT, IN COMBINATION WITH THE ABOVE TECHNOLOGIES, THE HEAT PUMP WILL ACHIEVE AN OPERATING EFFICIENCY OF 500% (300% BEING THE CURRENT AVERAGE FOR A TYPICAL DOMESTIC INSTALL). ANY EXCESS ELECTRICAL ENERGY GENERATED WILL ALSO BE STORED IN A 35kW BATTERY STORAGE BANK FOR USE WHEN THE WEATHER OR TIME OF DAY/YEAR DOES NOT ALLOW FOR ENERGY TO BE GENERATED BY THE RENEWABLE SYSTEMS INSTALLED. THIS COMBINATION OF TECHNOLOGIES SHOULD ALLOW FOR THE DEVELOPMENT TO BE AUTONOMOUS FROM THE NATIONAL GRID.

- *PROVIDE AN ON-SITE WATER SUPPLY AND SEWAGE DISPOSAL.*

AN ON-SITE WATER SUPPLY WILL BE PROVIDED, FOUL DRAINAGE WILL BE DISPOSED OF VIA A PACKAGE SEWAGE TREATMENT PLANT AND SOAKAWAY SUBJECT TO THE GROUND ACHIEVING A SUITABLE LEVEL OF PERCOLATION.

- *INCLUDE A STRATEGY FOR THE MINIMISATION OF WASTE ON SITE.*

THE DEVELOPMENT WILL INCLUDE AN AREA FOR STORAGE AND SORTING OF GENERAL, COMPOSTABLE, BIODEGRADABLE AND RECYCLABLE WASTE.

THE DEVELOPMENT WILL ALSO BE CONSTRUCTED USING TIMBER FRAME CONSTRUCTION, PARTLY PREFABRICATED, WHICH GENERALLY CREATES OVERALL LESS WASTE IN ITS PRODUCTION COMPARED TO OTHER TYPICAL CONSTRUCTION METHODS USED IN SCOTLAND SUCH AS BRICK, MASONRY, CONCRETE OR STEEL.

- *DEMONSTRATE LOW IMPACT AND RESOURCE EFFICIENT BUILDING DESIGN AND CONSTRUCTION WHICH IS FULLY REVERSIBLE, PERMITTING THE LAND TO BE RESTORED TO ITS FORMER CONDITION AFTER THE PROJECT CEASES.*

AS NOTED ABOVE, THE DWELLING WILL BE CONSTRUCTED USING TIMBER FRAME CONSTRUCTION WHICH CAN BE EASILY DISMANTLED AND RECYCLED IN THE FUTURE IF REQUIRED IN ORDER TO RETURN THAT LAND TO ITS FORMER CONDITION.

- *INCLUDE A SUSTAINABLE TRAVEL PLAN WITH A CAR SHARING CLUB REMOVING THE NEED FOR INDIVIDUAL CAR OWNERSHIP OR INDIVIDUAL CAR PARKING.*

THE APPLICANT INTENDS TO LIVE AND WORK FROM THE SITE AND IT IS HOPED THAT THE DEVELOPMENT WILL PROMOTE SUSTAINABLE WORKING AND LIVING PRACTICES. AN ELECTRIC CAR CHARGING POINT WILL ALSO BE INTEGRATED WITH THE SOLAR PHOTOVOLTAIC PANELS TO ALLOW ELECTRIC CAR TRAVEL ON COMPLETELY RENEWABLE SELF GENERATED ELECTRICITY.

- *INCLUDE THE ECOLOGICAL MANAGEMENT AND ENHANCEMENT OF THE SITE BY USING SUSTAINABLE TECHNIQUES TO PROVIDE RESIDENTS ECONOMIC LIVELIHOOD AND FOOD PRODUCTION.*

THE EXISTING HEDGES ON THE SITE WILL BE RETAINED IN FULL AND THE PROPOSAL WILL ALSO INCORPORATE AN AREA IN THE GARDEN GROUND THAT WILL BE ALLOWED TO WILD/ MINI MEADOW TO PROMOTE AND ENCOURAGE BIODIVERSITY ON THE LAND. AN ALLOTMENT GARDEN WILL ALSO BE PROVIDED TO ENCOURAGE ON SITE FOOD

PRODUCTION FOR USE BY THE OCCUPANTS. IF REQUIRED, AS PART OF ANY FUTURE APPLICATION FOR PLANNING PERMISSION, SHOULD CONSENT BE GRANTED IN PRINCIPLE, AN ECOLOGY STATEMENT/ ENVIRONMENTAL IMPACT ASSESSMENT CAN BE PROVIDED.

- *FEATURE A RESEARCH AND/ OR EDUCATIONAL ASPECT.*

A TYPICAL PROJECT FOR MB SERVICES GROUP (SCOTLAND) LIMITED, OUR CLIENT'S/ THE APPLICANT'S COMPANY, WOULD INVOLVE RETROFITTING A SINGLE LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGY TO AN EXISTING BUILDING TO HELP REDUCE THE CARBON FOOTPRINT AND ENERGY COSTS.

THE FLAW WITH RESEARCHING AND TESTING THESE RETROFITTING PROJECTS IS THAT THE EXISTING BUILDINGS THAT THE SYSTEMS ARE BEING INSTALLED INTO HAVE NOT BEEN CONSTRUCTED TO AN APPROPRIATE STANDARD WITH NO CONSIDERATION TO THE SPECIFIC REQUIREMENTS OF THE TECHNOLOGIES.

IT IS LIKELY THAT THE AIR PERMEABILITY OF THE BUILDING IS HIGH, THE THERMAL PERFORMANCE OF THE INSULATION ENVELOPE IS POOR AND THAT THE EXISTING SERVICES AND SYSTEMS SERVING THE BUILDING ARE LIKELY TO BE OUTDATED WHICH LEADS TO HIGH LEVELS OF HEAT AND ENERGY LOSS. IN ORDER TO IMPROVE ALL THESE SHORTCOMINGS AND UPGRADE THESE EXISTING BUILDINGS TO MEET WITH CURRENT REGULATIONS AND STANDARDS, SIGNIFICANT INVESTMENT WOULD BE REQUIRED OVER AND ABOVE THE COST OF THE NEW RENEWABLE SYSTEMS, WHICH IN ALMOST ALL CASES PREVENTS THE BUILDING OWNERS FROM COMPLETING THIS ADDITIONAL WORK DUE TO BUDGET CONSTRAINTS.

THE PROPOSED DEVELOPMENT SUBJECT OF OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE PROVIDES A UNIQUE OPPORTUNITY FOR THE APPLICANT AND HIS BUSINESS TO RESEARCH AND TEST A VARIETY OF LOW AND ZERO CARBON ENERGY GENERATING AND STORAGE TECHNOLOGIES ON A BLANK CANVAS USING A HOLISTIC APPROACH CONSIDERING NOT ONLY THE ENERGY GENERATION BUT ALSO THE IMPACTS OF ORIENTATION, POSITIONING OF GLAZING AND SOLAR GAIN, AIR-TIGHTNESS, BUILDING INSULATION ENVELOPE, THERMAL BRIDGING AND HEAT RECOVERY IF REQUIRED. THE PROJECT WOULD ALLOW US TO DETERMINE IF WE CAN RETAIN THE ENERGY GENERATED IN THE BUILDING OR CAN WE USE THE DESIGN, FORM OR MASSING OF THE BUILDING TO IMPROVE THE EFFICIENCY OF THE TECHNOLOGIES? THE BUILDINGS WILL BE DESIGNED AND CONSTRUCTED WITH ENERGY DEMAND AND CONSERVATION AT THE FOREFRONT OF THE PROCESS.

BEFORE OCCUPYING THE DEVELOPMENT AND TESTING THE EQUIPMENT IN A REAL WORLD SCENARIO, THE APPLICANT WILL KNOW THAT THE BUILDING FABRIC PERFORMS TO A HIGH STANDARD AND THAT THE CONTEXT AND ORIENTATION OF THE BUILDINGS WILL NOT HAVE A DETRIMENTAL IMPACT ON THE EFFICIENCIES OR PERFORMANCE OF THE ENERGY GENERATING TECHNOLOGIES.

THE ENERGY GENERATED, USED AND STORED BY THE BUILDINGS WILL BE MONITORED CONTINUOUSLY IN ORDER TO ASCERTAIN THE OPTIMUM COMBINATION, ORIENTATION AND SIZE OF EACH SYSTEM REQUIRED AND WHAT EXACT LEVEL OF ENERGY STORAGE IS REQUIRED TO MAINTAIN ENERGY AUTONOMY ALL YEAR ROUND. THE DATA COLLECTED WILL BE UTILISED BY THE APPLICANT AND HIS BUSINESS TO INFORM THEIR FUTURE DESIGNS AND INSTALLATIONS OF THE SAME TECHNOLOGIES TO ENSURE THAT THEY PROVIDE THE MOST EFFICIENT AND COST EFFECTIVE COMBINATIONS TO THEIR CUSTOMERS.

- *BE MANAGED BY A TRUST, CO-OPERATIVE, HOUSING ASSOCIATION, OR A SIMILAR ENTITY IN WHICH THE RESIDENTS HAVE AN INTEREST.*

THE APPLICATION SITE AND DEVELOPMENT WILL BE EXCLUSIVELY OWNED AND MAINTAINED BY THE APPLICANT; THERE WILL BE NO OTHER INTERESTED PARTIES.

- *BE ACCOMPANIED BY A MANAGEMENT AND BUSINESS PLAN TO SHOW HOW THE PROPOSAL WOULD MEET THE FOREGOING CRITERIA AND ILLUSTRATE THE POSITIVE BENEFITS OF THE SCHEME. COMMUNITY ENGAGEMENT MUST BE UNDERTAKEN AS PART OF THE DEVELOPMENT MANAGEMENT PROCESS.*

IN REGARD TO THE POSITIVE BENEFITS OF THE SCHEME, AS NOTED PREVIOUSLY, THE CONCLUSIONS AND OUTCOMES OF THE DATA COLLECTED FROM THE PROTOTYPE DEVELOPMENT WILL BE USED NATIONWIDE TO HELP INFORM HOW OTHER DEVELOPMENTS SHOULD INCORPORATE LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGIES INTO THEIR DESIGN AND WHAT OTHER ASPECTS OF THE CONSTRUCTION SHOULD BE PRIORITISED AND CONSIDERED.

IN REGARD TO COMMUNITY ENGAGEMENT, OUR CLIENT/ THE APPLICANT PROPOSES TO ENLIST ON THE ENERGY SAVING TRUST'S GREEN HOMES NETWORK SCHEME WHICH IS A DATABASE OF CASE STUDIES SUBMITTED BY INDIVIDUALS IN SCOTLAND WHO HAVE INSTALLED ENERGY EFFICIENT AND RENEWABLE MEASURES IN THEIR HOMES. ON COMPLETION OF THE DEVELOPMENT, SHOULD PERMISSION BE GRANTED, ANY

INTERESTED PARTY KEEN TO RESEARCH OR INSTALL ENERGY EFFICIENT OR RENEWABLE MEASURES WILL BE ABLE TO REACH OUT TO THE APPLICANT DIRECTLY TO DISCUSS THE POSITIVES AND BENEFITS.

WE ALSO BELIEVE THAT THE INFORMATION NOTED ABOVE IN SUPPORT OF FIGURE 8.1 AS NOTED IN POLICY 8 ALSO DEMONSTRATES FULL COMPLIANCE WITH THE REQUIREMENTS OF POLICY 11: LOW CARBON FIFE. POLICY 11 STATES THAT:

PLANNING PERMISSION WILL ONLY BE GRANTED FOR NEW DEVELOPMENT WHERE IT HAS BEEN DEMONSTRATED THAT:

1. THE PROPOSAL MEETS THE CURRENT CARBON DIOXIDE EMISSIONS REDUCTION TARGET (AS SET OUT BY SCOTTISH BUILDING STANDARDS), AND THAT LOW AND ZERO CARBON GENERATING TECHNOLOGIES WILL CONTRIBUTE AT LEAST 15% OF THESE SAVINGS FROM 2016 AND AT LEAST 20% FROM 2020. STATUTORY SUPPLEMENTARY GUIDANCE WILL PROVIDE ADDITIONAL ADVICE ON COMPLIANCE WITH THIS REQUIREMENT.

THE PROPOSED DEVELOPMENT WILL BE DESIGNED AND CONSTRUCTED TO MEET WITH THE TECHNICAL REQUIREMENTS OF STANDARD 6.1 ENERGY DEMAND AND CARBON DIOXIDE EMISSIONS AND STANDARD 6.2 BUILDING INSULATION ENVELOPE OF THE DOMESTIC TECHNICAL HANDBOOK AND WILL INCORPORATE A NUMBER OF HIGH EFFICIENCY LOW AND ZERO ENERGY GENERATING TECHNOLOGIES AS PREVIOUSLY NOTED. OUR PROPOSAL WILL EXCEED THE MINIMUM REQUIREMENTS REFERRED TO IN SECTION 1. OF POLICY 11.

2. CONSTRUCTION MATERIALS COME FROM LOCAL OR SUSTAINABLE SOURCES.

THE BUILDINGS WILL BE CONSTRUCTED USING TIMBER FRAME CONSTRUCTION; ONE OF THE MAJOR ADVANTAGES OF TIMBER FRAME CONSTRUCTION IS THAT IT IS A RENEWABLE AND SUSTAINABLE RESOURCE. WHERE POSSIBLE, MATERIALS WILL ALSO BE SOURCED LOCALLY AND WILL MATCH THE AESTHETIC AND CHARACTER OF THE SURROUNDING BUILT ENVIRONMENT.

3. WATER CONSERVATION MEASURES ARE IN PLACE.

WATER EFFICIENT SANITARY FITTINGS WILL BE PROVIDED THROUGHOUT THE DWELLING AND THERE WILL ALSO BE A FACILITY FOR GREYWATER COLLECTION FOR USE IN THE ALLOTMENT GARDEN.

4. SUSTAINABLE URBAN DRAINAGE MEASURES WILL ENSURE THAT THERE WILL BE NO INCREASE IN THE RATE OF SURFACE WATER RUN OFF IN PEAK CONDITIONS OR DETRIMENTAL IMPACT ON THE ECOLOGICAL QUALITY OF THE WATER ENVIRONMENT; AND

THE DEVELOPMENT WILL UTILISE A PACKAGE SEWAGE TREATMENT PLANT AND SOAKAWAY FOR FOUL DRAINAGE AND SEPARATE SOAKAWAY FOR EXCESS SURFACE WATER DRAINAGE. WE CAN CONFIRM THAT NO WATER WILL RUN OFF THE APPLICATION SITE.

5. FACILITIES ARE PROVIDED FOR THE SEPARATE COLLECTION OF DRY RECYCLABLE WASTE AND FOOD WASTE.

A DEDICATED AREA FOR THE STORAGE AND SORTING OF GENERAL, COMPOSTABLE, BIODEGRADABLE AND RECYCLABLE WASTE WILL BE PROVIDED ADJACENT TO EITHER THE DETACHED GARAGE OR UTILITY AREA OF THE PROPOSED DWELLINGHOUSE.

ALL DEVELOPMENT SHOULD ENCOURAGE AND FACILITATE THE USE OF SUSTAINABLE TRANSPORT APPROPRIATE TO THE DEVELOPMENT, PROMOTING IN THE FOLLOWING ORDER OF PRIORITY: WALKING, CYCLING, PUBLIC TRANSPORT, CARS.

THE APPLICANT INTENDS TO LIVE AND WORK FROM THE SITE AND IT IS HOPED THAT, AS PREVIOUSLY NOTED, THE DEVELOPMENT WILL PROMOTE AND ENCOURAGE SUSTAINABLE WORKING AND LIVING PRACTICES. AN ELECTRIC CAR CHARGING POINT INTEGRATED WITH THE SOLAR PHOTOVOLTAIC PANEL ARRAY WILL ALSO BE INSTALLED SO THAT THE USERS OF THE SITE CAN SUSTAINABLY TRAVEL BY CAR ON ENERGY GENERATED FROM THE ON SITE RENEWABLES.

BASED ON ALL OF THE ABOVE INFORMATION, WE FIRMLY BELIEVE THAT OUR PROPOSAL MEETS WITH THE REQUIREMENTS OF POLICIES 1: DEVELOPMENT PRINCIPLES, 7: DEVELOPMENT IN THE COUNTRYSIDE, 8: HOUSES IN THE COUNTRYSIDE + 11: LOW CARBON FIFE OF THE FIFEPLAN LOCAL DEVELOPMENT PLAN 2017.

DUE TO THE DEVELOPMENT BEING ALMOST ENTIRELY AUTONOMOUS FROM EXTERNAL SOURCES OTHER THAN A TELECOMMUNICATION/ HIGH SPEED BROADBAND CONNECTION AND BEING ABLE TO GENERATE MORE THAN SUFFICIENT LEVELS OF ENERGY TO SUSTAIN ITSELF WHILST DISPOSING OF ITS DRAINAGE IN A SUSTAINABLE

MANNER, THE PROPOSAL WE ALSO BELIEVE FULLY CONFORMS WITH THE REQUIREMENTS OF POLICY 3: INFRASTRUCTURE AND SERVICE IN THAT IT WILL BE; *DESIGNED AND IMPLEMENTED IN A MANNER THAT ENSURES IT DELIVERS THE REQUIRED LEVEL OF INFRASTRUCTURE AND FUNCTIONS IN A SUSTAINABLE MANNER.*



FIGURE 4 | STREET VIEW OF APPLICATION SITE LOOKING NORTH EAST

THE FINAL POLICIES OF RELEVANCE IN THE FIFEPLAN LOCAL DEVELOPMENT PLAN 2017 ARE, IN OUR INTERPRETATION, POLICY 13: NATURAL ENVIRONMENT AND ACCESS + POLICY 14: BUILT AND HISTORIC ENVIRONMENT.

POLICY 13 STATES THAT; *DEVELOPMENT PROPOSALS WILL ONLY BE SUPPORTED WHERE THEY PROTECT OR ENHANCE NATURAL HERITAGE AND ACCESS ASSETS INCLUDING:*

- *DESIGNATED SITES OF INTERNATIONAL AND NATIONAL IMPORTANCE, INCLUDING NATURA 2000 SITES AND SITES OF SPECIFIC SCIENTIFIC INTEREST (SEE SITE APPRAISAL PROCESS BELOW);*
- *DESIGNATED SITE OF LOCAL IMPORTANCE, INCLUDING LOCAL WILDLIFE SITES, REGIONALLY IMPORTANT GEOLOGICAL SITES, AND LOCAL LANDSCAPE AREAS;*
- *WOODLANDS (INCLUDING NATIVE AND OTHER LONG ESTABLISHED WOODS), AND TREES AND HEDGEROWS THAT HAVE A LANDSCAPE, AMENITY, OR NATURE CONSERVATION VALUE;*
- *BIODIVERSITY IN THE WIDER ENVIRONMENT;*
- *PROTECTED AND PRIORITY HABITATS AND SPECIES;*
- *LANDSCAPE CHARACTER AND VIEWS;*

- *CARBON RICH SOILS (INCLUDING PEAT);*
- *GREEN NETWORKS AND GREENSPACES; AND*
- *CORE PATHS, CYCLEWAYS, BRIDLEWAYS, EXISTING RIGHTS OF WAY, ESTABLISHED FOOTPATHS AND ACCESS TO WATER-BASED RECREATION.*

WHERE ADVERSE IMPACTS ON EXISTING ASSETS ARE UNAVOIDABLE WE WILL ONLY SUPPORT PROPOSALS WHERE THESE IMPACTS WILL BE SATISFACTORY MITIGATED.

OUR PROPOSAL WILL NOT IMPACT ANY OF THE ABOVE NOTED NATURAL HERITAGE OR ACCESS ASSETS; THE EXISTING MATURE HEDGEROWS BORDERING THE SITE WILL BE RETAINED IN FULL. IT IS ALSO OUR INTENTION TO PROVIDE AN ALLOTMENT GARDEN AND SEPARATE MINI MEADOW/ WILDED AREA TO ENCOURAGE FURTHER BIODIVERSITY ON THE APPLICATION SITE. FOR THE ABOVE NOTED REASONS, WE BELIEVE THAT OUR PROPOSAL FULLY CONFORMS WITH THE REQUIREMENTS OF POLICY 13: NATURAL ENVIRONMENT AND ACCESS.

POLICY 14: BUILT AND HISTORIC ENVIRONMENT WE WOULD SUGGEST IS MORE RELEVANT AND APPLICABLE FOR ANY FUTURE APPLICATION FOR RESERVED MATTERS OR APPLICATION FOR PLANNING PERMISSION POST DETERMINATION OF THIS APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE. FOR CLARITY AND THE PURPOSES OF DETERMINING THIS APPLICATION, OUR AMBITION FOR THE PROPOSAL WOULD BE THAT IT MEETS WITH THE SIX QUALITIES OF SUCCESSFUL PLACES AND THAT IT WILL ADHERE TO THE GUIDANCE IN MAKING FIFE'S PLACES SUPPLEMENTARY GUIDANCE. AT THIS EARLY STAGE, WE WOULD SUGGEST THAT OUR PROPOSAL MEETS, OR CAN MEET, WITH THE REQUIREMENTS OF POLICY 14: BUILT AND HISTORIC ENVIRONMENT IN THAT IT WILL BE; DISTINCTIVE, WELCOMING, ADAPTIVE, RESOURCE EFFICIENT, SAFE AND PLEASANT; AND EASY TO MOVE AROUND AND BEYOND.

REGIONALLY, WE SUGGEST THAT OUR PROPOSAL MEETS WITH ALL THE RELEVANT POLICIES AS PER THE FIFEPLAN LOCAL DEVELOPMENT PLAN 2017.

IN REGARD TO THE RELEVANT POLICIES IN PART 2 NATIONAL PLANNING POLICY: SUSTAINABLE PLACES (POLICIES 1, 2, 3, 11, 12 + 13) OF THE RECENTLY ADOPTED NATIONAL PLANNING FRAMEWORK 4, WE ALSO BELIEVE THAT OUR PROPOSAL FULLY ADHERES TO THE POLICY INTENT OF EACH POLICY IN THAT;

- OUR PROPOSAL WILL ENCOURAGE, PROMOTE AND FACILITATE DEVELOPMENT THAT ADDRESSES THE GLOBAL CLIMATE EMERGENCY AND NATURE CRISIS WHILST MINIMISING CARBON EMISSIONS.

- THE PROPOSAL WILL HAVE THE CAPABILITY TO ADAPT TO THE CURRENT AND FUTURE IMPACTS OF CLIMATE CHANGE.
- THE SCOPE OF THE WORKS ON THE APPLICATION SITE WILL PROTECT THE CURRENT LEVELS OF BIODIVERSITY AND THE INCLUSION OF THE MINI MEADOW WILL HELP REVERSE ANY BIODIVERSITY LOSS IN THE IMMEDIATE VICINITY OF THE SITE AND,
- THE DEVELOPMENT WILL PROMOTE MANY FORMS OF RENEWABLE ENERGY DEVELOPMENT INCLUDING ENERGY GENERATION, STORAGE AND EMERGING LOW-CARBON AND ZERO EMISSIONS TECHNOLOGIES.

IN REGARD TO THE LIVEABLE + PRODUCTIVE PLACES (POLICIES 14, 15, 16, 17 + 26), OUR DESIGN-LED APPROACH WILL ENSURE THAT WE PROVIDE HIGH QUALITY SPACES AND ENVIRONMENTS. THE OVERALL AIM OF THE PROJECT WILL ALSO ENCOURAGE AND PROMOTE SUSTAINABLE TRANSPORT OPTIONS.

THE INCLUSION OF AN ON SITE CLASS 4 BUSINESS UNIT ON THE SITE FOR THE EXPANSION OF THE APPLICANTS ESTABLISHED BUSINESS, MB SERVICES (GROUP) LIMITED, WILL ALSO PROMOTE ALTERNATIVE WAYS OF WORKING.

CONCLUSION

OUR PROPOSAL WILL BE HIGH QUALITY IN TERMS OF ITS DESIGN, SETTING, SCALE, NATURE, LANDSCAPING AND PALETTE OF FINISHING MATERIALS IN ORDER TO CREATE A BUILT ENVIRONMENT THAT NOT ONLY PROTECTS THE OVERALL LANDSCAPE AND ENVIRONMENTAL QUALITY OF THE AREA BUT ACTUALLY ENHANCES THE CHARACTER AND APPEARANCE OF THE SETTLEMENT OF BAIN TOWN.

NOT ONLY WILL THE AESTHETIC OF THE DEVELOPMENT MAKE A POSITIVE CONTRIBUTION TO THE LOCAL BUILT ENVIRONMENT, IT IS HOPED THAT THE 'ECO DEMONSTRATION' ASPECTS INCORPORATED IN THE NEW BUILDINGS AND THE RESEARCH AND DATA COLLECTED FROM THE COMPLETED DEVELOPMENT WILL HELP INFORM FUTURE DEVELOPMENTS OF A SIMILAR SCALE AND NATURE, AS TO THE MOST EFFICIENT AND COST EFFECTIVE MANNER TO INCORPORATE LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGIES SEAMLESSLY INTO THE DESIGN.

THE SITING AND DESIGN OF THE PROPOSED BUILDINGS WILL NOT ONLY ALLOW FOR THE OPTIMUM PERFORMANCE AND EFFICIENCY OF THE LOW AND ZERO CARBON ENERGY GENERATING TECHNOLOGIES AND THE BUILDING INSULATION ENVELOPE, THEY WILL HAVE NO DETRIMENTAL IMPACT ON ANY ADJACENT DWELLING IN TERMS OF THE REDUCTION IN THE LEVELS OF PRIVACY AND OUTLOOK AFFORDED OR BY PHYSICAL IMPACT/ OVERSHADOWING OR OVERLOOKING.

IN SUMMATION, WE FIRMLY BELIEVE THAT THE PROPOSAL SUBJECT OF OUR APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE FULLY COMPLIES WITH ALL THE RELEVANT LOCAL DEVELOPMENT PLAN POLICIES, OVERRIDING NATIONAL POLICIES AND RESPONDS DIRECTLY TO THE SURROUNDING BUILT AND NATURAL ENVIRONMENTS IN A SUSTAINABLE MANNER.

FOR THE REASONS NOTED ABOVE AND INCLUDED IN THIS SUPPORTING STATEMENT WE SEE NO MATERIAL JUSTIFICATION OR OTHER REASON THAT WOULD RESULT IN REFUSAL OF PLANNING PERMISSION IN PRINCIPLE FOR WORKS PROPOSED AND ILLUSTRATED.

THIS SUPPORTING STATEMENT HAS BEEN PRODUCED FOR MR ALISTAIR MCGOWAN IN REGARD TO THE APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE ON THE LAND EAST OF KEBRONI COTTAGE, BAIN TOWN, LEVEN, FIFE, KY8 5SJ AND IS NOT INTENDED FOR USE BY ANY OTHER PERSON OR FOR ANY OTHER USE.



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Response to Neighbour objections

Planning application 23/02345/PPP Planning permission in principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

During the public consultation period for the above planning application there has been several comments and objections submitted by neighbours to the proposed development. I have carefully considered these comments and would like to take the opportunity to make a general response to ease some of these concerns and further explain my proposed intentions.

The main concerns that seem to have been raised are regarding the Class 4 business use that is attached to the proposal. I can see how this would raise concerns with the neighbouring residents in Baintown if a large commercial business was to begin significant operations from the site. Carrying out daily business operations from this site was never our intention. MB Services has a main office in the Dundee area with a warehouse so no business material deliveries would come to Baintown, and all our installation staff keep vans at home then go direct to sites.

The property will be a residential house for my family with a separate home office to allow me to work from home on design, research, and administration work. There would be the occasional customer that may visit to see the renewables equipment we propose to install and develop but no more visitors than a normal residential property would expect to receive. The property would house myself, my wife and two teenage boys.

I have lived in Fife my whole life and in Windygates for the past 8 Years. Currently our business is based in Dundee and I have to travel to there most days to the office. Although we carry out work at the moment in Fife we have not been able to develop this as much as we would like so far due to our office location. Having a registered business address in Fife would greatly help us to grow our business in the area. This would give our business a better local presence and attract more customers for the area.

MB Services Group is an established business that is highly experienced in the renewables sector. As an MCS certified contractor for over 10 years for all the major renewable technologies we have a proven track record. Being MCS certified also means we are able to offer our customers grant funding from the Scottish government body Home Energy Scotland. Our range of services cover nearly all available renewable technologies and can offer our customers a package can combine them together. Currently in Fife there is no companies that offer such a range of services, so we feel we have a lot to offer the area as there is currently a lack of these services.

In order to fight climate change and meet the ambitious targets to cut carbon emissions we need to grow the renewables sector significantly in the coming years. Our business and ones like it have huge part to play in this by



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Ltd**

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Tel: 01382 690960

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www.mbservicesgroup.com

decarbonising heating and generating renewable energy in the local area and beyond. Projects that promote this should be encouraged and can show how renewable technologies can be implemented in buildings both old and new.

The proposal to create an Eco-demonstration property ties in with the Class 4 business use and has been submitted to allow this. We are hoping to build a property that is in keeping with the local area and ties in with the look of existing surrounding buildings. This house would be built to the highest standards and include a variety of the latest renewable technologies. We are looking to combine the various technologies that we have a proven track record of installing to create a benchmark property that sets the standard of what can be achieved with current technologies.

As part of this we plan to carry out extensive testing, monitoring and datalogging to create case studies to advance building standards for both our customers and other organisations we work with. (Local authorities etc). This testing is all data based and would not cause any ongoing disruption to the area via noise, pollution etc. The renewable systems we would be installing (Air source heat pumps, Solar PV, Solar thermal, Heat recovery) and all proven products that would be designed to have a long working life so not just tested and thrown away. We plan to combine these to work together in novel ways to maximise their potential. The knowledge and data gained will be of great benefit to ensure we continue to offer the most efficient solutions to our customers.

In summary I am a local business and family man who is looking to build a family home that will also support my business by developing the domestic renewable technologies we provide. I do not plan to carry out major commercial business operations from this property. Any design for the proposed property would be sympathetic to the local area and in keeping with the current houses in the area. We want the development to enhance the area not detract from it. If the planning in principle is granted, I would be keen to engage with the local residents to ensure that the final proposal is as agreeable as possible for everyone.

Yours Sincerely

Alistair McGowan

MB Services Group was established in 2014 and has always been involved in promoting advancements in building services technology. Since the business was started we have worked extensively in the renewables sector as many of our core skills and technical knowledge are required in this area. Over the past few years we have seen the demand for renewable energy products rise significantly. We have undertaken several R&D projects in this area both at our own expense and alongside our customers on cutting edge projects.

These projects include the following technologies and more:

- Air source heat pumps
- Ground/water source heat pumps
- Solar thermal water heating
- Solar Photovoltaics
- Battery storage
- Refrigeration and Air conditioning
- Ventilation and heat recovery

As a result of the information, experience and real time data we can gather we are able to offer many significant benefits to our customers, the economy and the environment. We feel that it is an exciting time with many technological advances in the building services and materials. Working alongside established builders and first time self-builders we aim to offer a packaged solution to combine all the available technologies to maximize efficiency and sustainability. All too often we see new buildings that are nowhere near as efficient as sustainable as they can be due to poor implementation of technologies.

We feel that we offer a very good service but as we strive to be at the forefront of our industry that we always need to keep developing solutions to be the best they can be. As Directors of the company both myself, Alistair McGowan and my business partner Mark Bruce have implemented extensive amounts of the renewable technologies in our own homes to gather real life information on them.

This allows us to test and develop the equipment to get best set and maximise efficiencies. Although these projects have gained us valuable knowledge and experience, they were based on existing properties so compromises had to be made due to existing building fabric etc.

Proposal for the development of Eco Demonstration property at Baintown Fife

The opportunity has arisen to procure a piece of land in Baintown, Fife that would be ideal to construct an eco-demonstration property to test, develop and showcase the current renewable energy technologies available. Alongside these technologies we would be able to utilise the most sustainable construction methods and materials to maximise the building efficiency and overall sustainability. Ideally we want to construct a building that shows how to achieve a net zero effect on the environment.

The property would be a family domestic dwelling, to give really life information and development of the installed technology. As part of the property we would like to incorporate a small office to support the testing and development of renewable technologies and incorporating them together. We would also like to give the business a base in Fife and promote the advancement of building standards in the area.

The building would aim to be a showcase that we could use to promote the cutting-edge construction methods, renewable technologies and integrating these together. We would like to be able to raise awareness in the local area on how these technologies can be implemented with the aim being to raise the standard of construction. We would promote the project by being part of the Green homes network. The Green Homes Network features more than 300 homes across Scotland, with homeowners who have installed renewable technologies at home such as heat pumps and solar panels and want to share their experiences.

Proposed technological innovations and development.

Combining renewable technologies

Although renewable technologies have been around for many years the implementation of these and the integration of them together is not always understood. We would propose to design install and test the following systems to the very highest standard to show how they can complement each other to give the property the highest efficiency, lowest running costs and very minimum environmental impact possible. Ongoing testing, monitoring and development of the installed equipment would give valuable data and experience. We would be able to produce case studies for both the council, government and end users to ensure standards are raised across the board.

The following technologies would be implemented and integrated together.

Air Source Heat Pump

A highly efficient air source heat pump to provide space heating and domestic hot water. Combined with underfloor heating this would be designed to operate at the highest efficiencies possible. Currently we have been able to achieve seasonal average efficiencies of 400%. Our aim with the latest equipment, careful design, setup and testing we would aim to get over 500%. This is possible as an air source heat pump extracts heat energy from the outside air at low temperature the transfers it to the building at higher usable temperatures using the refrigeration cycle. The electrical input is only required to run the refrigeration cycle and the heat energy is mostly transferred from the air. This electricity can be generated from renewable sources on site.



Solar Photovoltaic and battery storage system

A large Solar PV system would be installed to provide more than the total annual electricity consumption of the property. This would mean that the property would be producing more energy than it was consuming with the Net zero or better aim. Generated electricity would be able to operate the heating system and we would like to develop and test smart controls to integrate the two systems. This is an area that there has been little development in. Getting these technologies to integrate better would allow the heating system to operate and store heat when Solar energy is available that can be released when required.

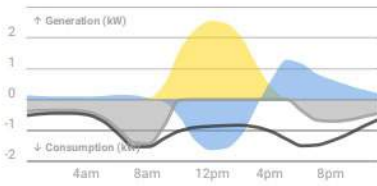
We currently have access to excellent Solar equipment that has extensive monitoring and data logging facilities. I would estimate that if we installed a 15Kw system then we could generate 191% of the annual electricity required for the property. Combined with a 35Kwh Battery storage system we could achieve over 90% Self independence from the grid.



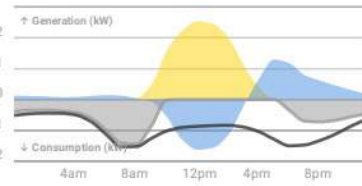
Daily Energy Flows

■ CONSUMPTION (kWh)
 ■ GENERATION (kWh)
 ■ BATTERY (kWh)
 ■ NET CONSUMPTION (kWh)
 ■ EXPORT TO GRID (kWh)

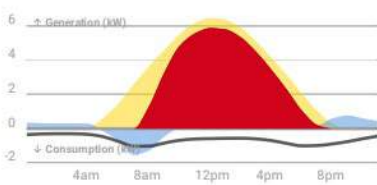
Winter Weekday



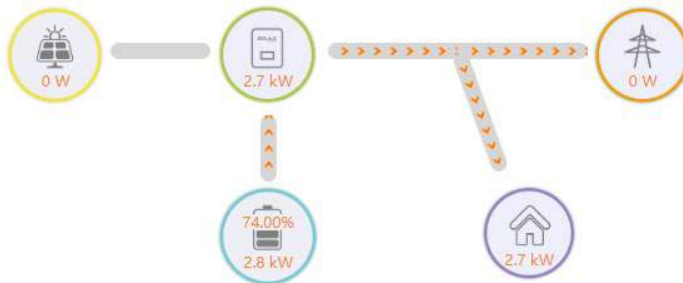
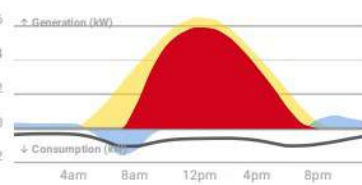
Winter Weekend



Summer Weekday



Summer Weekend



Solar Thermal water heating

Solar thermal systems can be used to provide domestic hot water production and supplement space heating at certain times. We have installed numerous solar thermal systems and they work very well. There is an opportunity to develop these systems further and integrate them better with renewable heating systems. Our idea is to install a 6Kw Solar thermal system to provide 60% of the annual hot water demand plus develop controls to increase the air source heat pump efficiency.



Agenda Item 4(4)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Representations

Comments for Planning Application 23/02345/PPP

Application Summary

Application Number: 23/02345/PPP

Address: Land East Of Kebroni Cottage Baintown Fife

Proposal: Planning Permission in Principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

Case Officer: Andy Taylor

Customer Details

Name: Mr Graham Webster

Address: The Wynd, Baintown, Leven, Fife KY8 5SJ

Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Hello,

Have lived in Baintown all my life and I'm nearly 50.

The planning application for dwelling house etc. is situated on a Right of Way. The Right of Way begins at the south end marked 'vehicle access' and travels due north, alongside the field boundary on the site plan, all the way down to the 'Back Burn'. Surely, one cannot build property on a Right of Way?

The K7 access route through Baintown is a busy road used by local residents, tractors, lorries, HGV's and walkers. The 'vehicle access' point on site plan is a bottleneck for traffic and pedestrians. There is no pavement near the site access.

Regards,

Graham.

Comments for Planning Application 23/02345/PPP

Application Summary

Application Number: 23/02345/PPP

Address: Land East Of Kebroni Cottage Baintown Fife

Proposal: Planning permission in principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

Case Officer: Andy Taylor

Customer Details

Name: Mr Graham Webster

Address: The Wynd, Baintown, Leven, Fife KY8 5SJ

Comment Details

Commenter Type: Neighbour Notified

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

Comment Reasons:

Comment: With this being listed as an eco building development, it would be a great opportunity to help 'Red listed' cavity nesting birds such as Swifts, House Sparrows and Starlings by incorporating S bricks into the fabric of the building.

Experience gained in a wide range of nest boxing projects has resulted in the simple and lightweight S Brick. Spanning a single course of bricks, the S Brick can either be retrofitted or seamlessly installed as part of the standard building process.

<https://www.actionforswifts.com/>

Regards,
Graham.

Comments for Planning Application 23/02345/PPP

Application Summary

Application Number: 23/02345/PPP

Address: Land East Of Kebroni Cottage Baintown Fife

Proposal: Planning permission in principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

Case Officer: Andy Taylor

Customer Details

Name: Mr Graham Webster

Address: The Wynd, Baintown, Leven, Fife KY8 5SJ

Comment Details

Commenter Type: Neighbour Notified

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

Comment Reasons:

Comment: Further information why it is a good ecological practice to incorporate Swift bricks the 'universal brick' into new builds.

- outline emerging evidence that integrated nest boxes, commonly known as 'swift bricks', are significantly more effective for sparrows than sparrow bricks and terraces, whilst also providing nesting opportunities for swifts and a range of other small birds;
- propose that swift bricks are specified as 'universal' nest bricks for small cavity-nesting birds;
- highlight the significant advantages of integrated nest bricks over external nest boxes;
- provide examples of good practice for the level of nest brick provision in new developments.

https://www.swift-conservation.org/universal_swift_nest_brick02.pdf

Laura Robertson

From: Dina Treit [REDACTED]
Sent: 19 September 2023 09:10
To: Development Central
Subject: Application No: 23/02345/PPP
Attachments: HGV sign.jpg

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.

Application No: 23/02345/PPP
Neighbour Notified
19th September 2023

Miss Dina Caira
Rie Achan
Baintown
Leven
Fife
KY8 5SJ

I am writing to object to the above application for the erection of dwelling house and garage including business use (Class 4).

Baintown is a small hamlet with limited road access, including the road section accessing the proposed development, which is currently a narrow no passing space area.

The mile or so stretch of road to access, exit and drive through Baintown cannot take two passing cars in most parts and in others requires the slow use of verges. The road can barely accommodate larger vans. Off street parking poses challenges for residents and potentially any emergency vehicles requiring immediate access.

It should be noted that Heavy Goods Vehicles are already discouraged hence the erection of the road sign showing (above), clearly stating 'Unsuitable for HGV's' which is erected at the very start of the main road.

The application seeks Class 4 business use which allows for offices, R&D, plus grants permission for light industry. It is unclear what this means for the site as there is no tangible information at this stage on daily site usage and associated activities, size of offices and how many people these would accommodate? Equally if deemed a light industry site – how many vehicles would access daily, what type and size of vehicles would be expected to enter and exit on a regular basis and is the site open for the public to access?

The building is described as a prototype, but this also brings risks in terms of failure of various first-time use of processes and is there potential for this to impact on the environment of other residents?

Additionally, there is no mention of the potential for noise pollution.

In summary the application poses real risks to children, dog walkers and visitors accessing the Pilgrim's Way, plus residents already coping with an increase in fast moving single traffic on a narrow and congested road.

Dina Caira

Sent from [Mail](#) for Windows

This email was scanned by Fife Council

Unsuitable
for H.G.V's

Comments for Planning Application 23/02345/PPP

Application Summary

Application Number: 23/02345/PPP

Address: Land East Of Kebroni Cottage Baintown Fife

Proposal: Planning permission in principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

Case Officer: Andy Taylor

Customer Details

Name: Mr andrew park

Address: Kirkstyle Cottage, Baintown, Leven, Fife KY8 5SJ

Comment Details

Commenter Type: Neighbour Notified

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Andrew Park

Baintown

Bonnybank

Kennoway

Leven

Re: 23/02345/PPP (online reference:100640512-001) in connection with a planning application by Mr Alistair McGowan for a development on land east of Kebroni Cottage, Baintown, Fife

Dear Sir/Madam,

I am writing to formally object to the planning application for the Erection of a detached low energy 'Eco demonstration' dwelling, a detached garage including an area dedicated for Class 4 business use + associated access, servicing + landscaping works on land east of Kebroni Cottage, Baintown, Fife, as indicated by the reference number 23/02345/PPP (online reference:100640512-001).

I have several concerns regarding this application, and I believe that the proposed business may have a negative impact on the local community and the surrounding area. These concerns are as follows:

1. Traffic Congestion: The proposed business is likely to generate increased traffic in the area, leading to congestion and potentially affecting the safety and convenience of pedestrians and other road users. This could have a detrimental effect on the quality of life for local residents.
2. Noise Pollution: Class 4 businesses often involve activities that produce noise, which can disrupt the peace and quiet of the neighborhood. It is essential that adequate noise control measures are in place to minimize any disturbance to nearby residents.

3. Loss of Residential Character: The local area is primarily residential, and the introduction of a commercial business may lead to a loss of the neighbourhood's residential character. This could have a negative impact on property values and community cohesion.
4. Environmental Impact: The proposed business may have environmental implications, including waste disposal, energy consumption, and potential harm to local wildlife. It is crucial that an environmental impact assessment is carried out to address these concerns.
5. Public Safety: Class 4 businesses, depending on their nature, may pose public safety risks. It is essential that the application demonstrates that safety measures have been taken into account and that any risks are minimized.
6. Parking Issues: The availability of parking spaces for the proposed business must be carefully considered to prevent on-street parking and associated issues.
7. On the application it says that the land is unused non-prime agricultural land which is wrong ,as its used for horse's and donkey's .There is also a right off way across this land to the well at the "back burn".

I kindly request that you take these concerns into account during your assessment of this planning application. I believe that it is essential for the local community's well-being that any potential negative impacts are minimized or mitigated.

I understand the need for economic development but strongly feel that it should not come at the expense of the quality of life and well-being of local residents. I hope that the local planning authority will consider these concerns seriously before making a final decision on this application.

Yours sincerely,

Andrew Park

Laura Robertson

From: Diane and Norrie [REDACTED]
Sent: 02 October 2023 13:19
To: Development Central
Subject: Objection to Planning Application 23/02345/PPP

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.

Application No: 23/02345/PPP

Address: Last east of Kebroni Cottage, Baintown, Fife

Objection to the above planning application.

This particular application is directly north of our property and is considered agricultural land. The 'Proposed Indicative Site Plan' does not show the driveways of the houses opposite the site, which has a real bearing on the entry/exit to it. The side of the road that this application is on is not considered as Baintown but as 'countryside' and we would strongly object to any light-industrial business being given permission within a hamlet in a countryside setting.

Baintown is a beautiful small hamlet with approximately 25 houses and has a very narrow road structure and in particular has a restricted width at the proposed site and other parts of the road with lots of vehicles having to mount the kerb to pass ongoing traffic or encroach into our driveway in order not have an accident. We feel that future levels of traffic generated by this proposal will increase significantly due its business use and the encouragement of visitors to the site.

We understand that the Baintown road is a U class road, legislation states that if a two-way road is used by pedestrians on a regular basis that there should be recognised footpaths, does Fife Council propose to install pavements within the village, as at present there are none for pedestrians? With the increase in traffic that this proposal will generate it will be an additional hazard to the residents, children, horse riders and dog walkers who use the road on a daily basis. The road is already experiencing an increase in fast moving traffic that is causing significant safety concerns to residents who share the same road space as vehicle users.

Another concern is that the Baintown road is unsuitable for HGV vehicles, as per signage at both entrances to the village, and if this application were granted would, without doubt, see larger vehicles coming into the village causing further safety issues, road traffic difficulties and congestion on a regular basis with no passing places.

Can the proposed travel plan be elaborated on, it states that due to the reduction in commuting between Fife and Angus, for the business owner, there will be a reduction in carbon emissions. Does this include all employees and visitors to the site, it cannot be guaranteed that they will all have electric cars, therefore increasing carbon emissions and noise pollution within the village. Electric cars cannot be heard by those walking on the road and once again poses a real safety hazard to residents.

There is a also a concern regarding the amount of vehicles entering and exiting this plot at such a narrow section of the road and opposite other driveways and wynds. How many vehicles are intended to be using the site on a daily basis?

There is a public access path that runs through the middle of the land, from the roadside to the 'back burn', which can and is still being used by residents of Baintown. Map available if required.

Can I ask for further clarification on the following:

- Will there be additional noise pollution on a regular basis whilst there is ongoing testing of various technologies?
- How will the construction of a semi-industrial business enhance the character and appearance of Baintown?
- How will increased traffic, to an already insufficient road, be monitored?
- How do they plan to include transport measures to minimise and manage future levels of traffic generated?
- Is the travel plan, with car sharing, for employees or visitors and can this be guaranteed in order to reduce pollution to the area?
- Due to the generated increase in traffic, and Baintown being a very narrow country road, with no pavements and restricted passing areas, how does Fife Council propose to safeguard the residents and users whilst they are using the same road as vehicles?
- I understand that legislation states that any two-way roads where people walk on a regular basis (every day in Baintown) that recognised footpaths are necessary.
- How will the owner ensure that the public access path, which runs through the site, will remain for the residents of Baintown to use?

On conclusion, Baintown is a beautiful small hamlet, with many home owners having lived in the village for a considerable length of time, whilst we don't wish to stand in the way of progress we don't believe that such a development is in keeping with the countryside and that the village does not lend itself to having a semi-industrial business within the immediate area. The Baintown road with the additional volume of traffic generated by the proposal poses a real safety concern, alongside additional noise pollution from traffic and business.

Norman & Diane Webster

This email was scanned by Fife Council

Kebroni Cottage
Baintown,
by Leven
Fife
KY8 5SJ

3rd October, 2023

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

Application Number 23/02345/PPP

Proposal Planning Permission in principle for erection of dwellinghouse and garage including business use (class 4) and associated Access and landscaping works.

Dear sir / madam,

in relation to land east of Kebroni Cottage, Baintown, By Leven, Fife, we the present owners and occupiers of aforementioned property lodge the following OBJECTION.

The objection consists of the following points: -

1. Increase of Traffic.
2. Traffic Pollution and Damage.
3. Safety of other road users.
4. Limitations of Village Infrastructure.
5. Countryside Planning Laws.
6. Residential and Commercial Properties being mixed.
7. Safety concerns from Testing Facilities.
8. Building on a Public Right of Way.
9. Building on a Residential Drainage.
10. Safety of existing Safety Facilities.

Increase of Traffic – The village has seen significant increase of Traffic over the past twenty years of our residence. This is not only the number vehicles which use the recently amended road from K to U classification, but the size of vehicles which are now regularly passing through. It is used by Agricultural vehicles & trailers, Combine Harvesters, Commercial Lorries articulated and fixed beds greater than 3.5 tonnes as well as Scottish Water traffic maintaining and filling the water tower which the village depends upon for their water supply and pressure. It is considered as a local short cut for cars, commercial delivery vans, works vans, motor cycles etc... all using the route at increased speeds and capacities. As the route is used yearly for organised cycle races, there is a high percentage of pelotons who use the route for training on.

Traffic Pollution and Damage - Due to the nature of when the village road was established it is extremely narrow in comparison to the surrounding roads, from which the short cutters join onto our only route of access. The road is very limiting to the present-day sizes of vehicles, as described previously, as it is approximately 12 feet wide in front of our home. This does not even afford two domestically used cars easy passage past each other in opposite directions. Due to this there is significant damage to the road's verges and front garden spaces like our own, where I already have road cones placed in an effort to limit such damage. The road constantly receives patching due to the increased volume and weight of the vehicles, with pot holes growing in depth and size at an alarming rate.

Safety of other road users – Due to the structure and layout of the originally quiet hamlet, and for those who now use the village road, there have been many near misses to other road users. The village road is used by a high proportion of local and surrounding areas residents for their general exercise and well-being, many walking of dogs, young families being walked in prams, young children cycling, joggers, adult cyclists in singles and many in larger peloton sized groups. As the village lies mainly within the countryside there is a high percentage of horses being exercised on the village road. As previously mentioned, the width of the road is approximately 12 feet wide with mainly no pavement facility which means that all other road users are forced to walk on the road which offers no protection from 'boy racers', irresponsible drivers of vehicles and the larger vehicles now constantly using the road. When visitors to dwellings arrive and park their cars on the carriageway there again is barely enough room to pass by in a domestically used car never mind the other road users and this has seen damage to parked cars in the street. We have also seen an increase in traffic from the Bonnybank Inn at the bottom of the road, as their parking facilities are not big enough for the volume of customers that frequent it. Double yellow lines have been marked in front of the restaurant, which now causes a large number of cars to be parked up on the verge and into Baintown on a regular basis. This is an accident waiting to happen, due to all the factors mentioned above. Adding another property for business use hugely increases the safety risk of all road user, including pedestrians because there is not sufficient width in the road to allow pavements.

Limitations of Village Infrastructure – the size of the village is presently limited to approximately 20 domestic dwellings. The village is limited in its civil amenities with only one side of the village being linked to mains drainage. There is no mains gas available and this was looked into about 15 years ago to connect from the mains in Bonnybank and run a supply up the village road, the cost was prohibitive for any of the residents to consider it financially viable. The telecommunication system has just been upgraded this month. Which has involved running overhead wires back and forth above the village road, which reduces the height of access for materials of new buildings without risk to the communications of the existing village residents. Allowing a commercial business to the village will have resource and capacity concerns for the infrastructure of the village. The width of the road very much restricts the use of the road and its users for deliveries to new builds, commercial premises. This results in the road being blocked for emergency response services and residents for long periods of time, which is a significant concern for public safety with there being no means of access.

Countryside Planning Laws – As the proposed business and residence will be sited on the country side of the village it will be subject to the Countryside Planning Laws. From memory it was extremely difficult to have a dwelling reinstated on the ruins of an existing building when I applied some 20 years ago. Unless the stringency and development on Green or Brown Land has been significantly reduced, I would expect to see the same stringency, size and general limitations on it being in keeping with the rest of the dwellings governed by these rules.

Residential and Commercial Properties being mixed – The countryside laws as I understand them, do not promote the mixing of residential and commercial premises. The very nature of the small quiet hamlet village and lifestyle is also not as I understand it promoted under the Green Belt or Brown Belt land development strategies.

Safety concerns from Testing Facilities – With the proposal stating clearly that the business side of this application is for a development and research facility using new technologies. It is extremely concerning from a neighbour's perspective to be living in their domestic residence beside such a business, with a testing facility just over the hedge. Every testing facility will come with its own risks, albeit noise pollution, increase volume of traffic or foot fall etc.... For this reason, clarity on limitations of business restrictions, methods of checking and enforcement, in relation to any pollution, the mental well-being and the health & safety for village residents and users must be given the up most priority.

Building on a Public Right of Way – There is a public access footpath that runs from the roadside, right through the middle of the proposed site, through the field behind and down to the well at the back burn. This footpath can still be used by residents of Baintown today and they have been seen to walk it regularly. Groups of ramblers using the other public rights of way coming through the village, have also been seen to use it. A proposed building, right on top of this public path, will not allow residents their right to continue using it. Map available if required.

Building on a Residential Drainage – As the property adjacent to the proposed site, we have drainage run away from our septic tank, which goes directly east from our property through the field and then north to meet with the drainage from Red Clouds and forms a soakaway. This was with direct agreement and through all the proper channels, with the existing landowner. Therefore, any proposed building on this site, raises huge concerns with regard to the safety of the existing drainage.

Safety of existing Safety Facilities – Directly in front of the proposed site is a fire hydrant, with a yellow fire hydrant sign. Due to the constant bumping up onto the grass verge because of the increased traffic and the width of the road not allowing enough room for two vehicles to pass, there is significant damage. The damage caused to the sign, which is now unseen, and the actual hydrant, poses huge safety risks for the whole village should it ever be needed. The addition of a business and increased volume of traffic, will only add to the danger already posed to any fire engine that ever needs to access the hydrant in an emergency.

In conclusion, residents live here because it promotes their own well-being, improves their mental health and they appreciate its peacefulness and beauty. Baintown is a lovely small village/hamlet which has become a victim of its own surroundings and I don't believe it lends itself to having a semi-industrial business within it. It has already surpassed its limits of road users and pedestrians, therefore the addition of a business that will add noise pollution, increase traffic, cause parking and access problems, will without doubt, cause really grave safety concerns for all the residents and users of the Village. For these reasons we wish to OBJECT to the planning application.

Yours faithfully,

Nigel & Kenna Orkney.

Comments for Planning Application 23/02345/PPP

Application Summary

Application Number: 23/02345/PPP

Address: Land East Of Kebroni Cottage Baintown Fife

Proposal: Planning permission in principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

Case Officer: Andy Taylor

Customer Details

Name: Mrs Annie Tanner

Address: Living Light, Baintown, Leven, Fife KY8 5SJ

Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment:1. This comment relates to the location and type of entrance/driveway. As the entrance to our property (Living Light, Baintown) is opposite the planned development, our interest is in the design, size and type of entrance for this. On the existing plan it gives the entrance as slightly set-off to the right of ours as we exit our property.

Baintown Road is narrow and has no footpath at that point. Our concern would be in allowing an adequate safe turning for cars and vans entering and exiting this proposed development and ours.

2. This comment relates to protecting the existing hedgerow and significant and varied local bird population along the roadway and existing boundaries. This includes; Great Tit, Yellow Wagtail, Wren, Robin, Yellowhammer, Bullfinch, Siskin, Chifchaff & Tree Sparrow.

3. This comment relates to road safety. The road is narrow throughout Baintown. People and their dogs regularly walk on the road as there is no path. We have seen an increase in vehicle traffic and speeds. This will further increase with the building works and a new business. Please consider implementing a 20mph speed limit for Baintown.

4. This comment related to services. Baintown experienced a significant drop in water pressure over a number of years. Though there has been significant work carried out by Scottish Water recently to rectify this, the concern is that current services will have further pressure upon them.

5. This comment relates to the poor condition of the tarmac roadway in and out of Baintown. Heavy vehicle traffic has already damaged the road and more construction work will make this worse.

Agenda Item 5(4)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Consultee Comments

Monday, 11 September 2023



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
www.scottishwater.co.uk



Dear Customer,

Land East Of Kebroni Cottage, Baintown, Fife, KY8 5SJ
Planning Ref: 23/02345/PPP
Our Ref: DSCAS-0094025-PN9
Proposal: Planning Permission in Principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Glenfarg Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ There is currently sufficient capacity for a foul only connection in the Levenmouth PFI Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
-

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the

development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Ruth Kerr.

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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

Planning Portfolio Internal Assessment Sheet

EPPS Team	Transportation Development Management
Application Ref Numbers:	23/02345/PPP
Application Description:	Planning Permission in Principle for erection of dwellinghouse and garage including business use (Class 4) and associated access and landscaping works - Land East Of Kebroni Cottage, Baintown
Date:	21st November 2023
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 This application is for Planning Permission in Principle for the erection of a dwelling house and garage including business use and associated access and landscaping work for land to the east of Kebroni Cottage, Baintown.
- 1.2 The proposed development is ouwith the Baintown settlement envelope. The speed limit on the road adjacent to this proposal is 30mph. Whilst there is street lighting on the public road there are no adjacent continuous footways throughout the settlement.
- 1.3 Turning to the proposed development, it should be noted that the details submitted do not define the number of bedrooms the residential development will have. There are also no details of the Class 4

business unit to allow the transportation impact of the proposal. These omissions do not allow a full parking assessment for the development to be carried out.

- 1.4 There would be a requirement for the vehicle access to be formalised by formation of a vehicular crossing point. No gates would be allowed unless set back from the edge of the public highway by at least 6m.
- 1.5 The visibility splay required for the development would be 2m x 60m, due to the number of dwellings served by the access and its location within a 30mph limit.

2.0 CONCLUSIONS

- 2.1 Transportation Development Management would require more information on the proposal to be able to fully respond to this application.

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.

Signed by Stuart Goodfellow, Transportation Development Management Coordinator

Date: 21st November 2023

E-mail: stuart.goodfellow@fife.gov.uk

Number: 03451 555555 extension 450442

Agenda Item 4(6)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Further Representations

From: [REDACTED]
To: [Michelle McDermott](mailto:Michelle.McDermott@fife.gov.uk)
Subject: RE: Application Ref. 23/02345/PPP - Land east of Kebroni Cottage, Baintown, Leven
Date: 03 April 2024 12:38:43
Attachments: [23_02345_PPP-DINA_CAIRA-3596437.pdf](#)

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

Dear Michelle

Further to your email regarding the above.

I am astonished that the applicant would make another application for a review of the original decision by the Fife Planning Review Body.

I also attach my original objection letter for your attention and also to make you aware that my original decision still stands.

Please look closely to all aspects for this refusal in the first instance as all statements from neighbours remains the same.

I myself have experienced more congestion outside my house as at present work to my property is being carried out by contractors and notice there seems to be a build up off traffic for passing if same is parked outside my house. What would happen if there was an entrance opposite to mine? Double congestion?

Also may I reiterate once again on the speed limit for this road. HGV drivers choose to ignore this sign completely. At some point can this please be taken up with Fife Council before a tragic accident occurs?

Yours sincerely
Dina Caira
Rie Achan

Sent from [Mail](#) for Windows

From: Michelle McDermott <Michelle.McDermott@fife.gov.uk>
Sent: Friday, March 29, 2024 10:14:21 AM
To: Michelle McDermott <Michelle.McDermott@fife.gov.uk>
Subject: Application Ref. 23/02345/PPP - Land east of Kebroni Cottage, Baintown, Leven

Town & Country Planning (Scotland) Act 1997
The Town & Country Planning (Schemes of Delegation & Local Review

Procedure) (Scotland) Regulations 2013

I refer to the above application, details of which are set out below.

A copy of the Council's Decision Notice in relation to this application is enclosed for your assistance. However, in response to that decision, the applicant has made an application for a review of that decision by the Fife Planning Review Body. This is a process brought in by the above legislation to enable applicants dissatisfied with a decision of the Planning Authority to ask for it to be reviewed.

In accordance with the Regulations, I am writing to you to ask if you wish to make any further representations in relation to the review of the original decision. The Review Body will be given copies of your original representations.

If you do wish to do so, you have fourteen days from the date of this notice to make such representations and should do this by sending your comments in writing to me.

The applicant will then be sent a copy of these representations and will then be entitled to make comments on those representations which will also be placed before the Local Review Body when it considers the review.

Please note that all documentation in relation to this review, including any representations you may make, will be placed online at www.fife.gov.uk/planning.

A copy of the Notice of Review and other documents related to the review can be viewed online as above.

If you have any queries in relation to the procedure, or anything else, please do not hesitate to contact me.

Yours sincerely,

Michelle McDermott,
Committee Officer.

Michelle McDermott
Committee Officer
Legal and Democratic Services
Fife Council
Fife House, North Street,
Glenrothes, Fife, KY7 5LT
Email: michelle.mcdermott@fife.gov.uk

I am currently working from home

I can be contacted by email at michelle.mcdermott@fife.gov.uk

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www.fife.gov.uk/privacy

Fife Council

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From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Re: Application Ref. 23/02345/PPP - Land east of Kebroni Cottage, Baintown, Leven
Date: 11 April 2024 16:37:22

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Hi Michelle

Thank you for your email regarding the Review of the above Application.

We objected to the above application, as detailed in our correspondence of 2 October 2023, and fully support the decision of Fife Council Planning Department to refuse the application.

We feel strongly that the planning department's findings, some of which are listed below, are fully justified on all aspects:

- The site doesn't lie within any defined settlement boundary and is not on any allocated Local Development Plan.
- It doesn't fully meet any of the housing/development in the countryside policy criteria.
- There are no, and has never been, any redundant or unused buildings on the site.
- This application does not justify a countryside location to demonstrate the eco-credentials and fails to protect the overall landscape and environmental quality of the area.
- Applicant states that it will be a test/research project but it will used as a normal family dwelling house. The applicant's justification statement doesn't provide evidence that one dwelling meets the requirements in relation to low carbon technologies.
- To be managed by a trust, co-operative, housing association, or similar but this application is for a single property with no other interested parties.
- There has been no engagement with the local community regarding this proposed development.
- The principle for a resident development in our village is not considered fully justified and would be contrary to related development plan policies.

Kind regards

Norman & Diane Webster

From: [REDACTED]
To: [Michelle McDermott](#)
Subject: Application Ref. 23/02345/PPP - Land east of Kebroni Cottage, Baintown, Leven
Date: 11 April 2024 17:00:57

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FAO Michelle McDermott
Committee Officer
Legal and Democratic Services
Fife Council

From Nigel & Kenna Orkney, Kebroni Cottage, Baintown, Leven, Fife KY8 5SJ

We refer to the above application, where the applicant has made an application for a review of the decision by the Fife Planning Review Body.

As well as our initial information not supporting the initial application, we wish to make further representations in relation to the review of the original decision, embodied within Review of Planning Application 23/02345/PPP

We objected to the above application, as detailed in our correspondence of 3 October 2023, and continue to fully support the decision of Fife Council Planning Department to REFUSE the application.

- The site doesn't lie within any defined settlement boundary and is not on any allocated Local Development Plan.
- It doesn't fully meet any of the housing / development in the countryside policy criteria.
- There are no, and has never been, any redundant or unused buildings on the site.
- This application does not justify a countryside location to demonstrate the eco-credentials and fails to protect the overall landscape and environmental quality of the area.
- Applicant states that it will be a test / research project but it will be primarily used as a normal family dwelling house. The applicant's justification statement doesn't provide evidence that one dwelling meets the requirements in relation to low carbon technologies.
- It does not state it is to be managed by a trust, co-operative, housing association, or similar indicating again that this application is for a

dwelling house property with no other interested parties, with only a garage office being dedicated to an 'ECO project'. • There has been NO ENGAGEMENT with ourselves or the local community regarding this proposed development. • The principle for a residential development in our village is not considered fully justified and would be contrary to related development plan policies. It does not appear from initial drawings to be in keeping with the architectural make up of the existing village, an issue which was very much to the fore with our application to build upon an existing ruin when permission was sought for Kebroni Cottage. • Contrary to the application, THERE IS A DOCUMENTED 'public access path' through the proposed site, (not adjacent) as seen on the plan submitted by the applicant, but on an old map of Baintown Village.

We welcome the opportunity to add, that Fife Planning have previously stated that there was to be NO MORE DEVELOPMENT or BUILDING in the village of Baintown, as the infrastructure could not sustain any more facilities.

We have attached photographs, taken just the other day, directly in front of the proposed access point to the proposed to new build. It highlights complete chaos and subsequent damage caused to the verge and kerb, when one truck stops for less than 2 or 3 minutes to try and repair the roadway pot holes.

You can also see the damage to the fire hydrant caused previously, making it extremely difficult to find, should a fire engine require access to this essential facility for the village. During this blockage, we had a further four cars reverse into our drive, and drives of other residents so they could turn around to go back in the other direction. This is something that happens on a continuous basis, as the width of the carriageway is no more than approximately 12 feet, and a modern day small vehicle cannot attempt a 3 point turn without causing damage, let alone a larger vehicle.

In conclusion we and the planning department, believe that it is correct in refusing the application on the grounds that there is no justified reason that the proposed building should be on this site, and this supported by the policies that Mr Taylor previously stated.







From: [REDACTED]
To: [Michelle McDermott](#)
Cc: [REDACTED]
Subject: Review off planning decision 23/02345/PPP
Date: 11 April 2024 18:31:35
Attachments: [23_02345_PPP-MR_ANDREW_PARK_FULL_-3607696.pdf](#)

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

Hi Michelle

Further to your letter regarding that the applicant has applied for a review of fife plannings decision to Refuse his application .

We objected to the application in October 2023 and fully support the planning decision to REFUSE his application .

This application doesn't justify a countryside location .

Eco houses or test facility's can be built in city's or towns

Just because they would have access to water mains, power grid and sewer connections in towns and city's doesn't mean that they have to use them if they so desire to go the eco route in a town or city.

Also fife planning previous stated that there will be no more development in Baintown

The proposed site doesn't lie within any defined settlement boundary

There's no justification that the proposed building should be built on this green belt

The applicant states that it will be a test and research project .

I would have thought that most new technology's ie solar panels, heat pumps, ground heat source pumps, new types of insulation etc would have been tested prior to them being sold to the build trades for installing into eco houses

So why would he have to test the products that would already have been tested in the research and development process when they were designed then manufactured

We fully support the planning departments decision to REFUSE the application

I have also attached our previous objection letter for reference

Your sincerely

Andrew Park.

Agenda Item 4(7)

**Land East of Kebroni Cottage, Baintown, Leven
Application No. 23/02345/PPP**

Response to Further Representations

From: [Gillian + Stewart](#)
To: [Michelle McDermott](#)
Subject: Re: Application Ref. 23/02345/PPP - Land east of Kebroni Cottage, Baintown, Leven
Date: 22 April 2024 19:16:06
Attachments: [23_02345_PPP_Site_photographs.pdf](#)

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.

Good evening Mrs McDermott,

23/02345/PPP

We acknowledge receipt of your emails, 11 April + 16 April 2024, forwarding the comments received from the local residents in response to our Application for Notice of Review, 23/02345/PPP.

For the purposes of the Local Review Body we would like to respond as follows:

As per the Hierarchy of Developments, our Application for Planning Permission is categorised as Local Development therefore there is no need to formally engage/ consult with the local community in regard to our proposal. Although this is not a formal requirement, should any local residents have any positive or constructive feedback to input into the design process, our client/ the applicant and ourselves would be more than happy to sit down with them to discuss.

We agree that the application site lies outwith the defined settlement boundary of Baintown but would note that the FIFEplan Local Development Plan allows for development in the countryside via Policy 7 Development in the countryside + Policy 8 Houses in the countryside.

We propose an eco-demonstration project that meets with the requirements of item 9 of Policy 8; our proposed development will be carbon negative in that it will generate more energy than it will use with any excess energy either stored on site for later use or fed back into the National Grid for use by others.

The low carbon renewable energy technologies proposed are tried and tested and are readily available on the open market but they are in the most part retrofitted with little thought to existing buildings where they don't achieve anywhere near optimum energy efficiency. Our proposal allows our client/ the applicant to take a holistic approach to sustainable development; the proposal will not only focus on the energy generating technologies included but also allow for the thermal envelope of the building fabric to be considered, the orientation of the building to be considered, solar gain to be factored in, energy storage and heat recovery to be considered etc etc.

A remote slightly elevated south facing countryside site is perfect for such a proposal as there are far fewer variables outwith our control that our client/ the applicant needs to consider when analysing the data generated from the completed dwelling. We agree, an eco-demonstration project could be constructed on either an urban or suburban site but that is not the proposal subject of our Application for Planning Permission/ Notice of Review.

Post our Application for Planning Permission being submitted, 24 August 2023, and determined, 19 December 2023; Scotland has recently updated the building standards and has introduced a New Build Heat Standard that prohibits new buildings incorporating

direct emission/ polluting heating systems such as oil, gas and bioenergy boilers. There is now an ever greater need for the technologies we propose to install to be better understood in real world installations specifically in the Scottish climate in order to improve their overall energy efficiency.

During the determination of our Application for Planning Permission, the planning authority agreed in their Report of Handling that the application site forms surplus non-prime agricultural land; any development on the application site would not have a detrimental impact on either the natural or built environment of the settlement or the character or appearance of it. We would suggest that the proposal will actually enhance the character and appearance of the settlement; our proposal will be high quality in design and will be constructed in a palette of materials that respect and compliment the local built environment. See the attached photographs from the site for your information.

The Roads team have yet to be consulted in regard to our proposal but should they have any requirements or suggestions to improve road safety immediately adjacent to the application site or the access to the application site, our client/ the applicant is more than willing to comply. Should the Roads team agree, our client/ the applicant is also willing to sacrifice some of the land parallel to the road to allow a passing place to be formed to alleviate some of the occasional traffic congestion. As we're sure you are aware, unfortunately it is outwith the control of our client/ the applicant to control the behaviour of motorists driving through the settlement of Baintown therefore the traffic issues experienced by the local resident cannot be considered as a valid matter in regard to our Notice of Review.

Further to our own research and after our client/ the applicants legal representatives reviewing the Title for the land, we have uncovered no note or evidence of a public access path/ right of way on or over the land.

We appreciate that the local residents are concerned with our proposal/ any change to their outlook and the potential short term disruption to the settlement but we strongly believe that our proposal will make a positive contribution to the character and appearance of the built environment of Baintown whilst respecting the natural environment and countryside landscape.

In a week where the Scottish Government had to amend their climate change emissions targets for reasons outwith their control, disregarding our proposal for a carbon negative eco-demonstration project in our view would cast further doubt into the seriousness of our ambitions as a nation to reduce our greenhouse gas emissions from the construction sector. Change is inevitable if we want to protect the environment for the enjoyment of future generations.

We look forward to hearing from you.

Gillian Anthony + Stewart Robertson

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Agenda Item 5(1)

**Cadham Service Station, Cadham Road,
Glenrothes, KY7 6PE**

Application No. 23/02396/FULL

Planning Decision Notice

Padrino Design
Dominic Notarangelo
The Wright Business Centre
1 Lonmay Road
Glasgow
Scotland
G33 4EL

Planning Services

Brian Forsyth

development.central@fife.gov.uk

Your Ref:

Our Ref: 23/02396/FULL

Date 19th January 2024

Dear Sir/Madam

Application No: 23/02396/FULL
Proposal: Erection of tyre fitting facility (Class 5)
Address: Cadham Service Station Cadham Road Glenrothes Fife KY7 6PE

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

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

Yours faithfully,

Brian Forsyth, Planner, Development Management

Enc



DECISION NOTICE FULL PLANNING PERMISSION

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

Application No: 23/02396/FULL
Proposal: Erection of tyre fitting facility (Class 5)
Address: Cadham Service Station Cadham Road Glenrothes Fife KY7 6PE

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/02396/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of pedestrian and road safety; the applicant having failed to submit requested details demonstrating satisfactory on-site parking provision; in any event, it expected that there would be a lack of parking and associated manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety near a busy junction with a trunk road; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 3: Infrastructure and Services and the adopted Making Fife's Places Supplementary Guidance (2018).
2. In the interests of residential amenity; it being likely that the development would give rise to significant adverse impact on residential amenity from noise, the applicant having failed to submit the requested noise impact assessment report to demonstrate otherwise; the development therefore standing to be considered contrary to adopted National Planning Framework 4 (2023) Policies 14 Design, Quality and Place, 23 Health and Safety and 26 Business and Industry, Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017), and Fife Council's Policy for Development and Noise 2021.
3. In the interests of surface stability and public safety; the applicant having failed to submit the requested coal mining risk assessment or equivalent report in respect of the development, being development in a Development High Risk Area in terms of the risk-based approach to development management agreed with the Coal Authority; the development therefore standing to be considered contrary to Policy 14 Design, Quality and Place of the adopted National Planning Framework 4 (2023) and Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

Dated: 19th January 2024

Derek Simpson

For Head of Planning Services

PLANS

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

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

Dated:19th January 2024

Derek Simpson

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT**

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

LAND NOT CAPABLE OF BENEFICIAL USE

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

Agenda Item 5(2)

**Cadham Service Station, Cadham Road,
Glenrothes, KY7 6PE
Application No. 23/02396/FULL**

Report of Handling

REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	Cadham Service Station, Cadham Road, Glenrothes		
PROPOSAL	Erection of tyre fitting facility (Class 5)		
DATE VALID	21/11/2023	PUBLICITY EXPIRY DATE	05/01/2024
CASE OFFICER	Brian Forsyth	SITE VISIT	None
WARD	Glenrothes North, Leslie And Markinch	REPORT DATE	16/01/2024

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

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

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

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

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

1.0 BACKGROUND

1.1 The application site relates to an approximately 824 square metres car wash and valeting premises adjoining the south-west side of the junction of Cadham Road and the A92 trunk road, within the defined settlement boundary for Glenrothes in terms of FIFEplan. Across the A92 to the east is woodland and pasture land. Adjoining to the north is Cadham Road and to the west a public footpath, with houses immediately on the other side of each. Immediately to the south is land currently being developed for housing (FIFEplan ref. GLE004, planning permission ref. 18/01756/EIA and 21/00508/ARC). The premises were previously used as a petrol filling station, the canopy and building associated with that use continuing in service of the current use. The site is within a Development High Risk Area for statutory Coal Authority consultation purposes.

1.2 Full planning permission is sought for erection of a building on the western edge of the site, between the existing building and the adjoining footpath to the west, to be used for tyre fitting (Class 5). The proposed building is industrial in style with a shallow pitched roof, finished in grey metal profiled sheeting. It would be 9.45m long, 6.38m wide, and 5.2m high, being shown sufficient to accommodate two cars, and incorporating a roller shutter door.

1.3 The following relevant site history is listed in the Council's electronic register:

- 03/02850/CFULL Change of use of petrol filling station to car wash facility (retention of sales kiosk Class 1 retail). Permitted with conditions on 11 November 2003.
- 04/01035/CFULL Reposition site access, increase boundary fence to 2.4 metres high and erect new storage unit. Permitted with conditions on 5 November 2008.

1.4 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal. Online aerial/satellite and street imagery provide good coverage of the site.

2.0 ASSESSMENT

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

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

2.2 Principle of Development

2.2.1 FIFEplan Policy 1: Development Principles supports the principle of development within a defined settlement boundary, such as is the case here, where it is compliant with the policies for the location. In the absence of any such policies for the location, the proposal is considered to accord with the provisions of FIFEplan relating to the principle of development.

2.2.2 NPF4 Policy 26 Business and Industry states that proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where it is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit. Although the proposal is for a general industrial use outwith an area identified for such uses in FIFEplan, it is considered that the small scale nature of the proposed use, complementary to the existing lawful use, is such that the proposal can be considered acceptable in terms of the provisions of NPF4 policy relating to the principle of development.

2.2.3 The overall acceptability of the proposal remains subject to proving acceptable in terms of the below provisions of policy and guidance.

2.3 Design/Visual Impact

2.3.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the qualities of successful places, including 'pleasant', will not be supported.

2.3.2 FIFEplan Policy 1: Development Principles states that the individual and cumulative impacts of development proposals are to be addressed by complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with Policy 10: Amenity. Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to, amongst other things, the visual impact of the development on the surrounding area. Making Fife's Places Supplementary Guidance (2018) is also relevant here.

2.3.3 The existing premises are starkly commercial in character and not especially of quality visually. In this context, and noting that the proposed building would be no higher than and set no further forward towards Cadham Road than the existing building on site, it is not considered that the proposal would give rise to any significant detrimental impact on the character and appearance of the streetscene, according with the above provisions of policy and guidance in relation to design/visual impact.

2.4 Residential Amenity

2.4.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are detrimental to the amenity of the surrounding area, or inconsistent with the relevant qualities of successful places, including 'pleasant' (including designing for mitigation against noise) will not be supported. Policy 23 Health and Safety states that proposals that are likely to raise unacceptable noise issues will not be supported; a Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. Policy 26 Business and Industry states that such proposals will only be supported where the nature and scale of the activity will be compatible with the surrounding area.

2.4.2 FIFEplan Policy 1: Development Principles requires that the individual and cumulative impacts of development proposals are addressed by complying with relevant criteria and supporting policies, including safeguarding the amenity of the local community and complying with Policy 10: Amenity. Policy 10 only supports development if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to, amongst other things, noise. Fife Council's Policy for Development and Noise 2021 is also relevant here.

2.4.3 The Council's Environmental Health (Public Protection) team (EH(PP)) has indicated in informal discussions with the case officer that it is unlikely they would find themselves able to support the use proposed because of the very likely noise impacts on existing and approved (but as yet unbuilt) housing in the vicinity of the site. The team considered it unlikely a noise impact assessment would satisfy without a commitment to extensive attenuation measures. This advice was communicated to agent, requesting a noise impact assessment report by 9 January 2024 or such extended period as may be agreed. Despite extending the period for submission of the report until 15 January 2024, no such report has been received.

2.4.4 Objections have been received from three parties, expressing concern in relation to residential amenity.

2.4.5 In the absence of a satisfactory noise impact assessment report, and taking into account the advice of EH(PP), the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to residential amenity.

2.5 Road Safety/Transportation

2.5.1 FIFEplan Policy 1: Development Principles states that the individual and cumulative impacts of development proposals are to be addressed by complying with relevant criteria and supporting policies, where relevant, including mitigating against the loss in infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner; where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services, including local transport and safe access routes. Appendix G Transportation Development Guidelines of Fife Council's Making Fife's Places Supplementary Guidance (2018) is also relevant here.

2.5.2 Planning Services Transportation Development Management team's (TDM) holding response stated that the proposal was unlikely to be acceptable to the team, but asked that details be submitted showing proposed customer and staff parking provision for consideration. The agent was asked to submit this information by 15 January 2024 but failed to do so. In any event, TDM has submitted a final response stating it is expected that there would be a lack of parking and manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety. Transport Scotland do not propose to advise against the grant of planning permission.

2.5.3 Objections have been received from three parties, expressing concern in relation to impacts on road safety.

2.5.4 In the absence of the requested further information, and taking into account the views of TDM, the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to road safety/transportation.

2.6 Ground Conditions

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

2.6.2 The site is within a Development High Risk Area for Coal Authority statutory consultation purposes. The agent was asked to submit a coal mining risk assessment (CMRA) at the validation stage but declined to do so. In the absence of a CMRA, the Coal Authority objected to the grant of planning permission, raising fundamental concern and asking for a coal mining risk assessment be submitted. The case officer then asked the agent to submit a CMRA before 8 January 2024, extended to by 15 January 2024, but has declined to do so, instead explaining that he intended challenging the need for a CMRA with the Coal Authority.

2.6.3 The Council's Land and Air Quality Team (L&AQ) notes that the site was formerly a petrol filling station and raises no objection subject to the standard condition formerly coded LQC3, to ensure any unforeseen contamination issues are suitably addressed.

2.6.4 In the absence of a satisfactory CMRA, and taking into account the views of EH(PP), the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to ground conditions.

2.7 Flood Risk and Water Management

2.7.1 NPF4 Policy 22 Flood Risk and Water Management states proposals at risk of flooding or in a flood risk area will only be supported in very particular circumstances; will not increase the risk of surface water flooding to others, or itself be at risk, managing all rain and surface water through sustainable urban drainage systems (SuDS); should presume no surface water connection to the combined sewer; and seek to minimise the area of impermeable surface. It is required to be demonstrated that the development would remain safe and operational during floods and that flood resistant and resilient materials and construction methods are used. Proposals will be supported if they can connect to the public water mains. NPF4 Policies 1 Tackling the Climate and Nature Crises and 2 Climate Mitigation and Adaptation are also relevant here.

2.7.2 FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 adds that development must be designed and implemented in

a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, foul and surface water drainage, including SuDS. FIFEplan Policy 12: Flooding and the Water Environment adds that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively, amongst other things, detrimentally impact on ecological quality of the water environment. The Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) is also relevant here, requiring the submission of drainage information as set out in Appendix 8.

2.7.3 The site is not shown in an area subject to flood risk in the Scottish Environment Protection Agency (SEPA) flood maps. Scottish Water raises no objection, does not indicate any issue in terms of access to a public water supply, but states it will not accept any surface water connections to the combined sewer system. The Council's Flooding, Shoreline & Harbours team has not provided a consultation response.

2.7.4 Taking into account the views of Scottish Water, noting that the site does not fall within an area identified as at risk of flooding in the SEPA flood maps, and notwithstanding the lack of a consultation response from Flooding, Shoreline & Harbours, it is considered that the proposal is acceptable in terms of the above provisions of policy and guidance relating to flood risk and water management, the proposed extension being modest in scale and unlikely to give rise to flood risk or water management issues. Management of surface water in this context can confidently be left for consideration under the Building (Scotland) Acts.

CONSULTATION RESPONSES

Scottish Water	No objection.
Structural Services - Flooding, Shoreline And Harbours	No response.
The Coal Authority	Objection, requesting CMRA.
TDM, Planning Services	Objection.
Land And Air Quality, Protective Services	No objection subject to standard condition formerly coded LQC3, relating to unforeseen contamination.
Transport Scotland	Do not propose to advise against the grant of planning permission.

REPRESENTATIONS

Objections have been received from three parties, expressing concern in relation to impacts on road safety and residential amenity. These issues are addressed above in the main body of the report. One of the objectors raises concern in relation to potential devaluation of his home, which is not a material planning consideration.

CONCLUSION

The development is acceptable in terms of the provisions of policy and guidance relating to the principle of development and flood risk and water management. The development accords with the provisions of policy and guidance relating to design/visual impact. In the absence of the requested further information, the development stands to be considered contrary to the provisions of policy and guidance relating to residential amenity, road safety/transportation and ground conditions. In the absence of the requested information, the development stands to be considered contrary to the development plan overall, with no material considerations of sufficient weight to justify departing therefrom.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of pedestrian and road safety; the applicant having failed to submit requested details demonstrating satisfactory on-site parking provision; in any event, it expected that there would be a lack of parking and associated manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety near a busy junction with a trunk road; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 3: Infrastructure and Services and the adopted Making Fife's Places Supplementary Guidance (2018).
2. In the interests of residential amenity; it being likely that the development would give rise to significant adverse impact on residential amenity from noise, the applicant having failed to submit the requested noise impact assessment report to demonstrate otherwise; the development therefore standing to be considered contrary to adopted National Planning Framework 4 (2023) Policies 14 Design, Quality and Place, 23 Health and Safety and 26 Business and Industry, Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017), and Fife Council's Policy for Development and Noise 2021.
3. In the interests of surface stability and public safety; the applicant having failed to submit the requested coal mining risk assessment or equivalent report in respect of the development, being development in a Development High Risk Area in terms of the risk-based approach to development management agreed with the Coal Authority; the development therefore standing to be considered contrary to Policy 14 Design, Quality and Place of the adopted National Planning Framework 4 (2023) and Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan

Adopted National Planning Framework 4 (2023)

Adopted FIFEplan Fife Local Development Plan (2017)

Adopted Making Fife's Places Supplementary Guidance (2018)

Other

Fife Council Policy for Development and Noise 2021

Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017)

Agenda Item 5(3)

**Cadham Service Station, Cadham Road,
Glenrothes, KY7 6PE**

Application No. 23/02396/FULL

Notice of Review



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100641197-005

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:	Padrino Design		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Dominic	Building Name:	The Wright Business Centre
Last Name: *	Notarangelo	Building Number:	1
Telephone Number: *	0141 762 2000	Address 1 (Street): *	Lonmay Road
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Glasgow
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	G33 4EL
Email Address: *	Dominic@padrino.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both:	
Other Title:	<input type="text"/>	* Building Name:	<input type="text" value="per Padrino Design"/>
First Name: *	<input type="text" value="Nihad"/>	Building Number:	<input type="text" value="1"/>
Last Name: *	<input type="text" value="Azizi"/>	Address 1 (Street): *	<input type="text" value="The Wright Business Centre"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Lonmay Road"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G33 4EL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

Site Address Details

Planning Authority:	<input type="text" value="Fife Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="CADHAM SERVICE STATION"/>
Address 2:	<input type="text" value="CADHAM ROAD"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="GLENROTHES"/>
Post Code:	<input type="text" value="KY7 6PE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="702012"/>	Easting	<input type="text" value="328096"/>
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Description of Proposal

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

Erection of a metal fabricated, unheated commercial building to be used as a tyre centre Operating 7 days per week from 0900 to 18.00 hrs

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.

Please refer to attached Statement of Appeal and supporting documents

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

Yes 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)

Doc 1 Application form Doc1A Application form (Additions) Doc 2 Locality and Block Plans Doc 3 Plans as Existing and Proposed Doc 4 Elevations as Existing and Proposed Doc 5 Tyre changing Machine details Doc 6 Wheel balancing machine details Doc 7 Decision Notice Doc 8 Report of handling

Application Details

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

23/02396/FULL

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

29/08/2023

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

19/01/2024

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 Dominic Notarangelo

Declaration Date: 10/04/2024

Planning Appeal
Refusal of Application

23/02396/FULL

Cadham Service Station
Cadham Road
Glenrothes KY7 6PE

PADRINO DESIGN

The Wright Business Centre

1 Lonmay Road

Glasgow G33 4EL

t. 0141 762 2000

f. 0141 762 2001

w. www.padrino.co.uk

The application site is a former petrol filling station on the west side of the A92 before the junction with Cadham Road.

At the time of the application, 30/8/2023 the building had been used as a car wash for a period of 20 years, This is confirmed in the Report of Handling (Doc 8)

The application was for the Erection of a metal fabricated, unheated commercial building to be used as a tyre centre Operating 7 days per week from 0900 to 18.00 hrs (Doc 1 & Doc 1A). As there was no requirement for a change of use application and as can be seen from the submitted plans (Doc 3) there is currently a steel container and are of hardstanding for vehicle maintenance on the part of the site in question. Tyre servicing can take place in this area with the equipment (Doc's 5 and 6) being stored in the container. Accordingly he building is an, unheated, umbrella to an existing hard surfaced area.

Turning to the reasons for refusal we would respond as follows.

Reason

1. In the interests of pedestrian and road safety; the applicant having failed to submit requested details demonstrating satisfactory on-site parking provision; in any event, it expected that there would be a lack of parking and associated manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety near a busy junction with a trunk road; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 3: Infrastructure and Services and the adopted Making Fife's Places Supplementary Guidance (2018).

Response

As stated above this is not a change of use application. As the Report of handing (Doc8) advises the assessment was made as a desktop exercise and it would have been more appropriate to make the assessment on site particularly as the building is an, unheated, umbrella

Reason

2. In the interests of residential amenity; it being likely that the development would give rise to significant adverse impact on residential amenity from noise, the applicant having failed to submit the requested noise impact assessment report to demonstrate otherwise; the development therefore standing to be considered contrary to adopted National Planning Framework 4 (2023) Policies 14 Design, Quality and Place, 23 Health and Safety and 26 Business and Industry, Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017), and Fife Council's Policy for Development and Noise 2021.

Response

As stated above there is no change of use element as part of this proposal and the proposed structure is simply an umbrella. As can be seen from the plans (Doc 3) there is no compressor proposed within the structure which would have been the man noise source. However this could have been dealt with by condition.

Reason

3. In the interests of surface stability and public safety; the applicant having failed to submit the requested coal mining risk assessment or equivalent report in respect of the development, being development in a Development High Risk Area in terms of the riskbased approach to development management agreed with the Coal Authority; the development therefore standing to be considered contrary to Policy 14 Design, Quality and Place of the adopted National Planning Framework 4 (2023) and Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017)

Response

As detailed in the Report of handling the application site is a former petrol station which would have had, substantial, universally distributed loads from both the fuel filled underground storage tanks and the rolling loads imposed by the movement of road fuel tankers on the site. This would not have been possible had there been any mine workings below the site. In the case that this remains an area of concern there are standard conditions around submitting an assessment before works commence on site.

Summary..

The three reasons for refusal all relate to matters that could have been dealt with by conditions which is more appropriate now that planning legislation imposes charges for the purification of conditions. Clearly there are no material planning objections (as covered in the Report of Handling, per Doc 8, and on that basis it should be possible to uphold this appeal subject to conditions.

List of Supporting Documents.

- Doc 1 Application form
- Doc1A Application form (Additions)
- Doc 2 Locality and Block Plans
- Doc 3 Plans as Existing and Proposed
- Doc 4 Elevations as Existing and Proposed
- Doc 5 Tyre changing Machine details
- Doc 6 Wheel balancing machine details
- Doc 7 Decision Notice
- Doc 8 Report of handling

Padrino Design
Dominic Notarangelo
The Wright Business Centre
1 Lonmay Road
Glasgow
Scotland
G33 4EL

Planning Services

Brian Forsyth

development.central@fife.gov.uk

Your Ref:

Our Ref: 23/02396/FULL

Date 19th January 2024

Dear Sir/Madam

Application No: 23/02396/FULL
Proposal: Erection of tyre fitting facility (Class 5)
Address: Cadham Service Station Cadham Road Glenrothes Fife KY7 6PE

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

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

Yours faithfully,

Brian Forsyth, Planner, Development Management

Enc



DECISION NOTICE FULL PLANNING PERMISSION

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

Application No: 23/02396/FULL
Proposal: Erection of tyre fitting facility (Class 5)
Address: Cadham Service Station Cadham Road Glenrothes Fife KY7 6PE

The plans and any other submissions which form part of this Decision notice are as shown as 'Refused' for application reference 23/02396/FULL on Fife Council's Planning Applications Online

REFUSE FOR THE FOLLOWING REASON(S):

1. In the interests of pedestrian and road safety; the applicant having failed to submit requested details demonstrating satisfactory on-site parking provision; in any event, it expected that there would be a lack of parking and associated manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety near a busy junction with a trunk road; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 3: Infrastructure and Services and the adopted Making Fife's Places Supplementary Guidance (2018).
2. In the interests of residential amenity; it being likely that the development would give rise to significant adverse impact on residential amenity from noise, the applicant having failed to submit the requested noise impact assessment report to demonstrate otherwise; the development therefore standing to be considered contrary to adopted National Planning Framework 4 (2023) Policies 14 Design, Quality and Place, 23 Health and Safety and 26 Business and Industry, Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017), and Fife Council's Policy for Development and Noise 2021.
3. In the interests of surface stability and public safety; the applicant having failed to submit the requested coal mining risk assessment or equivalent report in respect of the development, being development in a Development High Risk Area in terms of the risk-based approach to development management agreed with the Coal Authority; the development therefore standing to be considered contrary to Policy 14 Design, Quality and Place of the adopted National Planning Framework 4 (2023) and Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

Dated: 19th January 2024

Derek Simpson

For Head of Planning Services

PLANS

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

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

Dated:19th January 2024

Derek Simpson

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

LOCAL REVIEW

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

**Fife Council, Committee Services, Corporate Services Directorate
Fife House
North Street
Glenrothes, Fife
KY7 5LT**

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

LAND NOT CAPABLE OF BENEFICIAL USE

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

REPORT OF HANDLING

APPLICATION DETAILS

ADDRESS	Cadham Service Station, Cadham Road, Glenrothes		
PROPOSAL	Erection of tyre fitting facility (Class 5)		
DATE VALID	21/11/2023	PUBLICITY EXPIRY DATE	05/01/2024
CASE OFFICER	Brian Forsyth	SITE VISIT	None
WARD	Glenrothes North, Leslie And Markinch	REPORT DATE	16/01/2024

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

ASSESSMENT

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

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

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

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

1.0 BACKGROUND

1.1 The application site relates to an approximately 824 square metres car wash and valeting premises adjoining the south-west side of the junction of Cadham Road and the A92 trunk road, within the defined settlement boundary for Glenrothes in terms of FIFEplan. Across the A92 to the east is woodland and pasture land. Adjoining to the north is Cadham Road and to the west a public footpath, with houses immediately on the other side of each. Immediately to the south is land currently being developed for housing (FIFEplan ref. GLE004, planning permission ref. 18/01756/EIA and 21/00508/ARC). The premises were previously used as a petrol filling station, the canopy and building associated with that use continuing in service of the current use. The site is within a Development High Risk Area for statutory Coal Authority consultation purposes.

1.2 Full planning permission is sought for erection of a building on the western edge of the site, between the existing building and the adjoining footpath to the west, to be used for tyre fitting (Class 5). The proposed building is industrial in style with a shallow pitched roof, finished in grey metal profiled sheeting. It would be 9.45m long, 6.38m wide, and 5.2m high, being shown sufficient to accommodate two cars, and incorporating a roller shutter door.

1.3 The following relevant site history is listed in the Council's electronic register:

- 03/02850/CFULL Change of use of petrol filling station to car wash facility (retention of sales kiosk Class 1 retail). Permitted with conditions on 11 November 2003.
- 04/01035/CFULL Reposition site access, increase boundary fence to 2.4 metres high and erect new storage unit. Permitted with conditions on 5 November 2008.

1.4 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal. Online aerial/satellite and street imagery provide good coverage of the site.

2.0 ASSESSMENT

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

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

2.2 Principle of Development

2.2.1 FIFEplan Policy 1: Development Principles supports the principle of development within a defined settlement boundary, such as is the case here, where it is compliant with the policies for the location. In the absence of any such policies for the location, the proposal is considered to accord with the provisions of FIFEplan relating to the principle of development.

2.2.2 NPF4 Policy 26 Business and Industry states that proposals for business, general industrial and storage and distribution uses outwith areas identified for those uses in the LDP will only be supported where it is demonstrated that there are no suitable alternatives allocated in the LDP or identified in the employment land audit. Although the proposal is for a general industrial use outwith an area identified for such uses in FIFEplan, it is considered that the small scale nature of the proposed use, complementary to the existing lawful use, is such that the proposal can be considered acceptable in terms of the provisions of NPF4 policy relating to the principle of development.

2.2.3 The overall acceptability of the proposal remains subject to proving acceptable in terms of the below provisions of policy and guidance.

2.3 Design/Visual Impact

2.3.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the qualities of successful places, including 'pleasant', will not be supported.

2.3.2 FIFEplan Policy 1: Development Principles states that the individual and cumulative impacts of development proposals are to be addressed by complying with relevant criteria and supporting policies, including protecting the amenity of the local community and complying with Policy 10: Amenity. Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to, amongst other things, the visual impact of the development on the surrounding area. Making Fife's Places Supplementary Guidance (2018) is also relevant here.

2.3.3 The existing premises are starkly commercial in character and not especially of quality visually. In this context, and noting that the proposed building would be no higher than and set no further forward towards Cadham Road than the existing building on site, it is not considered that the proposal would give rise to any significant detrimental impact on the character and appearance of the streetscene, according with the above provisions of policy and guidance in relation to design/visual impact.

2.4 Residential Amenity

2.4.1 NPF4 Policy 14 Design, Quality and Place states that proposals that are detrimental to the amenity of the surrounding area, or inconsistent with the relevant qualities of successful places, including 'pleasant' (including designing for mitigation against noise) will not be supported. Policy 23 Health and Safety states that proposals that are likely to raise unacceptable noise issues will not be supported; a Noise Impact Assessment may be required where the nature of the proposal or its location suggests that significant effects are likely. Policy 26 Business and Industry states that such proposals will only be supported where the nature and scale of the activity will be compatible with the surrounding area.

2.4.2 FIFEplan Policy 1: Development Principles requires that the individual and cumulative impacts of development proposals are addressed by complying with relevant criteria and supporting policies, including safeguarding the amenity of the local community and complying with Policy 10: Amenity. Policy 10 only supports development if it does not have a significant detrimental impact on the amenity of existing or proposed land uses; development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to, amongst other things, noise. Fife Council's Policy for Development and Noise 2021 is also relevant here.

2.4.3 The Council's Environmental Health (Public Protection) team (EH(PP)) has indicated in informal discussions with the case officer that it is unlikely they would find themselves able to support the use proposed because of the very likely noise impacts on existing and approved (but as yet unbuilt) housing in the vicinity of the site. The team considered it unlikely a noise impact assessment would satisfy without a commitment to extensive attenuation measures. This advice was communicated to agent, requesting a noise impact assessment report by 9 January 2024 or such extended period as may be agreed. Despite extending the period for submission of the report until 15 January 2024, no such report has been received.

2.4.4 Objections have been received from three parties, expressing concern in relation to residential amenity.

2.4.5 In the absence of a satisfactory noise impact assessment report, and taking into account the advice of EH(PP), the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to residential amenity.

2.5 Road Safety/Transportation

2.5.1 FIFEplan Policy 1: Development Principles states that the individual and cumulative impacts of development proposals are to be addressed by complying with relevant criteria and supporting policies, where relevant, including mitigating against the loss in infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner; where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services, including local transport and safe access routes. Appendix G Transportation Development Guidelines of Fife Council's Making Fife's Places Supplementary Guidance (2018) is also relevant here.

2.5.2 Planning Services Transportation Development Management team's (TDM) holding response stated that the proposal was unlikely to be acceptable to the team, but asked that details be submitted showing proposed customer and staff parking provision for consideration. The agent was asked to submit this information by 15 January 2024 but failed to do so. In any event, TDM has submitted a final response stating it is expected that there would be a lack of parking and manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety. Transport Scotland do not propose to advise against the grant of planning permission.

2.5.3 Objections have been received from three parties, expressing concern in relation to impacts on road safety.

2.5.4 In the absence of the requested further information, and taking into account the views of TDM, the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to road safety/transportation.

2.6 Ground Conditions

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

2.6.2 The site is within a Development High Risk Area for Coal Authority statutory consultation purposes. The agent was asked to submit a coal mining risk assessment (CMRA) at the validation stage but declined to do so. In the absence of a CMRA, the Coal Authority objected to the grant of planning permission, raising fundamental concern and asking for a coal mining risk assessment be submitted. The case officer then asked the agent to submit a CMRA before 8 January 2024, extended to by 15 January 2024, but has declined to do so, instead explaining that he intended challenging the need for a CMRA with the Coal Authority.

2.6.3 The Council's Land and Air Quality Team (L&AQ) notes that the site was formerly a petrol filling station and raises no objection subject to the standard condition formerly coded LQC3, to ensure any unforeseen contamination issues are suitably addressed.

2.6.4 In the absence of a satisfactory CMRA, and taking into account the views of EH(PP), the proposal stands to be considered contrary to the above provisions of policy and guidance in relation to ground conditions.

2.7 Flood Risk and Water Management

2.7.1 NPF4 Policy 22 Flood Risk and Water Management states proposals at risk of flooding or in a flood risk area will only be supported in very particular circumstances; will not increase the risk of surface water flooding to others, or itself be at risk, managing all rain and surface water through sustainable urban drainage systems (SuDS); should presume no surface water connection to the combined sewer; and seek to minimise the area of impermeable surface. It is required to be demonstrated that the development would remain safe and operational during floods and that flood resistant and resilient materials and construction methods are used. Proposals will be supported if they can connect to the public water mains. NPF4 Policies 1 Tackling the Climate and Nature Crises and 2 Climate Mitigation and Adaptation are also relevant here.

2.7.2 FIFEplan Policy 1: Development Principles adds that development proposals must address their individual and cumulative impacts, complying with relevant criteria and supporting policies, including improving existing infrastructure capacity and complying with Policy 3: Infrastructure and Services. FIFEplan Policy 3 adds that development must be designed and implemented in

a manner that ensures it delivers the required level of infrastructure; where necessary and appropriate as a direct consequence of the development or as a consequence of the cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served adequate infrastructure and services; such infrastructure and services may include, amongst other things, foul and surface water drainage, including SuDS. FIFEplan Policy 12: Flooding and the Water Environment adds that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively, amongst other things, detrimentally impact on ecological quality of the water environment. The Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) is also relevant here, requiring the submission of drainage information as set out in Appendix 8.

2.7.3 The site is not shown in an area subject to flood risk in the Scottish Environment Protection Agency (SEPA) flood maps. Scottish Water raises no objection, does not indicate any issue in terms of access to a public water supply, but states it will not accept any surface water connections to the combined sewer system. The Council's Flooding, Shoreline & Harbours team has not provided a consultation response.

2.7.4 Taking into account the views of Scottish Water, noting that the site does not fall within an area identified as at risk of flooding in the SEPA flood maps, and notwithstanding the lack of a consultation response from Flooding, Shoreline & Harbours, it is considered that the proposal is acceptable in terms of the above provisions of policy and guidance relating to flood risk and water management, the proposed extension being modest in scale and unlikely to give rise to flood risk or water management issues. Management of surface water in this context can confidently be left for consideration under the Building (Scotland) Acts.

CONSULTATION RESPONSES

Scottish Water	No objection.
Structural Services - Flooding, Shoreline And Harbours	No response.
The Coal Authority	Objection, requesting CMRA.
TDM, Planning Services	Objection.
Land And Air Quality, Protective Services	No objection subject to standard condition formerly coded LQC3, relating to unforeseen contamination.
Transport Scotland	Do not propose to advise against the grant of planning permission.

REPRESENTATIONS

Objections have been received from three parties, expressing concern in relation to impacts on road safety and residential amenity. These issues are addressed above in the main body of the report. One of the objectors raises concern in relation to potential devaluation of his home, which is not a material planning consideration.

CONCLUSION

The development is acceptable in terms of the provisions of policy and guidance relating to the principle of development and flood risk and water management. The development accords with the provisions of policy and guidance relating to design/visual impact. In the absence of the requested further information, the development stands to be considered contrary to the provisions of policy and guidance relating to residential amenity, road safety/transportation and ground conditions. In the absence of the requested information, the development stands to be considered contrary to the development plan overall, with no material considerations of sufficient weight to justify departing therefrom.

DETAILED RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of pedestrian and road safety; the applicant having failed to submit requested details demonstrating satisfactory on-site parking provision; in any event, it expected that there would be a lack of parking and associated manoeuvring space within the site, leading to reliance on the public road for parking and injudicious manoeuvring of vehicles to and from that road, to the detriment of pedestrian and road safety near a busy junction with a trunk road; the development therefore standing to be considered contrary to adopted FIFEplan Fife Local Development Plan (2017) Policies 1: Development Principles and 3: Infrastructure and Services and the adopted Making Fife's Places Supplementary Guidance (2018).
2. In the interests of residential amenity; it being likely that the development would give rise to significant adverse impact on residential amenity from noise, the applicant having failed to submit the requested noise impact assessment report to demonstrate otherwise; the development therefore standing to be considered contrary to adopted National Planning Framework 4 (2023) Policies 14 Design, Quality and Place, 23 Health and Safety and 26 Business and Industry, Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017), and Fife Council's Policy for Development and Noise 2021.
3. In the interests of surface stability and public safety; the applicant having failed to submit the requested coal mining risk assessment or equivalent report in respect of the development, being development in a Development High Risk Area in terms of the risk-based approach to development management agreed with the Coal Authority; the development therefore standing to be considered contrary to Policy 14 Design, Quality and Place of the adopted National Planning Framework 4 (2023) and Policies 1: Development Principles and 10: Amenity of the adopted FIFEplan Fife Local Development Plan (2017).

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

Development Plan

Adopted National Planning Framework 4 (2023)

Adopted FIFEplan Fife Local Development Plan (2017)

Adopted Making Fife's Places Supplementary Guidance (2018)

Other

Fife Council Policy for Development and Noise 2021

Scottish Government Planning Advice Note 33: Development of Contaminated Land (2017)



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100641197-003

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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Erection of a metal fabricated. unheated commercial building to be used as a tyre centre Operating 7 days per week from 0900 to 18.00 hrs

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? Yes No
(Answer 'No' if there is no change of use.) *

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Padrino Design"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Dominic"/>	Building Name:	<input type="text" value="The Wright Business Centre"/>
Last Name: *	<input type="text" value="Notarangelo"/>	Building Number:	<input type="text" value="1"/>
Telephone Number: *	<input type="text" value="0141 762 2000"/>	Address 1 (Street): *	<input type="text" value="Lonmay Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="G33 4EL"/>
Email Address: *	<input type="text" value="Dominic@padrino.co.uk"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="per Padrino Design"/>
First Name: *	<input type="text" value="Nihad"/>	Building Number:	<input type="text" value="1"/>
Last Name: *	<input type="text" value="Azizi"/>	Address 1 (Street): *	<input type="text" value="The Wright Business Centre"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Lonmay Road"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G33 4EL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Fife Council

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

Address 1:

CADHAM SERVICE STATION

Address 2:

CADHAM ROAD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GLENROTHES

Post Code:

KY7 6PE

Please identify/describe the location of the site or sites

Northing

702012

Easting

328096

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

800.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Car wash

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

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

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ≤ Yes T No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site? 12</p> <p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? * 12</p> <p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>
<p>Water Supply and Drainage Arrangements</p> <p>Will your proposal require new or altered water supply or drainage arrangements? * ≤ Yes T No</p>
<p>Do your proposals make provision for sustainable drainage of surface water?? * ≤ Yes T No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p>≤ Yes</p> <p>≤ No, using a private water supply</p> <p>T No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>
<p>Assessment of Flood Risk</p> <p>Is the site within an area of known risk of flooding? * ≤ Yes T No ≤ Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * ≤ Yes T No ≤ Don't Know</p>
<p>Trees</p> <p>Are there any trees on or adjacent to the application site? * ≤ Yes T No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>
<p>Waste Storage and Collection</p> <p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * T Yes ≤ No</p>

If Yes or No, please provide further details: * (Max 500 characters)

Area to rear of workshop designated for refuse and recycling.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 4 Business (Office/Light Industry)

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

60

If Class 1, please give details of internal floorspace:

Net trading spaces:

60

Non-trading space:

0

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

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

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

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

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

Are you able to identify and give appropriate notice to ALL the other owners? * Yes No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: *

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Dominic Notarangelo

On behalf of: Mr Nihad Azizi

Date: 30/08/2023

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. * Yes N/A

A Design Statement or Design and Access Statement. * Yes N/A

A Flood Risk Assessment. * Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * Yes N/A

Drainage/SUDS layout. * Yes N/A

A Transport Assessment or Travel Plan Yes N/A

Contaminated Land Assessment. * Yes N/A

Habitat Survey. * Yes N/A

A Processing Agreement. * Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Dominic Notarangelo

Declaration Date: 30/08/2023

Payment Details

Online payment: ZPL-746699256

Payment date: 30/08/2023 09:28:00

Created: 30/08/2023 09:29



Fife House North Street Glenrothes KY7 5LT Email: development.central@fife.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100641197-002

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.

Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

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:	<input type="text" value="Padrino Design"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Dominic"/>	Building Name:	<input type="text" value="The Wright Business Centre"/>
Last Name: *	<input type="text" value="Notarangelo"/>	Building Number:	<input type="text" value="1"/>
Telephone Number: *	<input type="text" value="0141 762 2000"/>	Address 1 (Street): *	<input type="text" value="Lonmay Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="G33 4EL"/>
Email Address: *	<input type="text" value="Dominic@padrino.co.uk"/>		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Per Padrino Design"/>
First Name: *	<input type="text" value="Nihad"/>	Building Number:	<input type="text" value="1"/>
Last Name: *	<input type="text" value="Azizi"/>	Address 1 (Street): *	<input type="text" value="The Wright Business Centre"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="centre,"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G33 4EL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? *

Yes No

Application Details

Please select which application(s) the new documentation is related to.

Application: *

Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: * (Max 500 characters)

Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. *

Yes No

Declare – Post Submission Additional Documentation

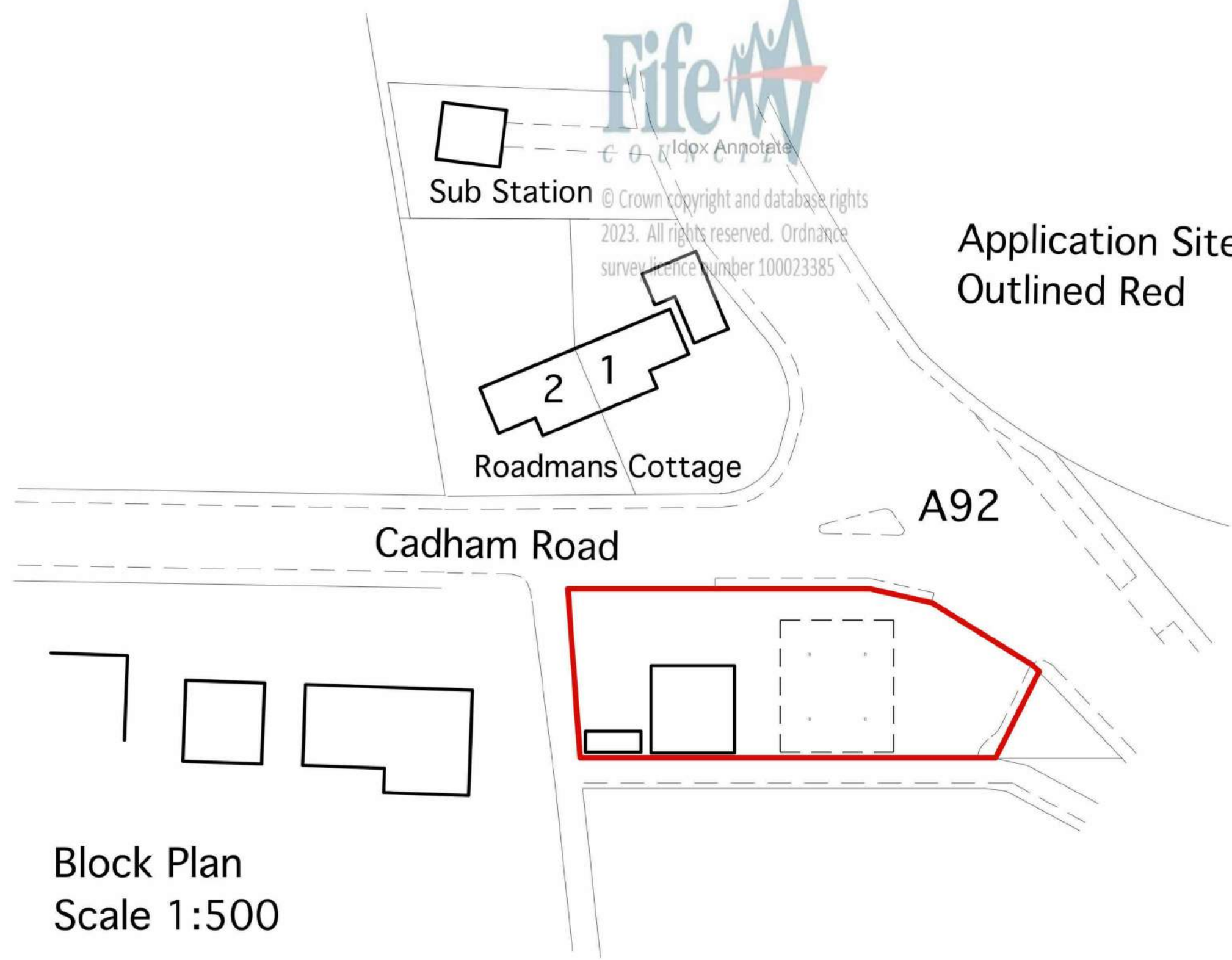
I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mr Dominic Notarangelo

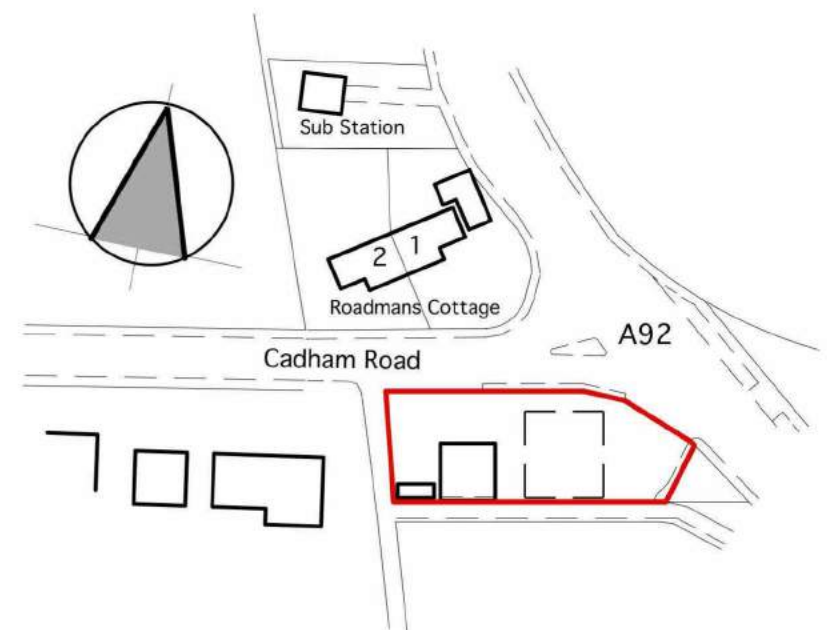
Declaration Date: 21/11/2023



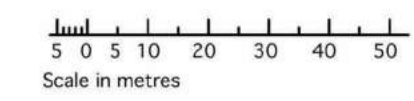
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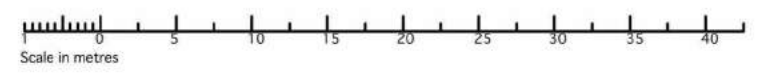
Application Site
Outlined Red



Locality Plan
Scale 1:1250



Block Plan
Scale 1:500

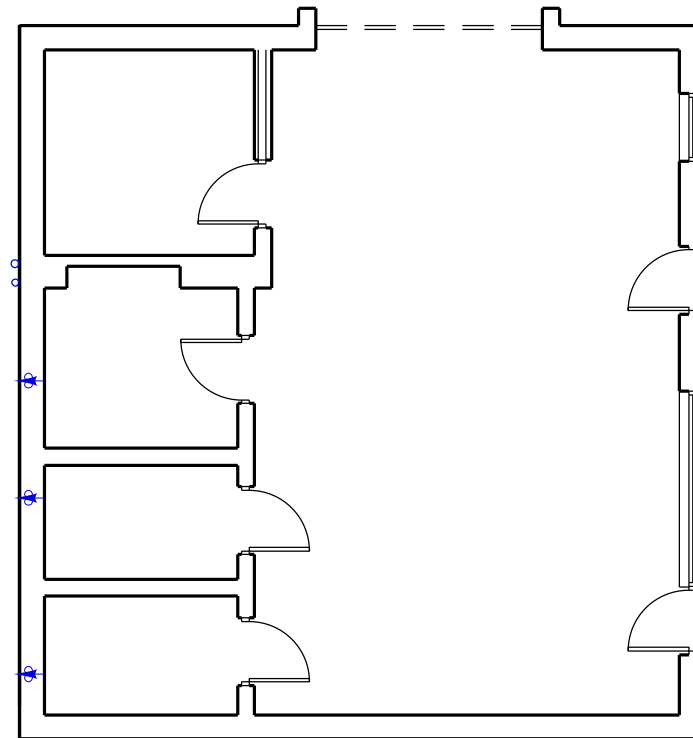


The Wright Business Centre
1 Lonmay Road
GLASGOW
G33 4EL
tel. 0141 762 2000
fax. 0141 762 2001
design@padrino.co.uk
www.padrino.co.uk

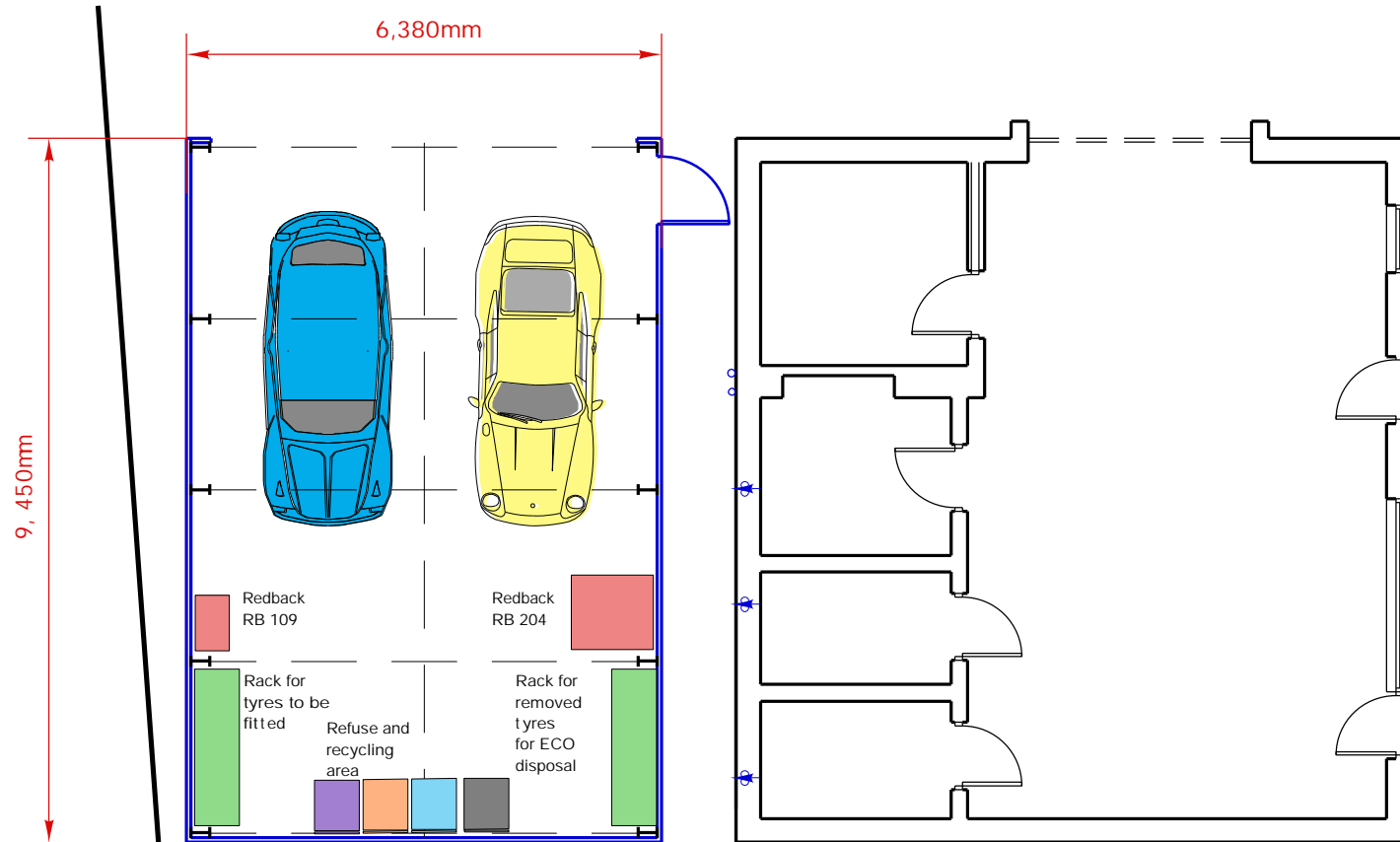
DRAWING Site Layout Plan	PROJECT Proposed tyre bay ay Cadham Car Wash Cadham Road Glenrothes KY7 6PE	CLIENT Cadham Car Wash	DATE July 2023	DRAWN DN	SCALE 1: 1250 & 1:500 @ A3
			JOB No. 1951	DRAWING No. 01	REVISION

Tarmac hardstanding

Shipping container



Plan as Existing



Note.

Foundations and structural detailing to form part of Building Warrabt submission by structural engineer and covered by SER Certificate

Plan as Proposed

Rev A 21/11/23 Planning

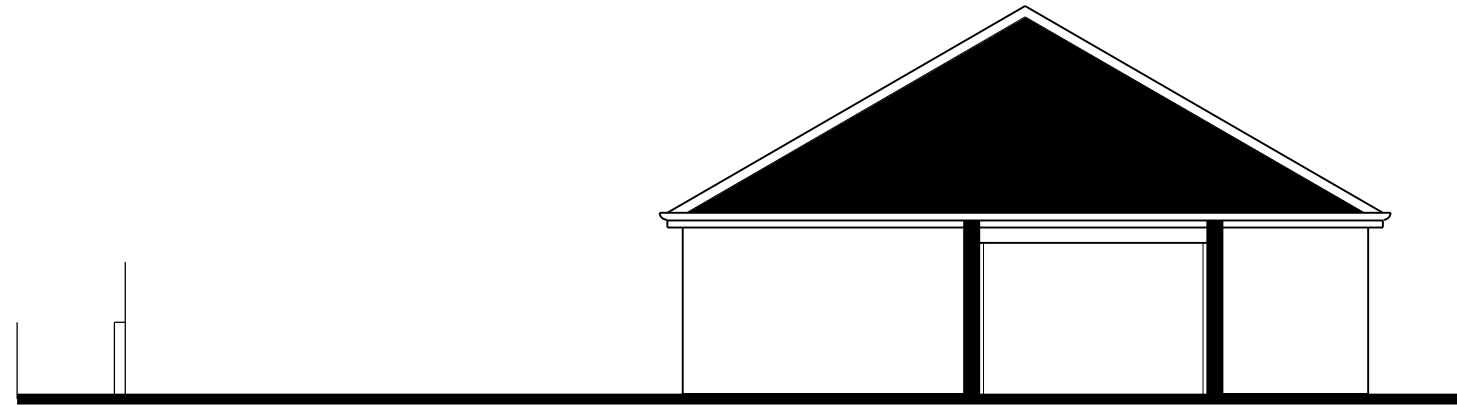


The Wright Business Centre
1 Lonmay Road
GLASGOW
G33 4EL

tel. 0141 762 2000
fax. 0141 762 2001

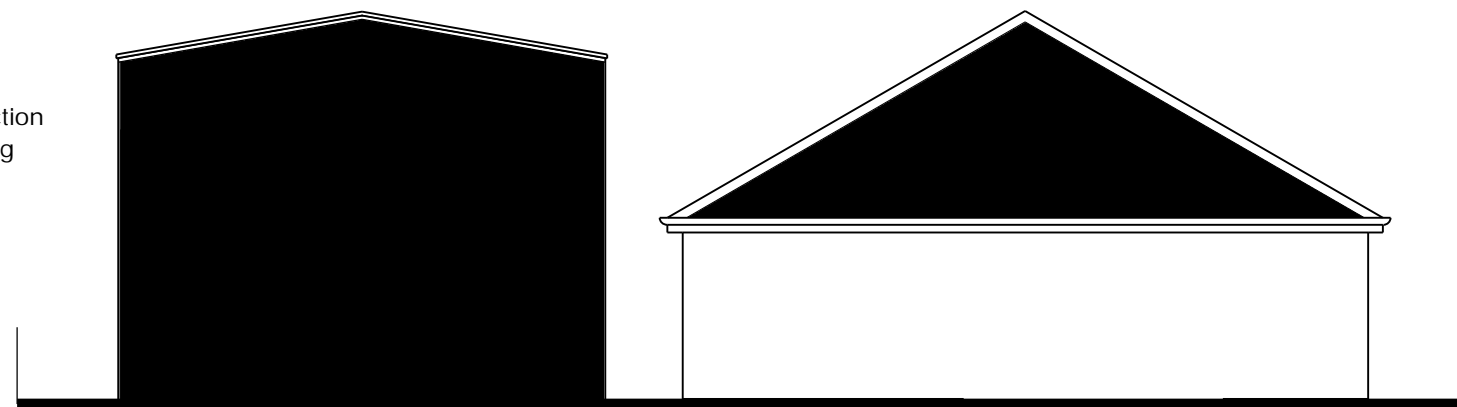
design@padrino.co.uk
www.padrino.co.uk

DRAWING Plans as Existing and Proposed	PROJECT Proposed tyre bay at Cadham Car Wash Cadham Road Glenrothes KY7 6PE	CLIENT Cadham Car Wash	DATE July 2023	DRAWN DN	SCALE 1:100 @ A3
			JOB No. 1951	DRAWING No. 02	REVISION A



South Elevation as Existing

Industrial building construction
grey metal profiled sheeting
on purlins on steel frames
(unheated building)



South Elevation as Proposed

Industrial building construction
grey metal profiled roof
and wall sheeting
on purlins on steel frames
(unheated building)



West Elevation as Proposed



The Wright Business Centre
1 Lonmay Road
GLASGOW
G33 4EL

tel. 0141 762 2000
fax. 0141 762 2001

design@padrino.co.uk
www.padrino.co.uk

DRAWING	South Elevation as Existing and Proposed West Elevation as Proposed	PROJECT	Proposed tyre bay ay Cadham Car Wash Cadham Road Glenrothes KY7 6PE	CLIENT	Cadham Car Wash	DATE	DRAWN	SCALE
						July 2023	DN	1:100 @ A3
						JOB No.	DRAWING No.	REVISION
						1951	04	

24" Semi-Automatic Tyre Changer with Twin Assist Arms

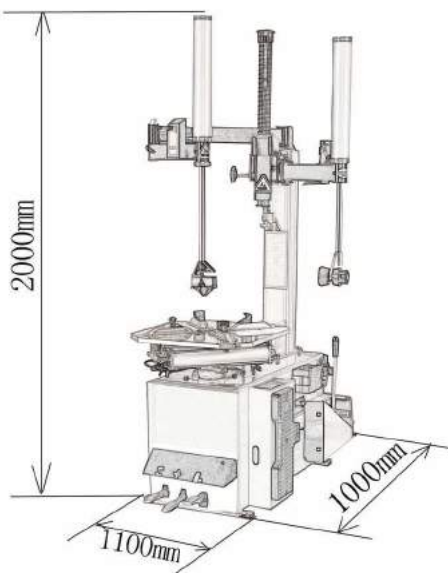
The Redback RB204 is a semi-automatic tyre changer, capable of handling run-flat tyres on rim sizes up to 24 inches. It retains many of the space saving aspects of the RB202, but the addition of double assist arms makes this a clear contender in the field of entry level run-flat tyre changers.

The space-saving swing arm design, with motorised turntable, pneumatically operated clamping jaws, twin assist arms and a powerful pneumatic bead breaker combine with innovative pneumatic locking for the vertical column and the right-hand assist arm for quicker operation. Perfect for workshops with limited space, it's also a great option for mobile tyre fitting operations.

Included with the RB204 Tyre Changer:

- n Operation manual
- n Double assist arms
- n Pre-filter and oil lubricator
- n 18" tyre lever
- n Alloy wheel protection kit including
 - Plastic inserts for metal mounting head
 - Set of 4 clamping jaw covers
 - Plastic bead breaker cover

Power supply	Single phase 230V, 13 Amp
Max wheel diameter	4 T"
Max wheel width	14"
External clamping	10"-2 T"
Internal clamping	12"-2 4"
Air supply	8-10 bar
Bead breaker force	2,500 kg
Motor power	0.75 kW

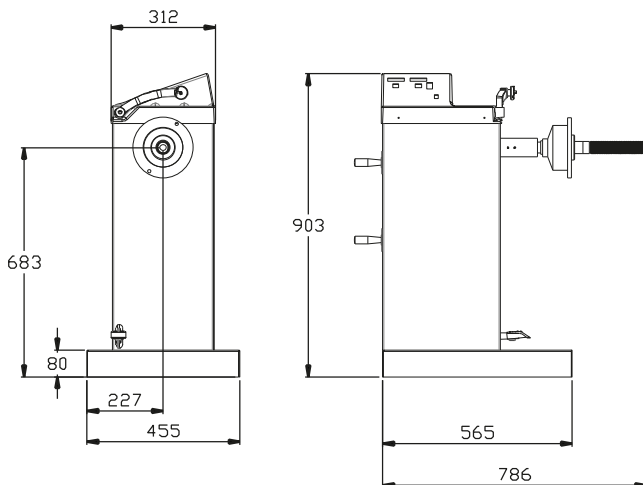


24" Hand Spin Manual Input Wheel Balancer

The Redback 109 is a manual input hand spin wheel balancer capable of balancing up to 24" wheels. This model features static, steel and ALU balancing modes and a brake pedal ensuring accurate wheel weight placement.

With no lowering hood, this manual wheel balancer is the ideal choice for those with limited working space i.e. small workshops or mobile van installations.

Max weight weight	65 kg
Rim diameter	10"-24"
Rim width	15"-20"
Shaft diameter	36 mm
Balance accuracy	+/- 1g
Balancing speed	80 rpm
Measuring time	8 seconds
Power supply	Single phase 230V, 13 Amp



Colin Cowper

From: Ian Jones
Sent: 19 January 2024 11:30
To: Development Central
Cc: Isla Roy
Subject: Neighbour Notification for 23/02396/FULL - to be upload as general correspondence by BF - nj
Attachments: Fw: Neighbour Notification for 23/02396/FULL; Re: Neighbour Notification for 23/02396/FULL;
Re: Neighbour Notification for 23/02396/FULL

Please see comments form colleagues re this proposed Development.

Regards

Ian Jones

Lead Consultant

Network Management

Roads & Transportation Services

Assets, Transportation & Environment

Fife Council

Bankhead Central

Bankhead Park

Glenrothes

KY7 6GH

03451 55 55 55 ext 480114

Mobile 07703886506

Working week Tuesday to Friday.

Colin Cowper

From: Jane Findlay
Sent: 08 January 2024 16:39
To: Ian Jones
Cc: Lesley Craig; Allan Maclean; Marianne Bull; Derek Beveridge
Subject: Fw: Neighbour Notification for 23/02396/FULL
Attachments: ufm10_Neighbour_Notification_for_Estates.pdf

Hi Ian,

Not support of a further business at this location.

Too much traffic already as part of the car wash.

Conflict with pedestrians and cyclists at this junction.

Some of the public transport services no longer come out of this junction due to the volume of traffic.

Lesley, Derek and Allan may also have some comments on this.

Cheers, Jane

Jane Findlay
Lead Consultant Climate Change & Partnerships

Team : Sustainable Transport & Parking

Service: Roads & Transportation

Tel: 0345 155 5555 Ext 444407

Works Mobile: 07395359634

Located: Bankhead Central, 1 Bankhead Park, Glenrothes, KY7 6GH

From: Ian Jones <Ian.Jones@fife.gov.uk>
Sent: 13 December 2023 10:07
To: Jane Findlay <Jane.Findlay@fife.gov.uk>
Subject: FW: Neighbour Notification for 23/02396/FULL

For info.

Ian Jones
Lead Consultant
Network Management
Roads & Transportation Services
Assets, Transportation & Environment
Fife Council
Bankhead Central
Bankhead Park
Glenrothes

KY7 6GH

03451 55 55 55 ext 480114

Mobile 07703886506

Working week Tuesday to Friday.

From: Isla Roy <Isla.Roy@fife.gov.uk>

Sent: Tuesday, December 12, 2023 12:05 PM

To: Ian Jones <Ian.Jones@fife.gov.uk>; Housing EstatesManagement <Housing.EstatesManagement@fife.gov.uk>;

Norman Laird <Norman.Laird@fife.gov.uk>

Subject: Fw: Neighbour Notification for 23/02396/FULL

Good Afternoon,

Please see attached neighbour notification concerning: Erection of tyre centre (Class 5) at Cadham Car Wash, Glenrothes. (ref. 23/02396/FULL).

Any comments please send on to development.central@fife.gov.uk

Many Thanks,

Isla Roy

Trainee Estates Technician

Estates Department

From: Estates Enquiries <Estates.Enquiries@fife.gov.uk>

Sent: 12 December 2023 11:11

To: Isla Roy <Isla.Roy@fife.gov.uk>

Subject: Fw: Neighbour Notification for 23/02396/FULL

Hi, one for you

Estates Team

Property Services

Fife Council

Bankhead Central

Bankhead Park

Glenrothes

KY7 6GH

GDPR: If you would like to know how we store and use your personal information the Property Services privacy notice can be viewed at <https://www.fife.gov.uk/privacy/property>

From: development.central@fife.gov.uk <development.central@fife.gov.uk>

Sent: 08 December 2023 13:53

To: Estates Enquiries <Estates.Enquiries@fife.gov.uk>

Subject: Neighbour Notification for 23/02396/FULL

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Please see attached Neighbour Notification

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Fife Council

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Colin Cowper

From: Lesley Craig
Sent: 08 January 2024 17:06
To: Jane Findlay; Ian Jones
Cc: Allan Maclean; Marianne Bull; Derek Beveridge
Subject: Re: Neighbour Notification for 23/02396/FULL

Hi,
I cannot see any impact assessment with regards to traffic - no. of vehicles expected per day, etc.
I agree with Jane about the traffic using this junction, I'd be worried about queuing increasing on the road.

Lesley

Lesley Craig

Lead Consultant

Traffic Management

Roads & Transportation Services
Bankhead Central
Bankhead Park

Glenrothes KY7 6GH
Tel. 03451 555555 Ext 480082

email: Lesley.Craig@fife.gov.uk

Please note I am working from home.

Working Pattern: 9 day fortnight – Every second Monday off

From: Jane Findlay <Jane.Findlay@fife.gov.uk>
Sent: 08 January 2024 16:39
To: Ian Jones <Ian.Jones@fife.gov.uk>
Cc: Lesley Craig <Lesley.Craig@fife.gov.uk>; Allan Maclean <Allan.Maclean@fife.gov.uk>; Marianne Bull <Marianne.Bull@fife.gov.uk>; Derek Beveridge <Derek.Beveridge@fife.gov.uk>
Subject: Fw: Neighbour Notification for 23/02396/FULL

Hi Ian,

Not support of a further business at this location.

Too much traffic already as part of the car wash.

Conflict with pedestrians and cyclists at this junction.

Some of the public transport services no longer come out of this junction due to the volume of traffic.

Lesley, Derek and Allan may also have some comments on this.

Cheers, Jane

Jane Findlay
Lead Consultant Climate Change & Partnerships

Team : Sustainable Transport & Parking

Service: Roads & Transportation

Tel: 0345 155 5555 Ext 444407

Works Mobile: 07395359634

Located: Bankhead Central, 1 Bankhead Park, Glenrothes, KY7 6GH

From: Ian Jones <Ian.Jones@fife.gov.uk>
Sent: 13 December 2023 10:07
To: Jane Findlay <Jane.Findlay@fife.gov.uk>
Subject: FW: Neighbour Notification for 23/02396/FULL

For info.

Ian Jones
Lead Consultant
Network Management
Roads & Transportation Services
Assets, Transportation & Environment
Fife Council
Bankhead Central
Bankhead Park
Glenrothes
KY7 6GH

03451 55 55 55 ext 480114
Mobile 07703886506
Working week Tuesday to Friday.

From: Isla Roy <Isla.Roy@fife.gov.uk>
Sent: Tuesday, December 12, 2023 12:05 PM
To: Ian Jones <Ian.Jones@fife.gov.uk>; Housing EstatesManagement <Housing.EstatesManagement@fife.gov.uk>; Norman Laird <Norman.Laird@fife.gov.uk>
Subject: Fw: Neighbour Notification for 23/02396/FULL

Good Afternoon,

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Many Thanks,

Isla Roy
Trainee Estates Technician
Estates Department

From: Estates Enquiries <Estates.Enquiries@fife.gov.uk>
Sent: 12 December 2023 11:11
To: Isla Roy <Isla.Roy@fife.gov.uk>
Subject: Fw: Neighbour Notification for 23/02396/FULL

Hi, one for you

Estates Team

Property Services
Fife Council
Bankhead Central
Bankhead Park
Glenrothes
KY7 6GH

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Fife Council

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Colin Cowper

From: Allan Maclean
Sent: 09 January 2024 09:52
To: Lesley Craig; Jane Findlay; Ian Jones
Cc: Marianne Bull; Derek Beveridge
Subject: Re: Neighbour Notification for 23/02396/FULL

Hello,

You will probably recall that Cadham Community Council were looking for a one-way system at this end of Cadham Rd/ A92. If implemented, in conjunction with the new development road being build, footway widening would be possible.

Not sure what impact that would have on the proposed business.

Allan

Allan Maclean
Lead Consultant, Sustainable Traffic and Travel

Roads & Transportation Services
Fife Council
Bankhead Central, Bankhead Park
Glenrothes
KY7 6GH

email: allan.maclean@fife.gov.uk
Telephone: 03451 55 55 55 (Ext 461270); Mob 07395 359633

From: Lesley Craig <Lesley.Craig@fife.gov.uk>
Sent: 08 January 2024 17:05
To: Jane Findlay <Jane.Findlay@fife.gov.uk>; Ian Jones <Ian.Jones@fife.gov.uk>
Cc: Allan Maclean <Allan.Maclean@fife.gov.uk>; Marianne Bull <Marianne.Bull@fife.gov.uk>; Derek Beveridge <Derek.Beveridge@fife.gov.uk>
Subject: Re: Neighbour Notification for 23/02396/FULL

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Lesley

Lesley Craig
Lead Consultant
Traffic Management

Roads & Transportation Services
Bankhead Central
Bankhead Park
Glenrothes KY7 6GH
Tel. 03451 555555 Ext 480082

email: Lesley.Craig@fife.gov.uk

Please note I am working from home.

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Subject: Fw: Neighbour Notification for 23/02396/FULL

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Jane Findlay
Lead Consultant Climate Change & Partnerships

Team : Sustainable Transport & Parking

Service: Roads & Transportation

Tel: 0345 155 5555 Ext 444407

Works Mobile: 07395359634

Located: Bankhead Central, 1 Bankhead Park, Glenrothes, KY7 6GH

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Sent: 13 December 2023 10:07
To: Jane Findlay <Jane.Findlay@fife.gov.uk>
Subject: FW: Neighbour Notification for 23/02396/FULL

For info.

Ian Jones
Lead Consultant
Network Management
Roads & Transportation Services
Assets, Transportation & Environment
Fife Council
Bankhead Central

Bankhead Park
Glenrothes
KY7 6GH

03451 55 55 55 ext 480114
Mobile 07703886506
Working week Tuesday to Friday.

From: Isla Roy <Isla.Roy@fife.gov.uk>
Sent: Tuesday, December 12, 2023 12:05 PM
To: Ian Jones <Ian.Jones@fife.gov.uk>; Housing EstatesManagement <Housing.EstatesManagement@fife.gov.uk>; Norman Laird <Norman.Laird@fife.gov.uk>
Subject: Fw: Neighbour Notification for 23/02396/FULL

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Any comments please send on to development.central@fife.gov.uk

Many Thanks,

Isla Roy
Trainee Estates Technician
Estates Department

From: Estates Enquiries <Estates.Enquiries@fife.gov.uk>
Sent: 12 December 2023 11:11
To: Isla Roy <Isla.Roy@fife.gov.uk>
Subject: Fw: Neighbour Notification for 23/02396/FULL

Hi, one for you

Estates Team

Property Services
Fife Council
Bankhead Central
Bankhead Park
Glenrothes
KY7 6GH

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Please see attached Neighbour Notification

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Fife Council

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Proposal Details

Proposal Name	100641197
Proposal Description	Erection of a modular fabricated building to from tyre centre
Address	CADHAM SERVICE STATION, CADHAM ROAD, GLENROTHES, KY7 6PE
Local Authority	Fife Council
Application Online Reference	100641197-005

Application Status

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

Attachment Details

Notice of Review	System	A4
Statement of Appeal Cadham Service Station	Attached	A4
Doc 1 Application Form Cadham	Attached	A4
Doc 1A Application form Cadham	Attached	A4
Doc 2 Block and Locality Plan Cadham	Attached	A3
Doc 3 Plans as Existing and Proposed Cadham	Attached	A3
Doc 4 Elevations as Existing and proposed	Attached	A3
Doc 5 Tyre Changer cadham	Attached	A4
Doc 6 Wheel balancer data Cadham	Attached	A4
Doc 7 Decision Notice Cadham	Attached	A4
Doc 8 Report of handling Cadham	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-005.xml	Attached	A0

Agenda Item 5(4)

**Cadham Service Station, Cadham Road,
Glenrothes, KY7 6PE**

Application No. 23/02396/FULL

Representations

Application No 23/02396/FULL Erection of Tyre Centre (Class 5)

My House is next to the proposed Tyre Centre which will be situated on the busy A92 corner leading into Cadham Road. This is at present used as a car wash business and it is not clear if the car wash will still be in operation along with the proposed tyre centre.

There is a walk way between the proposed Corrugated building and my front and back garden.(Approx 8 feet) During the summer months we site in our back garden which is located at our side door facing the.proposed site. I am worried about the noise factor coming from the corrugated metal sheeting industrial building with no installation as this could lead to noise pollution with compressors on the majority of time with a variety of hand held tools in use not to mention the noise from the movement of cars

This is a small site and for 2 businesses to operate out of a limited space with a high volume of vehicles (Cars and Vans) This will make the very busy corner even more dangerous with a possible build-up of traffic waiting on the busy A92 to gain access. There have been at least 5 accidents on this corner in the past year.

I have mentioned before that this is a very busy junction and to exit Cadham road onto the busy A92 is at the moment very dangerous. Traffic on the A92 generally speed up after coming off the Tullis Russell roundabout which is approx. 300 yards from the corner of Cadham Road.

I hope you will take my comments into consideration when dealing with this proposed planning application.

Regards

Mr Ian Forsyth and Mrs Marlyn Blair  Ian Forsyth

Kinneil House

Cadham

Glenrothes KY7 6PE

3rd January 2024

Application No 23/02396/FULL Erection of Tyre Centre (Class 5)

My House is opposite the above application.

Cadham Road is at present a very busy road and to have another business in this small site will increase the flow of traffic and could cause congestion coming off the A92 leading to more accidents at this very busy corner.

I understand that this will be a corrugated industrial building. I would be worried about the noise factor for the surrounding houses.

I have only owned this house for a number of years and will be selling this in the near future and to look out to see a corrugated Industrial building might limit my buyers.

I look forward to hearing from you and I do hope that you will uphold the objections from me and my neighbours.

Yours faithfully

Mr Alex Fraser

■ Roadmans Cottage

Cadham Road

Glenrothes

Stephanie Skelly

From: [REDACTED]
Sent: 04 January 2024 20:37
To: Development Central
Subject: 23/02396/FULL - Cadham Road, Glenrothes
Attachments: IMG_20240104_201120.jpg; IMG_20240104_201416.jpg
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.

Good evening

I wish to object to application 23/02396/FULL for a tyre bay at Cadham Road car wash.

At present, cars enter the car wash from the A92. This is already dangerous as the cars stop **suddenly**, on a very busy road, to access the car wash, as it is not the easiest of entry points and it is immediately before the Cadham Road, turn off.

If the tyre bay is allowed to proceed, the cars would then have two access points (see attachment 1):-

- If they access at the '1' access point (from the A92), as I said before, a lot of cars stop suddenly as they turn in and this would make this more of an issue as their would be more traffic accessing this point, for the tyre bay
- If they access at the '2' access point (from Cadham Road), this is '**just after**' the cars turn from the A92 (40mph) into Cadham Road (30mph) and because it is immediately after, we would potentially have cars pulling into access 1 **and** 2 and this will create a gridlock, slow the traffic on the A92 and cause an accident. If it is used as an access point, where would the cars exit

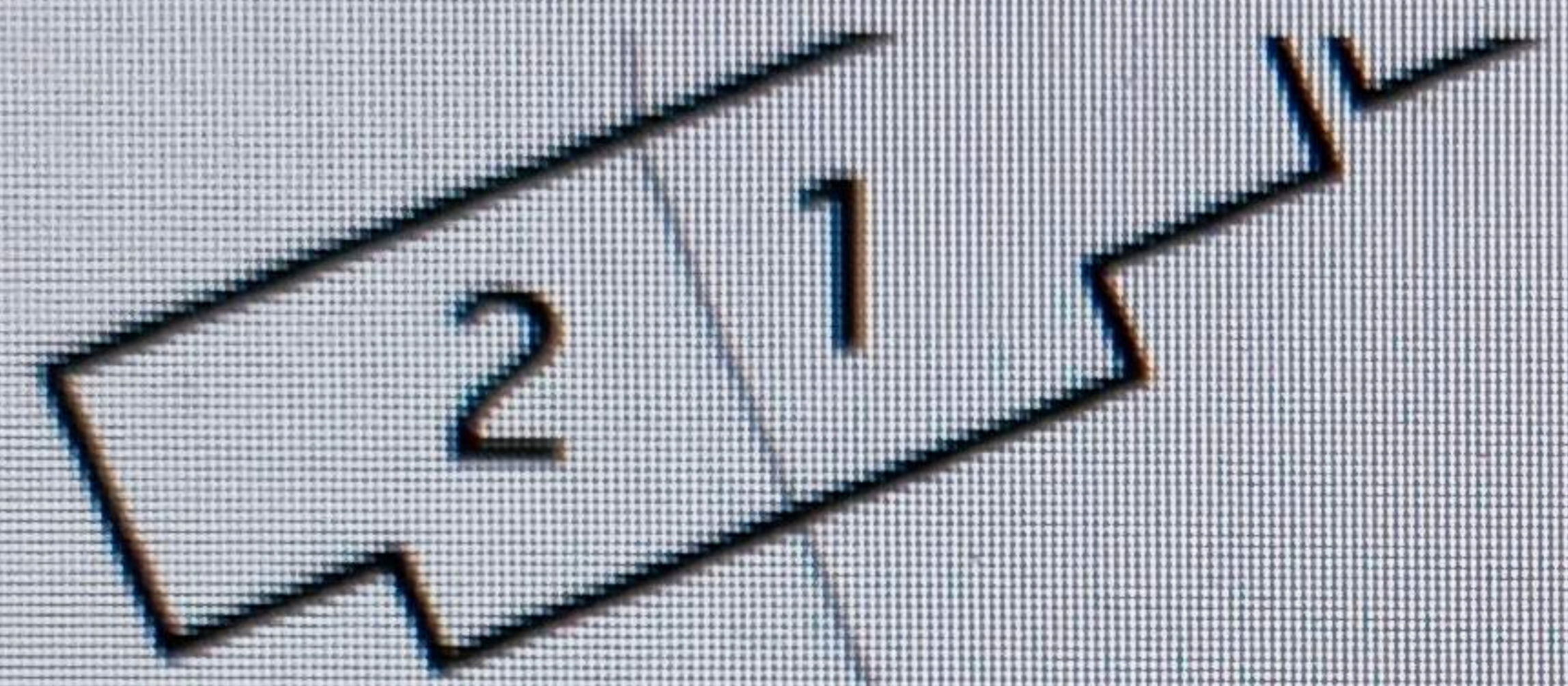
If the '2' access point is used as an exit only, how would the cars manage to bypass the cars being washed, to get to the tyre bay, as it is not that big a car wash. Again, the cars would be backed up on the A92

At the moment, I have seen cars parked alongside the building, if the cars for the tyre bay, back up and exit at Cadham Road (attachment 2), they either back up into a parked car, or back up onto Cadham Road itself, which is dangerous as I have mentioned above.

There are still cars turning right from the A92 onto Cadham Road (southbound), when there is a sign stating that they cannot do this. This is already a really bad junction. A lot of people avoid this junction (myself included) as it is dangerous when it is really busy. This creates more traffic heading via the Irises and the Fettykill Fox on Leslie Road. This may increase when the new houses at Tullis Russell are completed and the roundabout is open for use. This would then create a further hazard within a small area.

I hope that this application is rejected as it is already a danger.

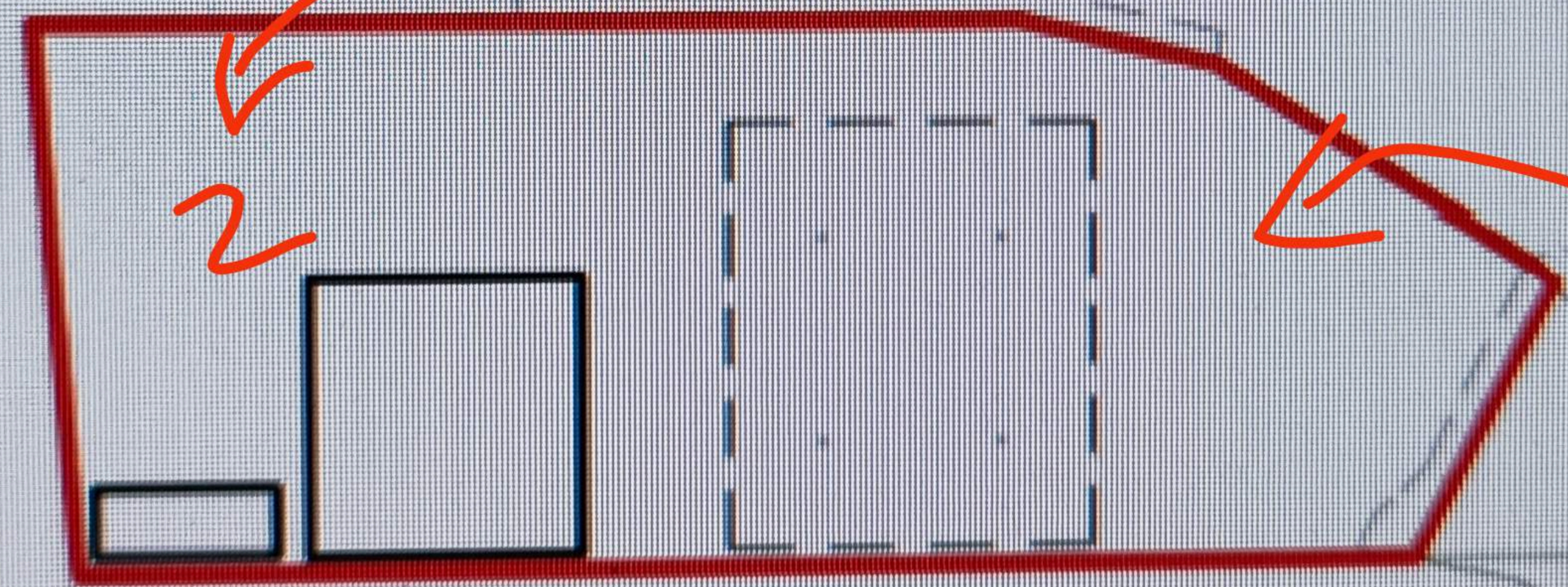
Mrs L Robertson



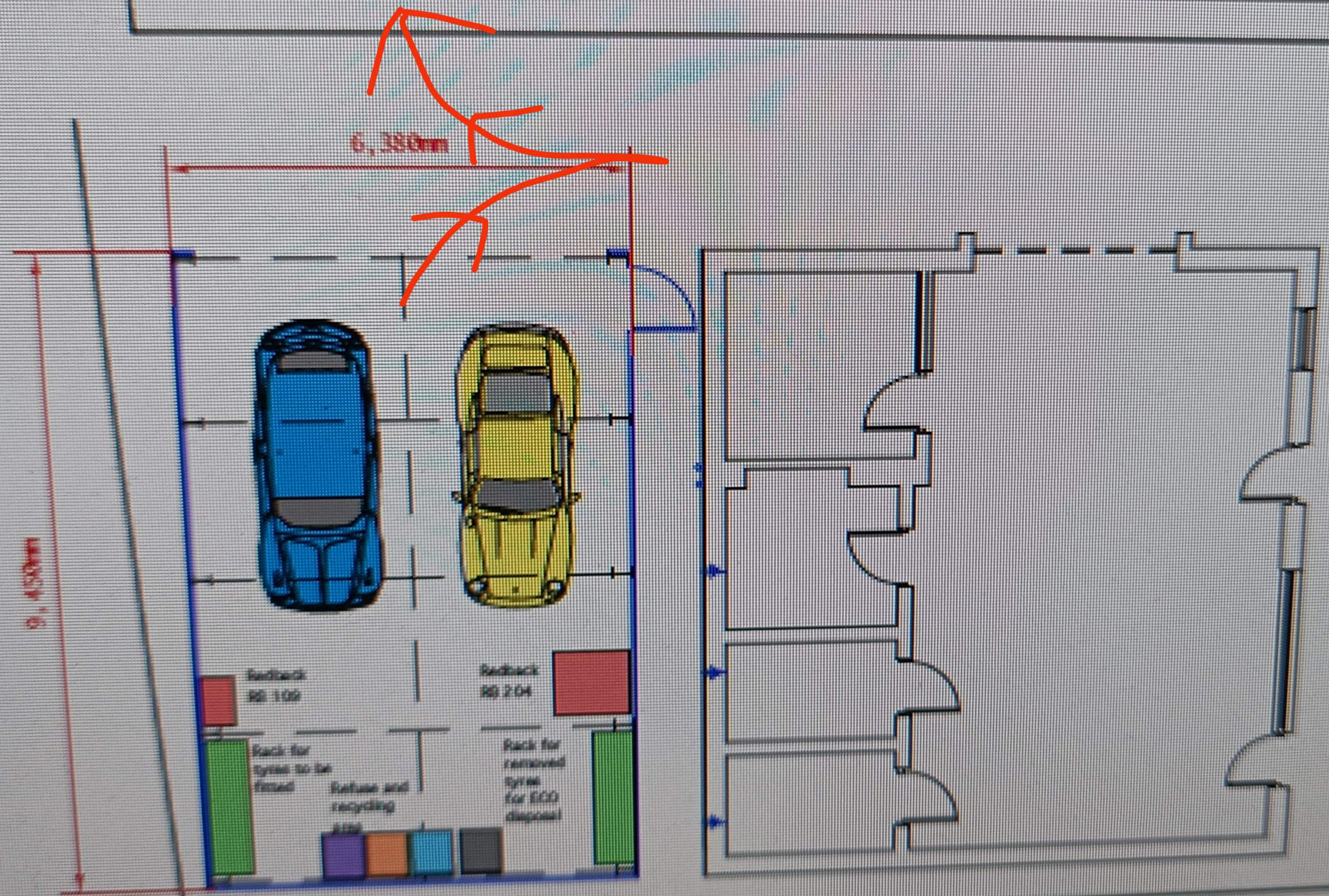
Roadmans Cottage

adham Road

A92



Existing



Note.

Foundations and structural details
Building Warrabt submission by
and covered by SER Certificate

Plan as
Proposed

Louise Morrison

From: [REDACTED]
Sent: 27 December 2023 02:44
To: Development Central
Subject: Application no.23/02396/full

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

Respond to Neighbour Notification
Application No 23/02396/FULL
Erection Of Tyre Centre (Class 5)

My House which I have owned for 20 years, 1 roadmans cottage is opposite to the proposed Tyre Centre which will be situated on the busy A92 corner leading into Cadham Road. This is at present used as a car wash business and it is not clear if the car wash will still be in operation as well as the tyre centre.

This is a small site and in my opinion is not suitable for both businesses to operate as the space is limited. This will also increase traffic going into the businesses and could lead to a build up on the busy A92 . There have been 5 or 6 that I know of accidents on this corner during 2023.

I am also worried about the noise factor coming from the proposed corrugated metal sheeting industrial building with no insulation . This will lead to noise pollution with compressors on the majority of time with an assortment of air hand tools in use.

This is a very busy junction as I'm sure you are already aware off and to exit Cadham road onto the busy A92 is dangerous. Traffic on the A92 has a speed limit of 40 miles per hour but most drivers speed up after coming off the TullasRussell roundabout which is 200 yards from the corner.

I am glad I don't have to make the decision on this planning application but if it goes ahead I would suggest that the 40mph be reduced to 30 or a set of lights be put in operation to allow traffic from Cadham road to exit safely.

I'm currently out the country till end of January , but my neighbour forwarded me the proposed planning application.

Regards

Robert scott
[REDACTED] roadmans cottage
Ky76pe

Regards Bob.

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Agenda Item 5(5)

**Cadham Service Station, Cadham Road,
Glenrothes, KY7 6PE**

Application No. 23/02396/FULL

Consultee Comments

MEMORANDUM

TO: Case Officer not specified on Consultation Request Notification

FROM: Blair Falconer, Technical Officer, Land & Air Quality

DATE: 7th December 2023

OUR REF: PC230165.C1

YOUR REF: 23/02396/FULL

SUBJECT: **Erection of tyre centre (Class 5) at Cadham Service Station, Cadham Road, Glenrothes**

After receiving your request for comment regarding the above planning application, I would provide the following:

Land Quality – Suspensive condition recommended

Given the former use of the site as a filling station it is advised that if any unexpected conditions are encountered during development work at the site, e.g. made ground / gassing / odours / asbestos or hydrocarbon staining, the Planning Authority should be informed as a Site Specific Risk Assessment may be required.

If Development Management are minded to approve the application, it is advised that the land quality condition **LQC3 (attached) be utilised to ensure any unforeseen contamination issues associated with the above site are suitably addressed.**

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

Regards, Blair Falconer - Technical Officer (Enc. Model Condition)

Model Planning Condition for Land Quality

LQC3

IN THE EVENT THAT CONTAMINATION NOT IDENTIFIED BY THE DEVELOPER prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority or (b) the local planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

Planning Portfolio Internal Assessment Sheet

EPES Team	Transportation Development Management
Application Ref Number:	23/02396/FULL
	Erection of Tyre Centre (Class 5) at Cadham Service Station, Cadham Road, Glenrothes
Date:	16th January 2024
Reason for assessment request/consultation	<input type="checkbox"/> Statutory <input checked="" type="checkbox"/> Non-statutory
Consultation Summary	FILE:

Important Note

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

Assessment Summary

1.0 OVERALL ASSESSMENT

- 1.1 This application is for the erection of a unit to be used as a tyre fitting centre on the western part of the existing car wash site.
- 1.2 There is an operational jet car wash on the site with vehicles being rinsed clean close to the exit onto Cadham Road. This area is directly to the rear of the proposed workshop location.
- 1.3 According to the current Fife Council Making Fife's Places Appendix G, the proposed tyre fitting workshop requires the provision of 3 off-street parking spaces within the curtilage of the site. These spaces must be formed clear of the entrance to the workshop and the car wash operation. In addition, the existing car

wash must have the provision of 5 queuing spaces per jet wash lane in accordance with the current Appendix G.

- 1.4 In my opinion, the proposed tyre fitting business would conflict with the operation of the existing car jet wash business and there is inadequate space within the curtilage of the site for both the existing and proposed uses to operate concurrently. As a result, vehicles exiting the car wash would come into conflict with vehicles being manoeuvred in and out of the proposed workshop building. It would be likely that operatives from the proposed tyre centre would have to use the public road when manoeuvring in and out of the workshop.
- 1.5 There is inadequate space within the curtilage of the site to provide parking for vehicles associated with the proposed tyre fitting business within an acceptable arrangement. As a result, vehicles would have to be parked on the public road to the detriment of road safety.

2.0 CONCLUSIONS

- 2.1 There is inadequate space within the curtilage of the site for the proposed tyre fitting business to operate in conjunction with the existing jet car wash business. The lack of the necessary off-street parking and manoeuvring space within the curtilage of the site would lead to conflicts within the site and possibly on the adjacent public road all to the detriment of pedestrian and road safety.

3.0 RECOMMENDATION

- 3.1 Refusal.

Important note

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

Author: Andy Forrester, Technician Engineer, Transportation Development Management

Date: 16/01/2024

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

Number: 03451 55555 extension 480211

Tuesday, 12 December 2023



Local Planner
Fife House
North Street
Glenrothes
KY7 5LT

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

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Cadham Service Station, Cadham Road, Glenrothes, KY7 6PE
Planning Ref: 23/02396/FULL
Our Ref: DSCAS-0100111-RZG
Proposal: Erection of tyre centre (Class 5)

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Glenfarg Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ There is currently sufficient capacity for a foul only connection in the Levenmouth Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.

- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
-

Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices

to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 5kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

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

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@scottishwater.co.uk

Scottish Water Disclaimer:

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



**The Coal
Authority**



INVESTOR IN PEOPLE



RTPI
Learning Partner

200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Mr B Forsyth – Case Officer
Fife Council

[By Email: development.central@fife.gov.uk]

15th December 2023

Dear Mr Forsyth

PLANNING APPLICATION: 23/02396/FULL

Erection of tyre centre (Class 5); Cadham Service Station, Cadham Road, Glenrothes, Fife, KY7 6PE

Thank you for your notification of the 7 December 2023 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response: Fundamental Concern

I have reviewed the site location plans, the proposals and the supporting information submitted and available to view on the LPA website. I can confirm that the site falls within the defined Development High Risk Area and that a Coal Mining Risk Assessment, or equivalent report, is required to be submitted to support this application.

The Coal Authority records indicate the application site lies in an area of mine workings at shallow depth. The presence of shallow mine workings may pose a potential risk to surface stability and public safety.

In accordance with the agreed risk-based approach to development management in the defined Development High Risk Areas, the applicant should be informed that they need to submit a Coal Mining Risk Assessment Report to support this planning application. As no relevant information has been submitted at this time the Coal Authority **objects** to this planning application.

The applicant can find further information on Coal Mining Risk Assessments by following the link below:

[Planning applications and Coal Mining Risk Assessments - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

The Coal Authority would be very pleased to receive for further consultation and comment any additional information submitted by the applicant.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

Melanie Lindsley

Melanie Lindsley BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI

Principal Planning & Development Manager

Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

**The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)**

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To: Fife Council	Council Reference:-	23/02396/FULL
	TS Reference:-	NE/121/2024

Application made by Mr Nihad Azizi per Dominic Notarangelo, Padrino Design The Wright Business Centre 1 Lonmay Road Glasgow Scotland G33 4EL and received by Transport Scotland on 15/01/2024 for planning permission for Erection of tyre fitting facility (Class 5) located at Cadham Service Station Cadham Road Glenrothes Fife affecting the A92 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-	Area Manager (A92) 0141 272 7100 Transport Scotland, 2nd Floor, George House, 36 North Hanover St, Glasgow G1 2AD
Operating Company:-	North East
Address:-	Amey, Caledonian House, West Kinfauns, Perth
Telephone Number:-	Not Available
e-mail address:-	occr-northeast@amey.co.uk

Transport Scotland

Roads Directorate

Network Operations - Development Management



Response On Development Affecting Trunk Roads and Special Roads

Transport Scotland Response Date:-

18/01/2024

Transport Scotland Contact:-

Iain Clement

Transport Scotland Contact Details:-

Roads - Development Management

Transport Scotland, 2nd Floor, George House, 36 North Hanover St, Glasgow G1 2AD

Telephone Number: 0141 272 7100

e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Roads Directorate, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Directorate if the recommended advice is not accepted.

Agenda Item 5(6)

**Cadham Service Station, Cadham Road,
Glenrothes, KY7 6PE**

Application No. 23/02396/FULL

Further Representations

Respond to Neighbour Notification

Application No 23/02396/FULL

Erection of Tyre Centre (Class 5)

Further to you letter dated 19th April 2024.

My original objections have not changed and I would like to add a further 2 points.

1. We have had to ask the car wash owners to remove some of their advertising boards as they are blocking the view of cars trying to turn onto the A92. This is a dangerous corner and visibility is paramount
2. There is a new development at the back of the existing Cadham Service station where the planned development of the Erection of tyre fitting facility (class 5) is planned.
3. Please find enclosed a photocopy of the new housing development that will be at the back of the Cadham Service Station

I understand that the review body will receive a copy of my original objections.

Thank you for giving us a further opportunity to comment.

Mr Ian Forsyth & Mrs Marlyn Blair

Kinneil House

Cadham

Glenrothes

KY7 6PE

Application No 23/02396/FULL Erection of Tyre Centre (Class 5)

My House is next to the proposed Tyre Centre which will be situated on the busy A92 corner leading into Cadham Road. This is at present used as a car wash business and it is not clear if the car wash will still be in operation along with the proposed tyre centre.

There is a walk way between the proposed Corrugated building and my front and back garden.(Approx 8 feet) During the summer months we site in our back garden which is located at our side door facing the.proposed site. I am worried about the noise factor coming from the corrugated metal sheeting industrial building with no installation as this could lead to noise pollution with compressors on the majority of time with a variety of hand held tools in use not to mention the noise from the movement of cars

This is a small site and for 2 businesses to operate out of a limited space with a high volume of vehicles (Cars and Vans) This will make the very busy corner even more dangerous with a possible build-up of traffic waiting on the busy A92 to gain access. There have been at least 5 accidents on this corner in the past year.

I have mentioned before that this is a very busy junction and to exit Cadham road onto the busy A92 is at the moment very dangerous. Traffic on the A92 generally speed up after coming off the Tullis Russel roundabout which is approx. 300 yards from the corner of Cadham Road.

I hope you will take my comments into consideration when dealing with this proposed planning application.

Regards

Mr Ian Forsyth and Mrs Marlyn Blair  Ian Forsyth

Kinneil House

Cadham

Glenrothes KY7 6PE

3rd January 2024

- The Bella
- The Emerald
- The Cypress
- The Kinloch
- The Madstone
- The Sable
- The Aurora
- The Emerald
- The Oakwood
- The Rosehill
- The Lytton
- The Diamond
- The Mountain
- The Avondale
- The Pineside
- The Glenwood

THE DEVELOPER'S INTENT IS TO PROVIDE A MIXTURE OF HOUSING TYPES AND COLORS TO ENHANCE THE VISUAL APPEAL AND CHARACTER OF THE COMMUNITY. THE COLOR KEY IS PROVIDED FOR YOUR REFERENCE.



Colin Cowper

From: [REDACTED]
Sent: 01 May 2024 21:20
To: Development Central
Subject: Re: Application no.23/02396/full

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Further to my correspondence previously back in January I am still objecting to the erection of tyre centre , really for obvious reasons it is already a very busy and dangerous junction and this will just add to it along with extra noise from the a tyre fitting site and I live right opposite this it's only a steel cladding corrugated building air power tools and compressor operating will be noisy.

There will also be even more signage boards ect i would imagine which with the the winds will end up be blown about the street I've already went out at night and moved flag banner poles off the main road that haven't be secured down, not to mention the new bellway development site to the rear off the car wash , I'm sure they would object too .

Hopefully you make the right decision here ,

Regards Robert
[REDACTED] roadmans cottage
Cadham road
Ky76pe

Mobile : [REDACTED]

> On 27 Dec 2023, at 02:43, robert scott <[REDACTED]> wrote:

>

> Respond to Neighbour Notification

> Application No 23/02396/FULL

> Erection Of Tyre Centre (Class 5)

>

> My House which I have owned for 20 years, 1 roadmans cottage is opposite to the proposed Tyre Centre which will be situated on the busy A92 corner leading into Cadham Road.This is at present used as a car wash business and it is not clear if the car wash will still be in operation as well as the tyre centre.

> This is a small site and in my opinion is not suitable for both businesses to operate as the space is limited. This will also increase traffic going into the businesses and could lead to a build up on the busy A92 . There have been 5 or 6 that I know of accidents on this corner during 2023.

> I am also worried about the noise factor coming from the proposed corrugated metal sheeting industrial building with no insulation . This will lead to noise pollution with compressors on the majority of time with an assortment of air hand tools in use.

> This is a very busy junction as I'm sure you are already aware off and to exit Cadham road onto the busy A92 is dangerous. Traffic on the A92 has a speed limit of 40 miles per hour but most drivers speed up after coming off the TullasRussell roundabout which is 200 yards from the corner.

> I am glad I don't have to make the decision on this planning application but if it goes ahead I would suggest that the 40mph be reduced to 30 or a set of lights be put in operation to allow traffic from Cadham road to exit safely.

> I'm currently out the country till end of January , but my neighbour forwarded me the proposed planning application.

>

> Regards

>

> Robert scott
> ■ roadmans cottage
> Ky76pe
>
> Regards Bob.
>

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