

FIFE COUNCIL

City of Dunfermline Area Committee
26th May 2008

APPLICATION FOR DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF 15 FLATTED DWELLINGS INCLUDING ASSOCIATED CAR PARKING AND LANDSCAPING, HILLPARK HOUSE, 37 TOWNHILL ROAD, DUNFERMLINE (07/03971/WFULL)

1.0 INTRODUCTION

- 1.1 This application was previously considered by the City of Dunfermline Area Committee on the 28th April 2008. The officer's report recommended the application for conditional approval (see attached appendix for committee report). Members did not agree to the recommendation and decided to refuse the application.
- 1.2 The purpose of this report is to provide the Committee with the finalised reasons for refusal, as agreed at the last committee meeting.

2.0 FINANCIAL IMPLICATIONS

- 2.1 There are no direct or indirect financial implications affecting Fife Council as Planning Authority.

3.0 LEGAL IMPLICATIONS

- 3.1 There are no direct or indirect legal implications affecting Fife Council as Planning Authority.
- 3.2 As in all circumstances when a refusal of planning permission is decided, the applicants have a right of appeal, within 6 months of the date of the decision, to the Directorate for Planning and Environmental Appeals

4.0 BACKGROUND

- 4.1 The application relates to the demolition of an existing dwelling house and erection of 15 flats with associated landscaping and parking provision.
- 4.2 The Committee considered that the development was not in accordance with the development plan due to its scale and massing and that it was inappropriate to further burden existing educational provision at Bellyeoman primary school.

5.0 RECOMMENDATIONS

- 5.1 In accordance with the previous committee decision to refuse the proposed development it is recommended that the application is refused for the following reasons:

Reason(s)

1. The development is contrary to Policy BE3 of the adopted Dunfermline and the Coast Local Plan in that it fails to make a contribution to the immediate environment by virtue of its scale and massing, which is out of keeping with the surrounding area.
2. The development would place additional pressure on the existing primary catchment school which is operating at capacity and can not be expanded to meet the additional demand

Keith Winter
Head of Development Services

Jim Birrell
Development Manager
(Development and Regeneration)

Author: Mary Stewart, Development Promotion and Design Team Leader

Date: 28th April 2008

Ref :



DEVELOPMENT SERVICES

George Walker Building Design Services
41 Woodlands Bank
Dalgety Bay
KY11 9SX

Direct Line: Kevin Treadwell
01383 609441
Email: Kevin.Treadwell@fife.gov.uk

Your Ref:

Our Ref: 07/03971/WFULL

Date: 27th May 2008

Dear Sir/Madam

APPLICATION NO.: 07/03971/WFULL
PROPOSAL: DEMOLITION OF EXISTING DWELLINGHOUSE AND
ERECTION OF 15 FLATTED DWELLINGS INCLUDING
ASSOCIATED CAR PARKING AND LANDSCAPING
ADDRESS: HILLPARK HOUSE 37 TOWNHILL ROAD DUNFERMLINE

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

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

Yours faithfully,

A handwritten signature in black ink, appearing to read "Kevin Treadwell", written over a horizontal line.

Kevin Treadwell
Lead Officer
Development Promotion & Design

Enc.

NEW CITY HOUSE
1 EDGAR STREET
DUNFERMLINE FIFE KY12 7EP
KEITH WINTER Head of Service



INVESTOR IN PEOPLE

TELEPHONE 01383 609120

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

APPLICATION REFERENCE: 07/03971/WFULL

PARTICULARS OF DEVELOPMENT: Demolition of existing dwellinghouse and erection of 15 flatted dwellings including associated car parking and landscaping

SITE LOCATION: Hillpark House 37 Townhill Road
Dunfermline

Refuse for the following reasons: -

1. The development is contrary to Policy BE3 of the adopted Dunfermline and the Coast Local Plan in that it fails to make a contribution to the immediate environment by virtue of its scale and massing, which is out of keeping with the surrounding area.
2. The development would place additional pressure on the existing primary catchment school which is operating at capacity and can not be expanded to meet the additional demand.

Dated: 26th May 2008



For Head of Development Services
Fife Council

IMPORTANT NOTES ABOUT THIS REFUSAL OF PLANNING PERMISSION

RIGHTS OF APPEAL

If you are not satisfied with this decision you may appeal to the Scottish Minister within **six months** of the date on this notice.

A notice of appeal must be lodged in writing on a form supplied by the Scottish Government and the grounds of appeal must be clearly stated. Appeal form P/PPA can be obtained by writing to:

**Scottish Government Inquiry Reporters Unit
4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR
Tel: 01324 696400**

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 of the Town and Country Planning (Scotland) Act 1997.

Dated: 26th May 2008



For Head of Development Services
Fife Council

Item:

COMMITTEE DECISION

APPLICATION NO.

SITE ADDRESS: 37 Hill Park House

RECOMMENDATION

☐ Agreed

☐ Varied

☒ Overturned - reasons for refusal agreed at 26/5/08

☐ Continued

DECISION

☐ Permit subject to S75

☐ Permit subject to Historic Scotland

☐ Permit subject to Scottish Executive

☐ Permitted subject to local member(s)

☐ Permitted

☒ Refused

☐ Referred to Environment & Development Committee

☐ ENFORCEMENT POWERS AGREED

ACTION

☐ No decision made (see below for reason)

☐ Issue decision (as advised below)

☐ Issue draft decision (as advised below)

☒ report reasons for refusal to members then issue

REASON DECISION NOT ISSUED

☐ Await S75 legal agreement

☐ Referred to Historic Scotland

☐ Referred to Scottish Executive

☐ Referred to local member(s)

☐ Continued to next Committee

☐ Continued for Councillor Site Visit

☐ Referred to Environment & Development Committee

☐ Await additional information

☐ Await amendments

☒ Other - reasons for refusal to be agreed by members

ACTION TO BE INITIATED BY PLANNER/WPO

at 26/5/08