

DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF 15 FLATTED DWELLINGS INCLUDING ASSOCIATED PARKING AND LANDSCAPING AT HILLPARK HOUSE, 37 TOWNHILL ROAD, DUNFERMLINE (Fife Council ref: 07/03971/WFULL)

Grounds of Appeal/Statement of Case

1.0 Background

1.1 This appeal follows the decision by Fife Council to refuse the above planning application in contravention of the advice from the Council's Head of Development Services. The planning application was placed before the City of Dunfermline Area Committee on 28th April 2008 (refer document 1) with a recommendation of approval subject to a legal agreement being secured related to financial contributions towards affordable housing and off-site play provision, and a total of 17 planning conditions. At the Committee meeting members voted to overturn the recommendation and to refuse planning permission. The matter was referred to the City of Dunfermline Area Committee on 26th May 2008 (refer document 2) at which point planning permission was refused 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 school catchment area which is operating at capacity and cannot be expanded to meet the additional demand."

1.2 Within this statement the nature of the concerns expressed by Fife Council in making its determination, an assessment of the development against the terms of the development plan and other material considerations, and the issues raised by 3rd party objections shall be fully assessed. Depending on the nature of further responses this statement may require to be supplemented.

1.3 This statement seeks to demonstrate that the assessment of the development by Council officers is both appropriate and fully justified. The development would represent a notable enhancement to the area in the form of a development of quality which would add to the surrounding environment rather than detract from it as suggested by Fife Council's determination. All matters, including education, are appropriately addressed and the development would fully comply with the underlying ethos and requirements of the development plan and national policy and guidance by providing a sustainable form of development in an accessible location fully linked to the surrounding urban environmental in terms of form and function.

2.0 The Site and Surroundings

2.1 The appeal site lies to the north of Dunfermline Town Centre (refer document 3). It sits on a corner site fronting onto Townhill Road (west) and Methven Drive (north). It is bounded to the south by an access lane leading to a dwellinghouse and to the east by the residential property forming number 1 Methven Drive. The site is almost fully walled. The "public" enclosures to the north and west comprise circa 2 metres high walls, the former constructed in common brick and the latter of similar height but externally rendered (much of the render is cracked). The site presently contains a large dwellinghouse with integral dental surgery. A garage with an associated, albeit very short, vehicular access is positioned adjacent to the property at 1 Methven Drive. There is no off-street parking for the dental surgery albeit it is understood to have a requirement for 4 spaces. Within the garden area are a number of trees of differing type, age and contribution to the site's appearance. A number of trees have already been removed in light of condition and safety reasons (refer document 4). There is also substantial tree coverage within neighbouring land which provides a setting for the site from public areas surrounding the site.

2.2 The dwellinghouse/surgery is a substantial structure. It largely "turns its back" on the adjacent public streets having its primary elevation facing south over the main part of the gardens. Its size/bulk is readily seen from the adjacent public streets as are the related secondary elevations which are relatively unattractive. While in use until relatively recently the house has significant issues related to its condition which, in summary, renders its removal and replacement the most appropriate option in this case. A condition/structural survey was commissioned from McGregor McMahon Consulting Engineers by the appellant in early 2008. An extract from this report is provided (refer document 5) albeit the entire document can be made available where required.

2.3 Townhill Road rises northwards from the town centre through predominantly residential areas, albeit with some commercial properties/uses (primarily shops) located along its length, before linking to the villages of Townhill to the north and to Kingseat to the east. It is an area of contrasts comprising a wide range of property types/forms ranging from single storey detached dwellinghouses through elevated single storey properties, 2 storey substantial properties to sizeable blocks of flats (mainly of traditional 2 storey height) but with some 3 storey elements within the street. The surrounding streets linking to Townhill Road have few commercial elements and are almost entirely residential. They are also increasingly of single storey form albeit there are notable elements of 2 storey and some 3 storey properties in evidence. Overall, the surrounding area contains a wide variety of built forms with substantial property blocks fronting Townhill Road not without peer and adding positively to the character and appearance of this main arterial (bus) route. Indeed a short distance to the north of the appeal site on both the east and west sides of Townhill Road are such blocks.

3.0 The Proposed Development

3.1 Following the demolition of the dwellinghouse/surgery it is proposed to erect a 3 storey block containing a total of 15 flats comprising 12x3 bedroomed units and 3x2 bedroomed units. The block is designed with its main frontage to Townhill Road. The main elevation would sit approximately 2.5 metres from the lowered boundary wall with punctuations on this frontage by virtue of bay windows (4) and main entrances to the block (2). It is generally symmetrical in form, albeit the southern part steps down the hill in light of relative levels and the gradual fall of Townhill Road across the site frontage. The frontage also contains 2 strong end stops in the form of corner towers with cone roofs. These are positioned at either end of the Townhill Road frontage and return on the respective gables. In addition to the other traditional detailing outlined, the development would incorporate "crow-stepped" gable details including on the building entrances. Vertically proportioned windows are also proposed on this frontage and throughout the remainder of the development.

3.2 Adjacent to the southern boundary a 3 storey projection containing a flat at each level is also proposed. This would sit approximately 3 metres from the southern site boundary and in light of the access track, setback of other properties and retained vegetation, there is no impact on the surroundings. Was a contrary view taken then the master bedroom windows could be repositioned to the east elevation overlooking the landscaped/car park area. The external materials proposed have been done so in order to complement the siting/design of the building. In essence these would comprise a high quality ashlar stone type material at ground floor level, on sills, and on the "crow-stepped" gables, a wet dash render (final colour(s) to be agreed), to first and second floors, natural slate (cone roof and dormers) and "slate-style" concrete tiles to the main parts of the roof. It is envisaged that some variation in the wet dash render would be incorporated in order to add further interest to the building.

3.3 As proposed, the new building would lie approximately 20 metres from the front of the existing properties on Townhill Road, between 19 and 29 metres from the eastern boundary with the 2 storey substantial property at number 1 Methven Drive (the closest window to a habitable room being 22 metres from this boundary and number 1 Methven Drive being set well away from the boundary in any event), and approximately 20 metres from the closest property on the north side of Methven Drive. As a result there would be no direct overlooking as a result of the development which would materially affect surrounding properties.

3.4 The flats would be generously proportioned and are designed to meet a niche in the market (including people trading down to more appropriate accommodation without wishing to compromise on apartment size or accommodation quality and often not wishing a garden or related

maintenance) not being met by standardised new build products in the Dunfermline area. The intention is to pitch the development at the luxury end of the market in a location which is desirable and could sustain the kind of development proposed.

3.5 As a result of Fife Council's standards a total of 30 car parking spaces are proposed to the rear of the building these being accessed from Methven Drive (circa 9.5 metres wide). A section of the boundary wall would be removed to accommodate the access with the remainder lowered in order to facilitate visibility. Traditionally, rear areas would be gardens (often not well maintained) but in light of modern requirements car parking is the main functional use for such areas. Despite the location on a busy bus route and with numerous amenities within walking distance, Fife Council has, in order to meet its standard, recommended that car parking provision be incorporated as presently proposed. Other Local Authorities employ different standards in such cases, indeed it was not so long ago that Fife Council's standard for such development was 150% or 23 spaces.

3.6 Notwithstanding this, in the event that it is considered that the development would benefit from additional amenity space it should at least be possible to off-set the 4 spaces related to the dentist surgery against the development and to reduce the number of spaces to 26 accordingly. This level of provision would be more than adequate for the type of development proposed in this location and could simply be addressed by a planning condition to this effect. This alteration would not be of such magnitude as to alter to any extent the description/consideration of the proposed development. The deletion of the 4 spaces to the south-east of the site and the related access area for these spaces would provide a further 100m² of amenity space/landscaping within the development. This variation is detailed in document 7.

4.0 Consultation Responses/Issues and Representations

4.1 The terms of the relevant consultation responses are outlined within the report to City of Dunfermline Area Committee on 28th April 2008 (refer document 1). It is noted from this that Transportation Services and Housing Services raise no objections subject to specified conditions and an affordable housing contribution respectively. The Scottish Civic Trust remains concerned re the design of the proposed development, the terms of which shall be addressed within Section 5 of this statement.

4.2 Education Service has raised concern related to the impact on education provision resulting from the development. The catchment school, Bellyeoman Primary School, is seen as being at capacity and unable to be expanded in order to provide further accommodation. As a result Fife Council has already put into place a dual catchment arrangement with neighbouring schools/catchments in order to cope with this existing issue. Document 6 details the catchment for Bellyeoman Primary School and the

proximity of the neighbouring catchments for McLean, Commercial, Townhill and Touch Primary Schools with which the dual catchment operates. Based on figures secured from Fife Council in May/June of this year the situation with the respective primary schools is as laid out in Table 1 (below).

4.3 While Education Service has raised concerns there is no apparent assessment within the information before the Council at the time of its determination related to the likely scale/impact on the education service. From the Freedom of Information request forming document 6 and related information provided by Fife Council, it is clear that there existed capacity at both the catchment school and neighbouring schools at the point of determination. This is in fact quite correctly identified by the Planning Officer within the report to City of Dunfermline Area Committee on 28th April 2008 (refer document 1) and is highlighted within Table 1 (below). There was however no assessment of the likely number of pupils that would be generated by the development and therefore how any assessment of impact could be made is questionable. Within document 6 there is reference to a "general pupil product" which relates to the full range of house types and therefore is some form of average. This is stated as 20-25 primary aged pupils and 15 secondary age pupils per 100 units. Fife Council indicate that they are looking at ways to better define this and to identify situations where these ratios may be higher or lower.

Table 1: School Rolls and Capacity

School	Capacity	Roll	%age Occupancy
Bellyeoman PS	217	196	90%
McLean PS	434	328	75%
Commercial PS	434	382	88%
Townhill PS	317	248	78%
Touch PS	434	354	82%

4.4 Bearing in mind that it is the impact of a development that requires to be reasonably assessed, the use of general averages is of little use as they are likely, in the case of flatted development, to overestimate pupil generation. Indeed, Fife Council's approach would presently consider a 2 bedroomed town centre flat to generate as many school aged children as a 5 bedroomed suburban dwellinghouse. This is clearly untenable.

4.5 Considering a worst case scenario and using Fife Council's figures a development of 15 flats would generate 3-4 primary school children and 2 secondary pupils. Bearing in mind that this would appear as an overestimate it is clear from the figures in table 1 that the catchment primary school has the required capacity and even was there a need, in light of a high level of intake in any particular year, to utilise any of the other shared catchment schools then these individually and cumulatively have sufficient capacity to cope with the demand from this and other developments within the

catchment(s). It should also be borne in mind, as confirmed by Fife Council within document 6 (second page 3rd paragraph) that the dual catchment is proposed in order to resolve a short term capacity issue at Bellyeoman Primary School. It should also be considered that a development of this nature will take a period to construct/occupy and therefore it could be a number of years before there are any school age children in residence, should this occur in any event. The scale and period of the concern outlined by the Council in this respect cannot surely be considered of such magnitude as to warrant refusal of the planning application on these grounds. The low level and transient nature of the perceived problem is in fact unlikely to materialise and therefore there is no reasonable prospect that this will be a material problem to Fife Council. Council Officers have already accepted this position (refer document 1).

4.6 From the catchment plan in document 6 it is considered likely that either McLean or Commercial Primary Schools would be the most likely to satisfy any demand from the development not accommodated within the catchment primary school, albeit this appears an unlikely scenario. McLean Primary School is in fact not more than 1 mile from the site and is easily accessible through predominantly residential areas. The comments within document 6 related to further strategic land allocations within the Dunfermline area requires to be placed in context. The emerging Fife Structure Plan identifies the requirement for strategic land releases within the town with each of these required to address infrastructure provision/deficiencies as part of the respective developments, this relating to both physical and to social infrastructure. The process of identifying these areas has commenced through the early stages of the related Dunfermline and West Fife Local Plan. These developments will therefore require to provide new infrastructure as required. Other development within the catchment(s) will require to be assessed on its merits and there would be no justification to seek to constrain the present development on the basis of what may arise at some point in the future (unplanned development).

4.7 It is noted that a significant number of representations were received by Fife Council related to the proposed development. While it is understood that much of this arose from the efforts of a few neighbours it is accepted that this in no way reduces the significance of the concerns raised nor the need for these points to be fully and carefully considered within any assessment of the merits of the proposal. In essence it is considered that the terms of the objections received can be broadly summarised as: -

1. Overlooking and privacy;
2. Overshadowing, impact on daylight and sunlight;
3. Associated noise;
4. Insufficient car parking;
5. Increased use of residential roads and associated road safety concerns including the further use of the Townhill Road/Methven Drive junction;

6. Loss of the existing house;
7. Design out of context with the area and overbearing; and
8. Loss of trees before planning application submitted.

5.0 Policy Context/Assessment

Policy Context

5.1 This section of the statement provides an assessment of the development against the terms of the extant development plan (the approved Fife Structure Plan and the adopted Dunfermline and the Coast Local Plan) and prevailing national policy and guidance. The relevant considerations are set out in conjunction with an assessment of compliance. Other relevant material considerations are also outlined/assessed.

5.2 Sustainable development is the underlying ethos within the planning system as is the related requirement for all new development, as outlined within both development plan and national policy, to be sustainable. Policy SP1 of the Fife Structure Plan outlines the need for sustainable development while Policy SS1 "Settlement Development Strategy" indicates that development should preferably occur on Brownfield land within settlements (as per the appeal site). Such development is fully supported where access to services, including public transport services, is available. Scottish Planning Policy 1 "The Planning System" (SPP 1) again reaffirms the commitment towards sustainable development and states that planning should encourage such development by "promoting regeneration and the full and appropriate use of land, buildings and infrastructure" (paragraph 7). The integration of development within the established fabric of infrastructure and services is seen as a key component of new development.

5.3 Scottish Planning Policy 3 "Planning for Housing" (SPP 3) (Revised July 2008) indicates that: -

"The settlement pattern is the product of generations of investment in physical infrastructure, social and cultural facilities and public amenities. Planning authorities should promote the efficient use of land and buildings. In principle this means directing the majority of new development towards sites within existing settlements to make effective use of existing infrastructure and service capacity, and reduce energy consumption, while ensuring the creation of quality residential environments."

5.4 SPP 3 further supports the provision of quality residential environments and the provision of choice and variety within housing provision. There is a need to meet the needs of all sectors of the community. This also relates to Planning Advice Note 74 for the provision of "Affordable Housing". The delivery of integrated, accessible and quality development is further supported by the terms of Scottish Planning Policy 17

"Planning for Transport" and the various Planning Advice Notes (PANs) related to design, including PAN 67 "Housing Quality". In essence the provision of development in accessible locations fully linked to the urban environment and its related services and amenities, and where a high standard of "durable" design is achieved, is the appropriate form of sustainable development being promoted.

5.5 The Dunfermline and the Coast Local Plan (the adopted local plan) contains a number of policies of specific relevance in this case. Policy S1 "Sustainability" commits Fife Council to ensuring that new development is "consistent with the principles of sustainability". Policy BE2 "Development Within Town and Village Envelopes" indicates that development will be supported where it is a Brownfield, gap or infill site and (relevant parts only) it:-

"(ii) is compatible with neighbouring uses and will not adversely affect the privacy of neighbours; and
iv) respects the character and appearance of the adjacent townscape in terms of density, scale, massing, design, external finishes and access arrangements; and
(v) will not lead to the loss of mature or semi mature trees without the strongest justification."

5.6 Policy BE3 "Development Design" requires all new development to make a positive contribution to its environment by (relevant parts only): -

"a) maximising the contribution of any existing site features, in particular landform, trees, wildlife habitats and watercourses; and
b) its form, scale, layout, detailing and choice of materials; and
c) providing high standards of architecture; and
d) protecting personal privacy and amenity; and
e) providing safe and convenient access for pedestrians, cyclists and people with impaired mobility, including safe routes to school, and for sustainable modes of travel; and
g) providing high standards of landscaping".

5.7 The following local plan policies are also considered relevant in this case: -

Policy BE4 "House Curtilages" requires that all new residential properties be served by in-curtilage garden ground sufficient in quantity, quality and usability to provide for the normal needs and activities of existing and future residents, and to create and retain proper space standards within buildings. The policy states that flats should have a setting or private garden space of at least 50m² each.

Policy COU 15 "Trees and Development" requires trees to be fully surveyed and assessed as part of the development appraisal. Regard is to be had to the desirability of retaining existing trees as part of the development assessment.

Policy H3 "Exceeding the Housing Land Provision" supports development on Brownfield sites within settlement boundaries in order to contribute towards the delivery of housing targets.

Policy H5 "Established Residential Areas" states that only residential uses and other compatible uses will be permitted within established residential areas.

Policy H6 "Development Adjacent to Residential Areas" requires the protection of amenity to be a material consideration in such cases.

Assessment

5.8 It is clear from the policy context outlined above that the principle of the redevelopment of Brownfield sites within established urban areas, particularly those in accessible locations in terms of the access to facilities, including public transport services, is fully supported by the underlying aims, objectives and policies within both the development plan and national policy. Higher density development is also seen as most appropriate on main and accessible arterial routes. On this basis the appeal site, being on the main northern route to/from Dunfermline, accessible to facilities and well served by public transport is a preferred and fully supported location for the type of development proposed. Add to this the effective use of existing infrastructure, both physical and social, and the development would clearly satisfy the sustainability requirements for new development by delivering the full and appropriate use of land and infrastructure as outlined within SPP 1, and supported by SPP 3, SPP 17, Fife Structure Plan Policies SP1 and SS1, and Policy S1 of the adopted local plan.

5.9 Having set the overall context for the development it is necessary to assess the site specific matters including design and the relationship of the proposed development to its immediate and wider environment. It has been demonstrated that the house is in effect beyond economic repair and that a number of the mature trees within the site required to be removed for practical and safety reasons. In any event neither the house nor the trees are protected from removal (not a listed building or located within a Conservation Area, and there is no Tree Preservation Order in force). It has also been shown that the surrounding area is one of contrasts within which there are a variety of built forms including blocks of flats of similar/greater scale than that proposed and without the levels of off-street parking being provided.

5.10 There is little doubt that the proposed structure will be clearly visible from sections of Townhill Road but this in itself should not be considered as a negative outcome of the development. The building addresses itself to this main arterial route providing a strong street frontage/built form displaying a level of traditional detailing and interest fully befitting the location. The retention of the boundary wall (albeit lowered and rendered) along with the turreted end stops, the main entrances and bay features, and the use of complementary external finishes would provide for a first class structure/appearance fully in line with the creation of place and space contained within prevailing design guidance. The fact that the immediately neighbouring properties are not of precisely the same form does not mean that the development is either out of context or inappropriate. Even the neighbouring/adjacent properties differ in scale and design and in this respect I consider that the assessment of the surrounding area made by both objectors and elected members to be flawed as this appears only to relate to the more typically residential areas off Townhill Road rather than the variety of development forms on this main arterial route. Considerable thought was exercised by the architect in seeking to provide a building of individual merit which was not a pastiche but which took cues from its surrounding environment in order to respect the overall character and amenity of the area. This, to my mind, has been achieved.

5.11 As proposed, the development sits distant from any neighbouring property to the extent that there is little, if any, material impact on privacy, overlooking or overshadowing. Access would be formed from one of the widest residential roads in Dunfermline (Methven Drive – 9.5 metres wide). Visibility at the entrance would be formed to Fife Council's standards and the existing visibility at the junction of Methven Drive and Townhill Road would be brought up to standard (providing a general benefit to all users). The provision of car parking meets Fife Council's standards albeit it is accepted that the level of setting would fall below the 50m² standard set out in Policy BE4 of the adopted local plan as this provision only related to the landscaped areas proposed. It could legitimately be argued that the car park also forms part of the setting for the building and that this area, in addition to the landscaped area, would meet the requirements of Policy BE4.

5.12 Even if this argument not accepted, the specifics of the site requires to be seen in context. Older developments of this nature would not have off-street parking. In this case the majority of the residual land not required for the building would be parking with a more limited area of landscaping also provided. The latter could be improved with no adverse impacts (document 7 refers). In overall terms the density of the development would be commensurate with older flatted developments, it is the composition of the use of the residual area that would differ. In the modern world off-street parking is generally a must and to this extent it should be seen as preferable to provide this facility in conjunction with/in addition to a degree of landscaping for the built component of the development.

5.13 It should also be borne in mind that the 50m² standard set out in Policy BE4 of the adopted local plan would also be applied to a suburban style development and therefore it should be seen as a guide to be interpreted rather than an absolute requirement. Respecting the urban location of the site and the provision of off-street parking, the failure to strictly accord with Policy BE4, was the car parking not considered part of the setting, requires to be considered in this context and in respect of the higher density development encouraged on main arterial routes. It is difficult to see how compliance with this policy would add materially to the quality and related contribution of the development to the delivery of residential property/environments required to meet varying household needs bearing in mind its form and location. I am also unable to locate any recently approved development within the central part of Dunfermline which Fife Council has required to satisfy this very general standard. As per Fife Council's standard approach, in the event that a development cannot meet this arbitrary standard a financial contribution to off-site public open space/play provision for the provision/upgrading of facilities within the local area is sought. In this case a figure of £14,250 is required and the appellant is fully prepared to enter into a legal agreement to provide this in conjunction with the development.

5.14 Assessing the development against the terms of policies BE2 and BE3 of the adopted local plan it can be concluded that (refer paragraphs 5.5 and 5.6 and using the numbering therein):

Policy BE2 "Development Within Town and Village Envelopes"

- ed in (ii) it has been demonstrated that this residential development would be fully compatible with neighbouring uses (residential) and would not adversely affect the privacy of neighbours; and
- on (iv) it has been demonstrated that this residential development respects the character and appearance of the adjacent townscape in terms of density, scale, massing, design, external finishes and access arrangements; and
- one base (v) while the removal of trees has occurred it has been demonstrated that this was necessary in light of practical and safety reasons.

Policy BE3 "Development Design"

- vhil a) as part of the development it is intended to retain the external boundary walls to the north and west in an altered but improved form. The largest trees have been removed and consideration will be given to the retention of other vegetation as appropriate. The presence of leylandii within the development is not considered worthy of retention and these trees will be removed. The visual context of the site also encapsulates the tree coverage to its southern boundary (around the lane and within

the adjacent curtilages). This remains unaffected by the development and would retain the backdrop for the development when viewed from areas to the north of the site; and

- b) the form, scale, layout, detailing and choice of materials would make a positive contribution to the area. The building is not trying to hide and is not of a quality that requires to be screened. It is a bespoke development seeking to make the most appropriate use of the land resource in a location where higher density development is fully supported; and
- c) as indicated previously, the development would provide a high standard of architecture; and
- d) there would be no material impact on prevailing levels of privacy and amenity enjoyed by residents living within the vicinity of the site. The development would also provide for the amenity of future residents in a manner fully commensurate with the type of residential environment being provided; and
- e) the development would provide safe and convenient access for pedestrians, cyclists and people with impaired mobility as per the requirements of the Disability Discrimination Act. Safe routes to school exist using the existing public footpath network.
- f) Sustainable modes of travel, including a frequent bus service to Dunfermline town centre, lie within easy access of the site; and
- g) high standards of landscaping will be provided within the areas indicated. These will be fully maintained by a factoring arrangement and to an agreed specification.

5.15 The other local plan policies outlined within paragraph 5.7 can be assessed as follows:

Policy BE4 "House Curtilages": refer paragraphs 5.11 and 5.12. Any material impacts will be off-set by the proposed off-site contribution.

Policy COU 15 "Trees and Development": this has been assessed and further assessment is suggested by Fife Council within the proposed planning conditions. The appellant will comply with the requirement.

Policy H3 "Exceeding the Housing Land Provision": fully supports the development.

Policy H5 "Established Residential Areas": the residential use is fully compatible within this predominantly residential area.

Policy H6 "Development Adjacent to Residential Areas": amenity would be suitably protected.

5.16 Based on the assessment above it is therefore considered that the development as proposed would fully accord with the terms of the

development plan as applicable to the development and also with the underlying requirements contained within national policy and guidance.

5.17 In terms of the representations received, as summarised within paragraph 4.7, it is considered that the issues of concern raised have been addressed above and that there are no material considerations arising from these or indeed any other matters that would warrant the refusal of planning permission in this case.

6.0 Conclusions

6.1 As outlined above, and fully supported by Council Officers, it is considered that the form and quality of development proposed is appropriate both for the site and the surrounding area. It is a development of some quality designed to fit within existing site/area constraints and to provide the most appropriate and efficient use of this highly accessible site on a main arterial route.

6.2 Matters related to education, affordable housing and open space provision have all been satisfactorily addressed. It has further been demonstrated that the development would accord with and be fully supported by the terms of the development plan and with the underlying requirements within national policy and guidance. There are no other material considerations that would warrant determination contrary to the development plan. On this basis it is respectfully requested that planning permission be granted subject to the conclusion of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 related to affordable housing and open space/play area contributions and to the conditions set out within document 1.

Documents List

1. Report to City of Dunfermline Area Committee on 28th April 2008
2. Report to City of Dunfermline Area Committee on 26th May 2008
3. Plan of Townhill Road and Surrounding Area (Live Search Map)
4. Letter from Plumber Brothers Tree Surgeons dated 25 October, 2007
5. Extract (Conclusions and Recommendations) from report/letter dated 15 February 2008 from McGregor McMahon Consulting Engineers
6. Updated Schools Information with plan detailing catchment areas: Bellyeoman, McLean, Commercial, Townhill, and Touch Primary Schools
7. Potential Amendment to Site Layout (Parking)