

REPORT OF HANDLING
APPLICATION DETAILS

ADDRESS	Building At East End Of, The Temple, Lower Largo		
PROPOSAL	Erection of workshop/studio (demolition of existing garage)		
DATE VALID	23/11/2021	PUBLICITY EXPIRY DATE	30/12/2021
CASE OFFICER	Scott McInroy	SITE VISIT	10/12/2021
WARD	Leven, Kennoway And Largo	REPORT DATE	17/01/2022

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT

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

1.0 BACKGROUND

1.1 The application site lies at the extreme eastern point within the settlement boundary of Lower Largo defined as defined in the Adopted FIFEplan (2017). The application relates to a garage/store that sits at the eastern end of the turning circle at the end of the Temple. The application site is approx. 66m². To the north is an embankment with scrub land where core path P265/01 and a public right of way pass, to the east is another workshop building, to the south is a core path which runs between the garage and the beach and west is the temple turning circle where the site is accessed from.

1.2 This application is for the demolition of the existing garage and erection of workshop/studio. The proposed footprint of the new building would change slightly from the existing building with, the entrance to the garage would be set back by 0.6m to allow better access to the core path that runs to the south of the building, while the footprint would also move 0.6m to the south. The height of the replacement garage would rise by 1.9m to 5.5m in height at the western section of the south elevation by to 4.3m at the eastern section of the south elevation to provide room for the first-floor gallery space and a second-floor roof terrace. The proposed west elevation would have a window at first floor level and second floor level. The south elevation would have two windows at ground floor level, a large glazed window first floor level and a roof terrace with glazed balustrade at second floor level. The east elevation would a first-floor glazed window, while the north elevation would have a no windows. The building would be finished with light grey brick at ground floor level with anthracite metal cladding at first and second floor with treated hardwood vertical cladding on the second-floor south elevation. The windows and doors would be metal framed, while the existing garage door would be replaced by a treated hardwood horizontal cladding. The roof will have pv panels.

1.3 The recent planning history for the site is as follows:

04/03577/EFULL - Extend and alter domestic garage and store, including partial demolition of existing garage, and new roof structure - Approved 16.12.2004

21/01591/FULL - Erection of replacement garage and store with studio over - Approved 15/07/2021

2.0 PLANNING ASSESSMENT

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

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- Principle of Development
- Residential Amenity
- Design and Visual Impact
- Access
- Contaminated Land/Land Stability
- Road safety

2.2 Principle of Development

2.2.1 The Scottish Planning Policy (2014) promotes the use of the plan-led system to provide a practical framework for decision making on planning applications thus reinforcing the provisions of Section 25 of the Act.

2.2.2 Policy 1, Part A, of the Adopted FIFEplan (2017) stipulates that the principle of development will be supported if it is either (a) within a defined settlement boundary and compliant with the policies for this location; or (b) is in a location where the proposed use is supported by the Local Development Plan Team.

2.2.3 In simple land use grounds, the principle of the development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within the settlement boundary of Lower Largo within the Adopted FIFEplan. Concerns have been raised that this proposal would be used as a residential premises or holiday let. As the

application site is located within the settlement boundary of Lower Largo uses such as residential would be appropriate, however this application is for a workshop/studio, therefore a condition has been included to ensure it remains a garage/studio and not a separate flat or dwellinghouse. If in the future the applicant wishes to change the use of this building, then separate planning permission would be required. Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

2.3 Residential Amenity

2.3.1 Policies 1 and 10 of the Adopted FIFEplan (2017) and Planning Guidelines on Sunlight and Daylight, apply in this respect. Policy 10 of the adopted FIFEplan 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. Proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to the loss of privacy, sunlight and daylight. PAN 1/2011 establishes the best practice and the planning considerations to be taken into account with regard to developments that may generate noise, or developments that may be subject to noise. The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development.

2.3.2 Concerns have been raised regarding the impact of this building on the surrounding area. Although the proposed building would be 1.9m higher in height at the western section of the and to 4.3m at the eastern section of the south elevation than the existing building on site, given its location at the eastern extent of Lower Largo with the nearest residential property being over 23m to the south west this proposal will not create a significant impact on the amount of daylight and sunlight this property will receive and would also not impact on the privacy of this dwelling. The proposed roof terrace on the south elevation would look straight onto the beach and the Firth of Forth, therefore this would have no impact on the residential amenity of the area. Fife Council's Public and Environmental Protection Team (PEPT) has assessed the proposal and has no objections to this proposal. Officers have also recommended that hours of construction works are limited by condition, however, given the small-scale nature of the works/conversion and extension involved such a condition would normally only be imposed for larger scale residential or housing sites not single minor conversion works. It should however be noted that in the unlikely event that there are statutory nuisance/amenity issues raised, then it would be more appropriate to deal with these through Environmental Health Public Protection legislation rather than through the planning system. On this basis, the proposal is therefore considered to be capable of meeting the requirements of the relevant Development Plan policies and Fife Council Customer Guidelines respectively with respects to ensuring there are no adverse impacts on neighbouring developments.

2.4 Design/ Visual Impact

2.4.1 FIFEplan Local Development Plan (2017) Policies 1, 7, 8 and 10 and Making Fife's Places Supplementary Guidance (2018) apply with regard to the design and visual impact of the proposal.

2.4.2 Policies 1 and 10 of FIFEplan (2017) aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area.

2.4.3 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. These documents encourage a design-led approach to development proposals through placing the focus on achieving high quality design. These documents also illustrate how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.4.4 Concerns have been raised regarding the design and scale of the proposed building. The existing building is finished in grey render with rusting rainwater goods and garage door. The proposed building would introduce a modern building contemporary in style maximising the views to the south. Although the design and proposed materials are not in keeping with the streetscene to the east, this building would visually enhance the area replacing an existing building with no architectural merit and would have a positive impact on the streetscene on the eastern side of Temple that leads into the countryside to the east. Whilst the proposal will be higher than the building it replaces and of some of the others locally and is immediately adjacent to the designated Fife Coastal Path, its upper level lean-to roof would have limited massing through the use of a recessed roof terrace feature as well as a limited length/roof span design which it is considered would not significantly obstruct vantages/views from the elevated designated access route. Further to that any visual impacts would be very temporary in nature and would be a one off small scale impact as users of the Coastal Path would pass briefly. That impact would therefore avoid any long term or repetitive or intermittent visual impacts for Core Path users or on the wider landscape character of the area and is therefore considered acceptable in that regard. The limited visual impact would also be limited in terms of angle of view with a significant portion of the coastal environment still being visible either side of the proposed roof feature. On this basis, the proposal is therefore considered to be capable of meeting the requirements of the relevant Development Plan policies and Fife Council Customer Guidelines respectively with respects to ensuring there are no adverse impacts on the surrounding area.

2.5 Access

2.5.1 Policies 1 and 13 aim to protect the natural environment and access and state development proposals will only be supported where they protect or enhance natural heritage and access assets including core paths and established footpaths.

2.5.2. There is a core path and claimed right of way to the north of the application site. The path to the south is not a claimed public right of way, however a condition has been added that this path must remain open during construction works and thereafter.

2.5.3 On this basis, the proposal is therefore considered to be capable of meeting the requirements of the relevant Development Plan policies with respects to ensuring there are no adverse impacts on the natural environment and access.

2.6 Contaminated Land/Land Stability

2.6.1 Policy 1 and 10 of the Adopted FIFEplan advises that development proposals must not have a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.6.2 Fife Council's Land and Air Quality Team were also consulted on the application. They have noted that a railway line ran formerly along the southern boundary of the application site. Therefore, a condition has been added to ensure any unforeseen contamination on site are suitably addressed.

2.7 Road Safety

2.7.1 Adopted FIFEplan (2017) Policy 3 and Making Fife's Places Supplementary Guidance (2018) apply in this instance.

2.7.2. Fife Council's Transportation Service have no objections to the proposal.

2.8 LOW CARBON

2.8.1 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that: low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The Council's Low Carbon Fife Supplementary Guidance (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. Applicants are expected to submit a Low Carbon Sustainability Checklist in support. One general comment has been received about the lack of solar panels as part of this proposal. The applicant has submitted a low carbon checklist which states that the proposal will utilise renewable energy strategy with pv panels on the roof.

2.8.2 As such, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

CONSULTATION RESPONSES

Land And Air Quality, Protective Services	No objection subject to conditions
Environmental Health (Public Protection)	No objection
Transportation, Planning Services	No objection
Scottish Water	

REPRESENTATIONS

One objection was received and the key issues are addressed throughout this report. The letter raised no new issues not already covered in the main report subject headings.

CONCLUSION

The proposal is considered acceptable in terms of design, detailing and choice of materials; and would protect and enhance the character and appearance of this property and surrounding area. It is considered, in this instance, that the proposal complies with the adopted FIFEplan (2017).

DETAILED RECOMMENDATION

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

1. The development hereby approved shall only be used as a workshop/studio and for the avoidance of doubt the building shall not be used as a dwellinghouse or flat.

Reason: In order to retain full control over the development and to avoid the creation of an additional permanent dwellinghouse.

2. The Right of Way to the south of the application site shall be kept open throughout the duration of constructions works and thereafter unless otherwise agreed in writing with the Council as Planning Authority.

Reason: To ensure access along the Right of Way adjoining the site is not adversely affected by construction works.

3. 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.

Development Plan

The Adopted FIFEplan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance

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

