

North East Planning Committee

Please note, this meeting will be held remotely.



Wednesday, 7th December, 2022 - 1.30 p.m.

AGENDA

	<u>Page Nos.</u>
1. APOLOGIES FOR ABSENCE	
2. DECLARATIONS OF INTEREST – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.	
3. MINUTE – Minute of Meeting of North East Planning Committee of 9th November, 2022.	3 – 6
4. 21/02819/EIA - LAND AT NORTHBANK FARM, CAMERON, LATHOCKAR Extension to tourist, commercial and leisure development including 131 lodge style static caravan pitches and associated infrastructure.	7 – 51
5. 22/00332/FULL - GARDEN 1, GREYFRIARS GARDEN, ST. ANDREWS Change of use from private garden to outdoor seating area including siting of 2 no. food shacks.	52 – 62
6. 22/000990/PPP - MADRAS COLLEGE, KILRYMONT ROAD, ST. ANDREWS Planning permission in principle for a mixed use development comprising residential (Class 9 and Sui Generis); student accommodation (Class 8); delicatessen and restaurant (Class 3); local convenience (Class 1); assembly and leisure (Class 11); urban park; landscaping; and all associated infrastructure including SUDS basin, roads, accesses and footways.	63 – 89
7. 22/01366/FULL - ABBOTSFORD COTTAGE, ABBOTSFORD PLACE, ST. ANDREWS Erection of dwellinghouse and associated works (demolition of existing dwellinghouse).	90 – 102
8. 22/01365/CAC - ABBOTSFORD COTTAGE, ABBOTSFORD PLACE, ST. ANDREWS Conservation Area Consent for complete demolition of dwellinghouse.	103 – 109
9. 22/01675/FULL - RUSSELL HOTEL, 26 THE SCORES, ST. ANDREWS Alterations and extension to allow for change of use from hotel (Class 7) to 6 flatted dwellings and associated works (partial demolition of existing building).	110 – 121
10./	

10. 22/01674/CAC - RUSSELL HOTEL, 26 THE SCORES, ST. ANDREWS

122 – 128

Substantial demolition in a conservation area.

11. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.

List of applications dealt with under delegated powers for the period 31st October to 27th November, 2022.

Note - these lists are available to view with the committee papers on the Fife.gov.uk website.

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

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30th November, 2022

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THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

9th November, 2022

1.30 p.m. – 3.30 p.m.

PRESENT: Councillors Jonny Tepp (Convener), Fiona Corps, Sean Dillon, Alycia Hayes, Gary Holt, Margaret Kennedy, Louise Kennedy-Dalby, Allan Knox, Robin Lawson, Jane Ann Liston, Donald Lothian, David MacDiarmid and Ann Verner.

ATTENDING: Alastair Hamilton, Service Manager, Development Management, Mark Barrett, Lead Officer Transportation Development Management, Jamie Penman, Planner, Economy, Planning and Employment Services; Steven Paterson, Solicitor and Diane Barnet, Committee Officer, Legal & Democratic Services, Finance & Corporate Services.

APOLOGY FOR ABSENCE: Councillor Al Clark.

Prior to consideration of the planning applications before the Committee for decision, Alastair Hamilton, Lead Officer, North East Planning Committee, provided an update on the National Planning Framework 4 (NPF4).

The Scottish Government laid the latest NPF4 before Parliament on 8th November, 2022. With the publication of NPF4 this was now a material consideration in the assessment of planning applications. NPF4, once adopted, would form part of the statutory Development Plan providing the national planning policy context and agenda for the assessment of all planning applications. NPF4 set out themes around sustainability, productivity, livability, and distinctive places and was underpinned by six spatial principles.

The policy context of NPF4 was set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The Adopted FIFEplan Local Development Plan (2017) and associated Supplementary Guidance provided the most up to date expression of planning policy for Fife and continued to be part of the Development Plan until it was replaced.

When NPF4 was adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance would cease to have effect and would not form part of the Development Plan.

In this context, Fife Council Planning Services considered that, while the finalised NPF4 was a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the Adopted FIFEplan Local Development Plan 2017.

Having assessed these applications against the policy provisions of the finalised NPF4 and the Adopted FIFEplan Local Development Plan (2017) there were no policy conflicts which would prevent the determination of the applications when assessed against the policy provisions of the Adopted FIFEplan.

35. DECLARATIONS OF INTEREST

Councillor Tepp declared an interest in Para. No. 38 - '22/00514/PPP - 12 Birkhill Avenue, Wormit, Newport on Tay' - as he was acquainted with the owner.

Councillors Knox and Kennedy-Dalby declared an interest in Para. No. 40 - 22/01263/FULL - land to East of Pitlathie Road and North of Fetterdale Fields, Leuchars - as Councillor Knox had had contact with objectors and Councillor Kennedy-Dalby was a resident in the estate.

Councillor Corps declared an interest in Para. No. 41 -22/00905/FULL - 1 Lindsay Berwick Place, Anstruther - as she had previous dealings with Planning relating to the land in question.

36. MINUTE

The Committee considered the minute of the North East Planning Committee of 12th October, 2022.

Decision

The Committee agreed to approve the minute.

37. 20/02392/FULL - GLADNEY FARM, WEMYSSHALL ROAD, CERES

The Committee considered a report by the Head of Planning Services relating to an application for the erection of 6 holiday pods with associated parking, access and landscaping.

Decision

The Committee agreed to refuse the application for the two reasons set out in the report.

Prior to consideration of the following item, Councillor Tepp, having declared an interest, left the meeting at this point. The Depute Convener, Councillor Liston, chaired the meeting for the item.

38. 22/00514/PPP - 12 BIRKHILL AVENUE, WORMIT, NEWPORT ON TAY

The Committee considered a report by the Head of Planning Services relating to an application for the erection of a dwellinghouse.

Decision

The Committee agreed to refuse the application for the three reasons set out in the report.

Councillor Tepp re-joined the meeting following consideration of the above item.

39. 22/01734/FULL - 29 CASH FEUS, STRATHMIGLO, CUPAR

The Committee considered a report by the Head of Planning Services relating to an application for the erection of a dwellinghouse.

Decision/

Decision

The Committee agreed to approve the application subject to:-

- (1) the five conditions and for the reasons detailed in the report; and
- (2) an additional condition in the event that contamination was identified given the previous industrial use of the site.

Councillor Kennedy joined the meeting partway through the Planning Officer's detailed presentation of the above planning application and, having not had the benefit of the full presentation, did not participate in the debate on this item.

Prior to consideration of the following item, Councillors Knox and Kennedy-Dalby, having declared an interest, left the meeting at this point.

40. 22/01263/FULL - LAND TO EAST OF PITLETHIE ROAD AND NORTH OF FETTERDALE FIELDS, LEUCHARS

The Committee considered a report by the Head of Planning Services relating to an application for the erection of 49 affordable dwellings, formation of vehicular accesses, open space and drainage infrastructure.

Decision

The Committee agreed:-

- (1) to disregard Paragraph 1.2.2 of the report as the affordable dwellings would remain in the ownership of Kingdom Housing Association for the purposes of providing social rented housing;
- (2) to approve the application subject to:
 - (a) the 17 conditions and for the reasons detailed in the report; and
 - (b) an additional condition, together with the attendant reasons, relating to the Construction Management Plan, to mitigate any impacts relating to noise and residential amenity concerns, particularly road safety in the vicinity of the local Primary School, during the construction period; and
- (3) to delegate to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to draft and formulate an appropriately worded planning condition to properly reflect the issues outlined and referred to at (2) (b) above.

Councillor Margaret Kennedy left the meeting during consideration of the above item.

Councillors Knox and Kennedy-Dalby re-joined the meeting following consideration of the above item.

Prior to consideration of the following item, Councillor Corps, having declared an interest, left the meeting at this point.

41./

41. 22/00905/FULL - 1 LINDSAY BERWICK PLACE, ANSTRUTHER

The Committee considered a report by the Head of Planning Services relating to an application for the change of use from public open space to garden ground and parking area.

Decision

The Committee:-

- (1) agreed to refuse the application on the grounds that the proposed development did not comply with Policies 1 and 10 of the Adopted FIFEplan (2017) and Making Fife's Places Planning Supplementary Guidance (2018), on the basis that:
 - (a) the consequential loss of public open space would have a detrimental impact on the visual amenity and character of the residential area as well as a detrimental impact on the function and character of the public open space in the immediate neighbourhood; and
 - (b) if the application was to be approved, this could set an undesirable precedent in relation to future proposals of a similar nature, potentially resulting in the gradual erosion of public open spaces in residential areas; and
- (2) agreed to delegate to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to finalise the full reasons for refusal in order to ensure that a decision on the application was not unduly delayed.

42. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.

Decision

The Committee noted the lists of applications dealt with under delegated powers for the period 3rd to 30th October, 2022.

ITEM NO: 4

APPLICATION FOR PLANNING PERMISSION (EIA DEVELOPMENT) REF: 21/02819/EIA

SITE ADDRESS: LAND AT NORTHBANK FARM CAMERON LATHOCKAR

PROPOSAL: EXTENSION TO TOURIST, COMMERCIAL AND LEISURE DEVELOPMENT INCLUDING 131 LODGE STYLE STATIC CARAVAN PITCHES AND ASSOCIATED INFRASTRUCTURE

**APPLICANT: GLENEAGLES HOLIDAY PARK LTD
5A DISHLANDTOWN ROAD DUNDEE SCOTLAND**

**WARD NO: W5R19
East Neuk and Landward**

CASE OFFICER: Bryan Reid

DATE REGISTERED: 15/10/2021

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

The application is a Major application in terms of the Hierarchy of Developments (Scotland) Regulations 2009.

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Section 25 of the Planning Act the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan, and provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 has six overarching spatial principles to deliver sustainable places, liveable places, and productive places.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced. When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 The application site comprises approximately 7.7 hectares of land on a site that lies to the north of the 'Stewarts Resort' holiday lodge development (ref: 17/03095/EIA), north of the of the A915 public road from Largoward to St Andrews. The holiday lodge development is currently under construction and is nearing completion, however it is noted that it served by a temporary cess tank foul water drainage system. The majority of the site, comprising an agricultural field, features a significant slope from south to north, enabling views over the site out towards the Eden Estuary from the existing holiday lodge development. A row of mature oak trees forms the southern boundary of the site with the existing holiday lodge development. The application site also includes the vehicular access point, internal road loop and foul drainage storage tank of the existing holiday lodge development, as well as a linear section of land that stretches northwards. A small area of woodland defines the western boundary of the application site, with a farm steading located to the south of the woodland. A row of 4 cottages lie to the south west of the site/existing holiday lodge development, fronting the A915. The surrounding area is broadly bound by open countryside and agricultural fields. Cameron Reservoir lies approximately 200 metres to the west of the site and is a Special Protection Area (SPA), Ramsar Site (designated under Ramsar Convention on Wetlands of International Importance Especially as Waterfowl Habitat) and Site of Special Scientific Interest (SSSI); the reservoir is encircled by the core path network. Cameron Burn is located to the north of the site, with a right of way running along its bank. As per FIFEplan Local Development Plan (2017), the application site is not allocated for development and is considered to be within the countryside. The site has an agricultural grade of 3.1 (considered to be prime), is identified as being at low risk for coal mining legacy issues, it is noted however the part of site which includes the internal road network of the existing holiday lodge development is considered to be high risk.

1.2 In regard to the relevant planning history of the site/surroundings:

1.2.1 Outline planning permission (Ref: 06/02854/EOPP) was approved on 9th March 2010 for a leisure development including retail, exhibition, cafe/restaurant, visitor centre, craft workshops, 15 dwellinghouses, 20 holiday units, access road, drainage infrastructure and demolition of existing buildings. This permission was varied by application 11/06407/FULL on 28th March 2012, in effect extending the time of the original Planning Permission in Principle (PPP) by a further 2 years. A further application for approval of matters specified in conditions (15/00727/ARC) was approved on March 16th, 2016, and was secured following the commencement of works. Whilst works commenced, this development was not implemented. These applications did not include the current application site, however, did encompass the holiday lodge development which is currently under construction and the woodland and farm steading to the west.

1.2.2 Planning permission (Ref: 17/03095/EIA) was approved on 30th July 2018 for tourist, commercial and leisure development including lodges (82 units), restaurant, reception, retail, access road and drainage infrastructure. This approved development is currently under construction and is nearing completion, with the majority of lodges now on site and the hub building (which incorporates the restaurant/bar, reception, retail outlet and gym) and all of the road and drainage infrastructure completed, along with comprehensive landscaping. This development is described as 'Phase 1' of the applicant's wider development ambitions for the site.

1.2.3 Planning permission was granted in July 2021 (Ref: 20/02329/FULL) for a single storey extension to the holiday park hub to form a swimming pool. Work has still to commence on this extension. This application has since been amended by 21/03907/FULL.

1.2.4 Planning permission was refused (Ref. 20/02716/FULL) by the North East Planning Committee on 20th December 2021 for a proposal on land to the west of the current application site for the siting of 49 retirement caravans including landscaping and associated infrastructure. The refusal of this application was appealed to Scottish Ministers (DPEA) who overturned the Council's decision and approved planning permission on 10th June 2022. This development is described as 'Phase 3' of the applicant's wider development ambitions for the site.

1.2.5 A planning application (Ref. 22/00611/FULL) for the construction of emergency access road from the A915 public road for the existing holiday lodge development was submitted to the Planning Authority before being withdrawn by the applicant.

1.3 This proposal is for the siting of 131 lodge style static caravan pitches and associated infrastructure, including engineering works/land re-contouring, roads, footpaths, landscaping, a playpark, and SuDS. This proposal, which would be an extension of the existing holiday lodge development (17/03095/EIA) (Phase 1) is described as 'Phase 2' of the applicant's development ambitions for the site. The lodges would be laid out in a largely linear pattern running either side of the proposed east-west road network which would connect at three points with the existing internal road network of the Phase 1 development. The proposed lodge style static holiday caravans would comprise of 2 and 3 bedroom options, with external walls clad in 'Canoxel' type weatherboarding with slate effect roofs. A small children's play area is proposed within the eastern part of the site which will augment and compliment the play and leisure facilities already available within Phase 1. Surface water is proposed to be treated through a sustainable drainage system, including a detention pond prior to discharging to the Cameron Burn to the north. Foul drainage would be treated through a 'Reed Bed-Willow Bed

Soakaway' system in series and a waste water treatment plant providing enhanced primary and secondary treatment; the proposed system would be passive (gravity controlled). The proposed foul water drainage system would also serve Phases 1 and 3 of the holiday park, replacing the existing Cess tank (foul water drainage storage tank) which was being used as a temporary measure.

1.4 The application is a Major Application in terms of the hierarchy of developments regulations. A Proposal of Application Notice (ref: 21/01521/PAN) was therefore submitted in advance of the submission of this application. A Pre-Application Consultation Report has been provided which details all of the consultation undertaken. The consultation meets the requirements detailed in the development management regulations.

1.5 As a separate part of the consideration of the application, the Council has a duty as the determining authority to carry out an Appropriate Assessment of the proposals with specific regard to the impact that the development may have on the qualifying interests of Special Protection Areas (SPAs). In this regard it is noted that Cameron Reservoir comprises such an area and lies to the west of the site. NatureScot (formerly SNH) in their consultation response to Fife Council has indicated that on consideration of the supporting information, they do not consider that this development would have an adverse impact on the SPA site's integrity, subject to appropriate mitigation measures detailed in the application being secured. Having appraised the submitted information and taking cognisance of the comments of NatureScot, it is considered by the Planning Authority that the development would not compromise the integrity of the SPA site.

1.6 Environmental Impact Assessment Process

1.6.1 Given the scale of this proposal, under the Environmental Impact (Scotland) Regulations 2017, the proposal was screened by the Planning Authority (Ref. 19/02597/SCR) to establish whether the Authority considered that the proposal was an EIA development. The Planning Authority duly considered this proposal was EIA development, in particular having regard to the ecological impacts on the Cameron Reservoir near to the site as well as the visual impacts of this proposal in a largely undeveloped rural area. Consequently, this meant an EIA Report (ER) was required in relation to the proposal and subsequently a Scoping Opinion (Ref. 21/00893/SCO) was also provided by the Planning Authority under the same Regulations setting out the particular matters which should be covered by the ER. This addressed various matters but in particular it was noted that account should be had for consideration of the proposals impact on Cameron Reservoir, the visitor activity arising from the proposal and visual impact on the landscape. As a result of this process, this planning application has been submitted with the requisite ER containing information relating to the relevant areas to assist with the assessment of the proposal.

1.6.2 The matters that are scoped in the ER are:

- Ecology, Biodiversity and Nature Conservation
- Ornithology
- Landscape and Visual Impacts
- Water Resources, Hydrology, Flood Risk and Drainage
- Ground Conditions, Hydrogeology, Geology and Soils.

The following matters were scoped out of the ER, however supporting information is provided by the applicant to allow each of these to be assessed as part of the planning application.

- Air Quality
- Noise and Vibration
- Traffic, Transportation and Access
- Socioeconomics
- Cultural Heritage and Archaeology
- Waste
- Climate Change
- Population & Human Health
- Major Accidents and Disasters.

1.6.3 In addition to the above, the ER also includes chapters on the site and project description, EIA methodology, planning policy, schedule of environmental commitments and a non-technical summary. As required by the EIA Regulations, the ER includes an assessment of alternative sites and provides an overview of the qualifications of the ER authors. Volume 2 of the EIA contains the supporting technical documents which informed the EIA assessment. Each assessment chapter of the ER (Chapters 5-9) includes information relating to the key planning and policy context of the relevant impact being examined in the chapter, baseline conditions of the site/surroundings, an identification and evaluation of key impacts (including cumulative impacts), details of design-based mitigation and other proposed mitigation, and the residual effects of the development.

1.6.4 With regard to the assessment of alternative sites, it is noted that the decision to proceed with the Phase 1 site included an examination of alternative sites throughout Scotland. The evaluation was undertaken in terms of economic and engineering feasibility taking the environmental implications (including mitigation measures) of all options into account and this is described in detail in the ER for the consented Phase 1 development (17/03095/EIA). As the proposed development represents a Phase 2 northern extension to the consented EIA development, it relies upon key elements of infrastructure such as the roads, drainage and the hub building consented as part of Phase 1, and therefore no additional alternative sites were taken into consideration for the proposed development, whilst it is also noted that an application for siting of 49 retirement caravans has been submitted for the land to the west of the Phase 1 site. It is set out in the ER that the reasons for selecting the site for Phase 1 remain pertinent to the proposed development of Phase 2. The Planning Authority is accepting of the argument that for the development to be an extension of the recently approved tourism and leisure development, the site for the extension requires to be directly linked to what has come before it in order to connect to the existing infrastructure. It is considered that the extension of an existing tourism and leisure development, with the existing infrastructure and amenities utilised, would have a lesser impact on the environment than a standalone/detached development.

1.6.5 With the submission of the ER, the relevant statutory consultees have been notified of the application. The application has also been advertised in the Courier and the Edinburgh Gazette respectively as an application which requires an Environmental Impact Assessment.

1.7 Following the submission of the application, amendments were made to address the concerns raised by the Planning Authority regarding foul water drainage and treatment. Given the extent of the amendments to the proposal, including an alteration to the red line/application site boundary, the application was re-advertised in the above newspapers, with neighbouring

properties and objectors to the application re-notified in accordance with Section 32A of the Town and Country Planning (Scotland) Act 1997 (as amended).

2.0 EXECUTIVE SUMMARY

2.1 As a development in the countryside, the applicant must justify the need for the proposal to be located in the countryside. In this regard it is noted that the proposal would provide tourism facilities requiring a countryside location - in particular using the high quality of the immediately accessible local environment around the site as a draw which would not be possible in an urban area - whilst it is also considered that the proposed development would represent an extension to an established rural business. Consequently, the land use and principle of the proposal is considered to meet applicable Policies 1 and 7 of FIFEplan (2017). Beyond this, of the material issues, the critical determining matters are considered to be visual and landscape impact, drainage, and environmental and ecological impact.

2.2 In terms of landscape and visual impact, the key matter is whether the scale and nature of development can be accommodated without having an excessive detrimental impact on the surrounding area and landscape. Given the low height of development proposed on the sloping site and the effect of existing woodland and proposed planting, it is considered that views of the site would ultimately be limited and as such the overall character of the countryside would not be determinately impacted. Furthermore, even within the views in which the development would be visible, the existing and proposed screening would ensure the development would not have an undue prominence. Given that the layout, density of development and other matters, including its relationship with Phase 1 of the applicant's wider development aspirations, the proposal is considered to be compliant with applicable FIFEplan Policies 1, 7, 10, 13 and 14.

2.3 To manage surface water runoff from the sloping site, a surface water sewer network (generally running parallel to internal site roads), is proposed which would discharge surface water runoff to a SuDS pond to the north of the lodges. The SuDS pond would store water prior to releasing it at a controlled rate to the Cameron Burn in order to mitigate the increased discharge rate and downstream flood risk. The Burn flows downstream from Cameron Reservoir. Whilst normally beyond the considerations of the Planning Authority, given the lack of Scottish Water infrastructure within the vicinity of the site, the applicant proposes to manage waste water by discharging to ground via a Reed bed-Willow bed Soakaway system; no waste water would enter the Cameron Burn. It is also proposed to connect the existing lodges of the Phase 1 development to the Reed bed-Willow bed soakaway, removing the need for the temporary cess tank which is currently on site. Neither SEPA nor the Council's Structural Services Officers have raised any objections to the proposals. The proposed surface and waste water drainage proposals are considered to be acceptable, complying with Policies 1, 3 and 12 of FIFEplan.

2.4 In relation to ecological and natural heritage impacts (including birds), the ER gives particular consideration to the neighbouring Cameron Reservoir given its SSSI, SPA and Ramsar Site status, with the reservoir known for providing an important habitat for Pink-Footed Geese. Through the proposed mitigation measures, which includes protective works, woodland, landscape and amenity planting, and a visitor management plan to restrict access to Cameron Reservoir and Burn, the ER concludes that the proposed development would not give rise to significant environmental impacts. NatureScot have confirmed that they have no objections to the proposal. The Planning Authority are satisfied that the proposed development would offer biodiversity enhancement. Accordingly - subject to relevant conditions detailed below - the proposal is considered compliant with applicable FIFEplan Policies 1, 10, 12 and 13 of FIFEplan.

2.5 Aside from these critical determining issues above, with the proposal considered to be acceptable in relation to the other material issues (summarised in 3.1 below) and considered further in the applicable sections of the assessment below.

3.0 PLANNING ASSESSMENT

3.1 The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design, Landscape and Visual Impact
- Residential Amenity
- Transportation/Road Safety
- Flood Risk, Drainage and the Water Environment
- Natural Heritage/Ecological Impact
- Contaminated Land and Air Quality
- Countryside Access
- Loss of Prime Agricultural Land
- Low Carbon/Sustainability
- Cumulative Assessment
- Reason(s) for Approving an EIA application/Mitigating Measures and Condition(s)

3.2 PRINCIPLE OF DEVELOPMENT

3.2.1 Scottish Planning Policy (2014), Policy 3 of TAYplan Strategic Development Plan (2017) and Policies 1 and 7 of the Adopted FIFEplan Local Development Plan (2017), apply with regard to the principle of development for this proposal.

3.2.2 The SPP (Promoting Rural Development), amongst other criteria, states that in areas of intermediate accessibility and pressure for development, Development Plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a range of policies that provide for economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan. It elaborates that in accessible or pressured rural areas, plans and decision making should generally guide most new development to locations within or adjacent to settlements and should promote economic activity and diversification, including, where appropriate, sustainable development linked to tourism and leisure, forestry, farm and croft diversification and aquaculture, nature conservation, and renewable energy developments, while ensuring that the distinctive character of the area, the service function of small towns and natural and cultural heritage are protected and enhanced. The SPP (Supporting Business and Employment) continues that Planning should address the development requirements of businesses and enable key opportunities for investment to be realised. Sustainable economic growth is supported by providing a positive policy context for development that delivers economic benefits. Planning should also focus on the continuing need for diversification of our rural economy to strengthen communities and retain young people in remote areas.

3.2.3 TAYplan (2017) sets out policies for where development should take place over the next 20 years and how to shape better quality places by the location, design and layout of development from the outset. The Plan's vision centres on improving people's quality of life. The policies explain where development should go and how it will shape good quality places. Growing and strengthening the TAYplan economy is a key priority. Positively encouraging

investment, creating new jobs and better connecting places to make it easier for people to move around, is all essential to achieve a stronger economy. Policy 3: A First Choice for Investment - requires local plans to assist with growing the year-round economy including the role of tourism and supporting the recreational sectors. An emphasis is placed on St Andrews as a seaside and golfing tourism destination.

3.2.4 The Adopted FIFEplan (2017) Policy 1 sets out the requirements for development principles. 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.

Part B

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

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);
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);
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);

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:

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);

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).

3.2.5 Policy 7 of the Adopted Local Plan stipulates that development in the countryside will be supported where it (1) is required for agricultural, horticultural, woodland or forestry operations; or (2) will diversify or add to the above land-based businesses to bring economic support to the existing business; or (3) is for the extension of established businesses; or (4) is for small-scale employment land adjacent to settlement boundaries, excluding green belt areas, and no alternative site is available within the settlement boundary which contributes to the Council's employment land supply requirements; or (5) is for facilities for access to the countryside; or (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 to available infrastructure and contribute to the need for any improved infrastructure; and not result in an overall reduction in the landscape and environmental quality of the area. Policy 7 additionally states that the policy will be used to protect the countryside from unplanned development, however, it is recognised that there are activities which require a countryside location.

3.2.6 The application site is not identified as being within a defined settlement boundary (per FIFEplan) and is therefore considered to be countryside land. The proposed development seeks to change the use of an area of agricultural land for the siting of lodge style caravans (131 units), with associated works/infrastructure proposed. The application site would serve as a northerly extension to the tourist, commercial and leisure development known as Stewarts Resorts (approved by the Planning Authority in 2018 - Ref: 17/03095/EIA). The existing holiday park development comprises of 82 holiday lodges/caravans, a play park and a hub building which contains a restaurant, retail and gym/sauna facilities (with an extension for a swimming pool recently approved). The existing Stewarts Resorts/Phase 1 development is currently under construction and is nearing completion, with the majority of lodges now on site (and occupied) and the hub building, road and drainage infrastructure and landscaping completed.

3.2.7 In their objection to the application, the Cameron Community Council contend that the existing Stewarts Resorts/Phase 1 development business is not established. Whilst the Phase 1 development is yet to be completed in full, it is considered by the Planning Authority that given the extent of construction that has taken place (including the number of lodges sited and occupied) that the holiday lodge/rural business is suitably established. It is also noted that FIFEplan does not provide a definition of what constitutes an 'established' business. With the application site immediately north of the existing holiday park and proposal comprising of additional holiday lodges, it is therefore considered that the proposed development would accord with criterion 3 of Policy 7 of FIFEplan (2017) which supports development in the countryside where it is for the extension of an established rural business. Furthermore, it is recognised that the lodges proposed in this application would provide tourism facilities which make use of the high quality of the immediately accessible local environment around the site as a draw which would

not be possible in an urban area. Accordingly, this is considered to justify the proposal in relation to criterion 6 of Policy 7 which makes provision for 'facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location'.

3.2.8 Given that the development of the site is only acceptable as a result of providing and serving tourism accommodation, a condition is recommended to limit the occupancy of the lodges to tourism accommodation and not as main homes. This is necessary to ensure that the site continues to fulfil this required tourism purpose for the lifetime for the development.

3.2.9 The application is supported by an Economic Assessment as the applicant considers the net economic benefit of the Phase 2 development to be a material consideration in the determination of the planning application - noting SPP (2014) which supports sustainable economic growth linked to tourism and the vision within TAYplan (2017) for encouraging investment to grow a stronger economy with more jobs, improved opportunities and fewer disparities which notes the role of the tourism in the St Andrews area. Furthermore, it is noted that the Fife Economic Strategy (2017-2027) sets out how Fife will focus its economic development and employability efforts by supporting the tourism sector by developing Fife's visitor assets. The Economic Assessment demonstrates that the proposed development has the potential to play an important role in supporting Fife Council's economic ambitions in the St Andrews area as a tourism destination, with the development contributing towards sustainable economic growth by providing a significant number of jobs (during construction and operation) and facilitating additional tourists to visit St Andrews (and other surrounding settlements and visitor attractions) and boost the local economy.

3.2.10 Overall, the principle of development is considered to meet the requirements of FIFEplan (2017) Policies 1 and 7. Accordingly, the proposed development is considered to be acceptable in general land use terms. The support for the principle of this development is however reliant on the applicant demonstrating compliance with the impact policies of the development plan and other material considerations; set out in Parts B and C of Policy 1 of FIFEplan (2017) and the subject policies of FIFEplan (2017) and SPP (2014); as identified in Section 3.1 of this report.

3.3 DESIGN, LANDSCAPE AND VISUAL IMPACT

3.3.1 SPP (2014), Policy 2 of TAYplan Strategic Development Plan (2017), Policies 1, 7, 10, 13 and 14 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), The Landscape Institute and Institute for Environmental Management and Assessment's Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013) and NatureScot National Landscape Character Assessment (2019) apply with regard the design, landscape and visual impact considerations.

3.3.2 SPP Paragraph 194 promotes positive change that maintains and enhances distinctive landscape character. Paragraph 202 states that development should be designed to take account of local landscape character and the potential effects on landscapes, including cumulative effects. SPP directs planning authorities to adopt a precautionary approach when considering landscape impacts, but also to consider the ways in which modifications to a proposal could be made to mitigate the risk (paragraph 204). SPP Paragraph 49 states that the designation of a green belt around a town may be appropriate to protect and enhance the landscape setting of that town. SPP further advises that Scotland's landscape and natural heritage are internationally renowned and important and are a key component of the high environmental quality which makes it an attractive place in which to live, do business and invest and as such improving the natural environment and the sustainable use and enjoyment of it is

one of the Government's national outcomes. In terms of landscape, the SPP advises that the landscape in both countryside and urban areas is constantly changing and therefore the aim should be to facilitate positive change whilst maintaining and enhancing its distinctive character. The SPP also advises that different landscapes will have different capacities to accommodate new development, the most sensitive landscapes may have little or no capacity to accept new development, and the siting and design of developments should be informed by local landscape character. Landscapes and the natural heritage are sensitive to inappropriate development and planning authorities should ensure that potential effects, including the cumulative effect of incremental changes are considered. Careful planning and design can minimise the potential for conflict and maximise the potential for enhancements, however there will be occasions where the sensitivity of the site or the nature or scale of the proposed development is such that the development should not be permitted.

3.3.3 The SPP advises that statutory natural heritage designations are important considerations but such designations should not necessarily imply a prohibition on development. The precautionary principle should also apply where the impacts of a proposed development on nationally or internationally significant landscapes or natural heritage resources are uncertain but there is sound evidence for believing that significant irreversible damage could occur. Such a precautionary principle however should not be used to impede development unnecessarily especially when further research, surveys or assessments could remove or reduce such uncertainty. Developments that would have a detrimental effect on international (such as Special Protection Areas or Special Areas of Conservation etc.), national (such as National Scenic Areas, Sites of Special Scientific Interest, National Parks, or National Nature Reserves) or local designations (such as Local Nature Reserves (LNR's), or Local Landscape Area (LLA's) etc.) should not be supported.

3.3.4 The Landscape Institute and Institute for Environmental Management and Assessment document Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013) states that for visual effects or impacts, the two principle criteria which determine significance are the scale and magnitude of effect, and the environmental sensitivity of the location or receptor. A higher level of significance is generally attached to large-scale effects and effects on sensitive or high-value receptors; thus small effects on highly sensitive sites can be more important than large effects on less sensitive sites. The guidelines note that large-scale changes which introduce new, discordant or intrusive elements into a view are more likely to be significant than small changes or changes involving features already within the view. The document goes on to state that changes in views from recognised and important views or amenity routes are likely to be more significant than changes affecting other less important paths and roads.

3.3.5 TAYplan (2017) Policy 2 aims to deliver better quality development and places which respond to climate change, Local Development Plans, design frameworks masterplans/briefs and development proposals should be:

- a) Place-led;
- b) Active and healthy by design;
- c) Resilient and future-ready; and
- d) Efficient resource consumption.

3.3.6 FIFEplan (2017) Spatial Strategy promotes an increase in Quality of Place through new development in Fife. FIFEplan Policy 1 Part B (7) states that development must safeguard the character and qualities of the landscape, with Policy 1 Part C requiring proposals to demonstrate adherence to the six qualities of successful places. Policy 10 (Amenity) of FIFEplan requires proposals to demonstrate that development would not result in a significant detrimental impact

on amenity in relation to visual impact and should aim to protect the visual amenity of the local community. Policy 13: Natural Environment and Access seeks to protect landscape character and views from inappropriate or insensitive development. Policy 14 provides more detail on these principles of good placemaking, advising that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported. Policy 14 additionally sets out that developments are expected to achieve the six qualities of successful places: distinctive; welcoming; adaptable; resource efficient; safe and pleasant; and, easy to move around. Fife Council will apply the six qualities of successful places in order to assess a proposal's adherence to these principles.

3.3.7 As defined previously, Policy 7 of FIFEplan (2017) advises that development proposals must be of a scale and nature that is compatible with surrounding uses; be well-located in respect of available infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area.

3.3.8 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regard to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. The document also illustrates how development proposals can be evaluated to ensure compliance with the six qualities of successful places - distinctive; welcoming; adaptable; resource efficient; safe and pleasant; and easy to move around and beyond. Further to this, Appendix B and D of Making Fife's Places Supplementary Guidance (2018) set out site appraisal information in relation to landscape and identifies key actions and guidance that should be followed by developers. An appropriate site appraisal (including appropriate mitigation measures where required), following the identified actions within this policy document should be submitted for assessment as part of any planning application.

3.3.9 A total of 131 holiday lodge buildings are proposed for the caravan pitches. The lodges would have a height to ridgeline varying from 4m to no greater than 4.25m. All lodges would be finished using a colour palette of creams and browns with black tile roofs and black guttering and downpipes, with each standing on a gravel bed which would be in-keeping with those in Phase 1. The main internal roads for the proposed development will be finished in tarmac with kerb and adjacent footpath, with individual lodge access paths being timber edged gravel incorporating space for two parked cars per lodge - the road/footway materials would be consistent with those of the Phase 1 development. Approximately 212 native trees would be planted within the site and along site boundaries, with new structural planting across proposed embankments. Additional structure planting and hedgerows are proposed to the north and eastern boundaries. Species will include field maple, silver birch, hazel, beech and oak with shrubs. A post and wire fence with rabbit-proof mesh will be provided to new structure planting to facilitate establishment. The proposed Reed Bed-Willow Bed Soakaway system would be located at the north west of the site, resulting in a wetland ecosystem comprising a diverse selection of habitats including an 800sqm reedbed, 7200sqm osier coppice woodland and associated structural native woodland planting and extensive areas of species rich grassland. The development would include six refuse areas where bins and recycling will be provided for use by residents. 69 cast-iron lighting columns of around 3m height and 49 low-level bollard style lights are proposed throughout the site to illuminate the development. All artificial lighting will be designed to cast light downwards. The proposed lighting strategy would be consistent with the existing Phase 1 development and it is considered that it would not result in adverse light pollution that would significantly harm the rural setting. The proposed development would include landscaped open space comprising native woodland and scrub with wildflower meadows, amenity grassland and footpaths providing a parkland setting for the lodges, with

dense landscaping proposed around the periphery of the site to visually contain the development and minimise adverse impacts on the wider landscape. A dedicated natural play area is proposed, using materials such as wood and boulders with an area of open space around - this would be located in the north eastern corner of the site.

3.3.10 In general, it is considered that the proposed development layout and landscape mitigation measures would reflect the characteristics of the site's surroundings, such as the linear pattern of tree groups/forests, regular pattern of farmland and movement networks being well related to the landform. The linear nature of the proposed layout and landscape proposals, with development following the general topography (and using this as a means to visually absorb the development into the landscape), is a positive aspect which has the potential to address the visual impacts of the development significantly; as shall be explored below. The proposed development continues the design parameters of Phase 1, ensuring the overall site would appear as a single tourist destination. The layout/orientation of lodges to the proposed internal roads, and the road layout itself, is considered to be acceptable by the Planning Authority. The scale of development in terms of the mass and density of development is not considered excessive given the limited height of the lodges combined with sufficient space around the units. The associated infrastructure items, such as the play park, lighting bollards, wayfinding signage and refuse areas are similarly considered to be well designed and laid out within the context of the proposed holiday lodge development and features within Phase 1. A condition is however recommended to ensure the level of specific illumination from the lighting bollards is agreed and thereafter restricted to ensure no significant light spill into the countryside occurs. In their consultation response on this application, the Council's Urban Design Officer advised that they had no concerns to raise, however recommended that care be taken to ensure a visual consistency of the development with Phase 1 through the choice of finishing materials and colours. A condition is included in the recommendation for samples of finishing materials to be provided to the Planning Authority for inspection to ensure that the development would be visually consistent with Phase 1. Overall, it is considered that the development proposal responds to the rural setting of the site and makes appropriate use of the sloping site and existing and proposed landscaping features to minimise its visual impact, whilst the internal layout

3.3.11 Given the notable extent of application site area seen in the context of a rural area, the ER submitted contains an appraisal of landscape and visual impact (Landscape and Visual Impact Assessment/LVIA), contained within Chapter 7. This includes an account of the topography and landscape character of the surrounding area as well as a mapping of a 2km 'Zone of Theoretical Visibility' (ZTV) (i.e. extent of the surround area in which the proposal may be seen) as well as photomontages showing modelled visual impact of the development as transposed into images taken from a representative range of key vantage points in the surrounding area. Additional photomontages were provided detailing the proposed Reed Bed-Willow Bed soakaway system.

3.3.12 With regard to the LVIA, it is noted that one of the most critical aspects of the proposal is that the lodges are to be of a single storey design. This means that, although the site would contain a notable number of lodges, the wider visual impact of the proposal would be limited given the boundary treatments and landscaping proposed. In particular it is noted that the wider visual impact on the surrounding area and landscape is minimised by this low height due to the fact that views of the development effectively become screened by many small belts of woodland in the surrounding area and other existing intervening features in the landscape. This is further assisted by the fact that the site does not lie at a particularly pronounced high point within the surrounding area which enhances the effect of this intervening screening. The effect of

the combination of the low height of the proposal in the context of the characteristics of the surrounding landscape is that the proposal is not projected to be visible from the majority of the 2km study area immediately surrounding the site - with even fewer expanses of area from which the proposal could be seen beyond the 2km study area.

3.3.13 It is noted however, that there are areas in which views of the development are projected to be available and it is important that these be considered also. In this regard the submitted montages are particularly useful to show examples of the nature of the visual impact in vistas of different types where the development would be visible. In cases where the development would be visible, it is noted that landscaping plays an important role in ensuring the prominence of the development would not be excessive and that the development would not have a significant visual impact on the open aspects associated with core path surrounding Cameron Reservoir, nor the setting of listed buildings in the surrounding area, most notably Cameron House and Cameron Parish Church to the north of the site, in the long-term. This particularly applies to the proposed landscaping surrounding the site. This is important given that it would provide both trees and other vegetation in front of the development that would break up views of the lodges and provides a backdrop to the development, in so doing reducing its prominence. Given the mitigating role of this landscaping, conditions are recommended to ensure implementation and future maintenance. No adverse cumulative visual impacts are considered likely to occur.

3.3.14 An assessment of visual effects experienced at nine representative viewpoints concludes that there would be no significant effects for five of the viewpoints. Four of the nine viewpoints are anticipated to experience significant visual effect during the construction phase and of those, significant effects are expected to remain in the short-term operation phase for three viewpoints. No significant residual effects are predicted for any of the viewpoints following maturation of the proposed mitigation planting. With specific consideration of impacts on Core Path routes, the ER concludes that there would not be significant residual impacts within the wider landscape contexts of the routes. An assessment of effects on the visual amenity of 11 residential receptors within 1km of the site predicted significant effects for four properties within relative proximity to the site. Following implementation of the proposed mitigation planting, only one property, Camlace House, is anticipated to experience a major adverse residual impact as the proposed mitigation planting would not provide screening across the entire site. Concerns have been raised in the submitted objections that the proposed development would impact/change the outlook of lodges facing outwards to the north within the Phase 1 development. Whilst the impacts on Camlace House are noted, views from private individual properties are not considered to a material planning consideration. The degree of visual change to the landscape and the public's general perception about how dominant the development would appear in the landscape are however valid considerations and in this case, as demonstrated by the assessment of representative viewpoints, impacts on Core Path routes and visual amenity impacts on all residential properties in the vicinity, it is considered that the proposed development would not result in a significant detrimental impact on amenity in relation to visual impact, thus complying with Policy 10 of FIFEplan (2017). With regard to the concerns raised regarding the outlook of lodges within Phase 1, it is considered by the Planning Authority that given the distance between pitches, the landscaping planted along the northern site boundary of Phase 1 (secured through the planning permission) and as the application site slopes down from south to north, the visual amenity attributed to the most northerly lodges would not be significantly compromised.

3.3.15 The points considered above must also be considered in the context of the NatureScot National Landscape Character Assessment (2019) as a key document to further understand the nature of the broader landscape in which the site sits. In this regard it is noted that the vast majority of the immediate 2km study area surrounding the site comprises 'Lowland Hills and Valleys' as defined in the NatureScot Assessment (2019). The NatureScot publication includes a list of key characteristics which define the landscape, whilst also noting that 'on the landward (south) side of St Andrews to Kinaldy Den Units there is a large area of hills with shallow valleys, including the Cameron Burn and Cameron Reservoir'. It also advises how small woodlands, roadside trees, linear belts, hedgerow trees, tree groups around steadings and individual trees form important components in the landscape, with field patterns defined by a variable pattern of post and wire fences and hedges (generally left unchecked). The ER, in discussing the magnitude of change on the landscape, sets out that the resulting change would be experienced within the context of existing development within the local countryside, including small clusters of housing and rural businesses, and other emerging developments within the locality, most notably the Phase 1 development. In general, it is considered that the proposed development layout and landscape mitigation measures would reflect the characteristics of the landscape such as the linear pattern of tree groups/forests, regular pattern of farmland and movement networks being well related to the landform. Consequently, this proposal is considered to be suitable in terms of landscape impact, complying with the requirements of Policy 7 of FIFEplan (2017).

3.3.16 In summary, the development is considered acceptable in terms of its visual impact on the surrounding area and landscape character; as well as more immediately in terms of its layout and design. Consequently, subject to conditions included in the recommendation, the proposal is considered to be compliant with the requirements of FIFEplan policies 1, 7, 10, 13 and 14.

3.4 RESIDENTIAL AMENITY

3.4.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Planning Advice Note (PAN) 1/2011: Planning and Noise and Fife Council Customer Guidelines on Daylight and Sunlight (2018) and Minimum Distances between Window Openings (2011) apply in terms of residential amenity.

3.4.2 The above FIFEplan policies and guidance set out the importance of encouraging appropriate forms of development in the interests of residential amenity. They generally advise that development proposals should be compatible with their surroundings in terms of their relationship to existing properties, and that they should not adversely affect the privacy and amenity of neighbours with regard to the loss of privacy; sunlight and daylight; and noise, light and odour pollution.

3.4.3 PAN 1/2011 promotes the principle of how noise issues should be taken into consideration with determining an application. The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It is recommended that Environmental Health Officers and/or professional acousticians should be involved in development proposals which are likely to have significant adverse noise impacts or be affected by existing noisy developments.

3.4.4 As per Fife Council Customer Guidelines on Daylight and Sunlight (2018), sunlight is considered to be the rays of light directly from the sun from a southerly direction, whereas daylight is the diffuse light from the sky that can come from any direction. The guidance considers these two forms of natural light as follows; sunlight received by residential properties'

main amenity spaces; and daylight received by neighbouring windows serving habitable rooms. The guidance details the 25 degree and 45 degree assessment to measure the impact of loss daylight as a consequence of a development. This guidance additionally states that proposed developments should allow for the centre point of neighbouring properties' amenity spaces to continue to receive more than two hours of sunlight (calculated on 21st March). Fife Council's Minimum Distance between Window Openings (2011) guidance advises that there should be a minimum of 18 metres distance between windows that directly face each other, however, this distance reduces where the angle between the windows increases. If there is a road or pavement between the existing and proposed properties, or a permanent high barrier, the distances can be less.

3.4.5 It should be noted that above FIFEplan policies and Fife Council planning customer guidance on matters around residential amenity have been drafted with the view that they would be applied to dwellinghouses, not caravans. Whilst these standards could be applied to caravans, it would not generally be expected that the same level of residential amenity, normally associated with a dwellinghouse, could be achieved or would be expected by the occupier, given that this is a form of communal living. Furthermore, due to land ownership issues on caravan sites, where the occupier normally owns the caravan, but not the land it is sited on or the land surrounding it, land cannot be tied to the caravan and subsequently be made private.

3.4.6 The nature of the proposal is such that there it could give rise to adverse noise and light pollution concerns for neighbouring properties. The nearest residential dwellings are located approximately 200m from the proposed caravan pitches. This is considered to be a considerable distance. From examining the NIA submitted as part of the Phase 1 application, it is considered that the addition of the proposed development to Phase 1 would have a negligible impact at existing noise sensitive properties during the operational phase. A lighting strategy plan has been submitted as part of this application which details the extent of proposed lighting columns throughout the development. Given the low heights of the lighting columns proposed and the extent of screening that is to be planted at the site boundaries, it is considered that the proposed development would not give rise to adverse light pollution concerns. Fife Council Environmental Health (Public Protection) Officers have been consulted on this application where they confirmed they have no objections to the proposal.

3.4.7 With regard to construction impacts, which are raised as a concern in the submitted objections, a draft Construction and Environmental Management Plan (CEMP) sets out how noise and vibration associated with the construction process will be minimised and neighbouring properties (and existing lodges within Phase 1) would be protected. The Transport Statement advises that there will be no significant residual effect of construction traffic. Environmental Health Officers have not raised any concerns regarding the potential construction related amenity impacts. A condition is however included in the recommendation for a finalised CEMP to be submitted and adhered to. It should also be noted that there are statutory powers under Environmental Health legislation to deal with noise nuisance arising from construction activities.

3.4.8 The proposed caravans would not be for permanent residential use but instead would be holiday homes. A condition would be applied in this regard to restrict occupancy. With this in mind, as above, there would be no specific planning requirement for amenity space or privacy and sunlight/daylight standards to be applied. The Caravan Site License space standards (which are outwith the control of the Planning Services), do however include provisions to ensure minimum distances between lodge style static caravans from buildings and boundaries, whilst also ensuring that the privacy and amenity of occupiers are preserved. The layout of the caravan pitches will be required to adhere to these standards.

3.4.9 In conclusion, the proposed development for additional holiday lodges in this location is not considered to raise any significantly adverse residential amenity concerns and is therefore considered to be acceptable with regard to Policies 1 and 10 of FIFEplan.

3.5 TRANSPORTATION/ROAD SAFETY

3.5.1 Policies 1, 3, 10 and 11 of the Adopted FIFEplan Local Development Plan (2017) and Fife Council Transportation Development Guidelines (Appendix G of Making Fife's Places Supplementary Guidance (2018)) apply with regard to this proposal.

3.5.2 Policy 1 of FIFEplan states that development proposals must provide the required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 of FIFEplan advises that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Policy 11 advises that all 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. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments.

3.5.3 The proposal is for a significant extension of an existing, but still under construction, tourist development of 82 holiday lodges (17/03095/EIA). Also of note is a recently refused planning application (20/02716/FULL) for a 49-unit retirement village to the west of the application site which is currently being appealed by the applicant.

3.5.4 A Transport Statement (TS) prepared by Modus Transport Solutions Limited has been submitted in support of the planning application. The TS has considered person trips, not car trips and covered access by all modes of transport - walking, cycling, public transport and private cars, to show how the site is being developed to encourage the use of sustainable modes of transport. Vehicular access to the site would be via the junction of the A915 formed as part of the Phase 1 development. An assessment of the vehicular access/A915 junction has been carried out.

3.5.5 The site is some 4 miles from St Andrews. The A915 provides direct vehicular access to St Andrews, however there are no separate pedestrian and cyclist facilities. Planning permission 17/03095/EIA requires the provision of a pair of bus stops on the A915 frontage of the site which would be the only measure to promote the use of sustainable modes of transport. There is a convenient network of core paths and rights of way adjacent to the site that provide a leisure function. The TS acknowledges that car use would be the primary mode of transport for trips remote from the site, albeit generally outwith the AM and PM peaks which was accepted in the 17/03095/EIA submission. The assessment of the vehicular access/A915 junction has considered an opening year of 2023 and includes the vehicular trips associated with application 20/02716/FULL (approved on appeal). The TS predicts that the proposed 131 lodge development would generate some 22 two-way trips in the AM peak and 46 two-way trips in the PM peak. The projected A915 two-way trips would be some 417 in the AM peak and 478 in the PM peak. In their consultation response to this application, Fife Council Transportation Development Management (TDM) Officers advised that the junction would continue to operate satisfactorily.

3.5.6 The proposed development would connect to the existing internal road network of the Phase 1 development, connecting at three locations. A network of pedestrian routes through the site are also proposed which would include dedicated pedestrian footpaths as well as shared surface roads (on account of the low speeds for vehicles). The surface material (and colour) of the proposed shared surface roads would be consistent with those within Phase 1. Whilst the proposed development would include three long linear stretches of road, given the type of development proposed and as roads would be shared by vehicles and pedestrians throughout the entirety of the Stewarts Resort holiday lodge site, there are no concerns regarding the proposed road layout with regard to speed of traffic and priority of pedestrians. With regard to off-street parking, two spaces are proposed for each lodge which is considered to be acceptable. TDM Officers have recommended a condition to secure the parking spaces for each lodge.

3.5.7 Concerns have been raised in the submitted objections regarding the suitability of the A915 to accommodate a further increase in traffic, with suggestions to widen the road, install roadside drainage, reduce the speed limit and improve the structural integrity of a bridge. In response to these concerns, it is noted that the TS includes an analysis of vehicular movements on the A915 and when considering the moderate AM and PM peak two-way trips associated with the proposed development (as above), it is concluded that the proposed development would not result in a significant increase in the number of vehicles travelling along the A915 and therefore it would not be reasonable to secure such improvements to the road, nor reduce the speed limit, through this planning application. It is also noted that Transport Scotland were also consulted on this application where they did not raise any concerns.

3.5.8 It is accepted that the remoteness of the site does reduce its accessibility from non-car modes of transport, however, it is considered that the location of the rural based holiday accommodation proposal is driven by the site's detachment from the built environment. It is also noted that bus stops on either side of the A915 have been formed at the entrance of the holiday park. Therefore, as the principle of the development in the countryside is considered to be acceptable in general land use terms (as above), and as the proposed development is for the extension of an existing rural business, the accessibility of the site is thus accepted. It is also noted that there are a number of walking routes in the vicinity of the site, meaning visitors would not require to drive in order to access the countryside, with a number of amenities provided for visitors within the hub building (including restaurant, retail and leisure facilities).

3.5.9 In conclusion, the proposed development would not result in a significant increase in peak vehicular movements on the A915, whilst the proposed internal road network and use of existing junction with A915 are considered to be acceptable. The proposed development is thus considered to be acceptable with regard to transportation and road safety matters.

3.6 FLOOD RISK, DRAINAGE AND THE WATER ENVIRONMENT

3.6.1 SPP (Managing Flood Risk and Drainage), Policies 1, 3 and 12 of FIFEplan Local Development Plan (2017), the Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) and the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) are taken into consideration with regard to drainage and infrastructure of development proposals.

3.6.2 The SPP (Managing Flood Risk and Drainage) indicates that the planning system should promote a precautionary approach to flood risk taking account of the predicted effects of climate change; flood avoidance by safeguarding flood storage and conveying capacity; locating development away from functional flood plains and medium to high risk areas; flood reduction:

assessing flood risk and, where appropriate, undertaking flood management measures. Development should avoid an increase in surface water flooding through requirements for Sustainable Drainage Systems (SuDS) and minimising the area of impermeable surface.

3.6.3 Policy 3 of the FIFEplan (2017) states that development proposals must incorporate measures to ensure that they would be served by adequate infrastructure and services; including foul and surface water drainage, and SuDS. Policy 12 of FIFEplan states that development proposals will only be supported where they can demonstrate compliance with a number of criteria, including that they will not individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere. The Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) sets out the Council's requirements for information to be submitted for full planning permission to ensure compliance. Finally, CAR requires that SuDS are installed for all new development, with the exception of runoff from a single dwellinghouse or discharge to coastal waters.

3.6.4 The potential environmental impacts of the proposed development on the water environment, including Cameron Reservoir, Cameron Burn and local private water supplies is addressed in Chapter 8 of the ER. The ER considers the possibility of impacts to water resources and flood risk receptors due to construction and operation of the proposed development, as well as the site's own risk of flooding, examining the sensitivity of the receptors in combination with the likely scale of the impact to determine significance. The ER details that measures would be incorporated to prevent pollution of watercourses during construction; this would include a CEMP and measures detailed in the Schedule of Environmental Commitments. Furthermore, given the proposed drainage design, it is advised that there would be no potential significant effects on water resources and flood risk receptors during construction. The operational phase of the proposed development is not predicted to have a significant environmental impact on the water environment, including water quality. Due to the topography of the site and surrounding area, no part of the site would drain to Cameron Reservoir, with the site is not connected hydraulically to the SSSI site. Surface water runoff from the application site would flow into the Cameron Burn which flows eastwards away from the reservoir.

3.6.5 A Flood Risk and Drainage Assessment has been submitted as part of the ER. This includes consideration of fluvial (river) flooding, coastal flooding, surface water flooding, groundwater flooding, flooding from drainage systems, and flooding from infrastructure failure. The ER also considers the flood risk from climate change and cumulative developments within the vicinity of the site. The existing flood risk to the site is considered to be low. Fife Council does not have any records of flooding at the site or within 2.5km of the site centre. The ER concludes that there are no material flood risks to the site identified from the flood sources evaluated and thus no further consideration of bespoke flood mitigation measures is required. The application is supported by signed Fife Council flood risk compliance and independent check certificates. Neither SEPA nor Fife Council's Structural Services Officers have raised any concerns with regard to flood risk. It is thus concluded that the proposed development would not give rise to significantly adverse flood risk concerns.

3.6.6 The management of surface water drainage from the development would comprise an underground surface water sewer network (generally running parallel to internal site roads), with runoff from site roads directed to the sewer network via road gullies. Runoff from lodge roofs would be routed via downpipes to the pipe network. The network would discharge surface water runoff to a SuDS pond to the north of the lodges. The SuDS pond would store water prior to releasing it at a controlled rate to the Cameron Burn in order to mitigate the increased discharge

rate and downstream flood risk. The SuDS pond would include an emergency overflow channel. Supporting drainage calculations and signed Fife Council design and check certificates have been submitted as part of the application. Fife Council Structural Services Officers were consulted on this application where they advised that they had no concerns to raise regarding the proposed surface water drainage arrangements or the supporting documentation. Overall, it is considered that no significant adverse effects would arise from the proposed surface water drainage arrangements, including downstream of the application site.

3.6.7 Under SEPA's Regulatory Method for Sewage Discharge to Surface Waters, SEPA's order of preference for means of foul water discharge are: 1 - Connect to a public sewer, 2 - Discharge to land, then 3 - Discharge to watercourse. As there is no Scottish Water public sewer within the vicinity of the site and given the potential impacts on the Cameron Burn, the Phase 1 application (17/03095/EIA) was approved with a septic tank and infiltration blanket to manage foul water produced by the development. Following approval of the application however, it was discovered that the ground conditions at the site were not suitable to accommodate the septic tank and infiltration blanket due to widespread clay / alluvial deposits overlying sedimentary bedrock. As an alternative, it was proposed for a sealed Cess tank to be installed at the site; the cess tank would be periodically emptied by an appointed specialist contractor; to enable Phase 1 open its doors and ultimately safeguard the viability of the development. Following discussions between the applicant's appointed engineer, Fife Council, SEPA and Scottish Water, the cess tank was accepted as a temporary foul drainage solution on the basis that it would be used temporarily until a more appropriate permanent solution was identified and installed. The temporary cess tank has since been installed and is emptied by an appointed contractor, with the foul water disposed of at Scottish Water's Alloa WWTW. It is noted that the 'temporary' timescale for the cess tank was not defined by any party, this is also noted by Cameron Community Council in their objection, however the disposal of foul water at the Alloa WWTW does require the continued agreement of Scottish Water; Scottish Water has advised the Planning Authority that they are content for the existing arrangement to continue for the time being, with reviews being undertaken every six months. The cess tank was designed to include the foul water produced by Phases 2 and 3 of the applicant's development aspirations, however it is not considered to be an appropriate long-term foul drainage solution. As noted in the supporting documentation for the current application, it was anticipated that the permanent solution was to be designed and submitted for approval of Fife Council, SEPA and Scottish Water by Q2 of 2021 - this information was not submitted, a fact noted by objectors to this application.

3.6.8 The proposed extension to the holiday lodge development originally proposed to make use of the temporary cess tank to manage the foul water discharge. During discussions at the time regarding the temporary cess tank, the Planning Authority confirmed they were prepared to accept its installation given that SEPA and Scottish Water were satisfied. SEPA advised that they had no concerns regarding its use providing the population equivalent (PE) of development connected to the cess tank did not exceed 363PE. The PE of each lodge is 3. With the 82 lodges approved within Phase 1 and hub building, the total foul water produced by Phase 1 is equal to a PE of 256. The total PE of Phase 2 would be 393, meaning that it would not be possible for the cess tank to accommodate all of the development, however a condition was suggested by the applicant to restrict the phasing of the development to ensure that no more than 36 of 131 units are occupied until a permanent foul water drainage solution was in place. It was suggested that the design of a permanent solution could also be secured through planning conditions. In their consultation response to this application, SEPA advised that they had no objection to the proposed development providing the PE across all phases of development served by the Cess tank did not exceed 363.

3.6.9 Notwithstanding the advice from SEPA and suggested restrictive phasing condition, the Planning Authority ultimately did not feel that it was appropriate to make use of planning conditions to permit further development at the site whilst there was no guarantee that a permanent foul water drainage solution could ever be delivered at the site – as above, the previously proposed solution for Phase 1 was found to be unviable due to ground conditions. The Planning Authority therefore requested that the applicant submit full details of a workable permanent foul water drainage solution. As described above, the application was amended to include a proposed Reed Bed-Willow Bed Soakaway system. The proposed system is detailed within a waste water strategy report which was submitted as an addendum to the ER.

3.6.10 Noting SEPA's Regulatory Method for Sewage Discharge to Surface Waters, the proposed system (which would discharge to ground) was chosen given the lack of public sewage infrastructure in the area. The proposed system would comprise four principle components; primary and secondary wastewater treatment plant; horizontal reed bed (tertiary treatment); lined willow beds (enhanced effluent polishing and volume reduction); and unlined willow bed/soakaway basin (final effluent polishing and discharge to ground). The entire flow of the system is proposed to be passive (gravity controlled), therefore no manual interventions would be required by site staff for the day-to-day operations. It is proposed that the Reed Bed-Willow Bed Soakaway system will also serve the existing Phase 1 development and recently approved Phase 3 development. In accordance with SEPA's requirements, the loading and flow calculations have been undertaken on the presumption that all three phases of the holiday park are 100% occupied at all times and the facilities are being fully utilised simultaneously. Calculations have also been provided to demonstrate that the proposed development would not give rise to harmful levels of Nitrates (NO₂), Nitrites (NO₃) or Ammonia (as Nitrogen) (NH₄). It is proposed to install two identical waste water treatment plants, each at 400PE (total of 800PE), with a flow dividing chamber after primary settlement splitting the inflow 50-50 to each plant; this approach would allow for the holiday park to remain partially open if one of the plants requires to be shut down for maintenance. The total PE of the three phases of the holiday park would be 796.

3.6.11 SEPA were consulted on the proposed permanent waste water drainage solution, advising that they have no objections to the scheme. SEPA did highlight however that a CAR application will still be required to be approved by SEPA following the approval of the planning application.

3.6.12 Turning to the timing of delivery of the permanent drainage solution, it is recognised that there is some capacity remaining with the temporary Cess tank (PE of 363), with approximately 36 of the proposed 131 caravans able to be accommodated. The current application stands to be considered on its own merits and the drainage implications can be considered anew in that context. It is recognised that the previous approvals can be built out utilising the existing septic tank in terms of the planning position. However, the Planning Authority does not consider that in assessing the current application that it would be appropriate to permit further caravans to be sited and occupied at the holiday park utilising the septic tank which was only accepted as a temporary expediency due to geological issues. The transporting of liquid waste across Fife in trucks is also not considered to be an environmentally sustainable solution for dealing with the waste generated by this development. It is therefore appropriate in assessing the current application on its own merits to place a suspensive condition on this consent relating to the proposed Reed Bed-Willow Bed soakaway being constructed, and functional. A condition is therefore proposed to ensure that the soakaway is provided and commissioned prior to the occupation of the first caravan approved as part of this proposal. Lastly, recognising that the temporary timescale of the Cess tank was previously undefined, an additional condition is

recommended to ensure that the Cess tank is ultimately removed from the holiday park site prior to the occupation of the 93rd unit – this number has been agreed in discussion with the applicant as it is appreciated that it may take some time to carry out the works to reroute the foul water drainage of the existing caravans and hub building to the proposed soakaway system.

3.6.13 In conclusion, the proposed development, including the construction phase, would not give rise to significantly adverse impacts on the water environment. The proposed development is not considered to be at risk of flooding, nor would it give rise to an increased risk of flooding elsewhere. The proposed surface water drainage arrangements, ultimately discharging to Cameron Burn at a controlled rate, are considered to be acceptable, as is the proposed foul water drainage scheme for the entire holiday park site.

3.7 NATURAL HERITAGE/ECOLOGICAL IMPACT

3.7.1 Policies 1, 10, 12 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018), Conservation (Natural Habitats, &c.) Regulations 1994 (as amended), Wildlife and Countryside Act 1981 (as amended), Wildlife and Natural Environment (Scotland) Act (2011) and Nature Conservation Scotland Act 2004 (as amended) apply in this instance with regard to natural heritage protection.

3.7.2 Policy 12 of FIFEplan (2017) sets out that development which detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use shall not be supported. To minimise or avoid a detrimental impact on ecological quality of the water environment, development proposals should demonstrate that they are designed and managed in a manner that will, wherever possible, leave ecological quality of the water environment in its natural state for example, avoiding engineering activities such as culverts, bridges, watercourse diversions, bank modifications, or dams.

3.7.3 Policy 13 of the FIFEplan (2017) states that a proposed development will only be supported where they protect or enhance natural heritage assets, including designated sites of international and national importance, i.e. Natura 2000 sites and Sites of Special Scientific Interest (SSSI). Where adverse impacts on existing assets are unavoidable the Planning Authority will only support proposals where these impacts will be satisfactorily mitigated. 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 (2018). Where the proposed development would potentially impact on natural heritage assets (including species), a detailed study must be undertaken by a suitably qualified person detailing the potential impact of the development. 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. Making Fife's Places Supplementary Guidance (2018) sets out that natural heritage assets should be protected with appropriate buffers applied, e.g. 10m either side of watercourses or woodland.

3.7.4 Cameron Reservoir is designated as a SSSI and SPA site. The location of the proposed development is around 0.3km from the Cameron Reservoir SPA. The reservoir qualifies as an SPA for regularly supporting internationally important numbers of wintering Pink Footed Geese. The SPA boundary is coincident with Cameron Reservoir SSSI, also notified for Pink Footed Geese. The application site itself, surrounding woodland, hedgerows and Cameron Burn are considered to be ecologically rich and have the potential to provide habitat for a variety of species. Chapter 5 of the ER considers the ecology, biodiversity and nature conservation

impacts of the proposed development, with Chapter 6 exploring the ornithological impacts. An addendum was produced for Chapter 5 to include the waste water drainage solution which was added to the proposed development.

3.7.5 Informed by a preliminary ecological assessment at the EIA scoping stage, the species scoped in for assessment in the ER are otters, amphibians (great crested newt), bats, red squirrels and badgers. Chapter 5 of the ER is supported by detailed surveys and mapping of the identified species, concluding that there would no significant residual effects from construction or operation, however further inspections were recommended. The ER recognises that the construction works would result in direct habitat loss, with trees, hedgerows and agricultural land to be removed, whilst increased site activity, through construction operatives, machinery and lighting could lead to disturbance impacts to species of fauna that use the site. Construction works also have potential to generate mobile sediments and spilled substances which could be carried into the Cameron Burn. The ER also notes that the development, once occupied, through increased site activity, through visitors and pets, traffic and associated lighting, could lead to disturbance impacts to species of fauna that use the site.

3.7.6 Nevertheless, the ER does sets out that the proposed mitigation, including the proposed creation of large areas of understorey wildflower habitat and 3m outer edges of shrub planting within the structural woodland areas, wetland meadow, tree and hedgerow planting and the retention and strengthening of existing hedgerows would support multiple species of fauna such as birds, invertebrates and small mammals and has the potential to strengthen the network of habitats, enhancing the potential connectivity of the site for fauna into the wider green network. It is also noted that the proposed waste water drainage solution would comprise a combined wetland ecosystem which would create a diverse selection of habitats comprising a reedbed, an osier coppice woodland and associated structural native woodland planting and extensive areas of species rich grassland. The wastewater infrastructure would be in an area of currently unmanaged grassland located to the south of the Cameron Burn, the location of which is currently of limited ecological value, containing plant species which are widespread and common through the surrounding area. The North bank Access and Visitor Management Plan (Appendix D3 of the ER) has also been developed to help safeguard the fauna in the wider area from pedestrian and dog walker disturbance. Lastly, a number of environmental commitments are recommended within the ER that should be adhered to during the construction phase to protect the ecology of the site and surroundings. Overall, it is considered that the proposed development would lead to biodiversity enhancement at the site.

3.7.7 The proposed development would not have any physical impact on the Cameron Reservoir SSSI/SPA. Surface water from the site would discharge to the Cameron Burn (via a SuDS pond) which is downstream from the Cameron Reservoir.

3.7.8 Through the proposed environmental commitments during construction and the proposed landscaping and planting, as well as the visitor management plan, the ER concludes that the development would not adversely impact on any protected species, indeed, the development through the proposed planting/landscaping could offer improved habitats. The Planning Authority are satisfied that the proposed planting and landscaping would improve the biodiversity of the area, complying with the requirements of FIFEplan Policy 13. Conditions are included in the recommendation to ensure the landscaping and planting are provided to mitigate the habitat loss of the proposed works take place and thereafter maintained. A condition is also recommended to ensure the environmental commitments contained within the ER are adhered to.

3.7.9 Upon review of the application, NatureScot confirmed that they did not have any concerns to raise regarding the construction or operational phases of the development, satisfied that the proposed development would not adversely impact on any protected species or natural heritage designations/assets. They did however note that some of the mitigation measures from Phase 1 of the development did not appear to have been complied with, including the erection of fencing and gate to prevent access to the Cameron Reservoir, whilst they were also concerned that the proposed circular walking route could disrupt otters which make use of the southern bank of the Cameron Burn. Following discussions with the applicant regarding NatureScot's comments, the applicant has provided evidence that the outstanding mitigations measures from the Phase 1 development have now been carried out – these have been approved through the Planning Authority's condition compliance procedures. Regarding the potential disruption to otters, the proposed walking route (contained within the Northbank Access and Visitor Management Plan) was amended to ensure a greater separation between the path and banks of the burn, with otter fencing also added to the proposals. A condition is recommended to secure the otter fencing.

3.7.10 As detailed in Chapter 6 of the ER, as well as desk studies which considered land and designated site beyond the site, the ER was informed by site walkover surveys undertaken over a number of days. Thirteen designated and protected sites were identified within 10km of the application site. Cameron Reservoir was given particular consideration within the ER given its close proximity to the site and as pink-footed geese are noted in the reservoir's SSSI, SPA and Ramsar designations. In addition to pink-footed geese, a wide range of bird species have historically been recorded on Cameron Reservoir, as well as within the woodland along the southern shore of the reservoir, and in the fields to the west and north of the reservoir.

3.7.11 During the walkover surveys undertaken during the bird breeding season, 32 species were recorded in the survey area; of these 32, three are currently red-listed (Herring Gull, Starling and Yellowhammer) and four amber-listed (Mallard, Meadow Pipit, Reed Bunting and Willow Warbler) Birds of Conservation Concern (BoCC). No Schedule 1 or Annex I species were recorded during the breeding bird surveys. A total of 47 bird species were recorded within the survey area during the winter bird surveys; of these, 16 species were recorded within the site, with 31 species in the buffer or flying over the site. One of the 47 bird species recorded within the buffer was a Schedule 1 species (Whooper Swan). Out of the 47 birds species recorded, eight are currently red-listed and 16 are amber-listed BoCC. No pink-footed geese or whopper swans were recorded within the application site.

3.7.12 The proposed development of the site would lead to the permanent loss of an arable field, hedgerows and a strip of improved grassland, which provides suitable foraging and nesting habitat for birds. The ER recognises that disturbance associated with construction activities may displace birds from the site and surrounding area, further reducing suitable foraging and nesting habitat. Disturbance during construction would include noise and lighting at levels greater than currently experienced at the site. If construction is carried out during the over-wintering season (September to April) then the disturbance associated with construction could impact roosting pink-footed geese utilising Cameron Reservoir. The removal of vegetation during the breeding bird season could destroy active nests. Once operational, the proposed development would lead to an increase in the levels of disturbance through visitors, pets and additional sources of artificial lighting. The ER considers that this disturbance may temporarily discourage or permanently prevent use of the site and adjacent fields by breeding or roosting birds. Due to the increase in human presence at the site, there may also be an increase in recreational disturbance at Cameron Reservoir SPA/Ramsar/SSSI in the form of walkers and dogs.

3.7.13 The ER evaluates the effects on breeding birds, wintering birds and the Cameron Reservoir SPA/SSSI/Ramsar as a consequence of habitat loss, vegetation removal and disturbance stemming from the construction and operational phases of the proposed development. It is considered that the proposed development would not give rise to significant impacts for breeding birds, however it is noted the removal of vegetation during the breeding bird season could destroy active nests (breaching legislation) and therefore it is recommended that all clearance works take place outwith the breeding season. The planting of trees and installation of bird nest boxes is proposed to increase opportunities for nesting birds within the site. Turning to wintering birds, the ER predicts that the magnitude of impacts would be low, with no significant adverse effects occurring within the site from habitat loss and disturbance. The magnitude of impact is considered to be low and no likely significant effect are predicted likewise when evaluating the effects Cameron Reservoir SPA/Ramsar/SSSI from habitat loss.

3.7.14 The ER considers that disturbance during the construction of the proposed SuDS pond could potentially displace geese roosting on at the eastern end of Cameron Reservoir, however the disturbance would not be substantial enough to prevent the geese from roosting on the reservoir altogether, with geese able to roost at the western end of the reservoir during the 4-6 week construction period. No significant effects are therefore predicted from these works. Mitigation is proposed by way of restricting working hours during the winter months to avoid works the period 1 hour before sunset until 1 hour after sunrise. Once in operation, disturbance from the SuDS ponds is predicted to have a negligible impact on roosting geese. Due to the increase in human presence at the site, during the operational phase of the development, the ER considers that there may be an increase in recreational disturbance at the nearby Cameron Reservoir SPA/Ramsar/SSSI in the form of walkers and dogs. Currently there is a public presence at the reservoir in the form of St Andrews Angling Club that has 25 bank angling spaces and six rowing boats; no fishing is allowed however if pink-footed geese are roosting. There is also a publicised perimeter walk of the reservoir with a core path network around the whole of the reservoir perimeter. However, an increase in recreational disturbance (especially in the late evening when the geese come into roost) could lead to a reduction in the numbers or avoidance of the site by overwintering pink-footed geese and other waterfowl. The ER predicts that this could potentially involve the long-term displacement of the pink-footed goose population and therefore the magnitude of impact is considered high. As the pink-footed goose population is considered to be of international importance, the impact in the absence of mitigation is regarded to have a likely significant negative effect of international significance. The disturbance of pink-footed geese is highlighted in the objections to this application. The impact upon the local population of breeding birds at Cameron Reservoir is considered to be negligible and no likely significant effect is predicted.

3.7.15 To mitigate the impacts of increased activity during the operational phase of the development, the 'Northbank Access and Visitor Management Plan' has been proposed to proactively manage the potential effects, with direct public access to the reservoir from the site prevented during the period when pink-footed geese are most likely to be present on the reservoir (September to March); visitors to the site will have access to a 1.6km walking route within the site year round. The proposed mitigation measures are deemed to be acceptable by the Planning Authority and it is ultimately considered that by securing this mitigation, the proposed development would not have a significant impact on pink-footed geese, nor other birds which make use of Cameron Reservoir. The ER also makes mention of a proposal to re-route part of the core path away from the western end of the reservoir, so that the path is screened from the reservoir by the embankment, however this proposal does not form part of this planning application. Objectors to this application set out that even with access to the reservoir from the site being prevented during the winter months, there is a potential for the additional visitors to

the area choosing to access the core path around the reservoir from other locations. Whilst these concerns are noted, it is considered that it would ultimately be unreasonable to expect the applicant to put in place measures to restrict access to the reservoir by visitors beyond the site; it is also noted that it would be challenging for visitors to the holiday park to walk to the reservoir given the lack of footways on the A915.

3.7.16 Overall, from reviewing the information within the ER and additional documents which support the planning application, the Planning Authority are satisfied that the proposed development would not give rise to significant ecological or ornithological impacts, complying with the requirements of the development plan. Conditions are recommended to secure mitigation measures.

3.8 CONTAMINATED LAND AND AIR QUALITY

3.8.1 SPP (2014), PAN 33: Development of Contaminated Land (2000), PAN 51: Planning, Environmental Protection and Regulation (2006) and Policies 1 and 10 of FIFEplan Local Plan (2017) apply with regards to land stability and air quality in this instance.

3.8.2 PAN 33 advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use. PAN 51 aims to support the existing policy on the role of the planning system in relation to environmental protection regimes as set out in the SPP. Policy 10 of FIFEplan advises development proposals involving sites where land instability or the presence of contamination is suspected, the developer is required to submit details of site investigation to assess the nature and extent of any risks presented by land stability or contamination which may be present and where risks are known to be present, appropriate mitigation measures should be agreed with the Council, and the Coal Authority where relevant.

3.8.3 The site and surrounding area have largely remained undeveloped since pre-1855, with the main land use being agricultural. Two previous quarry sites known as North Bank Quarries are adjacent to the western site boundary. The potential impacts on geology, hydrogeology and soils in and around the site is considered within Chapter 9 of the ER. A 'Phase 1 Geo-Environmental Report', prepared by ITP Energised - May 2021, has been submitted as part of the ER appendices. The Phase 1 report recommends that targeted site investigation works to confirm ground conditions at the site are carried out. A Construction Environmental Management Plan (CEMP) is also recommended to control potentially polluting activities to prevent adverse impact to downstream persons, properties and environment during the construction phase. The ER concludes that the risk of significant effects from contamination during the construction of the proposed development will be negligible following the inclusion of proposed mitigation measures. In addition, the risk of effects from contamination during the operation of the proposed development is considered to be negligible to minor beneficial. There are no ground stability issues or cumulative impacts considered likely.

3.8.4 Fife Council's Land and Air Quality Officers were consulted on the application to provide comment on the submitted ground investigations information. Officers have recommended that consideration be given towards incorporating the drilling of boreholes and the associated monitoring of ground gases into the proposed site investigation works in order to confirm the current ground gas conditions at the site associated with the former quarries located in the immediate vicinity of the proposed development. Officers recommended that should this EIA application be approved, a condition be included in the recommendation for a Phase 2 Investigation Report to be submitted to the Planning Authority and for a remediation strategy to

be developed and remediation works to be carried out at the site (if considered necessary by the Phase 2 report). A further condition is also recommended for details of any unexpected contamination to be reported to Fife Council.

3.8.5 It is recognised that the site has is identified as being at low risk for coal mining legacy issues, however the part of site which includes the internal road network of the existing holiday lodge development is considered to be high risk. A coal mining risk assessment was not included within the ER, however it is noted that one was carried out for the Phase 1 proposal where no concerns were raised. In their consultation response to this EIA application, the Coal Authority did advise that in accordance with the agreed risk-based approach to development management in Development High Risk Areas, past coal mining activities within the site should be fully considered as part of the ER - this should take the form of a risk assessment, together with any necessary mitigation measures. The Coal Authority did not object to the proposed development. Notwithstanding the request from the Coal Authority, given as a coal mining risk assessment has previously been submitted for the Phase 1 development and as the area of the site which is identified as high risk relates to the internal road network of the Phase 1 development to which the proposed development would connect, it is considered that the proposed development would not give rise to coal mining legacy risks that have not already been considered.

3.8.6 Lastly, with regard to air quality, an outline CEMP has been submitted within the ER which sets out steps that can/shall be taken to limit air quality impacts and reduce dust during the construction phase of development. From a review of publicly available air quality information, air quality in proximity of the proposed development site is considered to be good and the site is therefore deemed to be suitable for its proposed use with regard to air quality. Fife Council's Land and Air Quality Officers have not raised any concerns with regard to air quality.

3.8.7 Overall, from reviewing the information within the ER and additional information submitted as part of the planning application, and taking into consideration comments from the Coal Authority and Fife Council's Land and Air Quality Officers, the Planning Authority is satisfied that the proposed development would not give rise to significantly adverse environmental impacts on geology, hydrogeology and soils in and around the site, nor would it give rise to adverse air quality impacts. Conditions are recommended to secure further ground investigations and a CEMP.

3.9 COUNTRYSIDE ACCESS

3.9.1 SPP (2014) and Policies 1 and 13 of FIFEplan (2017) shall be taken into consideration when assessing impacts on the Core Path Network and rights of way.

3.9.2 The SPP in terms of sustainable development advocates the protection of enhancement and promotion of access to the natural heritage, including green infrastructure, landscape and the wider environment. The part of the policy aimed at "Maximising the benefits of Green Infrastructure" sets out a set of policy principles to help guide the delivery of this. The planning system should ensure it is "an integral element of places", facilitate the long term, integrated management of green infrastructure and provide for easy and safe access to and within green infrastructure.

3.9.3 Policy 13 of FIFEplan sets out that development proposals will only be supported where they protect or enhance natural heritage and access assets including: core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation.

Where adverse impacts on existing assets are unavoidable, the Planning Authority will only support proposals where these impacts will be satisfactorily mitigated. The application of this policy will require to safeguard (keep open and free from obstruction) core paths, existing rights of way, established footpaths, cycleways, bridleways and access to water-based recreation. Where development affects a route, it must be suitably re-routed before the development commences, or before the existing route is removed from use.

3.9.4 Cameron Reservoir is encircled by the Core Path Network, with a claimed right of way leading to the reservoir along the route of the Cameron Burn. An Access and Visitor Management Plan for the Phase 2 development has been submitted (Appendix D3 of the ER), furthering the documents submitted for Phase 1. As approved as part of the Phase 1 application, there is a footpath leading to the reservoir from the holiday lodge site - access along this footpath is seasonal (secured by a locked gate) in the interests of preventing access to the reservoir from the proposed development during the months of the year that pink-footed geese are most likely to be present (September to March, inclusive). The proposed development does not seek to change this previously agreed mitigation measure. Included within the application is a proposal to create a short walking route (1600 linear metres in length) at the north of the site (around the foul and surface water drainage areas and along the banks for the burn) to provide a circular walking route for visitors when access to the reservoir is restricted; the route would be open all year. An access strategy and details of wayfinding have been submitted for the proposed development and wider surroundings. Overall, the Planning Authority is satisfied that the proposed development would not impact on any existing Core Path or right of way, whilst providing appropriately safeguarded measures to encourage access to the countryside.

3.9.5 As set out in Appendix D of the ER, the core path on the western boundary of the reservoir passes along the top of the dam, with walkers, cyclists and horse riders using the path visible during the winter to overwintering geese which is considered to cause disturbance when the geese are roosting. It is set out in the Access and Visitor Management Plan document that the current route is incorrectly located and that the correct route lies to the west of the dam, where walkers, cyclists and horse riders would not be visible to roosting geese. There is an apparent willingness from stakeholders to divert the path from its current alignment to the correct core path alignment. Whilst included in the application submission, it is considered that such works to realign the core path are outwith the scope of this application and therefore it would not be appropriate for the Planning Authority to assess the impact of these potential works at this time (nor include any conditions to secure such works).

3.9.6 Overall, it is considered that the proposed development would not impact on the existing Core Path or rights of way within the vicinity of the site and would further the infrastructure approved in Phase 1 to provide a circular walking route for guests within the holiday lodge site when access to the reservoir is restricted.

3.10 LOSS OF PRIME AGRICULTURAL LAND

3.10.1 SPP (Promoting Rural Development) (2014) and Policies 1 and 7 of FIFEplan Local Development Plan (2017) apply with regard to the loss of prime agricultural land.

3.10.2 SPP (Promoting Rural Development) recommends that development on prime agricultural land, or land of lesser quality that is locally important should not be permitted except where it is essential:

- 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; or
- for small-scale development directly linked to a rural business; or
- for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status.

3.10.3 Policy 1 of FIFEplan sets out that in the case of proposals in the countryside or green belt, development must be a use appropriate for its location. Policy 7 sets out that development on prime agricultural land will not be supported except where it complies with the requirements of SPP.

3.10.4 The majority of application site is classified under the James Hutton Institute's land capability map for agriculture as class 3.2 agricultural land (considered to be non-prime), however part of the site (most northerly section) is classed as 3.1 (prime). As discussed previously in this report, as the proposed development is for an extension of an established rural business, it is considered that proposed development would comply with the requirements of SPP and Policy 7 of FIFEplan (2017) with regard to development of prime agricultural land. The loss of the small area of agricultural land would not have an adverse impact on the availability of agricultural land in north east Fife, whilst the shape of the application site would also not raise any difficulties for farming the surrounding land. Overall, the loss of small are of agricultural land is considered acceptable on this occasion.

3.10.5 In conclusion, as the proposed development be an extension to an existing rural business, it is considered that the loss of small area of prime agricultural land would be acceptable on this occasion.

3.11 LOW CARBON/SUSTAINABILITY

3.11.1 Fife Council promotes sustainable development and consideration of this is set out within SPP, Policies 1 and 11 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018) and the Fife Council Low Carbon Fife Supplementary Guidance (January 2019).

3.11.2 SPP (2014) (paragraphs 29-32) introduces a presumption in favour of development that contributes to sustainable development. 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. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

3.11.3 Policy 11 (Low Carbon) of the Adopted FIFEplan states that planning permission will only be granted for new development where it has been demonstrated that:

1. The proposal meets the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards), and that low and zero carbon generating technologies will

contribute at least 15% of these savings from 2016 and at least 20% from 2020. Statutory supplementary guidance will provide additional advice on compliance with this requirement;

2. Construction materials come from local or sustainable sources;

3. Water conservation measures are in place;

4. 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; and

5. Facilities are provided for the separate collection of dry recyclable waste and food waste.

All 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.

3.11.4 Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) notes that all local applications are expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Air quality assessments are required to all EIA applications.

3.11.5 A review of air quality within the vicinity of the application site has been undertaken which confirms that there are very low levels of air pollution within the locality. A screening assessment of the proposed development's impacts upon the local air quality during its operational phase has been undertaken in accordance with guidance from the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK). The screening assessment considers the proposed development solely and in combination with the consented Phase 1 development. The screening assessment concludes that the proposed development would have a negligible impact upon the local air quality during the operational phase.

3.11.6 A Low Carbon Checklist have been submitted as part of this planning application, in accordance with Policy 11 and the Low Carbon Guidance. As set out in the submitted checklist, and should be noted by Members, caravans are not considered to be buildings under planning law and are exempt from the building regulations through Regulation 3 (Schedule 1, Type 12) of the Building (Scotland) Regulations 2004 (as amended), meaning the proposed lodge style caravans are exempt from to need to incorporate low carbon generating technologies. Furthermore, the application site is located more than 1km from a district heating network. The caravans are however anticipated to be externally clad in with a high density wood composite cladding material which is supported by the Planning Authority, whilst it is also noted that the caravans shall be manufactured in a factory environment which shall produce very little wastage. SuDS and onsite waste management are proposed as part of this application, the details of which are acceptable to the Planning Authority.

3.11.7 With regard to travel and transport, it is acknowledged that the site is remote from defined settlements (as per FIFEplan) and shops and services, however the local bus services (X58/X58A) operate on an hourly basis to and from St Andrews and Leven and will stop at the holiday lodge resort site entrance (bus stops on either side of the report were approved as part of Phase 1 application); the bus journey to St Andrews would take approximately 15 minutes, and 25 minutes to Leven. Local bus services would be available from the early morning until the early evening Mon-Sat, with no services on Sundays. In terms of access to the countryside, the site is well located with existing established paths including a substantial core path network. The remoteness of the site does reduce its accessibility from non-car modes of transport, however (as above), it has been demonstrated that the development would not give rise to air quality issues (including from car movements). Additionally, it is considered that the location of the rural based holiday accommodation proposal is driven by the site's detachment from the built

environment. Therefore, as the principle of the development in the countryside is considered to be acceptable in general land use terms (as above), the accessibility of the site is thus accepted.

3.11.8 Considering the temporary Cess tank installed at the site which requires to be emptied by a tanker vehicle which disposes of the waste at Alloa, a trip of approximately 50 miles, it is recognised that as the number of occupied lodges at the site increases, the frequency of how often the Cess tank will required to be emptied will be increased (resulting in a greater number of tanker movements). However, as the proposed development includes a permanent waste water drainage solution which would remove the need for the Cess tank, the Planning Authority are satisfied that the environmental impacts attributed to the tanker vehicle trips will be removed once the Cess tank becomes obsolete.

3.11.9 Overall, it is considered that the development complies with the Local Development Plan in this regard and meets the requirements of the Low Carbon Fife policy and Supplementary Guidance. Through this, the development would also meet SPP in this regard.

3.12 CUMULATIVE ASSESSMENT

3.12.1 Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, require that the cumulative effects of any proposed development be taken into account as part of the EIA process. Cumulative effects are those that occur when a number of individual predicted environmental impacts from a proposed development collectively cause a greater effect on any one receptor than would be experienced in isolation. PAN 1/2013: Environmental Impact Assessment sets out that when considering the potential impact of a particular proposal on the environment, planning authorities will wish to take account of Impact Interactions (i.e. the reactions between the impacts of just one project or between the impacts of other projects in the area) and Additive Impacts (i.e. impacts that result from incremental changes caused by other past, present or reasonably foreseeable actions together with the project). Primarily though, the decision maker should firstly consider the individual merits of the application before them as the other unbuilt proposals may never come to fruition. As a result, and in the interests of proper planning, some weight thereafter can also be given to the potential impacts this application could have on those other potential applications as well as the combined effect (positive and negative) on the wider environment.

3.12.2 It is considered that the relevant standards of cumulative assessment for EIA purposes have been used and the Planning Authority concurs with the cumulative assessment outcomes and relevant recommendations contained within each chapter of the submitted ER. The Planning Authority also agrees with each of the developments selected in the ER (presented in Appendix A1) and the predicted environmental impacts associated with them when considering the potential cumulative impacts.

3.12.3 In this instance, this Planning Authority considers the potential cumulative impacts have been assessed and that as a result of this development, there would be no significant cumulative impacts to necessitate an alternative recommendation, subject to the provision of the draft conditions to mitigate for the respective matters addressed within this report.

13 REASON(S) FOR APPROVING AN EIA APPLICATION/MITIGATING MEASURES/ENVIRONMENTAL COMMITMENTS AND CONDITION(S)

3.13.1 In accordance with the Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, under Regulation 29, Planning Authorities must outline the reasons and considerations on which their decision was based and if the decision is to grant consent, then they must list the conditions of mitigation in the decision notice. The 2017 Regulations also require an assessment be made of the alternative options considered and whether those options would or would not have been more harmful in EIA terms.

3.13.2 In terms of the environmental impacts, the development is considered acceptable in all regards. Whilst it is acknowledged that the development could have significant impacts on the rural landscape, the mitigation proposed is considered to be appropriate to minimise any prolonged visual and landscape impacts. Similarly, the proposed visitor management plan would ensure that there would be no significant impact on the natural environment and protected species. The development would not have a significant impact on the water environment, both during construction and operational phases. There would be no significant air quality issues and the land quality and stability issues can also be mitigated through remediation works. It is considered that the ER overall provides sufficient mitigation measures to protect the environment from adverse effects from this development.

3.13.3 Overall, each of the proposed elements associated with the scheme have been assessed in detail, and the wider potential environmental and cumulative impacts assessed in accordance with agreed standards and regulatory requirements and this proposal is deemed to be acceptable with no significant environmental impacts resulting. With regard to the assessment of alternative sites, it is noted that the decision to proceed with the Phase 1 site included examination of alternative sites throughout Scotland. As the proposed development represents a Phase 2 northern extension to the consented EIA development, it relies upon key elements of infrastructure such as the roads, drainage and the hub building consented as part of Phase 1, and therefore no additional alternative sites were taken into consideration for the proposed development. It is set out in the ER that the reasons for selecting the site for Phase 1 remain pertinent to the proposed development of Phase 2. The Planning Authority is accepting of the argument that for the development to be an extension of the recently approved tourism and leisure development, the site for the extension requires to be directly linked to what has come before it in order to connect to the existing infrastructure.

3.13.4 Full details of the applicant's measures and commitments can be found in Chapter 10 of the submitted ER. It is considered that the mitigation commitments set out within this chapter would be sufficient to avoid any significant impact from this development on the environment along with the planning conditions recommended as part of this report. A condition is recommended which would set the requirement for the applicant to employ a clerk of works to confirm compliance with the mitigation measures and to report on these within an agreed timetable.

CONSULTATIONS

Scottish Water

Sufficient capacity in the Glenfarg Water Treatment Works. No objection to the continued use of the temporary cess tank.

Land And Air Quality, Protective Services

No objections. Conditions recommended.

Policy And Place Team (North East Fife Area)	No comments.
Structural Services - Flooding, Shoreline And Harbours	No objections.
Natural Heritage, Planning Services	No comments.
Transportation And Environmental Services - Operations Team	No comments.
Environmental Health (Public Protection)	No objections providing CEMP is adhered to.
Transportation, Planning Services	No objections. Conditions recommended.
Parks Development And Countryside	No comments.
Transport Scotland	No objections.
Archaeology Team, Planning Services	No archaeological issues.
Built Heritage, Planning Services	There would be no adverse impact on any built heritage.
Trees, Planning Services	No comment.
The Coal Authority	Further information requested. As set out in paragraph 3.8.5, the Planning Authority is satisfied that further information is not required.
Strategic Policy And Tourism	No comments.
Community Council	Object as statutory consultee.
Scottish Environment Protection Agency	No objection.
NatureScot	No objections. No adverse impact on SPA.
Urban Design, Planning Services	No objections. Layout, design and materials should match Phase 1.

REPRESENTATIONS

Ten objections, including one from the Cameron Community Council as a statutory consultee, and one general comment have been received in response to this application. The concerns raised in the submitted representations, and the Planning Authority's response to these, are summarised below.

1. Infrastructure of A915 not suitable to accommodate increase in traffic - should be upgraded
- This matter is fully addressed in paragraph 3.5.7 of this report.
2. Increased surface water runoff could impact Cameron Burn
- This supporting information and calculations submitted for this application indicate that the proposed SuDS basin will sufficiently manage surface water runoff from the development before discharging it at a controlled rate.
3. A permanent foul water drainage system has not been proposed
- This matter is fully addressed in paragraphs 3.6.7 and 3.6.8 of this report.
4. No restriction on the use of the temporary cess tank
- A permanent foul water drainage solution is proposed.

5. Existing cess tank not suitable to accommodate proposed development
 - A permanent foul water drainage solution is proposed.
6. Increased footfall/human activity could impact on wildlife at Cameron Reservoir, including Pink-Footed Geese
 - This matter is fully addressed in section 3.7.13 of this report.
7. Scale of proposed extension would have an adverse impact on landscape
 - This matter is fully addressed in section 3.3 of this report.
8. Proposed development will impact on general compliance with site operator's contracted 'curfew' for visitors
 - This is not a material planning matter.
9. Proposed development will impact on ability for site operator to manage infrastructure connections i.e. gas
 - This is not a material planning matter.
10. Increased traffic movement through lodge development will impact safety of pedestrians
 - As discussed in paragraph 3.5.6 of this report, the proposed pedestrian network and shared surface roads (with low vehicle speeds) is considered to be acceptable.
11. Holiday lodge site does not have amenities to accommodate increased number of visitors
 - As a private enterprise, the suitability of the site's amenities is not a material planning matter. It is noted however that the holiday park features dining, retail and exercise facilities.
12. Proposed lodges would lead to loss of privacy for existing/consented lodges
 - This matter is fully addressed in paragraph 3.4.8 of this report.
13. Misrepresentation from applicant when purchasing lodge within phase 1 on future expansion plans
 - The applicant carried out the necessary statutory pre-application consultation requirements.
14. Error in landownership certificate
 - A revised certificate has since been provided by the applicant.
15. Loss of agricultural land
 - This matter is fully addressed in paragraph 3.10.4 of this report.
16. Concerns regarding the policing of the visitor management plan
 - The visitor management plan forms part of the Schedule of Environmental Commitments which the developer must adhere to.
17. Development will result in loss of natural habitats on the site
 - This matter is fully addressed in paragraphs 3.7.5 and 3.7.6 of this report.
18. Existing business/Phase 1 development is not suitably established for an extension to be considered under Policy 7 of FIFEplan
 - This matter is fully addressed in paragraph 3.2.7 of this report.

19. Application does not accurately assess the potential flood risk impacts
- The flood risk assessment and drainage information has been reviewed by SEPA and Fife Council's Structural Services Officers, neither of whom have raised any concerns.
20. Construction phase could result in water pollution
- The discharge of potentially polluted water shall be managed through CAR licencing regime - more information on this is process is detailed in the Schedule of Environmental Commitments.
21. Application site is potentially contaminated
- This matter is fully addressed in section 3.8 of this report.
22. Development would result in adverse light pollution
- This matter is fully addressed in paragraphs 3.3.7 and 2.4.6 of this report.
23. Increased traffic movements will give rise to air pollution
- An air quality screening assessment has been undertaken which confirms the development (in addition to Phase 1) would have negligible impacts upon the local air quality once the site is occupied.
24. No commitment to low carbon technologies
- This matter is fully addressed in paragraphs 3.11.6 of this report.
25. Applicant is unable to prevent visitors from accessing Cameron Reservoir via an alternative route when gate is locked, nor control how visitors behave when using core path around Cameron Reservoir
- The Core Path surrounding the reservoir is freely open to the public year round and the impacts this has on the reservoir is considered to be beyond the consideration of this planning application.
26. Cumulative impact of tourism developments will have adverse impact on landscape
- This matter is fully addressed in paragraphs 3.3.11 and 3.12.3 of this report.
27. ER does not contain sufficient information to assess impacts on Pink-Footed Geese
- The surveys that informed the ER are considered to be appropriate and are sufficient for detailed assessments of the impacts of the development to be made.

CONCLUSIONS

The proposal would be acceptable in its environmental impact, with it particularly noted that the particularly important considerations in this respect have been the impacts on the landscape of the area as well as on immediate and adjoining habitats and the species which both permanently and transiently inhabit these. In terms of species and habitats the assessment, the impact on Cameron Reservoir and its seasonal habitation by Pink Footed Goose was carefully assessed in addition to wider habitats and species in the area, including the areas of woodland. In relation to each of these issues, the effect of mitigation is especially important in ensuring the proposal was considered acceptable, with it noted that the effect of planting is especially key. In relation to minimising landscape impact this would avoid the development being excessively prominent and visible in the context of the surrounding landscape and well as itself not being an unduly conspicuous feature when viewed directly. Additionally, proposed woodland, landscape, amenity and reed bed-willow bed planting shall play an important role in providing both new habitat for many species. Overall, the development would have no significant detrimental impact that could

not be mitigated against and also has the potential to provide positive infrastructure and economic improvements both locally and regionally. Consequently, the proposal is acceptable in terms of the Town and Country Planning (Environmental Impact Assessment Regulations) (Scotland) 2017 and in particular Section 29 (c); as well as the Adopted FIFEplan and all other applicable material considerations. The proposal is therefore considered acceptable.

The submitted ER concludes that there would be no detrimental impact on the environment from this development either individually or cumulatively. The Planning Authority is satisfied that as this development is for an extension to an existing holiday lodge development which was assessed under the Town and Country Planning (Environmental Impact Assessment Regulations) (Scotland) 2017, there is no required for the ER to include a detailed consideration of alternatives sites that may be more appropriate in terms of environmental impact, with this assessment haven been undertaken for the consented holiday lodge development. The ER fully considers all of the potential environmental impacts of this development and proposes sufficient mitigation and an appropriate monitoring regime. The development would have no significant detrimental environmental impact which would warrant refusal of this application.

In accordance with Section 29 (d) of the Town and Country Planning (Environmental Impact Assessment Regulations) (Scotland) 2017 it is noted here that the due information and arrangements have been made for the public to participate in the decision making process. In particular it is noted that - in addition to the required pre-application publicity and event held as required statutorily for this Major development - this specific planning application has been advertised and made available for viewing by the public alongside the invitation to make representations in full accordance with statutory provisions.

In accordance with Section 29 (e) of the Town and Country Planning (Environmental Impact Assessment Regulations) (Scotland) 2017 it is noted that comments received as part of the consultation and representation process have either been addressed or incorporated as part of this decision and the decision making process. In particular it is noted that concerns raised relating to visual, landscape and biodiversity as well as matters of access, road safety, drainage and residential amenity have been considered and informed this decision when considering whether to grant permission as well as the conditions of the permission itself.

There is not considered a need to make specific monitoring arrangements under Section 30 of the Town and Country Planning (Environmental Impact Assessment Regulations) (Scotland) 2017 given the existing legislative powers the Council as Planning Authority are sufficient in this case to ensure monitoring and enforcement of the required terms of this permission. This includes conditions attached to the permission which also thereby requires full implementation of the EIA Report schedule of Mitigation Measures.

RECOMMENDATION

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

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. The full extent of measures specified in the 'Schedule of Environmental Commitments' contained in Chapter 10 of the EIA Report (Brindley Associates, August 2021) submitted with this application shall be implemented in full and at the points in the development process as stipulated in the 'Schedule of Environmental Commitments' for the relevant mitigation in question unless otherwise agreed in writing by Fife Council as Planning Authority. Where no specific trigger point or period of time is specified for a particular action to be undertaken as a mitigation measure in the 'Schedule of Environmental Commitments', this shall take place no later than by the commencement of development unless otherwise agreed in writing by Fife Council as Planning Authority.

Reason: In the interests of mitigating adverse environmental impacts arising from the proposal which would otherwise make the development unacceptable in terms of its environmental impact, including - but not limited to - its impact on species, habitats, landscape, ground conditions, water environment and residential amenity.

3. A Clerk of Works shall be employed to ensure that the commitments and mitigation measures specified within Chapter 10 of the EIA Report are adhered to. BEFORE WORKS START ON SITE, a remit for this Clerk of Works shall be submitted for the written approval of Fife Council as Planning Authority. The remit shall also confirm when the Clerk of Works can be discharged from their duty with a final report to be provided for Fife Council as Planning Authority at this time.

Reason: To ensure the development progresses in accordance with the terms of the EIA Report which forms part of the application proposals.

4. A maximum of 131 caravans shall be sited within extension to the tourist, commercial and leisure park unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: To clearly define the extent of the permission.

5. FOR THE AVOIDANCE OF DOUBT, no caravan positioned within the site shall be sold or let as a dwellinghouse and shall be occupied only as holiday accommodation with no single holiday let longer than 12 weeks in any calendar year.

Reason: In order to ensure that proper control is retained over the development and that the site does not provide permanent residential accommodation.

6. PRIOR TO THE COMMENCEMENT OF WORKS, details of the external materials, finishes and colours for each caravan unit approved (in particular relating to the roof, windows and walls) shall be submitted to and agreed in writing with the Council as Planning Authority. Thereafter each caravan approved shall be constructed and finished in full accordance with the agreed details prior to being brought into use.

Reason: To define the terms of this permission and ensure that the development is in-keeping with the character of the surrounding area

7. PRIOR TO THE COMMENCEMENT OF WORKS, samples of the surfacing materials and finishes of all hard surfaces proposed (including all paths and roads within the development as well as parking and turning areas) shall be submitted to, and agreed in writing with, Fife Council as Planning Authority. Thereafter, all surfacing shall take place in full accordance with the

agreed samples and thereafter maintained to this specification for the lifetime of the development.

Reason: In the interests of visual amenity by ensuring a sufficient quality of development is that avoids a detrimental landscape impact.

8. A Traffic Management (TM) plan covering the construction of the development shall be submitted for written approval of this planning authority prior to commencement of any works on site. This may be submitted as part of the Construction Environmental Management Plan (CEMP) specified within the EIA Report Schedule of Environmental Commitments. The TM plan shall contain details on routing and timing of deliveries to site, site operatives parking area, traffic management required to allow off site operations such as public utility installation, etc. The approved TM plan shall thereafter be implemented for the duration of the construction works.

Reason: In the interest of road safety; to ensure minimum disruption to the general flow of traffic on the surrounding road network.

9. Prior to the occupation of each caravan on the site, a minimum of two off-street parking spaces shall be provided for that caravan unit and thereafter the parking spaces shall be retained for the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.

10. PRIOR TO THE COMMENCEMENT OF WORKS, a Construction Method Statement (CMS) shall be submitted for the prior written approval of Fife Council as Planning Authority. This may be submitted as part of the Construction Environmental Management Plan (CEMP) specified within the EIA Report Schedule of Environmental Commitments. The CMS shall include, but not be limited to, a phasing and layout for the site during construction (including storage areas to materials) as well as construction times and operations. The CMS shall specify that no operations shall take place within 250m of the reservoir during season in which Pink Footed Geese are at Cameron Reservoir. Thereafter, all construction work shall take place in full accordance with the approved CMS unless otherwise agreed in writing with the Council as Planning Authority.

Reason: In the interests of safeguarding the structural integrity of adjoining third party properties and land, and safeguarding Pink Footed Geese.

11. PRIOR TO THE COMMENCEMENT of any activity on site details of the measures to be employed to prevent mud, debris or other deleterious material being carried onto and accumulating on the public roads adjacent to the site shall be submitted for the written approval of this planning authority and shall thereafter be maintained throughout the construction period of the development.

Reason: In the interest of road safety; to ensure that public roads are kept free of mud, debris, etc.

12. PRIOR TO ANY WORKS COMMENCING ON SITE, full details of the play equipment that shall be sited in the play park area shall be submitted for the written agreement of Fife Council as Planning Authority.

Reason: In the interests of ensuring a suitable standard of play equipment is provided.

13. PRIOR TO THE COMMENCEMENT OF WORKS, details of all proposed external illumination shall be submitted to, and agreed in writing with, the Council Planning Authority. This detail shall specify the extent of ground cover to be illuminated as well as the extent of any overspill lighting. The specification for each lighting source (i.e. its design) and the brightness of each lighting source shall also be specified in candelas. Notwithstanding the above, unless otherwise agreed in writing with the Council as Planning Authority, all lighting shall be directed downwards. Thereafter all lighting shall be implemented to these agreed details and maintained to this specification for the lifetime of the development.

Reason: In the interests of residential amenity, visual amenity and biodiversity by way of preventing excessive light overspill and light pollution.

14. Unless otherwise agreed in writing with Fife Council as Planning Authority, the approved surface water drainage scheme as detailed in approved documents shall be implemented in full PRIOR TO THE OCCUPATION OF ANY CARAVAN APPROVED AS PART OF THIS CONSENT, and thereafter maintained in full working order for the lifetime of the development.

Reason: In the interests of ensuring appropriate handling of surface water.

15. PRIOR TO ANY WORKS COMMENCING ON SITE, details of the phasing of the development, including siting of caravans, formation of roads, footpaths and play area, installation of foul water drainage system, landscaping and tree planting, and erection of fencing and signage, shall be submitted for the prior written approval of Fife Council as Planning Authority. The development shall thereafter be delivered in a phased manner as per the agreed details.

Reason: In the interests of the proper planning of the development and to ensure landscaping works are completed at an appropriate stage in the development of the site.

16. All landscaping works, tree planting and open space provision shall be implemented in accordance with the approved detail in a phased manner agreed by the Planning Authority under the terms of Condition 15 above, and shall be implemented in full prior to the occupation of the 130th caravan on the site.

Reason: To ensure landscaping works are completed at an appropriate stage in the development of the site.

17. All fencing and wayfinding/information signage shall be erected in accordance with the approved details in a phased manner agreed by the Planning Authority under the terms of Condition 15 above, and shall be implemented in full prior to the occupation of the 130th caravan on the site.

Reason: To ensure fencing and signage are installed at an appropriate stage in the development of the site.

18. The management and aftercare of the approved landscaping, planting and SuDS basin shall be carried out in accordance with the approved details for the lifetime of the development unless otherwise agreed in writing by Fife Council as Planning Authority.

Reason: In the interests of visual amenity; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

19. PRIOR TO THE FIRST OCCUPATION OF THE FIRST CARAVAN ON THE APPLICATION SITE, the foul water drainage system approved by this consent shall be installed, commissioned and available for use. Thereafter, the agreed foul water drainage system shall remain on site in full working order for the lifetime of the development.

Reason: In the interests of ensuring appropriate handling of foul water.

20. The installed temporary cess tank shall be disconnected within 3 months of the first occupation of the first caravan on the application site and thereafter removed from the holiday park, with the ground reinstated, 3 months following this. For the avoidance of doubt, all approved caravans and the hub building across the holiday park shall be connected to the approved foul water drainage system following their disconnection from the cess tank.

Reason: In the interests of ensuring appropriate handling of foul water.

21. A stockproof fence, set back ten metres from the mammal path on the south bank of the Cameron Burn, shall be erected on site prior to the first use of the circular walking route as detailed in the approved Northbank Access and Visitor Management Plan (2022) (Appendix D3 of the EIA Report).

Reason: In the interests of protecting otters.

22. The Construction Environmental Management Plan (CEMP), required to be submitted per the Schedule of Environmental Commitments, shall be submitted Fife Council as Planning Authority for approval in writing PRIOR TO ANY WORKS COMMENCING ON SITE. The CEMP shall include a pollution protection measures to avoid an impact on the environment, as well as a scheme of works designed to mitigate the effects on sensitive premises/areas (i.e. neighbouring properties and road) of dust, noise and vibration from construction of the proposed development. The use of British Standard BS 5228: Part 1: 2009 "Noise and Vibration Control on Construction and Open Sites" and BRE Publication BR456 - February 2003 "Control of Dust from Construction and Demolition Activities" should be consulted.

It shall provide the following details:

- Site working hours;
- Adherence to good practise in protecting the environment and ecology;
- Dust, noise and vibration suppression; and
- Protection of water environment.

Reason: To ensure the environment in and around the site and residential amenity is protected during construction.

23. The further site inspections for protected species, required to be undertaken per the Schedule of Environmental Commitments, shall be undertaken by suitably qualified professionals with survey reports submitted to Fife Council as Planning Authority for approval in writing PRIOR TO ANY WORKS TAKING PLACE WHICH MAY DISTURB THE HABITAT OF THE IDENTIFIED PROTECTED SPECIES. Where the survey reports recommend further

mitigation measures, such measures shall be adhered to in full for the duration of the construction period.

Reason: In the interests of safeguarding protected species.

24. NO DEVELOPMENT SHALL COMMENCE ON SITE until the risk of actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study) has been submitted by the developer to and approved in writing by the planning authority. Where further investigation is recommended in the Preliminary Risk Assessment, no development shall commence until a suitable Intrusive Investigation (Phase II Investigation Report) has been submitted by the developer to and approved in writing by the planning authority. Where remedial action is recommended in the Phase II Intrusive Investigation Report, no development shall commence until a suitable Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures.

All land contamination reports shall be prepared in accordance with CLR11, PAN 33 and the Council's Advice for Developing Brownfield Sites in Fife documents or any subsequent revisions of those documents. Additional information can be found at www.fifedirect.org.uk/contaminatedland.

Reason: To ensure potential risk arising from previous land uses has been investigated and any requirement for remedial actions is suitably addressed.

25. NO BUILDING SHALL BE OCCUPIED UNTIL remedial action at the site has been completed in accordance with the Remedial Action Statement approved pursuant to condition 24. In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement - or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site - all development work on site (save for site investigation work) shall cease immediately and the planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement - or any approved revised Remedial Action Statement - a Verification Report shall be submitted by the developer to the local planning authority.

Unless otherwise agreed in writing with the planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement - or the approved revised Remedial Action Statement - and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

Reason: To provide satisfactory verification that remedial action has been completed to the planning authority's satisfaction.

26. IN THE EVENT THAT CONTAMINATION NOT PREVIOUSLY IDENTIFIED by the developer prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority or (b) the planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Guidance and Legislation:

Town & Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
Scottish Planning Policy (2014)
PAN 1/2013: Environmental Impact Assessment
PAN 1/2011: Planning and Noise
PAN 33: Development of Contaminated Land (2000)
PAN 51: Planning, Environmental Protection and Regulation (2006)
Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)
Conservation (Natural Habitats, &c.) Regulations 1994 (as amended)
Wildlife and Countryside Act 1981 (as amended)
Wildlife and Natural Environment (Scotland) Act (2011)
Nature Conservation Scotland Act 2004 (as amended)

Development Plan:

TAYplan Strategic Development Plan (2017)
FIFEplan Local Development Plan (2017)
Making Fife's Places Supplementary Guidance Document (2018)
Low Carbon Fife Supplementary Guidance (2019)

Other Guidance:

Fife Council Transportation Development Guidelines
Fife Council Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022)
Fife Council Planning Customer Guidelines on Daylight and Sunlight (2022)

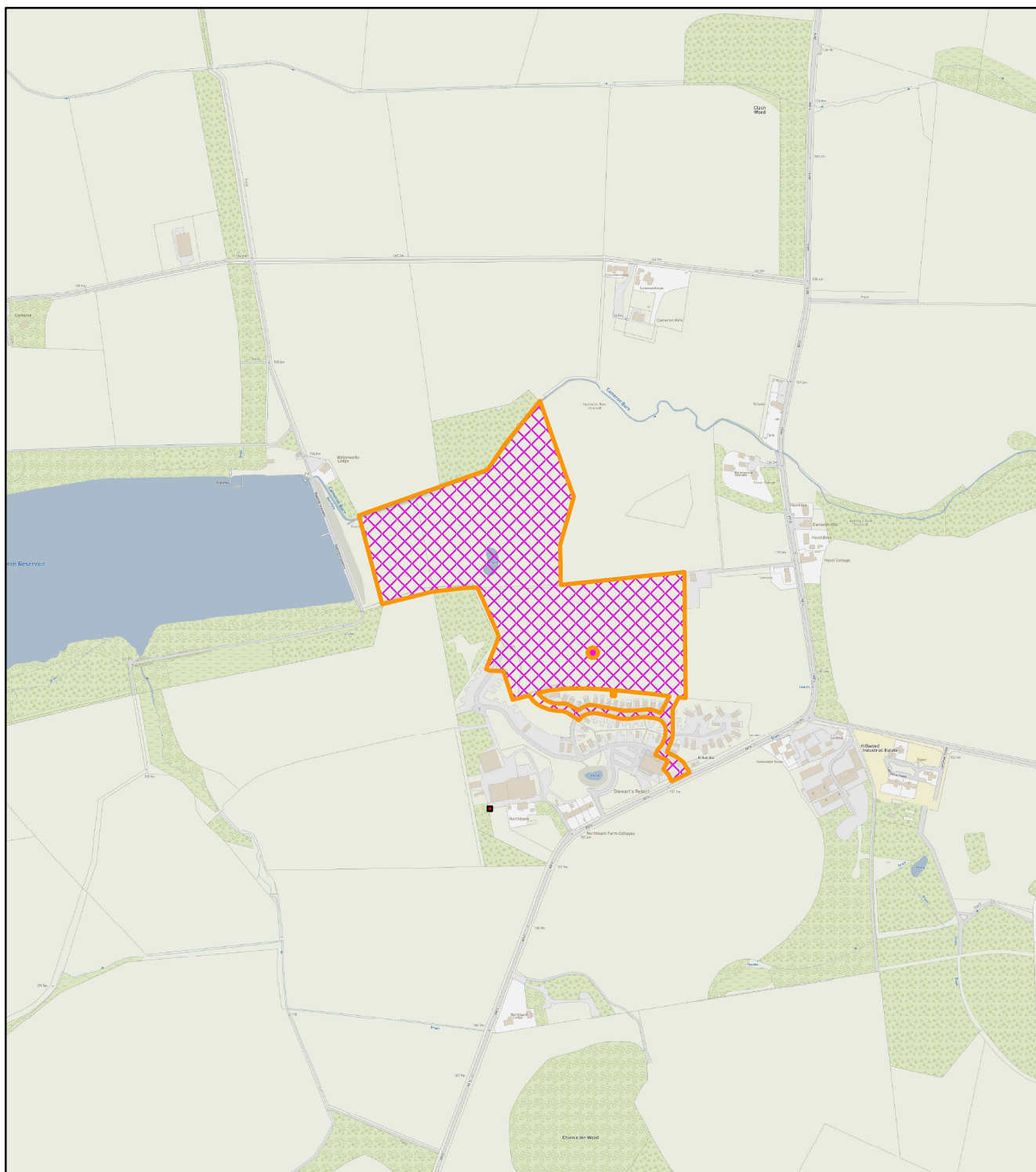
Fife Council Planning Customer Guidelines on Minimum Distances between Window Openings
(2011)

Report prepared by Bryan Reid, Lead Professional – Strategic Development
Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 28/11/22.

Date Printed 18/11/2022

21/02819/EIA

Land At Northbank Farm Cameron Lathockar St Andrews



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Legend

 Application Boundary

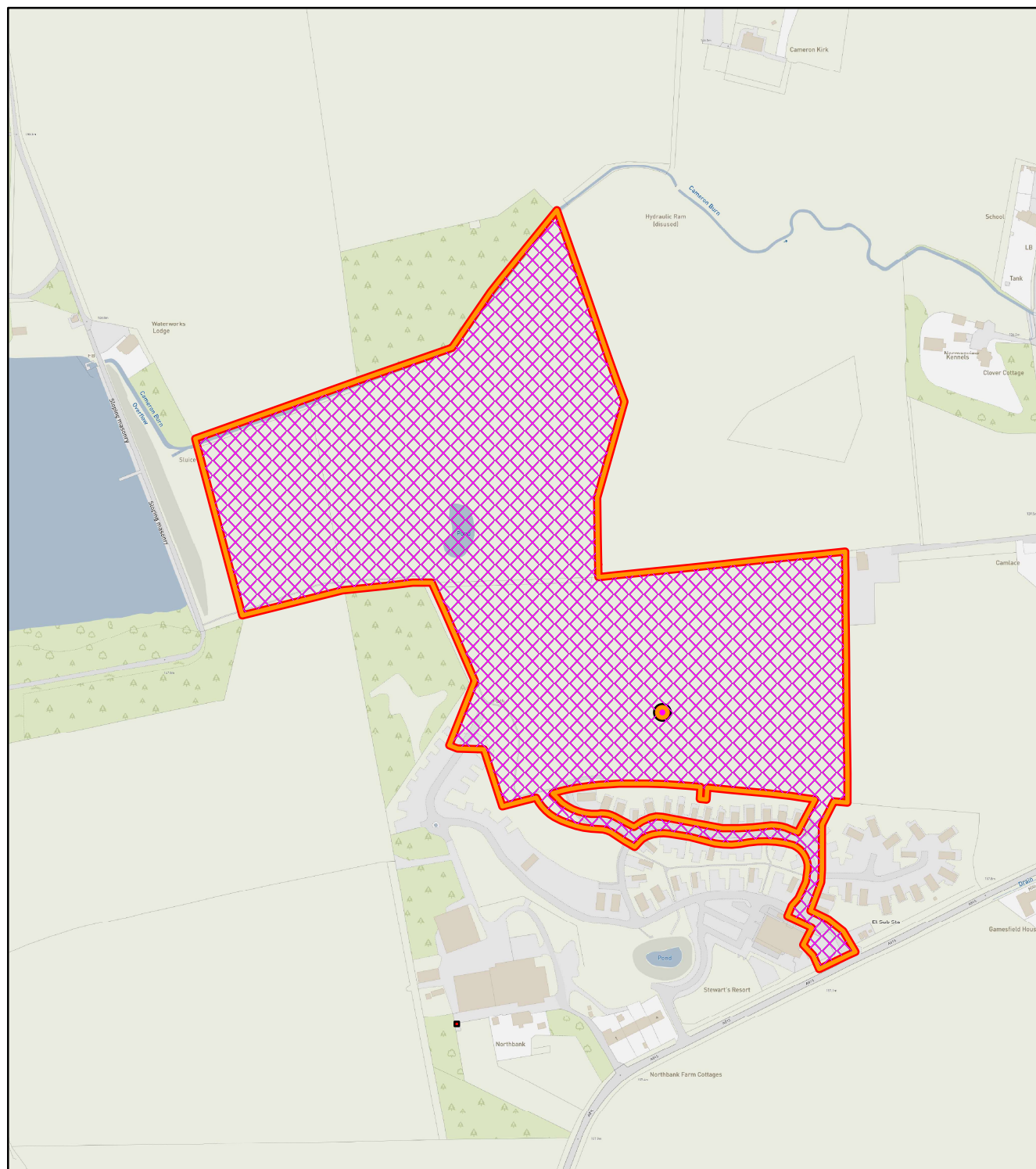
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Economy, Planning & Employability Services

21/02819/EIA

Land At Northbank Farm Cameron Lathockar St Andrews



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Legend			
	Application Boundary		

ITEM NO:	5
APPLICATION FOR FULL PLANNING PERMISSION REF:	22/00332/FULL
SITE ADDRESS:	GARDEN 1 GREYFRIARS GARDEN ST ANDREWS
PROPOSAL:	CHANGE OF USE FROM PRIVATE GARDEN TO OUTDOOR SEATING AREA INCLUDING SITING OF 2NO. FOOD SHACKS
APPLICANT:	OPTIMUS FIDUCIARIES ST MARY'S THE PARADE CASTLETOWN
WARD NO:	W5R18 St. Andrews
CASE OFFICER:	Scott McInroy
DATE REGISTERED:	08/02/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

More than 5 objections contrary to officers' recommendation

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan which provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 sets out themes around sustainability, productivity, liveability, and distinctive places. It is underpinned by six spatial principles.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced.

When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance will cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 Background

1.1 The application relates to a private garden area located on a prominent site on the corner of Greyfriars Garden and St Marys Place situated within St Andrews Conservation Area. The garden ground was previously associated with the dwellinghouse located on the opposite side of Greyfriars Garden but is now in separate ownership. The properties on the opposite side of the road on Greyfriars Garden are B Listed. The application site which is currently overgrown measures 326 square metres and is bounded along the front [east] by a 1-metre-high stone block wall. The side [south] boundary comprises a 1-metre-high stone block wall rising to a height of 2 metres towards the rear of the site. The wall has been lowered to a height of 500mm with 500mm high railings on top of the corner section. There is mature planting (including a number of trees within the site) as well as trees around the boundary of the site. None of the trees on site are covered by a TPO. Pedestrian access to the site is taken via Greyfriars Garden.

1.2 Planning permission is sought for the change of use from private garden to outdoor seating area and the siting of 2no. food shacks. The food shacks would be located in the northern and western sections of the application site. The food shacks would be moveable temporary steel containers, and each would have a footprint of 15.5m², be 6m in length, 2.4m in width and 2.5m in height and the public elevations would be finished in timber effect cladding. The proposal would also include the siting of 4 timber moveable temporary seating structures with seating for up to 12. The scheme also proposes to form a designated seating area and access path to the units and seating area. This would be finished in used gravel. Bin and recycling facilities for customers would also be positioned within the seating area. No trees would be affected or removed.

1.3 Planning history on this site is as follows;

- 10/00444/FULL - Erection of fence and railings at garden ground - refused 16/06/2010.
- 11/05183/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall - approved 09/12/2011.
- 14/04244/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission 11/05183/FULL) - approved 09/02/2015.
- 17/04088/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission 14/04244/FULL) - approved 12.04.2018
- 21/01087/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission 17/04088/FULL) - approved 27.05.2021

1.4 Application Process

1.4.1 The application, due to the size of the site and the overall scale of proposals, constitutes a "Local" application as defined by the Hierarchy of Developments Regulations and as such did not require to be subject of a Proposal of Application Notice.

2.0 PLANNING ASSESSMENT

2.1 The determination of this application shall be made in accordance with the Development Plan unless material considerations indicate otherwise. The issues to be assessed against the development plan and other guidance are as follows: -

- Principle of Development
- Residential Amenity
- Design/Visual Impact on the Conservation Area/Impact on Setting of Listed Buildings
- Road Safety
- Archaeology
- Impact on Trees

2.2 Principle of development

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

2.2.2 Policy 1, Part A, of the Adopted FIFEplan stipulates that the principle of development will be supported if it is either (a) within a defined settlement boundary and compliant with the policies for this location; or (b) is in a location where the proposed use is supported by the Local Development Plan. Policy 1, Part B, of FIFEplan requires development to protect the amenity of the local community and businesses (criterion 6) whilst also safeguarding the characteristics of the historic and built environment (criterion 10).

2.2.3 Concerns have been raised regarding the principle of development. In this instance, the application is for the change of use from private garden ground to public/customer outdoor seating area including the siting of two food shack units. Concerns have been raised regarding the principle of the proposed use in this location and that the area should exclusively be used as garden ground. In this instance, the application site itself is no longer associated with the dwellinghouse located on the opposite side of Greyfriars Garden and is in separate private ownership after being sold to the applicant. The application site sits adjacent to but not within the defined 'Core Retail' area of the St Andrews town centre but is located within the defined St Andrews Conservation Area. The surrounding area is made up of a mixture of land uses with private garden areas to the north of the site along Greyfriars Garden, while on the opposite side of this road (east side) there are a mix of uses predominantly residential at first floor with some ground floor commercial premises (bank and retail units) further along Greyfriars Garden heading northwards. To the west is a short stay car park and further west the St Andrews University Student Union building. To the south-west/south/south-east there are a further mix of land uses including a public house, commercial, retail premises, again with some residential properties located at first floor level. The proposed change of use from garden ground to outdoor seating area including the siting of two food shacks is considered a compatible small-scale non-residential land use within the context of the surrounding mix of commercial and residential land uses, which already successfully co-exist as appropriate uses in this central location. The proposal in terms of basic land use acceptability would not impact on the vitality or viability of the existing commercial uses locally and would be considered an acceptable small-scale use within the context of the uses listed above. Amenity and visual impact issues are addressed later in this report.

2.2.4 Concerns have been raised regarding potential future uses on site or future uses on neighbouring land, however these concerns are not a material planning consideration with regards this application as each site must be determined on its own merits and future uses on applicable land use cannot be prejudged. The most recent application relating to the change of use and alterations to form an area of public open space (application 21/01087/FULL) is still and extant consent and could be implemented.

2.2.5 Third party comments raised regarding previous planning decisions on other nearby sites and comments previously made by Council planning officers are noted. However, these separate applications and earlier comments were considered on their own individual merits and at that particular point in time. As such those issues are not material to the determination of this application which is being assessed on its own merits using current planning policies and guidance applicable at this time of determination.

2.2.6 In light of the above, it is therefore considered that in principle in this instance the proposal complies with the provisions of the Adopted FIFEplan (2017) Policy 1, Part A (1a) and Policy 1 Part B criterion 6 and 10.

2.3 Residential Amenity

2.3.1 PAN 1/2011 establishes the best practice and the planning considerations to be taken into account with regard to developments that may generate noise, or developments that may be subject to noise. The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development.

2.3.2 With respect to the protection of residential amenity, Policy 10 of the Adopted FIFE plan (2017) supports development proposals where they will not lead to a significant detrimental impact on the impacts on the operation of existing or proposed businesses and commercial operations (criterion 9).

2.3.3 In assessing this proposal, Fife Council's Public and Environmental Protection Team (PEPT) were consulted and advised that they had no significant concerns subject to recommended condition relating to a need to limiting the range of food that would be provided on site; in order to mitigate against any potential odour issues raised. PEPT officers also advised that as the power supply would be from the mains network, this would address previous noise concerns regarding the possible use of noisy odour producing power generators etc.

2.3.4 Third party concerns have been raised regarding potential noise impact from the proposed application. In this instance, the application site is located adjacent to the core retail area of the defined St Andrews town centre boundary and is surrounded by a mixture of uses (Students Union, bar, shops, hairdressers, residential flats, garden areas and public car park). Due to the nature of the uses in this area of St Andrews there is a high pedestrian footfall and car usage on the surrounding streets (Market Street, Greyfriars Garden) and therefore noise levels have a higher background level at present. The nearest residential properties sit to the rear of the application site and on the opposite side of Greyfriars Garden which are over 40m away from the proposed location of the units. The applicant advises that the opening hours of the site would be 8am to 9pm April to October and 9am to 6pm November to March. In this instance the proposed opening hours and the small-scale nature of the proposals would be less than other existing outlets that have later night-time opening hours such as the public houses, restaurants and student union in the area so would not be out of place within the busier context of this part of the town. A draft condition has been added limiting the operating hours to those specified. Overall, the proposed opening hours of this application is considered acceptable and would not create any significant impact on the amenity of the surrounding residential properties or existing businesses even in terms of potential cumulative impacts in terms of noise levels and general activity levels.

2.3.5 The power supply would be from the mains supply and therefore would not raise any noise or odour issues. With regards to odour issues, a condition has been added limiting the range of food that can be sold on the premises, with no deep frying permitted. Concerns have been raised regarding potential littering which could result in an increase in unwanted wildlife/vermin. It is considered that given the small-scale nature of this proposal and given the surrounding area has a mix of commercial and residential uses that the proposal would not create a significant impact on the surrounding area in terms of littering. There are also a number of waste bins located in this area for use by the public. The applicants are also proposing to provide waste and recycling facilities on site near the access point.

2.3.6 Concerns have been raised by the public regarding potential antisocial behaviour area due to people congregating in the street. These concerns are noted; however, these concerns are not a material planning consideration with regards this application. In any instance, it should also be noted that Fife Council's Public Protection team can control noise and odours under their own legislative processes and through the use of appropriate enforcement measures if required and should any complaints be received. If any of the potential customers were to litter or cause damage/anti-social behaviour outwith the site then this would be considered a matter which could also be dealt with under separate legislation or by separate authorities, outwith the control of the planning system.

2.3.7 In this instance, it is considered that the proposed change of use does comply with Policy 10 criterion 9 in that the development would not have a significant detrimental impact on the above residential properties or impacts on the operation of existing or proposed businesses and commercial operations, so therefore complies with the adopted FIFEplan (2017). Overall, this would be a small-scale development with limited outdoor seating/gathering capacity and limited operating hours and products on offer in an area already operating with a mix of commercial and residential uses that already successfully co-exist with one another. The site is also considered to be located within an already reasonably busy part of St Andrews with busy footfall, traffic movements and a popular night-time economy all in close proximity to the site itself.

2.4 Design/Visual Impact on the Conservation Area/Impact on Setting of Listed Buildings

2.4.1 SPP (2014), Historic Environment Scotland's Historic Environment Policy for Scotland (2019), Adopted FIFEplan (2017) Policies 1, 10 and 14, and Making Fife's Places Supplementary Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010) and St Andrews Design Guidelines (2011) apply with regard to the design and visual impact of the proposal. Again, under Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the Planning Authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

2.4.2 Policies 1 and 10 of FIFEplan (2017) aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area. Policy 14 (Built and Historic Environment) advises that proposals should safeguard the characteristics of the historic environment, proposals should not lead to a significant visual detrimental impact on their surrounds. Policy 14 also advises that development, which protects or enhances buildings or other built heritage of special architectural or historic interest, will be supported.

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

2.4.4 Fife Council's St Andrews Conservation Area Appraisal and Management Plan (2010) provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management.

2.4.5 St Andrews Design Guidelines (2011) sets out a number of principles to ensure appropriate design and materials are incorporated into new development. The guidance advises that buildings should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate. Key principles related to the proposed development include:

- Guideline 17 - Protect Open space in the town centre from development.
- Guideline 18 - Encourage the management of visible open space and encourage arrangements for the public to have access where appropriate.

2.4.6 Concerns have been raised regarding the impact on the character of the conservation area. The application site is accessed from Greyfriars Garden within the St Andrews Conservation Area. Members should note however that the garden itself is no longer associated with the dwellinghouse located on the opposite side of Greyfriars Garden and is in private ownership after being sold to the applicant. Concerns have been raised regarding the impact of the proposed features on site. Within the application the existing overgrown area would be cleared with existing trees retained. The food shacks would be located in the northern section and western section of the application site. The food shacks would be temporary steel containers and have a footprint of 15.5m², be 6m in length, 2.4m wide, 2.5m in height and finished in timber effect cladding on public facades. The proposal would also include the siting of 4 timber temporary seating structures. The containers and seating structures will be temporary in nature and can be moved from the site without impacting on the site itself. These existing mature planting on site will provide screening of these containers which have been located to provide limited visual impact. No works are proposed on any trees on site. Given the temporary/mobile nature of the containers and seated area proposed on site and existing mature planting on site, it is considered that these structures would not significantly affect the setting of the adjacent listed buildings, or the character of the conservation area given their small size and set back from the public road/footway and use of natural screening/backdrops.

2.4.7 Concerns have been raised regarding the proposal not complying with the St Andrews Design Guidelines, in particular guidelines 17 and 18 and the St Andrews Conservation Area Appraisal & Management Plan for this area. With regards guideline 17, although development would take place and is compliant with the adopted FIFEplan, the proposed structures are moreover temporary and mobile in nature and of a small scale. The landscaped garden area would be retained, and no trees would be removed therefore it is considered that the proposal would not have a significant impact on the setting of this area.

2.4.8 In conclusion, the small-scale nature, set back from public frontages and use of traditional materials as cladding to screen the metal public facades would result in a proposal that is considered to be acceptable at this location and would not have an adverse impact on the setting of the neighbouring Category B listed buildings, nor the St Andrews Conservation Area.

2.5 Road Safety

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

2.5.2 Fife Council's Transportation Development Management (TDM) team have been consulted and have advised that they have no objections as the proposed use as it is unlikely that the proposal will generate any additional vehicular traffic.

2.5.3 The proposal would, therefore, have no further significant detrimental impact in terms of road safety and would comply with the Development Plan in this respect.

2.6 Archaeology

2.6.1 Adopted FIFEplan (2017) Policies 1 and 14 apply in this instance.

2.6.2 Concerns have been raised about impacts on an archaeological sensitive area. The site lies within the conservation area and within the area zoned by the Council as St Andrews Archaeological Area of Regional Importance. The site is considered to be extremely archaeologically sensitive and likely to contain buried archaeological deposits of early medieval date. Including the possibility of burials. As the development will not involve significant sub-surface disturbance, there will be no impact on any archaeological deposits. The Council's Archaeologist has been consulted and raised no objections to the proposal given there would be no significant ground interventions, a condition has been added.

2.7 TREES

2.7.1 Policies 1, 10 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018) and British Standard (BS) 5837:2012 Trees in relation to Design, Demolition and Construction apply with regard to the potential impact on trees and ecology as a result of this development.

2.7.2 Policies 10 and 13 of FIFEplan and Making Fife's Places Supplementary Guidance Document (2018) set out that development proposals will only be supported where they protect or enhance natural heritage assets, including trees which have a landscape, amenity or nature conservation value. Where large semi-mature/mature trees are present on and adjacent to a development site, distances greater than the British Standard will be expected and no new buildings or gardens should be built within the falling distance of the tree at its final canopy height.

2.7.3 As the application site is within the St Andrews Conservation area, the trees on site are protected. No trees are proposed to be removed as part of this proposal.

CONSULTATIONS

Archaeology Team, Planning Services	No objection subject to condition
TDM, Planning Services	No objection
Environmental Health (Public Protection)	No objection subject to conditions

REPRESENTATIONS

51 letters of objection have been received in relation to this application. The concerns raised in the submitted representations, and the Planning Authority's response to these, are summarised below.

1. Principle of Development (proposed use) –
- This is addressed in paragraph 2.2.3 of this report.
2. Principle of Development (potential future uses)
– This is addressed in paragraph 2.2.4 of this report.

3. Principle of Development (planning decisions on nearby sites)

- This is addressed in paragraph 2.2.5 of this report.

4. Noise impact from proposed use

- This is addressed in paragraph 2.3.4 of this report.

5. Potential antisocial behaviour

- This is addressed in paragraph 2.3.6 of this report.

6. Impact on Conservation area

- This is addressed in paragraph 2.4.6 of this report.

7. Lack of compliance with St Andrews Design Guidelines

- This is addressed in paragraph 2.4.7 of this report.

8. Impact on site of Archaeological Importance

- This is addressed in paragraph 2.6.2 of this report.

9. Comments regarding toilets, hygiene of users of the site, title deeds and the current state of the application site are not a material planning consideration and in the assessment of this application.

10. A number of comments have been raised regarding the existing planning consent on site and that this should be allowed to be implemented. An application (11/05183/FULL) was approved on 09/12/2011 for the Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall. This application was first approved 11 years ago and has had 3 further renewals (14/04244/FULL, 17/04088/FULL & 21/01087/FULL) and has not been implemented in this time. An existing consent on a site does not preclude other applications for the same site coming forward.

CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the Development Plan, relevant National Guidance and relevant Fife Council Customer Guidelines. The proposal is compatible with the area in terms of land use, has been designed, scaled and finished in such a way to respect the architectural and built heritage character of the area. Further to this it would not undermine the need to protect the local amenity, nor would it cause any road safety issues and ultimately it has been designed and scaled to respect the setting of the built heritage assets locally and is therefore considered to be acceptable.

RECOMMENDATION

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

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. The hours of operation of the development hereby approved shall be restricted to between be 8am to 9pm April to October and 9am to 6pm November to March.

For the avoidance of doubt the agreed operating hours shall be complied with in perpetuity unless otherwise agreed in writing with this Planning Authority prior to agreed changes being made.

Reason: In order to protect the amenity of adjoining and nearby residents.

3. Notwithstanding the terms of Class 3 of The Town and Country Planning (Use Classes) (Scotland) Order 1997, the premises shall only be used as a coffee shop for the preparation and sale of coffee, teas, soft drinks, paninis, toasties, sandwiches, soup, rolls and bakery products and similar goods where their preparation does not give rise to unacceptable cooking levels e.g. frying/deep fat frying which would be detrimental to the amenity of the adjoining properties. FOR THE AVOIDANCE OF DOUBT, frying/deep fat frying is hereby NOT PERMITTED.

Reason: In order to protect the amenity of adjoining and nearby residents.

4. BEFORE ANY WORKS START ON SITE, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

Reason: In order to safeguard the archaeological heritage of the site and to ensure that the developer provides for an adequate opportunity to investigate, record and rescue archaeological remains on the site, which lies within an area of archaeological importance.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Policy and Guidance

Scottish Planning Policy (2014)

Historic Environment Scotland's Historic Environment Policy for Scotland (2019)

Development Plan

Adopted FIFEplan - Fife Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance

Fife Council St Andrews Conservation Area Appraisal and Management Plan (2010)

Fife Council St Andrews Design Guidelines (2011)

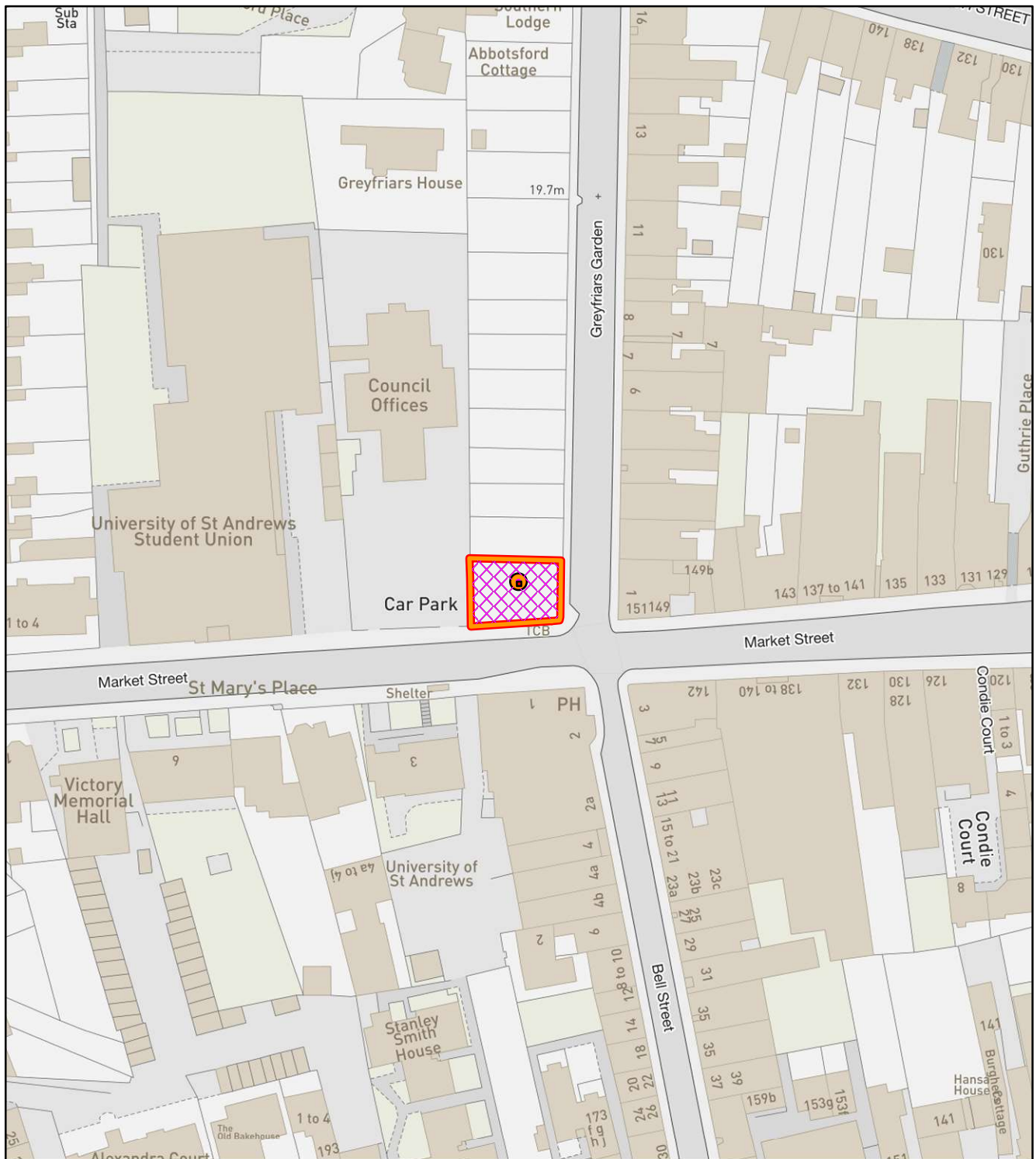
Report prepared by Scott McInroy, Planner Development Management

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 28/11/22

Date Printed 09/11/2022

22/00332/FULL

Garden 1 Greyfriars Garden St Andrews



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Legend	
 Application Boundary	
	
 Economy, Planning & Employability Services	

ITEM NO: 6

APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE REF: 22/00990/PPP

SITE ADDRESS: MADRAS COLLEGE KILRYMONT ROAD ST ANDREWS

PROPOSAL : PLANNING PERMISSION IN PRINCIPLE FOR A MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL (CLASS 9 AND SUI GENERIS); STUDENT ACCOMMODATION (CLASS 8); DELICATESSEN AND RESTAURANT (CLASS 3); LOCAL CONVENIENCE (CLASS 1); ASSEMBLY AND LEISURE (CLASS 11); URBAN PARK; LANDSCAPING; AND ALL ASSOCIATED INFRASTRUCTURE INCLUDING SUDS BASIN, ROADS, ACCESSES AND FOOTWAYS.

**APPLICANT: DAVID SCANLON
HAMILTON HOUSE 70 HAMILTON DRIVE GLASGOW**

WARD NO: W5R18
St. Andrews

CASE OFFICER: Declan Semple

DATE REGISTERED: 31/03/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

The application is defined as a Major Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional approval requiring a legal agreement

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

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

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan which provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 sets out themes around sustainability, productivity, liveability, and distinctive places. It is underpinned by six spatial principles.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced.

When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them will cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 Site Description

1.1.2 The site is located to the south of St. Andrews and was the Madras College Kilrymont campus from the late 1960's to 2019 which served as a comprehensive school for the local area. The campus comprises of the 'B' listed former Madras College buildings and associated car parking, playing fields and amenity space. The site is located at the edge of the existing settlement and existing houses are located to the eastern and western boundaries and to the north lies the Greyfriars Roman Catholic Primary School. Kilrymont Road runs along the eastern and southern boundaries of the site with the St Andrews Green Belt lying to its south and the St Andrews to Fife Ness Local Landscape Area to the south east of the site. The existing residential dwellings which surround the site were built generally between the 1950's and 1970's. St Andrews Community Hospital is a 12 minute walk away, there is an existing playground located within a 7 minute walk. St Andrews Town Centre to the north of the site is approximately a 20 minute walk.

1.1.3 Within the current local development plan (FIFEplan 2017) the proposed site is identified for education purposes, however, following the Council's Building Fife's Future programme, a new, state-of-the-art, Madras College was built on a different site at Langlands, St Andrews. On this basis, the site is no longer required for school or further education uses and is being sold for development purposes. The Kilrymont site was marketed for sale by the Fife Council in late 2020 with an associated Design and Development Framework detailing a brief for the site. The document adopts a strategic approach and does not set out details of land use class or building form but it does however identify the principle urban design concepts to help facilitate a future development which will contribute positively to the area.

1.2 Proposal

1.2.1 The application is for Planning Permission in Principle (PPP) to establish the principle of a mixed-use re-development of the former school site. The application proposes to establish the following land uses and quantum of development on the site:

- Student Accommodation; up to 280 units
- Residential; up to 160 units
- Retail; up to 220sqm
- Restaurant; up to 545sqm;
- Assembly/Leisure; up to 400 sqm.

1.2.2 The application also seeks to approve an Indicative Site Layout and proposed building heights. Vehicular and pedestrian access is to be taken from the existing eastern access on Kilrymont Road and will head north and loop around the site and exit to the south east onto Kilrymont Road. Pockets of car parking are spread throughout the site and a subterranean car park to serve the flatted blocks. An additional vehicular access will be taken from the south of Kilrymont Road to serve a car parking area. Pedestrian routes permeate through the site providing connections to Roundhill Road, Kilrymont Road south east and the existing entrance to the east fronting Kilrymont Road. The existing Madras College school building and sports hall would be retained with new development opportunities identified to the east and west of the school and north of the school within the grounds of the former playing fields. A green buffer will be formed to the south of the school and a new central green square to the north.

1.2.3 Two finger blocks are proposed to the south west of the site and a single rectangular block to the south east. The former playing fields are envisaged with a mix of house and flatted properties. Flatted blocks are proposed to be within the central part of the site, north of the proposed green square with a mixture of detached, semi-detached and terraced properties around the northern perimeter of the site. The proposed building heights on the site are up to three storeys with a set back fourth floor terrace to the centre and west of the site, three storeys to the north and south east and single storey properties to the east and two storey properties to the west of the site.

1.2.4 This application will establish the principle of a mixed-use redevelopment of the site and the matters outlined above. The application does not relate to the listed building nor involve a change of use of any building but relates to the land around the buildings. Further detailed consents including Applications Required by Conditions (ARC), Listed Building Consents (LBC) and planning applications will be required for the change of use of the buildings and detailed matters regarding the development of the site.

1.3 Planning History

1.3.1 Relevant planning history associated with the application site is as follows:

14 September 2022 - Planning permission for the installation of temporary security hoardings was permitted (planning reference: 22/02009/FULL).

15 August 2022 - Listed building consent for the installation of temporary security hoardings was permitted (planning reference: 22/02010/LBC).

13 June 2022 - A separate application for planning permission for the change of use of the site from education to form a residential development of 106 units (private and affordable homes) with associated access, parking, infrastructure and landscaping/open space is pending consideration (planning reference: 22/01877/FULL).

16 November 2021 - A Proposal of Application Notice (PAN) residential development on the site was agreed (planning reference: 22/01877/PAN).

18 August 2021 - A screening request for a proposed mixed use development determined that an Environmental Impact Assessment was not required (planning reference: 21/02609/SCR).

26 July 2021 - Proposal of Application Notice for mixed use development was agreed (planning reference: 21/02395/PAN).

1.4 Application Procedure

1.4.1 The application proposal is for more than 49 houses and covers a site area of more than 2ha and therefore falls within the Major Development category under the Town and Country Planning (Hierarchy of Developments) Regulations 2009. The applicant has carried out the required pre-application consultation through holding public consultation events (ref: 21/02395/PAN and 22/01877/PAN). A Pre-Application Consultation Report outlining comments made by the public has been submitted as part of this application.

1.4.2 The application was advertised in The Courier on 4 July 2022 for being a bad neighbour Schedule 3 Development.

1.4.3 Fife Council currently owns the site. Circular 3/2009: Notification of Planning Applications advises that in certain circumstances where an authority has a financial interest in the development, notification to Scottish Ministers must be made prior to the grant of planning permission. As this proposed development is not significantly contrary to the Local Development Plan, in that an approval would not undermine the land use strategy of the plan, there is no requirement for notification of the application to Scottish Ministers. PAN82: Local Authority Interest Developments also applies. The PAN advises that notwithstanding the Council's interest in the development, the Planning Authority must still carry out its statutory planning functions without interference. Furthermore, the Committee must carry out a thorough planning assessment, following all necessary procedures, and reach a decision in accordance with the development plan, unless material considerations indicate otherwise. It must be noted that the Council's support for the development must not take precedence over the need for a proper and fair planning assessment.

2.0 ASSESSMENT

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

- Principle of Development;
- Layout, Height, Scale, Mass and Design;
- Impact on Built Heritage;
- Amenity;
- Transportation;
- Flood Risk;
- Natural Heritage and Biodiversity;
- Archaeology;
- Infrastructure and Planning Obligations;
- Contaminated Land; and
- Sustainability.

2.2 Principle of Development

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

2.2.2 FIFEplan Local Development Plan (2017) policies 1 Development Principles, 2 Homes, 3 Infrastructure and Services and 6 Town Centres are relevant to establishing the principle of the proposed land uses proposed for the mixed use redevelopment of the site. Policy 1 Development Principles supports the principle of development within a defined settlement boundary and compliant with the policies for the location and meet the requirements of any design briefs or development frameworks prepared for the site. Part B criterion 6 requires proposals to protect sport and recreation facilities. Policy 2 Homes supports housing development on sites allocated for housing in the Local Development Plan; or other sites provided the proposal is compliant with the policies for the location. Policy 3 Infrastructure and Services will only support proposals that result in the loss of existing sports facilities where equivalent or better alternative provision will be provided in a location that is convenient and maintains the overall playing capacity in the area. Policy 6 Town Centres First directs uses likely to attract a large number of people including retail, offices, leisure, entertainment, recreation to town centres first. However, these uses will be supported in other locations where they will have no significant adverse effect on the vitality and viability of town centres and are appropriate for the location in scale and character and will not adversely impact on adjacent uses.

2.2.3 Objections have been submitted in representations to the land uses proposed in the mixed-use redevelopment of the site. The Madras College (Kilrymont) St Andrews Design and Development Framework has been prepared following the relocation of the former school to its new campus, ahead of the anticipated redevelopment of the former school site. The Framework sets out the key design and development principles for the Madras College (Kilrymont) site and identifies potential land uses and concepts for how the site should be developed. The Framework Development Concept 1 suggests potential land uses for the existing buildings on the site as residential, offices, care homes, student accommodation or live/work units and new build potential for residential development.

2.2.4 The application seeks Planning Permission in Principle (PPP) for a mixed-use redevelopment of the former school site. Proposed uses include residential development (Sui Generis/ Class 9), student housing (Class 8), retail (Class 1), restaurant (Class 3) and assembly/leisure uses (Class 11). The PPP would establish the principle of the proposed uses on the site and an overall maximum quantum of development for the respective land uses. The overall redevelopment would form a mix of uses and proposes the re-use of the listed building on the site and new development within the grounds. The change of use of the site and other detailed matters will be progressed through future applications.

2.2.5 The site is allocated within the FIFEplan Local Development Plan for School or Further Education Campus use due to the previous use as the Madras School Kilrymont Campus. However, since the adoption of the Local Development Plan in 2017, both Madras campuses have relocated to a new purpose-built single campus within the St Andrews West Strategic Development Area. Due to the relocation, the Kilrymont Campus is no longer required by the school estate and was marketed for sale by Fife Council in 2020 with the associated Design and Development Framework prepared by Fife Council for the site. Given the allocation within FIFEplan for School or Education purposes the proposed mixed-use redevelopment proposal is contrary to the plan allocation however, circumstances have materially changed with the relocation of the former school since the adoption of FIFEplan that would warrant a deviation from the site allocation.

2.2.6 The large open playing fields that previously accommodated the school's sports facilities will be replaced by the proposed mixed-use development. SportScotland are a statutory consultee on planning applications which may result in the loss of outdoor pitches and playing fields over 0.2ha in size. Whilst this application would result in the loss of the former playing fields and sports facilities, the facilities are no longer in use as a result of the former school's relocation to an alternative site. Alternative sports facilities have been included in the new Madras site including two all-weather floodlit sports pitches that can accommodate rugby, football and hockey games. Pupils also have access to the adjacent University sports facilities including running track, sand dressed hockey pitch and Fife Council grassed pitches at Station Park and additional grassed areas close to the school. Accordingly, the loss of the former sports facilities and playing fields at the Kilrymont site is acceptable and complies with Policy 3. Equivalent or better alternative provision has been provided at the new Madras school and has maintained the overall playing capacity within the area. SportScotland have been consulted on the application and raised no objection, subject to a condition requiring the applicant to submit evidence of equivalent access to sports facilities and further mitigation if required.

2.2.7 The site is within the settlement boundary of St Andrews and the proposed uses are compatible with the potential uses within the Framework Development Concept 1. Whilst the site is not allocated for the proposed land uses, the established use is no longer required and provides an opportunity to develop a brownfield site within the existing settlement envelope. The surrounding land uses are primarily housing with the exception of Greyfriars Roman Catholic Primary School to the north of the site. Within the wider area there are a number of amenities within walking distance including retail, open space, public transport connections and St Andrews beach (East Sands) and the town centre are easily accessible. Accordingly, the proposal will change the character of the area through the proposed land uses, however, a mixed use redevelopment of the site is supported in accordance with the Kilrymont Design and Development Framework. The uses will complement the existing community and contribute to maintaining a sustainable community through the supporting local amenities. The mix of uses also supports the 20 minute neighbourhood concept in creating sustainable, walkable communities and will bring a vacant site back into use.

2.2.8 Accordingly, the proposed mixed-use redevelopment of the site is compatible with the existing surrounding land uses, the Kilrymont Design and Development Framework, FIFEplan policies 1, 2 and 6 and is therefore acceptable in principle, subject to compliance with other policies within FIFEplan Local Development Plan.

2.3 Layout, Height, Scale, Mass and Design

2.3.1 FIFEplan policies 1 Development Principles and 10 Amenity apply. Policy 1 supports development that will safeguard the character and qualities of the landscape and provide a layout and design that demonstrates adherence to the six qualities of successful places as set out in the Scottish Government's Creates Places policy. Policy 10 supports proposals where there is no significant detrimental impact on the visual impact of the development on the surrounding area. The Madras College (Kilrymont) Design and Development Framework Development Concept 1 sets out design and development principles setting out how the site should be developed in future. Key principles include a green buffer to Kilrymont Road; new building opportunity for new residential development to the north with a maximum building height of two storeys to the edges of the development and up to three storeys in the middle of the site; prioritising the re-use of the existing building; and a development opportunity to the southwest of the site. The Development Concept includes a concept diagram detailing new development opportunities, building fronts, vehicular access, green corridor, and a landscape setting for the listed building.

2.3.2 Objections have been submitted in representations in relation to the layout, height, mass and design of the proposed development. This Planning Permission in Principle application has been accompanied by the detailed Design and Access Statement and Indicative Site Layout. The Design and Access Statement provides detailed analysis and assessment of the local context that has been used to inform the site layout, as well as FIFEplan policies and the Design and Development Framework. The key vehicular access points are to be taken along the southern boundary from Kilrymont Road and the east of the site from the existing access point creating a dual access loop road through the site. A Right of Way pedestrian access to Roundhill Road will be maintained and enhanced and a new pedestrian access will be formed to Kilrymont Road. The Indicative Site Layout proposes a loop road accessing the site from Kilrymont Road east existing access and heading north before returning and providing an exit to Kilrymont Road to the south west of the site. Pedestrian linkages are included through the site providing direct routes to facilitate walking and cycling. In terms of new development, the existing listed building is to be retained and re-used with new development opportunities to the east, south west and north of the listed building. A green landscaped buffer will be maintained to the south and southeast and immediately north of the listed building to provide a visual separation between the existing new development and maintain the setting of the listed building.

2.3.3 Indicative building heights of between two and three storeys were set out in the Kilrymont Design and Development Framework. The Design and Access Statement has undertaken an assessment of the local context to determine established building heights within the area and consider appropriate building heights for the site. The existing buildings on the site have a maximum height of four storey with an additional clear storey in its centre with a pagoda style roof. The ridge height of the flat roof element of the four-storey block is around 12.5m above ground level to the north of the site with a two-storey link and drop to one storey to the rear with the sports hall sitting at two storeys. The surrounding area is primarily residential with building heights of typically between one and two storeys with some examples of three storey terraced properties within the surrounding area. The Indicative Site Plan shows the development

opportunities to the south of the site with a maximum of height of four storeys. The flatted blocks within the centre of the site would have a maximum height of four storeys (including set back) and the residential units around the northern perimeter of the site would be between one to one and a half storeys to the east, two storeys to the west and up to three storeys to the north. The proposed maximum building heights have been considered in the context of the building heights within the surrounding area, the impact on the setting of the listed building and longer views within St Andrews. The south western blocks are three storeys high with a set back penthouse above and due to the topography of the site, these lie lower than the front elevation of the V-shaped classroom block along Kilrymont Road. The central blocks are proposed at three storeys with set back penthouses above, similarly to the above the topography of the site allows these to lie lower than the existing Madras College buildings and adjacent blocks. The floor to ceiling heights of the proposed blocks will likely be lower than that of the classroom block due to it being proposed for residential proposes and not being for educational purposes. This further reduces their ridge height in comparison to the existing Madras College buildings.

2.3.4 The massing of the new development opportunities have been designed to protect key views to and from the existing listed building. Within the Design and Access Statement sketch views of the existing and proposed site have been submitted to support the proposed height and mass of the new development opportunities within the site context and setting of the listed building. Sketch View One shows the view towards the existing classroom block with the proposed development. Views towards the classroom block are maintained with a new vista of the link corridor created. Sketch View Two shows the key south elevation and shows the new development following a similar massing and orientation to the listed building to establish a harmonious relationship that maintains the listed buildings setting. Sketch View Three shows the site from the east along Kilrymont Road and demonstrates the separation between the proposed development opportunity and listed building to preserve the buildings setting. A robust landscaping scheme is also incorporated to enhance the setting of the listed building. Sketch View Four shows the site from Kilrymont Crescent and highlights that views of the prominent gable of the existing Madras College building are retained and the ridge height of the proposed block remains below that of the ridge height of the college building.

2.3.5 A Zone of Theoretical Visibility and Visualisation and Methodology Statement (ZTV) has been submitted to support the application. The ZTV uses computer modelling to illustrate the effects of the proposed development though mapping areas of land from which the proposed development might appear as part of a view. The proposed development is theoretically visible from various points in the surrounding area of St Andrews. From the study area five viewpoints have been selected to test views of the site and assess the height and mass of the proposals including Kilrymont Place, Roundhill Road, Tom Morris Drive, Kinkell Braes Holiday Park and St Andrews Pier, giving a selection of local and longer views towards the site. The visualisations demonstrate that the proposal will be visible within the immediate area however, not overbearing or detrimental to the visual amenity of the area. The view from Tom Morris Drive is the most prominent view and the new development offers an opportunity to provide an attractive vista from the street. The proposal will be visible in longer views but will not protrude above the existing roofscape or detrimentally impact on the historic skyline of St Andrews or wider views towards the St Andrews Green Belt. This application will approve an Indicative Site Plan however further applications will be required for the change of use of the site and other detailed development proposals including layout, height, mass and design; however, the approved Indicative Site Plan will be a material planning consideration. In terms of the proposed mixed-use redevelopment of the site, the applicant has demonstrated that the indicative layout broadly accords with the Kilrymont Design and Development Framework. The proposed heights are higher than those envisaged through the Framework, however, the applicant has demonstrated

that the proposed height and mass sit comfortably within the site and within the immediate and wider context. Accordingly, the proposal is compatible with the St Andrews Design and Development Framework and FIFEplan Policies 1 and 10 and Making Fife's Places Supplementary Guidance in terms of visual impact.

2.4 Built Heritage

2.4.1 The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 Section 59 requires planning authorities to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Historic Environment Scotland's Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings accepts for a building to stay in use over the long term, change will be necessary to reflect changes over time in how we use our buildings and what we expect of them. A building's long-term future is at risk when it becomes hard to alter and adapt when needed and therefore, proposals that keep buildings in use, or bring them back into use, should be supported as long as they do the least possible harm. The guidance states that alterations to a building, even if they are extensive, will be better than losing the building entirely. FIFEplan Policy 1 Development Principles Part B requires development proposals safeguard the characteristics of the historic environment. Policy 14 Built and Historic Environmental requires developments to protect or enhance buildings of special architectural or historic interest. Proposals will not be supported where it is considered they will harm or damage listed buildings or their setting, including structures or features of special architectural or historic interest. The Kilrymont Design and Development Brief Development Concept 1 requires proposals to provide a landscape setting for the B listed building on the site and continue to provide a presence to Kilrymont Road and any new development should not significantly affect the setting of the listed building.

2.4.2 Objections have been submitted in representations to the impact the proposed development would have on built heritage. The Madras College Kilrymont Road Campus is a mid-1960's category B listed building. The original Madras College buildings on South Street were built in the 1830's but by the post war period they were inadequate to meet the needs of the school population. Due to the constraints on the existing site a green field site south of the town was selected. The building has a striking design with complex pagoda-style roofline with a free standing sports hall to the west. The buildings use a variety of materials including tiles, brick, painted wood and large areas of glazing. The character and significance of the building relates to its aesthetic and architectural and historic development, landscape and social values. The significance of the building is linked to the design aesthetic of the built structure and relationship to views to the town.

2.4.3 This application is for Planning Permission in Principle for a proposed mixed-use redevelopment of the site and separate applications for listed building consent and planning permission will be required for the future re-development of the school. Therefore, this assessment will only consider the impact on the proposed information submitted through this PPPs impact on the setting of the listed building. The Indicative Site Plan proposes the retention and reuse of the existing building and sports hall with a landscape setting maintained to the south of the building to maintain the listed buildings prominence to Kilrymont Road. New development is broadly in accordance with the Kilrymont Design and Development Brief with new development proposed to the east, west and north of the building. The proposal has deviated from the Brief with new development within closer proximity to the listed building to the west and new development to the east. The applicant has undertaken a Heritage Impact Assessment and view analysis to support the proposed deviations from the approved brief.

2.4.4 Fife Council's Built Heritage Officer has been consulted on the application and has advised that the original character of the setting would be adversely affected, and the proposals have taken the lead from the surrounding area rather than the listed building and is therefore, not supported. The applicant has fed back that the proposal for three new structures south of the sports hall and northwest of the classroom block are essential for the financial feasibility of the site. Furthermore, the proposal is reversible, all heritage structures will be maintained and there is limited significance to this part of the site. The proposal to develop a new structure at the east entrance will be visible from the public realm and have a larger impact on the setting of the listed building. However, historical documents have identified that this part of the site was originally intended to include a headmaster's house and was not originally intended to be maintained as open space. The new development to the east will be prominent, however, the eastern block of the listed building is not a primary frontage and view analysis has been submitted and demonstrated that the proposal will not have a significantly detrimental impact on the setting of the listed building.

2.4.5 Overall, the proposal broadly accords with the Kilrymont Design and Development Brief. Where the proposal has deviated the applicant has submitted robust supporting information to demonstrate that there will be no significant adverse impact on the setting of the listed building. It is accepted that the character and setting of the listed building will change however, this is essential as the site adapts from its previous use as a school and associated playing fields to forming a new mixed-use community within St Andrews. Therefore, the proposal complies with the Act, FIFEplan policies 1 and 14 and associated guidance.

2.5 Amenity

2.5.1 FIFEplan Policy 1 Development Principles Part B requires development proposals to protect the amenity of the local community. Policy 10 Amenity supports proposals which will provide a satisfactory residential environment for future occupiers and existing neighbours in relation to noise, privacy, sunlight and daylight. Planning Advice Note (PAN) 1/2011 provides guidance on how the planning system helps to prevent and limit the adverse effects of noise.

2.5.2 Objections have been submitted in representations relating to daylight, sunlight, privacy and noise. The Indicative Development Framework provides sufficient information to determine that that site can be developed in accordance with Fife Council guidance in relation to daylight, sunlight, garden ground and privacy. These matters will be fully assessed as detailed planning applications are progressed on site and it is not possible to give a detailed assessment at this stage.

2.5.3 A Noise Assessment has been submitted to support the application however, further assessment of noise will be required to assess noise generating activities with forthcoming detailed planning application. The development site is located in a relatively quiet residential area and the results at this stage indicate that noise from road traffic is unlikely to be a significant constraint for future noise-sensitive uses within the proposed scheme. The increase in road traffic generated from the proposed development is predicated to be of minor adverse significance or less across the study area. The Public Protection Team have been consulted on the application and have no objection subject to a further detailed noise assessment being undertaken at a detailed planning stage and a condition relating to construction to minimise the impact on existing residents.

2.5.4 Therefore, a satisfactory residential environment for neighbours of the site can be achieved in accordance with FIFEplan Policies 1 and 10 and Planning Advice Note (PAN) 1/2011.

2.6 Transportation

2.6.1 Policy 1 Development Principles, Part C, Criterion 2 states that development proposals must provide the required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 Infrastructure and Services advises that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Further detailed technical guidance relating to this including parking requirements, visibility splays and street dimensions are contained within Appendix G (Transportation Development Guidelines) of Making Fife's Places Supplementary Guidance (2018).

2.6.2 Objections have been submitted in representations in relation to the impact on road network capacity and the proposed car parking availability. The site is located to the south of St Andrews and was the site of the former Madras College campus and located at the southern edge of the settlement bounded on all sides by quiet traffic calmed residential streets. A detailed layout for the development has been prepared which considers national and local policy guidance including the Scottish Government's document 'Designing Streets' and the SCOTS National Roads Development Guide, placing emphasis on sustainable travel over the private car. The layout has been designed to integrate with existing walking and cycling infrastructure in the area and provide access to public transport. Internally, the roads have been designed to ensure that pedestrians have priority over the private car with the layout and traffic calming measures creating an attractive pedestrian environment. The residential areas within the site are linked by a comprehensive network of footways which link with the surrounding streets and facilitate active travel within and outside the development site. Vehicular access will be taken from the existing access and two accesses from the south of Kilrymont Road. The applicant has considered car parking in accordance with the Making Fife's Places Appendix G requirements however the final parking provision will be determined through detailed planning applications.

2.6.3 The Transport Assessment has assessed trip comparison with the proposed uses and the former Kilrymont School. The assessment has concluded that based upon the former school use there will be a net decrease in traffic during the morning and evening peak periods. However, there will be a net increase in evening peak arrivals. The predicted overall net decrease means that the proposed development will have less of a traffic impact on the local road network on the previous use. Transport Scotland were consulted on the application and have no objection. Transportation Development Management were consulted on the application and have no objection subject to conditions relating to technical standards.

2.6.4 The site is well located in terms of existing walking routes to local. The proposed development would not have a detrimental impact on the operational capacity or road safety of the surrounding road network. Therefore, the proposal complies with FIFEplan Policy 1 and 3 and the Making Fife's Places Supplementary Guidance.

2.7 Flood Risk

2.7.1 FIFEplan Policy 1 Development Principles requires new development avoid flooding impacts on the water environment. Policy 3 Infrastructure and Services requires development to deliver the required level of infrastructure including foul and surface water drainage including Sustainable Urban Drainage Systems. Policy 12 Flooding and the Water Environment requires

proposals to demonstrate they will not individually or cumulatively increase flooding or flood risk on the site or elsewhere. Proposals should not detrimentally impact on a water body's natural characteristics, engineering works or recreational uses.

2.7.2 Objections have been submitted in representations relating to flooding and drainage. The site contains an open watercourse which enters the site from a culvert under Kilrymont Road and enters a culvert under the existing access road. SEPA flood mapping shows that the watercourse is at risk of flooding and has previously been subject to localised flooding. Existing flooding has been identified within the development site to the west of the existing building. The remaining site hardstanding including all building roofs are currently collected in combined sewers and discharge to the Scottish Water combined sewer in Kilrymont Road. A Flood Risk Assessment has been submitted to support the assessment of the application. The assessment proposes that the development is split between two discharge points. The repurposed Madras College site is proposed to discharge to the existing watercourse as it runs through the site. The flooding to the west of the existing building would be addressed by a new surface water collection system and pipes to collect water and eliminate flooding. Water from the housing development and access roads will be collected in sewers and discharge to a basin located to the north-east of the site. Surface water run-off would be discharged to an existing culvert in Lamond Drive.

2.7.3 Scottish Water were consulted on the application and have no objection. Structural Services were consulted on the application and have no further comments to make. Further details of the flood risk and drainage will be assessed as part of future detailed planning applications. At this stage, the applicant has submitted sufficient information to demonstrate that the site has the capacity to manage flooding and drainage on the site in accordance with policies 1 and 12 of FIFEplan.

2.8 Ecology, Biodiversity and Trees

2.8.1 FIFEplan Policy 1 Development Principles Part B requires development safeguard the character and qualities of the landscape and safeguard or avoid the loss of natural resources. Policy 13 Natural Environment and Access supports development proposals that protect natural heritage including trees and hedgerows that contribute towards the landscape and amenity of the area. Proposals must also protect biodiversity in the wider environment and contribute towards the countryside character and views.

2.8.2 An Ecology and Biodiversity Assessment has been submitted to support the application. The purpose of the assessment was to characterise the habitats present on site and assess the study area to identify whether there were any features on site that would indicate the presence of protected species and species or habitats or nature conservation importance or the presence of non-native invasive species that could represent a significant ecological constraint. The survey found that biodiversity on the site is low and habitats on site are all man-made. There are no rare habitats on site. The site was surveyed for red squirrel, badger, bats and breeding birds however no evidence was found. Apart from the building, the site has no bat roosting potential and the amenity areas have a low value as a bat foraging habitat. The survey has recommended mitigation to be progressed through the detailed planning applications including bat boxes, tree protection, disturbance to trees. NatureScot were consulted on the application and have no objection.

2.8.3 A Tree Survey Report was submitted to support the application. A total of 50 trees were identified within the site and immediate area and are mostly ornamental deciduous and coniferous trees. The trees on site have been categorised with category A trees of high quality and value in good condition; category B of moderate quality with life expectancy of at least 20 years; category C trees are of low quality with a life expectancy of at least 10 years or young trees with a stem diameter of at below 150mm; and category U meaning the tree cannot be retained due to serious defect or the tree is dead or dying. Nine trees are recommended to be removed for health and safety or for management and twenty trees are to be removed to accommodate the proposed development. Whilst the loss of category B trees is normally resisted the trees are under no statutory protection and compensatory replacement tree planting will be required as part of the redevelopment of the site. The loss of the trees on the site is essential to enabling the redevelopment of the school and former playing fields. Accordingly, the proposal is compatible with policies 1 and 13 of FIFEplan and is acceptable.

2.9 Archaeology

2.9.1 FIFEplan Policy 1 Development Principles Part B requires development proposals to safeguard the characteristics of the historic environment, including archaeology. Policy 14 Built and Historic Environment requires all archaeological sites and deposits, whether statutory protected or not are considered to be of significance. Development proposals will only be supported where remains are preserved in-situ and in an appropriate setting; or there is no reasonable alternative means of meeting the development need and the appropriate investigation, recording and mitigation is proposed.

2.9.2 An Archaeology Assessment has been submitted to support the application. The assessment concludes that the only known cultural heritage asset within the site is the B listed building which is to be retained. Until construction of the Madras College the site had been undeveloped since at least the mid-eighteenth century. There is no evidence of prehistoric ritual activity within the wider area around the proposed development sites. Fife Council's Archaeologist has been consulted and advised there is the potential of prehistoric archaeological deposits on the site. Accordingly, the Archaeologist has no objection to the proposal subject to a condition relating to an archaeological excavation prior to works commencing on site. Therefore, subject to a condition the proposal complies with policies 1 and 14 of FIFEplan.

2.10 Infrastructure and Planning Obligations

2.10.1 Infrastructure and Planning Obligations 2.13.1 Circular 3/2012: Planning Obligations and Good Neighbour Agreements sets out Scottish Government expectations on the role planning obligations will play in addressing the infrastructure impacts of new development. The circular requires that planning obligations meet all of the five tests as set out in paragraphs 14-25 of the circular. A planning obligation should be necessary to make the proposed development acceptable in planning terms; serve a planning purpose and where it is possible to identify infrastructure provision requirements in advance, should relate to development plans; relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area; fairly and reasonably relate in scale and kind to the proposed development and be reasonable in all other respects.

2.10.2 Policy 1, Part B, criterion 1 of the FIFEplan advises that development proposals must mitigate against the loss of infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure. Policy 4 of the FIFEplan advises that developer contributions will be required from development if it will have an adverse

impact on strategic infrastructure capacity or have an adverse community impact. Policy 4 also states that developments, other than a change of use to employment land or leisure site, will be exempt from these obligations if they are for the conversion or renovation of an existing building, particularly if it is listed and if they are for the re-use of derelict land/buildings or previously developed land.

2.10.3 Fife Council's Draft Planning Obligations Framework Guidance (2017) advises that planning obligations will be requested by Fife Council as Planning Authority to address impacts arising from proposed development activity consistent with the tests set out in Circular 3/2012. The guidance describes when planning obligations will be sought, where exemptions will apply and how methodologies will be applied when considering the impacts, a proposed development will have on existing infrastructure. The priorities to be addressed are educational provision, transport, affordable housing development, greenspace and public art

Transportation

2.10.4 A draft Planning Obligations Framework Supplementary Guidance sets out a requirement for a link road to be funded by the Strategic Development Area and other contributing development proposals within St Andrews to fund transport improvements in or around the town. The submitted Transport Assessment shows a net reduction in trips in both the AM and PM peak compared with the previous school use. Accordingly, it would not be reasonable to seek a contribution to improvements to the local transport network. Transportation Development Management have been consulted and agreed with the findings of the Transport Assessment.

Education

2.10.5 The draft Supplementary Guidance advises that new residential developments across Fife will have an impact on the school estate and certain types of development will be required to provide education contributions where there is a shortfall in local school capacity. These contributions will only be required when the need for additional school capacity is brought about directly through the impact of the development and these obligations will take the form of either direct school and nursery provision or financial contributions towards the cost of creating additional capacity for increased pupil numbers.

2.10.6 Fife Council's Education Services have been consulted on this application and have advised that the application site is likely to create or contribute to a capacity risk within the catchment area of the development site. However, the Education Service would not object to this planning application, subject to planning obligation payments to contribute to the costs of the mitigation at Madras College. The estimated cost of providing additional teaching areas at Madras College is £4.5 million to be funded on a pro-rata basis by all eligible housing developments across the catchment area.

Green Infrastructure and Open Space

2.10.7 Policy 1, Part C, criterion 4 of the FIFEplan requires proposals to provide green infrastructure in accordance with the Green Network Map. Policy 3 of FIFEplan ensures that new development makes provision for infrastructure requirements to support new development. This includes green infrastructure and green network requirements such as open space and amenity space.

2.10.8 Making Fife's Places Supplementary Guidance sets out that development proposals comprising over 50 units are required to provide 60 square metres of open space per dwelling on site or contribute towards existing open space if the development is located within 250m walking distance of an existing open space. The proposal offers approximately 2.3ha of public open green space across the site as well as additional private amenity space to residents of properties around the perimeter of the site, which exceeds to requirement set out in the draft Supplementary Guidance. This matter would, however, be fully assessed through further detailed applications.

2.10.9 The re-location of the former school and mixed-use redevelopment of the site has resulted in the loss of sports facilities from the site. However, equivalent provision has been included in the new Madras campus and within the local area. A condition has been included to demonstrate this and identify further mitigation if required. Therefore, the proposed high quality green infrastructure and open space included within the proposed mixed-use redevelopment of the site is in addition to the replacement sports facilities elsewhere within St Andrews.

Affordable Housing

2.10.10 Policy 1, Part C, Criterion 1 of the Adopted FIFEplan states that development proposals must meet the requirements for affordable housing. Policy 2 of the Adopted FIFEplan states that open market housing development must provide affordable housing at the levels for each Housing Market Area (HMA), consistent with the Affordable Housing Supplementary Guidance. This should be fully integrated into new development and be indistinguishable from other forms of housing. In order to achieve mixed and balanced communities, mixed tenure developments will be promoted. Fife Council's Supplementary Guidance on Affordable Housing (2018) considers that housing proposals must accord with the structure plan housing land requirement.

2.10.11 Fife Council's Affordable Housing team have no objections to the proposal subject to 30% of the approved housing being affordable housing units. The agent has agreed to provide the affordable housing provision on site and will be secured through an appropriate legal agreement. The proposal would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

Public Art

2.10.12 Policies 1 and 4 of the FIFEplan states that a contribution towards on-site public art will be sought in relation to Local applications for housing on visually prominent sites evident from main road corridors. Further guidance regarding this will be set out in the guidance. The requirement for public art to be provided as part of new development will be determined on a site by site basis using the process set out in the guidance. The Supplementary Guidance states that other uses than those listed in Figure 2, changes of use, building conversions, minor or householder planning applications will not be expected to make a contribution to public art. Where contributions are sought, these will apply to gross floor area including service yard and ancillary buildings.

2.10.13 Making Fife's Places Supplementary Guidance states that the main objective of public art is to enhance the quality of a place, so it must be an integral part of the design process for the overall development and considered from the outset. It is closely related to urban design in the consideration of issues and design principles. In this way, incorporating public art will help to create distinctive places.

2.10.14 A condition is recommended regarding this matter and any future detailed applications should demonstrate how it has incorporated public art into the overall development with the cost of the public art equating to £300 per dwellinghouse. This matter would, however, be fully assessed at the detailed planning stage. The proposal would therefore be acceptable, in principle, and would comply with the Development Plan in this respect.

2.10.15 Accordingly, subject to an appropriate legal agreement to secure the provision of affordable housing and education contributions, conditions requiring the provision of public art and the provision of adequate open space through detailed planning applications the proposal complies with policies 1 and 4 of FIFEplan.

2.11 Contaminated Land

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

2.11.2 Fife Council's Contaminated Land team advise that they have no objections to the development subject to conditions relating to contaminated land including the submission of a preliminary risk assessment and the submission of a remedial action statement if required. Conditions regarding these matters are recommended. The proposal subject to these conditions, would, therefore, have no significant impact on amenity in relation to contaminated land and would comply with Development Plan Policy in this respect.

2.12 Sustainability

2.12.1 FIFEplan Policy 1 Development Principles requires new development provide energy generation and generation in the layout and design and contribute to achieving an area's full potential for electricity and heat from renewable sources. Policy 11 Low Carbon Fife supports new development to incorporate low carbon energy schemes.

2.12.2 The agent has submitted a Low Carbon Sustainability Checklist to support the application. The checklist confirms the agent has submitted sufficient information in relating to sustainability. An Energy Statement has also been submitted and identifies measures to enhance the sustainability of the site. Measures include insulating the existing school; installing enhanced insulation within the fabric of new buildings; using air source heat pumps to provide heating and hot water; using LED lighting and installing PV panels to non-domestic buildings to generate renewable electricity. All sustainability measures will be assessed through future detailed planning applications. Therefore, the proposals comply with FIFEplan Policy 1 and 11.

CONSULTATIONS

Built Heritage, Planning Services	Issues raised due to impact on setting.
Environmental Health (Public Protection)	No objection, subject to conditions.
Scottish Water	No objection.
Historic Environment Scotland	No comments.
Community Council	Objection to proposed uses, height, obstruction of Right of Way, traffic generation,

Transport Scotland	car parking, materials and energy source.
NatureScot	No objection.
Archaeology Team, Planning Services	No objection, subject to a condition.
Built Heritage, Planning Services	Development will alter setting of the listed building and change the character of the site and not supported.
Urban Design, Planning Services	Urban Design input throughout application process.
Land And Air Quality, Protective Services	No objection, subject to conditions.
Education (Directorate)	No objection, subject to education contributions.
Housing And Neighbourhood Services	No objection, subject to affordable housing contribution.
Structural Services - Flooding, Shoreline And Harbours	No objection.
Environmental Health (Public Protection)	No objection, subject to conditions.
TDM, Planning Services	No objection, subject to conditions.
Transportation And Environmental Services - Operations Team	
SportScotland	No objection, subject to a condition.

REPRESENTATIONS

53 representations were received 52 of which were objections, including a petition with eleven signatories and one was a supporting representation. Issues raised are as follows:

- procedural matters regarding the change of use of the site; this is addressed in section 1.2.4
- proposed land uses; this is address in section 2.2
- compliance with Design and Development Framework; this is addressed throughout
- compliance with National Planning Framework 4; this is addressed ahead of section 1.0
- layout, height, mass and design; this is addressed in section 2.3
- built heritage; this is addressed in section 2.4
- residential amenity (daylight, sunlight, privacy and noise); this is addressed in section 2.5
- road network capacity and car park provision; this is addressed in section 2.6
- drainage and flooding; this is addressed in section 2.8
- access to Right of Way; this has been secured by condition
- construction noise; this has been controlled by condition
- light pollution; this has been controlled by condition.

Non-material planning issues raised:

- anti-social behaviour; and
- impact on neighbouring property prices.

CONCLUSIONS

The application for a mixed-use redevelopment of the site is contrary to the site allocation within FIFEplan for school or education purposes. As the school and associated playing fields are no longer required, circumstances have materially changed that would justify a departure from the FIFEplan allocation. The proposal is compatible with the Madras (Kilrymont) Design and Development Brief and policies 1, 2, 6, 10, 11, 12, 13 and 14 of FIFEplan and the Making Fife's Supplementary Guidance. The proposal would establish the principle of a mixed-use redevelopment of the site and approve an Indicative Site Layout that would be a material consideration in the determination of forthcoming detailed applications.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

RECOMMENDATION

It is accordingly recommended that the application be approved subject to:

The conclusion of a legal agreement relating to:

- 1) The provision of affordable housing comprising 30% of all residential units approved on the site.
- 2) A contribution towards education infrastructure at Madras College in accordance with FIFEplan (2017 and draft Planning Obligations Supplementary Guidance.

and the following conditions and reasons:

1. The development to which this permission relates must be commenced no later than 5 years from the date of this permission.

Reason: The development to which this permission relates must be commenced no later than 5 years from the date of this permission.

2. A further application(s) for the following matters shall be submitted for the approval of the Planning Authority:

- (a) The construction of residential units (including flats) (Class 9 Houses/Sui Generis), and associated infrastructure;
- (b) The construction of affordable residential units (30%) of the total number of units for the site) as defined by Fife Council Supplementary Guidance on Affordable Housing and associated infrastructure;
- (c) The construction of student housing, Class 8 (Residential Institutions);
- (d) The Class 1 (Shops) retail unit(s);
- (e) The Class 11 (Assembly and Leisure);

(f) The Class 3 (e.g. Deli/Restaurant);

(g) Sustainable Drainage System (SuDS) and drainage infrastructure;

(h) Roads, access, footpath and cycle path provision; and,

(a) Open space, community areas, event area and play provision. The details thereby permitted shall be implemented as part of the development.

Reason: Considering this application is made for Planning Permission in Principle only; to comply with Section 59 of The Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006.

3. Every application for approval of matters specified by Condition 2 shall be submitted for the written approval of the Planning Authority with the following information, where relevant:- (a) A location plan of all the existing site to be developed at a scale of not less than 1:2,500 showing generally the site, any existing trees, hedges, walls (or other boundary markers), watercourses, layout of roads and sewers, and the position of all buildings.

(b) A detailed plan to a scale of not less than 1:500 showing the site contours, the position and width of all proposed roads and footpaths including public access provision, the siting of the proposed buildings, including the proposed affordable housing units, finished floor levels, new walls and fences, details of proposed landscape and public realm treatment (including materials), and a phasing plan with accompanying statement for all proposed works on site.

(c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, together with details of the proposed method of drainage and the colour and type of materials to be used externally on walls and roofs.

(d) Detailed plans of the landscaping scheme for the site including the number, species and size of all trees or shrubs to be planted and the method of protection and retention of any trees and details of all hard landscape elements, including surface finishes and boundary treatments.

(e) A detailed plan to a scale of not less than 1:500 showing existing site sections and a detailed plan to a scale of not less than 1:500 showing proposed site sections.

(f) A detailed plan to a scale of not less than 1:500 illustrating the siting of areas of formal and informal open space and landscaping. This plan shall be accompanied by a supporting statement, which shall explain the utility of these areas of open space for a broad range of users that includes toddlers, young children, teenagers, adults, older people, and disabled persons.

(g) A Development Framework Plan for the whole site comprising the following: (i) a landscape framework; (ii) a drainage strategy; (iii) a design framework; (iv) a public art strategy for the whole site.

(h) Detailed designs including appropriate technical reports for the SUDS and other drainage infrastructure associated with the development, including management of surface water drainage and potential flooding.

(i) Details of street lighting.

(j) A Design and Access statement and a block plan in accordance with Making Fife's Places Supplementary Guidance or any revision of this document.

(k) An updated landscape and visual appraisal including a viewpoint analysis of the key views across the site as identified in the Development Framework Plan illustrating the site before and after development; and detailing the siting, orientation, scale and massing of all buildings to demonstrate compliance with the design principles of the Development Framework Plan.

4. The first application for approval of matters specified under the terms of Condition 2(a) to 1(i) inclusive; shall, where relevant, be submitted with the information set out in Condition 2 and the following information:

(a) Details of the intended methodology and delivery of the onsite affordable housing, including tenure and timetable for delivery;

(b) A Development Framework Plan showing the whole site, including a phasing plan.

(c) An overall Masterplan/Design Code/Design Brief or guide; which will form the basis for all future development designs and layouts within the whole site and thereafter the agreed plan/document shall be adhered to by all developer(s) at all times.

Thereafter the agreed details shall be implemented in full unless otherwise agreed in writing with this Planning Authority.

Reason: To specify the supporting information required for an application for approval of matters specified by condition.

5. PRIOR TO THE COMMENCEMENT OF WORKS ON EACH PLANNED PHASE OF THE SITE, details of the following shall be submitted for the prior written approval of Fife Council as Planning Authority and shall be carried out in full in accordance with the approved details.

(a) A Construction Method Statement, including an Environmental Protection Plan and Scheme of Works relating to construction activities on site;

(b) A Public Art Strategy for the site in accordance with Making Fife's Places Supplementary Guidance, or as superseded;

(c) A Landscape and Open Space Strategy; and

(d) A Play Provision and Outdoor Access Strategy.

Reason: To specify the supporting information required for an application for approval of matters by condition.

6. PRIOR TO THE COMMENCEMENT OF WORKS ON EACH PLANNED PHASE OF THE SITE, details of the proposed acoustic mitigation measures shall be submitted for the prior written approval of Fife Council as Planning Authority and shall be carried out in full in accordance with the approved details.

Reason: In the interests of residential amenity protection; to ensure the development is not significantly adversely affected by noise from the adjacent roads and other non-residential/commercial premises.

7. PRIOR TO THE COMMENCEMENT OF WORKS ON SITE, a scheme of landscaping is to be submitted to and approved in writing by the Planning Authority. The scheme shall include hard and soft landscaping works, boundary treatment(s), details of trees and other features which are to be retained, and a programme for the implementation/phasing of the landscaping in relation to the construction of the development. All landscaping, including planting, seeding and hard landscaping shall be carried out only in full accordance with such approved details unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of enhancing the landscape character, ecology and bio-diversity of the site.

8. BEFORE ANY WORKS START ON SITE, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

Reason: In order to safeguard the archaeological heritage of the site and to ensure that the developer provides for an adequate opportunity to investigate, record and rescue archaeological remains on the site, which lies within an area of archaeological importance.

9. NO DEVELOPMENT SHALL COMMENCE ON SITE until the risk of actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study) has been submitted by the developer to and approved in writing by the planning authority. Where further investigation is recommended in the Preliminary Risk Assessment, no development shall commence until a suitable Intrusive Investigation (Phase II Investigation Report) has been submitted by the developer to and approved in writing by the planning authority. Where remedial action is recommended in the Phase II Intrusive Investigation Report, no development shall commence until a suitable Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures.

All land contamination reports shall be prepared in accordance with CLR11, PAN 33 and the Council's Advice for Developing Brownfield Sites in Fife documents or any subsequent revisions of those documents. Additional information can be found at www.fifedirect.org.uk/contaminatedland.

Reason: To ensure potential risk arising from previous land uses has been investigated and any requirement for remedial actions is suitably addressed.

10. NO BUILDING SHALL BE OCCUPIED UNTIL remedial action at the site has been completed in accordance with the Remedial Action Statement approved pursuant to condition . In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement - or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site - all development work on site (save for site investigation work) shall cease immediately and the planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until

proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement - or any approved revised Remedial Action Statement - a Verification Report shall be submitted by the developer to the local planning authority.

Unless otherwise agreed in writing with the planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement - or the approved revised Remedial Action Statement - and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

Reason: To provide satisfactory verification that remedial action has been completed to the planning authority's satisfaction.

11. IN THE EVENT THAT CONTAMINATION NOT PREVIOUSLY IDENTIFIED by the developer prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority or (b) the planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

12. Should the proposed size/scale of the application be subject to change the existing Air Quality Impact Assessment should be reassessed and resubmitted for comment/approval. Should the amended assessment predict that statutory objectives will be exceeded, the applicant shall provide a scheme for mitigating such impacts for submission to and approval by the Council and thereafter implement it in accordance with said details before any development work commences on site.

Reason: To protect air quality.

13. All works done on or adjacent to existing public roads shall be constructed in accordance with the current Fife Council Transportation Development Guidelines.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

14. All roads and associated works serving the proposed development shall be constructed in accordance with Making Fife's Places Supplementary Guidance August 2018 and the current Fife Council Transportation Development Guidelines (Appendix G) to a standard suitable for adoption.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction. Work shall include the following -

- The loop road shall be designed to ensure vehicle speeds <20mph and <10mph on any shared surface streets. The loop road shall be completed and open to vehicular and pedestrian traffic prior to occupation of the 100th dwelling.
- No part of the loop road shall be formed as a shared surface street.
- The provision of a footway on the outside of the loop road. A 2 metres wide grass verge on the inside of the loop road with convenient pedestrian crossing points.
- The link shared path generally running in a northeast - southeast direction through the middle of the site shall be to a prospectively adoptable standard.
- The shared path from Roundhill Road shall be completed and open to pedestrian and cyclist traffic prior to occupation of the 50th dwelling or opening of the (Class 3); or (Class 1); or assembly and leisure (Class 11) uses, whichever is sooner.

15. Prior to every vehicular access coming into use, visibility splays 2.4 metres x 25 metres shall be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at the junction of every vehicular access with Kilrymont Road in accordance with the current Fife Council Transportation Development Guidelines. The visibility splays shall be retained through the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access with the public road.

16. Prior to occupation of the first dwelling or opening of the (Class 3); (Class 1); or assembly and leisure (Class 11) uses, visibility splays 2.4 metres x 25 metres shall be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at the junction of the vehicular accesses to the car parks with the loop road in accordance with the current Fife Council Transportation Development Guidelines. The visibility splays shall be retained through the lifetime of the development.

Reason: Prior to occupation of the first dwelling or opening of the noted commercial premises; in the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access with the public road.

17. Prior to occupation of each dwelling, all roadside boundary markers being maintained at a height not exceeding 600mm above the adjacent road channel level through the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at road junctions etc.

18. To minimise noise disturbance at nearby premises it is generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 08.00- and 18.00-hours Mondays to Fridays 08.00 and 13.00hours Saturdays With no working Sundays or Public Holidays In some cases, different site-specific hours of operation may be appropriate. Under the Control of Pollution Act 1974, Section 60 Fife Council Protective Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out. Due to the proximity of existing residential properties, I would request that the applicant submit a Scheme of Works designed to mitigate the effects on sensitive premises/areas (i.e. neighbouring properties and road) of dust, noise and vibration from the construction phase of the proposed development. The use of British Standard BS 5228: Part 1: 2009 "Noise and Vibration Control on Construction and Open Sites" and BRE Publication BR456 - February 2003 "Control of Dust from Construction and Demolition Activities" should be consulted.

Reason: In order to protect the amenity of adjoining and nearby residents.

19. No works shall be undertaken which in any way impinge or obstruct alleged or vindicated rights of way on or adjacent to the application site, unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: To ensure that all existing rights of way are protected and not adversely affected as a result of the development.

20. Details of the reserved matters submitted pursuant to this permission shall be substantially in accordance with the details set out within the Design and Access Statement (Revision 04) accompanying this application in relation to proposed uses, access points, site layout, developable areas and proposed building heights.

Reason: To ensure compliance with the proposals shown to support this Planning Permission in Principle application.

21. Prior to the commencement of works on site, the applicant is to submit details of the outdoor sports facilities available at the former Kilrymont Campus site and evidence of equivalent access to sports facilities at the new school and within St Andrews. Both school and community users should be considered. The report should also include detail of any additional mitigation if required, to be agreed by Fife Council in consultation with SportScotland

Reason: To ensure satisfactory provision of sports facilities within St Andrews.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Policy and Guidance

Scottish Planning Policy 2014
National Planning Framework 4
PAN 1/2011 Planning and Noise
PAN 33 Development of Contaminated Land
Royal Environmental Health Institute of Scotland Briefing Note 017

Development Plan

Adopted FIFEplan (2017)
Fife Council's Supplementary Guidance on Affordable Housing (2019)
Making Fife's Places Planning Supplementary Guidance (2018)
Fife Council's Low Carbon Fife Supplementary Guidance (January 2019)

Other Guidance

Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2022)
Fife Council's Planning Customer Guidelines on Garden Ground (2016)
Fife Council's Minimum Distance between Windows Guidance (2011)
Fife Council's draft Planning Obligations Framework Guidance (2017)
Fife Council's Planning Policy for Development and Noise (2021)
Fife Council's Air Quality in Fife - Advice for Developers (2020)
Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2021)
Fife Council's Madras College (Kilrymont) St Andrews Design and Development Framework

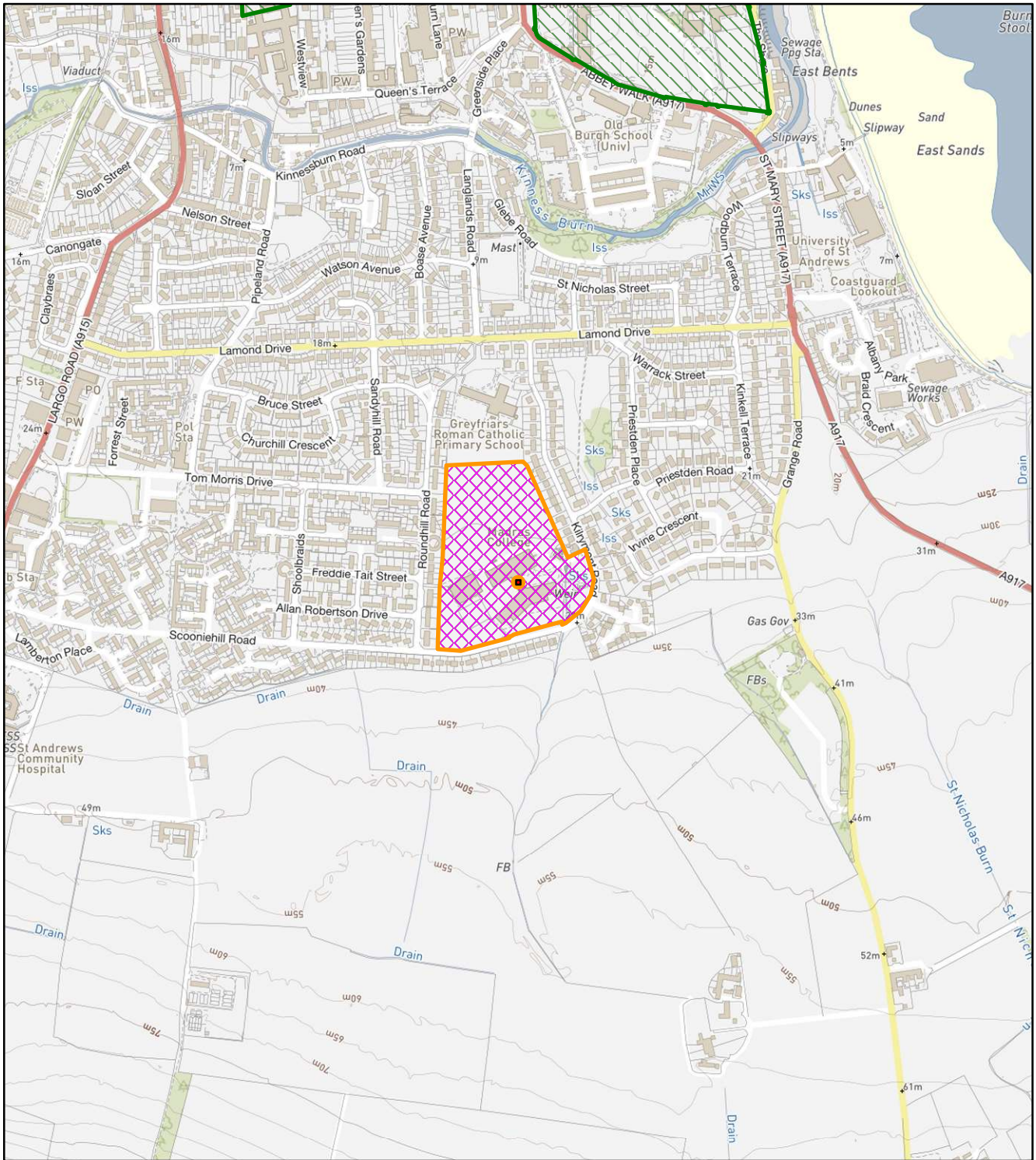
Report prepared by Declan Semple, Lead Officer.

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead)
30/11/2022

Date Printed 10/11/2022

22/00990/PPP

Madras College Kilrymont Road St Andrews

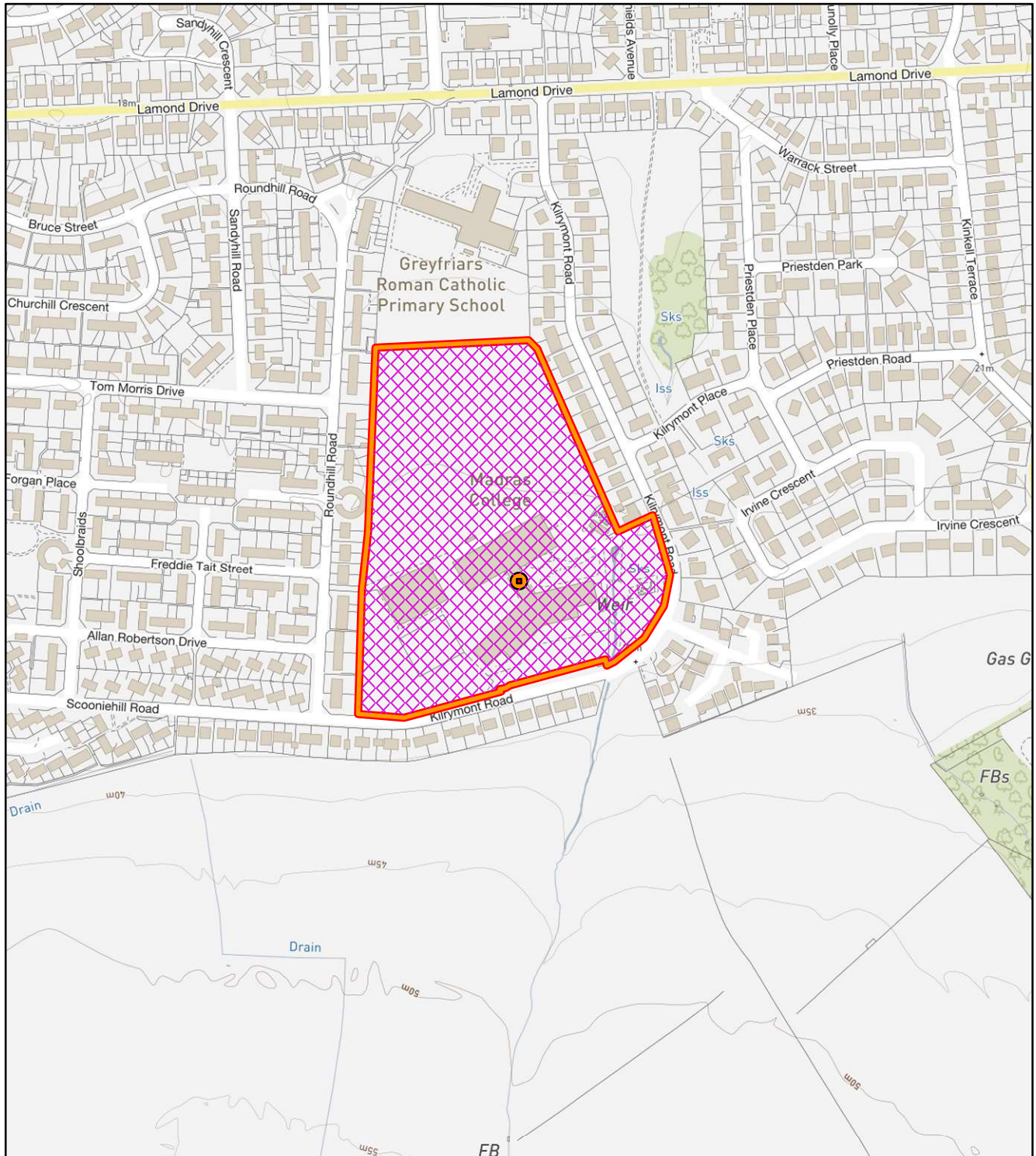


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Legend	
 Application Boundary	
	
 Economy, Planning & Employability Services	

22/00990/PPP

Madras College Kilrymont Road St Andrews



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Legend			
	Application Boundary		

ITEM NO: 7

APPLICATION FOR FULL PLANNING PERMISSION REF: 22/01366/FULL

SITE ADDRESS: ABBOTSFORD COTTAGE ABBOTSFORD PLACE ST ANDREWS

PROPOSAL: ERECTION OF DWELLINGHOUSE AND ASSOCIATED WORKS (DEMOLITION OF EXISTING DWELLINGHOUSE)

**APPLICANT: MR AND MRS NICOLAIS
ABBOTSFORD COTTAGE ABBOTSFORD PLACE ST ANDREWS**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Scott McInroy

DATE REGISTERED: 09/05/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

More than 5 objections contrary to case officers' recommendation

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority

should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan which provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 sets out themes around sustainability, productivity, liveability, and distinctive places. It is underpinned by six spatial principles.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced.

When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance will cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 This application relates to a single storey property called Abbotsford Cottage, which sits to the south of Southern Lodge and to the north of Greyfriars House. The property is also located within close proximity of North Street to the north and Greyfriars Garden to the East. Abbotsford Place sits immediately to the west. The property has been used as a student let for decades and is in a poor condition. The property was extended around the 1980's, substantially increasing its built footprint. These extensions would require substantial upgrading to meet current standards. The original property forms a very small part of the current house and is also in a poor state of repair. The building is not listed (and no listed buildings within the vicinity) though sits within the designated Central St Andrews Conservation Area and within an area of Archaeological Regional Importance. The surrounding area is predominately residential in use. The application site measures approximately 346m², with the built footprint area to be demolished measuring 122m². The cottage is finished in stone to the front elevation and wet dash render to the side and rear with a slate gable roof and flat roof to the 1980s side extension. The area to be demolished fronts onto Abbotsford Place.

1.2 This application is for the erection of dwellinghouse and associated works (including the proposed demolition of existing dwellinghouse). The proposal would involve the complete demolition of the existing dwelling at Abbotsford Cottage. The proposal is for a 2 and a half storey dwelling with hipped roof and dormer windows to the front. The building will be finished ashlar sandstone and render with zinc panels and aluminium clad timber framed windows and doors. The related application for Conservation Area Consent to demolish the property

(22/01365/CAC) is also included on this agenda for Member's consideration and to ensure both applications, if need be, have the same appeal options available if need be.

1.3 There is no previous recent planning history for this site other than the aforementioned CAC application.

2.0 Assessment

2.0.1 The issues to be assessed against the development plan and other guidance are as follows: -

- Principle of Development
- Design/Visual Impact on Conservation Area
- Residential Amenity
- Garden Ground
- Transportation
- Archaeology
- Trees
- Contamination
- Low Carbon
- HMO

2.1 Principle of Development

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

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

2.1.3 Concerns have been raised regarding the principle of development. In simple land use terms, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within an established residential area of St Andrews within the Adopted FIFEplan. Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

2.2 Design/Visual Impact on Conservation Area

2.2.1 Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Scotland (HES) Policy Statement (June 2016), Managing Change in the Historic Environment (2010) and New Design in Historic Settings (2010), Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), the Making Fife's Places Supplementary Guidance Document (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010) and the St Andrews Design Guidelines (2011) apply with regard to this proposal.

2.2.2 Policy 1 of the Adopted FIFEplan Local Development Plan (2017) advises that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. Additionally, Policy 10 of FIFEplan (2017) advises that development will only be supported if it does not have a significant detrimental impact with respect to visual amenity. Policy 14 of FIFEplan (2017) advises that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported.

2.2.3 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. Additionally, it sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how development proposals can be evaluated to ensure compliance with the six qualities of successful places, which are:

- o Distinctive.
- o Easy to move around.
- o Safe and pleasant.
- o Adaptable
- o Welcoming; and
- o Resource efficient

Lastly, the Supplementary Guidance recognises that the built environment has been adapted over time to meet changing needs, stating that protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

2.2.4 Fife Council's St Andrews Conservation Area Appraisal and Management Plan (2010) provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management. The general advice, guidance, and management considerations referred to are relevant to all new development opportunities within the Conservation Area itself and mirror the advice contained within SPP and HES Policy Statement. The application property is not of specific merit to be individually mentioned to in the document.

2.2.5 St Andrews Design Guidelines (2011) sets out a number of principles to ensure appropriate design and materials are incorporated into new development. The guidance advises that buildings should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate. The guidance further advises that the introduction of contemporary design in a traditional environment is challenging, and not every site will be able to accommodate this approach, but where appropriate and where design is of a sufficiently high standard of architectural quality, there is an opportunity to develop new built heritage for the future. Key principles related to the proposed development include:

Guideline 8 - Ensure that new development conforms to the predominant height of the visible adjacent roofs to maintain the existing skyline and the prominence of the landmark towers and spires.

Guideline 9 - Ensure that the height of new development beyond the town centre area respects the immediate and wider setting and does not rise above sightlines of the historic skyline from the main approach roads.

Guideline 19 - Ensure that all streetscape and building proposals take account of the need for compliance with the Disability Access and Discrimination Act.

Guideline 47 - Provide for adequate on-site waste storage as part of any new planning or licensing consent to ensure that commercial and domestic waste storage containers are not visible from the public realm and are only permitted in the streets immediately prior to collection.

Guideline 63 - Ensure that the development proposals meet the test for acceptable change.

- The design quality is high and will enhance the townscape character.
- that the function will help to sustain the economic and social role of the town centre.

This applies to all types of development (alterations, refurbishments, extensions, and new build) and all designs (contemporary or traditional).

Guideline 64 - Encourage good quality design innovation where it is appropriate and to strict constraints on height, footprint, massing, proportion, and materials.

2.2.6 Design advice from HES New Design in Historic Settings (2010) suggests two valid approaches to new developments in conservation areas - historicist faithful matching in design detail, materials and methods, or a respectful and subsidiary contemporary design in high quality contextual materials.

2.2.7 In this case, Abbotsford Cottage itself has been significantly altered since it was originally built along with an unsympathetic 1980s flat roof extension and its form and use of materials have little architectural or historic merit. The removal of this element of Abbotsford Cottage would not negatively affect the streetscape or nearby buildings of specific architectural or historical interest. Historic Environment Scotland (HES) have been consulted with regard to this proposal and they have no objections to the demolition of the 1980s side extension as this provides no contribution to the character of the conservation area. HES did consider that the front gable did have some merit for retention. The applicant has submitted a structural report which states Abbotsford Cottage has been extended and altered several times to increase the footprint of the original dwelling. Given these previous extensions, the building's functionality has been compromised. These extensions are lightweight in nature and given the time of construction are poorly insulated to modern day standards and are reaching the end their useful life. Through this report the applicant has explored the option for redevelopment, however it is concluded that demolition and rebuild are the best solution to provide a dwelling to meet modern thermal efficient standards. Therefore, it is considered that the case for demolition complies with the relevant guidance.

2.2.8 Concerns have been raised by objectors with regards the impact on the conservation area and design and scale of the proposal. Concerns were also raised by officers with regards the original design of the proposed new dwelling in relation to orientation of fenestration; roof profile, building mass/height; visual relationship to Southern Lodge; and vertical features required to break up the roof. The applicant took on board these comments and introduced a number of changes to address these concerns. The proposal is for a 2 and a half storey dwelling with hipped roof and dormer windows to the front. The building would be finished with buff coloured ashlar sandstone and rendered walls; grey zinc panelled roof and some minor wall elements; and aluminium clad timber framed windows and doors. In broad design terms, the fenestration is

generally vertically orientated across the building, which provides a more appropriate visual relationship of the new building to the existing Southern Lodge. The projecting window features to the front elevation create an element of distinctiveness and modernity while retaining a vertical orientation to provide a visual connection to the adjacent buildings. The roof profile has been amended to a more balanced form, which does not jar with, or significantly compete with, the adjacent principal building. The building has been reduced slightly so the proposal is lower in height than adjacent buildings which can allow the building to be read as subservient to the adjacent Southern Lodge. The introduction of an additional dormer window breaks up the visual scale of the roof and strengthens the contemporary character to the building at the upper level. The vertical orientation of the fenestration has taken cues from the adjacent building, and whilst offering a modern character, the proposal is considered to be an appropriate design sitting in the context of Southern Lodge. Overall, the proposal would introduce a new building with contemporary features that draws its design from its surrounding context while remaining generally subservient in scale to the adjacent building, and with the potential to make a positive contribution to the character of the urban area within the context of the site.

2.2.9 It is considered that the proposal respects the character, appearance, and prevailing pattern of the area in terms of density, scale, design, and external finishes and therefore complies with the relevant Development Plan policies and guidelines relating to design and visual impact. Further to that it would respect the character of the wider conservation area.

2.3 Residential Amenity

2.3.1 Policy 1 and 10 of the adopted FIFEplan supports development proposals where they are compatible with neighbouring uses and protect personal privacy and amenity.

2.3.2 Fife Council's Planning Customer Guidelines on Daylight and Sunlight and Garden Ground seeks to ensure that adequate levels of natural light are achieved in new developments and unacceptable impacts on light to nearby properties are avoided.

2.3.3 Concerns have been raised by objectors with regards the impact on the residential amenity of the surrounding area. The main consideration in this instance relates directly to any impact the proposed dwellinghouses would have on the adjacent residential properties and on each other in relation to overlooking, loss of privacy and loss of daylight or significant overshadowing. The footprint of the existing building is 119m², the proposed replacement dwelling footprint area would be over 200m². In terms of overshadowing and daylight levels, the proposed building would have a maximum roof ridge height of 9m compared to the existing building which has a height of 7.8m. The building line of the single storey element of the front elevation which fronts onto Abbotsford place would sit slightly forward of Southern Lodge to the north but not extend beyond that of Greyfriars House to the south. Therefore, this elevation will not impact on the privacy of the adjacent properties and will not create any significant overshadowing or impact on sunlight and daylight to this property. The rear elevation of this proposal would move slightly eastwards. Although the proposed development will be 2 and half storeys in height (9m in height), the height of the proposed building would still sit below the ridge line of the adjacent buildings and given that the adjacent properties have large, rigged garden areas to the rear, there would not be a significant impact on the amount of sunlight these areas receive if the proposal were built as proposed. Also, although the height of the proposed building is higher than the existing building, given that it still sits below the ridge line of Southern lodge to the north, this would not create a significant impact on the amount of daylight the building to the south would receive.

2.3.4 In terms of privacy matters, the rear elevation has two windows at first floor level; however, these are from non-habitable rooms, therefore these windows would not create any overlooking to the rear or impact on the privacy of the adjacent garden areas. The windows at ground floor level of the rear elevation would not create any significant overlooking into the adjacent properties or courtyard areas due to the existing boundary treatment. There are no windows at first floor level on the south elevation, while the ground floor windows would be screened by the existing boundary treatment, therefore these windows would not create any overlooking to the rear or impact on the privacy of the dwelling to the south. Therefore, in this instance it is considered that the proposal by way of its size, design and materials would not have a detrimental impact on the character of the building and adjacent properties on Albany Place. It therefore complies with the relevant policies and guidelines relating to residential amenity.

2.3.5 Concerns have been raised regarding noise and impact on surrounding area from proposed works. Fife Council's Public Protection team were consulted on this application. A condition has also been added requiring the applicant to submit a Scheme of Works report to mitigate the effects on sensitive premises/areas (neighbouring properties and road) in terms of minimising dust, noise and vibration from the construction phase of the proposed development. Under the Control of Pollution Act 1974, Section 60 Fife Council Protective Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out. It is considered that this is more effective than reliance on the planning enforcement system in that regard. In this instance the submission and agreement with Public Protection colleagues of any submitted Scheme of Works report would be sufficient to protect the amenity of adjacent sensitive receptors given it is a single dwelling proposal and not a large housing or commercial construction proposal.

2.4 Garden Ground

2.4.1 Fife Council's Planning Customer Guidelines on Garden Ground (2016) apply in this instance.

2.4.2 Fife Council's Garden Ground guidance advises that all new detached dwellings should be served by a minimum of 100 square metres of private useable garden space and that a building footprint to garden space ratio of 1:3 is required.

2.4.3 This proposal would not impact on the existing rig garden area to the rear, which is over 170m², therefore there is sufficient garden ground for this proposal. This application is therefore considered to comply with Fife Council's Planning Customer Guidelines on Garden Ground.

2.5 Transportation

2.5.1 Policies 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Making Fifes Places guidance (2018) apply with regard to this proposal.

2.5.2 Concerns have been raised regarding parking provision, road safety and access. Fife Council's Transportation Development Management Officers were consulted and raised no objections subject to 2 parking spaces being provided. As the proposal is increasing from an existing 2-bedroom house to a 3-bedroom unit two parking spaces would still be required as per transportation guidelines. The application site and the other dwellings in Albany Place do not have off street parking within their curtilage but have parking provision in the adjacent communal private parking area. Given the pattern of development in this area where there is no off-street parking within the curtilage of the dwellings and given that the application site is close to the St

Andrews Town Centre within a short walking and cycling distance to local amenities and to different modes of sustainable transport, in this context, it is considered that the parking proposed for the new development is acceptable.

2.6 Archaeology

2.6.1 Adopted FIFEplan (2017) Policies 1 and 14 apply in this instance. St Andrews Design Guideline 20 states - Contact the Fife Council archaeologist in relation to all development that involve sub-surface disturbance works in the historic core

2.6.2 The site lies within the conservation area and within the area zoned by the Council as St Andrews Archaeological Area of Regional Importance. Fife Councils Archaeologist was consulted, and they advised that the site is considered to be extremely archaeologically sensitive and likely to contain buried archaeological deposits of early medieval date. Including the possibility of burials. As development would involve significant sub-surface disturbance a proposed record of this change should be made by means of an archaeological condition. An appropriate condition has been attached to this application should Members be minded to approve the application in accordance with the Service recommendation.

2.7 Trees

2.7.1 Policies 1, 10 and 13 of FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance Document (2018) and British Standard (BS) 5837:2012 Trees in relation to Design, Demolition and Construction apply with regard to the potential impact on trees and ecology as a result of this development.

2.7.2 Policies 10 and 13 of FIFEplan and Making Fife's Places Supplementary Guidance Document (2018) set out that development proposals will only be supported where they protect or enhance natural heritage assets, including trees which have a landscape, amenity or nature conservation value. Where large semi-mature/mature trees are present on and adjacent to a development site, distances greater than the British Standard will be expected and no new buildings or gardens should be built within the falling distance of the tree at its final canopy height.

2.7.3 Concerns have been raised regarding the impact on trees on site. As the application site is within the St Andrews Conservation area, the trees on site are protected. An associated Tree works in a Conservation Area application (reference 22/01058/TCA) was submitted on 01/04/2022 and closed on 04/10/2022. That application would involve works to one tree within the application site. As part of that application the applicant submitted a Tree survey Health Report conducted by a suitably qualified arboriculturist consultant. The report concluded that the one tree within the application site should be removed. That tree is a category U (i.e., trees that are dead or are showing signs of significant, immediate, and irreversible overall decline). Therefore, the tree proposed to be removed is not of high quality and is in poor health. The TCA application itself was not determined within the 6-week determination period, therefore the applicant is permitted to progress with the works as proposed by the tree consultant. The recommendations and mitigation measures set out in that report should be adhered to. The proposal therefore complies with FIFEplan policies and other related guidance with regards to trees and their protection etc.

2.8 Land Stability/ Contamination

2.8.1 PAN33 advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use. Policy 10 of the Adopted FIFEplan advises development proposals will only be supported where there is no significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.8.2 Fife Council's Land and Air Quality Team (LAQT) has been consulted and has advised that given the site has been subject to various phases of development standard conditions should be included in the planning permission for the developer to notify the Planning Authority if any unexpected conditions are encountered during the development work at this site.

2.8.3 The application, subject to the inclusion of conditions recommended by the LAQT, meets the provisions of national guidance and the Development Plan in regard to land stability and contamination.

2.9 Low Carbon

2.9.1 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that: low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal.

2.9.2 Applicants are expected to submit a Low Carbon Sustainability Checklist in support. The applicant has submitted a low carbon checklist which states that the design of the house would adopt a 'fabric first' philosophy, where the building fabric is designed to reduce energy consumption to a minimum. This approach will include high levels of insulation, exceptional levels of airtightness, low energy lighting and energy efficient appliances.

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

2.10 Houses in Multiple Occupation

2.10.1 Policy 2 of the Adopted FIFEplan prohibits the use of new houses and flats as HMOs and seeks to control the changes in use of existing property for use as HMOs unless the development is purpose built for that use. The planning authority imposes this restriction by applying a condition to planning permissions.

2.10.2 The proposal is not intended for HMO use at this time and a suitable condition is recommended to ensure that the property will not be used as an HMO in the future unless a further application for that use is submitted for consideration.

CONSULTATIONS

Community Council	Object
Urban Design, Planning Services	No objection
TDM, Planning Services	No objection subject to condition
Land And Air Quality, Protective Services	No objection subject to condition
Environmental Health (Public Protection)	No objection subject to condition
Archaeology Team, Planning Services	No objection subject to condition
Built Heritage, Planning Services	object
Urban Design, Planning Services	No objection

REPRESENTATIONS

27 objections, 2 supporting and 1 general comment received. The concerns raised in the submitted representations, and the Planning Authority's response to these, are summarised below.

1. Principle of Development (proposed use) –
- This is addressed in paragraph 2.1.3 of this report.
2. Impact on Conservation area
– This is addressed in paragraph 2.2.8 of this report.
3. Impact on residential amenity in relation to overlooking, loss of privacy and loss of daylight or significant overshadowing)
- This is addressed in paragraph 2.3.3 of this report.
4. Noise and impact on surrounding area from proposed works.
– This is addressed in paragraph 2.3.5 of this report.
5. Impact on road safety, access and parking provision
– This is addressed in paragraph 2.5.2 of this report.
6. Potential impact on trees within the application site
– This is addressed in paragraph 2.7.3 of this report.
7. Comments regarding previous applications and application process are noted, however each application is assessed on its own merits and against the relevant planning policies.
8. A number of comments have been raised regarding an associated TCA application; this has been addressed in section 2.7 of this report.
9. Two supporting comments have been received which support the design of this proposal.

CONCLUSIONS

This full planning application for the erection of a dwellinghouse is deemed acceptable in terms of both scale and design. It would see the removal of the existing building which would have no adverse impact on the special architectural/historic interest of the building. Furthermore, the design of the dwellinghouse would be modern/high quality which would create a welcomed separation between the old and new. Additionally, there would be no significant impact on existing levels of residential amenity. In light of the above, the proposal would be deemed to preserve the character of the adjacent listed buildings and the surrounding St Andrews Conservation Area, and as such, comply with FIFEplan 2017 policies and other related guidance. The application is therefore recommended for conditional approval.

RECOMMENDATION

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

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. BEFORE ANY WORKS START ON SITE, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

Reason: In order to safeguard the archaeological heritage of the site and to ensure that the developer provides for an adequate opportunity to investigate, record and rescue archaeological remains on the site, which lies within an area of archaeological importance.

3. BEFORE WORKS COMMENCE ON SITE a scheme designed to mitigate the effects on sensitive premises/areas (i.e., neighbouring properties and highway) of dust, noise and vibration from the construction of the proposed development shall be submitted to the Planning Authority for approval. Upon approval all matters detailed in the scheme shall be carried out in accordance with the scheme unless otherwise agreed in writing by the Planning Authority

Reason: In the interests of safeguarding the amenity of adjoining and nearby residents.

4. Each residential unit provided on the site shall be used solely as a residence for (a) a single person or by people living together as a family; or (b) not more than 5 unrelated residents living together in a dwellinghouse. For the avoidance of doubt none of the residential units hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Policy 2 of the Adopted FIFEplan 2017.

5. IN THE EVENT THAT CONTAMINATION NOT PREVIOUSLY IDENTIFIED by the developer prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority or (b) the planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Guidance:

Scottish Planning Policy (2014)

Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Historic Environment Scotland Policy Statement (June 2016)

Historic Environment Scotland's Managing Change in the Historic Environment (2010)

PAN 1/2011: Planning and Noise

Development Plan:

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance:

Fife Council Planning Customer Guidelines - Garden Ground (2016)

Fife Council Planning Customer Guidelines - Daylight and Sunlight (2022)

Fife Council Planning Customer Guidelines - Minimum Distances between Window Openings (2011)

St Andrews Conservation Area and Management Plan (2013)

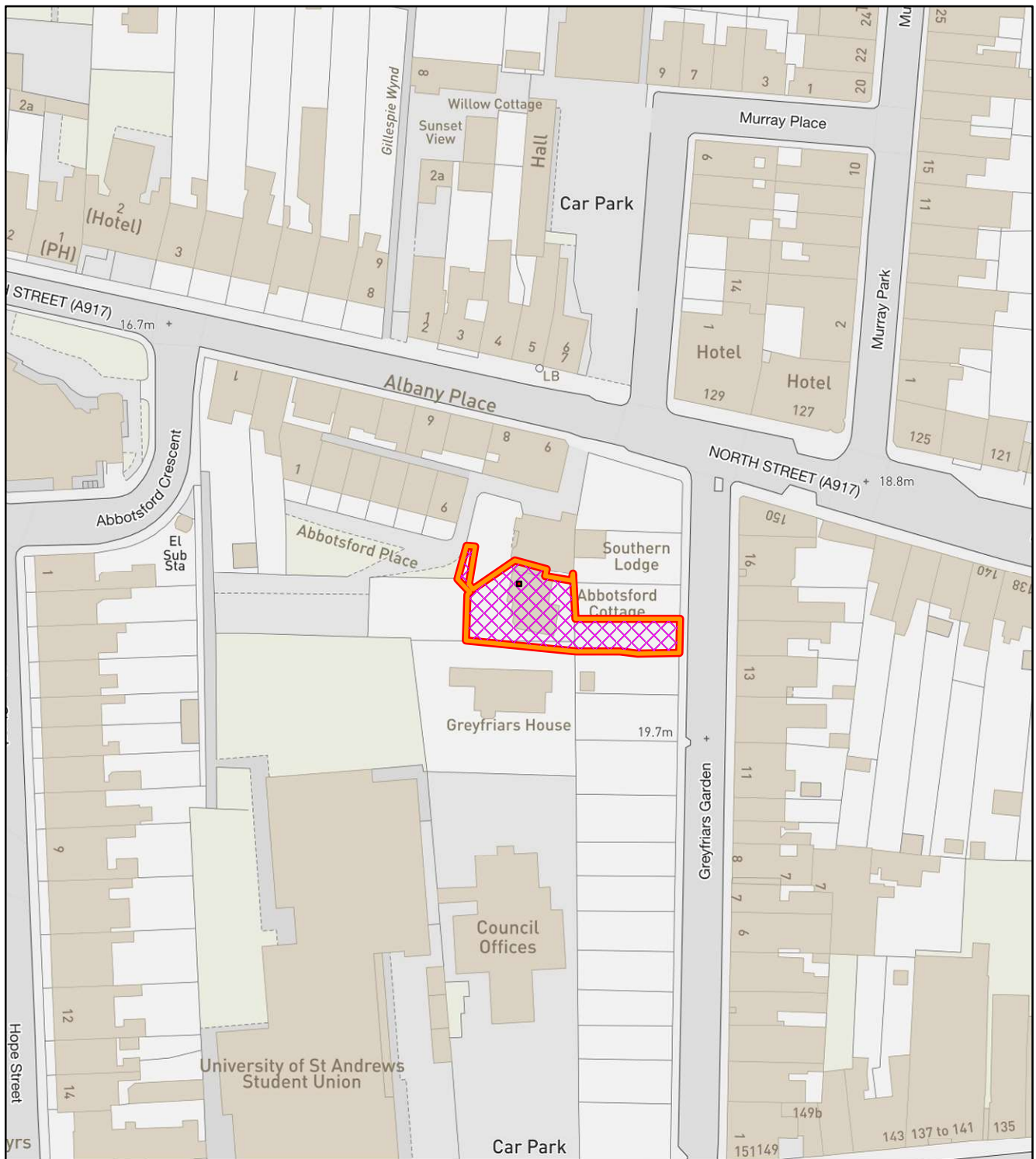
St Andrews Design Guidelines (2007)

Report prepared by Scott McInroy, Planner Development Management

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 28/11/22.

Date Printed 08/11/2022

Abbotsford Cottage Abbotsford Place St Andrews



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Legend	
 Application Boundary	
	
 Economy, Planning & Employability Services	

ITEM NO: 8

APPLICATION FOR CONSERVATION AREA CONSENT REF: 22/01365/CAC

SITE ADDRESS: ABBOTSFORD COTTAGE ABBOTSFORD PLACE ST ANDREWS

PROPOSAL: CONSERVATION AREA CONSENT FOR COMPLETE DEMOLITION OF DWELLINGHOUSE

**APPLICANT: MR AND MRS NICOLAIS
ABBOTSFORD COTTAGE ABBOTSFORD PLACE ST ANDREWS**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Scott McInroy

DATE REGISTERED: 09/05/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

More than 5 objections contrary to officers' recommendation

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Sections 59(1) and 66 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the determination of an application for demolition of a building in a Conservation Area shall have special regard to the desirability of preserving the building or any features of special architectural or historic interest it possesses.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan which provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 sets out themes around sustainability, productivity, liveability, and distinctive places. It is underpinned by six spatial principles.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced.

When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance will cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 This application relates to a single storey property called Abbotsford Cottage, which sits to the south of Southern Lodge. The property has been used as a student let for decades and is in a poor condition. It was extended around the 1980's, substantially increasing its footprint. These extensions are poorly constructed and would require substantial upgrading. The original property forms a very small part of the current house and is also in a poor state of repair. The property sits within close proximity of North Street to the North and Greyfriars Gardens to the East. Abbotsford Place sits immediately to the west. The building is not listed though sits within the Central St Andrews Conservation Area and within an area of Archaeological Regional Importance. The surrounding area is predominately residential in use. The application site measures approximately 346m², with the area to be demolished measuring 122m². The cottage is finished in stone to the front elevation and wet dash render to the side and rear with a slate gable roof and flat roof to the 1980s side extension. The area to be demolished fronts onto Abbotsford Place.

1.2 This application is for Conservation area consent for complete demolition of dwellinghouse. Planning application 22/01366/FULL (Erection of dwellinghouse and associated works (Demolition of existing dwellinghouse)) is currently under consideration for this site.

1.3 There is no previous planning history for this site.

2.0 PLANNING ASSESSMENT

2.1 The issue to be assessed against the Development Plan and other guidance is as follows: -
- Impact on the Conservation Area

2.2 Impact on the Conservation Area

2.2.1 Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, Policies 1 and 14 of the FIFE plan Local Development Plan (2017), the Making Fife's Places Supplementary Guidance Document (2018), Scottish Planning Policy (2020) (Valuing the Historic Environment), Historic Environment Scotland (HES) Historic Environment Policy for Scotland (May 2019), Managing Change in the Historic Environment: Demolition (2010) and the Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (2019), and the St Andrews Conservation Area Appraisal and Management Plan (2010) apply with regard to this proposal.

2.2.2 Scottish Planning Policy (SPP) (2014) (Valuing the Historic Environment) advises that the design, materials, scale and siting of any development within a Conservation Area must be appropriate to the character and setting of the Conservation Area. SPP further advises that change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and to ensure that its special characteristics are protected, conserved or enhanced.

2.2.3 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area. Design and materials which will affect a conservation area or setting of a listed building shall be appropriate to both the character and appearance of the building or area and its setting.

2.2.4 Policy 1 of the Adopted FIFEplan Local Development Plan (2017) advises that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. Policy 14 of FIFEplan (2017) advises that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported.

2.2.5 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. It additionally sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how developments proposals can be evaluated to ensure compliance with the six qualities of successful places. Lastly, the Supplementary Guidance recognizes that the built environment has been adapted over time to meet changing needs. Protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

2.2.6 HES Historic Environment Policy for Scotland (May 2019) states that the demolition of a building and the construction of a new building in its place, could result in harm to the character and appearance of a Conservation Area, and therefore, the Planning Authority must take into account the importance of the building to the character or appearance of the Conservation Area and of proposals for the future of the cleared site. HES Managing Change in the Historic Environment: Demolition (2010) notes that proposals for demolition in conservation areas should be considered in the context of an application for full planning permission for replacement development. Demolition should not take place until evidence is provided that contracts are let for the replacement development or the landscaping of the site (if appropriate). Works should

protect the character and appearance of the conservation area. Further to this, demolition should be supported in-line with one of four 'tests':

o Is the building no longer of special interest?

o Is the building incapable of meaningful repair?

o Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?

o Is the repair and reuse of the building economically unviable?

The Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (2019) document produced by HES sets out that when deciding whether conservation area consent should be granted. The Interim Guidance advises that demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult. In instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.

2.2.7 Fife Council's St Andrews Conservation Area Appraisal and Management Plan (2010) provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management. The general advice, guidance, and management considerations referred to are relevant to all new development opportunities within the Conservation Area itself and mirror the advice contained within SPP and HES Historic Environment Policy for Scotland (May 2019). The application site is not referenced in the document.

2.2.8 Concerns have been raised by third parties regarding the proposed demolition of this building. Abbotsford Cottage itself has been significantly altered since it was originally built in the 1900s along with an unsympathetic 1980s flat roof extension and it's form and use of materials have little architectural or historic merit. The removal of this element of Abbotsford Cottage would not negatively affect the streetscape or nearby buildings of specific architectural or historical interest. Historic Environment Scotland (HES) have been consulted with regard to this proposal and they have no objections to the demolition of the 1980s side extension as this provides no contribution to the character of the conservation area. HES did consider that the front gable did have some merit for retention. The applicant has submitted a structural report which states Abbotsford Cottage has been extended and altered several times to increase the footprint of the original dwelling. Given these previous extensions, the building's functionality has been compromised. These extensions are lightweight in nature and given the time of construction are poorly insulated to modern day standards and are reaching the end their useful life. Through this report the applicant has explored the option for redevelopment, however it is concluded that demolition and rebuild are the best solution to provide a dwelling to meet modern thermal efficient standards. Therefore, it is considered that the case for demolition complies with the relevant guidance. As stated earlier, a planning application is running in conjunction with this proposal to secure new development for this site for residential use. It is considered, therefore, that the proposed complete demolition of the Abbotsford cottage accords with the relevant policy and guidance relating to the impact of the works on the character and appearance of the

Conservation Area. The proposal is recommended for approval subject to a condition to ensure that no demolition takes place until an appropriate replacement development is in place. Planning application 22/01366/FULL for the redevelopment of the site is also included on the agenda of this committee.

CONSULTATIONS

Historic Environment Scotland

No objection

REPRESENTATIONS

26 objections, 2 supporting comments and 1 general comment received. The concerns raised in the submitted representations, and the Planning Authority's response to these, are summarised below.

1. Impact on the Conservation Area

- This is addressed in paragraph 2.2.6 of this report.

2. Comments regarding principle of development, impacts on surrounding properties, design/scale of proposed replacement building, road safety, impact on trees and proposed interior works to existing building are not material planning considerations for this Conservation Area Consent application.

CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the National Guidance and the St Andrews Conservation Area Appraisal and Management Plan 2010. The existing building is a modern addition with no architectural or historic value. The loss of the properties would have no significant detrimental impact on the character and appearance of the St Andrews Conservation Area. It is therefore considered that complete demolition of the building accords with the relevant provisions of policy and guidance relating to the impact of the works on the character and appearance of the Conservation Area. The proposal is recommended for approval subject to a condition to ensure that demolition does not take place until consent for a replacement development has been approved.

RECOMMENDATION

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

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. NO WORKS OF DEMOLITION SHALL TAKE PLACE until construction contracts have been entered into for the replacement development of the site and written evidence of this has been submitted and approved in writing by this Planning Authority. The replacement development shall be for a scheme with a valid full planning permission.

Reason: In the interests of visual amenity; to ensure that this Planning Authority retains effective control over the timing of the development to avoid an unsightly gap in a prominent position in the Conservation Area.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Guidance

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997
Historic Environment Policy for Scotland (April 2019)
Scottish Planning Policy (2014) (Valuing the Historic Environment)
Historic Environment Scotland's Managing Change in the Historic Environment Guidance on Demolition (2010)
Historic Environment Scotland's New Design in Historic Settings

Development Plan

Adopted FIFEplan Local Development Plan 2017

Other Guidance

Fife Council's St Andrews Conservation Area Appraisal and Management Plan 2010

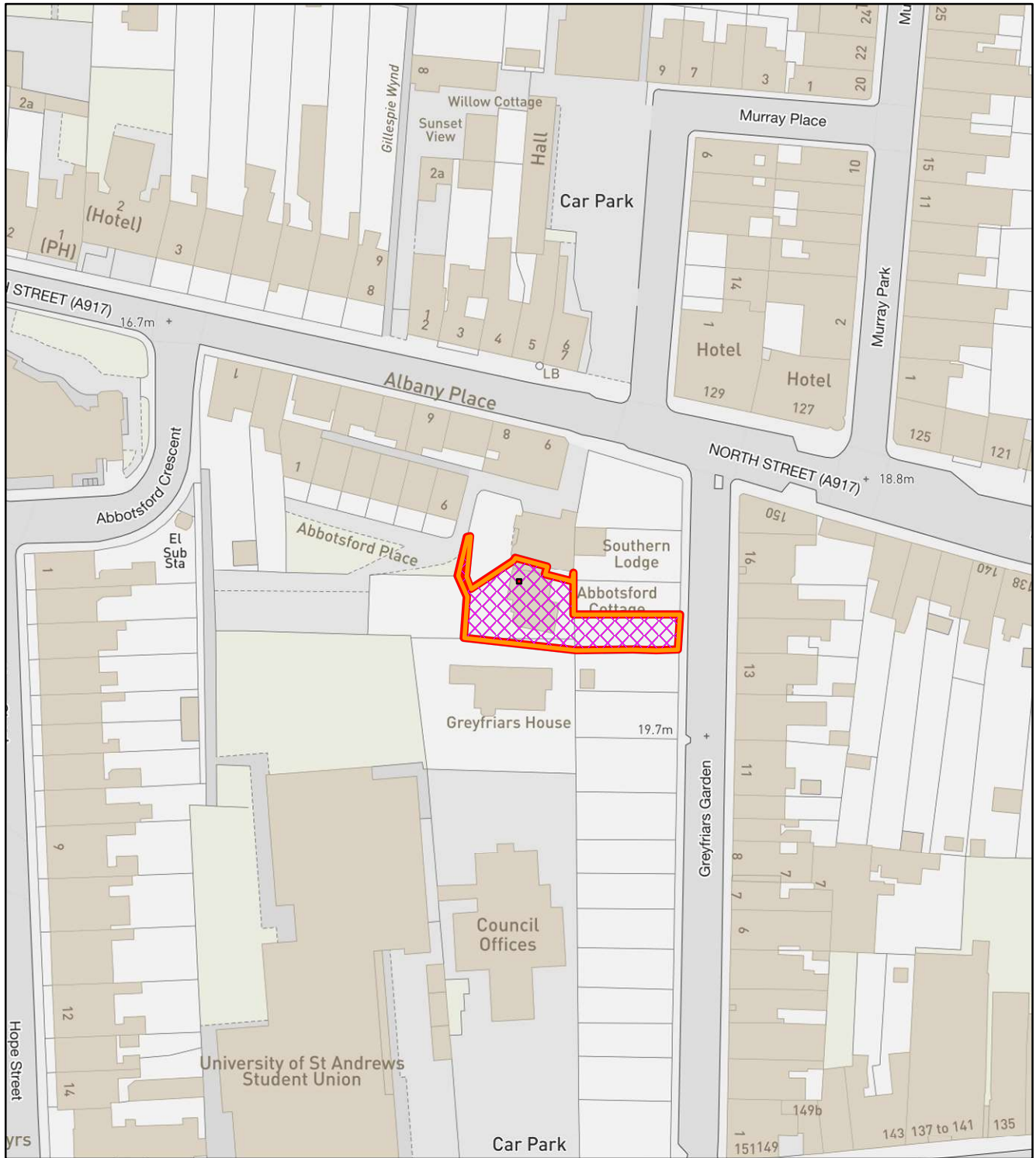
Report prepared by Scott McInroy, Planner Development Management

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 28/11/22.

Date Printed 08/11/2022

22/01365/CAC

Abbotsford Cottage Abbotsford Place St Andrews



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Legend			
	Application Boundary		

0 5 10 20 30 m

ITEM NO: 9

APPLICATION FOR FULL PLANNING PERMISSION REF: 22/01675/FULL

SITE ADDRESS: RUSSELL HOTEL 26 THE SCORES ST ANDREWS

PROPOSAL: ALTERATIONS AND EXTENSION TO ALLOW FOR CHANGE OF USE FROM HOTEL (CLASS 7) TO 6 FLATTED DWELLINGS AND ASSOCIATED WORKS (PARTIAL DEMOLITION OF EXISTING BUILDING)

**APPLICANT: WT THE SCORES LTD.
25 RUTLAND SQUARE EDINBURGH SCOTLAND**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Scott McInroy

DATE REGISTERED: 02/06/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

More than 5 objections contrary to case officers' recommendation

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan which provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 sets out themes around sustainability, productivity, liveability, and distinctive places. It is underpinned by six spatial principles.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced.

When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance will cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 The application site is currently occupied by a non-listed 3-storey, end of terrace stone hotel facing onto The Scores. The original early 20th century part of the hotel is in keeping with the local context as it forms the end of a terrace and stands on the corner of The Scores and Murray Park. To the rear is a two-storey extension formed of multiple extensions and alterations (post-World War 2) which fronts onto Murray Park. The main Hotel building is finished in stone, with slate roof and large one over one windows while the later extension to the rear is finished in dry render and some facing brick with ad hoc windows and door while the main hotel building is finished in stone. The Russell Hotel is located within the settlement boundary of St Andrews. The building is not listed though sits within the Central St Andrews Conservation Area and within an area of Archaeological Regional Importance. The surrounding area is a mix of commercial and residential premises. Access is currently taken from the Scores.

1.2 This application is for the alterations and extension to allow for change of use from hotel (Class 7) to 6 flatted dwellings and associated works (including the partial demolition of the later existing rear extension part of the main building). The proposed external alterations to the existing hotel building include all ground floor windows, currently black being proposed to be painted white to match upper floors and surrounding buildings. Two of the existing doors fronting The Scores would be replaced with windows to match the existing opening widths and height so that one common entrance to serve four apartments remains. An attic conversion is also proposed which would include the installation of new dormer windows to the north and east sides and would be finished in a with a quartz zinc (dark grey) which would, this will blend in with the existing roof slate colour. The rear two storey extension to the Russell Hotel is proposed to be demolished and replaced with a building that would be 3 and half storeys in height to the

north and 3 storeys to the south. The proposed new extension would be finished in ashlar sandstone with areas of standing seam quartz zinc and smooth render to the rear, concealed from street view.

1.3 The relevant planning history for the site includes application 22/01674/CAC which relates to an application seeking Conservation Area Consent for substantial demolition in a Conservation Area and is also included on this agenda for Member's consideration.

1.4 Application Process

1.4.1 The application, due to the size of the site and the overall scale of proposals, constitutes a "Local" application as defined by the Hierarchy of Developments Regulations and as such did not require to be subject of a Proposal of Application Notice.

2.0 Assessment

2.0.1 The issues to be assessed against the development plan and other guidance are as follows: -

- Principle of Development
- Design/Visual Impact on Conservation Area
- Residential Amenity
- Garden Ground
- Transportation
- Archaeology
- Low Carbon
- HMO

2.1 Principle of Development

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

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

2.1.3 Concerns have been raised regarding the principle of development. In simple land use terms, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within a defined settlement; within an established residential area of St Andrews all as defined in the Adopted FIFEplan - Fife Local Development Plan (2017). Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

2.2 Design/Visual Impact on Conservation Area

2.2.1 Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Scotland (HES) Policy Statement (June 2016), Managing Change in the Historic Environment (2010) and New Design in Historic Settings (2010), Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), the Making Fife's Places Supplementary Guidance Document (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010) and the St Andrews Design Guidelines (2011) apply with regard to this proposal.

2.2.2 Policy 1 of the Adopted FIFEplan Local Development Plan (2017) advises that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. Additionally, Policy 10 of FIFEplan (2017) advises that development will only be supported if it does not have a significant detrimental impact with respect to visual amenity. Policy 14 of FIFEplan (2017) advises that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported.

2.2.3 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. Additionally, it sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how development proposals can be evaluated to ensure compliance with the six qualities of successful places. Lastly, the Supplementary Guidance recognises that the built environment has been adapted over time to meet changing needs, stating that protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

2.2.4 Fife Council's St Andrews Conservation Area Appraisal and Management Plan (2010) provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management. The general advice, guidance, and management considerations referred to are relevant to all new development opportunities within the Conservation Area itself and mirror the advice contained within SPP and HES Policy Statement. The application property is not mentioned in the document.

2.2.5 St Andrews Design Guidelines (2011) sets out a number of principles to ensure appropriate design and materials are incorporated into new development. The guidance advises that buildings should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate. The guidance further advises that the introduction of contemporary design in a traditional environment is challenging, and not every site will be able to accommodate this approach, but where appropriate and where design is of a sufficiently high standard of architectural quality, there is an opportunity to develop new built heritage for the future. Key principles related to the proposed development include:

Guideline 8 - Ensure that new development conforms to the predominant height of the visible adjacent roofs to maintain the existing skyline and the prominence of the landmark towers and spires.

Guideline 9 - Ensure that the height of new development beyond the town centre area respects the immediate and wider setting and does not rise above sightlines of the historic skyline from the main approach roads.

Guideline 19 - Ensure that all streetscape and building proposals take account of the need for compliance with the Disability Access and Discrimination Act.

Guideline 47 - Provide for adequate on-site waste storage as part of any new planning or licensing consent to ensure that commercial and domestic waste storage containers are not visible from the public realm and are only permitted in the streets immediately prior to collection.

Guideline 63 - Ensure that the development proposals meet the test for acceptable change.

- The design quality is high and will enhance the townscape character
- that the function will help to sustain the economic and social role of the town centre.

This applies to all types of development (alterations, refurbishments, extensions, and new build) and all designs (contemporary or traditional).

Guideline 64 - Encourage good quality design innovation where it is appropriate and to strict constraints on height, footprint, massing, proportion, and materials.

2.2.6 Design advice from HES New Design in Historic Settings (2010) suggests two valid approaches to new developments in conservation areas - historicist faithful matching in design detail, materials and methods, or a respectful and subsidiary contemporary design in high quality contextual materials.

2.2.7 Concerns have been raised with regards to the proposed design and impact on the conservation area. With regards to the existing hotel that fronts onto The Scores, all existing windows would be retained, repaired or replaced to match the existing. All ground floor windows, currently black would be painted white to match upper floors and surrounding buildings. Two of the existing doors fronting The Scores would be replaced with windows to match the existing opening widths and height so that one common entrance to serve four apartments remains. Only one new opening is to be formed on the north elevation by way of the attic conversion within the new dormer. Two new openings are proposed on the east elevation with one new window within the stone wall and one to the attic conversion dormer. The attic space would be converted into a penthouse apartment by dropping of the existing attic floor level and raising the height of the roof, however this increase in height would be no higher than the existing chimney stacks, therefore not rising above the existing height of the surrounding buildings. To provide greater headroom and provide new windows, dormer windows are to be formed on the north and east sides with a quartz zinc finish (dark grey), this will blend in with the existing roof slate. The proposed dormers are similar in style to those located further to the west on The Scores. Roof lights are proposed to apartment 4 on the east elevation and flat roof/sky lights to the flat portion of the roof. Photo-voltaic cells are also proposed to be located on top of the hotel conversion roof as this is the most exposed area to sunlight. The scale and detail of the proposed changes to the original building fronting onto The Scores are considered to be sympathetic to the existing building context.

2.2.8 The existing rear two storey extension to the Russell Hotel is proposed to be demolished and replaced with a building that is 3 and half storeys to the northern half and stepping down to 3 storeys to the south. The existing extension is formed of multiple extensions and alterations (post-World War 2) and its form and use of materials are considered to have little or no architectural or historic merit. The removal of this element of the Russell Hotel would have no impact on the streetscape or nearby buildings of specific architectural or historical interest, nor the wider Conservation Area. Historic Environment Scotland have been consulted with regard to this proposal and they have no objections to the demolition of this part of the building given the level of later alterations and extensions that have already occurred to the existing building. Overall, the later extensions provide no positive contribution to the character of the conservation area and subsequently the removal of the rear extensions would not compromise the architectural and historic integrity of the conservation area. The loss of the rear extension part of the building is therefore considered supportable.

2.2.9 The current extension once demolished would be replaced with a contemporary style extension more adapted to the context of its surrounds using finishes such as a simple palette of stone, zinc, smooth render and glass. The proposed extension would be predominantly finished using ashlar sandstone with areas of standing seam quartz zinc and smooth render to the rear, concealed from street view. The proposal would look to reform the connection between the hotel and existing Murray Park buildings. The scale of other buildings on Murray Park also differs greatly between single and 3 storeys in height. Although this proposed new extension would be taller than the existing extension it would replace, it would not exceed the ridgeline of the existing buildings on Murray Park. The scale, design, detail and use of external finishes of the proposed new building fronting onto Murray Park is considered to be sympathetic to the existing building context. It is considered that the building design would provide a fresh, contemporary, and distinctive contribution to the street, replacing a building of limited architectural importance but with an acceptable modern alternative which respects and relates to its wider setting without being visually significantly at odds with neighbouring structures. This element of the proposal is considered to raise no significant concerns from a visual amenity perspective nor prejudice the architectural merit or context of the conservation area.

2.2.10 It is considered that the proposal respects the character, appearance, and prevailing pattern of the area in terms of density, scale, design, and external finishes and therefore complies with the relevant Development Plan policies and guidelines relating to design and visual impact.

2.3 Residential Amenity

2.3.1 Policy 1 and 10 of the adopted FIFEplan supports development proposals where they are compatible with neighbouring uses and protect personal privacy and amenity.

2.3.2 Fife Council's Planning Customer Guidelines on Daylight and Sunlight seeks to ensure that adequate levels of natural light are achieved in new developments and unacceptable impacts on light to nearby properties are avoided.

2.3.3 The main consideration in this instance relates directly to any impact the proposed dwellinghouses would have on the adjacent residential properties and on each other in relation to overlooking, loss of privacy and loss of daylight. Concerns have been raised from the adjacent hotel that this proposal would have an impact on the amount of daylight the rooms would receive. As this premises is a hotel and not a permanent residential premises, these rooms are not deemed habitable in the sense of residential premises. Given the height and density of the

existing buildings on Murray Park and the Scores it is considered that the proposed extension would not significantly impact the amount of daylight these rooms receive therefore not impacting on the amenity of the adjacent business. The proposed changes to the existing north elevation of the existing building would not create any residential amenity issues as the new windows would look straight out onto the North Sea/West Sands area. The proposed new window on the attic dormer on the eastern elevation of the existing building would be looking onto the roof of the building on the opposite side of Murray Park so therefore would not create any overlooking into these buildings. With regards to the proposed new extension this would introduce double the number of windows onto this elevation compared to what is there at present, therefore there is potential for loss of privacy for the adjacent buildings. However, the existing buildings on either side of Murray Park are just over 11m apart and given that the buildings already front onto a public road and that there are already multiple windows facing onto the buildings from existing properties adjacent to the application site, it is considered that the proposal would not create a significant impact on the privacy levels of occupants of the buildings on the opposite side of Murray Park than already exists. Given the height and density of the existing buildings on Murray Park and that fact the height of the proposed extension would not breach the existing ridge line of these buildings, the proposed new extension would therefore not create any significant overshadowing nor impact on sunlight and daylight levels of the adjacent properties. Therefore, in this instance It is considered that the proposal by virtue of its size, design and materials would not have a detrimental impact on the residential amenity of the existing buildings on The Scores and Murray Park. It therefore complies with the relevant policies and guidelines relating to residential amenity.

2.3.4 Concerns have been raised regarding noise and impact on the surrounding area from proposed works. Fife Council's Public Protection team were consulted on this application. Concerns were raised regarding the potential for the amenity of future residents to be impacted on by cooking odours from the adjacent hotel. This issue was discussed with the applicant who commissioned and submitted a report advising that it is unlikely that the current kitchen operations at the adjacent hotel would cause any significant loss of amenity within the adjacent proposed residential development due to the low intensity of operations and the nature of the cuisine on offer. A condition has also been added requiring the applicant to submit a Scheme of Works Report to mitigate the effects on sensitive premises/areas (neighbouring properties and road) of dust, noise and vibration from the construction phase of the proposed development. Under the Control of Pollution Act 1974, Section 60 Fife Council Protective Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out. It is considered that this is more effective than reliance on the planning enforcement system in that regard. Again, the submission of a Scheme of Works Report for the Council's prior approval would include proposed construction working practices and hours of construction operations, and this report would be discussed with colleagues from Environmental Health prior to it being agreed by officers. A draft condition has been included for Member's consideration should they resolve to approved the application in line with the Service recommendation.

2.4 Garden Ground

2.4.1 Fife Council's Planning Customer Guidelines on Garden Ground advises that new flats should have at least 50m² of private garden ground. In the case of this application no private garden ground is proposed.

2.4.2 In this instance although the flats would not provide the extent of garden ground expected through Fife Council's Planning Customer Guidelines on Garden Ground, given the historic pattern of development; high densities locally; the fact that many residential properties in this location have little or no formal garden area; the overall principle of the change of use being acceptable in planning policy terms; and future residents would have easy access to outdoor amenity areas close by, the lack of formal garden ground is considered acceptable in this instance and not reason alone to refuse this application.

2.5 Transportation

2.5.1 Policies 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Making Fife Places Supplementary Guidance (2018) apply with regard to this proposal.

2.5.2 Fife Council's Transportation Development Management Officers were consulted and raised no objections to this proposal. The existing hotel consists of 11 bedrooms, a large public bar, large dining room and a reception. There is no off-street parking associated with the hotel. In terms of the off-street parking requirement for the hotel, if it were available, the bedrooms alone would require 11 off street parking spaces - 1 off street parking space per bedroom. Parking spaces would also be required for the public bar area and the dining room area. The off-street parking required for the proposed 6 flats would be 12 parking spaces, only one more than the amount to cover only the bedrooms element of the whole hotel (excluding the bar and non-resident dining area). The proposal would in this instance require a lesser amount of parking spaces compared to that required for the whole of the hotel. The proposal, therefore, would result in a net reduction in required spaces and therefore would not exacerbate road safety nor increase parking pressures locally. The proposal therefore is acceptable in meeting the road safety and transport related policy requirements.

2.6 Archaeology

2.6.1 Adopted FIFEplan (2017) Policies 1 and 14 apply in this instance. St Andrews Design also applies with Guideline 20 stating - Contact the Fife Council archaeologist in relation to all development that involve sub-surface disturbance works in the historic core

2.6.2 The site lies within the conservation area and within the area zoned by the Council as St Andrews Archaeological Area of Regional Importance. In assessing this proposal, the Council's Archaeologist was consulted and advised of the following. The site is considered to be extremely archaeologically sensitive and likely to contain buried archaeological deposits of early medieval date. Including the possibility of burials. As development would involve significant sub-surface disturbance on the site, a record of this change should be made by means of an archaeological condition. An appropriate condition has been attached to this application should Members be minded to approve the application in accordance with the Service recommendation.

2.7 Low Carbon

2.7.1 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that: low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be

expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal.

2.7.2 Applicants are expected to submit a Low Carbon Sustainability Checklist in support. The applicant has submitted a design statement which states that the development will have photovoltaic cells on the roof and that the materials used will be sourced locally.

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

2.8 Houses in Multiple Occupation

2.8.1 Policy 2 of the Adopted FIFE plan prohibits the use of new houses and flats as HMOs and seeks to control the changes in use of existing property for use as HMOs unless the development is purpose built for that use. The planning authority imposes this restriction by applying a condition to planning permissions.

2.8.2 The proposal is not intended for HMO use at this time and a suitable condition is recommended to ensure that the property will not be used as an HMO in the future unless a further application for that use is submitted for consideration.

CONSULTATIONS

Environmental Health (Public Protection)	No objection subject to conditions
Archaeology Team, Planning Services	No objection subject to conditions
TDM, Planning Services	No objection subject to conditions
Community Council	Object
Scottish Water	No objection
Urban Design, Planning Services	No comment

REPRESENTATIONS

8 objections, 1 general and 1 supporting comment were received. The concerns raised in the submitted representations, and the Planning Authority's response to these, are summarised below.

1. Principle of Development (proposed use) –
- This is addressed in paragraph 2.1.3 of this report.
2. Impact on the Conservation Area.
- This is addressed in paragraph 2.2.7 of this report
3. Impact on residential amenity in relation to overlooking, loss of privacy and loss of daylight or significant overshadowing)
– This is addressed in paragraph 2.3.3 of this report.
4. Noise and impact on surrounding area from proposed works.
– This is addressed in paragraph 2.3.4 of this report.

5. Comments regarding the applicant's other developments within St Andrews and roof management are not material planning considerations in the assessment of this application.

6. One supporting comment has been received which supports the design of this proposal.

CONCLUSIONS

This full planning application for the alterations and change of use from hotel to 6 flatted dwellings is deemed acceptable in terms of both scale and design. It would see the removal of the existing rear elevation which would have no adverse impact on the special architectural/historic interest of the building. Furthermore, the design of the new extension would be modern/high quality which would create a welcomed separation between the old and new. Additionally, there would be no significant impact on existing levels of residential amenity. In light of the above, the proposal would be deemed to preserve the character of the adjacent listed buildings and the surrounding St Andrews Conservation Area, and as such, comply with FIFEplan 2017 policies and other related guidance. The application is therefore recommended for conditional approval.

RECOMMENDATION

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

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. BEFORE ANY WORKS START ON SITE, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

Reason: In order to safeguard the archaeological heritage of the site and to ensure that the developer provides for an adequate opportunity to investigate, record and rescue archaeological remains on the site, which lies within an area of archaeological importance.

3. BEFORE WORKS COMMENCE ON SITE a scheme designed to mitigate the effects on sensitive premises/areas (i.e. neighbouring properties and highway) of dust, noise and vibration from the construction of the proposed development shall be submitted to the Planning Authority for approval. Upon approval all matters detailed in the scheme shall be carried out in accordance with the scheme unless otherwise agreed in writing by the Planning Authority

Reason: In the interests of safeguarding the amenity of adjoining and nearby residents.

4. Each residential unit provided on the site shall be used solely as a residence for (a) a single person or by people living together as a family; or (b) not more than 5 unrelated residents living together in a dwellinghouse. For the avoidance of doubt none of the residential units hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Policy 2 of the Adopted FIFEplan 2017.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Guidance:

Scottish Planning Policy (2014)

Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Historic Environment Scotland Policy Statement (June 2016)

Historic Environment Scotland's Managing Change in the Historic Environment (2010)

PAN 1/2011: Planning and Noise

Development Plan:

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance:

Fife Council Planning Customer Guidelines - Garden Ground (2016)

Fife Council Planning Customer Guidelines - Daylight and Sunlight (2022)

Fife Council Planning Customer Guidelines - Minimum Distances between Window Openings (2011)

St Andrews Conservation Area and Management Plan (2013)

St Andrews Design Guidelines (2007)

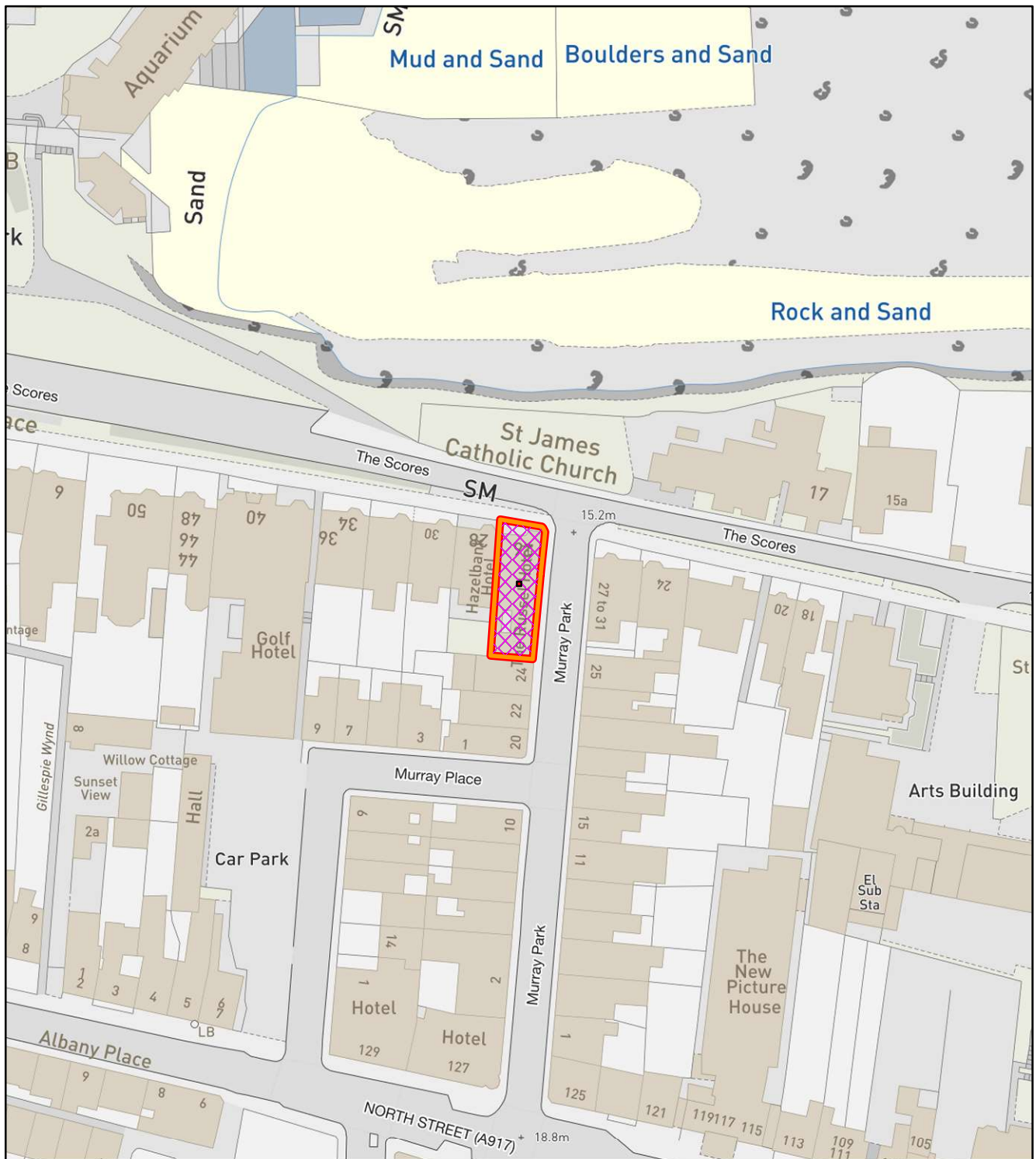
Report prepared by Scott McInroy, Planner Development Management

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 28/11/22

Date Printed 09/11/2022

22/01675/FULL

Russell Hotel 26 The Scores St Andrews



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Legend			
	Application Boundary		

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ITEM NO: 10

APPLICATION FOR CONSERVATION AREA CONSENT REF: 22/01674/CAC

SITE ADDRESS: RUSSELL HOTEL 26 THE SCORES ST ANDREWS

PROPOSAL: SUBSTANTIAL DEMOLITION IN A CONSERVATION AREA

**APPLICANT: WT THE SCORES LTD.
25 RUTLAND SQUARE EDINBURGH SCOTLAND**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Scott McInroy

DATE REGISTERED: 02/06/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

This application could be determined under delegated authority, but the associated application for Full planning permission would be subject to a different appeal route unless both the applications are determined together by Committee.

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Sections 59(1) and 66 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, the determination of an application for demolition of a building in a Conservation Area shall have special regard to the desirability of preserving the building or any features of special architectural or historic interest it possesses.

The Scottish Government laid the latest National Planning Framework 4 before Parliament on Tuesday 8 November 2022. With the publication of NPF4 this is now a material consideration in the assessment of planning applications. NPF4, once adopted, will form part of the statutory Development Plan which provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 sets out themes around sustainability, productivity, liveability, and distinctive places. It is underpinned by six spatial principles.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced.

When NPF4 is adopted, the SESplan and TAYplan Strategic Development Plans and any supplementary guidance will cease to have effect and will not form part of the Development Plan.

In this context Fife Council Planning Services considers that while the finalised NPF4 is a material consideration, the detailed policy context in relation to the assessment and determination of planning applications at the present time should still be assessed against the adopted FIFEplan Local Development Plan 2017.

Having assessed the current application against the policy provisions of the finalised NPF4 and the adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 This application relates to the two-storey rear extension to the Russell Hotel building which contains bedrooms and back of house facilities for the wider hotel complex. The original early 20th century part of the hotel is in keeping with the local context as it forms the end of a terrace and stands on the corner of The Scores and Murray Park. The later addition fronting Murray Park which is proposed to be demolished is formed of multiple extensions and alterations (post-World War 2) of poor quality. The Russell Hotel is located within the settlement boundary of St Andrews. The building is not listed though sits within the Central St Andrews Conservation Area and within an area of Archaeological Regional Importance. The surrounding area is a mix of commercial and residential premises. The application site measures approximately 276m², with the area to be demolished measuring 125m². The rear extension is finished in dry render and some facing brick with ad hoc windows and door while the main hotel building is finished in stone. The area to be demolished fronts onto Murray Place.

1.2 This application is for Conservation Area Consent for the demolition of the rear extension of the Russell Hotel. Planning application 22/01675/FULL (Alterations and extension to allow for change of use from hotel (Class 7) to 6 flatted dwellings and associated works (Partial Demolition of existing building)) is currently under consideration for this site.

2.0 PLANNING ASSESSMENT

2.1 The issue to be assessed against the Development Plan and other guidance is as follows: -

- Impact on the Conservation Area

2.2 Impact on the Conservation Area

2.2.1 Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, Policies 1 and 14 of the FIFE plan Local Development Plan (2017), the Making Fife's Places Supplementary Guidance Document (2018), Scottish Planning Policy (2020) (Valuing the Historic Environment), Historic Environment Scotland (HES) Historic Environment Policy for Scotland (May 2019), Managing Change in the Historic Environment: Demolition (2010) and the Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (2019), and the St Andrews Conservation Area Appraisal and Management Plan (2010) apply with regard to this proposal.

2.2.2 Scottish Planning Policy (SPP) (2014) (Valuing the Historic Environment) advises that the design, materials, scale and siting of any development within a Conservation Area must be appropriate to the character and setting of the Conservation Area. SPP further advises that change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and to ensure that its special characteristics are protected, conserved or enhanced.

2.2.3 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area. Design and materials which will affect a conservation area or setting of a listed building shall be appropriate to both the character and appearance of the building or area and its setting.

2.2.4 Policy 1 of the Adopted FIFEplan Local Development Plan (2017) advises that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. Policy 14 of FIFEplan (2017) advises that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported.

2.2.5 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regards to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. It additionally sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how developments proposals can be evaluated to ensure compliance with the six qualities of successful places. Lastly, the Supplementary Guidance recognizes that the built environment has been adapted over time to meet changing needs. Protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

2.2.6 HES Historic Environment Policy for Scotland (May 2019) states that the demolition of a building and the construction of a new building in its place, could result in harm to the character and appearance of a Conservation Area, and therefore, the Planning Authority must take into account the importance of the building to the character or appearance of the Conservation Area and of proposals for the future of the cleared site. HES Managing Change in the Historic Environment: Demolition (2010) notes that proposals for demolition in conservation areas should be considered in the context of an application for full planning permission for replacement development. Demolition should not take place until evidence is provided that contracts are let for the replacement development or the landscaping of the site (if appropriate). Works should

protect the character and appearance of the conservation area. Further to this, demolition should be supported in-line with one of four 'tests':

o Is the building no longer of special interest?

o Is the building incapable of meaningful repair?

o Is the demolition of the building essential to delivering significant benefits to economic growth or the wider community?

o Is the repair and reuse of the building economically unviable?

The Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (2019) document produced by HES sets out that when deciding whether conservation area consent should be granted. The Interim Guidance advises that demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult. In instances where demolition is to be followed by re-development of the site, consent to demolish should in general be given only where there are acceptable proposals for the new building.

2.2.7 Fife Council's St Andrews Conservation Area Appraisal and Management Plan (2010) provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management. The general advice, guidance, and management considerations referred to are relevant to all new development opportunities within the Conservation Area itself and mirror the advice contained within SPP and HES Historic Environment Policy for Scotland (May 2019). The application site is not referenced in the document.

2.2.8 The rear extension to the Russell Hotel is formed of multiple extensions and alterations (post-World War 2) and its form and use of materials have little architectural or historic merit. The removal of this element of the Russell Hotel would have no negative affect on the streetscape or nearby buildings of specific architectural or historical interest. Historic Environment Scotland have been consulted with regard to this proposal and they have no objections to the demolition of this building due to the level of alteration that has already occurred and given that the existing building provides no contribution to the character of the conservation area. The case for demolition complies with the relevant guidance. As stated earlier, a planning application is running in conjunction with this proposal to secure new development for this site for residential use. It is considered, therefore, that the proposed complete demolition of the rear extension of the Russell Hotel accords with the relevant policy and guidance relating to the impact of the works on the character and appearance of the Conservation Area. The proposal is recommended for approval subject to a condition to ensure that no demolition takes place until an appropriate replacement development is in place. Planning application 22/01675/FULL for the redevelopment of the site is also included on the agenda of this committee.

CONSULTATIONS

Historic Environment Scotland

No objection

REPRESENTATIONS

4 objections have been received to this application. The concerns raised in the submitted representations, and the Planning Authority's response to these, are summarised below.

1. These objections relate to the proposed works, impacts on surrounding properties, design of proposed replacement building and proposed interior works to existing building are not material planning considerations for this Conservation Area Consent application.

CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the National Guidance and the St Andrews Conservation Area Appraisal and Management Plan 2010. The existing building is a modern addition with no architectural or historic value. The loss of the properties would have no significant detrimental impact on the character and appearance of the St Andrews Conservation Area. It is therefore considered that complete demolition of the building accords with the relevant provisions of policy and guidance relating to the impact of the works on the character and appearance of the Conservation Area. The proposal is recommended for approval subject to a condition to ensure that demolition does not take place until consent for a replacement development has been approved.

RECOMMENDATION

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

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. NO WORKS OF DEMOLITION SHALL TAKE PLACE until construction contracts have been entered into for the replacement development of the site and written evidence of this has been submitted and approved in writing by this Planning Authority. The replacement development shall be for a scheme with a valid full planning permission.

Reason: In the interests of visual amenity; to ensure that this Planning Authority retains effective control over the timing of the development to avoid an unsightly gap in a prominent position in the Conservation Area.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Guidance

Section 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997

Historic Environment Policy for Scotland (April 2019)

Scottish Planning Policy (2014) (Valuing the Historic Environment)

Historic Environment Scotland's Managing Change in the Historic Environment Guidance on Demolition (2010)

Historic Environment Scotland's New Design in Historic Settings

Development Plan

Adopted FIFEplan Local Development Plan 2017

Other Guidance

Fife Council's St Andrews Conservation Area Appraisal and Management Plan 2010

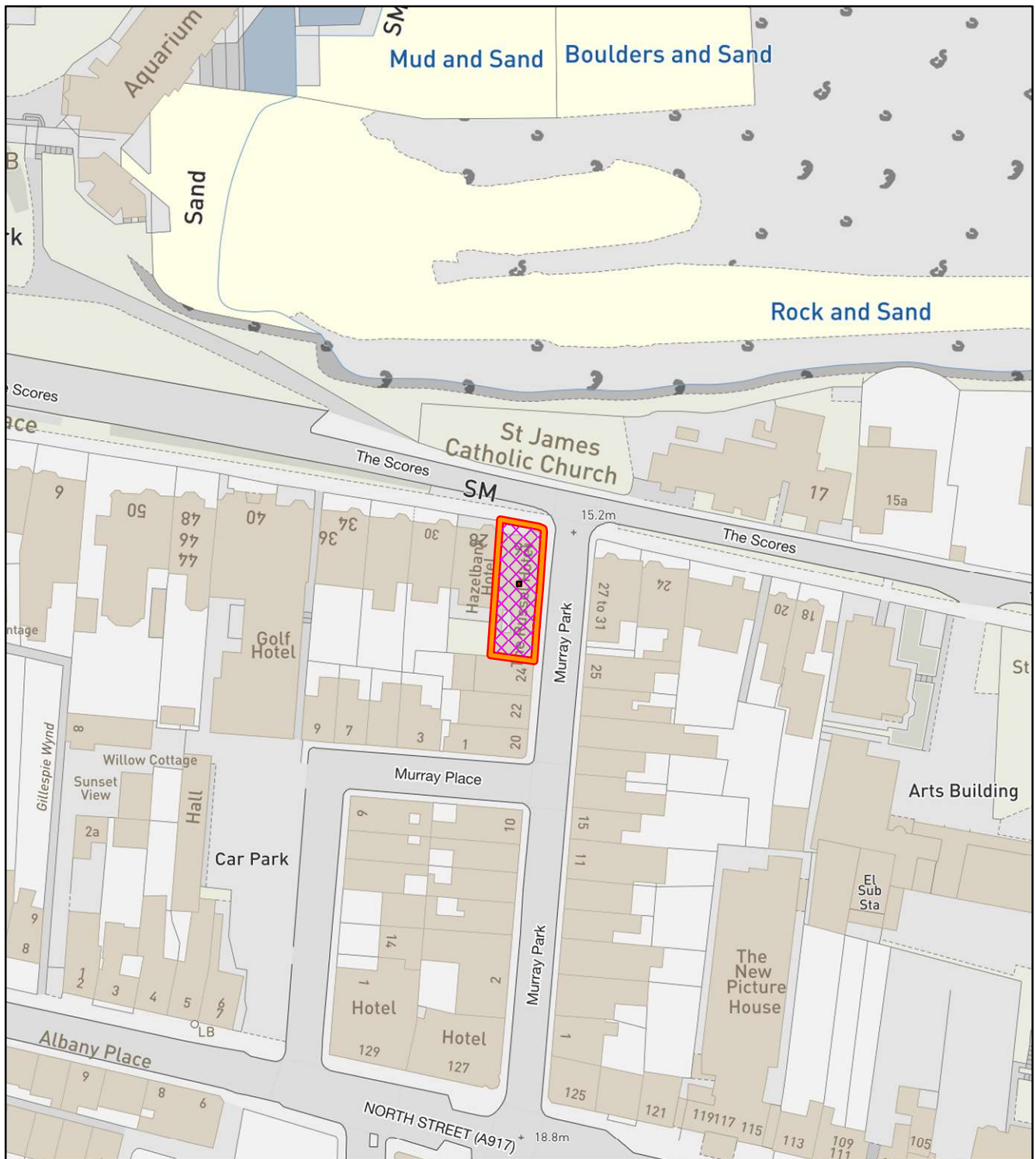
Report prepared by Scott McInroy, Planner, Development Management

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 28/11/22.

Date Printed 25/10/2022

22/01674/CAC

Russell Hotel 26 The Scores St Andrews



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