

Kingsbarns Community Council
Minutes of meeting held at Kingsbarns Memorial Hall
Monday 4 May 2015 at 7 p.m.

In attendance: KCC members: Jean Bell, Eileen Brown (Treasurer), Calla Cobb, Dr. Martin Dibbs (Secretary), Margaret Harkins (Vice Chair), Dr. Huw Lloyd-Richards (Chair), Shona McIntosh; Councillors John Docherty and Donald Macgregor; P.C. Gillian Tetlow (Community Police Officer); Tracy O'Neill, *Simpatuca*, Kingsbarns; 26 members of the public.

The meeting opened at 7 p.m. with Chair welcoming all those attending.

1 Apologies

Apology for absence was received from Councillor Elizabeth Riches.

2 Community Police Matters

P.C. Gillian Tetlow gave a short overview of community policing, a role which she shares locally with her colleague P.C. Tracey Elder. While there were no immediate issues, the question of speeding through the village and was raised. P.C. Tetlow agreed to look into this matter particularly as it affects Back Stile.

3 Future of the Defibrillator

This issue was being raised as Tracey O'Neill, the present owner of the former village post office, had requested that the defibrillator (PAD) be moved from the wall of her premises to a new location. She said that it was 'not a thing of beauty' and did not fit into her plans for the development of her business. Kate Holy, who had been involved with the PAD from the outset told the meeting that KCC had the responsibility for its siting. She added that the village's conservation status together with its large number of listed buildings restricted the number of places the PAD could be located. The present site had been chosen on the advice of Fife Planning Department and that planning permission would be needed to move and re-site the PAD. It was agreed that the Secretary would contact Fife Planning for advice on a suitable new location.

4 Minutes of Last Meeting

Chair raised the issue of whether at the previous meeting Cllr. Riches had mentioned pursuing the matter of the sale of affordable housing on the Village Green development to Fife Council's Scrutiny Committee as this did not appear in the minutes. Cllr. Macgregor agreed to confirm or otherwise this point with Cllr. Riches. Subject to this, the minutes were proposed by Eileen Brown and seconded by Margaret Harkins.

5 Matters Arising

5.1 Flooding

It was reported that Fife Council Transportation Department had delivered a quantity of recycled road surface dressing at a gap in the field boundary used by the tenant farmer as an entrance and exit from the field for agricultural machinery and where water escapes onto Main Street during heavy rain. This material is to be used to construct a flood barrier but it currently remains where it was delivered and coincidentally, it was noted, serving the purpose for which it was provided.

5.2 Memorial Bench

It was agreed that the Treasurer would renovate the memorial bench currently in the forecourt of the shop and it was thereafter to be placed where the public could use it.

5.3 Station Road Junction

Nick Lunan spoke about the present situation involving the safety of the turnout from Station Road onto Main Street. Chair requested him to provide the Secretary with details so that he could contact Fife Council with a view to improving the road layout in this area.

6 Planning Report

Prior to the planning report Chair publicly expressed thanks to Kate Holy, Convener, Planning Sub-Committee, and Nick Lunan for the invaluable work they had done in providing councillors on the North East Fife Planning Committee with information which ultimately led to the second phase of the Village Green development being turned down. Kate Holy then reported on the following:

6.1 Phase 2 of the Development

The 'Phase 2' development was rejected by the North East Fife Planning Committee on 11 March although the final reasons for refusal were not settled until the Planning Committee on 10th April. It is very heartening to see that the reasons for rejection echo the KCC and Nick Lunan's objections in terms of contravention of various local planning policies. The planning officer involved in the application had recommended approval, so Fife Council went against his advice. The developers have until 10 July to put in an appeal and, at the time of the meeting, there was nothing on the website about this. The developers were at liberty to put in a new planning application.

6.2 Demarcation of the Village Boundary, Building Rubbish and Development Brief

The Planning Sub-Committee wrote to the Council to see if there could be a physical demarcation of the boundary at the edge of the development area (originally planned to be trees), to ask for the rubbish at the top of the field to be moved and to ask about the status of a development brief for the second phase of development. The following reply was received:

Boundary Demarcation

Both the adopted St Andrews & East Fife Local Plan (2012) and the Proposed FIFEplan Local Development Plan indicate a site west of Kingsbarns as a housing allocation. The site area represented the total site area of the two original applications that were submitted and subsequently were determined at appeal by the Reporter.

It is not the remit of either the Local Plan or the Proposed Local Development Plan to specify a boundary treatment for any site allocated as a development site. It is the detail of the planning application (and specifically the boundary treatment that is

indicated on the stamped "approved" plan or plans which form part of the application decision of approval) which sets how the edge of a development site should be treated.

In this case, once the original two planning applications were granted at appeal, the stamped "approved" plan that was issued as part of the decision indicated that there should be a post-and-wire fence along the western boundary of the site. Any other plans in existence showing tree planting to the edge for example (whether they be Ogilvie's own sales plans, or earlier iterations of formal plans forming part of the application or appeal process) will have no planning status, and as such are not a basis for planning enforcement. This being the case, the only pressure we can put on the developer is to ensure that the post-and-wire fence is provided as per the planning approval plan. I will ask my colleagues in Enforcement to look at this.

Materials Storage

With regard to the question of the building materials storage on land outwith the Local Plan/Local Development Plan site boundary, I have also asked my Enforcement colleagues to examine this and to revert to you with their findings on what can be done to ameliorate the position.

Development Brief

As you correctly state, the original St Andrews & East Fife Local Plan allocation required a development brief, covering the whole of the development allocation, as part of a planning application. The matter was then effectively taken outwith the Local Plan process and dealt with by way of a planning appeal. The Reporter dealt with the issue of the Development Brief in approving the development at appeal, indicating as follows:

"I note that there is some dispute over preparation of a design guide and the extent of community consultation prior to submission of the planning application to the council. However, I am content that the design outcome is acceptable and, in particular, the council's main design concerns have been satisfied. The form and layout of the development is consistent with the key design principles set out in the council's non-statutory Fife Urban Design Guide."

The first phase of development (i.e. the bit that has been built) covered the main matters that the proposed development brief for the whole area would have covered, delivering the key design element of the village green, and as indicated above this was to the satisfaction of the Reporter. All of this being the case, there is now no requirement for a development brief for the remainder of the site, and this position is reflected in the Proposed FIFEplan. I am content that, in the event of a further application coming forward for the site to the north of the existing development site, matters of design can be dealt with by way of the normal planning application process, which allows for public and community council comment and input on such aspects.

The KCC Planning Sub-Committee will continue to pursue each of these matters.

6.3 Planning Applications

Planning applications: (1) Water Treatment Plant. KCC had written to the Planning Officer asking for conditions to be put on Scottish Water to alleviate smell, noise, times of lorries and tankers and improving the road condition. Although we were told it is not possible for there to be conditions, all these matters were dealt with in the final officer's report to Committee. (2) The retrospective application for Planning Permission in Kildinny Yards was refused. (3) The application for a third house on Barns Law was approved despite the KCC objection. (4) A new application has recently been made for planning Permission in Principle for 2 4-bedroomed houses on the patch of grassland by Kildinny Yards. The Planning Sub-Committee intends to respond.

Vice-Chair commented on the poor standard of road maintenance in Kingsbarns generally. Cllr. Macgregor suggested the KCC raised the issue of resurfacing of roads in the village in the annual review by Transportation in November.

Cllr. Docherty agreed to follow up the matter of restoring the speed limit sign in Back Stile.

6.4 Planning Democracy Conference

Eileen Brown, Martin Dibbs and Kate Holy attended the Planning Democracy Conference in Glasgow on Saturday 25 April 2015 as members of the KCC Planning Committee. It was a very interesting and useful day with many contacts being made, not least planning lawyers, and useful workshops. They recommended that KCC joins this organisation and this was agreed that KCC would apply for membership of Planning Democracy.

7 Treasurer's Report

Treasurer reported that there had been problems with KCC's bank account. Despite completion of all the relevant documentation following the reconstitution of KCC, in December, our bankers had recently informed us that they required the names of the outgoing and incoming signatories to be bank account be minuted. It was duly minuted that the outgoing signatories to the KCC bank account were Alistair Duncan, Rob Moodie and Kate Holy and that the incoming signatories were Eileen Brown (Treasurer), Dr. Huw Lloyd Richards (Chair) and Dr. Martin Dibbs (Secretary). Once the Bank's requirements had been satisfied, the Treasurer reported that it was hoped that there would be a more detailed Treasurer's Report at the next meeting of KCC together with presentation of the audited accounts for 2014-2015.

8 Joint Meeting of KHMC, KCDT and KCC

Shona McIntosh reported on this joint meeting of the Memorial Hall Committee, the Community Development Trust and the Community Council which met to explore ways of developing the Memorial Hall and better using the facilities provided. Suggestions were: storage facilities for the different groups using the Hall; new heating; better lighting; the

possibility of providing a second and smaller room for small groups and the possibility of a shop attached to the Hall. Sue Jenkins agreed to supply the minutes of this meeting to the Secretary. A further meeting was planned to discuss these issues but no date has yet been arranged. Chair suggested KCC establish a small committee to come up with ideas which they in turn would submit to any future joint meeting. It was agreed that this would comprise himself, the Secretary, Louise Topping and Tracey O'Neill.

9 Kenly Wind Farm

Frances Andrews said that there was a need to have more public consultation in how any financial benefits to the village would be spent whether it was for projects in the village or a reduction in electricity charges for the community. Chair suggested that a meeting be arranged with Boarhills to determine a joint strategy in negotiating a price per megawatt with the developer - which Frances Andrews stated would not be known until September - as a financial benefit for the village.

10 Signatories to KCC Bank Account

This matter was dealt with under item 7.

11 Any Other Business

11.1 Health and Social Care Integration Board

Cllr Docherty asked for a volunteer to represent KCC. Fiona Buchanan agreed to be KCC's representative.

11.2 Future of 'The Barns'

The issue of the new ownership of 'The Barns' was raised. The new owners, Annette and Max Preston, who happened to be at the meeting, said that the pub is currently undergoing refurbishment and was expected to open in about six weeks time.

12 Date and Time of Next Meeting

The next meeting is scheduled to be on Monday 6 July. As the July meeting is sometimes not held, confirmation of this date will be notified to residents in due course.