

Oliver and Robb Architects
Linda Duff
Pitreavie Drive
Pitreavie Business Park
Dunfermline
United Kingdom
KY11 8UH

Planning Services

Ewen Campbell
03451 55 11 22
development.central@fife.gov.uk

Your Ref:
Our Ref: 19/00912/FULL

Date 25th March 2020

Dear Sir/Madam

Application No: 19/00912/FULL
Proposal: Erection of 11 dwellinghouses and 8 flatted dwellings with associated access and parking
Address: Land Adjacent To Caskieberran Road Glenrothes Fife

Please find enclosed a copy of Fife Council's **DRAFT** decision notice in relation to the above application made on behalf of **Curtis Jones Property Developments**.

It has been resolved to grant planning permission subject to a legal agreement (either under S.75 of the Planning Scotland Act or S.69 of the Local Government Scotland Act). A copy of the draft decision notice is enclosed.

In these circumstances the decision is not formally issued until the legal agreement is concluded. Until a decision notice is issued, you should not start work. In due course the Council's solicitors will contact you regarding the conclusion of the legal agreement. It is important that you reply to the Council's solicitors promptly, advising them of your intentions and the name of any legal representative that would act for you or your client in this regard.

If the legal agreement is not concluded within 3 months of the date of this letter, the application will be determined on the assumption that you do not intend to proceed with the agreement. It is likely that the application would be refused in these circumstances.

I trust this keeps you informed of the current position.

Yours faithfully,

Ewen Campbell, Planner

Enc

Planning Services
Fife House, North Street, Glenrothes, KY7 5LT
03451 55 11 22

USEFUL GUIDANCE

BUILDING WARRANT

This permission does not exempt you from obtaining a Building Warrant under the Building (Scotland) Acts. For further information, please contact 03451 55 11 22.

FIFE COUNCIL LAND, ROADS AND FOOTPATHS

The consent of Fife Council as the landowner may be required where development is on Council owned land, or where access is required over adopted roads and/or footpaths.

AVOIDING DANGER FROM UNDERGROUND SERVICES

Freephone Dial-Before-You-Dig, Susiephone No. 08000 231 251 or email dialbeforeyoudig@susiephone.co.uk . If you require any more information about Susiephone then please contact Susiephone Ltd, PO Box 12891, Loanhead, EH20 9WU.

ROADS CONSTRUCTION CONSENT

This permission does not exempt you from obtaining a Roads Construction Consent under the Roads Scotland Act 1984. For further information please contact: Fife Council, Transportation and Environmental Services

ADVICE FROM SCOTTISH WATER

The issue of a Building Warrant or Planning Permission does not cover aspects of the works for which separate approval is required from Scottish Water (SW). As Fife Council notifies SW of **all** applications which are approved, applicants should be aware that inspection of work which is not approved in advance by SW is often inconvenient and may result in the applicant incurring additional expense to remedy work undertaken incorrectly.

Please contact:	Scottish Water 6 Castle Drive Dunfermline, Fife KY11 8GG	Tel: 0845 601 8855 Email: customer.service@scottishwater.co.uk
------------------------	---	---



DRAFT 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 **GRANTS PLANNING PERMISSION** for the particulars specified below

Application No: 19/00912/FULL
Proposal: Erection of 11 dwellinghouses and 8 flatted dwellings with associated access and parking
Address: Land Adjacent To Caskieberran Road Glenrothes Fife

You are legally required to fully comply with all the particulars as set out in the terms of this decision notice. The plans and any other submissions which form part of this Decision notice are as shown as 'Approved' for application reference 19/00912/FULL on Fife Council's Planning Applications Online.

CONDITIONS

1. BEFORE ANY WORK STARTS ON SITE; details (including samples) of the specification and colour of all proposed external finishes (including boundary walls, fences and hardstanding) shall be submitted for approval in writing by Fife Council as Planning Authority.

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

2. BEFORE ANY WORKS START ON SITE; a scheme of landscaping including a landscaping plan indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted to and approved in writing by this Planning Authority. The recommendations contained within the Preliminary Ecological Appraisal report (August 2019), as approved through this consent, should inform species choice. These submitted details should also include details of all proposed boundary treatments. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is sooner.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

3. BEFORE ANY WORKS START ON SITE, details of the future management and aftercare of the proposed landscaping and planting shall be submitted to and approved in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

Dated:

Derek Simpson

For Head of Planning Services

4. All planting carried out on site shall be maintained by the developer in accordance with good horticultural practice for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.

Reason: In the interests of visual amenity and effective landscape management; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

5. Prior to commencement of works on site, visibility splays of 2.4m x 25m shall be provided at the proposed junction with Caskieberran Road. The visibility splays shall be maintained clear of all obstructions exceeding 0.6 metres above the adjoining carriageway level, in accordance with the current Fife Council Transportation Development Guidelines. These visibility splays shall remain in perpetuity.

Reason: In the Interest of road safety - to ensure the provision of adequate design.

6. All roads and associated works serving the proposed development shall be constructed in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety - to ensure the provision of adequate design

7. Prior to the first occupation of each property, off street car parking shall be provided for that property in accordance with the current Fife Council Transportation Development Guidelines. The parking shall thereafter remain in place in perpetuity.

Reason: To ensure the provision of adequate off street parking.

8. Prior to the commencement of works on site, adequate wheel cleaning facilities shall be provided and maintained throughout the construction of the development so that no mud, debris or other deleterious material is carried by vehicles onto the public roads. Details of the proposed wheel cleaning facilities shall be provided for the written approval of this planning authority prior to installation on site.

Reason: Reason - in the interest of road safety - to ensure that public roads are kept free of mud and other debris.

9. No dwellinghouse shall be occupied prior to the installation of operating street lighting and footways (where appropriate) serving that dwelling house, to the satisfaction of this planning authority.

Reason: In the interest of road safety - to ensure the provision of adequate pedestrian facilities

10. A traffic management plan (TM) covering the construction of the development shall be submitted for written approval of this planning authority prior to commencement of any works on site. The TM plan will contain details on routing and timing of deliveries to site, site operatives parking area, traffic management required to allow off site operations

Dated:

Derek Simpson

For Head of Planning Services

such as public utility installation. The approved traffic management plan shall thereafter be implemented for the duration of the construction works.

Reason: In the interest of Road Safety - To ensure minimum disruption to the general flow of traffic on the surrounding road network.

11. BEFORE ANY WORKS START ON SITE, the developer shall submit details and specifications of the protective measures necessary to safeguard the trees adjacent to the site during development operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the demolition/development operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

Reason: In order to ensure that no damage is caused to the existing trees during development operations.

12. The recommendations contained within section 1.6 of the Preliminary Ecological Appraisal, Brindley Associates, August 2019) as approved through this consent, shall be implemented in full. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, an action plan which identifies each measure contained within the Preliminary Ecological Appraisal, along with full details of each action and a methodology for their implementation, along with timescales for delivery, shall be submitted for the written approval of the Planning Authority.

Reason: In order to ensure the appropriate implementation of the recommended mitigation measures, and to protect the natural heritage assets of the site.

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

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Policy 2 of the Adopted Fife Plan (2017).

REASON(S) FOR MAKING THIS DECISION

The reason(s) why the Council made this decision are: -

The proposal, subject to conditions, is considered acceptable in meeting the terms of the Development Plan and National Guidance. While the proposal would not meet the requirements of Fife Council's Garden Ground guidance, in this instance, it is considered that a reduction in the recommended garden ground area would be acceptable, given the form of the surrounding residential context which would allow the development to reflect this context and fit in with the general urban grain. The proposal is considered to be compatible with its surrounds in terms of land use and would not cause any detrimental impacts on residential properties within the proposed scheme or the surrounding area. The proposal would be considered acceptable in terms of its impact on road safety. The proposal is also considered

Dated:

Derek Simpson

For Head of Planning Services

to be in keeping with the scale, massing, layout and height of the existing built form at this location and would, therefore, be an appropriate form and design of development.

PLANS

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

Reference	Plan Description
01	Location Plan
02	Block Plan
03D	Proposed Block Plan
04A	Proposed Site Plan
05	Cross section
06A	Floor Plan Proposed
07A	Floor Plan Proposed
08B	Proposed Elevations
09A	Proposed various - elevation, floor etc
10A	Proposed various - elevation, floor etc
11	Floor Plan Proposed
12	Proposed Elevations
13A	Street Scene
14B	Sectional Details
15A	Design and/or Access Statement
16A	Drainage Plan
17	Flood Risk Assessment
18A	Surface Water Flow Diagram
19	Site Investigation
20	Impact Assessment
21	Low Carbon Sustainability Checklist
22	Transport Assessment
23A	Floor Plan Proposed
24	Tree Survey Site Plan
25	Tree Report
26	Ecological Statement
27	Proposed Elevations
28	Floor Plan Proposed
29	Proposed Elevations
30A	Site Plan
31	Three Dimensional View
32	Three Dimensional View
33	Street Scene
34	Site Plan
35	Additional Information
36	Flood Calculations

LEGAL AGREEMENTS

This application is subject of a legal agreement relating to Legal agreement to secure contributions of £20,300 in relation to affordable housing, and £19,000 in relation to open space/play area improvements.

Dated:

Derek Simpson

For Head of Planning Services

IMPORTANT NOTES ABOUT THIS DECISION

IT IS YOUR RESPONSIBILITY TO ENSURE THAT ALL WORKS AUTHORISED BY THIS DECISION ARE CARRIED OUT STRICTLY IN ACCORDANCE WITH ALL OF THE CONDITIONS AND SPECIFICATIONS OF THE DECISION NOTICE, INCLUDING THESE NOTES.

DURATION

This permission will lapse 3 years from the date of this decision, unless there is a specific condition relating to the duration of the permission or development has commenced by that date.

COMMENCEMENT/COMPLETION OF DEVELOPMENT

Prior to the development hereby approved commencing on site, you are required to submit written notification to Fife Council as Planning Authority of the intended date of commencement of the development (form attached), which for the avoidance of doubt shall not commence until this notification has been agreed in writing by this Council. On completion of the development, you are also required to submit written notification to this Council of this as soon as practicably possible.

COALFIELD STANDING ADVICE - DEVELOPMENT LOW RISK AREA

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

LOCAL REVIEW

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

ENFORCEMENT

Failure to carry out development in accordance with the approved details or to comply with any conditions on this decision notice may result in enforcement action being taken.

