

Planning Supporting Statement

Proposed Roadside Services Development
Kathellan
Home Farm
Kelty
KY4 0JR

On behalf of **Mr Ian Maclellan & TG Convenience Stores Ltd**

Date of Report: **31/03/22**
Our Ref: MR/2020/05/0040





Contents

1.00	Introduction
2.00	Description of Proposed Development
3.00	McDonald's Sustainability Statement
4.00	Local Authority Discussions
5.00	Planning Policy Assessment
6.00	Sequential Assessment
7.00	Economic Statement
8.00	Low Carbon Statement
9.00	Summary and Conclusions



1.00 Introduction

- 1.01 This Planning Supporting Statement has been prepared on behalf of Mr Ian Maclellan & TG Convenience Stores Ltd (the Applicants) in support of the application for a roadside services development at Kathellan, Home Farm, Kelty.
- 1.02 The proposed roadside development comprises of a petrol filling station with associated HGV fuelling, EV charging facilities, and associated retail kiosk (Class 1). The development also includes a mixed Class 3/sui generis freestanding McDonald's restaurant and drive-thru. A full description of the development is included in Section 2 of this Statement.
- 1.03 This application is a resubmission of application reference 20/03289/FULL, submitted in December 2020, and withdrawn in August 2021, for a roadside services development.
- 1.04 Mr Ian Maclellan, one of the Applicants, is the landowner of the proposal site. The other co-applicant, TG Convenience Stores Ltd, is an established developer and operator of roadside services facilities across the UK.
- 1.05 The McDonald's brand is globally recognised and, the company trades from over 1,280 restaurants across the UK (+90 in ROI) and has a workforce of approximately 125,000 people (+5,000 in ROI). McDonald's has been trading in the UK since 1974. Expansion of the portfolio was rapid during the 1980's and 90's and McDonald's is now represented in most major cities and towns in all their differing formats.
- 1.06 The following supporting documents have been submitted with the planning application:
- Application form and ownership certificate
 - Planning Supporting Statement, prepared by Graham + Sibbald
 - Includes Sequential Assessment, Economic Statement, and Low Carbon Statement
 - Transport Assessment, prepared by Livingstone + Partners Ltd
 - Preliminary Environmental Assessment, prepared by Goodson Associates
 - Drainage Strategy Plan, prepared by Goodson Associates
 - Air Quality Screening, prepared by Mabbett
 - Noise Impact Statement, prepared by Mabbett
 - Low Carbon Checklist, prepared by Graham + Sibbald
 - Low and Zero Carbon Report for McDonald's Restaurant, prepared by CDM Partnership
 - Full Package of Application Drawings (prepared by Wyeth Projects and McDonald's) comprising of:
 - Location Plan (Drawing Number: WPS-SGN-002-P-01C)
 - Block Plan (Drawing Number: WPS-SGN-002-P-02G)
 - Existing Site Plan (Drawing Number: WPS-SGN-002-P-03B)
 - Existing Site Elevations (Drawing Number: WPS-SGN-002-P-04)
 - Proposed Site Layout Plan (Drawing Number: WPS-SGN-002-P-05I)
 - Proposed Site Elevations (Drawing Number: WPS-SGN-002-P-07F)
 - Proposed PFS Building Plan and Elevations (Drawing Number: WPS-SGN-002-P-08A)
 - Site Finishes Layout (Drawing Number: WPS-SGN-002-P-09G)



- Swept Path Analysis (Drawing Number: WPS-SGN-002-P-10E)
- Jet Wash Details (Drawing Number: WPS-SGN-002-P-11)
- Refuse Area (Drawing Number: WPS-SGN-002-P-12)
- Proposed Site Levels (Drawing Number: WPS-SGN-002-P-14A)
- Canopy Plan and Elevations (Drawing Number: WPS-SGN-002-P15)
- Proposed Overall Site Layout Plan (Drawing Number: WPS-SGN-002-P-17)
- Sub Station and EV Charging Units (Drawing Number: WPS-SGN-002-P-18)
- McDonald's Proposed Site Layout (Drawing Number: 8138-SA-8353-P004 P3)
- McDonald's Proposed Elevations and Sections (Drawing Number: 8138-SA-8353-P005)
- McDonald's Ground Floor and Roof Layout (Drawing Number: 8138-SA-8353-P006 A)
- McDonald's Site Layout Plan – Landscape (Drawing Number: 8138-SA-8353-P007 P1)
- McDonald's Site Layout Plan – Signage (Drawing Number: 8138-SA-8353-P008 P1)

1.07 This Planning Supporting Statement should be read in conjunction with the above documents. This Statement assesses the proposed development against planning policy requirements and provides planning justification to support this roadside services proposal.

1.08 The Planning Supporting Statement contains the following sections:

2. Description of Proposed Development
3. McDonald's Sustainability Statement
4. Pre-Application Discussions
5. Planning Policy Assessment
6. Sequential Assessment
7. Economic Statement
8. Low Carbon Statement
9. Summary and Conclusions



2.00 Description of Proposed Development

2.01 This section of the Planning Supporting Statement provides a description of the site and proposed development.

Site Location and Development

2.02 The application site is located to the west of Kelty, a small town in west Fife. The M90 motorway runs in a north-south direction, and is located a short distance to the east. The B914 road runs to the north of the site and connects it to Kelty itself approximately 300m to the east. The town is visible from the site which gives the site a sense of being within the settlement, though the area around the site is of edge-of-town, semi-rural character.

2.03 As shown in the location plan extract below, the application site comprises of brownfield land consisting of an overspill car park for the former Baxters' factory shop, as well as an area of greenfield agricultural land located adjacent to the east of the car park. The site access arrangements, proposed pedestrian crossing on the B914 and required visibility splays have also been included within the application boundary.

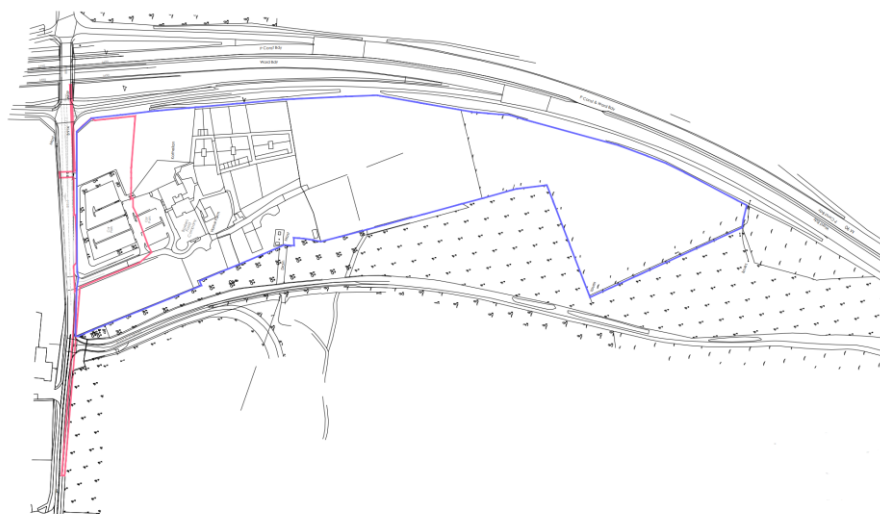


Figure 1: Location Plan

2.04 As the location of a former commercial operation, the application site benefits from an existing access point onto the B914 to the north. This provides a direct route to Kelty to the east, various points of interest to the west such as Knockhill Racing circuit and the M90 Commerce Park, and access to the national motorway network via the M90 to the east of the site. The M90 is the principal route for road users travelling between Edinburgh and Perth, Dundee, or Aberdeen.

2.05 The surrounding area is semi-rural in appearance and characterised by an edge-of-town/roadside character. Across the B914 to the north is an agricultural field. A slip road for the M90 abounds the application site to the east, and a short distance beyond this lies the settlement of Kelty. To the south lies the former vacant Baxters' facility and further areas of car parking. Lying beyond this are agricultural buildings



and grazing fields. To the southwest lies a large area of land that was formerly an opencast mine. An area of woodland lies adjacent to the site to the west.

- 2.06 The B914 to the north of the site features a continuous pedestrian footway along the north side of the road, from the northbound on-slip road of the M90 Junction 4 to the west, beyond the location of the site. The footway is generally around 2m in width. The south side of the road features a grass verge. There is a footway on both sides of the road bridge over the M90, though this only continues to the east on the north side of the B914, where it becomes Cocklaw Street. On the bridge, both sides of this footway are currently slightly occupied by a crash barrier that is present to reinforce the bridge fencing from collision from cars. There are currently no formal pedestrian crossing places over any of the off/on slip roads at Junction 4, and no formal crossing for pedestrians from the north side of the B914 to the south side, where the proposal site is located.

Background to Site

- 2.07 The application site was historically in use as a Dairy Farm. A small tea room opened at the site around 30 years ago, and this was slowly expanded to provide a small restaurant and shop offering specialist food and gifts, under the brand of “The Butterchurn”.
- 2.08 In 2003, the business was sold and the new owners rebranded the business as a farmhouse restaurant. It traded between 2003 and 2008 with approximately 30 members of staff, with trade being critically reliant on passing footfall. This was reflected in poorer business being done during poor weather or when transport routes were closed, such as the Forth Road Bridge, leading to lower-than-average passing trade.
- 2.09 In 2007-09, there was an intention to create a masterplan for the site to develop it further which was consented by Fife Council (ref: 07/03466/WOPP, more detail below), and in 2009 Baxters became the operator of the site on a 10-year lease. The financial crash in 2008 led to the Masterplan not being progressed, though Baxters continued to operate the site on their own. However, challenging trading conditions over the following years led to Baxters vacating the premises in February 2018, and the site has lain vacant ever since.
- 2.10 The property was marketed for 18 months from September 2018 to February 2020 (i.e. prior to the outbreak of the Covid-19 pandemic in the UK). It is understood that this marketing was for the existing building itself, and this attracted a number of interested parties. Some of the proposed uses ranged from the re-instatement of the farm shop and café, to a distillery, and a nursery. However, none of this interest was followed up due to the level of investment required to refurbish the building, coupled with a stated lack of activity in the immediate area failing to instil confidence in prospective tenants that their business model was viable.
- 2.11 Subsequently, in February 2020 Graham + Sibbald were approached as agents to market the entire site and find suitable tenants. The site was marketed as a business opportunity for the reinstatement of the previous use in the existing building (i.e. as a farm shop). However, there was no interest in this use. A further barrier to entry is understood to be the current Rateable Value of the property, which is a deterrent to the type of small businesses that would open a farm shop type use in the property.



Interest was shown in the site, but this was from developers looking to obtain the freehold for the site for redevelopment into alternative commercial use.

2.12 The above marketing history for the premises provides market evidence that the site in its current form is highly unlikely to be brought back into active use without either full redevelopment of the site or demonstration that it is a viable business location by diversifying the commercial offer here. The landowner is keen to see the former Baxters' building retained, and returned to an active use, but is aware there are financial barriers to doing so. The property has now been on the market for three-and-a-half years with three different Chartered Surveying firms (Avison Young, Graham + Sibbald, and Ryden) who have been unable to let the former Baxters' building during this time period. We are adamant that this is reflective of both the pre & post-Covid market, and shows the difficulty to let the property lies in the points raised above.

2.13 The proposed strategy of supplementing the existing building on site with new development is therefore considered to be an effective method to restore confidence in the marketability of the location, and drive business back to this site, without requiring the full redevelopment of it. The proposed uses would complement, rather than compete with, any bespoke farm shop/café type use in the property similar to the Baxters business that was previously present, as they have different business models and profiles.

Relevant Planning History

2.14 The previous use of the site for retail and food & drink purposes appealing to passing trade establishes the precedent of these uses at this location. Additionally, a search of the Fife Council online planning portal has identified a number of historic applications at the proposal site that relate to an establishment or expansion of the roadside character of the site, further indicating that this has been the nature of the site over a long period of time.

2.15 The below applications have been identified as being of relevance to the application site. It should be noted that no formal planning history search has been requested from Fife Council.

Application Ref.	Description	Applicant	Decision (Date)
01/02315/WFULL	Extension to the premises to provide additional retail sales space with associated alterations to the access road, additional car parking and landscaping	Mr and Mrs K Thomson	Granted (29/08/03)
03/02402/WFULL	Change of use from demonstration kitchen to allow class 3 cafe use	Mr K Thomson	Granted (15/09/03)
07/03466/WOPP	Outline planning application for the erection of a 50 bedroom hotel and conference centre, 5 tourism retail units, a micro-brewery, children's outdoor and indoor play	Kathellan Ltd	Granted, subject to Legal Agreement (17/12/09)



	areas and holiday chalets, all with associated coach and car parking and hard and soft landscaping		
20/03289/FULL	Roadside service development including erection of petrol station and associated retail building, drive-thru restaurant, formation of site access and parking, landscaping and ancillary works	TG Convenience Stores Ltd	Withdrawn (05/08/21)

2.16 Application ref 07/03466/WOPP was granted consent in December 2009 subject to the completion of a Legal Agreement. The Legal Agreement restricted the type of uses that could be established on site. Ultimately, the scheme consented under application reference 07/03466/WOPP was never implemented and it is understood that the consent has lapsed.

2.17 The planning history set out in the above table establishes a history of willingness to allow the business at Home Farm to evolve and alter the offer available at the premises over its lifespan. It is considered that these permitted changes were important to the continued competitiveness and viability of the use at this location, and the Council's support of this through the planning system was therefore essential to the survival of the business function here. Though the business at this location did eventually leave, such support through the planning system is needed once more to allow the offer to evolve again and re-establish economic activity and footfall at this site.

2.18 While application ref 07/03466/WOPP for a leisure and tourism development was not implemented due to the financial crash, the granting of this consent sets a planning precedent for the redevelopment of this site for a range of commercial uses. The Location Plan for this application is included below. This planning consent included the area of agricultural land to the east of the car park area, which is also the subject of this planning application. This demonstrates that Fife Council has previously supported the development of this area of agricultural land as part of the wider site.



Figure 2: Location Plan for Application 07/03466/WOPP

2.19

The site was previously subject to a planning application for a similar nature of development with the submission of application 20/03289/FULL in April 2021. This application also included the erection of a petrol filling station, associated retail kiosk, and drive-thru restaurant. The application was withdrawn in August 2021 following a number of comments from consultees that required to be addressed. It was felt that these were easier to address with a resubmission of the scheme as a number of these required alterations to the layout and access. A full assessment of the previous consultation responses and amendments that have been made to this current application is contained in Section 4 of this Supporting Statement.

2.20

In addition, the following applications on sites in the close vicinity of the application site have been found and are considered to be of relevance.

Application Ref.	Description	Applicant	Decision (Date)
02/03048/WFULL	Formation of caravan park and holiday lodges with associated shower/toilet facility, access roadway, car parking and landscaping @ Moorelands Farm/Outbuilding Kelty Fife KY4 OJR	Mr Ron Shevas	Granted (18/10/04)
07/03098/WOPP	Outline planning application for the formation of an indoor and outdoor leisure facility and caravan park with associated buildings, landworks and car and bus parking @ Moorlands Kelty Fife KY4 OJR	Mr Ron Shevas	Granted (19/11/08)



Application Ref.	Description	Applicant	Decision (Date)
08/00753/WFULL	Erection of industrial units and offices to include roads, services, car parking and landscaping @ Development Site Cocklaw Street Kelty Fife	Cocklaw Developments Ltd	Granted (11/05/10)
16/01645/PAN	Proposal of Application Notice for residential development (circa 900 units) including employment, retail, open space, path/cycle network and associated works @ Land To South Of 159 Cocklaw Street Kelty Fife	I And H Brown Limited	n/a (20/05/16)
16/03915/EIA	Planning Permission in Principle for residential development, employment land, community and leisure facilities including a Primary School, open space areas, path and cycle network and associated works @ Land To South Of Cocklaw Street Kelty Fife	Mr Allan Miller	Awaiting Decision

2.21 Application 16/03915/EIA is for the proposed South West Kelty Strategic Development Area. This application was originally validated in November 2016 and is currently awaiting decision. It is understood to represent “committed development”, with the application due to be approved subject to a Section 75 Legal Agreement being agreed. Correspondence with Fife Council in March 2022 indicated that the Section 75 Agreement on this had been “substantially progressed”, but that there were some outstanding matters that need to be resolved. No timescales were given, but it was speculated that this could be resolved in the coming months.

Description of Proposed Development

2.22 The description of the proposed development is as follows:

“Proposed roadside services development comprising of erection of a petrol filling station and associated retail kiosk (Class 1) and jet washes, a mixed Class 3/sui generis freestanding restaurant and drive thru, site access arrangements, parking provision, electric vehicle charging points, landscaping and ancillary works.”

2.23 The proposal will redevelop this part-brownfield site and re-establish the employment and roadside function that was previously present at this site when the Baxters facility was operational. The development will bring the site back into active economic use and make a positive contribution to the local economy by restoring jobs and the passing trade that has been absent since the Baxters facility closed. McDonald’s has been secured as the operator of the freestanding restaurant and drive thru.

2.24 The proposed development will operate on a 24-hour basis.

2.25 The principal vehicular access to the site will be taken from the existing access point onto the B914. The site access will be reconfigured to improve the vehicular and



pedestrian access to the site., with some minor landscaping proposed on land within the applicant's ownership to the west of the access point to facilitate full visibility splays.

- 2.26 Separate refuse and recycling storage and collection points are located at the proposed petrol filling station and freestanding restaurant and drive thru. Waste and recycling from this development will be collected by private contractor. Delivery and refuse vehicles can access and leave the site with no disruption to operations, and the layout has been designed so that these vehicles can enter the site, park for unloading and collection, and exit the site in forward gear.
- 2.27 The Proposed Site Finishes Drawing (Drawing Reference: WSP-SGN-002-P-09G) shows the site-wide landscaping proposals.
- 2.28 Once operational, it is estimated that the proposed petrol filling station will create 10 Full Time Equivalent jobs. The proposed McDonald's restaurant will employ 30 full-time and 90 part-time staff (62 FTE jobs).

Sustainability

- 2.29 A number of low-and-zero-carbon (LZC) technologies have been integrated and incorporated into the proposed development. A LZC Report accompanies this planning application, which makes a series of bespoke recommendations for the proposal site based on the site-specific layout of the proposal, the design of the proposed units.
- 2.30 Measures proposed to be implemented at the site include the installation of air source heat pumps to meet the total heating, cooling, and hot water requirements of the proposed McDonald's building. Additionally, a 40m² solar PV installation is proposed for the roof of the drive-thru restaurant. Together, these elements are projected to have a carbon reduction effect of approximately 22%. Additionally, McDonald's work to ensure that 100% of their energy from the National Grid comes from renewable sources.
- 2.31 Both elements of the proposal will also have access to provision of 8 no. electric vehicle charge bays, located on site to the south of the petrol filling station and retail kiosk, and southwest of the freestanding drive-thru restaurant. These are accessed via a pedestrian walkway and pedestrian crossing points over the internal roadway that ensure direct, safe, segregated pedestrian routes between the various elements of the proposal and the EV charging spaces. These 8 no. bays are served by 4 no. 150kW Swarco EV chargers, with one unit serving two bays each.
- 2.32 The inclusion of EV charging points is part of a strategy to modernise roadside services offerings, and futureproof the development for current and projected trends in the roadside industry.
- 2.33 This is also intended to contribute towards the attainment of the vision set out in Transport Scotland's *A Network Fit for the Future: Draft Vision for Scotland's Public Electric Vehicle Charging Network*. This vision identifies that businesses, along with households, will be "front and centre of the planning and delivery of public charging infrastructure", and that commercial investment in public charging infrastructure will be the catalyst in setting the 'tipping point' of electric vehicle uptake.



2.34 The Vision sets out the desired outcome that, in 2030, “Scotland has attracted private sector investment to grow the electric vehicle charging network, ensuring it meets the needs of all people”. To achieve this, the vision identifies a number of priorities, including enabling new models of financing and investment. Reasonably, this can include direct delivery by the private sector, as is proposed in this development.

2.35 The site’s location on a key arterial route and part of Scotland’s existing motorway network is a significant consideration in this respect, as the regular positioning of charging infrastructure on long-distance motorways will be key to inspiring public confidence in the viability of electric vehicles as a practical replacement for the traditional petrol-driven car.

Petrol Filling Station Element

2.36 The proposed petrol filling station and associated works will be located on the western portion of the site adjacent to the access point. This element of the proposed development consists of a new refuelling facility which includes an 8-pump forecourt covered by a canopy, two jetwash bays, service bays for water and air and vacuuming, customer parking, and a new retail shop unit. A separate HGV refuelling area with HGV parking is located to the east of the retail unit, between the PFS and the freestanding restaurant/drive thru component of the site.

2.37 The design of the sales building reflects a modern petrol filling station (PFS) style. It is a simple uncluttered design adopting a light and modern appearance. The design of the PFS is guided by the nature and requirements of a safe and functional service station. The key components utilised within the scheme’s design are as follows:

- The sales building / forecourt shop will be steel framed with composite metal cladding.
- The front elevation of the building facing onto the forecourt area will include a glazed shopfront including night pay unit and single automatic sliding door with awning over shopfront.
- The ATM machine user panel will be located on the front elevation of the sales building.
- The forecourt canopy will be set as a minimum of 5.2m above the forecourt level.
- Plant and refuse / recycling will be located at the side of the shop within a timber compound area.
- Shop deliveries will be taken into a delivery door at the side of the shop from a dedicated delivery bay.

2.38 Consideration has been given to creating an attractive safe environment through the development of a high-quality public realm with a parking area which is overlooked. The proposed site arrangement ensures natural surveillance across the whole site and protects the safety of users of the site.

2.39 For the new sales building a pallet of modern materials is proposed which is considered to be in keeping with the modern commercial nature of the proposal including the existing petrol filling station. The external materials are as follows:

- Building roof - Insulated composite roof sheeting. To be laid to fall to rear gutter. Colour: Goose Grey RAL: 7038



- Building external walls - Insulated composite vertical wall cladding panels and flashings. Finish to be exposed “Mirco-rib” cladding: External face to be 0.63 grade Colour: Basalt Grey RAL 7012 with 3 No. courses of engineering bricks at ground level.
- Fascia’s - PPC aluminium. Colour: RAL 7016 Anthracite grey
- Shopfront - PPC aluminium. Colour: RAL 7016 Anthracite grey
- Auto entrance door - PPC aluminium. Colour: RAL 7016 Anthracite grey
- Steel doors & frames - Colour: RAL 7016 Anthracite grey
- Rainwater goods - Colour: RAL 7016 Anthracite grey
- Services shroud - Colour: RAL 7016 Anthracite grey
- Timber compound - 1775mm high timber close boarded timber fence on 225 x 25mm concrete gravel boards

2.40 Sustainability is a core principle of the development and there are a number of initiatives which will be employed to enhance the environmental credentials of the site.

- Construction materials will be selected to minimise their environmental impact and will be locally sourced where possible.
- The new building will achieve a high standard of thermal and noise insulation.
- The building will incorporate several energy efficiency measures including improved U-values of the external envelope, improved U-value of glazing, improved air tightness, the use of energy efficient lighting and intelligent lighting controls.
- Existing site material will be recycled and re-used where appropriate.

2.41 The forecourt building and service station design as a whole will incorporate a sustainable design through a series of measures which include:

- Waste and use of recycled material in construction to be selected for robustness, reducing embodied energy loss through a longer life span.
- The waste hierarchy will be applied – design, reduce, reuse, recycle, dispose.
- Waste segregation and recycling put in place to minimise waste to landfill.
- Solar gain and orientation using glazing for natural day lighting.
- Temperature control assisted by using automatic entrance doors to retain heat and achieving the required air tightness levels.
- Green technology within fit-out utilising low energy efficient lighting; low energy kitchen appliances used; half-hourly energy metering employed.

Proposed Freestanding Restaurant/Drive Thru Element

2.42 The proposed freestanding restaurant is located at a slightly lower level from the Petrol Filling station, due to gradients and differences in height on the site. A retaining wall is proposed to be formed near the centre of the site that will separate the car park of the freestanding restaurant from the HGV parking and refuelling area immediately to the west.

2.43 The proposed development comprises of a modern freestanding single storey McDonald’s restaurant with drive-thru, car parking, landscaping and associated works, including customer order displays (COD). Provision is made for takeaway customers, both from the counter and from the drive-thru lane.



Figure 3: Example of the building

2.44 The restaurant has a GEA (including the corral and freezer chiller) 371.6sqm, and the GIA is 323.5sqm, with a dining area of 98sqm.

Key Areas	Size
Dining Area	98sqm
Ancillary Public Area	29sqm
Kitchen/Staff Areas and Back of House Storage ec.	159sqm

2.45 The customer seating area comprises 100 covers for visitors to eat their meals within a relaxed modern environment. The dining area will include a variety of seating types and table sizes tailored to the customers' needs.

2.46 The proposal includes 40 car parking spaces, inclusive of provision for 3 accessible bays and 2 grill bays. Furthermore, there are 4 motorbike spaces and 4 Sheffield customer bike stands, for an overall provision of 8 cycle spaces, in accordance with the Council's standards, and further referenced within the Transport Statement.

2.47 Cycle and pedestrian access points has been included within the design, to ensure the safe passage from the surrounding footpath network, which is included in the Transport Assessment.

2.48 This application includes the introduction of a fast forward lane, which will allow for a customer to pull forward to a third booth, if there is a small delay in the order, rather than driving through to the Grill Bays. This allows the traffic flow to be maintained through the drive-thru lane and is an operational improvement, in line with safety and speed of service.

2.49 There is a corral at the north of the building, where all the rubbish is stored and managed for recycling in large containers, as shown on drawing number 8138-SA-8353-P006 A. There is access via double doors for the delivery lorries and an internal door, which links the corral to the main restaurant for the crew members. The corral



is configured to optimise waste management, with a refuse compactor on site, to minimise the journeys required to remove the waste.

Residential Amenity

- 2.50 McDonald's recognises the potential impact on local amenity and during the design process all elements are reviewed, to ascertain whether mitigation is required and included within the overall proposal.
- 2.51 Potential noise and odour impact is assessed according to location and a 'best practice' approach is adopted to ensure the right control measures are incorporated into the ventilation systems where required to prevent negative impacts

Noise

- 2.52 A Noise Impact Assessment, completed by Mabbett Associates, has been submitted to support the application, which has reviewed the impacts of the development and the necessary mitigation measures. This Assessment found that noise impacts from the proposal will not be more significant than the noise impact arising from the existing soundscape and will not extend beyond the existing ambient noise levels. The noise impact of the development will therefore not result in high absolute levels, and is considered to be negligible.

Odour

- 2.53 A common ducted extraction system is connected to a backward curved centrifugal extract fan which discharges to atmosphere via an un-restricted vertical high velocity discharge at 15m/s at nominal design air volume flowrate, to provide effective dispersal of the exhaust air. The discharge point will be in excess of 1m above eaves level and level with the top of the roof screening to achieve good dispersion whilst keeping the discharge duct below the level sightline.
- 2.54 Active odour and grease treatment measures are unnecessary in this location and the kitchen extract discharge will disperse naturally to atmosphere via the extended high velocity vertical termination.
- 2.55 Active odour control measures can be applied retrospectively if nuisance is experienced after the restaurant has opened and commenced trading.

Anti-social Behaviour

- 2.56 The restaurant shall maintain a strict protocol for ensuring noise and disturbance is kept to a minimum. All shift managers shall receive conflict resolution training sufficient to ensure they can deal effectively with noise or anti-social behaviour. Good management training and practices, in combination with appropriate physical security equipment, will reduce the risk of crime and disorder.
- 2.57 Tackling Anti-Social Behaviour is a key part of delivering the best possible customer experience. Tackling Anti-Social Behaviour is also key in delivering their duty of care obligations to their people, providing a great place to work where employees feel energised, safe and valued. Anti-Social Behaviour is an offence in Scotland, and is not tolerated on the premises by McDonald's.



Litter

- 2.58 Litter is managed by the local council through the Environmental Protection Act 1990 which makes dropping litter an offence. The planning system cannot address unlawful acts, i.e., dropping litter or parking on yellow lines. McDonald's is committed to tackling litter in as many different ways as possible.
- 2.59 It is company policy to conduct a minimum of three daily litter patrols, whereby employees pick up not only McDonald's packaging, but also any other litter that may have been discarded in a 150m vicinity of a restaurant. This may be expanded to suit local needs.
- 2.60 Litter bins are provided outside all restaurants, as shown on the drawings and packaging carries anti-littering symbols to encourage customers to dispose of litter responsibly. Anti-littering signage is displayed within restaurants and car parks, and support is given to Keep Britain Tidy, Keep Wales Tidy, Keep Scotland Beautiful, Keep Northern Ireland Beautiful and Capital Clean-up.

Land Contamination

- 2.61 A Phase I Investigation Report has been submitted to support the application, which finds there is some potential for ground contamination on the site associated with the past use and mining activity here. The Report recommends the presence of these be monitored during works on site, and any findings appropriately disposed of or mitigated.

Sustainable Urban Drainage System

- 2.62 Responsible management of water is achieved through a drainage strategy that has been specifically designed for the site. The implemented approach to the site drainage strategy has been reviewed during the design process. This includes the installation of foul storage and a new treatment plant downhill to the south of the application site, which will then discharge into an existing reed bed after treatment and dilution with surface water.

Low Carbon Technology

- 2.63 A Low/Zero Carbon (LZC) report has been submitted to support this application. This report includes a series of recommendations for technologies to be implemented within the freestanding restaurant element of the site, comprising of the use of air source heat pumps and solar PV panels to be attached to the roof, to achieve an approximately 22% carbon reduction

Accessibility

- 2.64 Public access into the building shall be open during hours of restaurant dine in trade, with the principal entrance being in the form of automated sliding doors via a wind lobby. This provides a convenient access for all pedestrians. Safety sensors will be fitted to ensure that the door does not close against pedestrian traffic.
- 2.65 The dining area is designed to best meet the aims and objectives of the Equality Act by providing a varied level of service to suit the widest possible range of needs. A variety of seating is provided with high and low tables and a mix of fixed and loose



seats. Floor and wall materials have been chosen not only to reflect McDonald's brand but to provide good levels of contrast between surfaces for users with visual impairment. Circulation routes are provided throughout the seating area to promote access for all, including wheelchair users.



3.00 McDonald's Sustainability Statement

3.01 Scottish Planning Policy (SPP) introduces a presumption in favour of development that contributes to sustainable development. Paragraph 28 states "*The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.*"

3.02 The following commentary sets out how McDonald's proposals align and contribute to these key outcomes, both nationally and locally.

Sustainable Economic Growth

National

3.03 McDonald's employs around 125,000 people across the UK, with a mix of all ages and life stages.

3.04 People are at the heart of the business and, as a responsible and proud employer, McDonald's are committed to investing in them. To ensure the needs of all staff are met, and so attract and retain the best talent, the range of employment options has been expanded, with the Guaranteed Minimum Hours Contracts (GMHC) rolled out to all UK restaurants.

- In the workplace, flexibility, opportunity, equality and development are promoted.
- Over 85% of McDonald's employees have said that they love the flexibility their job offers them.
- 90% of Business Managers started as Crew Members.
- 33% of the Executive team started their career in one of their restaurants.
- Each year McDonald's invest £43million in training to develop their people.

Local

3.05 The latest figures available show that McDonald's contributed £146 million to the economy in Scotland. Of this total, 87% is associated with the value of the sold in restaurants and the remaining 13% is the value of expenditure with suppliers and driven by the multiplier effect of employees in their company-owned and franchised restaurants, and employees supported by the supply chain, spending their wages in the local economy.

3.06 In 2017, McDonald's supported 11,289 jobs in Scotland: 9,616 in their restaurants and 1,873 in the supply chain and in the wider economy.

3.07 McDonald's source products from large companies based in Scotland such as the Smith Anderson Group, and Scottish farmers benefit from £17 million worth of income from McDonald's every year, for products such as seed potatoes, beef and milk.

The New Restaurant



3.08 The proposal represents a multi-million-pound investment by a national operator in Kelty and Fife.

3.09 The proposed restaurant is expected to employ more than 65 full and part time staff, which McDonald's seeks to recruit from the local area.

Environmental Sustainability

3.10 The scale of the business means McDonald's have an opportunity to have a positive impact on some of the biggest challenges facing the world today. The threat of climate change is one such challenge and McDonald's are proud of the investment they have made to reduce their carbon footprint in the UK.

3.11 McDonald's was the first restaurant chain to set science-based greenhouse gas reduction targets at a global level. Working with all franchisees, their aim is to reduce greenhouse gas emissions related to all restaurants and offices by 36% by 2030. Additionally, McDonald's are committed to a 31% reduction in emissions intensity (per metric tonne of food and packaging) across the supply chain by 2030.

3.12 To meet these targets, McDonald's buy 100% renewable electricity and have invested in long term partnership agreements to develop the renewable energy infrastructure in the UK.

3.13 The absence of on-site fossil fuel use, together with McDonald's electricity procurement agreements, eliminates the production of greenhouse gases from on-site operations. In recognition of global warming potential (GWP) associated with refrigeration gases, McDonald's have moved to the latest reduced GWP air conditioning refrigerants ahead of any legislation in this regard.

Waste and Use of Recycled Material in Construction

3.14 Materials used for construction of the restaurant are suitable for recycling and include steel portal frame and recycled materials, where possible.

3.15 Materials for the building are selected to provide the required aesthetics combined with maximum durability and robustness. The requirement for replacement, maintenance and repair will be minimal during the building lifecycles, thus providing a good low level of energy input over the whole lifecycle. From 2023, furniture will be sourced from recycled or certified materials and designed to recycled or reused at end of life, as part of the McDonald's Plan to Change.

The Building

3.16 The design of the new building has been directly influenced by sustainability and the standard practices to enable the reduction in their carbon footprint. Approximately, 90% of new restaurants are built using modular construction techniques, which use considerably less energy, inclusive of the reduction of the total number of deliveries to site during the build.

3.17 Modular construction takes place in a controlled environment, which allows a highly monitored and efficient process, where leftover materials can be used in future projects and ultimately reduce the general building waste. The construction time is also reduced, minimising the potential disruption to neighbours.



- 3.18 The roof of the building will feature 40m² of solar PV panels to allow the restaurant to generate its own renewable energy. This, combined with other methods, will contribute to a 22% reduction in carbon emissions at the property.
- 3.19 The external shell is designed to prevent air leakage and achieve the U-value required by current building regulation standards.
- 3.20 McDonald's utilise a sophisticated building management control system with specifically engineered energy reduction strategies to maximise operating efficiencies. McDonald's kitchen appliances have standby reminders and a metering system has been introduced which measures the amount of electricity used in every half hour of the day. Restaurant Managers receive daily graphs to help them make energy saving adjustments.
- 3.21 All new restaurants are fitted with standard equipment and maintenance programmes, in line with Green Building Guidelines, which were introduced as a McDonald's Europe initiative and include:
- Lighting - LED lighting is also used, resulting in a 50% reduction in energy use compared to fluorescent lights.
 - Water - Auto shut-off taps fitted to wash-hand basins in addition to flow control limited to 6l/min; replacement of urinals with waterless units and WC's fitted with dual flush of 4.5l and 3l flushes (unless external drainage requires greater volume). In addition, systems are leak checked with hot water temperatures reduced to a maximum of 60 degrees C. Pipes are checked for missing insulation.
 - HVAC - Automatic closures fitted to all internal doors and draft-proofing fitted or repaired to all doors and windows, including the use of energy save reminder stickers in the back of house area. Variable speed control fans are installed so that they are not required to run when ventilation is not required and room sensors installed to monitor internal air temperatures.

Minimising Transport Impacts and Reducing Carbon Dioxide Emissions

- 3.22 Cooking oil from restaurants is recycled into biodiesel using local collectors. The biodiesel is then used as fuel by McDonald's vehicles. Biodiesel is now being used in all delivery trucks and results in a carbon saving of 8,200 tonnes per annum.

Recycling Strategy and Use of Recycled Materials

- 3.23 Within the supply chain, McDonald's vision is one where all food and packaging is sourced sustainably. They have undertaken a number of measures in recent years to try to promote better environmental standards through the whole supply chain.
- 3.24 McDonald's is committed to using recycled materials wherever possible, throughout the business and have stepped up their commitment to recycling further, setting global goals, including 100% of McDonald's guest packaging will come from renewable, recycled or certified sources and 100% of guest packaging will be recycled in McDonald's restaurants, by 2024.



- 3.25 The business has taken a number of steps to continue to lead when it comes to sustainable packaging and further address the issue of reducing plastic across the supply chain:
- The removal of plastic lids from McFlurry will see 385 tonnes of plastic removed from the supply chain each year.
 - The introduction of fibre-based salad boxes will also see 105 tonnes of plastic removed annually, and the new salad boxes can be recycled with any other paper.
 - McDonald's are a member of the National Cup Recycling Scheme which brings together major retailers waste management companies and UK paper mills with the shared aim of growing the infrastructure needed to increase the number of paper cups being collected and recycled across the UK.
 - McFlurry cups can be recycled along with other paper cups in one of the many recycling points that has been established across the country through the collaboration of retailers including Pret a Manger, Costa and McDonald's restaurants.
 - Packaging recycling: 22k tonnes of outer packaging cardboard is recycled from restaurants every year - zero waste to landfill.
 - Only 8% of the packaging used for McDonald's products is made from plastic, with the majority already being made from fully certified fibre
- 3.26 McDonald's reuses delivery packaging wherever possible, in accordance with food safety laws. Over 80% of kitchen waste is recycled, which equates to 40% of total waste. Staff separate corrugated cardboard, used cooking oil, food waste, clean plastic paper and tin from all back of house areas for recycling.
- 3.27 All restaurants aim to recycle 100% of their corrugated cardboard, which in itself accounts for 15% of a restaurant's average total waste. In addition, the delivery trays and crates are returned to suppliers for reuse.
- 3.28 Delivery vehicles carry recyclable materials on return trips, backhauling over 80% of all cardboard.
- 3.29 McDonald's UK has a long-term goal to send zero waste to landfill by reducing operational waste, recycling as much as possible, and diverting the remainder to a more sustainable solution.
- 3.30 To further minimise waste, McDonald's has joined the Valpak distributor take back scheme, which ensures that redundant equipment is recycled with accredited companies.
- 3.31 Customer recycling stations are installed in all new restaurants, to allow customers to separate paper cups, plastic bottles and cups, and decant liquids. The cups will be sent to a specialist paper cup recycler and the plastic will be recycled along with the plastic from the kitchens. With good levels of separation, McDonald's new waste procedures could generate a recycling rate of up to 65%, exceeding the European target.

Socially Sustainable

- 3.32 McDonald's is committed to be a valued and responsible member of communities in which it operates. Alongside strong staff training programmes and environmental



initiatives McDonald's also supports Ronald McDonald House Charities (RMHC) and encourages young people to lead more active lives.

3.33 McDonald's has a track record of enabling and encouraging young people to participate in sports, including a long tradition of supporting community football and Olympic sponsorship.

Training

3.34 McDonald's commitment to staff education incorporates both internal training programmes and externally recognised qualifications. The McDonald's training philosophy centres on career long learning – “from the crew room to the boardroom”. McDonald's is recognised as a “heavy lifter” by the Work Foundation as it recruits on the qualities not the qualifications of applicants.

3.35 Crew members receive on-going training of which regular assessment forms a part. The ratings from these assessments are then discussed at each employee's Performance Review. McDonald's invest more than £43 million in training each year and those employed at the proposed restaurant would be given the chance to undertake structured training including the opportunity to gain nationally recognised qualifications in hospitality, literacy and numeracy.

Football

3.36 Since 2002, McDonald's has partnered with the four UK Football Associations, providing financial support to improve the standards and growth of grassroots football across England, Scotland, Wales and Northern Ireland. Local employees and restaurants have also been involved.

3.37 McDonald's Club Twinning was launched in 2008 and there are now over 900 restaurants twinned with local clubs, providing coaching and business support as well as providing thousands of players with donated kit and equipment.

3.38 McDonald's continue their role as Official Community Partner of all four UK Football Associations.

3.39 This new programme has a target to provide 5 million hours of fun football for children across the UK by 2022 and to give over 500,000 children the chance to try football for the first time through the Fun Football ‘turn up and play’ sessions, Festivals and Activity Books, the majority of which are free to the public. Aimed at introducing 5–11-year-olds to football for the first time, the programme will include introductory drills perfect for children with no footballing experience.

3.40 The ongoing partnership will help ensure that McDonald's can continue having a role in encouraging young people to have a lifelong love of sport and an active lifestyle. To-date, the programme has included:

- Training over 30,000 new qualified grassroots coaches
- Supporting over 10,000 grassroots clubs via the UKFA's club and league accreditation programmes
- Providing over 250,000 new football kits to kids teams across the UK
- Recognising over 5,000 local football volunteers, clubs, and projects to date via our nationwide Grassroots Football Awards programme



Ronald McDonald House Charities

- 3.41 Ronald McDonald House Charities UK (RMHC) is an independently registered charity which helps support families while their children are in hospital or a hospice. RMHC provide free 'home away from home' accommodation to allow families to stay close to their ill children. They operate 12 Houses from NHS hospitals across the UK, and give families a warm and comfortable place to rest, eat and relax, just moments away from their child's hospital ward. Since 1989, RMHC have supported over 50,000 families and now support 6,000 families each year.
- 3.42 RMHC has been McDonald's charity of choice since the Charity was founded in the UK in 1989. Since then, McDonald's and its Franchisees have raised over £85million for the Charity.
- 3.43 As well as donating part of their profits, McDonald's and its Franchisees also hold annual fundraising days, provide free office space, business resources and advertising.
- 3.44 The charity's biggest source of income comes from the collection boxes in McDonald's restaurants, through which customers give millions of pounds each year. In 2017, these boxes provided over £3 donated by McDonald's generous customers. In 2019, the option of donating to RMHC via the cashless in-store kiosks was introduced, which has significantly increased the amount donated by customers. This allows customers to round up to the nearest pound or give set donations of 1p, 10p or 20p of which 100% is given to RMHC.



4.00 Local Authority Discussions

Pre-Application Advice

- 4.01 In June 2020, Graham + Sibbald submitted a request for pre-application advice to Fife Council on behalf of the applicant. An indicative site layout plan was submitted with the pre-application enquiry. The purpose of this enquiry was to obtain initial advice from Fife Council in relation to the proposed roadside services and to confirm the supporting information required to accompany an application submission.
- 4.02 A formal pre-application response was received on the 25th of September 2020, with the advice compiled by Andy Taylor, Planner at Fife Council.
- 4.03 The response set out the policy and material planning considerations that would factor into the assessment of the application. Section 5 of this report contains a detailed assessment of relevant planning policy.
- 4.04 The pre-application response identified that a significant material consideration was the fact that the site is outwith a settlement boundary. This is a brownfield site and previous commercial retail and food & drink uses have been established at this location through the former Baxters facility and the previous consent granted for a wider mixed-use development. Given the difficulty in attracting a new operator for the former Baxters facility, it is considered that a diversification of the commercial offer available at the site is required to return economic activity to the site, and demonstrate the viability of the building once again, therefore enabling it to attract a new occupant and re-enter productive use.
- 4.05 The pre-application response acknowledged that the size of the development and the location would attract passing visitors from the M90 and the B914. The pre-application response stated that there was some concern from the transportation officers in relation to the proposed development and that this would need to be addressed in the application submission and that a Transport Assessment would be required.
- 4.06 The very nature of the proposed roadside services means that a roadside location is required and the development is targeted at serving passing trade. A Transport Assessment has been undertaken and submitted in support of this application. This demonstrates that the proposal will not impact on the local road network.
- 4.07 The pre-application response details that no records of flooding have been found on the site and no site-specific concerns were raised with regards to drainage or surface water. The planning application submission is accompanied by a Drainage Strategy Report.
- 4.08 Fife Council has identified that the site has previously been the subject of mineral extraction processes and subsequent infilling activities. The Council has advised that an appropriate contaminated land site-specific risk assessment should be submitted with any further application to ensure the site is developed safely. A Preliminary Geo-Technical Report and Coal Risk Assessment has been undertaken and submitted in support of the application.



4.09 The pre-application response advised that an Air Quality Screening Assessment should accompany the application to identify the impact of any queuing or idling vehicles associated with the drive-thru element. An Air Quality Screening Assessment has been undertaken and submitted with the application which advised that a simple Air Quality Assessment may be needed. It is regarded that this can be conditioned as part of any grant of consent.

4.10 The response concluded that the proposal would need to make satisfactory justification in terms of the Development in the Countryside policy, and also allay any concerns in terms of impact on contamination, drainage, road safety, design, and ground stability.

4.11 Subsequently, a planning application was submitted for the proposal in December 2020, with supporting documentation that assessed the proposed development in accordance with relevant planning policy, including Development in the Countryside policy. The application was assigned the reference number 20/03289/FULL. Additionally, the requested technical reports were undertaken and submitted with the application.

Discussions with Council on Previous Application

4.12 During the course of determining application 20/03289/FULL, comments were received from various departments and statutory consultees of Fife Council. The consultees, and their comments, are summarised in the below table. As this application is a resubmission, the table also includes a summary of actions taken to address these comments on the previous application.

Consultee	Summary of Comments	Action Taken in Response to Comments
Environmental Health	Mr Brian Hill, Environmental Health Officer, provided comments on the 6 th May 2021. Mr Hill noted that there was no supporting information provided in respect of noise, and therefore if complaints of noise nuisance were received about the development should it be granted consent, his department would be required to investigate. This may result in a need for mitigation measures at a later date. However, Mr Hill did not offer an objection and did not suggest any conditions would be required.	A Noise Impact Assessment has been included as part of this resubmission to pre-emptively address any potential noise concerns that may arise from neighbouring properties. This Assessment has concluded that noise impact arising from the development is likely to be negligible, and will not be more significant than the existing ambient noise at the application location.
Business & Employability	Anne Rennie, Economic Development officer, provided comments on the 3 rd June 2021. Ms Rennie commented that, though her department noted the Baxters building had been marketed with no interest, there was concern that development within the car park of this building might diminish the chances of finding an occupier for	This Planning Supporting Statement provides some background to the marketing of the property and the market conditions that precipitated a lack of



	<p>these buildings, due to competition from the proposed food offer, and by developing part of the car park previously used by visiting coach trips. Ms Rennie stated her desire to see the existing building utilised for any new development proposal first.</p>	<p>interest in the immediate re-occupation of the Baxters' building. This Statement also explains that the proposed development is a form of enabling development to re-establish footfall and economic activity at the site, and return interest to the site that will make the use of the Baxters' building a viable venture once more. The applicants' long-term desire is to see the Baxters' building returned to full use and become an economically functional component of the local economy once more.</p>
<p>Land & Air Quality</p>	<p>Comments were received from Eloise Griffin, Technical Officer in the Land & Air Quality department on the 29th April 2021.</p> <p>In terms of land quality, Ms Griffin noted the report from Goodson Associates that advised further intrusive investigations should be undertaken. Furthermore, Ms Griffin requested that, should remedial measures be found to be necessary as a result of this, then such measures must be described in a Remedial Action Statement.</p> <p>With regards to air quality, Ms Griffin requested further information in the form of the results of an Air Quality assessment, to be submitted before development commences. Ms Griffin proposes enforcement of this through a condition on planning consent.</p> <p>A number of conditions are proposed, including the one referenced above, and one related to the installation of biomass boilers. Conditions related to land quality include the completion of a Phase II Site Investigation, Remedial Action Statement, and a condition limiting development work where contamination is discovered.</p>	<p>An Air Quality Screening report has been submitted in support of this application. This report finds that a simple air quality assessment is appropriate for the scale and nature of development. It is considered that this can be made a conditional requirement of any planning consent.</p> <p>The applicants are amenable to conditions being attached in regards to land quality, and agree this is sensible given potential former mining and industrial activity at the site.</p>
<p>Structural Services</p>	<p>Denise Richmond of the Flooding, Shoreline & Harbours team within Fife Council's Structural Services was consulted and provided comments on the 29th April 2021. Ms Richmond requested that the applicant provide information in relation to SUDS/attenuation calculations,</p>	<p>An updated drainage strategy has been provided with this resubmission that addresses the attenuation calculations, and porosity testing for the soakaways</p>



	<p>subsoil porosity testing for the proposed soakaways and filter trenches.</p> <p>Additionally, it was identified that the combined foul soakaway, which is to receive the final discharge is outwith the development red line boundary. Confirmation of ownership, or other permission to use the land was requested, with SEPA to be consulted on the use of a foul soakaway.</p> <p>Finally, Ms Richmond requested confirmation on the status of the adoption and maintenance of the final SUDS layout.</p>	<p>and filter trenches. Updated plans have been provided that show the proposed location of the discharge soakaway, and indicate that this is also within the ownership of one of the applicants, so this can be delivered.</p>
Scottish Water	<p>Pamela Strachan, Development Operations Analyst at Scottish Water, provided comments on the 29th April 2021. The response indicated that Scottish Water had no objection to the application.</p> <p>Ms Strachan confirmed that there was sufficient capacity in the relevant Water Treatment Works, the Glendevon WTW. Furthermore, it was confirmed that there is sufficient capacity for a foul connection the Levenmouth Waste Water Treatment works.</p> <p>Ms Strachan also identified that the works would impact on existing Scottish Water assets, specifically some abandoned Scottish Water infrastructure running across the site. This will require engagement with Scottish Water to discuss the appropriate removal of this infrastructure.</p> <p>The response also sets out that surface water connections would not be permitted to be discharged into the combined sewer system.</p>	<p>The applicant acknowledges that capacity at various water treatment infrastructure cannot be reserved, but welcomes the view that there was sufficient capacity in the existing network at the time of the initial application. It is acknowledged that early engagement will be required with Scottish Water to discuss appropriate action relating to the disused water pipes on site.</p>
Coal Authority	<p>A response was received from Deb Roberts of The Coal Authority on the 7th May. Ms Roberts set out that The Coal Authority would have no objection to the proposal, subject to the imposition of appropriate conditions.</p> <p>The Coal Authority's response forms a material consideration in the determination of a planning application, and Ms Roberts identified that the application falls within the defined Development High Risk Area, with the application site being located within an area of recorded and probable shallow coal mining workings.</p> <p>Ms Roberts notes that a mine entry could be present within the site, or in close proximity to the boundary, due</p>	<p>As with the Land & Air Quality comments, the applicants are aware that conditions may be imposed with regards to further investigations on site to demonstrate the site is suitable for development.</p>



	<p>to discrepancies with the plotting of features on the interactive map.</p> <p>The response generally agreed with the findings of the Coal Mining Risk Assessment provided with the application, that some intrusive site investigations would be necessary prior to development taking place.</p> <p>Ms Roberts set out a number of conditions that should be imposed on any grant of consent, specifically that intrusive ground investigations be carried out ahead of any development taking place, and the submission to the local authority of a declaration that the site is, or has been made, safe and stable for the development to take place.</p>	
Policy & Place	<p>A response was received from the Fife Council Policy & Place team on the 12th May 2021. The response establishes the planning policies of relevance to the proposal, and generally assesses compliance with these.</p> <p>The response identifies that Policy 3: Town Centres and Retail, Policy 8: Transportation, and Policy 9: Infrastructure are the relevant policies of the SESPlan. Additionally, Policy 1: Development Principles, Policy 6: Town Centres First, and Policy 7: Development in the Countryside are regarded to be the relevant policies of the adopted FifePlan.</p> <p>The response considered that the proposal does not accord with Policy 6: Town Centres First, as a result of the application not being accompanied by a sequential assessment that considered the suitability of the proposal against its out-of-town-setting, given the footfall-generating nature of the use. It is therefore understood that a sequential assessment would need to be provided to make the proposal compliant with Policy 6.</p> <p>Furthermore, the application is deemed not to be compliant with Policy 7: Development in the Countryside on account of not being considered to meet any of the criteria that make development outwith a settlement boundary acceptable.</p>	<p>A Sequential Assessment is provided as part of this Planning Supporting Statement to provide justification for the location of the development in respect of the sequential approach, such that it is considered to accord with Policy 6.</p> <p>Additional justification is also provided in terms of Policy 7, and explanation given that the proposal site is the location of a previously established business within the Countryside, and the development is required to diversify and supplement the offer here in order to restore the business function.</p>
Transport Development Management	<p>Mark Barrett, Lead Officer at Fife Council's Transportation Development Management team, provided comments on the 10th May 2021.</p> <p>Mr Barrett commented that he had "significant concerns" with the Transport Assessment, primarily because of a lack of assessment of how pedestrian and cycle trips</p>	<p>A revised Transport Assessment has been provided as part of this application. This includes consideration of the adjacent Kelty SW SDA.</p>



Transport Scotland	<p>between the development and the adjacent Kelty Southwest Strategic Development Area could be made safer.</p> <p>The response also identifies that the lack of safe pedestrian facilities on the bridge over the Kelty Interchange is a significant challenge, and this has not been adequately addressed in the Transport Assessment, or the wider submission.</p> <p>Mr Barrett highlights that the proposed crossing island on the B914 to the north of the site is the “minimum mitigation” that could be proposed for pedestrian crossing from the pedestrian footway on the north side of this road. He also requests further detail on the proposed right-hand turning lane from the B914 into the site, and guarantees that there is sufficient space for this to be provided.</p> <p>It is also identified that, overall there was sufficient parking across the site for the proposed uses, but that the distribution of this is poor. The lack of electric vehicle charging points is also highlighted as a significant missed opportunity.</p> <p>Mr Barrett also highlights concerns about the existing speed limit on the B914, and states that adequate justification or mitigation measures have not been provided with respect to the speed limit of 60mph on the road, and the associated intensification of the junction’s use.</p> <p>On the 16th June, a response was received from Jason Gillespie of Systra transport planners, responding on behalf of Transport Scotland and assessing the Transport Assessment submitted with the original planning application. Mr Gillespie identified a number of points that required further clarification, some of which were consistent with points raised by Mr Barrett in the Transport Development Management Response.</p> <p>Mr Gillespie identified some discrepancies with the numbers used in trip generation calculation, and the omission of the South West Kelty SDA as a committed development in the consideration of cumulative impacts.</p> <p>Additionally, it was noted that pedestrian trip generation had not been quantified, and that this raised concerns with regard to the availability of pedestrian infrastructure on the route to and from Kelty.</p>	<p>The new layout of the site also includes EV charge points, addressing this comment directly. The revisions also include additions of land around the access point to facilitate the creation of visibility splays appropriate to the B914’s 60mph speed limit.</p> <p>A revised Transport Assessment has been submitted with this resubmission application that addresses the inclusion of the Kelty SW SDA within trip generation calculations. The revised assessment also includes pedestrian trip generation figures.</p>
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Transport Scotland also were unclear on how acceptable a new pedestrian cross on the B914 would be.

- 4.13 Taking into account the above comments various technical reports have been submitted with this application, subject to changes where the scale and scope of the proposal has changed. The revised reports also address the issues highlighted above, to ensure concerns of statutory consultees have been identified and considered as part of the application submission, and minimise the potential for similar issues to arise as part of this resubmission process.
- 4.14 Specifically, a Sequential Assessment is now included within this Statement to address the points raised with regards to the proposal's compliance with the Town Centre First policy. Additionally, the new Transport Assessment takes into account cumulative impacts with the South West Kelty SDA, as was previously omitted.



5.00 Planning Policy Assessment

5.01 The relevant Development Plan for the application site is the Fife Local Development Plan (FifePlan) adopted in September 2017.

5.02 As shown in the Proposals Map extract below, the site has no specific land use designation and is located outwith the settlement boundary. It is therefore considered to be a countryside location in planning policy terms.



5.03 The site is in close proximity to a Green Network Opportunity, indicated by the green dotted line passing the site to the north. Additionally, it is located within a Green Network Policy Area, denoted by the dotted blue line which encompasses the site. There is an Existing Green Network Asset a short distance to the west, as shown by the diagonal green hatching.

5.04 The Green Network Opportunity is identified as Opportunity Ref: 276. The description for this feature states:

"There is considerable potential to develop the tourism offer of the wider area. Ensure good quality connections are established between Kelty and the St. Ninian's Land Art Project - as a key tourist attraction in the future. Also consider carefully the treatment of junction 4 of the M90 as a key gateway to the wider Ore Valley and the St. Ninian's Land Art Project - a landscape-led approach to the junction might be most appropriate. Blairadam Forest forms part of the setting of the designed landscape to the north (in Perth and Kinross) – consider the potential to build on this through for example developing heritage trails."



5.05 The Green Network Policy Area is given the reference KELGN02, and titled “Kelty South to Land Art”. Meanwhile, the Existing Green Network Asset to the west is given the reference number 827. There is no specific policy covering the Green Network or features of the Green Network but these are mentioned and described in various policies throughout the FifePlan.

5.06 The key policy that relates to features of the Green Network is considered to be **Policy 13 – Natural Environment and Access**. This Policy states that:

“Development proposals will only be supported where they protect or enhance natural heritage and access assets including:

- *designated sites of international and national importance, including Natura 2000 sites and Sites of Special Scientific Interest (see Site Appraisal Process below);*
- *designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas;*
- *woodlands (including native and other long established woods), and trees and hedgerows that have a landscape, amenity, or nature conservation value;*
- *biodiversity in the wider environment;*
- *protected and priority habitats and species;*
- *landscape character and views;*
- *carbon rich soils (including peat);*
- *green networks and greenspaces; and*
- *core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation.*

Where adverse impacts on existing assets are unavoidable we will only support proposals where these impacts will be satisfactorily mitigated.

Site Appraisal Process

Development proposals must provide an assessment of the potential impact on natural heritage, biodiversity, trees and landscape and include proposals for the enhancement of natural heritage and access assets, as detailed in Making Fife's Places Supplementary Guidance.

Development proposals likely to have a significant effect on a Natura 2000 site will not be in accordance with the Plan if it cannot be ascertained, by means of an Appropriate Assessment, that they will not have an adverse effect on the integrity of Natura 2000 site(s).

Unless there is an imperative reason of overriding public interest development that impacts negatively on these sites will not be supported.

In the particular case of development proposals that affect national sites, such proposals will only be permitted where the objectives of the designation and the overall integrity of the area will not be compromised or where any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.”



- 5.07 Policy 13 makes clear that any development proposal in close proximity to Green Network features will only be supported where they protect or enhance these features. A proposal also must be accompanied by an assessment of potential impact on natural heritage, biodiversity, trees, and landscape as set out in the Making Fife's Places Supplementary Guidance.
- 5.08 It is reiterated that this is a brownfield site connected to an established commercial operation. It is acknowledged that part of the site is agricultural land. The agricultural land offers limited biodiversity or recreational amenity value in its current form. With regards to the requirement of Policy 13, it is considered that the proposal makes a positive contribution and protects Green Network features, as the proposal will incorporate areas of landscaping and SUDs, which will enhance the biodiversity value of the site. This is considered to make a significant enhancement to the existing biodiversity position of the site and adjacent Green Network features, and therefore consistent with the ambitions of Policy 13.
- 5.09 Policy 13 also makes reference to the Making Fife's Places Supplementary Guidance. This Guidance requires that Planning applications carry out a detailed assessment of the impact of a new development of a site in terms of its impact on various aspects such as natural heritage, landscape, etc. The detailed guidance for making such an assessment is contained within the appendices of this Supplementary Guidance. Specifically, Appendices A & B relate to impact on natural heritage assets and landscape, which are considered to be of particular relevance to this.
- 5.10 The following actions are set out in Appendix A to ensure that proposed developments make appropriate consideration of natural heritage and biodiversity. A response to each of the actions, as relevant to the proposal, is identified in the adjacent column.

Action	Comments
Identify any designated nature conservation sites on or around the application site. Any potential impact on designated sites needs to be assessed but adverse effects should be avoided. For European sites (e.g. SPA, SAC) this includes assessment of any potential impacts on qualifying species using areas outwith the designated site. An Appropriate Assessment may be required.	There are no natural heritage designations on or around the application site as set out by Scottish Natural Heritage.
Identify what natural heritage assets are present on and around the application site. This should include reference to the presence of priority habitats and species identified in UK, national and local (Fife) Biodiversity Action Plans, woodland on the SNH Ancient Woodland and Scottish Semi-Natural Woodland Inventories and	The only natural heritage assets identified on or around the site is the identified Green Network Asset.



Action	Comments
Tree Preservation Orders. The presence of invasive species such as Japanese Knotweed or Giant Hogweed should be identified with proposed management detailed.	
Identify the location and ecological quality of watercourses and waterbodies on the site and in the surrounding area.	There are no watercourses or waterbodies on or in close proximity to the site.
Identify if any of the habitats, features or buildings on and around the site have the potential to support protected species. If they do then further specific survey and assessment is required by a suitably qualified professional following recognised guidelines and methodologies. Identification of mitigation and a licence from SNH may be required.	The site comprises of a car parking area and open agricultural land. It is not considered that the site has the potential to support protected species.
Identify existing habitat networks on the site and in the surrounding area. Where possible these should be protected. Where adverse effects are unavoidable mitigation and compensation is required.	As above, given the current use of the site it is not considered that there will be any existing habitat networks on the site.
Identify opportunities to enhance and buffer existing habitat areas and habitat networks on the site and into the surrounding area.	The existing site is developed and consists primarily of hardstanding parking areas, and therefore there is very limited existing habitat areas and networks. The proposal will include areas of landscaping which will create new habitat areas.
Identify opportunities to create new habitat and habitat networks on the site and into the surrounding area.	The proposed landscaping areas will create new habitat areas.
Identify opportunities to enhance the ecological quality of water bodies and groundwater on and around the development site.	There are no watercourses or waterbodies on or in close proximity to the site.

5.11

Appendix B sets out the following actions in relation the Landscape impact of a development. Relevant comments are provided in response:



Action	Comments
<p>Establish the landscape character type and local landscape character unit that covers the site, using the Fife Landscape Character Assessment, and note the key characteristics and features. Note the capacity of the landscape to accommodate development and its sensitivity to change arising from different types of development.</p>	<p>The Fife Landscape Character Assessment (1999) categorises various geographic areas of Fife by their main landscape features and the character of that landscape. The application site and land around it fall within an area defined as “Lowland Lochs Basins”.</p> <p>The Landscape Guidance for Lowland Loch Basins states that isolated new buildings in the countryside should be avoided, and that new development can look conspicuous when not part of an existing building group. It also advises against new high or bulky buildings that are not carefully sited.</p> <p>The Lowland Loch Basin is considered to have sufficient landscape capacity to accommodate a development of this type at this particular location as the proposal forms part of an existing building group and development area. There are existing commercial structures in this area. Therefore, the appearance of new buildings on the landscape is limited to a location where these are already present. The development utilises brownfield land consisting of a former car park as well as some greenfield agricultural land adjacent to this existing developer site. The buildings are low-level and do not protrude into the skyline or otherwise impact the landscape. Furthermore, Fife Council has previously supported a major tourism and leisure development at this location.</p>
<p>Note any aspect of landscape character and quality that scores highly in the Fife Landscape Review [3 or more in Table 5.1 Overview of Landscape Character and Landscape Quality Evaluation].</p>	<p>The site is considered to fall within the Fitty landscape area, and Table 5.1 indicates that aspects of landscape character and quality that score a 3 or higher here are; Rarity or Uniqueness, Scenic Qualities, and Enjoyment. The comments state that “This area is of high importance for enjoyment, but</p>



Action	Comments
	<p>does not score so highly in relation to the other criteria.”</p> <p>This location has not been identified as having particularly high scenic value. The proposed development will attract passing trade to this part of Fife and will encourage the enjoyment of the wider West Fife area.</p>
<p>Identify whether the site is covered by a Local Landscape Area, or buffer. Note the key points made in the Special Landscape Area Designation Statement, giving the reasons for designation under the Fife Landscape Review.</p>	<p>The site is not located within a Local Landscape Area or buffer.</p>
<p>Identify where a site lies within a designated Historic Garden or Designed Landscape, or buffer. Note its landscape components and importance as described in the Inventory.</p>	<p>The site is not located within a Historic Garden or Designed Landscape or buffer.</p>
<p>Identify where a site lies within a Greenbelt – around either Dunfermline or St Andrews.</p>	<p>The site is not located within a Greenbelt.</p>
<p>Establish whether the site has been identified as having landscape capacity for future development in a Landscape Capacity Study – these have been carried out around many of Fife’s settlements on behalf of Fife Council. Set out the relevant findings.</p>	<p>A Landscape Capacity Study has been carried out in relation to Kelty. A copy of this could not be found on the Fife Council website. However, as the site is predominantly brownfield in nature and is the site of an existing building group, it is considered to have capacity for new development. As detailed above, the site previously benefitted from outline planning consent for a tourism and leisure development demonstrating that Fife Council considered that the landscape had capacity to support further development at this location.</p>
<p>Identify any settlement[s] in proximity to the site. Note the settlement’s form, scale, pattern, setting and any distinctive features. Note how the site</p>	<p>The site is in close proximity to the settlement of Kelty, separated from the town itself by the M90. The site is therefore edge-of-town in character</p>



Action	Comments
relates to the existing settlement edge. Consider whether development changes the sense of arrival to the built-up area. Does the site have features that could form a strong new edge to the countryside beyond?	and sits on a significant route to Kelty for travellers on the B914 coming from the west. It has an opportunity to act as a gateway to the town and provide a transition from the rural character of the landscape to the west to the more urban landscape that travellers will be entering. Additionally, the site is adjacent to the principal junction for accessing Kelty from the M90. The proposed roadside use of the site is considered to fulfil this role as it is the type of use one would expect to find in such an edge-of-town location. The site is bound by woodland to the west which acts as a natural boundary and edge to the countryside that sits to the west of the site.
Identify, map and describe physical aspects or features relevant to future development of the site, such as trees*, woodland*, hedges*, parkland, steep slopes, rocky outcrops, skyline, ridges, watercourses, buildings and structures. This includes elements on adjoining land that may be affected by a development proposal, such as woodland trees. The nature of edges and boundary treatments is of particular importance. Note existing features that could influence layout and design eg contribute to a sense of place/ provide screening for future development.	<p>A full package of drawings accompanies this application submission. These drawings identify relevant physical features such as existing trees, topography etc.</p> <p>The site comprises areas of hardstanding owing to its former use as a car park, and some areas of trees/bushes that intersperse this. The eastern part of the site is formed of agricultural land which the proposal will partially develop.</p>
Assess the impact of the development proposal on the landscape as a resource in its own right, using methodology consistent with Guidelines for Landscape and Visual Assessment 3rd Edition [2013, Landscape Institute and EIMA].	<p>The proposal site is mostly brownfield and comprises areas of existing hardstanding and some light, currently unmaintained landscaping. The proposal makes a positive contribution to the landscape in this sense by redeveloping this vacant area of brownfield land and incorporating areas of landscaping.</p> <p>The area of agricultural land in the east of the site is categorised as “Unclassified Land” on the Hutton</p>



Action	Comments
Assess the visual impact of the development proposal using methodology consistent with Guidelines for Landscape and Visual Assessment 3rd Edition. Identify the key receptors and how the proposal affects general visual amenity as well as specific views from established local viewpoints and public routes passing the site.	<p>Land Capability for Agriculture maps. This suggests that the capability of the site to be productive for growing crops is unknown, but the land appears to have been used for livestock grazing rather than arable farming in the past. Therefore the development of this area of land creates little concern in regard to the loss of a valuable landscape resource. Fife Council has previously supported the development of this area of agricultural land.</p> <p>As stated above, the proposed development is considered to have minimal visual impact on the landscape. This is predominantly due to the fact that the application site has already been developed and features existing buildings, areas of hardstanding, and access point. The buildings proposed as part of this application are low-lying and of a small-scale.</p>
Propose landscape mitigation measures to prevent/ avoid/ reduce and compensate for any adverse landscape and visual impacts and, where possible, landscape enhancement to improve the landscape of the site.	<p>There are not considered to be any significant adverse landscape impacts created by the proposed development for the reasons discussed above, and therefore nothing that requires mitigation in this regard.</p> <p>The site will feature high-quality landscaping areas, that will enhance the appearance of the site and help to integrate it into the surrounding landscape, particularly considering the presence of a tree belt and area of woodland directly to the west of the site.</p>

5.12

In respect of the above, it is considered to have been demonstrated that the proposal accords with Policy 13 and the provisions of the Making Fife's Places Supplementary Guidance, and associated relevant appendices. The proposal does not impact on a Natura 2000 site or any other nationally designated sites, and, given the existing brownfield status of the site, is regarded to either protect or enhance the natural assets listed in Policy 13, with much of these having been demonstrated in responding to the relevant criteria in the Supplementary Guidance.



5.13 Policy 13 relates to the development by virtue of its location within designated Green Network Policy areas and in proximity to Green Network Assets. Other policies of the FifePlan are of relevance to the proposal by the nature of the development and these are summarised below.

5.14 **Policy 1: Development Principles** relates to all new development in Fife and states that:

“Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts. Such development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C.

Part A

1. *The principle of development will be supported if it is either:*
 - a) *within a defined settlement boundary and compliant with the policies for the location; or*
 - b) *in a location where the proposed use is supported by the Local Development Plan.*
2. *If the proposal does not meet either of the criteria under 1, above, the principle of development may be supported if the development is for:*
 - a) *housing on a site which is not allocated for housing in this plan but which accords with the provisions of Policy 2: Homes; or*
 - b) *employment land for industrial or business use in a location where there is clear evidence of a shortfall in supply.*

Part B

Development proposals must address their development impact by complying with the following relevant criteria and supporting policies, where relevant:

1. *Mitigate against the loss in infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure (see Policy 3 Infrastructure and Services, Policy 4 Planning Obligations);*
2. *Avoid the loss of valuable cultural, tourism, and community resources (see Policy 3 Infrastructure and Services);*
3. *Protect Fife’s existing and allocated employment land (see Policy 5 Employment Land and Property);*
4. *Make town centres the first choice for uses which attract a significant number of people, including retail, leisure, entertainment, recreation, cultural and community facilities, as well as homes and businesses, and accord with the town centres spatial frameworks (see Policy 6 Town Centres First and settlement proposals)*
5. *In the case of proposals in the countryside or green belt, be a use appropriate for these locations (see Policy 2 Homes, Policy 7 Development in the Countryside, Policy 8 Houses in the Countryside, Policy 9 Green Belt and Policy 11: Low Carbon Fife);*
6. *Protect sport and recreation facilities and the amenity of the local community and businesses (See Policy 3 Infrastructure and Services and Policy 10 Amenity);*
7. *Safeguard the character and qualities of the landscape (see Policy 13 Natural Environment and Access, and Policy 15 Minerals);*



8. *Avoid flooding and impacts on the water environment (see Policy 12 Flooding and the Water Environment);*
9. *Safeguard or avoid the loss of natural resources, including effects on internationally designated nature conservation sites (see Policy 13 Natural Environment and Access and Policy 15 Minerals);*
10. *Safeguard the characteristics of the historic environment, including archaeology (see Policy 14 Built and Historic Environment);*
11. *Not compromise the performance or safety of strategic infrastructure or, alternatively, assist in the delivery of necessary improvements to mitigate impact arising from development (see Spatial Strategy diagram).*

Part C

Development Proposals must be supported by information or assessments to demonstrate that they will comply with the following relevant criteria and supporting policies, where relevant:

1. *Meet the requirements for affordable housing and Houses in Multiple Occupation (see Policy 2 Homes);*
2. *Provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal (see Policy 3 Infrastructure and Services);*
3. *Provide measures that implement the waste management hierarchy as defined in the Zero Waste Plan for Scotland (see Policy 3 Infrastructure and Services);*
4. *Provide green infrastructure as required in settlement proposals and identified in the green network map (see Policy 3 Infrastructure and Services);*
5. *Provide sustainable urban drainage systems in accordance with any relevant drainage strategies applying to the site or flood assessments (see Policy 3 Infrastructure and Services);*
6. *Meet the requirements of any design briefs or development frameworks prepared or required for the site (see Policy 13 Natural Environment and Access, Policy 14 Built and Historic Environment, and relevant settlement proposals tables);*
7. *Provide a layout and design that demonstrates adherence to the six qualities of successful places as set out in the Government's Creating Places policy (see Policy 14 Built and Historic Environment);*
8. *Provide for energy conservation and generation in the layout and design (see Policy 3 Infrastructure and Services, Policy 11 Low Carbon Fife, Policy 13 Natural Heritage, Woodland, and Access, and Policy 14 Built and Historic Environment).*
9. *Contribute to achieving the area's full potential for electricity and heat from renewable sources, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations (see Policy 11 Low Carbon Fife).*

5.15 In terms of Part A of Policy 1, it is considered that the proposal accords with the guidance for Development in the Countryside under Policy 7 (as well be demonstrated in response to this Policy), and therefore accords with 1. b) of Part A.

5.16 The proposal is also compelled to accord with all applicable provisions of Parts B & C of Policy 1. For a development of this nature these are considered to be Part B provisions 1, 4-11; and Part C provisions 2-5, & 7-9.



- 5.17 Provision 1 of Part B relates to the mitigation of impact on infrastructure capacity, and the securing of developer contributions to offset these where required. It is understood that this proposal will be assessed in respect of these, and discussions will be opened with Fife Council as part of the planning application process in this regard.
- 5.18 Provision 4 requires the development to accord with the Town Centre First principle, whereby footfall generating uses such as retail are directed to Town Centre locations first and foremost. This will be addressed in response to Policy 6 later in this statement, and additionally a Sequential Assessment has been provided as part of this Statement to fully assess this. Generally, the use is considered to accord with this principle as the development is located on a site with an established planning history of retail use, despite being located outwith a settlement boundary. The convenience retail offer proposed at this development as part of the petrol filling station is of a small-scale, and is therefore not considered to be in direct competition with traditional town-centre uses. Additionally, it is acknowledged that there are features of a drive-thru restaurant that make it generally unsuitable for a town centre location, and therefore an out-of-town location may be more suited due to these specific considerations. More detail is provided in Paragraphs 5.42 to 5.49.
- 5.19 Provision 5 relates to development in the countryside, and requires proposals in such locations to accord with the principles of the Development in the Countryside policy. This will be fully addressed in this Statement in response to Policy 7, but it is generally considered that the proposal is compliant with the aspirations of this policy as the site has already been developed and is brownfield in nature. Additionally, development here will comprise part of an existing building group adjacent to a settlement boundary, and is for a use that is generally considered to be appropriate for roadside locations. More detail is provided in Paragraphs 5.51 to 5.54.
- 5.20 Provision 6 concerns the protection of the amenity of the local community. There are not considered to be any concerns in this regard, as mitigation measures are proposed at the freestanding drive thru restaurant that will prevent noise, smells, or other forms of emissions becoming an issue. Furthermore, measures are in place to prevent anti-social behaviour and littering. The proposal is therefore considered to accord with this.
- 5.21 Provision 7 requires new development to safeguard the character and qualities of the landscape in which it is situated. This has been discussed in detail in this Statement in the table in Paragraph 5.10, which assessed the development in terms of the criteria in Appendix B of the Making Fife's Places Supplementary Guidance, relating directly to landscape. To summarise, the development is considered to be located in a Landscape Character Area that can accommodate development of this scale, particularly given that a commercial use at this location has already been established. The proposed buildings are low-rise and not visually intrusive. High quality design and materials have been selected and the proposal will therefore have minimal adverse impact on the landscape setting of the area.
- 5.22 Provision 8 relates to the impact of new development on flooding. This will be assessed fully later in the Statement in response to Policy 12, however, generally the development is considered to be located in a very-low-risk area in terms of the chance of surface or river flooding, with SEPA flood maps identifying no risk of flooding of any type of flooding. The accompanying geo-technical report provides detail on the drainage capacity of the site, and the development also provides



functional SUDS as indicated in the accompanying plans. More detail is provided in Paragraphs 5.57 and 5.58.

- 5.23 Provision 9 covers the safeguarding and prevention of loss of any natural resources. As the development site does not impact on any such resources, including prime agricultural land, there is not considered to be any concerns with regards to the loss of any of these.
- 5.24 Provision 10 relates to safeguarding of historical assets, including archaeological remains. No features of heritage significance, like Listed Buildings, Conservation Areas, or other designations, have been identified on or within the vicinity of the site, including historical battlefields. It is therefore regarded that there will be no impact on any such features as a result of the development.
- 5.25 Provision 11 aims to ensure that new development does not compromise the delivery or performance of strategic infrastructure, and should work to provide improvements to mitigate impact arising from development. As mentioned above, it is noted that the proposal will be assessed against the developer contributions policy to assess the extent of impact on local infrastructure, and secure mitigation in respect of this. Additionally, it is considered of relevance to this provision that the proposed development aims to act as an enabling development to bring this former employment site and location of commercial activity back into prominent and productive economic use by stimulating activity here and providing jobs and investment to the site once more.
- 5.26 Provision 2 of Part C requires new development to accord with relevant transport standards and make provision for traffic reduction measures. This will be addressed fully in response to Policy 3 later in this statement. The proposed development provides 59 parking spaces across the whole development site (comprising 40 at the freestanding restaurant/drive thru unit, 11 at the petrol filling station retail kiosk, and 8 electric vehicle charge bays). This is in accordance with relevant standards set out in the National Roads Development Guide. As a roadside development it is considered that most trips will be via private car, however the development does make provision in both the freestanding restaurant/drive thru and the retail kiosk elements to encourage modes of active travel aimed at reducing the need to travel by car. More detail on this is provided in Paragraphs 5.35 and 5.36.
- 5.27 Provision 3 requires new development to include measures that implement the Waste Management Hierarchy. As described in Paragraphs 2.41 and 3.23 to 3.31, the Waste Management Hierarchy will be implemented in both elements of the proposed development. Both McDonald's and the applicant have a long history of implementing positive waste management practices that enforce the Waste Management hierarchy in their developments. In this development, this will include the sorting, storage, and disposal of waste products, as well as the use of recycled materials in the construction of both elements of the proposed development.
- 5.28 Provision 4 states that green infrastructure should be provided where required and as relevant to the Green Network map. This is discussed in more detail in Paragraphs 5.07 and 5.08 as the site is adjacent to identified Green Network features. Though such features are not identified directly on the application site, the development of this site is expected to take place in a way that does not compromise the attainment of these Green Network outcomes nearby. It is not considered that the proposed development would impact on these, as discussed in response to Policy 13.



- 5.29 Provision 5 requires new development to provide sustainable drainage systems as informed by a relevant survey or assessment. This will be discussed in more detail in response to Policy 12, but it can be seen in the accompanying drawings package that relevant SUDS measures are proposed to be included in the development, and these have been informed by the outcomes of the accompanying Drainage Statement. More detail on this is provided in Paragraph 5.58.
- 5.30 Provision 7 requires developments that are designed in accordance with the Scottish Government's Six Qualities of Successful Spaces. A full assessment of this will be carried out in response to Policy 14. Extensive detail on the design principles, materials, and features of both elements of the proposed development have been included in Paragraphs 2.36 to 2.49 and 3.10 to 3.21 of this Statement. This information provides a detailed description of the proposal, indicating one that is distinctive, safe and pleasant, easy to move around, welcoming, adaptable, and resource efficient. More detail on this is provided in Paragraphs 2.36 to 2.49 and 5.60.
- 5.31 Provision 8 encourages development to provide energy conservation in its layout and design. The design of this proposal has been discussed in detail in Sections 2 and 3. Various energy efficiency measures have been discussed in detail therein, including the use of recycled materials in construction, the implementation of passive solar gain design elements, and various operational measures particularly in the operation of the McDonald's restaurant, where corporate practices and policies have been implemented to ensure an environmentally-friendly-as-possible development. Full detail of this is provided in Paragraphs 2.29 to 2.35, 2.40, 2.41, 2.63, and 3.10 to 3.21.
- 5.32 Provision 9 similarly states that the development should contribute towards achieving the areas potential for generating and capturing heat and energy from renewable sources. While there is no district heat or energy network proposed at this site, or in the immediate vicinity, various measures have been implemented to make the development as energy-efficient as possible. These include passive solar gain design features, and practices and policies in place at the McDonald's restaurant, including the elimination of any fossil fuel use on site at the latter. Full details are included in Paragraphs 2.29 to 2.35, 2.40, 2.41, and 3.19 to 3.21.
- 5.33 Additional detail on these matters is discussed in response to each relevant policy. The satisfactory assessment of the development in light of these respective policies is considered to show compliance with the terms of Policy 1.
- 5.34 **Policy 3: Infrastructure and Services** requires new development to be accompanied by all relevant infrastructure that will be required. As relevant to this proposal, the Policy states that:
- "Development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include:*



1. *local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance;*
2. *foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS);*
3. *measures that implement the waste management hierarchy as defined in the Zero Waste Plan for Scotland including the provision of local recycling facilities;*
4. *green infrastructure complying with specific green infrastructure and green network requirements contained in the Making Fife's Places Supplementary Guidance and settlement proposals;*
5. *information communication technology (ICT) and high-speed broadband connections;*
6. *low and zero carbon generating technologies in accordance with Policy 11 Low Carbon Fife; and*
7. *Measures incorporated in development proposals in accordance with this policy must include a timetable for delivery of the identified infrastructure and services."*

- 5.35 As a roadside development situated in an edge-of-town location, adjacent to a motorway junction, it is regarded that most trips to the site will be by private car by the nature of the development. However, the proposed development makes provision for access via sustainable methods by offering bicycle parking spots and Sheffield racks for securely parking bikes. There is a pedestrian footway on the B914 which serves the site, providing opportunities for pedestrians to visit on foot from Kelty which is a short distance from the site.
- 5.36 Additionally, the proposal includes the formation of a pedestrian crossing on the B914 to the north of the site, to allow safe pedestrian access from the single pedestrian footway on this side of the road, which provides access to Kelty and other locations further afield. This will link directly to the internal pedestrian footway network within the site, which features safe crossing points and allows access to the retail kiosk of the petrol filling station, and the freestanding restaurant.
- 5.37 The site makes provision for SUDS infrastructure in proportion with the need identified in the accompanying Drainage Statement.
- 5.38 Both elements of the proposed development make waste management arrangements that contribute towards the implementation of the Waste Management Hierarchy. These are set out in detail in Paragraphs 2.41 and 3.23 to 3.31 of this statement, and includes the use of recycled material in construction, and the design of dedicated waste storage and segregation areas to minimise the amount of waste going to landfill. Furthermore, the McDonald's operation includes a variety of innovative solutions to minimise waste, including the use of recycled/recyclable materials in packaging, and a computer programme that monitors sales and production minimise food waste.
- 5.39 While there are no specific Green Network requirements associated with the site, the proposal has been considered in relation to the adjacent Green Network Opportunity in Paragraphs 5.08 to 5.12. The proposal includes the introduction of areas of landscaping to the site.
- 5.40 The development is designed with a variety of low and zero carbon generating technologies as set out in Paragraphs 2.29 to 2.35, 2.40, 2.41, and 3.10 to 3.21. These



include the orientation of buildings and windows to enhance passive solar gain and retain natural heat and energy. Additionally, McDonald's commits to recycling cooking oil for refining into biodiesel to power its fleet of delivery vehicles, in turn minimising carbon emissions.

5.41 It is apparent that all relevant aspects of the infrastructure required for the development have been considered and included in the proposal. These will be inherent features of the site and will therefore be implemented from construction through the lifetime of the completed development. Additionally, there is not considered to be any external infrastructure or services that the development will create pressure on that may have to be offset. In light of the detail set out here, it is regarded that the proposal accords with Policy 3.

5.42 **Policy 6: Town Centres First** applies as the application is for a type of development that might be considered high footfall generating uses. The Policy states that:

“Town centres will be the first choice for uses likely to attract a large number of people including retail, offices, leisure, entertainment, recreation, cultural, and community facilities. Homes and businesses are also encouraged in town centres to add to the mix of uses and activity throughout the day and evening. Development proposals including these uses will be supported where they:

- 1. comply with the sequential approach taking into account the catchment areas shown in Figure 6.1;*
- 2. comply with the respective uses and roles of the defined network of centres as shown in Figure 6.2, and the Spatial Frameworks referenced in Figures 6.4 and 6.5 and shown on the settlement plans;*
- 3. will have no significant adverse effect on the vitality and viability of town centres and the local economy; and*
- 4. are appropriate for the location in scale and character and will not adversely impact on residential amenity or negatively impact on adjacent uses.*

The sequential approach requires that locations are considered in the following sequence:

- 1. Town centre (within defined boundary)*
- 2. Edge of town centre*
- 3. Local Centre*
- 4. Other Commercial Centres identified in the Local Development Plan (See paragraph 10 in 'Applying Policy 6', below).*
- 5. Out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.”*

5.43 In terms of the sequential approach set out in Policy 6, the application site would be considered “Out-of-centre”. The site is currently well served by road infrastructure, with the B914 accessing it directly, with the M90 a short distance away. Additionally, there is a pedestrian footway on the north side of the B914 and the town of Kelty is considered to be within short walking distance of the site.

5.44 While the site is low down on the sequential hierarchy of preferential locations for retail developments, it is considered that Home Farm is an established retail location as a result of historic presence of the Baxters' factory shop on the site. There has therefore historically been an established retail offer at this location.



- 5.45 Additionally, the nature of the retail offer in the proposed development is considered to be of a small-scale that will not impact on any nearby town centres. The kiosk associated with the Petrol Filling Station will offer a restricted range of goods primarily aimed at customers refuelling and is consistent with the use of the site as a roadside services development.
- 5.46 Furthermore, considered to be of relevance is the English planning appeal case APP/00830/A/05/1182303, in which the Inspector discussed the suitability of drive thru facilities in town centre locations, stating *“It is difficult to envisage how a developer could be flexible in respect of the format of a drive thru restaurant. Unlike a conventional restaurant, which could be easily accommodated on any of the identified sites, a drive thru, by definition, requires vehicular access and circulation through and around the building.”*
- 5.47 These comments acknowledge that a proposal for a drive thru will, by its very nature, have different locational considerations than a standard restaurant. The addition of a drive thru element to any such proposal modifies the nature of the scheme such that there is an entirely different set of criteria applicable, primarily in terms of space, layout, and access. Therefore, a proposal for a drive thru restaurant may inherently be unsuitable for a town centre location, regardless of the type of use it relates to.
- 5.48 Though this appeal case is from the English planning system, the principle of specific spatial, layout, and other requirements being so unique to a drive thru proposal that a town centre site may be entirely inappropriate is considered to be applicable regardless of the consenting regime it falls within.
- 5.49 This application features a Sequential Assessment that goes into more detail on this matter, and sets out the locational requirements for this development at this site. Overall, it is regarded that the development will have limited impact on the function of any nearby town or village centres, and this location is the most appropriate for such a development. It is therefore considered to be acceptable in terms of Policy 6.
- 5.50 **Policy 7: Development in the Countryside** relates to all new development in countryside areas. It states that:
- “Development in the countryside will only be supported where it:*
1. *is required for agricultural, horticultural, woodland, or forestry operations;*
 2. *will diversify or add to the above land-based businesses to bring economic support to the existing business;*
 3. *is for the extension of established businesses;*
 4. *is for small-scale employment land adjacent to settlement boundaries, excluding green belt areas, and no alternative site is available within a settlement boundary which contributes to the Council's employment land supply requirements;*
 5. *is for facilities for access to the countryside;*
 6. *is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location; or*
 7. *is for housing in line with Policy 8 (Houses in the Countryside)*

In all cases, development must:



- *be of a scale and nature compatible with surrounding uses;*
- *be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and*
- *be located and designed to protect the overall landscape and environmental quality of the area.*

Prime Agricultural Land

Development on prime agricultural land will not be supported except where it is essential:

1. *as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available;*
2. *for small-scale development directly linked to a rural business; or*
3. *for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is a commitment to restore the land to its former status within an acceptable timescale."*

- 5.51 The proposal is for a roadside services development in a countryside location that has previously accommodated an established commercial facility. Though the business at Home Farm has not been present since 2018, there is an argument to be made for the development under criterion 3 of Policy 7, in that the inability to attract an operator for this established business location over the last four years is evidence that diversification, or supplementation, of the services and facilities on offer at this site is necessary to bring it back into active economic use. In this regard, the proposed development is considered to be an enabling development that will stimulate the return of economic activity to this location. In doing so it restores the employment, footfall, and financial activity at this location, and may have wider benefits if the strategy is successful in proving the viability of the pre-existing farm shop business at this location once more, and restoring this activity.
- 5.52 Furthermore, Fife Council has previously granted consent for a major mixed-use development at this location which sets a planning precedent for the evolution of the commercial offer at this location to allow the site's continued competitiveness and relevance in changing market conditions. It also demonstrates that larger scale development at this wider site has been acceptable in the past.
- 5.53 The proposed development will revitalise this site and return jobs and economic activity to the area, to the benefit of the wider local economy. The site is adjacent to a settlement boundary and has been chosen as part of an operational need for a roadside location, adjacent to motorway intersections. As has been discussed in this Statement, the proposed development is of a scale and nature of uses expected to be found in an edge-of-town roadside location such as this. All relevant infrastructure needed for the site will be, or can be, provided reasonably, and it is not considered that the proposal will impact on the landscape character or setting.
- 5.54 The proposal encroaches partly onto land currently in agricultural use. As mentioned in the table in Paragraph 5.11 of this Statement, this land is categorised as "Unclassified Land" under the Hutton Land Capability for Agriculture classification



system. Therefore, the proposal will not result in the loss of any prime agricultural land.

5.55 In respect of the above, the proposal is considered to accord with the aspirations and relevant provisions of Policy 7.

5.56 **Policy 11: Low Carbon Fife** covers all new development in Fife and aims to ensure that Fife contributes effectively to the Scotland-wide target of reducing carbon emissions by 2050. This Planning Statement is accompanied by the Fife Council Low Carbon Checklist, and a Low/Zero Carbon Report. Section 8 of this report contains a Low Carbon Statement that goes into more detail on Policy 11 and the specific features of the development that accord with the provisions of this policy.

5.57 **Policy 12: Flooding and the Water Environment** states that:

“Development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively:

- 1. increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere;*
- 2. reduce the water conveyance and storage capacity of a functional flood plain;*
- 3. detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use;*
- 4. detrimentally impact on future options for flood management;*
- 5. require new defences against coastal erosion or coastal flooding; and*
- 6. increase coastal erosion on the site or elsewhere.*

Flood Risk Assessment

To ascertain the impact on flooding, developers may be required to provide a flood risk assessment addressing potential sources of flooding and the impact on people, properties, or infrastructure at risk.

In medium to high flood risk areas – an annual probability of flooding greater than 0.5% (1:200 years) – a flood risk assessment is required.

In low to medium flood risk areas – annual probability of coastal or watercourse flooding is between 0.1% and 0.5% (1:1,000 to 1:200 years) – a flood risk assessment may be required at the upper end of the probability range, and for essential infrastructure and the most vulnerable uses.

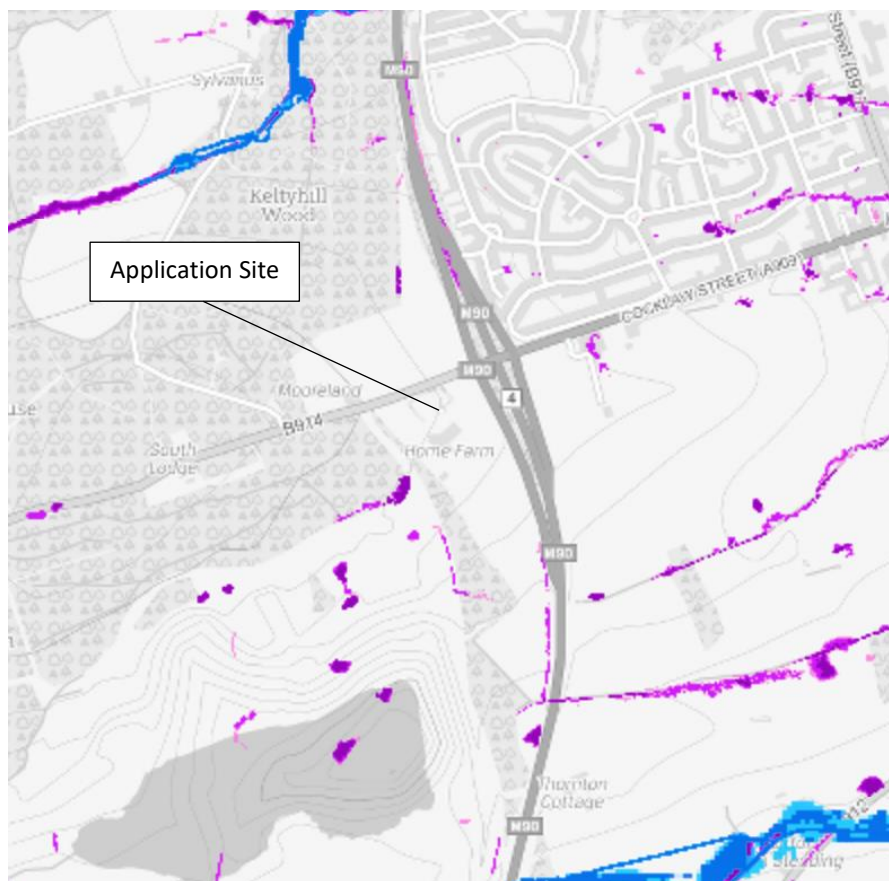
Flood risk assessments should:

- highlight the measures proposed to mitigate the flood risk and the timescales to implement those measures; and*
- include an assessment of potential impacts on water quality and the water environment.*

Drainage Assessments, proportionate to the development proposal and covering both surface and foul water, will be required for areas where drainage is already constrained or otherwise problematic, or if there would be off-site effects.”



5.58 The SEPA flood maps, of which an extract is show below, indicate that there is no risk of any type of flooding at the application site. This is indicated by the lack of any specific colour shading over the site. During the pre-application consultation with Fife Council it was confirmed that a Flood Risk Assessment was not required.



5.59 A Drainage Strategy accompanies the application submission and this sets out the existing capacity of the site and the proposed drainages strategy for the site. An appropriate SUDS layout has been included in the site which is shown in the accompanying drainage plans.

5.60 **Policy 14: Built and Historic Environment** enforces the six qualities of successful places and, as relevant to this proposal, states:

“The Council will apply the six qualities of successful places when considering development proposals. New development will need to demonstrate how it has taken account of and meets each of the following six qualities:

1. *distinctive;*
2. *welcoming;*
3. *adaptable;*
4. *resource efficient;*
5. *safe and pleasant; and*
6. *easy to move around and beyond.*



Guidance on how these qualities will be interpreted by the Council and addressed by those proposing development will be provided in the Making Fife's Places Supplementary Guidance."

5.61

The proposal has been designed to take account of the site-specific environs, specifically the roadside location and rural setting. The proposal site is a brownfield site that currently consists of hardstanding as part of a car park associated with a vacant retail and food & drink unit. The proposed development will bring this site into active economic use, doing so with a modern design. The site is recognised as sitting in a prominent location that can act as a gateway to Kelty, and therefore has been designed to ensure that it is not visually intrusive in landscape terms, and creates a visually appealing addition to the landscape. Areas of landscaping have been incorporated into the site layout to create an attractive and green setting. The six qualities of successful places set out in Policy 14 have been integral to the design evolution of the proposed development. A detailed description of the design of the proposed development is included in Paragraphs 2.36 to 2.49 of this development. It is considered that the design of the development contributes positively in terms of the six qualities listed above, and therefore the proposal is compliant with the relevant terms of Policy 14.



6.00 Sequential Assessment

6.01 This Sequential Assessment has been prepared on behalf of Mr Ian Maclellan & SGN Ltd as joint applicants, to accompany a full application for a roadside services development at Kathellan, Home Farm, Kelty, KY4 0JR. The application is a resubmission of application reference 20/03289/FUL, which was submitted in December 2020, and withdrawn in August 2021.

6.02 In the course of assessing application ref 20/03289/FUL, Fife Council's Policy and Place team responded in May 2021 with a number of comments in relation to the application.

6.03 In particular, the consultee response concluded:

The proposal has not been subject to the sequential site selection requirement of Policy 6 Town Centres First) nor has it been justified as to why a countryside location is required in this instance. The proposal is contrary to the adopted Local Development Plan FIFEplan (2017) and so is not supported

6.04 Application 20/03289/FUL was subsequently withdrawn in August 2021.

6.05 This new application comprises a resubmission of this scheme, and seeks to address any consultee responses raised during the course of the original application process. This supplementary sequential site assessment has therefore been provided to address the Policy and Place comments raised during in May 2021, and outline why this site is suitable for the proposed development and there are no other suitable/available sites.

6.06 The Planning Supporting Statement which accompanies this application outlines why this site is appropriate for the proposed development, owing to its scale, its operational needs, location, and planning history. The latter is especially important as the site previously accommodated a commercial facility which attracted passing trade. The Council then granted permission for a major mixed-use development at this location which sets a clear precedent for a larger scale development at on this site.

6.07 As such, this site in the edge of the Kelty settlement is regarded to be suitable for this scale of development which contains limited Class 1 provision through a retail kiosk ancillary to the petrol filling station element, and a drive-thru restaurant. It has been chosen as part of an operational need for a roadside location, adjacent to motorway intersections.

6.08 Scottish Planning Policy (SPP) discusses town centre and retailing matters. Specifically, paragraph 68 details the sequential approach which should be adopted by local planning authorities:

“Development plans should adopt a sequential town centre first approach when planning for uses which generate significant footfall, including retail and commercial leisure uses, offices, community and cultural facilities and, where appropriate, other public buildings such as libraries, and education and healthcare facilities. This requires that locations are considered in the following order of preference:



- town centres (including city centres and local centres);
- edge of town centre;
- other commercial centres identified in the development plan; and
- out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.”

6.09 Moreover, paragraph 69 notes that flexibility and realism should be used when applying the sequential approach to ensure different uses are developed in the most appropriate locations.

6.10 The currently adopted FIFEplan (2017) (LDP) Policy 6 (Town Centres First) notes:

“Town centres will be the first choice for uses likely to attract a large number of people including retail, offices, leisure, entertainment, recreation, cultural, and community facilities. Homes and businesses are also encouraged in town centres to add to the mix of uses and activity throughout the day and evening. Development proposals including these uses will be supported where they:

1. *comply with the sequential approach taking into account the catchment areas shown in Figure 6.1;*
2. *comply with the respective uses and roles of the defined network of centres as shown in Figure 6.2, and the Spatial Frameworks referenced in Figures 6.4 and 6.5 and shown on the settlement plans;*
3. *will have no significant adverse effect on the vitality and viability of town centres and the local economy; and*
4. *are appropriate for the location in scale and character and will not adversely impact on residential amenity or negatively impact on adjacent uses.*

The sequential approach requires that locations are considered in the following sequence:

1. *Town centre (within defined boundary)*
2. *Edge of town centre*
3. *Local Centre*
4. *Other Commercial Centres identified in the Local Development Plan (See paragraph 10 in 'Applying Policy 6', below).*
5. *Out-of-centre locations that are, or can be, made easily accessible by a choice of transport modes.”*

6.11 In terms of the sequential approach as set out in Policy 6, the application site would be considered ‘out-of-centre’. The site is currently well served by road infrastructure, with the B914 accessing it directly, and junction 4 of the M90 adjacent to the east. Additionally, there is a pedestrian footway on the north side of the B914 and the town of Kelty is within walking distance of the site.

6.12 To identify any other potentially sequentially preferable sites, the following has been undertaken:

- A review of Fife Council planning policy documents;
- A search of relevant online property databases; and
- Any other relevant information.



Considering Suitability and Availability

- 6.13 The case of Tesco Stores Ltd v Dundee City Council (2012) is considered to be the seminal and defining case law precedent in discussions about the sequential approach. This case dealt with the issue of identifying whether or not a proposed development can fit within the suggested alternative site. Lord Reed considered the extent to which the approach of the developer or operator should be flexible and realistic in the assessment of the suitability of alternatives:
- “The question remains whether an alternative site is suitable for the proposed development not whether the proposed development can be altered or reduced so that it can be made to fit in alternative site”.*
- 6.14 The Tesco v Dundee City Council case therefore establishes the principle that sequential assessments must be undertaken with the suitability of the proposed scheme in mind; not how the site may fit a hypothetical alternative scheme. Lord Hope stated this in paragraph 38, stating:
- “... the context indicates that the issue of suitability is directed to the developer’s proposals, not some alternative scheme which might be suggested by the planning authority. I do not think that this is in the least surprising, as developments of this kind are generated by the developer’s assessment of the market that he seeks to serve.”*
- 6.15 This was further enforced by the Lidl UK GmbH v North Ayrshire Council and Scottish Ministers ruling (2006), in which Lord Glennie confirmed that regard should be had to the identification of sites or premises capable of accommodating the proposed development and that it is not appropriate for the decision makers to seek to change the type of development in order to make it fit other sites or premises. Lord Glennie stated:
- “The question is whether the alternative town centre site ... is suitable for the proposed development, not whether the proposed development can be altered or reduced so that it can be made to fit into the alternative site.”*
- 6.16 It is also important to note that there is no requirement under the sequential approach to consider other sites within the same sequential category as the proposed site. This was confirmed by Lord Malcolm in his judgement of the Tesco Stores V Highland Council. Thus, as the proposed development is classified as an out-of-centre location, there is no reason to consider other out-of-centre sites as part of this assessment.
- 6.17 Furthermore, considered to be of relevance is the English planning appeal case APP/00830/A/05/1182303, in which the Inspector discussed the suitability of drive thru facilities in town centre locations, stating *“It is difficult to envisage how a developer could be flexible in respect of the format of a drive thru restaurant. Unlike a conventional restaurant, which could be easily accommodated on any of the identified sites, a drive thru, by definition, requires vehicular access and circulation through and around the building.”*
- 6.18 These comments acknowledge that a proposal for a drive thru will, by its very nature, have different locational considerations than a standard restaurant.



The addition of a drive thru element to any such proposal modifies the nature of the scheme such that there is an entirely different set of criteria applicable, primarily in terms of space, layout, and access. Therefore, a proposal for a drive thru restaurant may inherently be unsuitable for a town centre location, regardless of the type of use it relates to.

6.19 Though this appeal case is from the English planning system, the principle of specific spatial, layout, and other requirements being so unique to a drive thru proposal that a town centre site may be entirely inappropriate is considered to applicable regardless of the consenting regime it falls within.

6.20 Therefore, the Supreme Court's position frames our considerations of alternative sites and therefore what is required in this instance is a site capable of accommodating the proposed development, and the relevant appeal case law provides context on the site-specific characteristics that are relevant to drive-thru proposals. Together, these provide the context on what sites can be considered a suitable or available site for the proposed development.

Site Search Parameters

6.21 Suitability of alternatives does not only apply to the size of site, but also relates to other key factors that are directly relevant to the operation of the proposed development, such as site frontage or accessibility.

6.22 The proposal site measures approximately 11,400sqm in area, and is configured to accommodate a 370sqm drive-thru restaurant and a 454sqm petrol filling station retail kiosk and associated 4-island forecourt and HGV refuelling area. Additionally, both elements have associated car parking areas, landscaping, and internal roadways. As per the position established by the Supreme Court decisions, this is the scheme that is proposed and therefore the scheme that must be considered in terms of the suitability of alternative sites.

6.23 Given the nature of the proposal, the key requirements for this particular development proposal include:

- A site that can accommodate a Petrol Filling Station with associated HGV fuelling and associated retail kiosk (Class 1) and a Class 3/Sui Generis Freestanding McDonald's Restaurant and drive-thru;
- A site that is able to offer benefits to its customers, including adjacent surface level car parking;
- A site which can allow for the safe manoeuvring of customer and delivery vehicles
- A site which can allow 24-hour operation without impact on residential amenity; and
- A site which is prominent and can attract passing trade.

6.24 It is important to again emphasise that the Class 1 element of the PFS is minimal in scale and is in ancillary in nature and will sell items that are often found in roadside developments to serve passing trade including: magazines/newspapers, limited convenience, food and drinks.

6.25 For the reasons outlined in the already submitted Planning Supporting Statement and earlier within this Sequential Assessment, it is not necessary to



assess the wider West Fife Retail Catchment Area as outlined in the Consultee response and by LDP Policy 6. As this location has an established precedent for roadside uses and is required to be in this location, a Sequential Assessment including Kelty has been undertaken as part of this review.

6.26 In undertaking this assessment, the following areas have been assessed in line with the requirements of the sequential method:

- Kelty Local Shopping Centre; and
- Edge-of-Centre Sites.

6.27 These are assessed fully below.

6.28 It is important to also note that Fife Council provided no recommended additional sites which they feel could accommodate the site as part of this assessment.

Kelty Local Shopping Centre

6.29 The extent of this designated centre is shown on the proposals map of the LDP. This mainly consists of the Main Street area extending northwards from the crossroads with Cocklaw Street, Station Road and Oakfield Street.

6.30 Our assessment of this area has shown that there are no sites or existing vacant shop units in the Kelty Local Shopping Centre which are capable of supporting the proposed development on the basis of the criteria specified above.

6.31 **Verdict: There are no suitable or available sites within the Kelty Local Shopping Centre which could accommodate the proposed roadside development.**

Edge-of-Centre

6.32 A review of edge of centre sites has been undertaken to understand if there are any suitable or available sites to accommodate the proposed development based on the specified criteria.

6.33 A number of sites have been identified which and these are detailed in the table below.

Address	Suitability	Availability
LDP Ref 008 Old Gas Works	The LDP notes that this site is 2.1ha in size and is described as a 'Housing Opportunity Site' with an estimated capacity for 44 housing units. Additionally, the LDP notes that this site is identified as a development opportunity. This means this land has the potential to be redeveloped. The preferred use within this site is residential. An application was approved in November 2018 (Application Reference:	Following the grant of consent for remediation in November 2018, conditions were discharged in September 2019, indicating a willingness to ready the site for development.



	<p>18/02834/FULL) for the remediation of this site.</p> <p>This site does not occupy a prominent frontage on to a key arterial route in order to attract passing trade.</p> <p>It is clear that the preferred use of this site is for housing and a review of the surrounding area confirm that housing would be the most suitable use. The surrounding area is predominantly characterised by existing housing.</p> <p>Indeed, given the residential nature of the surroundings, a commercial development with the nature of the proposed development may impact on existing of residential amenity through operational impacts and would not be suited for a 24hr operation.</p> <p>Furthermore, the access into the site from Seaforth Drive does not appear suitable for HGV and other traffic to regularly use on what is a small road leading to further residential areas.</p> <p>Overall, it is clear this site is unsuitable for the proposed development.</p>	<p>Given the allocated use of the site for residential purposes, this is presumed to be the preferred development opportunity for the site.</p> <p>These two factors combined suggest the site will be brought forward for residential use soon, and therefore it would not be available for a residential development.</p> <p>Nonetheless, for the reasons given in the adjacent column, the site is clearly not suitable for such a development.</p>
<p>Former Hotel, Cocklaw Street – Identified in the Fife Vacant and Derelict Land Audit 2020 (Ref KEL 001)</p>	<p>This site is identified in the aforementioned survey and extends to 0.15 ha size. It is located approximately 90-100m south-west of the local shopping centre boundary.</p> <p>This is a small site which is square in shape with small narrow section extending southwards.</p> <p>A recent application was approved in October 2020 for the erection of a class 1 retail store (Application Reference 20/01223/FUL). The applicant was the Co-op. A review of the planning portal shows that an email enclosing information regarding to discharging conditions indicating the site was at an advanced stage in the development process as of the 9th January 2021.</p> <p>It is considered that that the site is not large enough to accommodate the</p>	<p>It is clear that that this site already benefits from Class 1 retail consent and that the Co-op are taking this forward.</p> <p>It is therefore sensible to conclude that the site is not available.</p>



	<p>proposed development or provide suitable areas for HGVs and other parking despite its prominent frontage on to the A909/Cocklaw Street.</p> <p>The most recent planning permission restricts the operational hours of the store indicating that the council would not permit a 24hr operation at this location.</p> <p>Therefore, this site is unsuitable for the proposed development.</p>	
<p>Moray Hall Institute, 92 Main Street, Kelty</p>	<p>This site is located immediately to the east of the designated local shopping centre and extends to approximately 0.16ha in size.</p> <p>The site is considered to be too small to accommodate the proposed development with inadequate room for the required elements of the proposal including parking and suitable HGV access.</p> <p>Again, the site is located directly opposite a row of existing housing and a 24-hour operation with associated operational and lighting impacts would be of a detriment to residential amenity.</p> <p>As such, this site is considered unsuitable for the proposed development.</p>	<p>The property was recently marketed for sale online. Previously, the property was shown on this online listing as “Under Offer”. At the time of writing the online marketing notes that the site is no longer available. Therefore, it is assumed that it has recently been purchased. As such, it can be considered unavailable.</p>

6.34 **Verdict: This assessment has demonstrated that there are no sites on the edge of the Kelty Local Shopping Centre which are available or suitable for the proposed roadside development. These relate mostly to reasons of size, location, and residential amenity making it unsuitable for the proposed development.**

Out-of-Centre Sites

6.35 As per the comments of Lord Malcolm in his judgement of the Tesco Stores V Highland Council, there is no requirement for the Sequential Assessment to consider sites within the same sequential category as the proposal site. The below site is considered an out-of-centre site, which would be the same classification as the subject site and would be sequentially ‘equal’ and so there is no reason this site should preferred to the proposal site. However, notwithstanding this above and for completeness, we have still assessed the below site as it is a significant development allocation in the town of Kelty.



Address	Suitability	Availability
LDP Ref 005 Kelty South West	<p>The LDP notes that this is a 45.5ha size which can accommodate housing/employment/leisure/community uses with capacity for 900 housing units.</p> <p>A Proposal of Application Notice was approved for this site in May 2016 (Ref 16/01645/PAN) for residential development, employment retail, open space, path/cycle network and associated works.</p> <p>A PPP application was submitted in November 2016 for residential development, employment land, community and leisure facilities including a Primary School, open space areas, path and cycle network and associated works (Ref 16/03915/EIA). This is still to be determined at the time of writing but a minded to grant notice was issued in September 2018.</p> <p>It is important to note that this allocation and relevant planning applications make no provision for roadside, retail or relevant commercial development within the masterplan framework.</p> <p>As this Sequential Assessment has detailed, there are a number of features that are required of a potential development site for this type of development; one being a prominent location which can attract passing trade. There are only two sites within the Masterplan area of Kelty South West with prominence and which have a main road frontage. One is the small section of land to the north-west of the masterplan area looking on to Cocklaw Street. However, the aforementioned masterplan framework shows that this area is allocated for residential development meaning commercial development is not suitable in this location. The other is land to the south-east corner which fronts on to Oakfield Street. Again, this is zoned for residential use and is clearly not considered suitable for a commercial development.</p>	<p>None of the land within the Masterplan area is allocated for retail or other types of commercial use beyond Use Class 4/5/6.</p> <p>Notwithstanding this, the availability of the sites within the Masterplan area is not known. It is considered that the landowner's preference is for the approved Use Classes within the Masterplan area, and therefore the land would not be available for the proposed development.</p> <p>Nonetheless, for the reasons given in the adjacent column, the site is clearly not suitable for such a development.</p>



	<p>Notwithstanding these points, if the proposed development could feasibly be located at these areas, there is a very high chance they would impact on residential amenity through such impacts as noise. Therefore, this point also makes the site unsuitable.</p> <p>Moreover, as discussed, these two sites can be considered out-of-centre sites and not any more sequentially preferable to the proposed roadside development.</p> <p>Overall, it is clear that this site is unsuitable for the proposed PFS and Drive-Thru Restaurant proposal.</p>	
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6.36 **Verdict: The Kelty South West Masterplan area is not suitable for the proposed development, as there is no land within the area that is proposed for the Use Classes required to take forward the development. Furthermore, the sites within the Masterplan area that might fulfil the locational requirements of the proposed development are proposed to be residential, and the proposal would be likely to impinge on residential amenity if located directly adjacent to these. For these reasons there are not considered to be any suitable or available sites here. Regardless, the Masterplan area is considered “out-of-centre” in the sequential hierarchy, the same as the proposal site, so holds no sequential preference or priority over the proposal site in Planning terms.**

Conclusions

6.37 The sequential assessment undertaken has demonstrated that there are no available or suitable sites to accommodate the proposed development based on the criteria specified above.

6.38 The application site is required because of its prominence beside a key road network and ability for it to operate successfully without any impact on residential amenity or the existing road network. This proposal will cater for existing road users and provide a service which has been identified as lacking in the area. As noted in the Planning Supporting Statement, the site is located in the former overspill car park or the Baxters’ facility which was a large out-of-town restaurant deli, and shop that was designed to appeal to passing trade from the M90 and as a tourist attraction. The site closed in 2018, lying vacant since then meaning this proposal will bring a prominent site back into active use whilst providing new employment opportunities.

6.39 The site’s history has shown that the location acted as roadside development location which appealed to passing trade. Therefore, the proposed development will not create a new type of use in this area outside of Kelty.

6.40 This Assessment has concluded that there are no suitable or available premises within the designated Kelty local shopping centre, or on its edge to accommodate the proposed development.



6.41

Therefore, there are no sequentially preferable opportunities for this proposal and the proposed development site can be clearly be demonstrated to be suitable in planning policy terms. Thus, the proposal is fully compliant with the provisions of SPP and LDP Policy 6.



7.00 Economic Statement

- 7.01 The application site is situated within the overspill car parking area of the former Baxters facility. When operational, this facility was a significant local employer and a destination development that attracted visitors and tourists to this part of Fife.
- 7.02 The Baxters farm shop was well placed to capitalise on passing trade from the A90, being signposted from the south on the northbound carriageway. Online sources describe the outlet as follows: *“A large set-up just off the M90 at Kelty, a little south of Kinross, this is one of five Baxters outlets around Scotland. Incorporating a coffee shop/restaurant, small farm park and foodhall with deli, giftware and cookshop section, the Baxters brand is prominent alongside other packaged Scottish brands and some fresh food, including smoked fish, waxed cheeses and packs of bacon”*.
- 7.03 The facility closed in 2018, and with its closure a number of local employment opportunities were lost as well as the commercial offer the property, and associated contribution to the local economy. Since then, the property has been actively marketed as a development proposal. To date, there has been no market interest in the development of the site as a whole.
- 7.04 Development of part of the site (as subject of this planning application) is intended to unlock the larger site area as an economic opportunity, re-establish footfall and activity at the location, and demonstrate the viability of the existing building to re-enter use either as a commercial farm shop outlet or other form of economically active use. This is required for the expansion of this established business within the countryside area, and will enable the diversification of the offer here to make the site commercially competitive and active once again. There are significant economic benefits in delivering this.
- 7.05 As described above, the existing building is not considered to be suitable for the type of development proposed in this application due to the physical requirements of such a development, but could form part of a wider roadside services offer in conjunction with the development proposed herein in the future.
- 7.06 In this regard, the proposed roadside development on part of the former Baxters site is seen as a catalyst to enable the wider redevelopment of this vacant site. The roadside services development will re-establish footfall to the area and encourage passing trade into the site.
- 7.07 This section aims to quantify the economic impact of the proposed development using available data and established methodology. This will allow the economic impact of the development to be included as a material consideration in the assessment of the planning application. It should be noted that the longer-term economic benefits of enabling the re-use of the existing farm shop on the site have not been measured or projected, as data is not available on what form this would take. However, the potential re-use of that building and the redevelopment of the site as a whole should be considered as an economic argument with merit in itself, and this could be substantial.

Baseline Conditions



7.08 In any assessment of impact, it is necessary to establish the baseline conditions that are being “impacted”. Currently, the proposal site is vacant land located within the car park of the closed former Baxters farm shop. The site is not maintained, and as such, does not support any employment or any salaries. Therefore, the site is currently considered to have a negligible impact on the local economy.

7.09 In terms of the wider area, Fife as a whole has an employment rate of 73%, slightly below the Scotland-wide average of 73.9%¹. Data for the employment rate at a more local level (i.e. the Cowdenbeath electoral ward area, in which the site is located) is not available.

Completed Development Employment Opportunities

7.10 As discussed in Paragraph 2.28, the development as a whole will provide 72 Full Time Equivalent (FTE) jobs, with 10 of these being created by the petrol filling station element, and 62 by the freestanding restaurant/drive thru.

7.11 This will include positions at a variety of levels including managerial and supervisor level positions, though most will be customer service level positions. Given the nature of the proposed development, these jobs will be in the retail and food & drink industry, and are expected to be filled by workers from the local area. Indeed, McDonald’s have iterated their intention to staff these positions from the local labour market, as stated in Paragraph 3.09. As mentioned, data on existing employment rates at this scale cannot be found, which means that the impact of these jobs at the level at which they are likely to have the most impact cannot be measured.

7.12 However, regardless of the scale of the proportional increase at a wider local scale, a net increase of 72 FTE jobs at a currently vacant site, that are likely to be filled by workers from the local area, is considered to be a clearly beneficial economic outcome.

Gross Value Added (GVA)

7.13 It is possible to estimate the economic contribution these jobs will make to the local economy using Gross Value Added (GVA) figures. Scottish Enterprise defines GVA as “an indicator of wealth creation, measuring the contribution to the economy of a specified investment in economic activity”. GVA is the overall measure of value added to an economy by a certain type of activity. It includes wages paid to employees, tax/National Insurance, and operating profits, after deducting production costs associated with that activity. It is therefore a good measure of the estimated additional economic value created by various forms of economic activity.

7.14 The GVA associated with the proposed development can be calculated by identifying the GVA per employee within each relevant sector subject to the development, and multiplying this by the number of FTE positions created by the proposal. This is consistent with Scottish Enterprise guidance for estimating the GVA of a development. This data is taken from the latest Scottish Annual Business Statistics (SABS) publication. The most recent of these publications is the Scottish Annual

¹ Based on data from statistics.gov.scot, from Q3 2020



Business Statistics 2019, published in December 2021. The findings of these are shown in the below table.

Element	GVA per head (2019)	FTEs	Annual gross GVA
Petrol filling station/ retail kiosk *	£26,374	10	£263,740
Freestanding restaurant/drive thru **	£20,673	62	£1,281,726
Total	-	55	£1,545,466

* - Using retail industry profile

** - Using accommodation and food service industry profile

7.15 The above table indicates that over £1.5 million will be added to the economy by the jobs created as a result of this development. These positions will be taken by local individuals within a short commute of the site. Therefore, as a large portion of the GVA figure is made up of salary and staff pay, a large proportion of this value can be considered to be being added to the local economy of Kelty and the surrounding local area.

Indirect and Induced Effects

7.16 The jobs and GVA created by this development will not exist in isolation, and the creation of jobs here will have a variety of knock-on effects to the wider economy, for example increased demand and spending in the supply chain associated with the development (indirect effects), and new employees spending wages on goods and services in other sectors of the economy (induced effects).

7.17 These can be estimated using an Input-Output analysis. This type of analysis uses aggregations of observed inter-industry economic activity to give an approximation of the type of impacts that will be felt elsewhere in the economy as a result of the development. These impacts are shown in the below table. The figures shown below are approximations using the Input-Output analysis method, and should not be considered exact figures of additional amounts or employment positions. The below figures are calculated using data from 2018 that was published by the Scottish Government in November 2021:

Element	Est. GVA	FTEs	Indirect GVA	Indirect FTEs	Induced GVA	Induced FTEs
Petrol filling station/ retail kiosk *	£263,740	10	£52,748	1	£79,122	2
Freestanding restaurant/ drive thru **	£1,281,726	62	£384,518	6	£256,345	6



Total	£1,194,025	72	£437,266	7	£335,467	8
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* - Using SIC 47 – Retail – excl vehicles

** - Using SIC 56 – Food & Beverage Services

- 7.18 This demonstrates that the proposed development will create additional economic value of approximately £440,000 in the supply chain, and around £335,000 elsewhere in the economy, supporting an estimated additional 15 FTE positions in total.
- 7.19 Currently the site is vacant brownfield land, comprising part of a car park to serve the former Baxters’ facility. There have been no other recent proposals to develop the site. It is therefore considered that without this proposed roadside services development, the site is likely to remain vacant.
- 7.20 The proposed development is not expected to “displace” economic activity from elsewhere in the local area. There is currently no petrol filling station in Kelty, so the proposal will be providing a new, currently non-existent service to the town. McDonald’s would also bring a new offer to this location.
- 7.21 The proposed development will create significant economic benefits for the area through financial investment, job creation, and acting as an enabling development to support the wider redevelopment of this vacant brownfield site.



8.00 Low Carbon Statement

8.01 The following is an outline Low Carbon Statement of intent related to the development, supporting national Net Zero ambitions and addressing Fife Council sustainability requirements as defined in **Policy 11: Low Carbon Fife**.

8.02 McDonald’s has also provided a Low/Zero Carbon Statement which accompanies this application as a separate document. Fife Council’s Low Carbon Checklist has also been completed and accompanies this planning application.

	Fife Council Requirement	Statement of Intent
1.	Low and zero carbon generating technologies will contribute at least 20% of carbon dioxide emissions savings from 2020.	<p>Proposed McDonalds Unit: Propose air source heat pumps as a preferred renewable and low carbon technology to meet the total space heating, cooling and direct hot water demand.</p> <p>Construction with wall, roof and applicable glazed components which improve on Building Standards Section 6 maximum U Value limits and the use of energy efficient LED lighting will reduce regulated energy use.</p> <p>Propose installation of Solar PV: A nominal 40m² Solar PV array with a nominal efficiency of 20%. The PV panels can be mounted on roof, south-facing, and tilted to optimise available roof area and Solar irradiation. Estimated to contribute ~19.54kWh/m²/p.a.</p> <p>Daily operation of the site’s amenities is expected to span the summer/winter daylight generating periods when Solar PV will be generating. Regulated and unregulated energy consumption during these periods is anticipated to exceed the generation capacity of the solar array at all times and therefore energy storage is not an anticipated requirement.</p> <p>No visual impact on communities, individual dwellings or aviation is anticipated from the Solar array installation.</p> <p>Combined Low/Zero Carbon measures estimated to reduce carbon emissions overall by 21.97% compared to notional building.</p> <p>Proposed PFS Unit: Similar construction and renewables opportunities exists for both on-site generation and space heating.</p>



		<p><u>Conclusion</u> Sustainability measures are set out in detail in section 3 of this Statement. Overall, the proposed Low and Zero Carbon measures are predicted to result in a 21.9% reduction in carbon emissions from the development, compared to a baseline of not implementing any such measures. This meets the requirement to have a reduction in carbon emissions of at least 20% after 2020 as set out in Policy 11.</p>
2.	Construction materials come from local or sustainable sources.	<p>Sustainability is a core principle of the development's design and several initiatives will be employed to reduce the embodied and operational carbon of the development.</p> <p>The project will give priority, wherever practicable, to the use of sustainably sourced, recyclable materials and materials which are also sourced in such a way as to reduce emissions from transport miles, preferring as a first choice, locally sourced materials. Both initiatives seek to reduce embodied carbon in the design and construction stage.</p> <p>The choice of fabric materials & construction, renewables, energy efficiency appliances, fittings and furniture will also seek to minimise embodied and operational carbon throughout the lifetime of the development.</p> <p><u>Conclusion</u> As detailed in Sections 2 and 3, the proposal will prioritise the use of sustainable materials as much as possible. This includes in the modular construction process that McDonald's uses. The proposal is therefore considered to accord with this provision of Policy 11.</p>
3.	Water conservation measures are in place;	<p>Opportunities to reduce not only the consumption of water as a valuable natural resource, but also the related mains supply emissions and the energy consumption and emissions resulting from the heating of hot water have been considered in the design stage.</p> <p>Practical measures include auto shut-off compression taps fitted to wash-hand basins in addition to low flow control limited to 6l/min; replacement of urinals with waterless units and WC's fitted with dual flush of 4.5l and 3l flushes (unless external drainage requires greater volume). In addition, systems are leak checked with hot water temperatures reduced to a maximum of 60 degrees C. Pipes are checked for missing insulation.</p>



		<p><u>Conclusion</u> Full details of the water-saving methods utilised at the development are included in Section 3 of this Statement. The proposed methods deliver water conservation outcomes, and therefore accord with Policy 11.</p>
4.	<p>Sustainable urban drainage measures will ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment</p>	<p>A ‘Sustainable Urban Drainage Scheme’ has been incorporated within the design proposals for the surface water system. The surface water will be attenuated on site before discharging into a soakaway component.</p> <p>Full attenuation for the 1 in 200-year storm event +40% climate change will be provided in accordance with Fife Council requirements. There will therefore be no detrimental effect on the development or surrounding properties.</p> <p>Micro-drainage output assessment depicts that, in accordance with Fife Council SuDS Design Criteria, no flooding occurs during the 1-in-30 year storm event with a 40% uplift to account for climate change. Where localised flooding is demonstrated during the 1-in-200 year storm event with a 40% uplift to account for climate change the site layout utilizes the natural topography to control the flooding and prevent any detrimental effect to the development or surrounding areas.</p> <p>A traditional gravity system will collect and convey the foul water to an onsite package treatment station which will then discharge into the development’s soakaway. This will ensure no detrimental impact on the ecological quality of the water environment.</p> <p>A copy of the proposed drainage layout and drainage design strategy is available.</p> <p>The proposed system satisfies all elements of latest guidelines with regards to impact on the existing drainage network.</p> <p><u>Conclusion</u> This application is accompanied by a full Drainage Strategy, which sets out in detail how waste water and surface water from the proposed development will be handled and disposed of. This has been designed so that there will be no increase in the rate of surface water runoff, or negative impact on the quality of the water environment. Therefore, the proposal accords with this provision of Policy 11.</p>



5.	Facilities are provided for the separate collection of dry recyclable waste and food waste.	<p>In accordance with The Waste (Scotland) Regulations 2012, suitable procedures and containment measures will be introduced to ensure key dry recyclables including glass, metals, plastics, paper and card (including cardboard) are presented for separate collection.</p> <p>Where 5 kg or more of food waste a week is consistently produced, provisions will be made for the segregation from general waste and separate collection of food waste.</p> <p>Dedicated storage areas will be provided on a solid concrete base upon which weatherproof containment solutions will be placed to securely store separated and general wastes to avoid mixing, contamination, odours, emissions and access by rodents and birds. Storage management plans provide for timber screening fencing ensuring that waste storage activities do not detract from the aesthetic of the general site.</p> <p><u>Conclusion</u> The proposal provides dedicated areas for the separation and storage of different types of waste, including food waste. This will be collected by private contractor. The proposal therefore accords with this provision of Policy 11.</p>
6.	Development should encourage and facilitate the use of sustainable transport appropriate to the development, promoting in the following order of priority: walking, cycling, public transport, cars.	<p>Assessment shows walking and cycling access to/from the site is generally good, however, public and staff access by these modes is generally expected to be low. Cycle stands are provided for in proposals.</p> <p>Access by public transport to the site is regarded as good considering the expected demand for travel by this mode.</p> <p>Access by car is good and suitable parking provisions catered for within proposals. The installation of eight EV charging points within proposals encouraging the use of low/no emissions vehicles.</p> <p><u>Conclusion</u> This application is accompanied by a Transport Assessment which includes assessment of availability of access via sustainable transport methods. While it is noted and accepted that, by the nature of the development as a roadside services use, users will be attracted by private car, there exists options and availability for users to access the development on foot, bicycle, or public transport.</p>



- 8.03 The above table details the proposal's compliance with the relevant criteria of **Policy 11: Low Carbon Fife**. Further supporting information is provided for each feature of the development, either in Sections 2 or 3 of this Statement, or in the relevant standalone report that accompanies this application.
- 8.04 The development incorporates various features that will result in a reduction of the overall carbon footprint of the development. Policy 11 requires that this reduction be a minimum of 20%. The proposed measures are calculated to result in at least a 21.97% reduction in carbon associated with the development, therefore satisfying this requirement of the Policy.



9.00 Summary and Conclusions

- 9.01 This Planning Supporting Statement has been prepared by Graham + Sibbald on behalf of Mr Ian Maclellan and TG Convenience Stores Ltd in support of a planning application for a proposed roadside services development comprising of the erection of a petrol filling station and associated retail kiosk (Class 1) and jet washes and a mixed Class 3/sui generis freestanding restaurant and drive thru including drive-thru lane, site access, parking provision, electric vehicle charging points, landscaping, and ancillary works at land at Kathellan, Home Farm, Kelty, KY4 0JR.
- 9.02 It is considered in light of the content of this Planning Statement and within the documents submitted in support of this application, that the proposed development accords with the relevant policy principles of FifePlan, and will make a significant beneficial economic impact on the local area.
- 9.03 The site was previously used as a 'destination' retail, restaurant, and deli attraction. This use closed in early 2018 and the site has been vacant since, with no interest in its reuse to date. The proposed roadside services development will re-establish the economic function of this area and build on the established principle of commercial uses at this location. This development presents an opportunity to redevelop this brownfield site and create an attractive commercial development at a gateway location into Kelty. The development is seen as a catalyst to enable the wider redevelopment of this area. The development has been designed to a high standard and to ensure that it is not visually obtrusive. The development can be accommodated within a landscaped setting.
- 9.04 The proposed development will create local employment opportunities during construction and once operational. The proposed McDonald's restaurant will create 62 Full Time Equivalent employment opportunities. The petrol filling station will also create a range of full time and part time positions with an estimated total of 10 Full Time Equivalent positions being created. This will have significantly positive effects for the local economy, bringing new economic activity to the area and creating employment opportunities. The development will bring significant investment to the area at a time of economic recovery associated with COVID-19 pandemic.
- 9.05 It is considered that the proposal accords with the principles of the FIFEplan and will redevelop an established commercial brownfield site. The economic benefits created as a result of the development are a material consideration in the determination of this application.
- 9.06 For any further information in relation to this proposed roadside services development, please contact Kerri McGuire, Head of Planning and Development at Graham + Sibbald on 0771 732 1448 or kerri.mcguire@g-s.co.uk or Murray Rankin, Senior Planner on 07803 896942 or murray.rankin@g-s.co.uk.