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

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

3 April, 2024

2.00 pm – 4.15 pm

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

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

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

157. DECLARATIONS OF INTEREST

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

158. MINUTE

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

Decision

The committee agreed to approve the minute.

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

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

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

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

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Motion

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

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

Amendment

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

Decision

The committee agreed to: -

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

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

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

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

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

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

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

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

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

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

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

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

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

Decision

The committee agreed: -

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

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

The meeting adjourned at 3.35pm and reconvened at 3.40pm

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

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

Members were advised of amendments to the reports: -

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

Decision

The committee agreed: -

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

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

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

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

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

162. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS

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