

## North East Planning Committee

Due to Scottish Government guidance relating to COVID-19, this meeting will be held remotely.



Wednesday, 10th March, 2021 - 1.30 p.m.

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### AGENDA

Page Nos.

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 10th February, 2021. 3 – 8

### DEVELOPMENT MANAGEMENT - REPORTS BY THE HEAD OF PLANNING

4. **20/01913/FULL - LAND TO THE EAST OF FALFIELD STEADINGS, FALFIELD, LARGOWARD** 9 – 21  
Erection of holiday accommodation (Class 7) and ancillary art studio including landscaping, SUDS and parking.
5. **20/02492/FULL - 5 KINBURN PLACE, DOUBLEDYKES ROAD, ST ANDREWS** 22 – 40  
Erection of three flatted dwellings and formation of vehicular access and hardstanding (partial demolition of existing guesthouse (Class 7)).
6. **20/02311/FULL - LAND TO SOUTH OF BALGOVE ROAD, BALGOVE ROAD, GAULDRY** 41 – 79  
Erection of 30 affordable housing units with associated drainage, parking and landscaping (demolition of existing dwellinghouse).
7. **20/02046/PPP - 2 HALLOWHILL, ST ANDREWS, FIFE** 80 – 92  
Planning Permission in Principle for erection of dwellinghouse with associated access and parking.

### DEVELOPMENT MANAGEMENT - DELEGATED ITEMS

8. **APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

List of applications dealt with under delegated powers for the period 25th January to 21st February, 2021.

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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3rd March, 2021

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**THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING**

10th February, 2021

1.35 p.m. – 6.55 p.m.

**PRESENT:** Councillors Donald Lothian (Convener), Tim Brett, Bill Connor, John Docherty, Andy Heer, Linda Holt, Jane Ann Liston, David MacDiarmid, Karen Marjoram, Tony Miklinski, Bill Porteous, Jonny Tepp, Brian Thomson and Ann Verner.

**ATTENDING:** Alastair Hamilton, Service Manager - Development Management; William Shand, Strategic Development Manager; Edward Bean, Planner; Richard Simmons, Lead Officer Transportation Development Management (North Fife), Economy, Planning & Employability Services; June Barrie, Manager - Legal Services; and Diane Barnet, Committee Officer, Legal & Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Margaret Kennedy and Dominic Nolan.

**244. DECLARATIONS OF INTEREST**

Councillors Tim Brett and Bill Connor declared an interest in item 246 - '20/01622/FULL - Tayport Harbour, Harbour Road, Tayport' - as Councillor Brett had engaged in discussion with the applicant on the proposed development; and Councillor Connor was a member of Tayport Harbour Trust.

Councillor Andy Heer declared an interest in item 250 - '20/01098/FULL - Fife Council Environmental Services, Landfill Site, Lower Melville Wood' - as he was a Director of Fife Resource Solutions when the proposed project was initially considered.

**245. MINUTE**

The Committee considered the minute of the meeting of North East Planning Committee of 13th January, 2021.

**Decision**

The Committee agreed to approve the minute.

*Having earlier declared an interest in the following item, Councillors Brett and Connor left the meeting at this stage.*

**246. 20/01622/FULL - TAYPORT HARBOUR, HARBOUR ROAD, TAYPORT**

The Committee considered a report by the Head of Planning relating to an application for the erection of boundary fence, gates and lighting columns and formation of footpath.

**Decision/**

**Decision**

The Committee agreed to approve the application subject to the 4 conditions and for the reasons detailed in the report.

*Councillors Brett and Connor re-joined the meeting following consideration of the above item.*

**247. 20/01881/FULL - 13 KINKELL TERRACE, ST ANDREWS, FIFE**

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

**Decision**

The Committee agreed to approve the application unconditionally.

**248. 18/03578/PPP - LAND TO THE NORTH OF GRANGE ROAD, EARLSFERRY**

The Committee considered a report by the Head of Planning relating to a major residential development with associated car parking, landscaping, drainage and formation of new accesses.

**Decision**

The Committee agreed to approve the application subject to:-

- (1) the 31 conditions and for the reasons detailed in the report;
- (2) an amendment to Condition 2 to include: the requirement for an intrusive mining assessment; and the requirement to include details of the provision of high speed broadband;
- (3) an amendment to Condition 3 to ensure that the requisite upgrading of the sewer system was carried out prior to occupation of the first house;
- (4) the conclusion of an agreement to secure the necessary planning obligations relating to the provision of:
  - (a) a combined agreement covering 18/03579/PPP (Wadeslea) and 18/03578/PPP (The Grange) –

To secure the provision of affordable housing for The Grange site and the Wadeslea site and the timelimits for its provision. In the event that The Grange is developed, but Wadeslea is not, in order to ensure that the affordable housing required for The Grange still goes ahead, the relevant sized area of portion of land at Wadeslea corresponding to The Grange's share of affordable provision shall be given over to affordable housing at a value determined by Affordable Housing. No more than 50% of the residential units shall be constructed at Wadeslea before the agreed affordable housing units are constructed; and

- (b)/

## 2021 NEPC 148

- (b) a contribution of £1,000 per residential unit towards open space/play;  
and
- (5) delegating to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligation.

The Committee adjourned at 3.50 p.m.

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The Committee reconvened at 4.00 p.m.

### 249. 18/03579/PPP - LAND TO EAST OF WADESLEA, ELIE

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for major mixed use development comprising: residential units (Class 9), associated car parking, open space, landscaping, drainage and formation of new access points, small business units (Class 4), a care home (Class 8), retirement housing (Class 8), additional parking for an existing doctor surgery and community space/facilities.

#### **Decision**

The Committee agreed to approve the application, subject to:-

- (1) the 37 conditions and for the reasons detailed in the report;
- (2) an amendment to Condition 2 to include: details of the provision of high speed broadband;
- (3) an amendment to condition 3 to ensure that the requisite upgrading of the sewer system was carried out prior to occupation of the first house;
- (4) an additional condition requiring a phasing plan relating to the provision of enhanced open space if no progress is made on any further phases of the Wadeslea allocation after this development has been complete for 2 years;
- (5) the conclusion of an agreement to secure the necessary planning obligations relating to the provision of:
  - (a) a combined agreement covering 18/03579/PPP (Wadeslea) and 18/03578/PPP (The Grange) –

To secure the provision of affordable housing for The Grange site and the Wadeslea site and the timelimits for its provision. In the event that The Grange is developed, but Wadeslea is not, in order to ensure that the affordable housing as required for The Grange still goes ahead, the relevant sized area of portion of land at Wadeslea corresponding to The Grange's share of affordable provision shall be given over to affordable housing at a value determined by affordable housing. No more than 50% of the residential units shall be constructed at Wadeslea, before the agreed affordable housing units are constructed;

(b)/

## 2021 NEPC 149

- (b) The Class 8 retirement homes proposed shall be age restricted to over 55 years and, in accordance with The Town and Country Planning (Use Classes) (Scotland) Order 1997, shall include an element of care to people in need of care other than a use within Class 9 (houses); and
  - (c) A contribution of £1,000 per residential unit towards open space/play; and
- (6) delegating to the Head of Planning, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligation.

In general terms, arising from discussion regarding affordable housing, the Committee requested an elected member briefing/ workshop to facilitate their involvement in any future review of the Council's Affordable Housing Support Guidance, which formed part of the Adopted FIFEplan (2017).

The Committee also asked that the developer consider delivering the cyclepath required by Condition 17 be delivered sooner than the trigger, if possible.

*Councillors Marjoram and Miklinski left the meeting following consideration of the above item.*

*Having earlier declared an interest in the following item, Councillor Heer left the meeting at this stage.*

*Councillor MacDiarmid left the meeting during consideration of the following item.*

### **250. 20/01098/FULL - FIFE COUNCIL ENVIRONMENTAL SERVICES, LANDFILL SITE, LOWER MELVILLE WOOD**

The Committee considered a report by the Head of Planning relating to an application for the construction and operation of a facility for the storage, processing and recycling of non-hazardous incinerator bottom ash (IBA).

#### **Motion**

Councillor Porteous, seconded by Councillor Holt, moved to continue the application for further information relating to: any potential impact on residential amenity due to noise, dust and odour; the number of proposed campaigns and their potential impact on infrastructure/road safety.

#### **Amendment**

Councillor Verner, seconded by Councillor Connor, moved as an amendment to approve the application subject to:-

- (1) the 32 conditions and for the reasons detailed in the report, including an additional condition and an amendment to Condition 12, respectively, to:
  - (a) limit hours of operation/working to Monday to Saturday;
  - (b)/

## 2021 NEPC 150

- (b) limit the storing and processing of incinerator bottom ash (IBA) to 45,000 tonnes, with the maximum number of campaigns being limited to 2 per annum; and
- (2) appropriate community liaison arrangements relating specifically to this operation within the site.

### **Roll Call Vote**

**For the Motion** - 4 votes

Councillors Holt, Liston, Porteous and Tepp.

**For the Amendment** - 6 votes

Councillors Brett, Connor, Docherty, Lothian, Thomson and Verner.

Having received a majority of votes, the amendment to approve the application was carried.

### **Decision**

The Committee agreed to approve the application, subject to:-

- (1) the 32 conditions and for the reasons detailed in the report, including an additional condition and an amendment to Condition 12, respectively, to:
  - (a) limit hours of operation/working to Monday to Saturday;
  - (b) limit the storing and processing of incinerator bottom ash (IBA) to 45,000 tonnes, with the maximum number of campaigns being limited to 2 per annum; and
- (2) appropriate community liaison arrangements relating specifically to this operation within the site.

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

## **251. 20/02824/FULL - TROMIE SHORE STREET, CELLARDYKE**

The Committee considered a report by the Head of Planning relating to an application for alterations to dwellinghouse and erection of two storey double garage.

### **Motion**

Councillor Holt, seconded by Councillor Porteous, moved to refuse the application on the grounds that the proposed development did not comply with Policies 1, 10 and 14 of the Adopted FIFEplan (2017) due to the design, colour and impact of the proposed two storey structure on residential amenity and the structure's detrimental impact on the character and appearance of the conservation area and the setting of nearby listed buildings.

### **Amendment/**

**Amendment**

Councillor Brett, seconded by Councillor Connor, moved to approve the application subject to the 2 conditions and for the reasons detailed in the report.

**Roll Call Vote**

**For the Motion** - 6 votes

Councillors Docherty, Holt, Liston, Lothian, Porteous and Tepp.

**For the Amendment** - 4 votes.

Councillors Brett, Connor, Heer and Thomson.

Having received a majority of votes, the motion to refuse the application was carried.

**Decision**

The Committee agreed to refuse the application on the grounds that the proposed development did not comply with Policies 1, 10 and 14 of the Adopted FIFEplan (2017) due to the design, colour and impact of the proposed two storey structure on residential amenity and the structure's detrimental impact on the character and appearance of the conservation area and the setting of nearby listed buildings.

*Councillor Verner left the meeting during consideration of the above item – prior to the roll call vote.*

**252. APPLICATIONS FOR PLANNING PERMISSION, BUILDING WARRANTS AND AMENDED BUILDING WARRANTS DEALT WITH UNDER DELEGATED POWERS**

**Decision**

The Committee noted the lists of applications dealt with under delegated powers for the period 28th December, 2020 to 24th January, 2021.

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**ITEM NO: 4**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/01913/FULL**

**SITE ADDRESS: LAND TO THE EAST OF FALFIELD STEADINGS FALFIELD LARGOWARD**

**PROPOSAL: ERECTION OF HOLIDAY ACCOMMODATION (CLASS 7) AND ANCILLARY ART STUDIO INCLUDING LANDSCAPING, SUDS AND PARKING**

**APPLICANT: MR JIM TAIT  
15 MURTHLY DRIVE MURTHLY PERTH**

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

**CASE OFFICER: Jamie Penman**

**DATE 15/09/2020**

**REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

This application has attracted more than 5 representations which are contrary to the Case Officer's 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.

## 1.1 Background

1.1.1 This application relates to a vacant greenfield site, located within the countryside, as defined by FIFEplan (2017). More specifically, the site sits adjacent to Falfield Steadings, next to the C60 adopted road, approximately 1.6km to the north east of New Gilston and 1.2km to the south west of Peat Inn. The application site and associated existing access road measures approximately 1,500sqm and is currently covered with a young/early mature plantation of broadleaved woodland comprising of sycamore and common ash trees. A low traditional stone wall bounds the site however according to historic mapping, the site itself does not appear to have ever been developed. To the north of the site lies two new build cottages, to the east and south is woodland and to the west is Falfield Steading, separated by the C60 road. The application site is located within a Coal Authority Low Risk Area and is categorised as non-prime agricultural land. Core Path P034/11 and National Cycleway 17716 also pass the site to the west.

1.1.2 This application is for full planning permission, for the erection of holiday accommodation (Class 7) including landscaping, SUDS and parking. The proposal also includes an ancillary art studio.

1.1.3 There is no relevant planning history associated with this site.

1.1.4 The proposed holiday accommodation building would be located to the east of the site with parking to the north and landscaping to the west. The building would consist of a two storey and single storey element and have an approximate floor area of 175sqm. The two-storey element of the building would have a pitched roof with a maximum finishing height of 7.5m. The single storey element would have a flat roof (terrace area) with a maximum finishing height of 4.7m. The building would be finished with timber cladding and also incorporate large areas of glazing. A supporting statement has been submitted with this application which details that the proposal would contribute to the tourism economy within Fife, but particularly to the St Andrews area. The supporting statement also argues that the proposal would provide accommodation for the growth in staycations, brought on by the COVID pandemic. The supporting information also details that the proposal would include an ancillary art studio, which would provide an opportunity for art-based holidays.

1.1.5 Due to the prevailing Covid 19 situation, site visits are only being undertaken for proposals where it is deemed absolutely necessary. A risk assessment has been carried out and it is considered in this instance, given the evidence and information available to the Case Officer, that there is a sufficient level of information available in order to fully assess and determine the proposal, without undertaking a site visit.

## 2.1 Assessment

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

- Principle of Development
- Design/Visual Impact on Countryside
- Residential Amenity Impact
- Road Safety Impact
- Natural Heritage/Trees/Access Impact
- Low Carbon Fife
- Flooding

## 2.2 Principle of Development

2.2.1 Scottish Planning Policy (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 Policy 1, Part A, and Policy 7 of the Adopted FIFEplan (2017) apply. 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.

2.2.3 Policy 7 of FIFEplan (2017) advises that development in the countryside will only be supported in certain instances. One such circumstance is where the development is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location. The policy further sets out that all development 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. Policy 7 continues by stating that development on prime agricultural land will not be supported except where it is essential: as a component of the settlement strategy or necessary to meet an established need; 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. Policy 8 of the Adopted Local Plan is not relevant in this instance as the applicant does not propose housing in the countryside.

2.2.4 As detailed in the background section of the report, a supporting statement has been provided by the agent for consideration which includes a business plan for the proposed holiday let. The supporting statement details that the proposal would contribute to the tourism economy within Fife, but particularly to the St Andrews area. The supporting statement also argues that the proposal would provide accommodation for the growth in staycations, brought on by the COVID pandemic. The supporting information also details that the proposal would include an ancillary art studio, which would provide an opportunity for niche art-based holidays, for aspiring artists. A business plan has also been submitted which details that the holiday let would hope to achieve 85% occupancy within a 5-year period.

2.2.5 Whilst the information put forward with this application does not strictly comply with FIFEplan (2017) policy, in that it is not clear that the proposed holiday accommodation has a proven need for a countryside location, it is also recognised that there is a presumption in favour of encouraging development to provide accommodation for Fife's ever-increasing tourism sector which would have an associated economic benefit. Furthermore, it is considered that the proposal is well located in relation to the many tourism attractions located within the east of Fife. As will be discussed in Section 2.3 of this report, it is also considered that the proposal would be of a scale and nature compatible with surrounding uses and equally, would be well located in respect to available infrastructure.

2.2.6 In this instance the proposal involves tourist accommodation that would increase visitor dispersal; would be compatible with surrounding land uses; would not result in the loss of prime-agricultural land; and would provide additional tourist benefits to East Fife and Fife as a whole. The application proposal therefore meets the principle aims of the FIFEplan (2017) in respect to development within the countryside. The overall acceptability of such a development must however also meet other policy criteria and these issues are considered in detail below.

## 2.3 Design/Visual Impact on the Countryside

2.3.1 FIFEplan (2017) policies 1, 7, 10, 13 and 14 apply in this instance. Policies 1 and 10 indicate development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. In this instance, the policies will be applied to assess the visual impact of the proposed development on the surrounding area. Policy 13 relates to the natural environment and aims to protect and enhance natural heritage assets. Policy 14 specifically relates to the built environment and aims to encourage better quality places across Fife and deliver new, good quality development and in which environmental assets are maintained. FIFEplan (2017) Policy 7 is also relevant in this instance and states that all development within the countryside should be of a scale and nature compatible with surrounding uses; well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and located and designed to protect the overall landscape and environmental quality of the area. Making Fife's Places Supplementary Guidance (2018) also applies and 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. The document also illustrates how developments proposals can be evaluated to ensure compliance with the six qualities of successful places.

2.3.2 The application site and associated existing access road measures approximately 1,500sqm and is currently covered with a young/early mature plantation of broadleaved woodland comprising of sycamore and common ash trees. A low traditional stone wall bounds the site, however according to historic mapping the site itself does not appear to have ever been developed. The site would be cleared of most vegetation and the proposed holiday accommodation building would be located to the east of the site with parking to the north and landscaping to the west.

2.3.3 The proposal would consist of a two storey and a single storey element and have an approximate floor area of 175sqm. The two-storey element of the building would have a pitched roof with a maximum finishing height of 7.5m. The single storey element would have a flat roof (terrace area) with a maximum finishing height of 4.7m. The building would be finished with timber cladding and also incorporate large areas of glazing.

2.3.4 The clearance of existing trees from the site would have visual impact implications on the surrounding area. A tree report has been submitted which details that all trees within the site are either category C or U and are either poor quality or dead/dying. These categories of tree are not normally seen to be a barrier to development as they are considered to have no material, conservation or other cultural value. The report also notes that many of the common ash trees are showing signs of ash dieback infection. It should also be noted that the existing trees within the site have no statutory degree of protection (and are not deemed worthy of a Tree Preservation Order), as such, the applicant could remove all trees within the site at any time. Whilst not all trees would be replaced, a tree replanting scheme is proposed which is welcomed and would not only replace existing low-quality trees but help screen the site and help the proposal blend into the surrounding landscape.

2.3.5 Whilst located within the countryside, the application site would not be considered isolated, given its close proximity to neighbouring development. Two residential cottages are located 50m to the north east and Falfield Steading located 50m to the north west, separated by the C60 adopted road. Furthermore, the application site would not be considered visually prominent given the surrounding topography and existing vegetation.

2.3.6 The proposal would include design elements which would liken it to an agricultural building. Its form and finishing materials would be complementary to its rural setting. A large proportion of the building would be clad in timber which would help soften its visual impact against existing trees and landscape beyond the site which would be retained. Large areas of glazing are also proposed which would lend a contemporary feel to the development. The application site measures approximately 1,500sqm with the proposed development having an approximate floor area of 175sqm, as such, no concerns would be raised with regard to overdevelopment of the plot.

2.3.7 Whilst the application site is currently a vacant greenfield site located within the countryside, drawing on all of the above, it is considered on balance that the existing trees within the site are of low/no quality and as such, their removal can be accepted. Furthermore, whilst objection comments do raise concerns that the proposal would not fit in with the surrounding area, it is duly considered that the proposal would not be in an isolated position, it has been sensitively designed and would include a replanting scheme. The application proposal would therefore be of a scale and nature that is compatible with surrounding uses and it would be located and designed to protect the overall landscape and environmental quality of the area.

2.3.8 The proposal is therefore considered to comply with FIFEplan (2017) Policies 1, 7, 10, 13 and 14 in this instance and would have no significant impact on visual amenity of the surrounding area and wider countryside environment.

## 2.4 Residential Amenity Impact

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

2.4.2 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.

2.4.3 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.

2.4.4 Fife Council Customer Guidelines on Daylight and Sunlight (2018) notes that sunlight is considered to be the rays of light directly from the sun from a southerly direction, whereas daylight is the diffused 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. This guidance 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.

2.4.5 Given the distances that would separate the proposal from the nearest neighbouring residential properties (30m to East Wood Lodge and East Neuk Lodge), no significant concerns would be raised with regard to loss of daylight to windows or sunlight to garden ground.

2.4.6 Similarly, no privacy concerns would be raised with regard to window to window distances. Whilst the proposal would include a first floor outdoor terrace area, given the distance that would separate the proposal from closest private garden ground area (approximately 35m to 3 Falfield Steadings), and when taking into account existing mature vegetation and road that separate the sites, no significant overlooking/ privacy impact concerns would be raised.

2.4.7 In terms of noise impacts, the level of noise associated with properties providing holiday accommodation, would be considered comparable to that of a dwellinghouse, as such, no significant concerns would be raised in this instance. The proposal would utilise a shared driveway with East Wood Lodge and East Neuk Lodge and as such, there would likely be an increase in vehicular noise. Again, the level of traffic associated with this development would likely be comparable to that of a dwellinghouse, so whilst there may be a slight increase in vehicular noise, this would not be deemed significant in this instance given the low volume of trips and low vehicle speeds.

2.4.8 Whilst objector concerns regarding privacy, overshadowing and noise impacts are noted, in light of the above analysis, the proposal would not be deemed to have a significant impact on existing levels of residential amenity in this instance.

2.4.9 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) Policies 1 and 10 in this instance and have no significant impact on residential amenity.

## 2.5 Road Safety Impact

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

2.5.2 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. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments.

2.5.3 The application site would be accessed via an unadopted shared driveway which has an existing lawful access on to the adopted C60 local distributor road. The driveway and junction currently serve two cottages and the woodland/fields beyond the site. Public transport links to the application site are also very limited. Concerns regarding the visibility splays were raised during the assessment of planning application 12/00434/PPP for the two existing cottages to the north of the application site, however these concerns were ultimately set aside, given that the existing access was lawful and that only very limited visibility splay gains could be achieved.

2.5.4 Fife Council's Transportation Development Management Team have been consulted on this application and have objected to the proposal as the required junction visibility splays of 3m x 210m cannot be provided. The response notes that a splay to the north is obstructed by trees that lie within the neighbouring property, a stone wall and a wooden fence. The topography of the adjacent public road allows only for a maximum visibility splay to be achieved in this direction of 3m x 85m. The response continues by noting that Transportation Development Management have a policy against the formation of new vehicular accesses or the increase in use of existing vehicular accesses and junctions on unrestricted distributor roads that are out with established built up areas. The reason for this policy is that such accesses introduce, or increase, traffic turning manoeuvres that conflict with through traffic movements and so increase the probability of crashes occurring, to the detriment of road safety.

2.5.5 Whilst the position of the Transportation Development Management Team is noted, consideration must be given to the fact that the junction on to the C60 is an existing lawful access and already serves two houses and traffic accessing the woodland/fields beyond the site. This proposal would provide 2 bedrooms as holiday accommodation and would be expected to generate the same level of traffic as a dwellinghouse. As such, any increase in vehicular traffic using the existing junction/road network would be low and would therefore not be deemed to have a significant impact on existing levels of road safety in the surrounding area. As such, it would not be deemed reasonable to refuse this application based on the substandard visibility splays, given it is an existing lawful access, that the number of vehicles using the access would not significantly increase and the adjacent road does not experience high traffic flows.

2.5.6 The proposal would provide two off-street parking spaces which is deemed appropriate for holiday accommodation with 2 bedrooms.

2.5.7 Whilst objector concerns regarding road safety impacts are noted, in light of the above analysis, the proposal would not be deemed to have a significant impact on existing levels of road safety in this instance.

2.5.8 On balance, the proposal would have no significant road safety impacts and as such, be deemed to comply with FIFEplan (2017) Policies 1, 3 and 10 in this instance.

## 2.6 Natural Heritage/Trees/Access Impact

2.6.1 FIFEplan Policies 1 and 13 support proposals where they protect or enhance natural heritage and access assets, including trees and that have a landscape, amenity, or nature conservation value. Making Fife's Places (2018) states that where an existing tree is to be retained on a development site, or existing trees are identified on an adjacent site, no new buildings or gardens should be built within the falling distance of the tree at its final canopy height. Furthermore, Policy 13 aims to protect biodiversity in the wider environment, protected and priority habitats and existing core paths, cycleways, bridleways, rights of way and other established footpaths.

2.6.2 Core Path P034/11 and National Cycleway 17716 pass the site to the west on the C60 local distributor road. The proposal would not impact on these routes and would therefore raise no concerns in this regard.

2.6.3 Fife Council's Natural Heritage Officer was consulted on this application and advised that no natural heritage/biodiversity assessment had been submitted and expressed concern regarding the loss of trees. This was raised with the agent and an ecology assessment was undertaken and a report submitted by a competent professional. The report considers that a site walkover revealed

the presence of a very poor variety of habitats within the small survey area. The report notes that the survey area has very limited potential to support any protected species or species of conservation concern. No squirrel dreys or badger setts are present and no trees have bat roost potential. It further considers that no protected fauna is present. The ecology report concludes by noting that no further surveys are likely to be required unless trees are felled during the bird-breeding season.

2.6.4 As previously discussed, a tree report has also been submitted and details that all trees within the site are either category C or U and are considered to be either poor quality or dead/dying. These categories of tree are not normally seen to be a barrier to development as they are considered to have no material, conservation or other cultural value. The report also notes that many of the common ash trees are showing signs of ash dieback infection. It should also be noted that the existing trees within the site have no statutory degree of protection (and are not deemed worthy of a Tree Preservation Order), as such, the applicant could remove all trees within the site at any time. Whilst not all trees would be replaced, a tree replanting scheme is proposed which is welcomed and would not only replace existing low-quality trees but help screen the site and provide opportunities for biodiversity/habitat enhancement.

2.6.5 In light of the above, the proposal would be deemed to have no significant impact on the local ecology of the site or wider area. Furthermore, whilst the loss of trees on the site would be unfortunate, the existing trees are of poor quality and as such, would not be deemed a barrier to development in this instance. A replanting scheme is also proposed which is welcomed.

2.6.6 Whilst objector concerns regarding natural heritage and tree impacts are noted, in light of the above analysis, the proposal would not be deemed to have a significant impact on natural heritage or trees in this instance.

2.6.7 In light of the above, the proposal would be deemed to have no significant natural heritage impacts and would therefore be deemed to comply with FIFEplan (2017) Policies 1 and 13 in this instance.

## 2.7 Flooding

2.7.1 SPP and FIFEplan policies 1 and 12 advise that developments should not place unacceptable demands on public infrastructure including drainage systems. Developments will not be supported if they would increase the risk of flooding, nor will they be supported if Sustainable Urban Drainage Systems (SUDS) or other similar appropriate measures are not undertaken. Development will not be supported where a proposal would increase the risk of flooding unless adequate mitigation measures can be secured.

2.7.2 The Scottish Environment Protection Agency (SEPA) flood maps have been analysed and, in this instance, and shows that the application site is not located within an area of known river, coastal or surface water flood risk.

2.7.3 With regard to surface water drainage, a SUDS scheme is proposed by the way of surface water soakaway. Fife Council's Structural Services Team were consulted to evaluate the scheme and noted no objections to the proposal.

2.7.4 Whilst objector concerns regarding flooding impacts are noted, in light of the above analysis, the proposal would not be deemed to have a significant impact on flooding in this instance.



2.7.5 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) Policies 1 and 12 in this instance.

## 2.8 Low Carbon

2.8.1 SPP (paragraph 154), Policies 1 and 11 of FIFEplan (2017) and Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) apply with regards to the low carbon requirements expected of this proposal. Fife Council's Low Carbon Fife Supplementary Guidance 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. In addition, planning applications are required to be supported by a Low Carbon Checklist to demonstrate compliance with Policy 11.

2.8.2 A low carbon checklist has been submitted with this application and the design statement details that renewable technology and energy provisions will be included in the design. This would include heat recovery clean ventilation, solar to battery energy, wastewater heat recovery and air to heat recovery. The design statement concludes by noting that natural sustainable power can provide the design with a clean air environment, free energy and a low carbon output. A condition was added to this decision requiring details of the renewable technology to be submitted prior to works commencing on site.

2.8.3 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) Policies 1 and 11 in this instance.

## CONSULTATIONS

Structural Services - Flooding, Shoreline and Harbours	No objections.
Transportation and Environmental Services - Operations Team	No response.
Transportation, Planning Services Ministry of Defence (Statutory)	Objection due to substandard visibility splays. No objections subject to development having a maximum height of 7.5m.
Natural Heritage, Planning Services	Concerns regarding loss of woodland. Natural heritage assessment should be submitted.
Scottish Water	No objection

## REPRESENTATIONS

13 objections have been received. Concerns raised include:

- Applicant has not shown how they will prevent flooding as sluice gate would be removed, nor have they addressed safe disposal of sewage
  - Planning authority response - Displacement of flood water is a private legal issue however the applicant has provided a more than adequate sustainable urban drainage scheme which will cater for additional surface water run-off cause by the development. A below ground septic tank has also been proposed for treatment of sewage.

- Small area of ornamental woodland is inappropriate for a house - Addressed in Section 2.3 of this report
- Proposal will have overlooking impacts, cause reduction in privacy and overshadow - Addressed in Section 2.4 of this report
- Reduction of trees on site will impact privacy - Addressed in Section 2.4 of this report
- Building not in-keeping with existing buildings in surrounding area - Addressed in Section 2.3 of this report
- Proposal would create additional journeys and more traffic on local road - Addressed in Section 2.5 of this report
- Proposal will increase flooding in surrounding area - Addressed in Section 2.8 of this report
- Woodland has been habitat for endangered species - Addressed in Section 2.6 of this report
- Road safety/insufficient parking impact on shared driveway - Addressed in Section 2.5 of this report
- Vehicles visiting the site at unsociable hours - Addressed in Section 2.4 of this report
- Building to plot size is too great giving little space for replanting - Addressed in Section 2.3 of this report
- Infrequent bus service - Addressed in Section 2.5 of this report
- Proposal will not be access via sustainable modes of transport - Addressed in Section 2.5 of this report
- Proposal will not benefit local businesses - Addressed in Section 2.1 of this report
- Plans are inaccurate - Planning authority response - The submitted plans appear to accurately represent the application site and its surroundings
- Proposal would increase noise nuisance - Addressed in Section 2.4 of this report
- Increased traffic will impact on road condition - Addressed in Section 2.5 of this report
- Removal of trees would increase flooding - Addressed in Section 2.8 of this report

Concerns raised which are not material planning considerations include:

- There are no commercial businesses in Falfield
- Visitors will not worry about local area and conservation of it
- No need for this type of development
- Frequent burst pipes and water pressure issues in the surrounding area, proposal would compound these issues
- Nowhere nearby for recreation except private property. Woodland is used for private shoots and horse training. Trespassers would be endangered and present danger to horses and riders

## **CONCLUSIONS**

This proposal is considered to be acceptable in meeting the terms of FIFEplan 2017 policies, other relevant national policy/guidance and Fife Council Customer Planning Guidance. The proposal is compatible with the area in terms of land use, design and scale. Furthermore, no significant impacts would arise in regard to existing levels of residential amenity, road safety, natural heritage or flooding. 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 holiday accommodation hereby approved shall be occupied only as holiday accommodation with no single holiday let/stay longer than 12 continuous weeks in any calendar year. The owners/operators of the holiday accommodation shall maintain an up to date record of

the holiday lets for the development hereby approved, detailing both the length of each holiday letting period and the occupants names during that period and this record shall be made available for inspection on request from this Planning Authority. For the avoidance of doubt the approved holiday accommodation shall not be used as the sole or main residence of the occupants at any time.

Reason: In the interest of complying with FIFEplan (2017) Policies; to ensure the holiday accommodation is not used as permanent residential accommodation, which would be contrary to FIFEplan (2017) Policy 8.

2. Prior to the first use of the holiday accommodation hereby approved, there shall be two off-street parking spaces provided within the curtilage of the site and made available for use for the lifetime of the development.

Reason: In the interest of road safety; to ensure an adequate level of off-street parking is required.

3. Before any works start on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of earthmounding, shall be submitted for approval in writing by this Planning Authority. The scheme as approved shall be implemented within the first planting season following the date of this consent. For the avoidance of doubt only native species shall be used as part of the landscaping scheme. All planting carried out on site shall be maintained by the developer in accordance with good horticultural practice for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.

Reason: In the interests of visual amenity and biodiversity enhancement; to ensure a satisfactory standard of replacement planting is provided and the local environmental quality is maintained.

4. For the avoidance of doubt, any vegetation clearance shall only take place out with the bird breeding season which is March to August inclusive.

Reason: In the interest of protecting the area's natural heritage; to ensure no nesting birds are harmed during the site clearance.

5. Before any works start of size, specific details of all finishing materials shall be submitted for the written approval of Fife Council as Planning Authority. Once approved, the approved details shall be carried out on site in full.

Reason: In the interests of visual amenity; to ensure that the finishes of the holiday accommodation building are appropriate to the character of the area.

6. Prior to the first use of the holiday accommodation hereby approved, the approved SUDS scheme shall be fully installed and operational and be appropriately maintained for the lifetime of the development.

Reason: In the interest of preventing flooding; to ensure the SUDS scheme is provided and the building does not result in an increase of surface water run-off.

7. Before any works start on site, full details of the proposed renewable energy generating technology (including manufacturer's details) shall be submitted to, and approved in writing by, Fife Council as Planning Authority. Thereafter, the development shall be carried out in the accordance with the approved details.

Reason: In the interests of sustainable development; to ensure the development complies with FIFEplan Policy 11: Low Carbon Fife.

8. The approved art studio shall only be used ancillary to the holiday accommodation building and shall not be let separately from the main building. For the avoidance of doubt, the art studio shall only be used for recreational purposes in line with the approved holiday accommodation use and no workshops/classes shall take place from it.

Reason: In the interest of complying with FIFEplan (2017) Policies; to ensure the ancillary art studio is only used in conjunction with the approved holiday accommodation use and not on a wider commercial basis, which would be contrary to FIFEplan (2017) Policy 8.

## **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:

SPP - Scottish Planning Policy (2020)

PAN 1/2011 Planning and Noise

Development Plan:

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Planning Guidance (2018)

Local Guidance:

Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018)

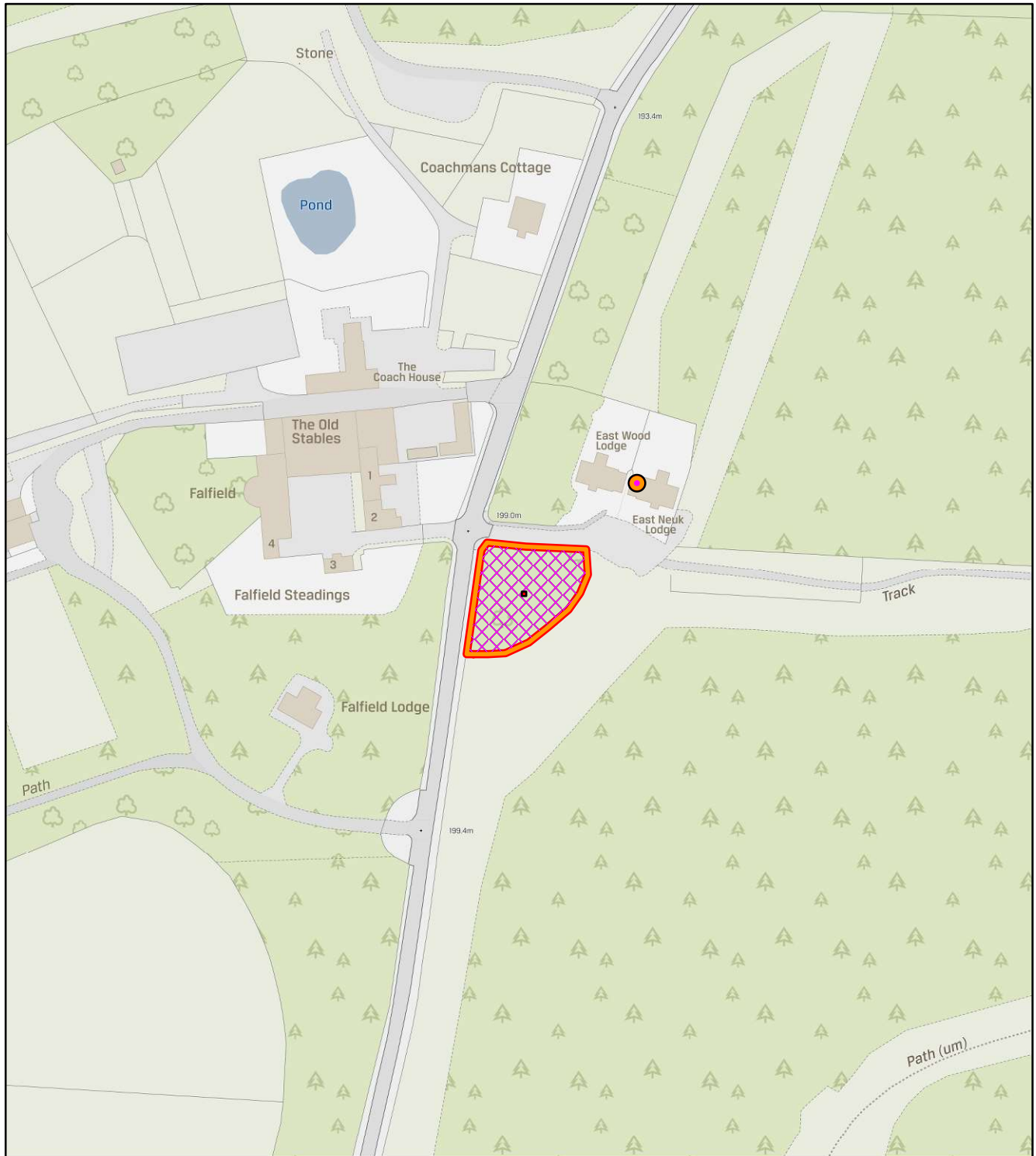
Fife Council's Planning Customer Guidelines on Minimum Distances between Window Openings (2011)

Report prepared by Jamie Penman – Graduate Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 26/2/21

Date Printed 15/02/2021

## Land To The East Of Falfield Steadings Falfield Largoward



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<b>Legend</b>	
 Application Boundary	
	
 Economy, Planning & Employability Services	

**ITEM NO: 5**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/02492/FULL**

**SITE ADDRESS: 5 KINBURN PLACE DOUBLEDYKES ROAD ST ANDREWS**

**PROPOSAL: ERECTION OF THREE FLATTED DWELLINGS AND  
FORMATION OF VEHICULAR ACCESS AND HARDSTANDING  
(PARTIAL DEMOLITION OF EXISTING GUESTHOUSE (CLASS  
7))**

**APPLICANT: MRS ELAINE RUSSELL  
5 KINBURN PLACE ST ANDREWS UNITED KINGDOM**

**WARD NO: W5R18  
St. Andrews**

**CASE OFFICER: Jamie Penman**

**DATE 02/11/2020  
REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

This application has received more than 5 representations which are contrary to the Case Officer's recommendation including an objection from the Royal Burgh of St Andrews Community Council as a Statutory Consultee.

**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.

## 1.1 Background

1.1.1 This application relates to a guesthouse (5 Kinburn Place), which is located within the settlement boundary of St Andrews, as defined by FIFEplan (2017). The application site is located within the St Andrews Central Conservation Area, however the application property itself is not historic, nor is it of any significant visual interest. The 2.5 storey property, with rendered finished walls, fronts Doubledykes Road opposite the junction of Kennedy Gardens. A historic stone wall bounds the property. The application site occupies a prominent position at the entry to the Conservation Area when travelling along Argyle Street from Hepburn Gardens - the property itself is not highly visible given the extensive planting and rise in level behind the stone retaining wall. Neighbouring properties are of a predominately traditional Victorian villa design, featuring stone walls, timber sash-and-case windows and slate roof tiles, however it is noted that there are some more modern buildings to the south/south east. The surrounding area is largely residential in nature. At present, the application property features a total of 9 bedrooms, with a modern outbuilding located within the rear garden area. Given the small size of the garage (now boiler room) and its set back distance from the road which requires cars to park over the pedestrian footway, it is considered the application property is not currently served by any off-street parking spaces.

1.1.2 This application seeks planning permission for erection of three flatted dwellings, formation of access and hardstanding (partial demolition of existing guesthouse (Class 7)). The proposed development would consist of a three storey, mansard roofed building, containing three two-bedroom flatted dwellings. The proposed flatted dwellings would be situated above ground level, with a pend proposed to provide vehicular access through the site, to a rear parking area (with turning area). A total of five off-street parking spaces are proposed. The proposed development would be an in-fill building, connecting the neighbouring terrace building with the guesthouse. The front building line of the terrace buildings and guesthouse would be maintained. Finishing materials would consist of buff natural sandstone walls, architectural cast masonry (light grey finish) to form horizontal banding between floors on the front and rear elevations, white coloured acrylic render (inside of pend), pre-painted zinc standing seam roofing (sloping elements), slate grey single ply membrane roofing (flat roof), aluminium clad timber windows/doors (RAL 7037 'Dusty Grey'), galvanised steel balustrades (RAL 7037) and angle seam zinc cladding (on rear elevation). Air source heat pumps are proposed. The proposed demolition works would reduce the guesthouse to 7 bedrooms, with the garage (now boiler room), a single storey rear extension and outbuilding removed. A SUDS scheme is also proposed along with alterations to the boundary wall to the front of the property.

1.1.3 Planning history associated with this site includes:

02/03333/EFULL - Erect dormer extension to dwellinghouse and repaint external walls (Refused)  
03/01375/EFULL - Paint external walls of dwellinghouse (Sandstone colour BS 08 B17) (Approved)

06/00421/EFULL - Erection of first floor extension, dormer and installation of rooflights (Approved)

11/01706/FULL - Erection of storage shed (Approved)

15/02961/FULL - Two storey extension to dwellinghouse incorporating integrated domestic garage (Approved)

19/03614/FULL - Erection of three flatted dwellings and formation of vehicular access and hardstanding (partial demolition of existing guesthouse (Class 7)) (Refused)

20/00125/CAC - Conservation Area consent for partial demolition of existing house (including extensions and garage) and boundary wall and complete demolition of outbuilding (Approved)

1.1.4 This application is a resubmission of application 19/03614/FUL, which was previously refused by the North East Fife Planning Committee. Application 19/03614/FULL was refused due to its design and choice of finishing materials. It was determined that this would have a negative visual impact on the surrounding streetscene and the St Andrews Conservation Area. The agent has submitted a design statement with this application which details the amendments that have been made, in light of comments from the Planning Committee, Fife Council's Built Heritage Team and objection comments. Changes that have been made include:

- Reduced building footprint (rear elevation pulled back by 900mm)
- Height of top floor windows reduced by 300mm on rear elevation
- Materials revised on rear elevation to include greater extent of grey coloured zinc
- Rear elevation roof changed to Mansard type and gutter level has been lowered to below gutter level on adjacent buildings (1-4 Kinburn Place)
- Gable added to front elevation
- Windows on front elevation reduced in width by 400mm and centred on gable

1.1.5 Whilst it is acknowledged that Section 39 of The Town and Country Planning (Scotland) Act 1997 does give the Planning Authority the power to decline to determine similar applications if submitted within 2 years of each other, the changes noted in Section 1.1.4 above are deemed significant and are therefore material to allow the full assessment of this application.

## 2.1 Assessment

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

- Principle of Development
- Design/Visual Impact on Surrounding Area and Historic Environment
- Residential Amenity
- Low Carbon
- Transportation/Road Safety
- Flooding and Drainage
- House in Multiple Occupation (HMO)

## 2.2 Principle of Development

2.2.1 The Scottish Government's Scottish Planning Policy (SPP) (2020) and Policy 1 of the Adopted FIFEplan Local Development Plan (2017) apply with regard to the principle of development for this proposal.

2.2.2 SPP advises that new residential development should be concentrated within existing settlements and encourage the re-use of redundant or vacant buildings and the re-use of brownfield sites. The document also aims to promote high quality design and the protection of the existing urban character.

2.2.3 Policy 1 of FIFEplan sets out the development proposals will only be supported providing they conform to relevant Development Plan policies and proposals and address their individual



and cumulative impacts. Part A of this Policy sets out that 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 LDP.

2.2.4 The application site is located within the settlement envelope of St Andrews, as per FIFEplan (2017), in an area which is characterised by residential properties. Given the residential nature of the proposal and the character of the surrounding area, the development is deemed to be acceptable. In simple land use terms, the proposal is therefore considered to meet the requirements of the policies outlined above and is thus deemed to be acceptable in principle, complying with the requirements of Policy 1. The overall acceptability of any such development must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report.

### 2.3 Design/Visual Impact on Surrounding Area and Historic Environment

2.3.1 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2020), 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), St Andrews Design Guidelines (2011) and Historic Environment Scotland (HES) Historic Environment Policy for Scotland (May 2019), Managing Change in the Historic Environment (2010) and New Design in Historic Settings (2010) apply with regard to this proposal.

2.3.2 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. 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.

2.3.3 Scottish Planning Policy 2020 (Valuing the Historic Environment) advises that the design, materials, scale and siting of new development 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. It advises that development should enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets and ensure their future use, and that Planning Authorities, when determining applications for planning permission or listed building consent, should 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.

2.3.4 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. 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, whilst also setting 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 and beyond.

2.3.5 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. 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 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.

2.3.6 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 mentioned in the document.

2.3.7 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 4 - Ensure that the quality of new development proposals along the approach roads sets the high standard required to herald the arrival in an outstanding town centre.

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 15 - Maintain the pattern of alignment of building frontages in any new development along the main town centre streets.

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

Guideline 45 - Retain characteristic feature of the street such as high boundary walls, garage doors and pends. Where appropriate design them into new developments.

Guideline 46 - Ensure that new boundary treatments are of high-quality design and appropriate to context, using stonework, rendered masonry or metal railings. Timber fences are not appropriate on street frontages.

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 be 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.

2.3.8 HES Historic Environment Policy for Scotland (May 2019) advises that new work, including alterations to historic buildings shall enhance its surroundings. This document, in essence, is a good practice guide for developments involving the historic environment, including Conservation Areas. HES Managing Change in the Historic Environment: Extensions sets out that most historic buildings have the potential to be extended sensibly. HES's guidance recognises that extensions to listed and historic buildings must protect the character and appearance of the building; be subordinate in scale and form; be located on a secondary elevation; and be designed in a high-quality manner using appropriate materials. It additionally states that new developments must acknowledge the building's original features.

2.3.9 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. Of relevance to consider in this application is that new development is expected to respond to:

- o Urban grain and scale - New design should consider the surrounding scale, hierarchy and massing of the existing built form.
- o Materials and detailing - the sensitive use of appropriate colour, texture and pattern of materials, whether traditional or contemporary, is also important. Their use and detailing is crucial in making a development stand out or blend in.
- o Views and landmarks - In some instances new designs might create dynamic juxtapositions of old and new, so adding texture and variety to the townscape.
- o Historical development - Layers of history and associated development generate patterns within an area. An understanding of the historic evolution of a place is essential in determining whether a historic setting needs enhancement or whether lost elements should be restored. New design should consider and respond to these layers of history - the 'narrative' of the place.

2.3.10 The proposed development would consist of a three-storey building, with mansard roof, containing three two-bedroom flatted dwellings. A pend is proposed below the flatted dwellings to provide vehicular access through the site to a rear parking area (with turning area). The proposed development would be an in-fill building, connecting the neighbouring terrace building with the guesthouse. The front building line of the terrace building and guesthouse would be maintained. Finishing materials would consist of buff natural sandstone, architectural cast masonry (light grey finish) to form horizontal banding between floors, white coloured acrylic render (inside of pend), pre-painted zinc standing seam roofing, aluminium clad timber windows/doors (RAL 7037 'Dusty Grey'), galvanised steel balustrades (RAL 7037) and angle seam zinc cladding panels. Air source heat pumps are proposed.

2.3.11 The application property occupies a conspicuous corner site which is considered to have a significant visual impact on the St Andrews Conservation Area, closing the view down Hepburn Gardens when travelling along the main thoroughfare towards Argyle Street. Whilst the location of the application property is of importance within the context of the Conservation Area, the building which presently occupies the site is of no historical or architectural interest, nor is it visually prominent (other than its front elevation) given the extent of planting within the garden area, height of the boundary wall and as the road starts to curve away from the site. The application property does close down the vista at the end of Kennedy Gardens. The proposed development would involve the demolition of an integral garage, rear extension and rear outbuilding, none of which

are considered to be of significance and their loss is therefore not opposed in principle by the Planning Authority.

2.3.12 The proposed three storey, mansard roofed, in-fill building would be lower than the existing terrace properties to the east, which is welcomed, providing a gradual step down in height to the guesthouse building. The orientation of the proposed building, fronting Doubledykes Road is supported, maintaining a key design characteristic of the area. The proposed finishing materials, including colours and detailing, on the Doubledykes Road/Kennedy Gardens facing elevation is also considered to be sympathetic to the Conservation Area setting. The introduction of a pitched dormer and narrower windows on the principal elevation, also helps further integrate the proposed development into its historic surrounds. A sample of all finishing materials is requested to be submitted through a planning condition. The maintenance of the building line and lowered height of building would assist to maintain the perceived massing of the existing architecture. Furthermore, the use of appropriate finishing materials combined with the sensitive design approach would introduce a complementary addition to the historic environment, one which reflects the form, shape and rhythm of neighbouring traditional properties. Whilst the proposed development would obscure the west (side) elevation of the neighbouring terrace (which features a large recessed arch feature), it is considered that this would not have a detrimental visual impact on the Conservation Area setting, nor harm the appearance of the neighbouring building given that this side gable elevation is only visible from limited vantagepoints. The height, vertical emphasis (and narrowness) and neutral stone colour of the proposed building is considered to assist in preventing the proposed development from dominating the historic streetscape and respecting the existing hierarchy of development, ensuring that the existing neighbouring traditional terrace building maintains its visual prominence at this location through its height and massing. Overall, the complementary design approach would be appropriate and would ensure the proposed development would be a sympathetic addition to Doubledykes Road, whilst introducing a distinctive building to close down the vista from Kennedy Gardens.

2.3.13 Concerns were raised regarding the design and height of the proposed development when viewed from Kennedy Gardens, with the infilling of the site described as removing a key vista and natural light to the street. Whilst it is recognised that the proposed development would infill an existing opening in the built environment, it is not considered that any particular vista would be lost as it is not currently possible, given the height of the existing property and angle of Kennedy Gardens to Doubledykes Road, to view any noteworthy features or skyline beyond the site. Additionally, it is considered that the infilling of the site would not significantly impact on the daylight or sunlight received by Kennedy Gardens to a degree which would be harmful to its appearance.

2.3.14 Given the positioning of the site, backing onto Argyle Street, the visual impact of the development on this main approach road is considered to be of particular importance. Notwithstanding, it is recognised in this instance that the planting within the garden area of the application property, combined with the curve and narrowness of the road and the height of the stone retaining boundary walls, means that the application property, and the neighbouring terrace building (to the east), are themselves not visually prominent. Furthermore, it is noted that the height and angle of the existing property largely obscures the neighbouring terrace building from public view when traveling west to east (including from Hepburn Gardens), with 59 Argyle Street and the stone boundary walls doing so likewise when traveling from the opposite direction. With regard to the proposed development, the rear and side elevations of the building would continue the complement the design approach of the principal elevation, whilst also maintaining the gradual step down in height from the traditional terrace building to the guesthouse building. The rear building line of the proposed development would be set further forward towards Argyle Street than

neighbouring terrace and the remainder of the guesthouse building, however given the curve of the road, the building would still be between 8 and 15 metres off the rear boundary wall of the site. It is noted that the existing, 5.8 metre high, single storey extension to the rear of the guesthouse building (which is to be demolished) is closer to the rear site boundary than the proposed building would be, with its blank pitched gable directly fronting Argyle Street. Whilst the proposed building (approximately 11.4 metres) would be significantly higher than the existing extension, it is considered that its vertical emphasis, use of sympathetic materials and set back distance, coupled with the curve and narrowness of the road and height of the stone retaining boundary walls, would ensure that it would not appear visually dominant over Argyle Street. Overall, it is considered that the main approach road of Argyle Street towards the historic town centre would not be overwhelmed by the proposed development, with the setback, massing, complementary design approach and individual design features ensuring the proposed building would not be overly visually prominent.

2.3.15 It is also proposed to raise and take down parts the front boundary stone boundary wall of the application site to 0.6 metres (measured from the ground level of centre point of the vehicular access) for a length of 13 metres from the vehicular access point in order to accommodate appropriate visibility splays for the development. Presently, the section of boundary wall measures between 0.4 and 1.4 metres in height (measured from the ground level of the centre point of the vehicular access). This stone boundary wall of the application site is considered to be of historical and visual importance (particularly along Argyle Street and closing down views from Hepburn Gardens) which is typical of the Conservation Area setting. The stone boundary walls throughout Doubledykes Road and Kennedy Gardens are all of a similar colour and building style, however, there are significant variations in the heights of the walls of the neighbouring properties, from 0.3 metres to 1.8 metres, whilst the application site's own boundary wall currently features numerous gradual and significant step changes in height. The wall directly opposite the site (of 1 Argyll Lodge) features a 1 metre step up in height once out with the visibility splay of the Kennedy Gardens junction with Doubledykes Road. Given the existing changes in the height of the boundary walls of the application site and neighbouring properties' boundary walls, it is considered that the proposed alterations to the front boundary wall would be acceptable in this instance and would not have an adverse impact on the character of the Conservation Area.

2.3.16 Fife Council's Built Heritage specialist has been consulted on this application and has advised that this revised application addresses most of the concerns that were raised with the previous proposal. The consultation does request however that material samples are submitted for consideration prior to any development beginning on site; this has been added as a condition. The response also notes that the proposed balcony railings at 3rd floor level should be substituted for a glazed panel. These have been amended by the applicant.

2.3.17 In conclusion, the proposed development is considered to be of a sympathetic design and scale which would be an acceptable addition to the historic setting. The complementary design of the proposed development, including its height, massing, setback and use of finishing materials, is considered to be acceptable and would not adversely impact on the character and appearance of the Conservation Area, whilst ensuring the main approach road of Argyle Street is not overwhelmed. Overall, it is determined that the proposed development would comply with the above noted national and local policies, as well as relevant guidance produced by HES and Fife Council.

## 2.4 Residential Amenity Impact

2.4.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017), Planning Advice Note (PAN) 1/2011: Planning and Noise, Fife Council Customer Guidelines on Daylight and Sunlight (2018), Minimum Distances between Window Openings (2011) and Garden Ground (2016) apply in terms of residential amenity.

Fife Council Customer Guidelines on Garden Ground (2016) advise that flatted dwellings must be set in or have at least 50 square metres of private garden ground for each flat - this does not include space for garages, parking or manoeuvring vehicles.

2.4.2 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. Fife Council Customer Guidelines on Garden Ground (2016) advise that flatted dwellings must be set in or have at least 50 square metres of private garden ground for each flat - this does not include space for garages, parking or manoeuvring vehicles.

2.4.3 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.

2.4.4 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.

2.4.5 Given the residential nature of the proposed development, it is determined that the proposed flatted dwellings would not give rise to detrimental light, odour and noise pollution for neighbouring properties, nor would future residents of the proposed flatted dwellings be subjected to such concerns. The rear boundary treatments would also protect neighbouring properties from significant overlooking and light produced in the rear parking area, whilst it is considered that the noise produced by vehicles and residents/guests using the parking area (given the small number of spaces), this would be consistent with vehicles parking at the front of a neighbouring property. As an air source heat pump has been proposed as part of this application, the Planning Authority has recommended a condition to ensure that any noise produced from heat pump complies with a specified noise rating. This condition is in-line with those included on similar applications

involving air source heat pumps. Fife Council Environmental Health (Public Protection) Officers were consulted on this application, advising that they have no objections, however recommended that the applicant take into consideration amenity concerns which could arise during construction. It should be noted however that should any complaints be received regarding construction works; Fife Council Environmental Health Officers would be able to take action under Section 60 of the Control of Pollution Act 1974.

2.4.6 With regard to loss of daylight concerns, a 45-degree assessment has been submitted in support of this application, confirming that the proposed development would not adversely impact on the daylight received by the habitable rooms of neighbouring properties, including the guesthouse building. It is recognised that the neighbouring 4 Kinburn Place (part of terrace building) has a single window located at ground floor level on the western gable elevation which would be completely obscured by the proposed development. However, as this window is a later addition to the property and serves a bathroom (considered to be a non-habitable room), it is considered that the proposed development would not lead to a material loss of daylight for the neighbouring property. Similarly, with regard to loss of sunlight, as the proposed development would not be due south of the garden areas of neighbouring properties, it is determined that the proposed development would not lead to a detrimental loss in the amount of sunlight received by the main amenity spaces of neighbouring properties. Overall, the proposed development would comply with the Council's guidelines on Daylight and Sunlight.

2.4.7 Regarding the potential for loss of privacy or overlooking as a consequence of the proposed development, it is considered that the proposed flatted dwellings would not raise any significant concerns. Neighbouring properties to the north/north east of the application are sufficiently distant and angled to comply with current window to window guidelines, whilst their front gardens are either presently openly visible to the public or are adequately screened by planting and trees. Similarly, the windows of neighbouring properties to the south of the application site would be greater than the minimum distances advised in the current guidelines. Furthermore, it is deemed that the neighbouring garden areas to the east of the site are already overlooked by other properties and as such the proposed flatted dwellings, given the oblique angle of outlook, would not materially reduce the level of privacy enjoyed in the rear garden of the neighbouring property to the east. Lastly, whilst it is considered that the use of an area existing garden ground for car parking would increase activity within this area, given the height of boundary treatments, it is determined that users of this space would not be offered an opportunity to overlook any neighbouring amenity spaces to a significant degree.

2.4.8 The proposed development would fall short of the recommended garden ground provisions required for three flatted dwellings. It is however noted that the application site is located with the Outer Core of St Andrews which is characterised by high density accommodation with limited outdoor amenity space for flatted properties. It is additionally recognised that the proposed flats are well located with regard to access to public greenspace. Furthermore, it is noted that the existing property would continue to be served by an adequate amount of garden ground. As such it is considered that the garden ground requirement can be relaxed in this instance.

2.4.9 In conclusion, the proposed development is not considered to raise any significant residential amenity concerns and is thus deemed to be acceptable, complying with the requirements of FIFEplan (2017).

## 2.5 Low Carbon Fife

2.5.1 SPP (A Low Carbon Place), Policies 1 and 11 of FIFEplan (2017) and Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) apply with regards to the low carbon requirements expected of this proposal.

2.5.2 SPP (A Low Carbon Place) notes that the planning system should support the transition to a low carbon economy consistent with national objectives and targets. To achieve this, planning authorities should seek to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:

- o Energy efficiency;
- o Heat recovery;
- o Efficient energy supply and storage;
- o Electricity and heat from renewable sources; and
- o Electricity and heat from non-renewable sources where greenhouse gas emissions can be significantly reduced.

2.5.3 Policy 11 (Low Carbon) of the FIFEplan (2017) states that planning permission will only be granted for new development where it has been demonstrated that:

- o 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;
- o Construction materials come from local or sustainable sources;
- o Water conservation measures are in place;
- o 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
- o 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.

2.5.4 Fife Council's Low Carbon Fife Supplementary Guidance (January 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. In addition, planning application applicants are expected to submit a completed sustainable building statement (Appendix B of the guidance).

2.5.5 A completed version of Fife Council's Low Carbon Sustainability Checklist been submitted in support of the proposed development. The information submitted details that the proposed development would make use of three air source heat pumps to provide the primary source of heating. This design approach and use of appropriate sustainability technology is deemed to be acceptable. It was also confirmed that the building materials would be locally sourced, as required by the Supplementary Guidance. Appropriate space for bin storage would be provided, with a dedicated bin store located at the rear of the site. With regard to travel and transport, it is noted that the site is within walking distance of St Andrews Bus Station, as well as several on-street bus stops, the town centre and the local University. Furthermore, the site is located within the St Andrews Outer Core which offers support to developments with reduced off-street parking. It is considered that the proposed development would promote sustainable transport modes. Appropriate SuDS would also be provided (as confirmed by Fife Council Structural Services). No



air quality or district heating information is required in this instance. Overall, it is considered that the proposed development would comply with the above noted policies with respect to sustainability and incorporate appropriate low carbon technologies.

2.5.6 In conclusion, it is deemed by the Planning Authority that the proposed development would comply with the current national and local sustainability targets. The information provided is considered to satisfy the requirements of SPP and the Low Carbon Fife Supplementary Guidance.

## 2.6 Road Safety Impact

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

2.6.2 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. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments.

2.6.3 The proposed development would consist of the erection of three two-bedroom flatted dwellings, with the existing 9-bedroom guesthouse (with owners accommodation) reduced to 7 bedrooms. The proposed flatted dwellings would be situated above ground level, with a path proposed to provide vehicular access to a rear parking area (with turning area). A total of five off-street parking spaces are proposed. It is proposed to raise and take down parts the front boundary stone boundary wall of the application site to 0.6 metres (measured from the ground level of centre point of the vehicular access) for a length of 13 metres.

2.6.4 The application site does not currently have any off-street parking spaces which meet current parking standards advocated by Fife Council's Transportation Development Guidelines - the integral garage, having been converted to a boiler room and storage area, is not large enough internally to accommodate a car, whilst the setback distance of the garage door to the roadside is again not large enough to accommodate a car, requiring vehicles to park over the pedestrian footway which is considered to be a hazard. Nevertheless, the space between the roadside and garage is currently used by the applicant to park two vehicles.

2.6.5 Fife Council's Transportation Development Management (TDM) officers were consulted on the previously refused application for this site where they advised that given the outer core location of the application site, they would be willing to accept the provision of one off-street parking space for each of the proposed flatted dwellings, with a further three off-street parking spaces required for the existing guesthouse - total of six spaces required. The five off-street parking spaces proposed, was one space short of the recommendations of TDM. The objections of TDM were set aside given that the five proposed spaces, would provide the three spaces required for the proposed flatted dwellings, with the remaining two providing improved off-street parking facilities for the existing guesthouse (itself which would be reduced by two bedrooms). It was also noted that there be no expectation from the Planning Authority for the guesthouse to improve their parking situation were this application not submitted. This application continues to provide 5 off-street parking spaces and as a result of the proposed development, the applicants would no longer need to park vehicles over the pedestrian footway, rather they would have the use of two compliant off-street parking spaces located at the rear of the property. The proposed development is

therefore considered to represent a road and pedestrian safety improvement above the existing situation for the guesthouse. The proposed five off-street parking spaces, with space to turn within the site, are therefore considered to be acceptable, with the requirements for the flatted dwellings met and the situation for the existing guesthouse significantly improved in road safety terms. Conditions are included as part of the recommendation for the off-street parking spaces and turning area to be provided.

2.6.6 With regard to access visibility, it is proposed to reduce the height of the boundary wall in order to meet the Council's visibility splay requirement. The stone boundary wall would be reduced to 0.6 metres in height when measured from the ground level of the centre point of vehicular access. The proposed wall alterations would enable a visibility splay of 2m x 25m metres clear of obstructions above 0.6 metres to be formed to the west of the access point.

2.6.7 TDM have been consulted on this application and have no objections subject to conditions relating to parking, turning area and visibility splays being made available, prior to the first occupation of the flatted dwellings. Whilst their objection to the previous application was noted, given the Planning Committee did not refuse the application of road safety impacts, they have not raised the sub-standard off-street parking provision as an issue for this application.

2.6.8 In conclusion, the proposed development is considered to provide appropriate visibility splays and a sufficient number of off-street parking spaces for the proposed flatted dwellings, whilst upgrading the off-street parking situation for the existing guesthouse. The proposed development is therefore deemed to be acceptable with regard to the above FIFEplan (2017) policies and would not give rise to adverse road safety concerns.

## 2.7 Flooding and Drainage Impact

2.7.1 Policies 1, 3 and 12 of FIFEplan Local Development Plan (2017), the Council's 'Sustainable Drainage Systems (SUDS) - Design Criteria Guidance Note' 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.

2.7.2 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 'Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note' sets out the Council's requirements for information to be submitted for full planning permission to ensure compliance. Finally, CAR requires that SUDS is installed for all new development, with the exception of runoff from a single dwellinghouse or discharge to coastal waters.

2.7.3 Fife Council has no recorded incidents of flooding on this site whilst the SEPA map shows that the proposed location is not susceptible to flood risk. A flood risk assessment is therefore not required. The development is of a size that will require to be served by a SuDS scheme.

2.7.4 Drawings and calculations for the proposed SuDS have been submitted in support of the application, confirming that a drainage scheme to be designed to accommodate the proposed development. It is proposed to install a storage crate to below the car parking area to collect surface water runoff. Completed drainage compliance and design and check certificates were also

provided. Additionally, Scottish Water has confirmed that there is current capacity in local treatment works and water network to accommodate the proposed development. This information was reviewed by the Council's Structural Services team who advised that they did not have any concerns with regard to the drainage information provided. Structural Services did however request that information be provided to confirm that Scottish Water approval has been given for the proposed connection to the surface water sewer, how the future property owners will be made aware of their responsibility to maintain the SuDS and confirmation of permission from the Fife Council Roads and Transportation Team for the routing of the surface water outfall pipe along the adopted road network. Notwithstanding this request from Structural Services, the Planning Authority did not seek the submission of this information as it was not considered to be material in the assessment of an application for planning permission. The drainage information provided is therefore considered to be acceptable to the Planning Authority to support the approval of the application.

2.7.5 In conclusion, the drainage information which has been provided in support of the application is considered to be acceptable, confirming that a scheme could be installed which could accommodate the proposed flatted dwellings. The application is therefore considered to comply with requirements of FIFEplan (2017) and relevant national legislation.

## 2.8 House in Multiple Occupation (HMO)

2.8.1 Policy 2 of FIFEplan Local Development Plan (2017) applies with respects to housing being utilised as an HMO.

2.8.2 Policy 2 of FIFEplan advises that the use of a new build house or flat as a house in multiple occupation will not be permitted unless the development is purpose built for such use and that the planning authority will impose this restriction by applying a condition to planning permissions.

2.8.3 The proposed flatted dwellings are not intended to be used for housing multiple occupants, however, a condition has been attached to this recommendation to ensure that the properties will not be used as an HMO in the future unless an application for said use is submitted to the Planning Authority for consideration.

## CONSULTATIONS

Scottish Water	No objections.
Structural Services - Flooding, Shoreline and Harbours	Further clarification requested however this is not deemed relevant to the planning assessment.
Transportation, Planning Services	No objection subject to condition.
Transportation and Environmental Services - Operations Team	No response.
Environmental Health (Public Protection)	No objection subject to conditions.
Built Heritage, Planning Services	No objections subject to condition.
Archaeology Team, Planning Services	No objections.
Ministry of Defence (Statutory)	No objections.
Community Council	Objects to proposal.

## REPRESENTATIONS

5 objections have been received and an objection has also been received from the Royal Burgh of St Andrews Community Council as a Statutory Consultee.

Concerns raised which are deemed material in the assessment of this planning application include:

- Development not in-keeping with surrounding area, buildings and current guidelines for the area - Addressed in Section 2.3 of this report
- Horizontal alignment of floor levels and windows does not match adjacent terrace - Addressed in Section 2.3 of this report
- Rear elevation has been pulled back but overshadowing and overlooking concerns still remain with regard to neighbouring buildings and garden ground areas - Addressed in Section 2.4 of this report
- Documents do not fully assess overshadowing impacts - Addressed in Section 2.4 of this report
- Use of inappropriate finishing materials - Addressed in Section 2.3 of this report
- Balconies to rear adding to overlooking impact - Addressed in Section 2.4 of this report
- Impact on road, pedestrian and cyclist safety - Addressed in Section 2.6 of this report
- Insufficient off-street parking - Addressed in Section 2.6 of this report
- Addition of 6 double bedrooms which could be used as short-term holiday let would have negative impact on residential amenity - Addressed in Section 2.4 of this report
- Measurements of wall between properties is understated which will introduce overlooking issues. - This has not been verified however overlooking has been addressed in Section 2.4 of this report.
- SUDS certification incorrectly dated - Updated certificates have been request by condition
- Trees will be impacted - It is not considered that any trees will be impacted given the level of development that currently exists within the site.

Concerns raised which are deemed material in the assessment of this planning application include:

- Need for this type of accommodation has not been demonstrated
- Downtaking plan proposes removal of external staircase which was once used as a fire escape

1 support letter has also been received. Points raised include:

- Approve of the design
- Lack of quality modern apartments in St Andrews

## CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the National Guidance, Development Plan and relevant other guidance. The proposal is compatible with the area in terms of land use, design and scale and will not cause any detrimental impact to the surrounding streetscape, nor the historic environment, and would not give rise to any adverse residential amenity or road safety concerns. The proposed development is therefore considered to be acceptable, complying with Policies 1, 3, 10, 11 and 14 of FIFEplan Local Development (2017).

## RECOMMENDATION

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

1. BEFORE ANY WORKS START ON SITE, details (including samples) of the specification and colour of all proposed external finishes shall be submitted for approval in writing by the Planning Authority.

Reason: In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the character of the area.

2. PRIOR TO THE OCCUPATION OF THE FIRST FLATTED DWELLING (hereby approved), the air source heat pump, as detailed in the submitted Low Carbon Sustainability Checklist, shall be installed per the manufacturer's instructions. Thereafter, the air source heat pump shall be retained for the lifetime of the development.

Reason: In the interests of sustainability; to ensure the development meets the greenhouse gas emissions reduction targets currently in place.

3. The formation of the copes and raising of the stone boundary wall shall be done so using a traditional mortar mix shall be used consisting of lime and aggregate (no cement), a specification for which shall be submitted to this Planning Authority for approval in writing BEFORE ANY WORKS START ON SITE.

Reason: In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the character of the traditional wall.

4. PRIOR TO THE OCCUPATION OF THE FIRST FLATTED DWELLING (hereby approved), there shall be a minimum of five off-street parking spaces provided within the curtilage of the site. FOR THE AVOIDANCE OF DOUBT, three off-street parking spaces shall be provided for the proposed flatted dwellings and two for the existing guesthouse. The parking spaces shall be delineated and thereafter retained for the lifetime of the development.

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

5. PRIOR TO THE OCCUPATION OF THE FIRST FLATTED DWELLING (hereby approved), there shall be provided within the curtilage of the site a turning area for vehicles suitable for use by the largest size of vehicle expected to visit the site to enter and exit the site onto the public road in a forward gear. The turning area shall be formed outwith the parking areas and shall be retained through the lifetime of the development for the purposes of off-street parking.

Reason: In the interest of road safety; to ensure that all vehicles taking access to and egress from the site can do so in a forward gear.

6. PRIOR TO THE OCCUPATION OF THE FIRST FLATTED DWELLING (hereby approved), visibility splays of 2 metres by 25 metres shall be provided in both directions at the junction of the driveway access onto the public road. Thereafter these shall be permanently maintained free

from any obstructions exceeding a height of 0.6 metres above the above the adjoining carriageway level, insofar as lies within the applicant's control, in accordance with the current Fife Council Transportation Development Guidelines.

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

7. PRIOR TO THE OCCUPATION OF THE FIRST FLATTED DWELLING (hereby approved), the first 2 metres of the driveway behind the adjoining public road/footway should be finished in a fixed surface, the details of which shall be submitted for the prior written approval of Fife Council as Planning Authority.

Reason: In the interests of road safety; to prevent deleterious material (e.g. loose chippings) being carried onto the public road.

8. The flatted dwellings 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 3 unrelated residents living together in a flatted dwelling. For the avoidance of doubt, the flats hereby approved shall not 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.

9. The total noise from all plant, machinery or equipment associated with the dwellinghouse (hereby approved) shall be such that any associated noise complies with NR 25 in bedrooms, during the night; and NR 30 during the day in all habitable rooms, when measured within any relevant noise sensitive property, with windows open for ventilation.

For the avoidance of doubt, daytime shall be 0700-2300hrs and nighttime shall be 2300-0700hrs.

Reason: In the interests of residential amenity; to ensure adjacent residential dwellings are not subjected to adverse noise from the air source heat pump.

10. Prior to the first use of any of the flatted dwellings hereby approved, the approved SUDS scheme shall be fully installed and operational and be appropriately maintained for the lifetime of the development.

Reason: In the interest of preventing flooding; to ensure the SUDS scheme is provided and the building does not result in an increase of surface water run-off.

## **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 (2020)

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

Historic Environment Scotland Historic Environment Policy for Scotland (2019)

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

Historic Environment Scotland New Design in Historic Settings (2010)  
PAN 1/2011: Planning and Noise  
Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR)

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

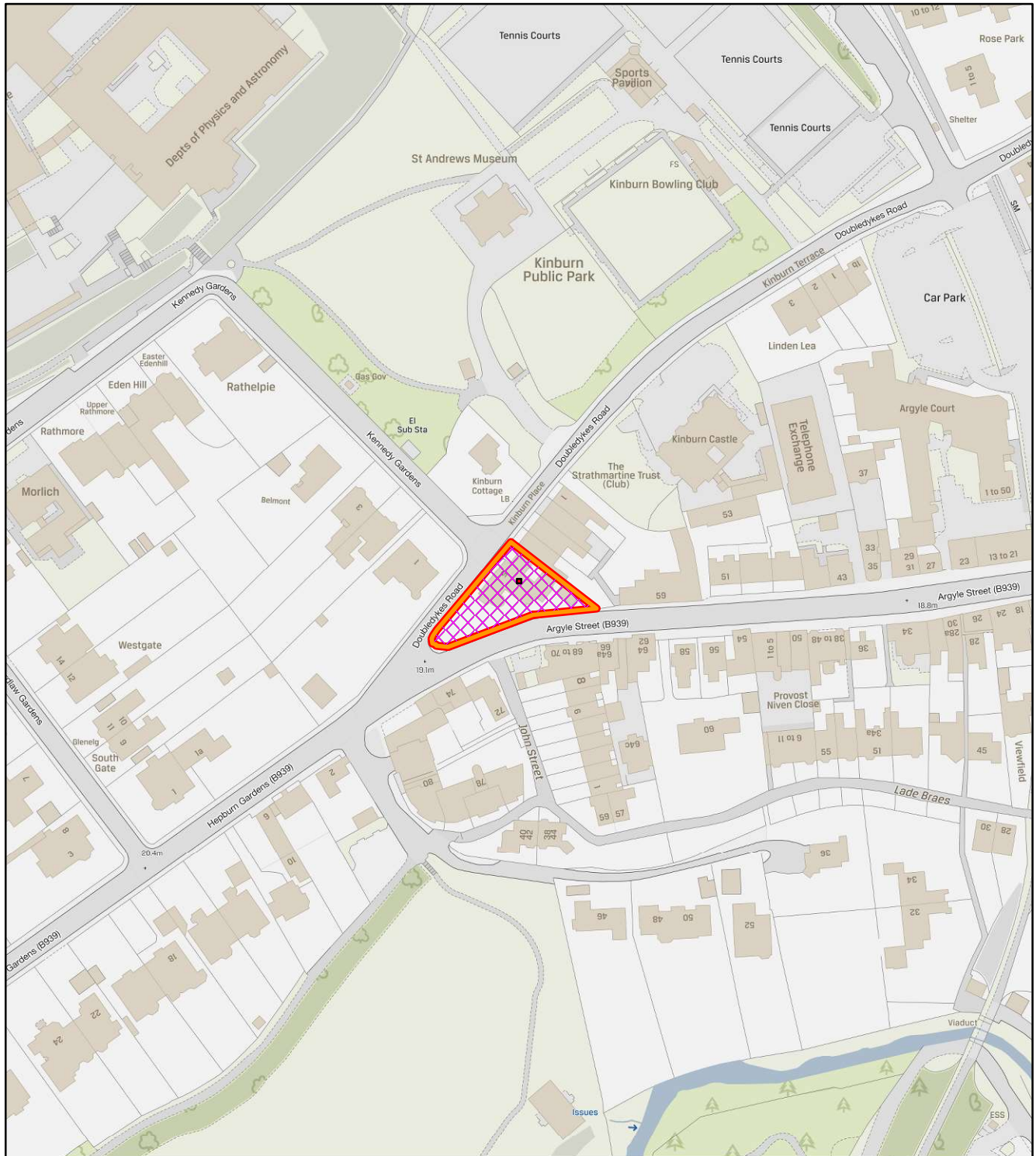
Other Guidance:  
Fife Council Planning Customer Guidelines - Garden Ground (2016)  
Fife Council Planning Customer Guidelines - Daylight and Sunlight (2018)  
Fife Council Planning Customer Guidelines - Minimum Distances between Window Openings (2011)  
Fife Council Transportation Development Guidelines  
Fife Council Sustainable Drainage Systems (SUDS) - Design Criteria Guidance Note  
Fife Council St Andrews Conservation Area Appraisal and Management Plan (2010)  
Fife Council St Andrews Design Guidelines (2011)

Report prepared by Jamie Penman – Graduate Planner  
Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 26/2/21.

Date Printed 15/02/2021

# 20/02492/FULL

## 5 Kinburn Place Doubledykes Road St Andrews



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<b>Legend</b>	
 Application Boundary	
	
 Economy, Planning & Employability Services	



**ITEM NO: 6**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/02311/FULL**

**SITE ADDRESS: LAND TO SOUTH OF BALGOVE ROAD BALGOVE ROAD  
GAULDRY**

**PROPOSAL: ERECTION OF 30 AFFORDABLE HOUSING UNITS WITH  
ASSOCIATED DRAINAGE, PARKING AND LANDSCAPING  
(DEMOLITION OF EXISTING DWELLINGHOUSE)**

**APPLICANT: KINGDOM HOUSING ASSOCIATION LTD  
SALTIRE CENTRE PENTLAND COURT GLENROTHES**

**WARD NO: W5R17  
Tay Bridgehead**

**CASE OFFICER: Bryan Reid**

**DATE REGISTERED: 04/11/2020**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than five letters of representation have been received which are contrary to the Officer recommendation. Additionally, the Community Council has objected as a statutory consultee.

**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.

### **1.0 BACKGROUND**

1.1 The application relates to an agricultural field located adjacent to the defined settlement boundary of Gauldry. The site also includes the property and garden areas of 30 Balgove Road. Per FIFEplan Local Development 2017 (FIFEplan) the 1.7ha field is not allocated for development and considered to be countryside land, forming part of the Tay Coast Local Landscape Area (LLA). The Fife Core Path Network is located to the east and west of the site boundary. The site is identified as prime agricultural land (code 3.1). The site slopes gently north and west and features a central shallow basin. Vehicular access would be taken from Balgove Road, which is single carriageway at the proposed access point, featuring priority give way signage for vehicles traveling east to west.

1.2 Gauldry has approximately 309 households within the settlement envelope as defined by FIFEplan. A single site is allocated within the village for housing development within FIFEplan (GAU001 – estimated 20 units). The village is largely characterised by cul-de-sacs made up of single and 1.5 storey housing, however a number of two storey dwellings are located throughout (most notably on Kilmany Road). Local residents have highlighted the narrowness of the road network throughout the village and lack of available services (including convenience retailing). Gauldry is serviced by both Stagecoach and Moffat & Williamson bus routes (77, 77A, 92, 92A, 92B and 92C), offering public transport connections to Balmullo, Tayport, St Andrews and Dundee City Centre, with stops located on Balgove Road, adjacent to the site. Train Stations in Leuchars, Cupar and Dundee are all within 8 miles of the village.

1.3 The application is for planning permission for the erection of 30 affordable housing units with associated drainage, parking and landscaping. As part of the proposed development, Lochhead Cottage (30 Balgove Road) would be demolished. The proposed 30 units would comprise of a mixture of semi-detached two, 1.5 and single storey buildings, with the dwellings proposed to meet Passivhaus Standard. The proposed development would include 22 dwellinghouses and 8 flatted dwellings (contained within 2 blocks of 4 units). A single point of vehicular access is proposed to be taken directly from Balgove Road (through the site of Lochhead Cottage), with a circular, shared surface, road layout proposed. It is proposed to create openings in the eastern and western site boundaries to connect with the existing core path. Several trees would be removed to accommodate the proposed access road; however, no third-party trees would be impacted. Native species landscaping and replacement trees are proposed. A squared area to the west of the site entrance, accessible SuDS basin (featuring public footpath) and open area at the south of the site, all of which would be overlooked by neighbouring properties, are proposed.

1.4 Passivhaus buildings aim to provide a high level of occupant comfort while using very little energy for heating and cooling. Buildings are built with meticulous attention to detail and rigorous design and construction according to principles developed by the Passivhaus Institute in Germany and are certified through an exacting quality assurance process. Passivhaus buildings achieve a 75% reduction in space heating requirements, compared to standard practice for UK new build. Key to achieving these standards includes high levels on insulation and air tightness, orientating

properties to maximise solar gain and ensuring the positioning and size of window openings is appropriate for the size and function of the room.

1.5 There is no recorded planning history associated with this site.

## 1.6 PROCEDURAL ISSUES

1.6.1 The application was advertised in the Courier newspaper for 21 days given the lack of identifiable properties on neighbouring land.

1.6.2 Following the submission of additional and revised information by the applicant following the close of the original neighbour notification process, interested parties were offered an additional opportunity to comment on the application.

1.7 The application is supported by a range of technical documents to inform consideration of the proposals. These include a Design and Access Statement, Planning Statement, Landscape and Visual Assessment, Preliminary Ecological Assessment, Bat Survey Report, Tree Survey and Arboricultural Assessment, Flood Risk Assessment, Surface Water Drainage Strategy, CCTV Drainage Report, Transportation Statement, Road Safety Audit and a Low Carbon Sustainability Statement. The conclusions of these documents are examined in the relevant sections of this report.

## 2.0 PLANNING ASSESSMENT

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

- Principle of Development
- Transportation/Road Safety
- Design and Layout/Visual Impact
- Residential Amenity
- Low Carbon Fife
- Loss of Prime Agricultural Land
- Flooding and Drainage
- Trees
- Natural Heritage
- Affordable Housing
- Developer Contributions
  - Education
  - Open Space and Play Areas
  - Public Art
  - Additional Infrastructure Contributions

## 2.2 PRINCIPLE OF DEVELOPMENT

2.2.1 Scottish Planning Policy (2014), Policies 1 and 4 of TAYplan Strategic Development Plan (2017), Policies 1, 2, 7 and 8 of the Adopted FIFEplan Local Development Plan (2017), Fife Council's Strategic Housing Investment Plan 2021/22 - 2025/26, Housing Land Audit 2019 and Local Housing Strategy 2020-2022 apply with regard to the principle of development for this proposal.

2.2.2 Scottish Planning Policy (SPP) (2014) seeks to promote successful sustainable places with a focus on low carbon place; a natural, resilient place; and, a more connected place. The SPP promotes the use of the plan-led system with plans being up-to-date and relevant, thus reinforcing the provisions of Section 25 of the Act. 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 (Enabling the Delivery of New Housing) also requires the Development Plan to identify a generous supply of housing land, within a range of attractive, well designed sites that can contribute to the creation of successful and sustainable places. The Development Plan is the preferred mechanism for the delivery of housing / residential land rather than individual planning applications.

2.2.3 An errata to SPP was published on Friday 18/12/2020 as a result of changes to paragraphs 28, 29,30, 32, 33 and 125. Paragraph 125 now states:

"Proposals that do not accord with the development plan should not be considered acceptable unless material considerations indicate otherwise. Where a proposal for housing development is for sustainable development and the decision-maker establishes that there is a shortfall in the housing land supply in accordance with Planning Advice Note 1/2020, the shortfall is a material consideration in favour of the proposal. Whilst the weight to be afforded to it is a matter for decision-makers to determine, the contribution of the proposal to addressing the shortfall within a five-year period should be taken into account to inform this judgement. Whether a proposed development is sustainable development should be assessed according to the principles set out in paragraph 29."

2.2.4 Policy 1 of TAYplan (2017) sets out a spatial strategy to deliver a sustainable pattern of development which says where development should and should not go in order to deliver the vision and the outcomes which underpin it. Most new development will be built in principal settlements. These are the TAYplan area's cities and towns where most people live and most jobs, services and facilities are already located. They can have significant land and infrastructure capacity to accommodate future development. Policy 1 (C) considers development outside of principal settlements, advising that Local Development Plans may also provide for some development in settlements that are not defined as principal settlements (Policy 1A). This is provided that development can be accommodated and supported by the settlement, and in the countryside; that the development genuinely contributes to the outcomes of this Plan; and, it meets specific local needs or does not undermine regeneration of the cities or respective settlement. Proposals for development in the countryside should be assessed against the need to avoid suburbanisation of the countryside and unsustainable patterns of travel and development.

2.2.5 TAYplan Policy 4 Homes states that Local Development Plans will plan for the average annual housing supply targets and housing land requirements illustrated in Map 4 to assist in the delivery of the 20-year housing supply target of 38,620 homes between 2016 and 2036. For the

first 12 years up to year 2028 the total housing supply target is of 23,172 homes across TAYplan. In the period 2028 to 2036 a housing supply target in the order of 15,448 homes may be required, subject to future plan reviews. To achieve this Local Development Plans will identify sufficient land within each Housing Market Area to meet the housing land requirement. Policy 4/Map 4 plans for housing supply targets of 1,931 new homes per year across the TAYplan area. This is 23,172 over the first 12 years of this plan (2016-28) and approximately 38,620 homes over the whole 20-year period. Within the TAYplan area of Fife, noted as "North Fife" the housing supply target from 2016 to 2028 is 295 (74 affordable) and the housing land requirement is 325, for the Greater Dundee Housing Market Area (HMA) (where this extends to the most northerly part of Fife) this equates to a housing supply target of 40 and a housing land requirement of 44.

2.2.6 There is a requirement on the Local Development Plan to ensure that the mix of housing type, size and tenure meets the needs and aspirations of a range of different households throughout their lives, including the provision of an appropriate level of affordable housing based on defined local needs. For the whole of the TAYplan area this will be an approximate ratio of 25% affordable to 75% market homes but may vary between housing market areas and Local Authorities.

2.2.7 The Adopted FIFEplan Local Development Plan (2017), Policy 1: (Development Principles) considers that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. 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.

If the proposal does not meet either of the above criteria, the principle of development may be supported if the development is for:

- a) housing on a site which is not allocated for housing in this plan but which accords with the provisions of Policy 2: Homes; or
- b) employment land for industrial or business use in a location where there is clear evidence of a shortfall in supply.

Development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C. In the instance of housing development in the countryside, the proposed development must be appropriate for the location through compliance with the relevant policies; Policies 2, 7 and 8.

2.2.8 Under Part B of Policy 1, development proposals must address their development impact by complying with relevant criteria and supporting policies listed in the plan. In the case of housing proposals, such as this, must mitigate against the loss in infrastructure capacity caused by the development by providing additional capacity or otherwise improving existing infrastructure (see Policy 3 Infrastructure and Services, Policy 4 Planning Obligations).

2.2.9 Part C of Policy 1 requires development proposals to be supported by information or assessments which demonstrate that the proposal will comply with criteria and supporting policies relevant to the specific development. In the case of affordable housing the developer will be required to demonstrate that the proposal meets the requirements for affordable housing as set out within Policy 2 of the Adopted Plan.

2.2.10 Policy 2 (Homes) of FIFEplan (2017) supports housing development to meet strategic housing land requirements and provide a continuous 5-year effective housing land supply;

1. on sites allocated for housing in the Plan; or
2. on other sites provided the proposal is compliant with the policies for the location.

As the site has not been identified for housing within the Plan it will be required to comply with the Affordable Housing element of Policy 2. This element of the policy states that the development of sites adjacent to settlement boundaries, excluding green belt areas, solely for the provision of small-scale affordable housing, may be supported where there is established and unmet local need and if no alternative site is available within a settlement boundary. In such instances, priority will be given to the redevelopment of brownfield sites. The scale of such adjacent development will reflect the character of the settlement - a maximum of 20 units for settlements with fewer than 200 households; a maximum of 30 units for settlements of between 200 and 1,000 households; and a maximum of 49 units for settlements of greater than 1,000 households.

2.2.11 The application site is approximately 1.7ha of land, located to the south of the settlement boundary of Gauldry. Per FIFEplan (2017), the application site is identified as being a countryside location. The proposal is for affordable housing. Compliance with Part A of Policy 1 of FIFEplan (2017) is dependent on compliance with Policy 2 (Homes). Gauldry has between 200 and 1,000 households within the settlement envelope as defined by the LDP, this means that the proposal for 30 affordable units would comply with the acceptable scale of development set out in Policy 2.

2.2.12 As identified through the combined HNDAs (2018-2030), Fife Council's Strategic Housing Investment Plan 2021/22 - 2025/26 (SHIP) identifies that the Greater Dundee HMA has an annualised affordable housing need of 16 units (80 units over the 5-year plan period). The SHIP identifies that 160 units might be delivered over the 5 year plan period; it is noted that the SHIP does include an overprovision of around 25% included to prepare for any slippage in the programme and to take advantage of any additional funding that may be available. The identified 160 units includes the 30 units proposed in this application, 16 units proposed for 'Main Street' in Gauldry (this site is outwith the settlement envelope and is not allocated for housing in FIFEplan), as well as 26 units across two sites in Tayport, neither of which are allocated for development in FIFEplan and have yet to progress towards planning. When applying the necessary numerical adjustments associated with these sites (and not including the 25% overprovision), the SHIP may only then deliver 48 affordable homes in the next 5-year period. The Local Housing Strategy 2020-2022 identifies that the combined TAYplan HMAs (Cupar & North-West Fife, St Andrews & North East Fife and Greater Dundee Fife) require 26% of Fife's overall annual housing requirement which is greater than the 20% of households located within area.

2.2.13 Fife Council's Housing Service have provided information regarding the current housing need in the Local Housing Strategy Area (LHSA) that Gauldry sits within (Tay Coast LHSA). Housing Services have advised that the housing mix presented in the planning application has been determined by Fife Council's Housing Services and reflects the needs for affordable housing identified in the Tay Coast LHSA. Furthermore, it is advised that the proposed development has the support of Housing Services and the Scottish Government. The allocation of Scottish Government funding for the proposed development has been identified through the Strategic Housing Investment Plan (SHIP) and the current Strategic Local Programme Agreement (SLPA).

2.2.14 In addition to the above, the most recent Housing Land Audit (2019) identifies that in the Greater Dundee LHSA, there is an expected shortfall of 24 units (all tenure) in the five-year housing land supply target (2019-2024). This shortfall was calculated using the housing supply target figures with TAYplan (40 units per annum). In accordance with the recent 'Gladman decision', using TAYplan's housing land requirement figure (44 units per annum), it is recognised

that the expected (all tenure) shortfall in the five-year land supply increases to 50 units. Notwithstanding Policy 2 of FIFEplan (2017) which supports affordable housing developments on the edge of existing settlements, per the updated Paragraph 125 of the SPP, the housing shortfall is a material consideration in favour of the proposal during the Planning Authority's determination of the application.

2.2.15 Taking all of the above into consideration, the Planning Authority is accepting that there is an established and unmet local need for affordable housing in Gauldry. To comply fully with Policy 2 of FIFEplan (2017), the developer must also demonstrate that there are no alternative brownfield or allocated housing sites available within the settlement boundary. An overview of alternative sites within the settlement envelope of Gauldry has been provided by the applicant. It is firstly set out that there are no vacant and derelict sites within Gauldry and no brownfield sites within the settlement that require consideration. The applicant considers three alternative sites:

1. Main Street, Gauldry - The applicant contends that the 'Main Street' site identified in the previous SHIP (2020/21 - 2024/25) is also an edge of settlement site that is not allocated for development in FIFEplan. However, it is contented that any development on this site would be more visually prominent on the principle route through Gauldry than the application site and would establish a change in the urban form of Gauldry. The Planning Authority concurs with this assessment and is therefore satisfied that this site can be discounted.

2. Priory Road North - This site is allocated as an effective housing site in FIFEplan (GAU001) for 20 (private sector) units. In accordance with Policy 2 of FIFEplan, development of this site would require a 30% affordable housing contribution. The site is in the control of another developer, with the latest Housing Land Audit (2019) identifying that this site is not expected to deliver completions until after 2024. Given the anticipated completion rates and expected number of affordable housing units which may be delivered, the Planning Authority is satisfied that this site can be discounted as it would not address the current affordable housing need in the LHSA.

3. Land To South Of 6 Balgove Road - An area of land to the west of the application site secured Planning Permission in Principle in 2017 (16/02368/PPP) for 6 homes and is currently the subject of an Application for Matters Specified in Conditions (20/00679/ARC). Given the size and status of this site, it cannot be considered as an alternative to the application site.

It is therefore concluded by the Planning Authority that there are no alternative brownfield or allocated sites within the settlement boundary of Gauldry that could be considered suitable alternatives to the application site to meet the identified unmet local need for affordable housing. The identified housing shortfall in the LHSA also provides weight in favour of the development. The proposed edge of settlement affordable housing development is therefore considered to comply with Policy 2 of FIFEplan (2017) and be acceptable in principle.

2.2.16 Policy 7 of the Adopted Local Plan stipulates that development in the countryside will be supported where it, amongst other criteria, is for housing in line with Policy 8 (Houses in the Countryside). Additionally, in all cases, development must: be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Policy 8 of FIFEplan (2017) only supports housing in the countryside where it meets certain criteria, these include where there is a shortfall in the 5 year effective housing land supply and the proposal meets the terms of Policy 2 (Homes) or is for small scale affordable housing adjacent to the settlement boundary which meets the terms of Policy 2. Compliance with Policy 8 therefore rests on the proposed development meeting the requirements

of Policy 2. As detailed above, as the proposed development complies with Policy 2, it is thus deemed to meet the requirements of Policies 7 and 8 respectively. Policy 8 additionally requires all development in the countryside to be located and designed to protect the overall landscape and environmental quality of the area - this shall be explored in the subsequent sections of this report.

2.2.17 In conclusion, it is accepted by the Planning Authority that there is an identified affordable housing need in the local area which provides support the development of edge of settlement sites for the purposes of affordable housing (Policy 2 of FIFEplan). It is also noted that there is an identified housing shortfall in the relevant LHSA. The Planning Authority is satisfied that the proposed development meets the requirements of Policies 1 and 2 of FIFEplan (2017). Subsequently, the proposed development is considered to comply with Policies 7 and 8 of FIFEplan (2017). The proposed development is thus considered to be acceptable in principle. The overall acceptability of the development must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report.

## 2.3 TRANSPORTATION/ROAD SAFETY

2.3.1 SPP, Policies 1, 3 and 10 of the Adopted FIFEplan Local Development Plan (2017), Fife Council Transportation Development Guidelines (contained within Making Fife's Places Supplementary Guidance) and Scottish Government Designing Streets (2010) apply with regard to this proposal.

2.3.2 The national context for the assessment of the impact of new developments on transportation infrastructure is set out in SPP (A connected Place). The SPP (Promoting Sustainable Transport and Active Travel) indicates that the planning system should support patterns of development which optimise the use of existing infrastructure and reduce the need to travel. The overarching aim of this document is to encourage a shift to more sustainable forms of transport and reduce the reliance on the car. Planning permission should also be resisted if the development would have a significant impact on the strategic road network. The design of all new development should follow the place-making approach set out in the SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and easy to move around and beyond.

2.3.3 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. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments.

2.3.4 Designing Streets is the Scottish Government's policy statement for street design. The premise upon which the document is based is that good street design should derive from an intelligent response to location, rather than the rigid application of standards, regardless of context. Designing Streets does not, thus, support a standards-based methodology for street design but instead requires a design-led approach.

2.3.5 The proposal is to construct 30 affordable housing units on a site to the south of Balgove Road, Gaudry. A single point of vehicular access, taken directly from Balgove Road, is proposed. The proposed vehicular access would be formed by demolishing Lochhead (30 Balgove Road). At the frontage of the site, Balgove Road is narrow (approximately 4.0-4.5 metres) with a gully and



take traffic management system in place; traffic coming from the west must give way to any traffic coming from the east.

2.3.6 Fife Council Transportation Development Management (TDM) Officers were consulted on this application, advising that the introduction of a single point of access is not in line with 'Designing Streets', which advocates multiple access points to ensure new developments are well connected to the existing built up area in order to promote social inclusion. However, given the small scale of the affordable housing proposal, which in accordance with Policy 2 of FIFEplan can be constructed adjacent to a settlement boundary, and recognising that it can often be difficult to provide more than one access point when the development is only bounded by existing development on one or two sides, TDM confirmed that they would be willing set aside the recommendation for multiple access points in this instance. Furthermore, it is noted that the internal road layout forms a loop through the development rather than being a cul-de-sac. This loop allows vehicles to enter and exit the site without the need to utilise a turning area which would introduce reversing manoeuvres. Furthermore, it is noted that pedestrian access would be provided to Woodend Road to the east and an existing track to the west.

2.3.7 The access road to the development has a footway on the west side leading to Balgove Road. The internal layout of the development consists of a loop road shared surface arrangement. The road is designed to maintain low traffic speeds, ensuring that it is suitable for shared use. Parking would be provided in accordance with the current standards set out in Transportation Development Guidelines, and is accommodated in curtilage, within parking courts and on street.

2.3.8 Several concerns were raised in the submitted objections regarding the lack of public transport serving Gauldry, resulting in an over reliance on cars. Objections stated that the addition of the proposed 30 dwellings to the village would lead to a detrimental increase in cars travelling over the substandard roads within, and on entry to, the village. These concerns are not however considered to be representative of the public transport availability for the small village. Public transport is available on Balgove Road with the number 77 Dundee to Wormit and Gauldry service running hourly during the day, and the number 92, St. Andrews – Leuchars – Balmullo service, running every 2 hours. Bus stops are located approximately 120 metres from the site, which is considerably less than the recommended maximum of 400 metres. Furthermore, a Transport Statement was submitted with this application which concluded that the proposed development would generate 13 two-way vehicle trips in the morning weekday peak hour and 11 two-way vehicle trips in the afternoon weekday peak hour. This is considered to represent a very small increase in traffic and will have a negligible impact on the surrounding road network. TDM did not raise any concerns regarding the methodology, findings or conclusions of the Transport Statement.

2.3.9 The speed limit on Balgove Road is 20mph, therefore, visibility splays of 2.4m x 25m would be required from the proposed access to the east and west onto Balgove Road. A hedge in the garden of the property to the east of the proposed access encroaches on the required visibility splay when measured to the existing road channel. This hedge, as well as a utility pole within the visibility splay to the west, were highlighted by several objectors. In order to remedy the concerns regarding the visibility splay to the east, amendments were proposed to the development to provide a hatched area to the east of the proposed junction, on the south channel of Balgove Road. TDM have confirmed their satisfaction of the amended proposals, which will, in effect, relocate the road channel to allow the required visibility splay to be achieved, avoiding the hedge. The location of the utility pole to the west of the access was also acknowledged by TDM, however it was considered that, as is often the case with such obstacles within visibility splays, the pole

would not impede visibility to such an extent that vehicles, cyclists or pedestrians would not be seen.

2.3.10 Concerns were raised by objectors that the proposed access was not suitably designed to accommodate refuse and delivery vehicles. These concerns were taken on board by the applicant and amendments to the access were proposed. Updated swept path analysis were also submitted, confirming that a refuse vehicle can negotiate the internal road layout, and can enter and exit the site from Balgove Road from the east and west, without the need to reverse.

2.3.11 Further concerns were raised in the submitted objections regarding the lack of pedestrian footways along Balgove Road. Balgove Road does not benefit from a continuous footway to the west of the site for a distance of around 80 metres. However, it is recognised that for the majority of this length, there is a wide verge which pedestrians can step on to if required. Additionally, as stated previously, Balgove Road is a generally lightly trafficked residential road subject to a 20mph speed limit. Overall, it is considered that the very small increase in traffic (as detailed previously) as a consequence of the proposed development would not give rise to any further road safety concerns for pedestrians travelling along Balgove Road.

2.3.12 Overall, whilst Balgove Road is narrow, as it is lightly trafficked TDM do not consider it to be a barrier to development on this occasion. The proposed development would not alter the existing traffic calming measures in place or result in a narrowing of the road. As with any other junction, traffic exiting from the development would give way to traffic on Balgove Road. TDM have therefore concluded they have no objections to the proposed development, providing a series of standard road safety conditions are included as part of any decision. These conditions have been included in the recommendation.

2.3.13 In conclusion, the proposed development is not considered to give rise to adverse road safety concerns. Whilst only a single point of vehicular access is proposed, given the small scale of the development (including small increase in vehicular traffic) and development plan support for affordable housing edge of settlement developments, the Planning Authority is prepared to set aside the Designing Streets recommendation for multiple points of access. The proposed development is thus considered to be acceptable with regard to transportation and road safety.

## 2.4 DESIGN AND LAYOUT/VISUAL IMPACT

2.4.1 As a result of the countryside setting and LLA designation, further consideration must be given to the visual impacts of the development. SPP, Designing Streets (2010), TAYplan Strategic Development Plan (2017), FIFEplan Local Development Plan (2017) Policies 1, 7, 10, 13 and 14, and Making Fife's Places Supplementary Guidance (2018) apply with consideration to the design and layout of the proposed development.

2.4.2 SPP paragraph 194 promotes positive change that maintains and enhances distinctive landscape character. In addition, SPP paragraph 202 states that development should be designed to take account of local landscape character and the potential effects on landscapes, including cumulative effects. The 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).

2.4.3 Designing Streets (2010) is the Scottish Government's Policy Statement for street design and marks a change in the emphasis of guidance on street design towards place-making and

away from a system focused upon the dominance of motor vehicles. This document sets out that street design must consider place before movement, whilst street design is a material consideration in determining planning applications. Street design should meet the six qualities of successful places. Furthermore, it is advised that street design should be based on balanced decision-making and must adopt a multidisciplinary collaborative approach.

2.4.4 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.

2.4.5 FIFEplan (2017) Spatial Strategy promotes an increase in Quality of Place through new development in Fife. FIFEplan Policy 1 Part C requires proposals to demonstrate adherence to the six qualities of successful places. Policy 14 provides more detail on these principles of good placemaking. The six qualities require places to be: 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.

2.4.6 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. Policy 10 (Amenity), requires proposals to demonstrate that development would not result in a significant detrimental impact on amenity in relation to visual impact. Policy 13 (Natural Environment and Access) aims to protect natural heritage and access assets and encourages the enhancement of designated sites of local importance, including Local Landscape Areas as well as landscape character and views more generally. 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, whilst also setting 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 and beyond.

2.4.7 FIFEplan (2017) Policy 13: Natural Heritage and Access states that development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas. Where adverse impacts on existing assets are unavoidable, the Planning Authority will only support proposals where these impacts will be satisfactorily mitigated. Making Fife's Places Supplementary Guidance sets out the level of site appraisal an applicant is expected to undertake as part of the design process. This includes consideration of the landscape setting, character and the topography of the site. This consideration is particularly important when determining proposals at the edge of a settlement and LLAs. The appraisal process may also require an assessment of the townscape character of the site context, where appropriate. Applicants are encouraged to demonstrate that the proposal has followed a robust design process. Making Fife's Places includes an evaluation framework to guide the assessment of the design process undertaken. Appendix B of the Supplementary Guidance sets out the detailed site appraisal considerations in relation to landscape change.

2.4.8 Concerns have been raised in the submitted objections regarding the layout, height and scale of the proposed dwellinghouses. Further concerns were raised regarding the potential for the development to impact on views of the LLA. Concerns were also raised regarding the loss of the existing cottage at the entrance to the site.

2.4.9 A Landscape and Visual Impact Assessment (LVIA) has been submitted in support of this application which recognises the potential visual impacts of the proposed development on the Tay Coast LLA, and the existing relationship between the southern edge of the settlement boundary and countryside. The LVIA is supported by photos taken from strategic viewpoints around the site. Contextual renders of the proposed development have been provided in the submitted Design and Access Statement. The submitted assessment concludes that there are extremely limited opportunities to view the site, primarily on account of the site's direct relationship with the urban edge of Gauldry and the prevailing strongly rising landform which effectively contains the site and the village within a shallow basin. This effect is further reinforced by the large areas of woodland which extend across the context to the south-east to south-west and the dense network of hedgerows and hedgerow trees which define the surrounding fields. These mature landscape components combine with the prevailing landform to define the Site within a distinct compartment in the landscape.

2.4.10 The LVIA confirms that the site is not visually prominent from the wider context and only a small number of glimpsed and filtered local views are available due to rising topography and substantial woodland cover surrounding the immediate context to the east, south and west, and the site's strong visual and physical relationship with the existing village to the north and west. The LVIA sets out that the proposed expansion of the village into the application site would not prejudice the overall purpose or integrity of the countryside, and there would be no detrimental impact on the character or visual amenity of the Tay Coast LLA. It is stated that where views are available, the proposed housing development would be seen at a similar elevation to the existing urban form which would frame the development to the north and west and the rising landform and existing woodland would frame the site to the south and east. Once the comprehensive site-wide planting strategy begins to establish, new areas of woodland edge, structure and specimen tree planting as well as a layer of ornamental planting would further enhance the sense of maturity and landscape structure in the area and bring about a more secluded character to this part of the urban fringe. In the medium to long term, development would be seen to consolidate the southern fringes, forming a logical extension which would be seen to be consistent with the prevailing settlement pattern of Gauldry. Overall, following on from the findings of the LVIA, it is considered by the Planning Authority that given the topography, proximity to the existing settlement, the existing landscaping, and limited opportunities to view site whole extent of the site, the proposal would not significantly harm the landscape context or setting of Gauldry, the wider countryside, or character of the LLA. Ultimately, the release of this land for a small-scale housing development is considered to be complementary and consistent with the overall settlement pattern of the village which would effectively in fill an opening in the settlement edge.

2.4.11 A Design and Access Statement (DAS) has been submitted as part of the application, explaining the rationale behind the chosen layout and design of the dwellinghouses which was influenced by contextual analysis of the surroundings and the edge of settlement location. The submitted DAS is considered to present a strong contextual assessment, including consideration of landscape/countryside, townscape, building heights/type and site assets or characteristics, applying key observations made to the site's design evolution. The development proposals are considered by the DAS in relation to the six qualities of successful places and other relevant planning policies and demonstrates how the placemaking principles within Making Fife's Places

and its Evaluation Framework have been successfully applied. Overall, the DAS is considered to present a strong evidence-based case for the design principles as proposed.

2.4.12 Within the development there would be variation in house types, with two storey, 1.5 storey and single storey properties proposed. All properties would be semi-detached. It is intended that the proposed dwellings would be built to the Passivhaus Standard. The range of building heights which are proposed are distributed throughout the site to respect and reflect the site topography and character of the existing settlement, including single storey units adjacent to the countryside edge to help facilitate the visual transition from rural to urban. This transition is supported further by the location of 1.5 storey properties which act as a backdrop to the single storey units. Additionally, development on this site would present a softer edge to Gauldry's settlement envelope through the proposed landscaping; currently this edge is defined by 1800mm high timber fences. The application site has a topography with its highest points to the north and south boundaries, grading to the lowest point in the centre of the site. Whilst concerns have been raised in the submitted objections regarding the incorporation of two storey properties (which are uncommon in Gauldry), it is considered by the Planning Authority that by locating the larger properties centrally within the site (in the shallow basin), the existing skyline of the village would not be impacted and the two storey properties would not be visually dominant in comparison to surrounding properties (existing and proposed).

2.4.13 To achieve Passivhaus Standards, the proposed dwellings have been very carefully orientated to maximise solar gain - the positioning and size of window openings is also essential in achieving this. The orientation of buildings in relation to streets, open spaces, public paths and courtyards is supported by the Planning Authority, with active building fronts facing public spaces, creating a greater visual interest and encouraging passive surveillance. Building lines and plot arrangements are not presented in a uniform manner, which is a positive design principle. This allows the road geometry and building lines to better reflect the edge of settlement/countryside location and allows for the landscaping to absorb the less rigid development pattern compared to a more uniform suburban style development layout. The proposed finishing materials would include; a mix of red and slate grey profiled concrete roof tiles; UPVC double glazed windows, soffits, fascias, gutters, downpipes and doors; white dry-dash render with brown blend brick features & base courses; and feature black weatherboard panels and dormers. This simple palette of materials is considered to be sympathetic to the specific context of this site and settlement of Gauldry. The overall design of the proposed dwellings is considered to be of a high standard which would be indistinguishable from market housing in the village. Through the use of finishing materials, variety in the house types/sizes and the orientation of properties, the layout of the proposed development would avoid excessive uniformity and is supported by the Planning Authority. The general form, massing, layout and architectural style, as well as the mix of housetypes, of the proposed units are considered to represent an appropriate scale of development which is respectful of the existing village and demonstrates sensitive organic growth of the existing settlement. The unique contemporary Passivhaus design would create a distinct character area within the village, but integrated with the existing village by the footpath connection to the east and west of the site which allows for greater movement permeability and choice of routes into, through the site, and to the wider area. A condition is recommended to ensure that the finishing materials approved are of an appropriate quality.

2.4.14 Key consideration is given in the DAS to the positioning and type of boundary treatments, car parking locations, open space and pedestrian movements. These considerations have been transcribed in the layout of the proposed development. Key views from the site access are framed by building fronts where car parking is not a visually prominent feature at these locations, with car parking provided through a range of on-street, off-street and small courtyards, reducing the visual

impact of parked cars. Across the site, car parking is very much kept in the visual background, which is a positive site design aspect. Side of house parking, where the parking is adjacent to the wider street, is visually contained with low level hedge planting. Front garden areas would feature low level hedges to create defensible boundaries and set a clear definition between public and private spaces. Rear boundary treatments would comprise of timber fencing. Throughout the site, rear boundary treatments do not generally face the street/public paths, where this is not possible however, stone piers have been incorporated to the visual robustness of the boundary treatments. Further to this, small pockets of green space and planting are proposed along the edges of the property boundaries. The proposed development would connect with the existing core path (which runs east/west) which would provide an opportunity to further enhance movement and pedestrian permeability within and through the site and with the wider village - the existing path along the western edge of the site is narrow and poorly surfaced. The layout of the proposed residential development, by virtue of the use of shared surfaces, narrower roads and strategically placed building frontages and parking spaces would prioritise pedestrians over vehicles and encourage lower driving speeds.

2.4.15 The areas of open space to the north, south and west of the application site would all be overlooked by the proposed dwellings which would provide a sense of passive surveillance and encourage their use. The main amenity space is the squared open area providing space for general recreation, whilst the landscaped SuDS basin would provide a green route through the site, ensuring a welcoming corridor for users of the development as well as those passing through the site. Details of the landscaping proposed have been submitted and are considered suitable, with this containing a variety of native species providing both habitat value but also providing suitable visual enhancement to both the development's open spaces as well as its smaller landscaped areas and its residential streets. The density and size of planting is also appropriately substantive to provide the required amenity, although a condition is recommended to ensure that the landscaping is implemented in accordance with the submitted details and thereafter maintained.

2.4.16 To provide vehicular access to the site, it is proposed to demolish the property known as Lochhead (30 Balgove Road). Comments within the submitted third part objections raise concern regarding the loss of this property given its historical significance and appearance. From examining available historical mapping, it is not clear whether the existing property made up part of the longer terrace of properties that once stood on this site. The property is not a listed building, nor is it located within a conservation area. Whilst the Planning Authority would concur that the building, through its simple architectural form and traditional finishing materials, does have some historic and architectural merit, it is currently in a dilapidated condition (with Asbestos confirmed) and negatively impacts on the streetscene. The garden area is also significantly overrun with weeds and planting, with trees growing through the roof of the property. Given the lack of protection for the building, state of repair and dilapidated appearance, it is considered by the Planning Authority that the demolition of the building to facilitate the proposed housing development is justified.

2.4.17 With regard to the protected historic environment, a single Category B listed building, Woodend House, is located within the vicinity of the application site. This property is located approximately 40 metres to the north east of application site. Given the separation between, intervening dwellinghouse (approved by the Planning Authority under application ref. 16/00680/ARC) and proposed landscaping along the site boundaries, it is considered by the Planning Authority that the curtilage of the listed building would not be adversely impacted.

2.4.18 Fife Council's Urban Design, Natural Heritage and Parks and Countryside Officers were each consulted on this application and provided generally supportive comments. The Urban Design Officer summarised that the general internal street and housing layout, alongside the scheme of landscaping, is a positive contribution in principle, and may facilitate a residential development that is respectful of the urban/rural fringe setting and wider landscape characteristics.

2.4.19 In conclusion, the design and layout of the proposed development is considered to be acceptable within its edge of settlement location and has been well supported by robust contextual analysis. The proposed development would not negatively impact on the LLA through its appropriate use of the topography of the land and use of landscaping, introducing a suitable transition between the existing settlement and countryside. The general form, massing, layout and architectural style, as well as the mix of housetypes, are supported by the Planning Authority. The design, layout and landscape impact of the proposed development are therefore considered to be acceptable with regard to SPP, Designing Streets (2010), TAYplan Strategic Development Plan (2017), FIFEplan Local Development Plan (2017 and Making Fife's Places Supplementary Guidance (2018).

## 2.5 RESIDENTIAL AMENITY

2.5.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017), Planning Advice Note (PAN) 1/2011: Planning and Noise and Fife Council Customer Guidelines on Daylight and Sunlight (2018), Minimum Distances between Window Openings (2011) and Garden Ground (2016) apply with regard to the consideration of residential amenity.

2.5.2 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.

2.5.3 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. The PAN recommends that Noise Impact Assessments (NIAs)/acoustic reports are submitted to aid the planning authority in the consideration of planning applications that raise significant noise issues. The purpose of a NIA is to demonstrate whether any significant adverse noise impacts are likely to occur and if so, identify what effective measures could reduce, control and mitigate the noise impact.

2.5.4 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.

2.5.5 Fife Council's Planning Customer Guidelines on Garden Ground advises that all new detached and semi-detached dwellings should be served by a minimum of 100 square metres of private useable garden space; with 50 square metres for terrace properties; and that a building footprint to garden space ratio of 1:3 is required. Flats must be set in or have at least 50 square metres of private garden for each flat. Garden ground provision does not include space for garages, parking or manoeuvring vehicles.

2.5.6 The proposed development is located on the southern edge of the defined settlement envelope of Gaudry (FIFEplan, 2017), adjacent residential properties. The land to the east, south and west of the application site is open farmland. With regard to noise, light and odour pollution, given the nature of the proposed development and character of the surroundings, it is determined that the proposed dwellings would not give rise to significantly adverse pollution impacts for existing neighbouring properties, nor would the development be adversely impacted by its surroundings. Fife Council Environmental Health Officers were consulted on this application where they advised they had no concerns regarding the proposed development, however, did request a Scheme of Works be submitted to detail how neighbouring residential properties would be protected during the construction phase. A condition has been included to ensure this. Environmental Health additionally advised that construction hours should be controlled, however, as this can be achieved under the Control of Pollution Act 1974, there is no need for a planning condition in this instance.

2.5.7 With regard to privacy/window-to-windows distances within the site, the proposed development has been laid out in such a way to either meet the minimum distances/angles recommended in the Fife Council Customer Guidelines, or makes use of intervening roads or permanent boundary treatments to prevent direct views between windows and into private garden area. Concerns were raised in the submitted objections regarding the loss of privacy for existing neighbouring properties as a consequence of development. In response to these concerns, it is calculated that, given the distance between the proposed dwellings (as well as area of open space) and existing properties, with intervening boundary treatments, the privacy of neighbouring properties would not be adversely impacted by the development. Furthermore, it is calculated that the layout of the proposed development would ensure that the habitable rooms of each dwelling would receive adequate daylight, whilst neighbouring residential properties would not experience a loss of daylight. Lastly, given the layout of the proposed development, path of the sun and position of neighbouring amenity spaces, it is considered that neighbouring properties would not be subjected to material loss of sunlight.

2.5.8 Lastly, with regard to garden ground provision, 16 of the 22 dwellinghouses would be served by an area of private amenity space greater than 100 square metres, whilst each of the 8 flatted dwellings would have 50 square metres of outdoor amenity space. The remaining 6 dwellinghouses would feature garden areas varying from 70-95 square metres. Whilst this does not fully meet current guidelines on garden ground provision, given the extent of public open space which is proposed and the overall character of the development, ensuring an appropriate housing density of 14 units per acre, it is considered pertinent to relax the recommendations on this occasion. Additionally, whilst the recommended 1:3 plot ratio would not be met, it is once again considered appropriate to relax the above guidelines given the density of the proposed



development and inclusion of public open space. The proposed development is therefore considered to be acceptable with regard to garden ground provision.

2.5.9 In conclusion, the proposed residential development would not give rise to, or be subjected to: adverse pollution, privacy or overshadowing concerns. The proposed development would be provided with an acceptable level of garden ground for each unit, and open space provision. The proposed development is thus considered to comply with Policies 1 and 10 of FIFEplan Local Development Plan (2017).

## 2.6 LOW CARBON FIFE

2.6.1 Fife Council promotes sustainable development and consideration of this is set out within 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).

2.6.2 FIFEplan Policy 11: Low Carbon 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; 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.

2.6.3 The Fife Council Low Carbon Fife Supplementary Guidance (January 2019) provides that applications for local developments are required to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into the proposal. Appendix B of this guidance provides a Low Carbon Sustainability Checklist which must be completed and submitted with all planning applications.

2.6.4 A completed version of Fife Council's Low Carbon Sustainability Checklist for Planning Applications has been submitted as part of this application. The information submitted details that the proposed development would seek to achieve 'Passivhaus' standards. "A Passivhaus is a building in which thermal comfort can be achieved solely by post-heating or post-cooling the fresh air flow required for a good indoor air quality, without the need for additional recirculation of air" - Passivhaus Institute (PHI). To achieve this standard, each property must be designed and constructed following a rigorous process. This approach would reduce the energy consumption of the dwellinghouse to a minimum. If the proposed development were to be built to full Passivhaus standard, would be one of the largest single Passivhaus developments in Scotland and would set a precedent for the delivery of highly energy efficient, affordable homes. The Passivhaus approach to the proposed development is considered to be acceptable by the Planning Authority with regard to meeting current low carbon recommendations. SuDS have been included in the proposed development. The application is not of a size which is considered to raise adverse air quality concerns. It is also noted there would be sufficient external space for refuse bin storage. With regard to travel and transport, the application site, whilst being located on the edge of a rural village, would be able to access the existing bus network which provides regular services to North East and Central Fife, as well as Dundee. Overall, the proposed development is considered to be acceptable and would comply with the requirements of Policies 1 and 11 of FIFEplan, as well as the Supplementary Guidance.

2.6.5 In conclusion, it is considered that the proposed development, through its Passivhaus design, would comply with the above noted FIFEplan policies and Supplementary Guidance with respect to sustainability.

## 2.7 LOSS OF PRIME AGRICULTURAL LAND

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

2.7.2 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:

- o 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
- o for small-scale development directly linked to a rural business; or
- o 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.

2.7.3 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.

2.7.4 The application site is classified under the James Hutton Institute's land capability map for agriculture as class 3.1 agricultural land (considered to be prime). As discussed previously in this response, as the proposed development would be for affordable housing in an area where there is an established need, it is considered that proposed development would comply with the requirements of SPP and Policy 7 of FIFEplan with regard to development of prime agricultural land.

2.7.5 In conclusion, as the proposed development would meet an established need for affordable housing, it is considered that the loss of prime agricultural land would be acceptable on this occasion.

## 2.8 FLOODING AND DRAINAGE

2.8.1 SPP (Managing Flood Risk and Drainage, Policies 1, 3 and 12 of FIFEplan Local Development Plan (2017), the Council's 'Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note' 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.

2.8.2 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.

2.8.3 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 'Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note' 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.

2.8.4 Fife Council have no records of incidents of flooding on this site, however there is an area of surface water flooding shown in the north west of the site on the SEPA flood map. A Flood Risk Assessment (FRA) was submitted as part of the planning application, (with completed Compliance and Independent Check Certificates included). The FRA assessed the site for flood risk up to the 1 in 200-year event, with consideration of the impact of climate change. The FRA advises that the site is not considered to be at significant risk from surface water from adjacent land, with surface water runoff entering land drains along the northern and western edges of the site. The FRA recommended that these drains be maintained post-development. The drains from the site would discharge via a culvert which runs to a watercourse to the south of the site. It is recommended in the FRA that the culvert and its inlet are maintained post development -the applicant would be required to confirm how they intend to maintain the proposed SuDS with Fife Council as Flood Authority if planning permission and road construction consent is approved. Additional recommendations related to the height of floor levels and the introduction of a pathway along the western edge of the site to allow water to flow south. Furthermore, it was recommended that land in the north of the site be landscaped to route water into the drains and to the culverted drain, with connections to the culvert provided within the landscaped areas of the site so that if the main inlet to the culvert is blocked, flood waters could enter the culvert and flow away from the site. The recommendations of the FRA have been integrated in the design and layout of the proposed development. SEPA and Fife Council's Structural Services Officers were both consulted on this application where neither raised any concerns with regard to the finding and recommendations of the FRA. The proposed development is therefore considered to be acceptable with regard to flood risk.

2.8.5 The development is of a size that requires attenuation of storm water, a SuDS and forward flow restriction. To manage surface water, it is proposed to install a detention basin along the western boundary of the site - the basin shall double as an area of green infrastructure. Permeable paving is also proposed throughout. The size of the basin has been advised as being sufficient to meet the restricted forward flow parameters of the development. The proposed detention basin would store surface water before releasing into the existing culvert. Appropriate calculations and signed design and check certificates have been submitted as part of this application. Upon review of the surface water drainage proposals (and information), Fife Council's Structural Services Officers confirmed that they had no comments or concerns to raise. The proposed SuDS is therefore considered to be acceptable. A condition is recommended to secure its construction.

2.8.6 A number of the objections which have been received raise concerns regarding the water and sewage capacities within the village. Neighbouring properties are concerned that the proposed development would lead to further reductions in water pressure and result in the combined surface water and sewage main being over capacitated. Whilst these concerns are noted, Scottish Water were consulted on this application whereby they advised they currently had

capacity within their network to accommodate the proposed development. The granting of planning permission does not however guarantee connection and the applicant would still be required to submit formal Water and Waste Water Connection Applications to Scottish Water to connect the development to their network. No confirm, these connections are dealt with under separate cover from the planning process and water and waste water connections are a matter for Scottish Water to resolve.

2.8.7 In conclusion, it is calculated that the proposed development would not give rise to an increase in flood risk, whilst the modelling and calculations presented for the proposed drainage arrangements confirm that there is sufficient capacity within the existing network to accommodate the development. Additionally, the design of the proposed SuDS on site to accommodate surface water runoff is considered to be acceptable. The proposed development is therefore considered to comply with the requirements of aforementioned FIFEplan policies, national legislation and local guidance.

## 2.9 TREES

2.9.1 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.

2.9.2 Policies 10 and 13 of FIFEplan set out that development proposals will be only be supported where they protect or enhance natural heritage assets, including trees which have a landscape, amenity or nature conservation value. Policy 13 states that where development is proposed on a site where trees are present, consideration will be given to whether, and in what form, development should be supported, having regard to the desirability of retaining and protecting mature and semi-mature trees, and other examples likely to be become attractive in amenity terms, or of a rare species.

2.9.3 Making Fife's Places Proposed Supplementary Guidance Document (2017) details that 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. The purpose of the stipulation within Making Fife's Places Supplementary Guidance with regard to development within the falling distance of trees is primarily to safeguard the health of trees and make sure that trees are retained on site in the long-term. By ensuring that new developments are located outwith the falling distance of semi-mature/mature trees, this significantly reduces the future possibility of trees (regardless of whether or not they are protected) being pruned back or felled in the interests of residential amenity given the perceived (and actual) threat of trees (or large branches) falling which accompanies living in close proximity of large trees.

2.9.4 BS 5837:2012 Trees in relation to Design, Demolition and Construction provides advice on the formation of hard surfaces within the Root Protection Areas (RPAs) of trees, suggesting the use of appropriate sub-base options such as three-dimensional cellular confinement systems.

2.9.5 Category (Cat.) A and B trees are expected to be retained and are considered by Fife Council to be site constraints. Cat. C is a lower classification and is not generally seen as a constraint to development. Cat. U trees are those which it is considered cannot realistically be retained as living trees. The Planning Authority does not raise any concerns regarding the removal of Cat. U trees. If tree felling is proposed, the Planning Authority would expect suitable replacement planting to take place (native species).

2.9.6 The application site presently comprises of an open field and a disused residential property. The Eastern boundary of the site features a mature Cypress hedge (comprising of approximately 40 Cypress trees, 15m in height) and a tarmac access road to farm properties. There are ten additional trees located within the application site, all of which are grouped along the eastern rear garden boundary of the dilapidated dwellinghouse which is to be demolished. A total of twenty trees, outwith the applicant's ownership, bound the north and north west of the application site. With the exception of the Cypress grouping, the recorded trees are not considered to have any particular landscape, amenity or nature conservation value; none of trees have statutory protection.

2.9.7 A Tree Survey and Arboricultural Report have been submitted as part of this application. The Tree Survey recorded the height, maturity, health and category of each of the above trees. The crown extent and root protection area (RPA) of each tree was also recorded and overlaid on scaled site plans. Of the trees within the application site, 3 were recorded as Cat. B (T26, T27 and T29, all Birch 9-10m in height), with the rest being either Cat. U or Cat. C. The trees which are located outwith the site boundary vary in height, species and category (total of 7 Cat. B trees). Protective fencing is recommended to be erected to ensure the protection of all neighbouring and retained trees during the construction process.

2.9.8 With regard to the indirect impact of the development on trees along the north western boundary (outwith applicant's ownership), the appointed Arboriculturist has concluded that the deep drain (and pipeline in part) which runs along the site boundary and the regular cultivation of the arable field would have restricted root growth into the development site for T1, T3-T6, T9 and T11-T14 and as such there would only be minimal impact to the roots of these trees. Similarly, considering the neighbouring trees which would be adjacent the proposed access road, it is calculated that, providing the recommended tree protection measures are implemented, the proposed development would have a nil to low impact on the health of T16 and T18-T21 given as the proposed access road would only encroach on approximately 5-15% of the RPA of each tree. The recommended protective fencing would protect the RPA of each tree from further encroachment than the percentage identified in Arboricultural Report. In addition to this protective fencing, it is recommended that all excavations within the RPA of T15 (outwith the fenced area) be carried out by hand given the potential greater health impact on this tree (low to medium). Giving consideration to the professional recommendations of the independent Arboriculturist and the fact that the trees are not statutory protected, the Planning Authority is satisfied that the proposed development can be carried out in such a way that would not lead to significant harm to, or loss of, neighbouring trees. Conditions are included as part of the recommendation to ensure the necessary tree protection measures are in place and that the appointed Arboriculturist notify the Planning Authority of this.

2.9.9 Considering the trees within the application site, it is concluded that all trees, with the exception of the Cypress group, require to be removed to facilitate the development. Given past cultivation of the arable field, it is calculated by the Arboriculturist that the proposed development would not impact on the RPAs of the retained Cypress group along the eastern boundary. It is accepted by the Planning Authority that the proposed route of access road is the most optimal, resulting in the need to remove the trees. With regard to the proposed removal of the Cat. U and Cat C. trees, the Planning Authority has no objections given as 2:1 native species compensatory replanting is proposed to take place. Regarding the three Cat. B trees, it is noted that two of these (T26 and T27) are young trees which do not currently offer any particular landscape or amenity value, and as such the proposed 2:1 native species replanting is considered to be acceptable. The remaining Cat. B tree (T29) is a mature specimen which would see 46% of its RPA impacted

from the access road which would have a detrimental impact on the health of the tree, thus it is recommended that the tree be removed. Whilst the removal of this mature tree is regrettable, it is recognised that 5:1 compensatory replanting is proposed. This ratio of compensatory replanting is considered by the Planning Authority to more than off-set the loss of the tree. To ensure the replacement tree planting takes place, a condition has been included as part of the recommendation.

2.9.10 In line with the requirements of Making Fife's Places (2018), no development should be located within the falling distance of the semi-mature/mature trees. Block A (units 1-2) are the only units proposed to be located within the falling distance of any neighbouring mature trees. Whilst this is contrary to the wording of the Supplementary Guidance, it is noted that the north elevation of the flatted dwellinghouse would be a blank gable. With no direct outlook of the trees to the north, it is considered by the Planning Authority that this would remove future pressure on the removal of the trees in the interests of residential amenity. Blocks B, D and E would all be located within the falling distances of the Cypress grouping, again however given the lack of gable elevation windows, it is concluded by the Planning Authority that there would be limited rationale for future occupants of the properties to seek the removal of the trees in the interests of residential amenity. It is therefore considered that the positioning of the proposed units relative to mature trees would be acceptable in this instance.

2.9.11 In conclusion, detailed supporting information has been provided to justify the removal of trees from within the application site to create the proposed access road, whilst also confirming that the proposed development could be constructed in a way which would not harm the retained trees, nor their roots. The proposal potentially conflicts with the Making Fife's Places Supplementary Guidance (2018) with regard the location of development within the falling distance of trees, however it is considered appropriate to accept development in this location within the proximity to the trees given the lack of visibility of the trees from the proposed dwellings. The proposed development is therefore considered to be acceptable with regard to the impact on trees.

## 2.10 NATURAL HERITAGE

2.10.1 Policies 1, 10 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), Nature Conservation Scotland Act 2004 (as amended) and Bat Conservation Trust Publication on Bat Surveys for Professional Ecologists (2016) apply in this instance with regard to natural heritage protection.

2.10.2 Policy 13 of the FIFEplan (2017) states that where a proposed development will only be supported where they protect or enhance natural heritage assets, including trees which have a landscape, amenity or nature conservation value. 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. 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.

2.10.3 Bat Conservation Trust Publication on Bat Surveys for Professional Ecologists (2016) sets out a planning trigger list for development situations where bats are likely to be encountered and therefore where it is most likely that a bat survey will be required.

2.10.4 The application site comprises mainly agricultural land, however a dwelling and garden ground will be removed to provide access to the site. A Preliminary Ecological Assessment (PEA) and Bat Survey Report were submitted as part of the application, both carried out by David Dodd's Associates Ltd. No concerns were raised regarding the methodology and findings of the two surveys by the Case Officer, nor the Council's Natural Heritage Officer.

2.10.5 The PEA describes the site as being dominated by acid grassland and ruderal species. The derelict cottage was identified as having bat roost potential. The overgrown garden area comprises of ruderal plants/shrubs/trees/woodland. There are also mature trees on the east and west boundaries. The survey found no evidence of protected or notable species although songbirds were recorded, and birds are likely to be nesting in the habitat within the site. Trees were assessed for bat roost potential, but none was found. As nesting birds are protected under the Wildlife and Countryside Act 1981 as amended, vegetation clearance and building demolition should take place outwith the bird nesting season (March to August inclusive) - a condition has been recommended to secure this.

2.10.6 The Bat Survey Report describes that a preliminary roost assessment of the building was undertaken and found the building to have moderate suitability for use by roosting bats. Based on this finding one sunset and one dawn bat survey were undertaken. Although two species of bats were recorded in the vicinity of the building during these surveys there was no evidence of roosting bats. It is therefore concluded that the proposed demolition of the derelict dwellinghouse would not impact on roosting bats. No further surveys or mitigation is therefore required.

2.10.7 The Arboricultural Assessment identifies that 11 trees are to be removed to facilitate the proposed development. Compensatory planting recommendations for native tree species to be planted as part of site landscaping are detailed previously in this report. Through the compensatory planting ratio, proposed SuDS basin with wet wildflower grass and soft landscaping, it is considered that the proposed development would result in biodiversity enhancement at the site. Fife Council's Natural Heritage Officer did not raise any concerns regarding the proposed planting, however, did recommend that native species be secured.

2.10.8 In conclusion, the proposed development would not have an adverse impact on any protected species, confirmed through relevant assessments, and includes biodiversity enhancement. The proposed development is therefore considered to be acceptable with regard to impacts on natural heritage.

## 2.11 AFFORDABLE HOUSING

2.11.1 PAN 2/2010: Affordable Housing and Housing Land Audits, Policies 1 and 2 of FIFEplan and Fife Council's Approved Supplementary Guidance on Affordable Housing (2018) will be taken into consideration with regard to affordable housing provision.

2.11.2 PAN 2/2010: Affordable Housing and Housing Land Audits provides advice on how the planning system can support the Government's commitment to increase the supply of affordable housing. Policy 1 of FIFEplan (2017) states that development proposals must meet the requirements for affordable housing. Policy 2 of FIFEplan sets out that open market housing developments must provide affordable housing at the levels for each Housing Market Area (HMA),

consistent with the Affordable Housing Supplementary Guidance. Such affordable housing units must be fully integrated into development sites and be indistinguishable from other housing types. In order to achieve mixed and balanced communities, mixed tenure developments will be promoted. Off-site contributions shall be sought for developments comprising of 10-19 units in urban areas. Fife Council's Supplementary Guidance on Affordable Housing (2018) sets out that housing proposals must accord with the Fife Local Housing Strategy (2015-2020). The Supplementary Guidance further sets out that affordable housing units provided on site should be fully integrated into the development and be visually indistinguishable from market housing, with an approximate density of 30 units per hectare.

2.11.3 Policy 2 sets out affordable housing contributions will not be sought for development proposals for open market housing which involve: fewer than 10 houses in total; remediation of contaminated land; redevelopment of long term vacant or derelict land; or building conversions where it can be demonstrated that the contribution to affordable housing would make the conversion unviable. The Supplementary Guidance provides further clarity on these matters. As per Policy 2 and the Supplementary Guidance, housing developments in the Cupar HMA are expected to provide an affordable housing contribution of 20% of the total number of units proposed.

2.11.4 Fife Council's Housing and Neighbourhood Service reviewed the application and confirmed that the development of the site for affordable housing was consistent with the Fife Strategic Housing Investment Programme. The mix and types of homes proposed has been agreed with applicant and the Council's Housing team. There is no need for additional affordable housing to be provided. The allocation of Scottish Government funding for this project has been planned through the Strategic Housing Investment Plan (SHIP) and Strategic Local Programme (SLP).

2.11.5 The proposals therefore comply with Policy 2 and the associated supplementary guidance with regard to affordable housing. In order to ensure that the homes are made available for those eligible for affordable housing, and to ensure no homes are available for private sale, a planning condition has been included in the recommendation.

2.11.6 In conclusion, as the proposed development is for affordable housing, the mix and type of which has been agreed with Housing Services, there is no requirement for the applicant to provide additional affordable housing contributions.

## 2.12 DEVELOPER CONTRIBUTIONS

2.12.1 Policies 1 and 4 of FIFEplan Local Development Plan (2017), Fife Council's Planning Obligations Framework Supplementary Guidance (2017) and Circular 3/2012: Planning Obligations and Good Neighbour Agreements, apply with regard to the planning obligations required of developments.

2.12.2 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.

2.12.3 Policy 1, Part B, of the FIFEplan advises that development proposal 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 will be exempt from these obligations if they proposals for affordable housing.

2.12.4 Fife Council's Planning Obligations Supplementary 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 sets out when planning obligations will be sought, where exemptions will apply and how methodologies will be applied when considering the impact, a proposed development may have on existing infrastructure. The priorities to be addressed are educational provision, transport, affordable housing development, greenspace, public art and employment land. This document, approved by Fife Council's Executive Committee, provides up to date calculations and methodologies with regard to existing infrastructure.

2.12 5 Policy 4 of FIFEplan (2017) and Fife Council's Planning Obligations Supplementary Guidance (2017) also advises that planning obligations will not be sought for (amongst others) Town Centre redevelopment, development of brownfield sites (previously developed land) or development of affordable housing. The Supplementary Guidance (2017) further sets out that where a proposed development would create a critical infrastructure capacity issue, particularly in terms of the primary school estate, contributions may still be required.

2.12.6 Section 3.3 of Fife Council's Planning Obligations Supplementary Guidance (2017) sets out that developer contributions will be calculated on the basis of whole sites identified in the Local Development Plan. Applications for parts of allocated sites will pay a proportion of the total site contributions. The matter relating to the impact the proposed development would have on current infrastructure are considered in detail below.

## 2.12.7 DEVELOPER CONTRIBUTIONS: EDUCATION

2.12.7.1 The Planning Obligations Supplementary Guidance (2017) 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. Affordable housing is exempt from contributions towards education unless there is a critical capacity risk within a school in the catchment. Critical capacity is defined as where there is an expected shortage of school places within two years from the date of the education assessment, due to the cumulative impact of development within the relevant school catchment. In these instances, where critical capacity is an issue, the Council may have to refuse an application unless the capacity issue can be addressed through the provision of planning obligations in line with the methodologies included in the Planning Obligations Framework Supplementary Guidance (2017).

2.12.7.2 The application site is located in the catchment area for: Balmerino Primary School, Madras College, St Columbas Roman Catholic Primary School and St Andrews Roman Catholic High School. In accordance with Fife Council Planning Obligations Framework Supplementary Guidance 2017, planning obligations may be required for affordable housing developments to contribute towards additional school capacity where there is a critical capacity risk at a school within the catchment. Education Services were consulted on this application to assess and provide comment on the impact on catchment schools. Education Services have used a first completion date of 2022 to assess impacts.

2.12.7.3 Projected school pupil numbers and subsequent school capacity risks are based on the impact of known effective housing sites and their expected annual completion rates. Where a planning application proposes development that is different to that detailed in the HLA, it is likely that the impact on school places will also be different, particularly where new or previously non-effective sites are progressed; work does not start when expected or more houses are completed each year, even if the same number of houses are built overall. The cumulative impact on school rolls is based on development sites in these catchment areas. In addition to the current application, this includes the allocated site in Gauldry (GAU001 – 20 units) and a proposed five-unit development in Balmerino.

2.12.7.4 From their assessment, Education Services have concluded that based on the available information and proposed house completion rates at this time, the proposed development is not expected to create or contribute to a critical capacity risk at the schools within the catchment area of the development site. Education Services have provided the following assessment of each of the schools:

#### Balmerino Primary School

At the Pupil Census there were 60 pupils on the school roll organised in 3 classes in accordance with class size regulations. The school has 3 class areas available which provide capacity for a maximum of 75 pupils, only if all classes are 100% full at all stages across the school. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently no capacity risk expected at Balmerino Primary School.

#### Madras College

At the Pupil Census there were 1338 pupils on the school roll and the school as capacity for a total of 1906 pupils. The maximum capacity of Madras College will reduce to 1450 pupils in August 2021 when the new Madras College is operational. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently a risk that Madras College will need more class areas than are currently available. From the school roll projection figures provided by Education, this capacity issue is not expected until 2024. As the capacity issues is not expected within the next two years (from the date of Education's assessment), as the proposed development is for affordable housing, per the Planning Obligations Framework Supplementary Guidance (2017), there is no requirement for the applicant to provide financial contributes towards education infrastructure.

#### St Columba's Roman Catholic Primary School

At the Pupil Census there were 237 pupils on the school roll, organised in 10 classes in accordance with class size regulations. The school has 10 class areas available which would provide capacity for a maximum of 292 pupils, only if all classes are 100% full at all stages across the school. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently no capacity risk expected at St Columba's Roman Catholic Primary School.

### St Andrew's Roman Catholic High School

At the Pupil Census there were 802 pupils on the school roll and the school has a maximum capacity for 1137 pupils. School roll projections, including the expected completion rate of known housing sites, indicate that there is currently no capacity risk expected at St Andrew's Roman Catholic High School.

### Taybridgehead local nursery area

From August 2020 the Scottish Government and Fife Council is committed to increasing the funded entitlement to Early Learning & Childcare for all 3-4 year olds, and eligible 2 year olds from 600 hours to 1140 hours. This development site was not factored into the programme to deliver the Scottish Government's expansion of 1140 hours for nursery pupils when implemented in 2016, however a review of the capacity across the nursery local area has indicated there are sufficient nursery places to accommodate this development.

2.12.7.5 From the assessment undertaken by Education Services, it is concluded that the proposed affordable housing development would be exempt from providing financial contributions towards education infrastructure as the capacity issue identified at Madras College is not considered to be critical (per the definition in the Planning Obligations Framework Supplementary Guidance).

## 2.12.8 DEVELOPER CONTRIBUTIONS: OPEN SPACE AND PLAY AREAS

2.12.8.1 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 (2017) ensures that new development makes provision for infrastructure requirements to support new development; including green infrastructure and green network requirements such as open space and amenity space. As detailed in The Planning Obligations Supplementary Guidance (2017), open space provides one part of the strategic green infrastructure requirement for a site, it is space designed for people to undertake recreational activity. Green infrastructure also includes structural landscaping, amenity planting, sustainable drainage systems, paths, and community growing spaces.

2.12.8.2 Making Fife's Places Supplementary Guidance (2018) sets out that the requirement for open space provision should be assessed on a case by case basis taking into account any existing greenspaces, play areas and sports facilities which may serve the proposed development. If there are existing open space facilities located within easy walking distance, along a safe and attractive route; then it may be more appropriate for a new proposal to contribute to improvements to existing nearby spaces and facilities rather than providing additional open space onsite.

2.12.8.3 Making Fife's Places Supplementary Guidance (2018) sets out the open space requirements for developments located outwith a 250-metre walking distance of an existing open space are required to provide 60 square metres of open space per dwelling on site. If the development is within a 250-metre walking distance to an area of open space, an alternative financial contribution towards existing open space is required. The open space provided should be able to accommodate informal activities such as play, walking, sitting, picnics, communal gardening, informal sports and recreation.

2.12.8.4 Making Fife's Places Supplementary Guidance (2018) states that open space needs to be usable space. It will generally be green in character with a significant proportion of soft landscaping although it can include elements of hard landscaped public spaces such as squares

and plazas or people friendly (very low traffic) streets and courts. Some elements of SuDS may also be included as part of the open space requirement if they are fully accessible. Open space is space designed for people to undertake recreational activity. This will generally be informal activity such as play, walking, sitting, picnics, communal gardening, social/community gatherings, informal sports and recreation. Open spaces should have paths and routes passing through them but narrow, connecting greenways and corridors should not be included as part of the open space requirement. Amenity planting and structural landscaping would only be included as part of the open space if it is accessible for people to pass through it (such as paths through a woodland). Small areas of greenspace which have limited usage will not be included as part of the open space requirement.

2.12.8.5 As the application site is not within 250m of an existing area of open space, per Making Fife's Places there is a requirement for the applicant to provide 60 square metres of open space on site per unit; a minimum of 1800 square metres is therefore required. With the squared area to the west of the site entrance, accessible SuDS basin and open area at the south of the site, all of which would be sufficiently overlooked by neighbouring properties, it is considered that an acceptable amount of useable open space would be provided.

2.12.8.6 Fife Council's Parks and Countryside Officer was consulted on this application where they did not raise any concerns regarding the size and type of open space which is proposed. The Officer did however query the originally proposed shrub mix and hedging species given concerns regarding thorns and the attractiveness of berries to children. In response to these concerns, an updated landscaping proposal was submitted which includes more appropriate species of shrubs and hedging.

In conclusion, there is no requirement for the proposed development to contribute towards existing open space, with an acceptable amount of open space proposed to be provided on site.

#### 2.12.9 DEVELOPER CONTRIBUTIONS: PUBLIC ART

Policy 4 of the FIFEplan states that a contribution towards on-site public art will be sought in relation to major and prominent housing and retail proposals. Further guidance regarding this is set out in the Planning Obligations Supplementary Guidance (2017) and Making Fife's Places Supplementary Guidance (2018).

The Planning Obligations Supplementary Guidance (2017) and Making Fife's Places Supplementary Guidance (2018) state that contributions will be sought from major applications for housing. In these cases, the required contribution would be £300 per unit. This includes market units only; affordable units would be exempt from this requirement. This can be in the form of pieces of physical art, enhanced boundary treatment, enhanced landscaping etc. The Planning Obligations Supplementary Guidance (2017) sets out that once the financial contributions have been established, the public art element of the development should in general be integrated into the overall design of the proposal rather than providing a sum of money to be spent separately.

Making Fife's Places Supplementary Guidance (2018) advises that public art is about creative activity that takes place in public spaces. Public art may:

- o help to reveal or improve existing features of a local place;
- o refer to our heritage or celebrate the future;
- o be conceptual or highlight a specific issue;
- o lead to a temporary performance, event or installation, or to a permanent product;
- o engage a range of senses including smell and touch;

- o extend the fine arts such as painting or sculpture, or use applied art and design;
- o feature architectural craftwork or bespoke street furniture;
- o extend landscape design into land art, planting or paving schemes;
- o relate to site infrastructure such as bridge design or Sustainable Urban Drainage features;
- o use technology to project sound, light or images.

Public art that is commissioned for a particular site must be relevant to the context of that location and to its audience - the public or community who occupy, use or see into that space. 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.

As the application is for affordable housing, there is no requirement for the applicant to provide public art within the site. Additionally, it is noted that the proposed development would is not a 'major' development, nor is the application site considered to be visually 'prominent'.

#### 2.12.10 Additional Infrastructure Considerations

Several objections to the application have raised concern that the development could impact on GP services. Members should note that there is no requirement within the Adopted FIFEplan or Planning Obligations Supplementary Guidance for a financial contribution to be made towards healthcare provision. Securing this contribution through a Planning Obligation would not be in accordance with the tests of Circular 3/2012 Planning Obligations and Good Neighbour agreements. In addition, the NHS have not responded to the application to say that this application would cause an issue. On this basis, no contributions are sought towards healthcare.

Submitted objections also raise concerns regarding the lack of shops within Gauldry. Again however, Members should note that there is no requirement within the Adopted FIFEplan or Planning Obligations Supplementary Guidance for a development of this size to provide financial contributions toward local convenience retailing. Securing this contribution through a Planning Obligation would not be in accordance with the tests of Circular 3/2012 Planning Obligations and Good Neighbour agreements. Notwithstanding this, the applicant has advised that they are willing to liaise with the local community to potentially work towards securing a local village shop in the future - this would be on the voluntary basis of the applicant and is not something which the Planning Authority would have any control over.

#### 2.13 HOUSE IN MULTIPLE OCCUPATION (HMO)

2.13.1 Policy 2 of FIFEplan Local Development Plan (2017) applies with respects to housing being utilised as an HMO.

2.13.2 Policy 2 of FIFEplan advises that the use of a new build house or flat as a house in multiple occupation will not be permitted unless the development is purpose built for such use and that the Planning Authority will impose this restriction by applying a condition to planning permissions.

2.13.3 The proposed dwellings are not intended to be used for housing multiple occupants, however, a condition has been attached to this recommendation to ensure that the properties will not be used as an HMO in the future unless an application for said use is submitted to the Planning Authority for consideration.

## CONSULTATIONS

Scottish Environment Protection Agency	No objections.
Transportation, Planning Services	No objections. Conditions recommended.
Trees, Planning Services	No comments.
Transportation and Environmental Services - Operations Team	No comments.
Urban Design, Planning Services	Advice provided. Generally supportive of design information presented.
Environmental Health (Public Protection)	No objections. Scheme of Works requested via condition.
Structural Services - Flooding, Shoreline and Harbours	Additional information requested - 18.11.2021
Natural Heritage, Planning Services	No objections. Conditions recommended and clarity sought on proposed landscaping.
Education (Directorate)	
Housing and Neighbourhood Services	No objections. Proposed affordable housing mix accords with identified need for the area.
Parks Development and Countryside	Amendments to shrub mix and hedging species requested.
Community Council	Object as statutory consultee.
Scottish Water	No objections.
Structural Services - Flooding, Shoreline and Harbours	No objections - 08.02.2021
Structural Services - Flooding, Shoreline and Harbours	Additional information requested - 05.01.2021
NHS Fife	No response.

## REPRESENTATIONS

A total of 18 individual third party objections, including one from the Community Council as a statutory consultee, have been received in response to this application. The concerns raised by third parties, and the Planning Authority's response to these, is summarised below.

### 1. Lack of local GP facilities

- On GP provision, the NHS were consulted but did not respond. As set out in section 2.12.10 of the report, this would not be a matter which could be directly addressed by the site. The shortage of GPs is not a material planning consideration

### 2. Lack of local convenience retail

- As set out in section 2.12.10 of the report, this would not be a matter which could be directly addressed by the site. The shortage of convenience retail in the area is not something the applicant would be expected to address.

### 3. Lack of school capacity

- As confirmed by Fife Council Education Services, there are not identified critical capacity issues in local schools. See section 2.12.7 of this report for further information.

### 4. Overlooking/loss of privacy for neighbouring properties

- The proposed development is in-keeping with Council's recommended window-to-window guidelines. As detailed in section 2.5.7 of the report, the proposed development is considered to be acceptable with regard to privacy concerns.

### 5. Potential for increase in flood risk

- A FRA has been submitted which confirms the proposed development would not lead to increased risk of flooding. Fife Council's Structural Services Officers have reviewed the FRA and confirmed they are satisfied. The introduction of a surface water drainage system within the site will allow all surface water that enters the site to be captured, treated and attenuated prior to discharge back into the existing watercourses. See section 2.8.4 of this report for further information.

### 6. Capacity in local water and wastewater networks

- Scottish Water have confirmed that there is sufficient capacity within their networks to accommodate the proposed development. Nevertheless, the granting of planning permission does not however guarantee connection and the applicant would still be required to submit formal Water and Waste Water Connection Applications to Scottish Water to connect the development to their network. See section 2.8.6 of this report for further information.

### 7. Loss of Prime Agricultural Land

- As discussed in section 2.7.4 of this report, as the proposed development would be for affordable housing in an area where there is an established need, justifying the loss of prime agricultural land.

### 8. Impact on biodiversity and wildlife

- A PEA and Bat Survey Report have been submitted which confirms the proposed development would not have an adverse impact on protected species. Additionally, the proposed landscaping and tree planting are considered to be a net biodiversity improvement. See Sections 2.10.4 - 2.10.7 of this report for further information.

### 9. Impacts on the landscape setting of the village

- An extensive LVIA and DAS were submitted as part of this application which explores the potential impacts on landscape setting of Gauldry. As detailed in Section 2.4 of this report, the Planning Authority concurs with the conclusions of the LVIA that the proposed development would not have an adverse impact on the landscape setting of the village.

### 10. Site is not allocated for development/unplanned development in the countryside

- As explored in detail in Section 2.2 of this report, the proposed affordable housing development is considered to be acceptable in the unallocated countryside location.

### 11. There has been a previous application refused on the site

- As detailed previously in the report, the Planning Authority has no records of any previous planning application on the site.

### 12. Future access to Woodend Road is unclear

- The submitted plans include a pedestrian connection to Woodend Road.

13. Loss of historic Lochend Cottage

- As detailed in Section 2.4.15, the loss of this dilapidated property is considered to be acceptable to facilitate the proposed development.

15. Planning Authority should have requested full transport assessment

- The transportation related information is considered to be appropriate for the scale of the development.

15. Potential for further development beyond the 30 homes proposed

- Any future further development of the site would require planning permission - any future application would be assessed on its own merits.

16. Risk of increased anti-social behaviour through affordable housing

- This is not considered to be a material planning consideration as the Planning Authority is unable to control the behaviour of future residents, be that for affordable or market housing development.

17. Suitability of Balgove Road to accommodate increased traffic from proposed development

- A Transport Statement was submitted with this application which concluded that the proposed development would result in a very small increase in traffic and will have a negligible impact on the surrounding road network. See section 2.3.8 of this report for further information.

18. Two storey properties unsuitable for Gauldry

- The proposed two storey properties are to be located within a shallow basin within the centre of the site, reducing their massing in comparison to the surroundings. It is noted that other two storey properties are located throughout Gauldry. See sections 1.2 and 2.4.11 of this report for further information.

19. Lack of identified need for proposed affordable housing development

- As explored in detail in Section 2.2 of this report, the Planning Authority is accepting that there is an identified need for affordable housing in the area.

20. Impacts on electricity supply

- Any loss or impact on the electricity supply for existing properties would be a matter for the National Grid and energy suppliers to resolve.

21. Proposed access road is not wide enough to accommodate vehicles travelling in both directions

- At more than 5.5 metres in width, the proposed access road is considered to be wide enough to accommodate vehicles in both directions.

22. Proposed access road would not provide suitable visibility splays

- Revised information has been submitted which confirms that the proposed visibility splays would be acceptable. See section 2.3.9 of this report for further information.

23. Pedestrian footpath on north side of Balgove Road not wide enough to accommodate additional pedestrians

- The number of additional pedestrians and vehicles as a consequence of the proposed development is not considered to give rise to adverse road safety concerns, nor is the



development of a scale that would warrant the upgrading of the existing footpath. See section 2.3.11 of this report for further information.

24. Balgove Road does not feature a continuous footpath

- The proposed development is not considered to be of a scale that would warrant the upgrading of the existing footpath. See section 2.3.11 of this report for further information.

25. No public consultation undertaken by applicant

- This application is not considered to be a 'major development' per the The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 as it is for less than 50 units and the site area is below 2ha. Therefore, there was not requirement for the applicant to undertake community consultation. Notwithstanding this, it is understood that the applicant did undertake some community consultation prior to the submission of the application.

26. Road network surrounding Gauldry requires to be upgraded/widened

- The proposed development is not considered to be of a scale that would warrant the upgrading of the surrounding road network, nor have Fife Council identified any such improvement in the Local Development Plan. See section 2.3.8 of this report for further information.

27. Affordable housing should be integrated throughout Gauldry

- Fife Council's Supplementary Guidance does recommend that affordable housing be spread throughout development sites. However, as this application is for an edge of settlement affordable housing development, it is not possible to distribute the proposed units throughout the village.

28. Gauldry is not well served by public transport, resulting in reliance on cars

- The proposed development is not considered to be of a scale that would warrant the upgrading of the surrounding road network to accommodate the calculated insignificant increase in vehicular traffic. See section 2.3.8 of this report for further information.

29. Proposed house designs and finishing materials not suited to the local area

- The design of the proposed dwellings, including the finishing materials, is considered to be well informed by contextual analysis, demonstrated through the submitted DAS. See section 2.4.12 of this report for further information.

30. Submitted drawings do not accurately detail existing road features and boundary treatments

- Revised drawings have been submitted which are considered to accurately detail the existing road features.

31. Planning Authority should not give greater weight to affordable housing

- As detailed in section 2.2 of this report, the acceptability of the principle of development rests on the affordable housing nature of the development.

32. Poisonous berries proposed as part of landscaping

- The proposed landscaping has since been amendment to remove these features.

33. Site investigations should be undertaken to ensure no contamination

- The application site is not considered to be at risk of contamination. A condition has however been included to ensure works cease immediately if any unexpected ground contamination is encountered.

34. Noise and light impacts for neighbouring properties given intensification of use  
- The scale of the proposed residential development is considered to be appropriate for the area. Whilst some degree of change is inevitable, any potential impacts would not significantly impact neighbouring properties.

35. Construction impacts (and traffic) should be considered during application  
- A condition is included for a traffic management plan to be submitted prior to the start of works. Additionally, should noise from the proposed construction impact neighbouring residents, Fife Council Environmental Health Officers would investigate under the Control of Pollution Act 1960.

36. Impacts on setting of listed Woodend House  
- The proposed development is not considered to raise any concerns with regard to its impact on the setting of any listed buildings. See section 2.4.16 of this report for further information.

37. Woodend Road not suited to accommodate additional vehicular traffic  
- No additional traffic would be routed through Woodend Road.

38. Proposed access cannot accommodate large vehicles turning  
- Revised swept path plans have been submitted which confirm that refuse and delivery vehicles would be able to access the exit the site in one manoeuvre. See section 2.3.10 of this report for further information.

## **CONCLUSIONS**

The proposal is considered to be acceptable in meeting Policies 1 and 4 of TAYplan Strategic Development Plan (2017), Policies 1, 2, 3, 10, 11, 13 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Low Carbon Fife Supplementary Guidance (2019), Affordable Housing Supplementary Guidance (2018), Planning Obligations Supplementary Guidance (2017) and relevant National Guidance and Fife Council Guidelines. The proposal is compatible with the area in terms of land use, design and scale and will not cause any detrimental impact to the amenity of the surrounding area 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 UNITS HEREBY APPROVED, shall be affordable housing as defined within Fife Council's Supplementary Planning Guidance on Affordable Housing (2018) and will be held as such for the lifetime of the development unless otherwise agreed by the express prior consent in writing of Fife Council as Planning Authority.

Reason: In order to define the terms of the consent.

2. 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.

3. PRIOR TO THE COMMENCEMENT OF WORKS, samples of the external construction materials finishes of the dwellinghouse (in particular relating to the roof, windows and walls) shall be submitted to and agreed in writing with the Council as Planning Authority. Thereafter the houses shall be constructed and finished in full accordance with the agreed samples prior to occupation.

Reason: To define the terms of this permission and ensure that the dwellinghouses are in-keeping with the character of the surrounding area.

4. PRIOR TO THE COMMENCEMENT OF WORKS, the protective tree fencing to safeguard the trees adjacent to the site during construction, as detailed in the approved Tree Protection and Compensatory Site Plan (prepared by BNTW Scotland, August 2020) (Planning Authority ref. 33), shall be erected in full. No work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable.

FOR THE AVOIDANCE OF DOUBT, the protective measures shall be provided in full throughout the construction period and no building materials, soil or machinery shall be stored in or adjacent to the protected areas.

Reason: In order to ensure that no damage is caused to the existing trees during development operations.

5. All planting carried out on site shall be maintained by the developer in accordance with good horticultural practice for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.

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

6. Landscaping and replacement tree planting shall be undertaken in accordance with the approved Landscape and General Arrangement Plan (Planning Authority ref. 26A). The approved scheme shall be implemented in the first planting season following the completion of works and thereafter maintained in full working order for the lifetime of the development.

Reason: In the interests of visual amenity by ensuring a sufficient quality of public realm is provided.

7. PRIOR TO ANY WORKS COMMENCING ON SITE, a Construction Environmental Management Plan (CEMP) shall be submitted to Fife Council as Planning Authority for approval in writing. 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.

8. All tree and vegetation removal associated with this development shall be undertaken outwith the bird breeding season of 1 March to 31 August of any calendar year unless the site is first surveyed by a suitably qualified person and the findings, and any associated mitigation, have been submitted to, and approved in writing by, Fife Council as Planning Authority.

Reason: In the interests of safeguarding nesting birds.

9. The dwellinghouses 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, the dwellinghouse hereby approved shall not 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.

10. The flatted dwellings 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 3 unrelated residents living together in a dwellinghouse. For the avoidance of doubt, the dwellinghouse hereby approved shall not 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.

11. Unless otherwise agreed in writing with the 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 DWELLING and thereafter maintained in full working order for the lifetime of the development.

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

12. 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. The TM plan will 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, pedestrian access etc. The approved traffic management plan shall thereafter be implemented for the duration of the construction works.

Reason: In the interest of road safety; to ensure minimum disruption to residents and road users in the vicinity of the site.

13. Prior to the commencement of any activity on site details of wheel cleaning facilities shall be submitted for the written approval of this planning authority and shall thereafter be available throughout the construction period of the development so that no mud, debris or other deleterious material is carried by vehicles onto the public roads.

Reason: In the interest of road safety; to ensure the provision of adequate wheel cleaning facilities

14. All roads and associated works serving the proposed development shall be designed in accordance with the current Fife Council Transportation Development Guidelines.

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

15. PRIOR TO THE OCCUPATION OF EACH PROPERTY, off street parking shall be provided for that property in accordance with the current Fife Council Transportation Development Guidelines. The parking shall thereafter remain in place in for the lifetime of the development unless otherwise agreed in writing with this Planning Authority.

Reason: To ensure the provision of adequate offstreet parking.

16. Prior to the commencement of construction of any buildings, visibility splays of 2.4m x 25m shall be provided to the left and to the right at the development junction with Balgove Road, as shown on drawing J3899-SK01 (Planning Authority ref. 50A - PROPOSED ACCESS JUNCTION LAYOUT ), and thereafter maintained in perpetuity, clear of all obstructions exceeding 0.6 metres above the adjoining carriageway level. For the avoidance of doubt, all roadside boundary markers within the site, ie, walls, fences, planting, shrubs etc. being maintained in perpetuity outwith the visibility splay line or at a height not exceeding 600mm above the adjacent carriageway level.

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

17. Prior to the occupation of each of the residential property, street lighting and footways (where appropriate) serving the property shall be formed and operational to the satisfaction of this Planning Authority.

Reason: In the interest of road safety; to ensure the provision of adequate pedestrian facilities.

## **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 (2020)

PAN 1/2011: Planning and Noise

PAN 2/2010: Affordable Housing and Housing Land Audits

Circular 3/2012: Planning Obligations and Good Neighbour Agreements

Scottish Government Designing Streets (2010)

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)

Bat Conservation Trust Publication on Bat Surveys for Professional Ecologists (2016)

British Standard (BS) 5837:2012 Trees in relation to Design, Demolition and Construction

### 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)

Affordable Housing Supplementary Guidance (2018)

Planning Obligations Supplementary Guidance (2017)

### Other Guidance:

Fife Council Transportation Development Guidelines

Fife Council Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note

Fife Council Planning Customer Guidelines on Garden Ground (2016)

Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)

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

Fife Council Strategic Housing Investment Plan 2021/22 - 2025/26

Fife Council Housing Land Audit 2019

Fife Council Local Housing Strategy 2020-2022

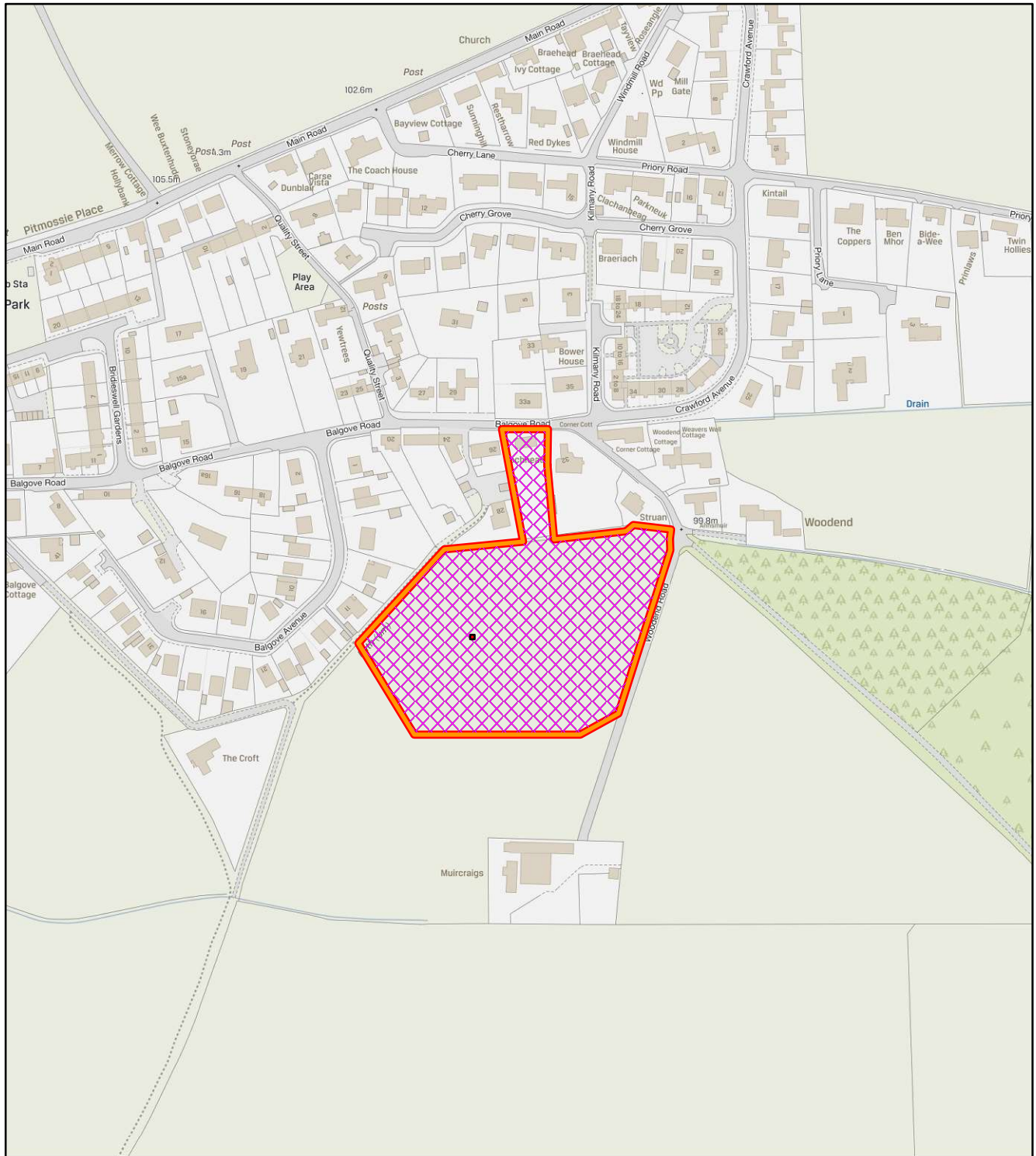
Report prepared by Bryan Reid, Chartered Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 26/2/21.

Date Printed 12/02/2021

# 20/02311/FULL

## Land To South Of Balgove Road Balgove Road Gauldry



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<b>Legend</b>	
 Application Boundary	
	
 Economy, Planning & Employability Services	

**ITEM NO: 7**

**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE REF: 20/02046/PPP**

**SITE ADDRESS: 2 HALLOWHILL ST ANDREWS FIFE**

**PROPOSAL : PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF DWELLINGHOUSE WITH ASSOCIATED ACCESS AND PARKING**

**APPLICANT: MS M MCLEAN  
C/O ANDREW BLACK DESIGN 27 TAY STREET LANE  
DUNDEE**

**WARD NO: W5R18  
St. Andrews**

**CASE OFFICER: Jamie Penman**

**DATE 25/09/2020  
REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

This application has received more than 5 representations which are contrary to the Case Officer's 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.



## 1.1 Background

1.1.1 This planning permission in principle application relates to an area of garden ground associated with 2 Hallowhill, St Andrews. The application site is located within the settlement boundary of St Andrews as defined by FIFEplan (2017). The application site and surrounding area is not subject to any specific designations. The application site measures 484sqm and is currently part of a larger corner plot which measures 1,270sqm in total. The plot currently hosts a single storey dwellinghouse which has recently been subject to some renovation works. There is also a flat roofed single garage (to be removed) located on the western corner of the site which a vehicular access onto Hallowhill. The wider plot currently has a large amount of garden ground. The application site forms part of the host property's garden ground area, however, has recently been stripped of all vegetation. The surrounding area is predominantly residential in nature and whilst surrounding houses have a similar finish (render, concrete roof tiles and stone), the architectural form of the surrounding properties do vary from smaller bungalows to larger 1.5/2 storey properties.

1.1.2 This application has been made for planning permission in principle for the erection of a dwellinghouse with associated access and parking. No final designs have been submitted however an indicative site plan and sketches have been submitted which show how a dwellinghouse would fit on the site.

1.1.3 Planning history associated with the application site and the wider site includes:

- 01/03502/EOPP Outline application to erect single storey dwellinghouse and form new vehicular access to public road - Refused February 2002
- 19/03441/FULL Canopy, decking and single storey extension to front and single storey extension to rear of dwellinghouse, installation of flue, and erection of garage - Approved January 2020
- 20/01229/FULL Single storey extension with covered deck area to side, canopy extension to front of dwellinghouse, installation of flue and erection of domestic garage - Approved August 2020

## 1.2 Site History

1.2.1 A previous application (01/03502/EOPP) for outline planning permission (planning permission in principle) has previously been refused for this site. This application was recommended for approval by the planning officer; however, this was overturned by Planning Committee. The application was refused by Committee on visual impact and overdevelopment grounds. This decision was appealed to the Scottish Executive where the refusal decision was upheld. The appointed reporter made the following conclusions:

- "It is strikingly clear both on the map and walking round that there is nothing comparable to the proposed narrow rectangular plot, most of whose breadth would be occupied by a house."
- "There are many plots where buildings take up most of their breadth, but these are large houses set in what are obviously, even as seen from the street and more so on the map, proportionately large plots."
- "Since the pleasant quality of the area owes nearly everything to the spaces between buildings and the well taken opportunities that these present for amenity planting, and virtually nothing to the merit of the buildings themselves, I find it evident that the erosion of the qualities of the spaciousness and leafy seclusion would result in a markedly less pleasing local environment. This would affect visitors, including those passing through in order to visit the important early Christian site at Hallow Hill, as well as residents."

## 2.1 Assessment

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

- Principle of Development
- Design and Visual Impact
- Residential Amenity
- Road Safety Impact
- Flooding and Drainage Impact
- Natural Heritage Impact
- Low Carbon Fife
- House in Multiple Occupation

## 2.2 Principle of Development

2.2.1 Scottish Planning Policy (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 Policy 1 of the Adopted FIFEplan (2017) applies. 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.

2.2.3 As this application site is situated within the settlement boundary of St Andrews; as defined in the Adopted FIFEplan - Fife Local Development Plan (2017) there is a general presumption in favour of development. As such, the general principle of residential development on this site can be considered accepted in this instance. The overall acceptability of the proposal, however, must also satisfy other FIFEplan policy criteria which includes but is not limited to, design, residential amenity, road safety, flooding, natural heritage and sustainability; these issues will be discussed in detail below.

## 2.3 Design and Visual Impact

2.3.1 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.

2.3.2 Making Fife's Places Supplementary Guidance (2018) also applies and 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. 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 - distinctive; safe and pleasant; welcoming; adaptable; resource efficient; and, easy to move around and beyond.

2.3.3 As this application is for planning permission in principle, detailed elevation drawings have not been submitted. An indicative site plan and street elevation sketches have, however, been

submitted, which demonstrates how the application site will accommodate the proposed dwellinghouse.

2.3.4 The submitted site plan shows a site area of 470sqm, having a width of approximately 14.9m and depth of 34.6m. The indicative drawing shows a parking area located to the front of the site which measures approximately 80sqm and a larger area of private garden ground located to the rear, measuring approximately 160sqm. The indicative house footprint measures 129sqm, having a width of 10.2m and depth of 12.5m. The indicative street elevation drawings show a modern single storey detached dwelling and how this would fit in with the surrounding streetscape.

2.3.5 It is acknowledged that the surrounding area is categorised by larger, wider plots containing mostly large detached (whether this be single storey or 1.5/2 storey) houses. The surrounding dwellinghouses are however not of any significant architectural merit. A review of the surrounding area shows plot sizes ranging from approximately 595sqm (11 Hollowhill) to 1,800sqm (9 Hollowhill). Along with house styles and orientations, building footprints also vary from approximately 100sqm (11 Hollowhill) to 350sqm (6 Hollowhill). Whilst surrounding plot sizes are large, it is noted that houses are wide and take up a large proportion of the plot frontages. As such, separation distances between existing houses vary from approximately 3m (between 7 Hollowhill and 5 Hollowhill) to 20m (between 2 Hollowhill (application property) and 3 Trinity Place). Existing properties are generally separated by vegetation.

2.3.6 Whilst the proposed site would be one of the smallest by area in the surrounding area, the indicative positioning of the proposed dwellinghouse would result in an approximate 2.2m separation distance to the house immediately to the west (2 Hollowhill) and 10m to the house immediate to the east (3 Trinity Place). Given the range of plot sizes, house types/sizes and separation distances in the surrounding area, the proposal would not significantly disrupt the prevailing pattern of development. Consequently, a dwellinghouse which is sensitively designed with an appropriate degree of landscaping, would add to the varied nature of development and fit well within this site whilst having no significant impact on the visual appearance and character of the surrounding area.

2.3.7 Whilst the previous appeal decision (01/03502/EOPP) stated that the proposal would erode the "qualities of the spaciousness and leafy seclusion" which "would result in a markedly less pleasing local environment", it is noted that the circumstances of the application site have significantly changed since this decision was made. At the time the previous refusal decision was made, the application site was in active use as garden ground and contained dense vegetation. The site has now been stripped of all vegetation and planning permission has since been granted for a single storey, detached garage to be built centrally within the application site, with a new access being formed onto Hollowhill, where this application also proposed to take access. Whilst the garage has not yet been built, it is considered that this infill development would have similar visual impacts to that of the proposed dwellinghouse.

2.3.8 With regard to the previous refusal decision (01/03502/EOPP) by Planning Committee on overdevelopment and visual impact grounds; the site is capable of being designed in a way which would meet Fife Council's Planning Customer Guidelines on Garden Ground and would also be capable of meeting the minimum building footprint to plot size ratio (1:3) contained within this guidance. If this planning permission in principle application is approved, a detailed design assessment of the proposed dwellinghouse, can be undertaken during the assessment of any future application of matters specified by condition. No development can take place prior to this being approved.

2.3.9 Furthermore, whilst this proposal would sub-divide the existing plot, the existing dwellinghouse would retain a site area of approximately 800sqm and have in excess of 100sqm of garden ground, as such, no visual impact or overdevelopment concerns would be raised with regard to this.

2.3.10 With regard to the precedent that approval of this application may set, whilst the opportunities for in-fill development in the surrounding area are limited, should an application come forward, it will be assessed on its own merits.

2.3.11 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of FIFEplan (2017) Policies 1 and 10, Fife Council's Planning Customer Guidelines on Garden Ground and Making Fife's Places Supplementary Planning Guidance (2018) with regard to its design and visual impact. Further consideration of detailed design aspects of the proposal can be undertaken during the assessment of any future application of matters specified by condition. No development can take place on site, prior to this further application being approved.

## 2.4 Residential Amenity Impact

2.4.1 FIFEplan policies 1 and 10 apply in this instance. These policies indicate development will only be supported where it does not have a significant detrimental impact on the amenity of existing or proposed land uses. In this instance the policies will be applied to assess the impact the proposed development would have on existing levels of residential amenity. This includes, but is not limited to, noise, privacy, overshadowing and garden ground. Fife Council's Planning Customer Guidelines on Daylight/Sunlight, Garden Ground and Minimum Distances between Window Openings also apply. PAN 1/2011 also applies and 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 subject to noise.

2.4.2 As this application is for planning permission in principle and detailed elevation drawings have not been submitted, it is not possible at this stage, to fully assess possible residential amenity impacts. This can, however, be fully assessed through any future application of matter specified by condition, if this application was to be approved.

2.4.3 The proposed dwellinghouse would be restricted to single storey which would negate any significant privacy concerns. Appropriate boundary treatments would also ensure there are no overlooking impacts on neighbouring garden ground areas. Furthermore, window to window distances could also be met.

2.4.4 The submitted site plan indicates an area of approximately 160sqm of private garden ground, which would be in line with Fife Council Planning Customer Guidelines on Garden Ground. Approximately 160sqm of private garden ground is also proposed for the existing house and it would also retain a large area of garden to the front.

2.4.5 It is noted that the indicative positioning of the proposed dwellinghouse may obstruct daylight to windows on 2 Hallowhill. One of these windows serves a bathroom, which is not considered to be a habitable room and would therefore raise no concerns. The other window however which may be obscured, serves a bedroom. Whilst it is unfortunate that there would likely be a loss of daylight serving this bedroom, it must be noted that it would be within the applicant's control to mitigate any significant impacts caused by this; this could involve a reconfiguration of the internal floor layout of the property, which would not require full planning

consent. On balance, the loss of daylight to this window would not raise any significant concerns in this instance.

2.4.6 Notwithstanding the comments noted above, a full assessment of potential residential amenity impacts will be undertaken as part of any subsequent approval of matters specified by condition application.

2.4.7 As with any development, there are likely to be some residential amenity impact during the construction period. It should be noted however that this would be limited to the construction phase and can be controlled through separate legislation, no relevant to planning.

2.4.8 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of FIFEplan (2017) Policies 1 and 10, Fife Council's Planning Customer Guidelines on Garden Ground and Making Fife's Places Supplementary Planning Guidance (2018) with regard to its residential amenity impact.

## 2.5 Road Safety Impact

2.5.1 FIFEplan policies 1, 3 and 10 apply in this instance. These policies indicate development will only be supported where it has no road safety impacts. In this instance the policies will be applied to assess what impact the proposed development would have on the general road safety of the surrounding area. Making Fife's Places Transportation Development Guidelines also apply and provide advice on minimum parking standards and visibility splays.

2.5.2 Whilst a detailed floor plan has not been submitted with this application, the site plan does indicate that the proposal would include 3 bedrooms. This would require an off-street parking provision of 2 spaces. It is also noted that the existing house would be able to provide at least 3 off-street parking spaces, in line with relevant guidelines.

2.5.3 Fife Council's Transportation Development Management Team (TDM) have been consulted on this application and have stated that they have no objections subject to conditions requiring the provision of off-street parking, adequate visibility splays and the works to the vehicular access to be undertaken in accordance with Fife Council's standards.

2.5.4 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of FIFEplan (2017) Policies 1, 3 and 10 Making Fife's Places Supplementary Planning Guidance (2018) with regard to its road safety impact.

## 2.6 Flooding and Drainage Impact

2.6.1 FIFEplan policies 1 and 12 advise that developments should not place unacceptable demands on public infrastructure including drainage systems. Developments will not be supported if they would increase the risk of flooding, nor will they be supported if Sustainable Urban Drainage Systems (SUDS) or other similar appropriate measures are not undertaken. Development will not be supported where a proposal would increase the risk of flooding unless adequate mitigation measures can be secured.

2.6.2 The Scottish Environment Protection Agency (SEPA) flood maps have been analysed and, in this instance, and shows that the application site is not located within an area of known river, coastal or surface water flood risk. Furthermore, as the proposal is for only one dwellinghouse, there is no requirement to provide a SUDS.

2.6.3 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of FIFEplan (2017) Policies 1 and 12 and Making Fife's Places Supplementary Planning Guidance (2018) with regard to its flooding and drainage impact.

## 2.7 Natural Heritage Impact

2.7.1 Policies 1, 10 and 13 of FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Planning Guidance (2018) apply with regard to the potential impact on trees and ecology as a result of this development.

2.7.2 Policy 13 of FIFEplan and Making Fife's Places Proposed Supplementary Guidance Document (2017) 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 between those trees and the development greater than the British Standard would be expected.

2.7.3 Whilst it is noted that the site once contained a large amount of mature vegetation, this has been removed with the site being stripped to a topsoil base. Whilst the removal of the previous vegetation does not require planning permission, it would have made a positive visual addition to the appearance of the site and the wider streetscene. As such, in order to soften any visual impact of this development and to ensure there is some level of biodiversity enhancement, a landscaping planning will be required with any future application. This can be request via condition.

2.7.4 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of FIFEplan (2017) Policies 1 and 13 and Making Fife's Places Supplementary Planning Guidance (2018) with regard to its natural heritage impact.

## 2.8 Low Carbon Fife

2.8.1 Policies 1 and 11 of FIFEplan (2017) and Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) apply with regards to the low carbon requirements expected of this proposal.

2.8.2 Fife Council's Low Carbon Fife Supplementary Guidance (January 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. In addition, planning application applicants are expected to submit a completed sustainable building statement (Appendix B of the guidance).

2.8.3 A low carbon statement has been submitted with this application which details how the proposal would be developed in a sustainable manner. The statement also noted that heat pumps may also be included which would meet the requirements of the Low Carbon Policy. Full details of the energy generating technologies which will be incorporated into the proposal will be requested via condition.

2.8.4 In light of the above, it is considered the application site could be developed in such a way which would meet the requirements of FIFEplan (2017) Policies 1 and 11 and Low Carbon Fife Supplementary Guidance (January 2019) with regard to its sustainability impact.

## 2.9 Houses in Multiple Occupation (HMO)

2.9.1 Policies 1 and Policy 2 of FIFEplan Local Development Plan (2017) applies with respects to housing being utilised as an HMO.

2.9.2 Policy 2 of FIFEplan advises that the use of a new build house or flat as a house in multiple occupation will not be permitted unless the development is purpose built for such use and that the planning authority will impose this restriction by applying a condition to planning permissions.

2.9.3 The proposed dwellinghouse is not intended to be used for housing multiple occupants, however, a condition has been attached to this recommendation to ensure that the property will not be used as an HMO in the future unless an application for said use is submitted to the Planning Authority for consideration.

## CONSULTATIONS

Ministry of Defence (Statutory)	No objections.
Scottish Water	No objections.
Transportation and Environmental Services - Operations Team	No response.
Transportation, Planning Services	No objections subject to conditions.

## REPRESENTATIONS

23 objections and 1 support comment have been received.

Concerns raised which are deemed material in the assessment of this planning application include:

- The site is of a limited narrow size, would be overdevelopment in low density area and the proposed dwelling would be located close to neighbouring properties - Addressed in Section 2.3 of this report
- Dwelling would be out of keeping with surrounding area leading to a loss of character, natural and visual amenity - Addressed in Section 2.3 of this report
- Against establish pattern of development - Addressed in Section 2.3 of this report
- Width of frontage is substantially less than those of surrounding properties - Addressed in Section 2.3 of this report
- Applications have been refused previously for a house on this site, circumstances have not changed - Addressed in Section 2.3 of this report
- Approval of this application will set precedent - Addressed in Section 2.3 of this report
- Proposed dwelling has almost no garden - Addressed in Section 2.4 of this report
- Unsuitable access/parking - Addressed in Section 2.5 of this report
- Loss of privacy - Addressed in Section 2.4 of this report
- Future construction will cause disruption - Addressed in Section 2.4 of this report

- No exact plans have been submitted which would provide assurance that the development would maintain visual amenity - Addressed in Section 2.3 of this report
- Proposal would develop green space between properties - Addressed in Section 2.3 of this report

Concerns raised which are not deemed material in the assessment of this planning application include:

- Approval would be contrary to title deeds
- Original plots were sold as "garden plots" and conditions had to be agreed to before purchasing
- Proposal is not similar to recently approved PPP application
- On street parking has occurred during the recent construction on adjacent site
- All surrounding properties have off-street parking for 3 vehicles, this should be the minimum
- Previous owners of this house had the garden carefully laid out and opened it on several occasions for the St. Andrews Preservation Trust Hidden Gardens.

Support comments which are deemed material in the assessment of this planning application include:

- Single storey dwelling and parking can only enhance area - Addressed in Section 2.3 of this report
- Approval to build garage on land has already been given - Addressed in Section 2.3 of this report

Support comments which are not deemed material in the assessment of this planning application include:

- Similar application approval for 2 new houses on nearby site
- Proposal would help housing shortage
- Approval would generate much need construction work

## **CONCLUSIONS**

This proposal is considered acceptable in meeting the terms of the Local Development Plan, other relevant Fife Council Planning Customer Guidelines and is deemed compatible with its surrounds in principle. A detailed Approval of Matters Required by Condition(s) application will now be required and the planning conditions recommended through this application will help ensure a satisfactory detailed submission for further consideration.

## **RECOMMENDATION**

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

1. A further application(s) for certain matters (Approval of Matters Required by Condition) shall be submitted for the requisite approval of this Planning Authority, together with the detailed plans which shall include:-

(a) A location plan of all the site to be developed to a scale of not less than 1:2500, showing generally the site, any existing trees, hedges, walls (or other boundary markers) layout of the roads and sewers, 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, finished ground and building floor levels, new walls and fences and details of proposed landscape treatment and the phasing of development.

(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) Details of the existing and proposed ground levels as well as the finished floor levels all related to a fixed datum point. The details shall specify the extent and height of any areas of mounding;

(e) A sustainability statement illustrating the developments' compliance with Fife Council's Planning Policy - Low Carbon Fife Supplementary Guidance Document (2019). The sustainability statement shall address all of the matters set out in Appendix B of Fife Council's Low Carbon Fife Supplementary Guidance (January 2019);

(f) Details of the energy efficiency measures and energy generating technologies which have been incorporated into the proposed development. A manufacturers brochure/specification of any proposed energy generating technologies shall also be submitted.

No work shall be started on site until the written permission of this Planning Authority has been granted for these proposals, or such other details as may be acceptable.

Reason: To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006 and to ensure a sufficiently detailed application for consideration by this Planning Authority.

2. Any future design for this site shall be restricted to a single storey.

Reason: In the interests of design and visual amenity; to ensure the site is developed appropriately and within the context of surrounding properties.

3. No development or arboriculture works shall be started on site until details of the scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

(i) Existing and finished ground levels in relation to a fixed datum;

(ii) Existing landscaping features and vegetation to be retained and, in the case of damage, restored;

(iii) The location and design, including materials, of all walls, fences and gates including the extent and profile of any areas of earth-mounding;

(iv) A scheme of tree and shrub planting showing the location, numbers, species and sizes of trees and shrubs to be planted within the site;

(v) Details of biodiversity enhancement illustrating the developments' compliance with Fife Council's Planning Policy - Making Fife's Places Supplementary Guidance Document (2018);

(vi) All soft landscaping and hard landscaping works; and

(vii) A programme for completion and subsequent maintenance.

All hard and soft landscaping works shall be carried out in accordance with the scheme as subsequently approved in writing by the planning authority.

All planting carried out on site in accordance with the approved landscaping scheme shall be maintained by the developer in accordance with good horticultural practice for a period of 5 years from the date of planting. Within that period any plants which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.

Reason: In the interest of visual amenity and natural heritage; to ensure additional landscaping is provided which will help the development blend in with the surrounding area and provide biodiversity enhancement.

4. 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 local 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 local planning authority or (b) the local 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 local 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.

5. Prior to occupation of the dwellinghouse, off-street parking spaces shall be provided within the curtilage of the site in accordance with the current Fife Council Transportation Services Development Guidelines.

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

6. Prior to occupation of the dwellinghouse, visibility splays of 2m x 25m shall be provided to the left and to the right at the junction of the vehicular crossing and the public road and thereafter maintained in perpetuity, clear of all obstructions exceeding 0.6 metres above the adjoining carriageway level, in accordance with the current Fife Council Transportation Development Guidelines.

Reason: in the interest of road safety; to ensure the provision of adequate visibility splays at the junction access.

7. Prior to the first operations of the proposed vehicular access, all works carried out on or adjacent to the public roads and footways shall be constructed and completed in accordance with the current Fife Council Transportation Development Guidelines.

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

8. The dwellinghouse proposed 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 (2020)

PAN 1/2011: Planning and Noise

Development Plan:

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Planning Guidance (2018)

Low Carbon Fife Supplementary Planning Guidance (2019)

Other Guidance:

Fife Council Planning Customer Guidelines on Garden Ground (2016)

Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)

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

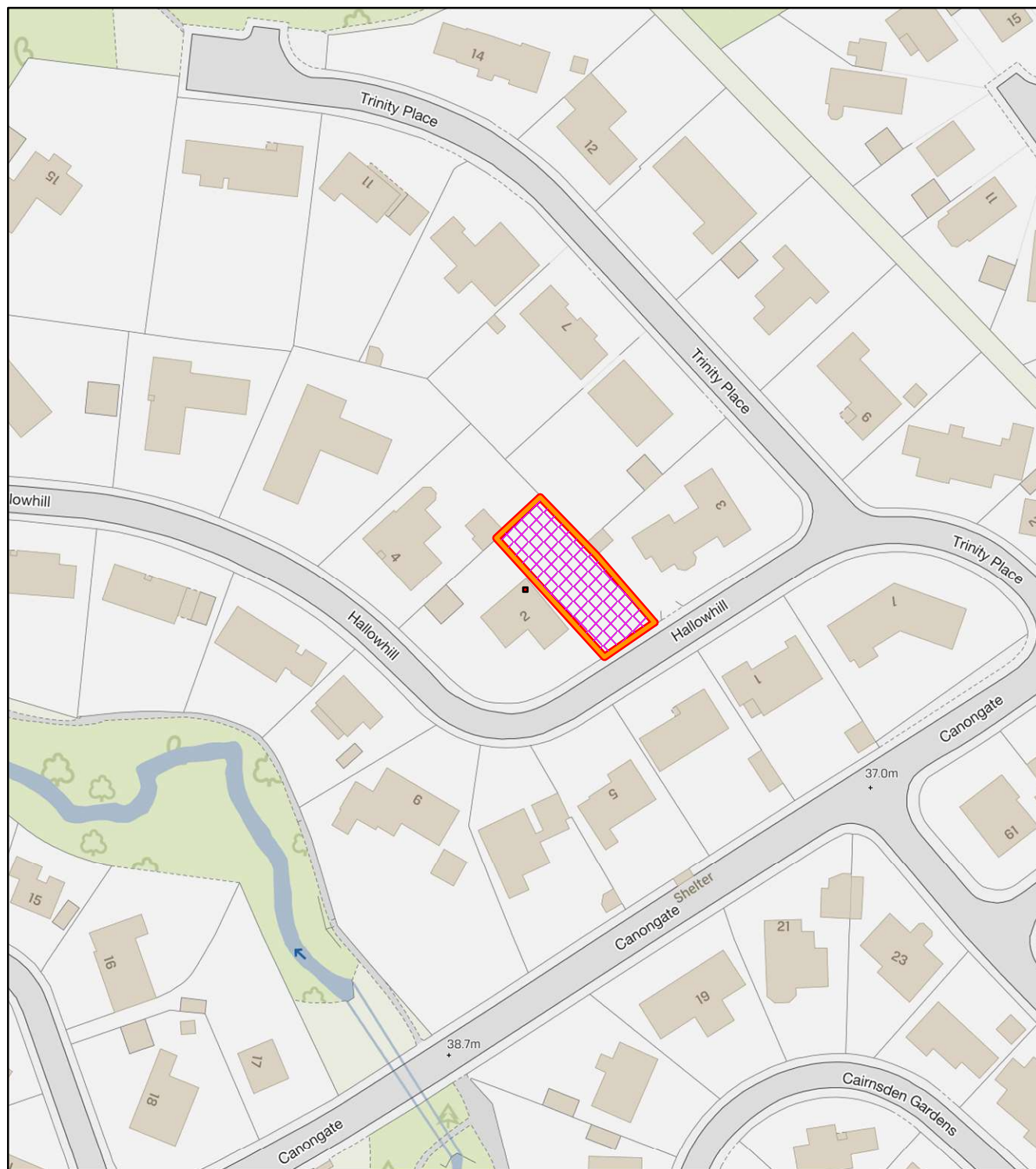
Report prepared by Jamie Penman – Graduate Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 26/2/21.

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2 Hallowhill St Andrews



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