

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

Wednesday, 13th January, 2021 - 1.30 p.m.

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 16th December, 2020. 4 - 6
4. **19/01916/FULL - VACANT SITE, WEST END, ST MONANS** 7 - 18

Erection of a dwellinghouse with associated access and coastal protection measures including erection of wall (amendment to 17/02585/FULL to include removal of concrete benching, demolition of existing wall, erection of replacement sea wall and substitution of UPVC windows for timber windows).
5. **19/03013/FULL - LAND FOR PROSPECTIVE STUDENT ACCOMMODATION, ALBANY PARK, ST ANDREWS** 19 - 61

Erection of student accommodation buildings, conversion of dwelling to form student residence, alteration and extension of office building to form a facilities building, including seasonal cafe, erection of a boat shed, bin stores, cycle storage, electrical sub-stations, gas meter housing, formation of parking, landscaping and other ancillary works.
6. **20/00821/FULL - ST ANDREWS HARBOUR, SHOREHEAD, ST ANDREWS** 62 - 77

Erection of storage shed (Class 6) and installation of fuel tank with associated security cage.
7. **20/01881/FULL - 13 KINKELL TERRACE, ST ANDREWS, FIFE** 78 - 84

Erection of outbuilding to rear of dwellinghouse.
8. **20/02079/FULL - NORTH CAR PARK, ARGYLE STREET, ST ANDREWS** 85 - 97

Installation of new and replacement lighting columns and lanterns including associated infrastructure.
9. **20/02389/FULL - CASTLESHOTTS, BALMBLAE, FALKLAND** 98 - 105

External alterations to dwellinghouse including erection of single storey extension, installation of door and windows, rooflights, and replacement rainwater goods, and alterations to roof and boundary walls.
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| 10. | 20/02391/LBC - CASTLESHOTTS, BALMBLAE, FALKLAND | 106 - 113 |
| | Listed building consent for external alterations to dwellinghouse including erection of single storey extension, installation of door and windows, rooflights and replacement rainwater goods, and alterations to roof and boundary walls. | |
| 11. | 20/00901/FULL - KINBURN CASTLE, DOUBLEDYKES ROAD, ST. ANDREWS | 114 - 132 |
| | Erection of six flatted dwellings with associated access, parking and landscaping works. | |
| 12. | 20/00899/LBC - KINBURN CASTLE, DOUBLEDYKES ROAD, ST. ANDREWS | 133 - 141 |
| | Listed building consent for alterations to boundary wall, including reduction of height and widening of access. | |
| 13. | 19/03466/ARC - LAND INFILL SITE AT NYDIE MAINS ROAD, NYDIE, STRATHKINNESS | 142 - 169 |
| | Approval of matters specified by condition for erection of 65 dwellings and associated landscaping, access and engineering and infrastructure works (15/04130/PPP). | |

DEVELOPMENT MANAGEMENT - DELEGATED ITEMS

14. 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 30th November to 27th December, 2020.

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

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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Finance and Corporate Services

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6th January, 2021

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THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

16th December, 2020

2.20 p.m. – 4.20 p.m.

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

ATTENDING: Alastair Hamilton, Service Manager - Development Management; William Shand, Lead Professional; Natasha Cockburn, Planner - Major Business and Customer Service; Richard Simmons, Lead Officer Transportation Development Management (North Fife); George MacDonald, Technician Engineer, Transportation Development Management (North Fife), Economy, Planning & Employability Services; Steven Paterson, Solicitor; and Diane Barnet, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Andy Heer, Margaret Kennedy, Dominic Nolan and Brian Thomson.

Due to unforeseen technical difficulties, there was a delay in the meeting commencing.

224. DECLARATIONS OF INTEREST

No declarations of interest were made in terms of Standing Order No. 7.1.

225. MINUTE

The Committee considered the minute of the North East Planning Committee of 18th November, 2020.

Decision

The Committee agreed to approve the minute.

Due to continuing technical difficulties, Councillors Holt and Porteous left the meeting prior to consideration of the following item.

226. 18/03153/PPP - DEVELOPMENT SITE AT MOTRAY PARK, GUARDBRIDGE

The Committee considered a report by the Head of Planning relating to an application for planning permission in principle for major residential development and associated works, including car parking, landscaping, drainage and formation of new access.

William/

William Shand, Lead Professional advised members of the following amendments to the report:

- paragraph 4.14.5 - Scotland Gas Network had initially objected to the application but had subsequently withdrawn their objection; and
- condition 2.(a)(a) - remove 'Phase 1 Road Safety Audit', and replace with 'details of protection of pipeline within the site'.

Decision

The Committee agreed to approve the application:-

- (1) subject to the 21 conditions and for the reasons detailed in the report;
- (2) following the conclusion of an agreement to secure the necessary planning obligations, relating to:
 - (a) the securing of financial contributions towards the upgrading of the roundabout junction at the A919/A91;
 - (b) there being no occupations on site until 2024;
 - (c) restricting the build out rate of the development to the following annual completions from 2024: 5 - 15 - 20 - 20;
 - (d) the securing of financial contributions towards an extension at Guardbridge Primary School;
 - (e) an Education Review prior to development starting on site;
 - (f) a contribution of £3,004 per 3 bedroom residential unit towards secondary school education - this will be increased or decreased on a sliding scale per bedroom and index linked; and
 - (g) the securing of 30% affordable housing on the site; and
- (3) that authority was delegated 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 obligations.

227. 20/00901/FULL - DOUBLEDYKES ROAD, ST. ANDREWS

Decision

Due to ongoing technical difficulties, the Committee agreed to continue consideration of this application to its next meeting on 13th January, 2021.

228./

228. 20/00899/LBC - DOUBLEDYKES ROAD, ST. ANDREWS

Decision

Due to ongoing technical difficulties, the Committee agreed to continue consideration of this application to its next meeting on 13th January, 2021.

229. 19/03466/ARC - LAND INFILL SITE AT NYDIE MAINS ROAD, NYDIE, STRATHKINNESS

Decision

Due to ongoing technical difficulties, the Committee agreed to continue consideration of this application to its next meeting on 13th January, 2021.

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

The lists of applications dealt with under delegated powers for the period 2nd to 29th November, 2020 were available to view on Fife Council's website.

ITEM NO: 4

APPLICATION FOR FULL PLANNING PERMISSION REF: 19/01916/FULL

SITE ADDRESS: VACANT SITE WEST END ST MONANS

PROPOSAL : ERECTION OF A DWELLINGHOUSE WITH ASSOCIATED ACCESS AND COASTAL PROTECTION MEASURES INCLUDING ERECTION OF WALL (AMENDMENT TO 17/02585/FULL TO INCLUDE REMOVAL OF CONCRETE BENCHING, DEMOLITION OF EXISTING WALL, ERECTION OF REPLACEMENT SEA WALL AND SUBSTITUTION OF UPVC WINDOWS FOR TIMBER WINDOWS)

**APPLICANT: MR _ MRS MARR
18 SANDYCRAIG ROAD PITTENWEEM KY10 2PX**

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

CASE OFFICER: Brian Forsyth

**DATE 13/09/2019
REGISTERED:**

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

The application has attracted more than five separate individual representations which are contrary to the 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. 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.

1.0 BACKGROUND

1.1 Site

1.1.1 This application site incorporates the ruinous remains of a building on a coastal headland sloping down to the sea on its western, southern and eastern sides. It contains an access off the public road to the north-east of the site, West End, which access also serves a neighbouring residential property immediately to the north-west of the site.

1.1.2 The site is located within the St Monans Conservation Area, adjacent to land identified as a Site of Importance for Nature Conservation (SINC) comprising the coastal zone area to the south of the site. This adjoining coastal area is also designated as a Site of Special Scientific Interest (SSSI) and forms part of the Firth of Forth Special Protection Area. The category A-listed St Monan's Church and Churchyard lie to the west of the site on higher ground also overlooking the coast. A right of way runs adjacent to the site, with a Core Path and Coastal Path sharing a route extending along the coastline to the west of the site and along West End immediately to the east.

1.2 Planning History

1.2.1 An application for a dwellinghouse (05/00933/EOPP) was withdrawn due to the need to address issues relating to parking and design. Following this, planning permission in principle (06/00127/EOPP) was granted under delegated powers in Nov 2007 as revised indicative drawings addressed the above issues. Although the details of the design and layout were illustrative to establish the principle of the development sought, the drawings submitted were for a two-and-a-half storey four bedroom detached dwellinghouse which was accepted as being a proposal of acceptable scale in the report of handling for the application. This planning permission in principle was subsequently renewed on Sept 2010 under application 10/02345/PPP and renewed again in January 2014 under application 13/03199/PPP.

1.2.2 A subsequent application for full planning permission (16/04079/FULL) was withdrawn to ensure the required supporting information was provided to substantiate an application for full planning permission. In particular, this related to the need for further detail to be submitted in relation to the coastal protection measures associated with the proposal, leading most recently to submission of application for full planning permission (17/02585/FULL) in August 2017.

1.2.3 Full planning permission 17/02585/FULL was granted for erection of a detached dwellinghouse on the site of the presently ruinous building on 22 February 2019, following consideration by North East Planning Committee. That permission remains valid and able to be implemented. The main part of the approved house would be two-storey, however the north-

east side would comprise a single-storey wing including integral garage. The house would have a traditional gabled design, with wet dash rendered walls, terracotta coloured pantiled roof, timber sash and case windows, and solar panels on the rear. In addition, this approved scheme encompasses associated coastal protection works, these involving concrete benching to the north-east and south-west sides of the headland, with the rear garden of the house enclosed by a sea wall to be erected around the edge of the head land with a structural glass parapet above.

1.3 Proposal

1.3.1 Full planning permission is now sought for the same development as approved under reference 17/02585/FULL and described in 1.2.3 above but with the concrete benching to the north-east omitted in favour of an additional stretch of sea wall (which wall would replace an existing wall to be removed) and UPVC windows instead of timber windows.

2.0 PLANNING ASSESSMENT

2.1 The issues to be assessed against the development plan and other guidance are, as with 17/02585/FULL:

- Principle of Development
- Visual Amenity/Impact on Conservation Area/Setting of Listed Buildings
- Residential Amenity
- Sustainability
- Transportation Infrastructure
- Drainage, Flood Risk and Coastal Erosion
- Natural Heritage
- Contaminated Land

2.2 Principle of Development

2.2.1 Adopted FIFEplan Fife Local Development Plan (2017) Policy 1: Development Principles sets out criteria for when the principle of development may be supported. Sub-section 1 (a) of Part A states that the principle of development will be supported if a site is within a defined settlement boundary and is compliant with the policies for that location. The site is within the settlement boundary for St. Monans in terms of FIFEplan; subject to compliance with the below policies, being the policies for the location, the proposed development is considered acceptable in principle in terms of the above policy.

2.2.2 Existing extant planning permission 17/02585/FULL for a single dwelling house which is as currently proposed, except for omission of concrete benching to the north-west, additional stretch of sea wall, and UPVC windows, is also material in the assessment of the current proposal.

2.3 Visual Amenity/Impact on Conservation Area/Setting of Listed Buildings

2.3.1 Policies 1: Development Principles, 10: Amenity and 14: Built and Historic Environment of FIFEplan require that there be no adverse impact on the amenity of the area and on the character or appearance of the surrounding area, in particular the historic environment. Making Fife's Places Supplementary Planning Guidance (2018), Conservation Area Appraisal and Management Plans, The Town and Country Planning (Listed Building and Conservation Areas Act (Scotland) (1997) and Historic Environment Circular 1 (2016) provide further information in

relation to the impacts of proposals on the historic environment and are also material considerations in this regard. The proposal's impact on the setting of St Monans Conservation Area and the category A listed St Monan's Church and Churchyard as well as on the setting of the B listed harbour are material considerations in this regard.

2.3.2 The Council's Built Heritage officer considers the proposal would have no adverse impact on the special architectural or historic character or appearance of the conservation area. Historic Environment Scotland has no comment to make.

2.3.3 It is accepted that development on the site would appear in some views to and from the harbour, church and more immediate surrounding area, however, the effect of such an impact is considered acceptable given that the overall setting of the church, harbour and conservation area overall would not be excessively affected by this single house development. In particular, the limited size of the development in the context of views of these buildings and the conservation area means it would be in keeping with the overall character and setting of these buildings and area as these buildings and the conservation area are defined by broader range of views than the specific vantage points from which the proposal would be visible. In relation to the particular view of the church from the harbour, the proposal would be seen in views from the end of harbour piers rather than sea front overall where views are already impacted by existing buildings adjacent to this application site.

2.3.4 The application proposes the development of a site which is presently in poor condition. Specifically, the site contains the ruins of a former building which are now overgrown and make for a space with limited recreational amenity value and which do not contribute positively to the visual amenity of the area. Consequently, the redevelopment of the site in this regard is considered a positive aspect of the application.

2.3.5 In terms of the design of the proposal, one of the characteristics of the St Monan's Conservation Area, and the A-listed Church on higher ground above the site to the west, is that buildings and their roofs step downward in line with the natural topography of higher ground to the west and north before descending down to the harbour to the west. A further characteristic of the surrounding area is the properties which are built immediately off the footway so that their front walls meet the back edge of the pavement without front gardens between, with this often being a feature of traditional conservation areas, as is the case in this part of St Monans.

2.3.6 As a result of and accounting for this context, amendments were sought as part of previous application 17/02585/FULL and which have been carried forward in the current proposals, so that there was a greater reflection of the traditional pattern of development of the surrounding area and also the nature of the former buildings on site. The house design features a broken, stepped ridgeline along its length as well as a varied front elevation and building line. It has a one-and-three-quarter storey form (with the first floor partly contained partially in the roof space) which would be commensurate with the design and height of the neighbouring property at no.31 on the opposite side of the access to the site. In particular, the ridge of the tallest part of the proposed house would, at its highest point, be between 500mm-1m taller than the ridge of no.31, although much of the proposed house would be contained in lower side wings that are stepped down and lower than the closest corresponding house at no.31.

2.3.7 External finishes would be white wet dash render walls, timber sash-and-case windows and red clay pantiles. The colour of the windows is not specified but this can be addressed by a condition of planning permission. The proposal also includes solar panels on the rear (south facing) roof; notwithstanding this however, the south facing roofs would be acceptable in visual

terms given that most of the surface of the affected roofs would be clad with pantiles and so preserve the generally traditional character of the house proposed.

2.3.8 The main sea defences would be of a fair-faced concrete 'benching'. This benching relates to the south-west side of the site only, benching approved as part of permission 17/02585/FULL to the north-east now having been omitted. The benching would ascend upward in steps to the higher ground. This is considered to be an appropriate external finish given the existing shoreline already has sea walls, including concrete breakwaters, which would be visible in the same views as the proposed new main sea defence works. In particular, the proposed sea defences would be seen in the same views as the existing concrete sea defences serving the seaward south west side of the harbour area. These harbour walls defences are 100m east of the site but would appear immediately south of the proposed headland defences when viewed from public views along the coastline, primarily for those approaching the site from the west on the route of the Fife Coastal Path. Above the 'benching', the rear and side curtilage of the proposed garden would be defined by a wall that would be capped by 600mm high glass panels, which is considered appropriate given the limited height of this modern element. This wall is an extended version of that approved under permission 17/02585/FULL.

2.3.9 As with the development the subject of planning permission 17/02585/FULL, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to visual amenity, etc., subject to the previous condition in relation to external finishing materials being carried forward. In the round, when compared to the development the subject of planning permission 17/02585/FULL, the omission of the benching to the north-east in favour of a less visually obtrusive stretch of sea wall (which wall would replace an existing wall to be removed) and installation of UPVC windows instead of timber windows, would give rise to reduced impact in terms of visual amenity, etc.

2.4 Residential Amenity

2.4.1 FIFEplan Policies 1: Development Principles and 10: Amenity are applicable. Policy 10: Amenity states that proposals must not have a detrimental impact on amenity, with potential impacts on daylight, sunlight and privacy all particularly identified as issues that must be considered in this regard. Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018) provide detail on natural light dwellings. In addition, Planning Customer Guidelines on both Garden Ground (2016) and Minimum Distances Between Window Openings (2011) offer more information on protecting the privacy of dwellings and their gardens.

2.4.2 Although amenity impact has been assessed for all potentially affected properties, the foremost property for which amenity impact has been considered is no.31 due to its position directly opposite the site. To reduce the impact on no.31 in particular, amendments were sought as part of planning application 17/02585/FULL and carried forward here so around half of the proposed house (including most of the part of the house containing two floors) would be sited so as to be south-east of the frontage of no.31, significantly reducing this proposal's imposition on no.31 and meaning the front (south-east) facing windows of no.31 would receive a material degree of daylight amenity as assessed against the applicable 25 degree assessment require under Planning Customer Guidelines on Daylight and Sunlight.

2.4.3 In relation to privacy, the only neighbouring windows potentially affected would be the south-east facing windows of no.31. In this regard, however, the only potential impact would arise from the north-facing windows of the proposed house. In this regard, all of the ground floor windows proposed would serve non-habitable rooms, with it only being bedroom windows at first

floor level beyond that would remain facing north toward no.31. However, these north facing bedroom windows would have cill levels at least 1.8m above floor level which would prevent eye-level views from the window to the property at no.31 or the garden to the north west of the site.

2.4.4 In terms of other neighbouring properties, the proposed house is sufficiently separated from these to avoid a materially detrimental impact on their amenity. However, given the proximity of houses to the site and the level of engineering works in relation to this proposal, a condition is recommended requiring a Construction Methodology Statement (CMS), as required by permission 17/02585/FULL.

2.4.5 The proposal would provide in excess of the 100 sqm of private garden ground recommended in relevant customer guidance. The overall plot density is between 1:2 and 1:3, which is considered acceptable given this in keeping with the density of the area.

2.4.6 The roof solar panels would not have any substantive visual mass given they would lie on the house's roof as well as being sited on the southern roof of the building. Consequently, they would not cause any material level of residential amenity impact.

2.4.7 In light of 2.4.3 to 2.4.6 above, and given the significant material weight that must be attached to the existence of planning permission 17/02585/FULL, which development would give rise to identical impacts in terms of residential amenity, it is considered that the currently proposed development accords with the above provisions of policy and guidance in relation to residential amenity, subject to a condition requiring a CMS.

2.5 Sustainability

2.5.1 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.
- 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.

2.5.2 Fife Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. In addition, planning application applicants are expected to submit a completed sustainability development checklist (Appendix B of the guidance).

2.5.3 The agent has provided information addressing each of the requirements set out above in relation to Policy 11 noted above. In addition, they have amended their proposal to include solar

panels on the rear (south) facing roof to ensure that the proposal meets the CO2 emission reduction targets. As such, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to sustainability.

2.6 Transportation Infrastructure

2.6.1 FIFEplan Policies 1: Development Principles and 3: Infrastructure and Services are particularly applicable. Specifically, Policy 3 requires that developments must be designed and implemented in a manner that ensures they deliver the required level of infrastructure, with the policy subsequently specifying that this may include the need for safe access routes which link with existing networks. Making Fife's Places Planning Policy Guidance (2018) also provides further detail in respect of transportation issues, particularly within Appendix G.

2.6.2 As with planning application 17/02585/FULL, the submitted drawings show the proposed garage meets the minimum size (7m x 3m) to constitute one parking space and a further external space would also be provided. The Transportation Development Management team (TDM) have previously advised that sufficient parking would be provided whilst still allowing sufficient turning within the shared access. Conditions would still be required ensuring that the parking and turning areas serving this development are provided and remain available for the lifetime of the development.

2.6.3 As with the development the subject of planning permission 17/02585/FULL, the proposal would not cause an obstruction of the right of way, although it is recommended that as part of the CMS that the Right of Way is accounted for during construction operations. As with the development the subject of planning permission 17/02585/FULL, the proposal would also still allow access to no.31 on the opposite side of the access serving the site and would not compromise visitor parking to the wider St Monan's area. It is not incumbent on this proposal to ensure private parking provision for no.31.

2.6.4 In light of the above and TDM's position, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to transportation infrastructure. This reflects the position regarding planning permission 17/02585/FULL

2.7 Drainage, Flood Risk and Coastal Erosion

2.7.1 FIFEplan Policies 1: Development Principles, 3: Infrastructure and Services and 12: Flooding and the Water Environment) are applicable. Policy 3 particularly notes that proposals must be served by infrastructure including surface water drainage and Policy 12 states that proposals should not increase flood risk.

2.7.2 The Council's Harbours, Floods and Coasts Team have no comments in regard to flooding or surface water drainage for the above development. The Scottish Environment Protection Agency raises no objection in terms of flooding.

2.7.3 In light of the above, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to drainage, flood risk and coastal erosion, subject to a condition requiring implementation of drainage and sea defences being carried forward.

2.8 Natural Heritage

2.8.1 FIFEplan Policies 1: Development Principles and 13: Natural Environment and Access are applicable. In particular, Policy 13 states that proposals will only be supported where they protect and enhance natural heritage assets and access. This applies to all biodiversity in the wider environment (for example woodlands, trees and hedgerows) as well as designated sites of international and national importance (Sites of Special Scientific Interest).

2.8.2 NatureScot (formerly SNH) raises no new concerns. The Council's Natural Heritage officer raises no concerns. In light of this, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to natural heritage, subject to a condition requiring protection of the SSSI during construction and recording the rock face being carried forward.

2.9 Contaminated Land

2.9.1 FIFEplan Policies 1: Development Principles and Policy 10: Amenity are applicable, it being noted that proposals must not have a significant detrimental impact in terms of contaminated and unstable land.

2.9.2 The Council's Land & Air Quality team raises no objection subject to a standard condition.

2.9.3 In light of the above, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to contaminated land, subject to a condition in relation to contaminated land being carried forward.

CONSULTATIONS

Archaeology Team, Planning Services	No objection.
Built Heritage, Planning Services	No objection.
Structural Services - Flooding, Shoreline And Harbours	No comment.
Scottish Environment Protection Agency	No objection.
Archaeology Team, Planning Services	No objection.
Built Heritage, Planning Services	No objection.
Structural Services - Flooding, Shoreline And Harbours	No objection.
Scottish Environment Protection Agency	No objection.
Land And Air Quality, Protective Services	No objection.
Land And Air Quality, Protective Services	No objection.

REPRESENTATIONS

21 objections have been received from 16 parties, overwhelmingly re-stating concerns relating to those aspects of the development for which planning permission already exists under reference 17/02585/FULL. New concerns are expressed in relation to the decision to approve permission

for that development. The now proposed installation of UPVC windows within a conservation area is viewed with concern.

Response: Subject to the recommended conditions of planning permission, the proposed development would give rise to reduced or the same impacts when compared to the currently valid application for development of the site, ref. 17/02585/FULL.

CONCLUSIONS

The proposal is acceptable in meeting the terms of National Guidance, the Development Plan, relevant Council Planning Customer Guidelines and having regard for relevant material considerations. In this regard it is compatible with its surrounds in terms of land use and its siting, design and finishes would be appropriate to the surrounding area as well as in terms of its amenity impact. Additionally, it is noted the proposal would preserve the character and setting of St Monan's Conservation Area, St Monan's Harbour and St Monan's Church and Churchyard.

RECOMMENDATION

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

1. Prior to the occupation of the dwellinghouse hereby approved, there shall have been provided within the site 2 no. off-street parking spaces, in accordance with the current parking standards contained within the Fife Council Transportation Development Guidelines. The parking spaces shall be retained throughout the lifetime of the development.

Reason: In the interests of road safety; to ensure the provision of adequate visitor parking facilities

2. At the junction of the private access lane and the public road there shall be full visibility to the right and to the left between points 600mm above the carriageway level over the following visibility splay areas 2m x 25 m right and left in accordance with the current Transportation Development Guidelines insofar as these splays are within the control of the developer. These splays shall be maintained for the lifetime of the development.

Reason: In the interests of road safety and to ensure adequate visibility for all road users.

3. Prior to the occupation of the house hereby approved, there shall have been provided within the site a turning area for a car. The turning area shall be in addition to and separate from the parking areas and be maintained clear of obstructions for the lifetime of the development.

Reason: In the interests of road safety.

4. Prior to commencement of the development hereby approved, a full survey of the rock face to be covered by coastal defence works shall be made and submitted to Fife Council as planning authority and agreed in writing with the Council as planning authority.

Reason: To ensure geological information is recorded.

5. No part of the sea defences hereby approved shall encroach upon the SSSI, nor shall any construction works or other waste material arising from the development be deposited or disposed of within the SSSI.

Reason: In the interests of protecting the natural heritage; to protect the SSSI adjoining the site.

6. Prior to the construction of the dwellinghouse, the full extent of approved drainage and coastal defence measures shall have been implemented in full. Thereafter the drainage and coastal measures shall be retained for the lifetime of the development.

Reason: In the interests of preventing coastal erosion and ensuring appropriate surface water drainage.

7. BEFORE ANY WORK COMMENCES ON SITE, a Construction Methodology Statement (CMS), including details of deliveries as well as the engineering operations shall be submitted for the prior written approval of Fife Council as planning authority. This shall include detail on how sea defence measures shall be maintained for the lifetime of development. Any subsequent amendments required to the agreed CMS following the commencement of works shall also be agreed in writing with Fife Council. Thereafter the constructions shall take place in full accordance with the approved CMS.

Reason: In the interests of residential amenity and protecting the natural heritage.

8. All Rights of Way adjacent to the site shall be kept open and safe for the full duration of construction operations.

Reason: To ensure Rights of Way remain accessible.

9. The windows hereby approved, being either all timber sash and case or all UPVC sash and case, shall be white in colour.

Reason: For the avoidance of doubt as to the development hereby approved; in the interests of safeguarding the character and appearance of the conservation area.

10. The mass concrete sea defence works on the north-east side of the site are not hereby approved.

Reason: For the avoidance of doubt as to the development hereby approved.

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

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority or (b) the planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the

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

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

12. Prior to the commencement of any works on site, details (including samples) of the colour and the specification of the concrete product to be used for the sea defences hereby approved shall be submitted to and agreed in writing with Fife Council as Planning Authority. Thereafter the proposed sea defences shall be constructed and finished in full accordance with the approved details prior to construction of the dwellinghouse hereby approved.

Reason: In the interests of visual amenity by ensuring the sea defences are appropriate to the character of the St Monans Conservation Area and setting of St Monans Kirk and St Monans harbour.

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

SPP - Scottish Planning Policy (2014)
Associated Planning Advice Notes, Chief Planner letters, guides and advice
Historic Environment Scotland Policy Statement June 2016

Development Plan

FIFEplan Local Development Plan (2017)

Additional material considerations and guidance

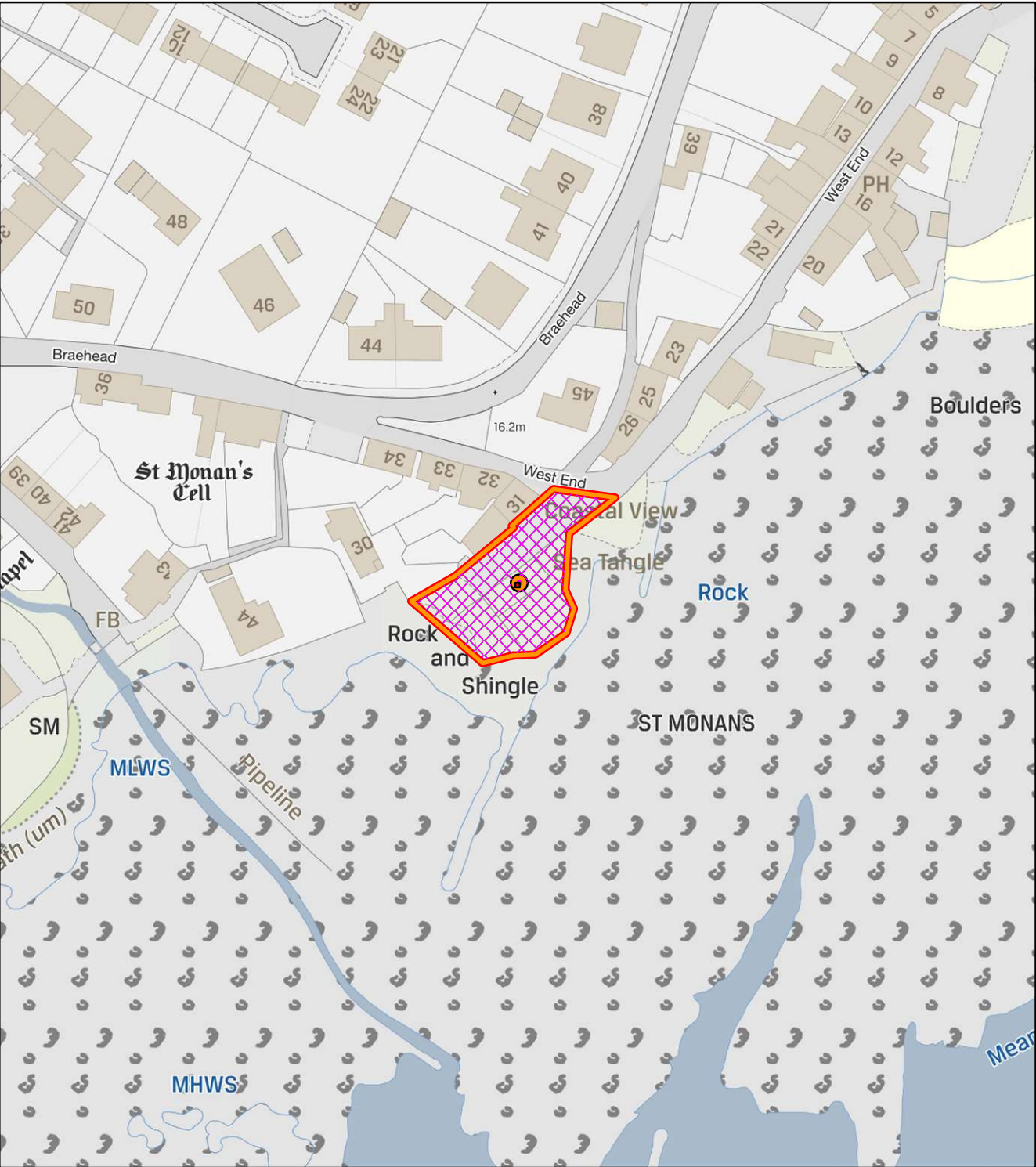
Supplementary Planning Guidance, including Making Fife's Places - Planning Policy Guidance (2015) and associated appendices (for example Fife Council's Transportation Development Guidelines 2015)

Fife Council's Planning Customer Guidelines, including in relation to Garden Ground, Minimum Distances between Window Openings and Daylight and Sunlight
St Monans Conservation Area Appraisal and Management Plan

Report prepared by

Date Printed 09/12/2020

Vacant Site West End St Monans



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Legend



Application Boundary

0 5 10 20 30 m





N



Fife
COUNCIL

Economy, Planning & Employability Services

ITEM NO: 5

APPLICATION FOR FULL PLANNING PERMISSION REF: 19/03013/FULL

SITE ADDRESS: LAND FOR PROSPECTIVE STUDENT ACCOMMODATION
ALBANY PARK ST ANDREWS

PROPOSAL : ERECTION OF STUDENT ACCOMMODATION BUILDINGS,
CONVERSION OF DWELLING TO FORM STUDENT
RESIDENCE, ALTERATION AND EXTENSION OF OFFICE
BUILDING TO FORM A FACILITIES BUILDING, INCLUDING
SEASONAL CAFE, ERECTION OF A BOAT SHED, BIN
STORES, CYCLE STORAGE, ELECTRICAL SUB-STATIONS,
GAS METER HOUSING, FORMATION OF PARKING,
LANDSCAPING AND OTHER ANCILLARY WORKS.

APPLICANT: UNIVERSITY OF ST ANDREWS
16 WOODBURN PLACE ST ANDREWS SCOTLAND

WARD NO: W5R18
St. Andrews

CASE OFFICER: Natasha Cockburn

DATE 17/10/2019
REGISTERED:

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

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

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval subject of Legal Agreement

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

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

1.0 BACKGROUND

1.1 Site Description

1.1.1 The site comprises a 2.7ha area of ground located within the East Sands area of St Andrews. The site formerly accommodated a collection of buildings used as student accommodation and University offices. The site is bound on the north by Woodburn Place which connects St Mary Street to the west with the East Sands car park to the east. The site is bound on the east in part by the said car park, the East Sands beach and Fife Coastal Path and the vehicular entrance to the Scottish Oceans Institute Laboratory (Gatty Lab). The east boundary extends south along a high wood-panelled fence which secures yard space within the Gatty Lab complex. The remainder of the east boundary continues its alignment with the Coastal Path and beach before reaching the Coastguard station at the south east corner of the site. The south boundary is marked by a low stone wall and a footpath from St Mary Street to the coast. The adjacent land uses to the south boundary include the St Nicolas Farmhouse and Steading residential dwellings and a more modern residential area around Brewster Place. The latter area comprises predominantly two storey demi-detached properties with private gardens. The west boundary is firstly marked by the car park to Fife Council's St David's Resource Centre and, secondly by rear gardens of St Mary Street divided by a 2m high stone wall. St Mary Street is the main route in to St Andrews from the south east and is characterised primarily by residential properties of varying heights, including 25 St Mary's Street which is a Category C Listed Building (HBNUM: 50927). The street also accommodates a public house (The New Inn) and the aforementioned St David's Resource Centre.

1.1.2 The majority of the site was previously used as student accommodation, known as Albany Park. It provided a total of 333 single rooms within 10 separate buildings. However, these have been demolished by the applicant and the site is now cleared, awaiting redevelopment. The northern portion of the site accommodates a mix of uses including Woodburn House (1 - 5 Woodburn Place) and the University's estates office. These buildings have not been demolished. The offices are provided within a series of older one and two storey buildings of varying age, condition and materials and all centred on a courtyard which provides car parking and garage lockups. These garages are bound on the west by the domestic garden grounds of Woodburn House. The St Nicholas Burn flows in a north direction towards the harbour through the north part of the site before culverting under Woodburn Place. To the south, the burn is in culvert under the existing student accommodation blocks and the rest of the urban area to the south of the site. The north west boundary is marked by a stone wall to Woodburn Place and accommodates a number of mature trees. The southern extent of the St Andrews Conservation Area is marked by the northmost edge of Woodburn Place.

1.1.3 The development plan for the site comprises the approved Tay Strategic Development Plan 2017 (TAYplan) and the adopted Fife Local Development Plan 2017 (FIFEplan). The site is within the settlement boundary of St Andrews, as defined by FIFEplan and is part of Development Opportunity Site STA014: East Sands. This 13.8 area of ground extends as far south as the student accommodation, nursery and public art approved in January 2014 under

reference 13/03039/FULL. STA04 also includes the leisure centre, sewage works, the private residences adjacent to St Nicholas Farmhouse, the application site, and the Gatty Lab. STA04 also extends north of Woodburn Place to include the harbour area, the Shore, the Shorehead and St Andrews Pier. FIFEplan states that development of this area will come forward in different phases and with different lead agencies. To coordinate these various efforts, the East Sands Urban Design Framework 2010 (ESUDF) provides design policies and principles to ensure individual proposals avoid piecemeal development and that change in the area is managed in a coordinated way. The ESUDF sets a broad framework for buildings, movement and spaces which development proposals should conform to. FIFEplan also notes the requirement for Flood Risk Assessments to support proposals. The site is located outwith the area covered by the St Andrews Design Guidelines.

1.1.4 FIFEplan also notes the site is within the St Andrews Coast Green Network area. Appendix H of Making Fife's Places Supplementary Guidance sets out the Green Network priorities for each town across Fife. For St Andrews, there are 7 green networks including STAGN03: St Andrews Coast Green Network. Appendix H provides a short description of the key features, functions and opportunities of each network.

1.1.5 The site is outwith but adjacent to the boundary of the St Andrews Conservation Area. There are no listed buildings on site. The site shares a boundary wall with 25 St Mary Street which is a Category C Listed Building. The site is bound on all sides by Core Paths, National Cycle Routes and the Fife Coastal Path. The site falls outwith the Coal Authority development consultation zones. According to SEPA Flood Risk Mapping, the central part of the site is at risk from flooding from the St Nicholas Burn. The site is also considered to be at risk from coastal flooding at its north most extent where it bounds Woodburn Place. The south part of the site is within an Archaeological Area of Regional Importance. The site is not statutorily designated for nature conservation purposes. The Craig Hartle SSSI lies around 200m to the south east at its closest point to the site.

1.2 Proposal

1.2.1 Full planning permission is sought for the erection of a student accommodation complex. This would provide 681 beds within 8 new buildings, the conversion of Woodburn House and a part-conversion of the steading building to the north east of the site (Facilities Building). The 8 new buildings are a mix of two and three storey blocks arranged broadly in a north-south alignment. To the north, the applicant proposes to retain and convert Woodburn House and part of the existing steading buildings. Woodburn House would contain one 2 bedroom flat and 7 en-suite bedrooms for warden accommodation. No residential accommodation would be contained within the Facilities Building. Here, the development would create a new square behind Woodburn House and an area of green space, which would contain existing trees and a growing area, linking down to the south of the site as a green corridor. The new build elements within the converted steading would provide common facilities for students, such as dining, laundry and other social spaces. Also along the northern portion of site, the applicant proposes a new sailing club shed to the north west corner of the site. Through the site, the applicant proposes a path network, set within amenity landscaped areas, linking the blocks to each other and the surrounding areas. Further south, the site would provide 108 car parking spaces, including 6 accessibility bays. Bin and cycle storage is proposed throughout the site in timber-clad secure pods.

1.2.2 The beds would be used for student accommodation during term time, with some alternative guest use (Class 7) use during summer months and other non-teaching times of the

year. The applicant also proposes to utilise the dining hall as a publicly accessible café outwith term time.

1.2.3 Block 2 to the east, adjacent to the Gatty, would be three and a half storeys in height. The roof space would contain conservation style roof lights, in grey with the roof covering a dark grey slate, with a section in the middle containing four dormers. On the eastern elevation, the building would provide a mix of off white textured render and a natural pitched face stonework, with copper effect vertical aluminium cladding. The south and north elevations would contain the off-white render and natural pitched face stonework with conservation style rooflights and aluminium windows. The western elevation, facing into the site, would contain the same material palette and rooflight and dormer combination.

1.2.4 Block 9, located to the west of Block 2 would be a linear building, two and a half storeys in height, with rooflights within the roof space on the east and west elevations. Materials would be a mix of off-white textured render, copper aluminium cladding and natural pitched face stonework. The windows would be grey aluminium.

1.2.5 Block 1 (The Facilities Building) to the north east corner of the site would be partly refurbished. The existing stonework of the part of the building to be refurbished would be restored and the existing gutters and rainwater goods replaced to match existing. The new section of the building would be three storeys in height, with a zinc standing seam roof, and zinc standing seam vertical, in light grey. The building would step down to the north elevation to single storey, with the external façade being natural pitched face stonework.

1.2.6 Block 3, to the south of Block 9 would be three and a half storeys in height and an L shape. Materials would be a mix of off-white textured render, copper aluminium cladding and natural pitched face stonework to the west elevation, which faces into the site. The roof space would contain three dormers and seven conservation style rooflights to the west. To the north, the materials would also be a mix of off-white textured render, copper aluminium cladding and natural pitched face stonework with conservation style rooflights and dormers. The south and eastern gable ends would comprise of off-white textured render and natural pitched face stonework with glazing broken up with grey aluminium panels.

1.2.7 Block 4, to the south of the Gatty, at the eastern boundary of the site, would be three storeys in height and would comprise predominantly of the copper effect aluminium cladding with off-white render on the northern elevation, which faces the Gatty building. This elevation would contain a glazed element, broken up with grey aluminium panels. The south gable end would be predominantly zinc standing seam vertical cladding, in light grey with three vertically arranged windows. The western elevation, facing into the site, would contain a large proportion of windows, with a glazed element broken up with grey aluminium grey panels and a mix of off-white textured render, natural pitched face stonework and copper effect aluminium panels. The east elevation would be viewed from the east as three storey sections with pitched roofs, in blocks of white textured render, natural pitched face stonework and copper effect aluminium panels and proportionate windows.

1.2.8 Block 5 is located in the south eastern corner of the site and would be two storeys in height. The block would be arranged in an L shape. Similar to Block 4 which is adjacent, the block would be viewed as sections with pitched roofs, in blocks of off-white textured render, natural pitched face stonework and copper effect aluminium panels and proportionate windows. To the north elevation, the windows would be smaller and with more of a horizontal appearance, with the same mix of materials. This elevation would face directly onto Block 4. The southern

elevation of this block would be predominantly zinc standing seam vertical cladding in grey, with two vertically arranged windows.

1.2.9 Block 6 would be located to the west of Block 5, arranged in an L shape and three and a half storeys in height. The north and east elevations would contain dormers and conservation style rooflights. Materials to these elevations would comprise a mix of off-white textured render, natural pitched face stonework and copper effect aluminium panels. The south and north gables would comprise of off-white render and natural pitched face stonework with vertically arranged windows and grey aluminium panels.

1.2.10 Block 7 would be a linear building, located to the south west corner of the site and two and a half storeys in height. The north and south elevations would be similar, containing a mix of off-white textured render, natural pitched face stonework and copper effect aluminium panels, with two dormers and conservation style rooflights. The east and west elevations would also be similar, comprising off-white render with windows being fixed permanent translucent/obscure look-a-like glazing in lieu of clear glazing to restrict views to the SOI seal pool.

1.2.11 Block 8 would be a linear building located to the east of the site, to the south of Block 2. The building would be three and a half storeys in height, with dormers and conservation style rooflights to the west and east elevations, with a mix of off-white textured render, natural pitched face stonework and copper effect aluminium panels. The north and south elevations would comprise of off-white render with windows being fixed permanent translucent/obscure look-a-like glazing in lieu of clear glazing to restrict views to the SOI seal pool.

1.2.12 Block 10 is Woodburn House, which is the existing building to be retained and refurbished to the north of the site. It is proposed that this building would retain the same external features, with stonework, dormers, render and windows to be repaired as required.

1.2.13 Vehicular access to the site would be retained as existing. From the south, Albany Place provides vehicular access from the A917 and St Mary's Street. Deliveries and service vehicles requiring access to the facilities building would utilise Woodburn Place and turn within the proposed Woodburn Square. Pedestrian access points would utilise existing connections with the surrounding area but provide additional connection from south to north towards Woodburn Place.

1.3 Planning History

1.3.1 The site was subject of application 18/01531/FULL, which sought planning permission for a student accommodation development of 754 beds. This application was refused by the Council on July 2019. The reasons for refusal were, summary, the failure of the applicant to provide sufficient information in relation to the ecological impacts of development and the flood risk the development would be subject to. The issues raised in this application have been addressed, through the removal of living accommodation from the functional flood plain and further information submitted to address ecology issues.

1.3.2 Within Albany Park itself, consent has been granted for various minor matters including the installation of cycle stores (07/02491/EFULL), replacement windows on Woodburn Place (00/03192/EFULL), formation of window openings (13/00947/FULL) and the formation of a widened access to Woodburn Place (17/03862/FULL).

1.3.3 The redevelopment of part of the Gatty Lab was approved by members of the North East Planning Committee in July 2016 (16/00044/FULL). Within the wider East Sands Development Opportunity Site (STA04) there have been a number of applications for larger scale developments, including the aforementioned student accommodation and nursery proposal. Application 18/01166/FULL was submitted to remove a restriction placed on the student accommodation to allow for tourist use out with University term time. This application was approved in December 2018.

1.4 Procedure Issues

1.4.1 The proposal, by virtue of the size of site, is classed as a Major Development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The applicant is therefore required to undertake certain statutory requirements relating to an application for a Major Development, as described in the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013.

1.4.2 In terms of pre-application consultation (PAC), the applicant submitted a Proposal of Application Notice (PAN) on 24 May 2017 which was registered under 17/01711/PAN. Although this PAN was used to support the submission of 18/01531/FULL, it is the view of the Council that this new application for broadly the same development could be submitted without the need for a fresh PAN process. The applicant has undertaken a further community consultation event and has provided an updated Pre-Application Consultation report. The Council is satisfied that members of the community, including the immediate neighbours of the site, have been kept informed of the applicant's proposals and had the opportunity to comment on and influence the design of development, all in the spirit and letter of the 2013 Development Management Regulations.

1.4.3 The application is also supported by a Design and Access Statement which details the design process and accessibility arrangements that have informed the proposal. This Statement meets with the statutory requirements of an application for a Major Development.

1.4.4 Application 18/01531/FULL was screened by Fife Council officers under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. It was the adopted opinion of Fife Council officers that the proposal does not constitute EIA Development as defined by the Regulations. There is nothing in the difference between the proposal described in 18/01531/FULL and this application that would likely result in any significant effects on the environment. Therefore, the Council's opinion in relation to environmental impact assessment is unchanged.

1.4.5 The application was submitted in October 2019. In response to this proposal, objections were lodged by Council officers and other stakeholders. In response, the applicant revised the proposal in January 2020. Further amendments were then made by the applicant in October 2020 and again in November 2020. Neighbours were re-notified and a further Advertisement published following both iterations.

2.0 PLANNING ASSESSMENT

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

- Principle of Development;

- Design and Placemaking;
- Green Networks, Green Infrastructure and Open Space;
- Ecology and Natural Heritage;
- Amenity;
- The Transport Network;
- Access and Car Parking;
- Ground Conditions;
- Flood Risk and Drainage;
- Cultural Heritage; and,
- Sustainability.

2.2 Principle of Development

2.2.1 The development plan comprises the Strategic Development Plan (SDP) and the Local Development Plan (LDP). The SDP for the site is the approved Tay Region Strategic Development Plan 2017 (TAYplan). TAYplan provides strategic policy direction for Local Development Plan (LDPs) in the constituent local authority areas. TAYplan promotes a hierarchy of settlements where the majority of new development is to be directed, to support growth in the most sustainable locations. St Andrews is a Tier 2 settlement according to Map 1. Tier 2 settlements make a major contribution to the regional economy and will contribute to a smaller share of additional development need than Tier 1 settlements (Dundee and Perth). TAYplan identifies the need to protect the landscape and townscape qualities of St Andrews through the designation of a Green Belt in the LDP.

2.2.2 TAYplan Policy 3: A First Choice for Investment directs FIFEplan to support development that contribute to sustainability economic growth in key sectors of the TAYplan economy, including higher education and tourism. TAYplan acknowledges the contribution the University of St Andrews makes to the regional economy as well as the character of the town.

2.2.3 FIFEplan's Spatial Strategy accords with TAYplan by promoting sustainable growth in key economic sectors as well as providing safeguards for the area's cultural and natural assets. FIFEplan Policy 1: Development Principles is divided into three parts. It provides support to development proposals which meet one of the points in Part A, address its development impact in relation to the issues listed in Part B and provide the necessary supporting statements set out in Part C. Policy 1 Part A supports the principle of development if it is within a settlement boundary and compliant with the policies for the location.

2.2.4 The application site is located within an area allocated in FIFEplan as a Development Opportunity Site under reference STA 014: East Sands. This area is 13ha in size and is the subject of an approved East Sands Urban Design Framework 2010 (ESUDF). The development of this area is expected to come forward in different phases, through different proposals. To avoid piecemeal development, each constituent proposal must demonstrate compliance with the ESUDF to ensure development in the area comes forward in a co-ordinated manner. The allocation also notes the requirement for a Flood Risk Assessment of proposals within the East Sands area.

2.2.5 The ESUDF sets out the design policies and principles that will guide and promote change in the East Sands area. It provides a broad framework for buildings, movement and spaces that will inform the assessment of future planning applications. East Sands is divided in to three areas: the site falls within the Central Area (see figure 3). The ESUDF acknowledges the potential to redevelop some or all of the student residences at Albany Park.

2.2.6 Scottish Planning Policy (SPP) at paragraph 32 states that proposals which accord with up-to-date plans should be considered acceptable in principle and the assessment should advance to consideration of detailed matters arising. Supporting sustainable economic growth is a key function of those engaged in the planning system. Planning authorities are tasked with supporting growth in key sectors and to give due weight to net economic benefit (see para 93). The National Planning Framework (NPF3) is the spatial expression of the Scottish Government's Economic Strategy. It aims to support growth in priorities sectors, such as tourism and higher education. At the same time, both SPP (para 93) and NPF3 (para 1.1) recognise that for economic growth to be considered sustainable, it must take account of site sensitivities, such as natural assets and local amenity. Sustainable economic growth must ultimately make a positive contribution towards placemaking (see paragraph 108 of SPP).

2.2.7 Fife Council has published Supplementary Guidance on HMO properties in the St Andrews Central Area. It prohibits the change of use of existing residential properties to HMO. The guidance states that this does not apply to new purpose-built student accommodation (see Page 1, Note: 1). Development of purpose-built accommodation is considered to alleviate the use of private residences for student accommodation purposes. Therefore, the development is in accord with this supplementary guidance.

2.2.8 The site is currently in use as student accommodation providing a total of 333 rooms within 10 separate two-storey blocks. The Woodburn Place complex is in Class 4 office use by the applicant. The residential properties on Woodburn Place are also in the applicant's ownership and used to accommodate students.

2.2.9 Objectors have raised concerns that further student accommodation would erode the character of the surrounding residential area, by introducing further student accommodation within the area. In terms of the principle of student accommodation development, FIFEplan Policy 1 Part A requires acceptable proposals in principle to be within settlement boundaries and comply with the policies for the location. The site is within the boundary of St Andrews and the policies relevant to the site are STA 014: East Sands. This policy is a design-based policy rather than a land use policy, but it does provide support for the redevelopment of Albany Park for student accommodation use. The demolition of the existing accommodation blocks, the properties on Woodburn Place and the estates building are all accepted in principle to allow for the redevelopment of the site. The new facilities building with café (seasonal use) are considered to be ancillary to the main proposed use, and by extension, are also supported by the policies for that location. Therefore, the proposal is broadly supported by Part A of FIFEplan Policy 1. Significant material considerations in the form of SPP and NPF3 further support the principle of economic development to promote growth in key economic sectors such as higher education.

2.2.10 The applicant also proposes to use the student beds created by the development for tourist/visitor accommodation during periods when students are not in residence. The principle of this seasonal Class 7 use of the site requires to be established independently of the student accommodation use. In this regard, it is important to establish whether the use would significantly impact on the surrounding area, particularly in terms of parking. A survey carried out in July 2017 at the Agnes Blackadder Halls car park determined that for every parking space taken up there were 3.45 rooms occupied. As a result a rate of one parking space per three rooms was agreed for planning applications 17/00776/FULL and 17/00781/FULL. Given that the Albany Park development will attract the same type of out of term occupants as Agnes Blackadder Hall and University Hall it was agreed that a parking ratio of 1 space per 3 rooms

would also be appropriate for there. The development car park has 108 spaces. Of these 31 are required for the Scottish Oceans Institute. A further 10 spaces will be required for the anticipated 100 post graduate students living there out of term (1 space per 10 students ratio). This will leave 67 spaces. Applying the rate of one space per three rooms will mean that a maximum of 201 of the en-suite rooms will be available for out of term letting. A condition has been proposed, to ensure this is adhered to. It is considered therefore, that the proposed seasonal Class 7 use of the site can be accommodated on this site.

2.2.11 TAYplan Policy 3 provides support for the growth of this sector across the region and the FIFEplan Spatial Strategy sustains this in general terms. Hotel uses would fall within the auspices of TAYplan Policy 6: Town Centres First, which directs commercial developments towards sequentially preferable locations, such as town centres. However, TAYplan states that hospitality uses are not to be subject to a sequential assessment. It is clear the proposal includes a Class 7 element only as an incidental aspect which is secondary to the principal student accommodation proposal to redevelop Albany Park. Considering this and the direction provided by TAYplan Policy 6, a sequential assessment of this aspect of the scheme is not considered appropriate.

2.2.12 It is accepted that allowing the use of the student beds during non-University teaching time would ensure that the development is both well-utilised and commercially successful. Paragraph 93 of SPP (Supporting Business and Employment) reminds planning authorities to promote business development that increases economic activity, whilst safeguarding and enhancing natural and built environments. Although there is no specific FIFEplan support for hotel use in this location, it is considered that the seasonal use of the bedrooms for non-student use is acceptable in principle. Objection comments have commented that the proposals would be detrimental to the tourism industry. In this regard, support for the tourism sector is recognised in the development plan and the use of the rooms of Albany Park would enable growth in this sector and support the viability of the proposal itself. This support is subject to the detailed assessment of impacts of all aspects of the proposal on a range of topics.

2.2.13 The density of the proposals have been identified as a concern by objectors, with concern that the number of bedrooms accommodated on the site would be significantly increased. This is an issue that is noted, given the accommodation on the site would be increased from 333 to 681. This issue is considered and balanced against the key issues throughout the main report, including infrastructure impact, amenity, and design, scale and visual impact. It is considered, when balancing all key issues, that the number of units proposed can be accommodated on the site, without any adverse impacts on these key material considerations. These issues are discussed throughout the rest of the report.

2.2.14 Whilst the principle of development is established, the overall acceptability of the proposal is dependent on compliance with the remaining policies of FIFEplan. Support provided by Policy 1 is dependent on compliance with Parts B and C. These refer to applicable policies 2 - 15 of FIFEplan which are discussed in subsequent sections of this report, along with applicable provisions of TAYplan and statutory supplementary guidance. Other key policy documents such as SPP and NPF3 promote a sustainable pattern of development, whereby economic growth is encouraged where it protects and enhances existing natural and built environment assets and the general amenity of surrounding occupiers. Again, these matters are discussed in subsequent sections of this report.

2.3 Design and Placemaking

2.3.1 TAYplan Policy 2: Shaping Better Quality Places aims to deliver better quality development in the TAYplan area. Part A requires design to be place-led and deliver a layout, density and mix of development that is shaped by existing natural and historic assets as well as local context of the built form. Part B aims to promote development that encourages active and healthy lifestyles, by connecting to existing infrastructure, co-locates well with existing services and can enhance transport networks to reduce unsustainable forms of travel. Part C requires development to be resilient against flood risk, climate change and environmental degradation. Part D requires new buildings to be resource efficient by reducing waste and the consumption of finite resources.

2.3.2 FIFEplan Spatial Strategy promotes an increase in Quality of Place through new development in Fife. FIFEplan Policy 1 Part C criterion 7 requires proposals to demonstrate adherence to the six qualities of successful places, as does Policy 14: Built and Historic Environment. The six qualities require places to be: distinctive; welcoming; adaptable; resource efficient; safe and pleasant; and, easy to move around and beyond. Fife Council will apply the six qualities of successful places in order to assess a proposal's design. Further guidance on the application of the six qualities of a successful place is set out in Making Fife's Places Supplementary Guidance (SG). This SG has been adopted by Fife Council as statutory guidance and forms part of the development plan. Therefore, in terms of material weight, it holds the same status as TAYplan and FIFEplan. The SG encourages applicants to demonstrate that the proposal has followed a robust design process. It includes a site appraisal method and evaluation framework to guide the assessment of the design process undertaken.

2.3.3 Policy 11: Low Carbon Fife requires proposals to contribute towards carbon reduction targets through the construction of sustainable buildings, using sustainable construction materials and making provision for recycling facilities. Through effective placemaking and a robust design process, low carbon objectives of local and national planning policy can be built-in to a proposal.

2.3.4 The six qualities of successful places are supported by SPP, which puts placemaking at the core of the Scottish Planning System. It requires planning to support development that is designed to a high standard. Further details of the principles are provided in the Scottish Government's Creating Places: A Policy Statement on Architecture and Place for Scotland and Designing Streets. SPP promotes a sustainable pattern of development which should be reflected in the spatial strategies of LDPs. Decisions on individual developments should be guided by a series of principles set out in Paragraph 40. These include: optimising resource capacities by located housing and employment development in areas with infrastructure capacity; promote a mix of uses within settlements to create more compact higher density settlement cores; promote the reuse of brownfield land; and, locate development where investment would lead to benefits for the amenity of local people and the local economy. Finally, SPP advises at paragraph 56 that design is a material consideration in the determination of planning applications. A proposal may be refused solely on design grounds.

2.3.5 The site is within the framework area of the East Sands Urban Design Framework Sept 2010 (ESUDF) which extends from the pier to the north to the Brownhill Cliffs to the south. The area is divided into three components: The Harbour Area; The Central Area; and, The South Area. The application site is located within The Central Area. For each area, the ESUDF identifies the site constraints and opportunities for development and enhancement.

2.3.6 Figure 7 maps the major natural and built heritage assets of the site. Within the application site, these include the Woodburn complex (the current University's estate offices) and the mature trees within the rear gardens of the Woodburn Place properties and behind the Coastguard's Station. The Woodburn Place properties form a character area that is within the setting of the Conservation Area. The varied roof and building lines provided creates an intimate townscape which is of intrinsic value to the character of the Central Area.

2.3.7 The ESUDF groups its design principles into five themes. Theme 1 looks to enhance the sense of arrival to the town, by protecting the historic skyline of St Andrews core, encourage new landmark buildings and create a grid pattern within new development that focusses views towards the town's historic landmarks and the coast. Theme 2 recognises the importance of existing assets (see Figure 7) in creating distinctiveness within the area. The design principles here focus on protection of existing site assets, limiting building heights along Woodburn Place and the Shore to 1.5/ 2 storeys and below the new Gatty Lab building (the 1995 building), encouraging contemporary design, promoting a positive visual impact, protecting landscape setting and safeguarding areas of protected open space. Theme 3 looks to improve access and movement through the area and beyond. A new proposal must meet its vehicle access needs, promote sustainable travel and connections through the framework area, both north to south and east to west. Figure 9 shows existing and potential routes through the application site and Table 2 describes these in detail. Theme 4 recognises the importance of maximising the waterfront location of the Framework Area. St Andrews Bay offers a unique and attractive setting and provides character to the area by virtue of the ocean research and marine leisure activities located there. Development should make better physical connections with the sea front whilst safeguarding the undeveloped nature of the frontage to East Sands Beach. Development should also ensure that coastal flood risk is appropriately mitigated. Theme 5 sets out the opportunities to maximise the potential for sensitive redevelopment. For the Central Area, the Framework recognises the potential redevelopment of the University's landholding. This has already come forward in part with the redeveloped Scottish Oceans Institute building (the Gatty lab).

2.3.8 The redevelopment of the Woodburn complex and Albany Park are listed as potential development sites, with Figure 13 providing detailed site-specific guidance. For the Woodburn complex, a new proposal must respect/enhance the built heritage of the site, including the setting of the Conservation Area. The redeveloped proposal within the area should look to retain the existing complex of buildings on Woodburn Place and around to the East Sands Car Park. If retention is not possible, then new development should be designed to reflect the existing character of this part of the site.

2.3.9 For Albany Park, the quality of elevations to the coast south of the Gatty labs is noted as important, due to the visual prominence of this part of the site. The height of new buildings within this area must not exceed the eaves height of the Gatty lab. A grid formation should be adopted in street design and building layout, in a way that focusses views towards the historic core. Additional connections through the site should be provided. The boundary wall to the homes on St Mary Street to the west should be preserved. The line of the St Nicholas' Burn provides an opportunity for SUDS to integrate with the landscaped spaces in a redevelopment proposal. Finally, Albany Park and Woodburn Complex sites should be considered together as a single development site.

2.3.10 Objection comments note concern that the design and layout are not appropriate for the site, and the layout is not in keeping with the surrounding area. Objection comments also express concern that the height of the buildings should be the same as the previous buildings on the site. Objection comments note that, given Albany Park has no boundary camouflage, the

proposals must be to scale proportional to the surroundings, dominant residential aspects, beach front location and lack of any boundary protection/barrier. The applicant has submitted a Design and Access Statement (DAS) in accordance with statutory requirements for a Major Development. It provides details on the context of the site, its opportunities and constraints, and details on the design response, strategies and proposals for the redevelopment. The DAS sets out the site opportunities and constraints. The site is characterised as part of an area which is diverse in character created by post-war developments which is mixed with the more traditional elements of Woodburn Place. The design response draws influence from the character of the East Neuk in order to establish an architectural expression for Albany Park. In de-culverting the St Nicholas Burn, the strong north-south axis this creates is the starting point for a street pattern running alongside in a grid pattern radiating from this central green axis. The secondary lanes radiating from central green spine provide a strong grid structure to the development. Traditional wall details are used to enhance the character of these routes and to blend the development in with the existing character of Woodburn Place.

2.3.11 The proposals retain Woodburn House and part of the Facilities Building within the Woodburn Complex area of the site, as well as the boundary wall to St Nicholas burn. These buildings would form an enclosed square, as the primary frontage to the new Facilities Building and primary access point to the north. The Woodburn complex and the mature trees within the rear gardens of the Woodburn Place properties and behind the Coastguard's Station are the important built and natural heritage assets of the site. The proposals include the retention and, where required, repair of Woodburn House which is welcomed. Additionally, the mature trees would be retained within the proposed square. The building to the north east of the site (Facilities Building) would be retained in part, with additional alterations. The proposals for this building are considered to be architecturally strong in terms of its design whilst reflecting this part of the site, through the retention of some of the original building and the general built form of the previous building.

2.3.12 Objection comments, including from the Community Council, note that the site is not permeable, given there are only two accesses. In this regard, the site is constrained due to existing properties to the west and the coast and existing buildings to the east. However, the proposals utilise existing vehicular connections and in addition, throughout the site, several east – west routes connect the central spine to the Coastal Path, through the central green corridor that would be created by the development. The development would therefore be well connected to the surrounding area, utilising existing points of access and creating new pedestrian connections east – west and to the north. In terms of the layout, the grid formation preference as set out within the ESUDF has been applied to the proposals – the more linear buildings would be situated behind the Gatty building, with the buildings to the south and west at the coastal locations being smaller and broken up. The applicant has provided various viewpoints throughout the site, which shows that the views towards the historic core would be retained.

2.3.13 The proposals have gone through various iterations of the design, in order to address comments by the council and objectors. One of the key issues raised was the heights of the edges of Blocks 2, 3, 4, 6, 8 and 9 and the entirety of Block 5. To address this concern, Block 5 was reduced in height, which significantly reduces the building mass along this stretch of the coast and provides an appropriate transition in building height across the development site, either side of the Gatty building. The reduction in height of Block 5 reflects the stepping down towards the Coastguard Station to the south east as the built form moves away from the Gatty buildings. In addition, when viewed from the east or, from wider viewpoints, this change helps reinforce the 'layering' of buildings/streets across the site, providing a contribution to a variety across the roofscape and helping to breaking up any uniformity. Additionally, Blocks 2, 3, 6 and

8 have reduced building heights at the edges, with Block 9 reduced in height in its entirety. This has the effect of emphasising the spaces between buildings and movement nodes to a greater degree, presenting a variation in building/roof lines, and breaking up any over-dominant building uniformity. The proposed building heights contribute to the variation of buildings along the coastal frontage and helps make a comfortable urban transition from the smaller buildings to the south of the site to the more dominant Gatty buildings adjacent. It should also be noted that all of the proposed buildings would have ridge heights lower than the Gatty building, as set out within the ESUDF and raised by objection comments.

2.3.14 In relation to the wider roofscape, most dormer/box dormer features, which were identified as a significant concern, have been removed from the proposed buildings. This approach allows the pitched roofs, in a visual sense, space to breathe within the context of the individual buildings; it allows the gable features and building ridges to punctuate the roofscape to a greater degree than previous schemes, thus breaking up the previous over-dominant horizontal emphasis of the rooflines; it removes the visually jarring and incongruous top heavy appearance of the structures as a whole; and it allows the selective use of dormer features to help break up potentially repetitive building design, and provide an additional vertical emphasis to these sections of the buildings. The introduction of conservation style rooflights is an appropriate feature, which can visually lighten the significant roof massing in places.

2.3.15 Objection comments noted that the proposed materials and colours were obtrusive. Although the materials have remained unchanged throughout the application process, the general palette of materials and its application across the site was discussed with the applicant and has since been amended. Following the amendments made, the general palette of materials, and its application across the site, has been simplified and consolidated into a strong and coherent strategy, which emphasises verticality of the building components appropriately. The use of render along the elevations helps to break up the façade and roofline and reduce the visual impact. The proposed materials are of high quality and, where viewed from coastal points to the east, are sympathetically considered and simplified further in response to their coastal location, which helps to integrate the proposals into the surrounding area. Within the site, the material palette is more contemporary. The proposals incorporate pitched roofs with slate and zinc, which would fit in well with the surrounding area.

2.3.16 Objection comments note that the buildings should be scaled down by at least one storey to reduce the dominance approaching St Andrews on the Crail Road or along the coastal path. Objection comments also note concern that the proposals would have an adverse visual impact on East Sands beach. The applicant has submitted analysis of long-range viewpoints from the east, south east and south west of the site confirm that the regular, horizontal roofscape originally proposed has been significantly altered. There is a strong architectural variation across the site. The building heights help to create a variation to building mass, reducing the visual density from the established viewpoints, and allows a natural transition from the lower lying buildings to the north and south of the site up to the visually dominant Gatty building. In addition, the design of the Facilities buildings would present a significant positive contribution to distinctiveness and character of the coastal edge. The proposed buildings would be of a fresh contemporary architectural form, but with elements of traditional proportions and verticality to help ground the development in its historic environment. It is considered that the design of these buildings would offer feature buildings to this coastal edge and prominent corner site, making a significant contribution to the sense of place.

2.3.17 Overall, it is considered that the scale of the development, the variation in building heights, the more appropriate general roof arrangement, the spaces and movement nodes that are less overwhelmed by buildings, the more subtle transition in building heights along the coastal fringe, the more legible palette of materials, the less imposing relationship of buildings to neighbouring properties, and the architecturally strong Facilities buildings, all help address previous urban design concerns. It is therefore considered that the previously adverse visual impact of the proposal has been mitigated to a significant degree within the recent revisions. The proposal is considered to fit comfortably within its immediate context and the wider townscape/landscape setting of the site.

2.3.18 The proposals would result in the redevelopment of a brownfield site, with current buildings which are not fit for purpose. The development would see high quality redevelopment of the site, with the views of the site being improved from the surrounding areas. The proposals have considered the ESUDF, whilst establishing a design and layout which meets the six qualities of successful places. The proposals would comply with FIFEplan (2017) and Making Fife's Places (2018) in terms of placemaking and design.

2.4 Green Networks, Green Infrastructure and Landscaping

2.4.1 TAYplan Policy 8: Green Networks directs LDPs to identified existing networks of green infrastructure and promote opportunities to enhance the benefits they provide. Development must not result in an increased fragmentation of networks and enhance these through provide new multifunctional green links to meet the needs of that development. The design of green infrastructure is a core component of new development and should, where possible, link with existing networks. TAYplan Policy 2: Shaping Better Quality Places Part C (vi) seeks to promote resilience in new development against climate change by identifying, retaining and enhancing existing green networks. It is also expected that additional networks of green infrastructure should form part of new development.

2.4.2 FIFEplan Policy 3: Infrastructure and Services ensures that a proposal makes provision for infrastructure requirements to support new development. This includes green infrastructure and green network requirements, such as open space and amenity space. Policy 10: Amenity presumes against the loss of such assets. Policy 13: Natural Environment and Access protects natural heritage and access assets whilst also promoting the enhancement of green networks and greenspaces and access arrangements to encourage outdoor recreation. FIFEplan Policy 4: Planning Obligations provides a policy basis to secure off-site financial contributions toward green infrastructure enhancement of existing assets, where this is deemed to be appropriate.

2.4.3 The site is within the St Andrews Coast Green Network Area (STAGN03). Appendix H of Making Fife's Places sets out the key features of STAGN03. These include the following:

- Part of the strategically significant Fife Coastal Path route; along 'green' streets through the Scores area, north of the town centre. Connects to the Ladebraes Green Network (STAGN01) in the harbour area, albeit the link is 'on-street' to the University Green Network (STAGN04), and to the Swilken Green Network (STAGN02);
- Key assets include: the blue flag beaches of East and West Sands, Bow Butts, East Bents, the Cathedral and Priory, Kirkhill Cemetery and the Harbour;
- Some coastal erosion issues, which limits potential to access some parts of the shore line. There are various coastal protection measures in place and works are currently ongoing at Castle Sands to deal with problems caused by a recent landslide;

- At risk from coastal flooding due to low lying nature of much of the coastline; there is some dune management but this could be better co-ordinated;
- Intertidal zone is of significant habitat value at West Sands and to the east of East Sands (SPA, RAMSAR, SSSI designations).

The opportunities for enhancement are noted as:

- Potential to enhance connection to the Ladebraes Green Network (STAGN01) around the harbour;
- Potential to improve access to the coastal greenspaces and East and West sands;
- Habitat enhancement potential - of the grassland along the coastal strip at East Bents;
- Dune management could be better co-ordinated to help reduce the risk from coastal flooding;
- Part of NCN76 to be provided along the A914.

The development plan priorities are to protect existing assets.

2.4.4 Making Fife's Places encourages an integrated approach to the provision of green infrastructure, open space, SuDS and other green network assets. This is to secure opportunities to enhance biodiversity connectivity and promote healthy active enjoyment of outside spaces. Open Space forms an important part of the green infrastructure of a place, but it is considered separately. The SG states that open space will need to be usable with a significant proportion of soft landscaping, but with some elements of hard landscaping within streets, squares or plazas. Open spaces should allow for outdoor recreation and social interaction and be well-connected with development via paths and other routes. Existing features such as trees, hedgerows, watercourses and the topography of a site should form part of new green infrastructure, according to Making Fife's Places. By incorporating valued existing assets into new green infrastructure, a development is more likely to create a distinctive, interesting place that enhances biodiversity and environmental quality more generally.

2.4.5 The applicant's Design and Access Statement (DAS) and Landscape Design and Access Statement considers landscape and amenity within the development. It notes that the proposal is centred around the de-culverting of part of the existing St Nicholas Burn. This will provide opportunities to enhance the green infrastructure of the place and create a distinctive development. As part of the proposals, there would be a footpath connection to the north of the site, which would link to the existing green network to the west. The existing coastal path is an important connection into the town centre and conservation area from the south and the return direction is an important connection to the Albany Park campus. The connections between the campus and coastal path are enhanced along the southern and northern boundaries of the Gatty. To the north of the Gatty, access provides for ramped pedestrian access and to the south, new steps would improve and enhance pedestrian access. The site would contain connections through to the south, from Albany Park, with attractive routes through the site north – south through a proposed green corridor. The green corridor connects into a square, which would be created to the north of the site, adjacent to the facilities building and woodburn house. The square would be created as a social space, whilst enhancing connections throughout the site and beyond. This part of the site would also include the retention of existing mature trees, new planting and a growing area, provided for Edible Campus Group. A central swale would be located in the centre/north of the site which is identified as a key area for biodiversity enhancement. Planting here would include species adapted to swale conditions, however the swale is likely to be dry for the majority of the year. Similarly, to the south east of the site, the existing mature trees would be retained. Planting is proposed along the frontage to the coastal path, complementing replacement planting near the coastguard station to the south east. The proposals include a total of 115 trees and 21 shrubs within the central corridor, which would

enhance the site and replace any lost to development, with the new landscape structure being well integrated into the new campus.

2.4.6 To the south, the space would provide views along the green central spine and towards St Rules Tower. This space would be provided with seating, creating an inviting entrance to the primary corridor which supports wayfinding. The east – west space at Blocks 2 and 3, form the major connection east – west and access to the coastal path, forming a high footfall route and it is an important feature of the site. The central path is punctuated by paved mini plaza which cross the path and span the green corridor, with south facing plazas providing opportunities for seating areas and space to use as outdoor meeting spaces, with views along the green central spine.

2.4.7 The proposals include the retention and enhancement of existing features of the site, including mature trees, and the existing watercourse. The proposals would create opportunities for outdoor recreation with the creation of a social gathering space, and opportunities for seating within plazas throughout a green central corridor, creating a well-connected site. The proposals create a distinctive, interesting place that would enhance biodiversity and environmental quality.

2.4.8 The proposals comply with FIFEplan (2017) and Making Fife's Places (2018) in regard to green networks, green infrastructure and landscaping

2.5 Ecology, Natural Heritage and Trees

2.5.1 TAYplan Policy 2: Shaping Better Quality Places Part A requires the design of a proposal to be place-led. This policy promotes local distinctiveness through the incorporation of existing natural assets, natural processes, the multiple roles of infrastructure and networks and local design context within new development. Policy 9: Managing TAYplan's Assets Part B provides protection for Natura 2000 sites within the TAYplan area. Part C (i) safeguards the integrity of natural assets including habitats, sensitive green spaces, the water environment, floodplains and, species and wildlife corridors. Part C (ii) requires development to protect and improve the water environment including groundwater in accord with the legal requirements in the Water Framework Directive 2000/60/EC and the Water Environment and Water Services (Scotland) Act 2003. This legislation promotes greater integration between planning and water management through River Basin Management Plans.

2.5.2 FIFEplan Policy 1 Part B criterion 9 requires new development proposals to safeguard or avoid the loss of natural resources within a site, including effects on internationally designated sites. Policy 13: Natural Environment and Access protects Fife's natural heritage assets. The Policy requires development proposals to provide evidence that there will be no resulting significant adverse impacts on designated sites of international, national and local importance, woodlands, trees and hedgerows that have a landscape, amenity or nature conservation value or biodiversity assets such as protected and priority habitats and species. Policy 11: Low Carbon Fife requires development proposals to provide, where appropriate, sustainable urban drainage measures to ensure surface water runoff does not result in any detrimental impact on the ecological quality of the water environment.

2.5.3 Making Fife's Places details the site appraisal process that new development is required to follow to provide sufficient evidence to demonstrate compliance with Policy 13. Proposals should consider ecological and natural heritage impacts from the outset and demonstrate, where appropriate, that appropriate mitigation has been designed in. The biodiversity benefits of green infrastructure should be captured in the design of new development. Biodiversity enhancement

can include a number of measures to promote biodiversity, restore degraded habitats and integrate habitats into existing networks. For trees, the SG at Appendix D sets out the requirements for tree surveys and arboricultural impact assessments where mature/ semi-mature trees are present on or near to a site.

2.5.4 Scottish Planning Policy (Valuing the Natural Environment) makes it clear that the planning system should facilitate positive change in local landscapes. Development management decision should take account of potential effects on landscapes, including cumulative effects (paragraph 202). Paragraph 203 advises that planning permission should be refused where the nature or scale of proposed development would have an unacceptable impact on the natural environment. Decisions takers are advised to adopt a precautionary principle where impacts on natural heritage resources are uncertain but where evidence suggests development would result in significant irreversible damage. Paragraph 207 requires any proposal which is likely to have a significant effect on these sites will be subject to an appropriate assessment. Paragraph 211 states that Ramsar sites (including Natura 2000 and SSSIs) are protected under separate legislation.

2.5.5 The East Sands Urban Design Framework notes the existing natural heritage assets of the site and supports their retention, protection and incorporation into new development. Theme 5 looks to maximise the potential of redevelopment on specific development sites. For the Woodburn complex, the existing garden ground and mature trees within this part of the Framework area should be retained.

2.5.6 The site is not subject to any such designation and is suitably remote from these to avoid any likely significant effects on their qualifying interests. Therefore, an appropriate assessment of the proposal is not required in this instance. An Extended Phase 1 Habitat Survey and Preliminary Roost Assessment and Outline Biodiversity Enhancement Plan has been submitted, alongside an Addendum to these documents. This describes the ecological studies that have been undertaken, recommends mitigation requirements and also how biodiversity enhancement could be delivered. The addendum to the Extended Phase 1 Habitat Survey and Preliminary Roost Assessment reports the findings of a resurvey of the original study area and checks the findings of the Preliminary Roost Assessment. It includes additional data to address a gap in the previous study area, which did not address all of the trees identified within the tree report. Scottish Natural Heritage has reviewed the application and offer no comment. In this instance, the findings of the reports have been accepted by officers.

2.5.7 It is noted that the site is mainly amenity grassland and buildings however there are mature individual trees, tree lines and shrubs within the site. As outlined within the East Sands Urban Design Framework, the majority of the existing trees would be retained with the retained trees and the St Nicholas Burn riparian zone proposed to be protected during demolition and construction works. It is noted that, if the holm oak is to be removed, it requires to be inspected for potential bat roosts immediately prior to the works commencing as detailed in the report, however the proposals do not include the removal of this tree. The site should be subject to a pre-demolition bat activity study programme, to ensure the works area is clear of roosting bats and it is noted that this should include the St Andrews Sailing Club Building. If the study identifies bat use of the buildings, then a derogation licence will be required from SNH to permit legal demolition of the buildings involved. The final lighting scheme must be designed to ensure that the western boundary bat commuting route is retained. Any tree works and ground-clearance works should be undertaken outwith the bird breeding season and if works are required during March-August, a pre-works nesting bird survey will be required. The above noted matters should be covered through appropriate conditions.

2.5.8 The applicant has submitted a tree survey, which includes tree protection plans and a summary of tree protection, retention and planting is provided within the Landscape Design and Access Statement. The site contains 22 trees, mainly to the north west corner of the site. 7 of these trees have been assessed as good condition, 6 of moderate quality and the remainder (9) poor. The proposals include the removal of 5 trees across the site, for site platforming, foundations and development. These trees include a small pear tree, a sycamore with significant decay, a rowan, a small ash and a Corsican pine tree. Only two of the proposed trees to be removed are located in the north west corner of the site, with the rest of the trees highlighted to be retained and protected during construction works. This would leave 10 of the 12 trees retained at this location. Replacement *Pinus Sylvestris* trees would be planted to replace those lost. The holm oak would be retained, however it is noted that the root zone would be partially affected by the construction of new surfacing, so root zone protection would be adopted to allow the retention of the tree. Overall, the proposals would protect and retain the important trees on the site, with a small number of trees proposed to be removed. The tree protection measures outlined within the tree survey and reports submitted would be ensured through appropriate conditions.

2.5.9 The proposals would align with the ESUDF by retaining the existing natural heritage assets of the site, including the mature trees to the north of the site, adjacent to woodburn house, by incorporating these into a green corridor and proposed square. Additionally, the mature trees to the south west of the site would be retained.

2.5.10 In regard to natural heritage, trees and ecology, the proposals align with the appropriate policies of FIFEplan, the ESUDF and Making Fife's Places, subject to the aforementioned conditions.

2.6 Amenity

2.6.1 FIFEplan Policy 10: Amenity supports proposals that do not lead to a significant detrimental impact on amenity in relation to a range of considerations. These include air quality, noise, privacy, sunlight and daylight and construction impacts. Where significant detrimental impacts on amenity are identified, Policy 10 provides a set of actions which are considered to be appropriate for mitigating or avoiding these impacts.

Noise

2.6.2 PAN 1/2011: Planning and Noise gives advice to those within the planning system on ways to detect and mitigate for the impacts of noise on new developments. Noise can have a detrimental impact on residential amenity and the assessment of potential noise sources on sensitive receptors is a key consideration in the determination of any planning application. This note is supported by Assessment of Noise: Technical Advice Note (TAN 1/2011). Briefing Note 017 issued by the Royal Environmental Health Institute Scotland provides further guidance on the assessment of noise, including the quantitative and qualitative methodologies, when considering proposals for a noise generating use located next to a noise sensitive receptor.

2.6.3 In regard to noise, the applicant has submitted a Noise Impact Assessment (NIA), which advises that, in terms of noise ingress, the site is relatively quiet and the daytime ambient noise level is typically below 55dB at the locations where the new buildings are proposed. It is advised that suitable internal noise levels will be achieved in all of the proposed student accommodation buildings and no specific noise mitigation measures are considered necessary in this regard.

2.6.4 Objection comments have been received with concerns regarding noise and potential fumes from the building services plants. An objector also noted concern regarding the proximity of the bin stores to St Mary Street. In this regard, in terms of noise egress, a building services plant is proposed within the ground floor of the majority of the accommodation blocks. The accommodation plant rooms would house the pumps and heat exchangers and the facilities building would contain ventilation and air handling plant items. The report notes that the nearest noise receptors to these plant areas would be the nearest bedrooms within the adjoining student accommodation blocks. The NIA states that building services plant must be limited to no more than 50dB at 3 metres from the external façade/louvres around the building and the main boiler plantroom in Block 8, which has louvres on the west facade should have a noise limit of 60dB at 3 metres. The NIA outlines that this would be easily achievable outside a conventional naturally ventilated boiler plantroom. Fife Council Environmental Health (Public Protection) Officers have been consulted and have reviewed the NIA submitted. They concur with the methodology and conclusions of the report that has been submitted and advise that a condition should be added to any planning permission, to secure these mitigation measures and ensure that the plant rooms and external louvres would not cause unacceptable noise impacts to adjacent properties both within and outwith the application site. In regard to the bin stores, the noise report submitted does not outline this is a potential concern or significant noise source and Fife Council Environmental Health (Public Protection) Officers have not raised this as a concern. They would be located on the gables of the buildings, rather than immediately adjacent to any properties bounding the site.

2.6.5 In regard to noise, a condition is recommended which would secure limitations on noise from plant, machinery and equipment from reaching nearby bedrooms during the night and habitable rooms during the day. A further condition requiring the noise mitigation measures to be in place prior to occupation is recommended. Therefore, it is considered the proposal accords with FIFEplan Policy 10 and PAN 1/2011 with regard to noise subject to these conditions.

Daylight and Sunlight

2.6.6 Fife Council Planning Customer Guidelines on Daylight and Sunlight sets out standards to guide the assessment of new buildings and their impact (if any) on neighbouring properties' daylight and sunlight. Guidance on Minimum Distances Between Window Openings provides an assessment framework to assess the impact of new development on the privacy of existing properties and the levels of privacy future occupiers can enjoy.

2.6.7 Objection comments note concern regarding the potential impact of the proposals on sunlight and daylight to residential properties outwith the site. In this regard, a sunpath study has been carried out and submitted with the application. The study shows the site over the four seasons and indicates that the majority of overshadowing would occur within the site itself and, crucially, not to the residential properties outwith the site. The analysis shows that, due to the north – south orientation of the blocks, and low rise of the development, the amount of overshadowing is limited and no neighbouring properties would be overshadowed by the proposals. It should also be noted that the sunpath study was carried out on an earlier iteration of the scheme, which included larger (longer) units at Blocks 2 and 9 therefore the impact would be even less following the reduction of these units.

2.6.8 Objection comments have been received outlining concerns that the proposals would impact on privacy, particularly to St Mary Street, but also other residential properties outwith the application site. In regard to privacy, it is noted that the nearest residential properties are located

to the west at St Mary Street and to the south at Brewster Place. Blocks 8 and 9 would sit to the east of the existing properties along St Marys Street, which back onto the site. Block 9 would be 9.8m high to the ridge, with the windows sitting at 6.5m above ground level maximum (not including rooflights). The windows of Block 9 would be at a distance of over 35m away from the window of properties at St Mary Street to the west. Garden boundaries of the existing properties to the west would be at a distance of 14m at the least from the west elevation of Block 9 but the majority would be over this distance. Block 8 would be approximately 11.5m to the ridge, with windows sitting at a maximum of 9.5m above ground level (dormers). The minimum distance to any windows of existing properties to St Mary Street to the west, would be 20m but the majority of the windows would be well over a 20m distance between each other. Garden boundaries of the existing properties to the west would be at a distance of 11m at the least from the west elevation of Block 8, but again, the majority would be over this distance. In response to objection comments, Block 7 was repositioned to increase the separation between the proposed block and the existing residential properties to the south. Block 7 would be 2.5 storeys and approximately 9.4m in height to the ridge, with windows sitting at approximately 4m from ground level, maximum. The windows of Block 7 would face onto the rear elevations of the existing residential properties at Brewster Place. It is noted here, that there is an existing relationship between the Albany Park residences and the residential properties at Brewster Place, however, the proposed windows of Block 7 would sit at a distance of over 18 and over 20m from the rear elevations of the properties at Brewster Place. Tree planting is proposed along this boundary, which would provide a buffer between the residential properties and the proposed units which does not currently exist here. To the west of Block 7, the block has been lowered within the topography and would now be lower than the existing two storey unit currently on site. These measures would further minimise any privacy issues at this location. Additionally, windows would be at a distance of over 20m from any residential properties outwith the site. Fife Council Minimum Distances Between Windows Guidance sets out that directly facing windows should be at least 18m from one another and, where there is an angle, the distance can be less. In this instance, all windows would exceed the distance of 18m and the proposals would not significantly adversely impact on privacy.

2.6.9 Overall, all distances exceed the minimum 18m distance required by Fife Council guidelines. Therefore, the proposal is would not result in any significant impacts on the privacy or daylight/ sunlight reaching adjacent residential properties, all in accord with FIFEplan Policy 10.

2.7 The Transport Network

2.7.1 TAYplan Policy 2: Shaping Better Quality Places Part B promotes active and healthy by design by integrating transport and land use. This aims to: reduce the need to travel and improve accessibility by foot, cycle and public transport; make the best use of existing infrastructure to achieve an active travel environment; and, to promote the use of assessment/ appraisal of the expected transport impacts of new development and, where necessary, promote the use of travel plans and other on and off site infrastructure to deliver better integration.

2.7.2 FIFEplan Policy 1 Part B criterion 1 requires new development to mitigate any loss in infrastructure capacity whilst Part C criterion 2 requires appropriate on-site infrastructure to minimise future levels of traffic generated by a proposal. Policy 3: Infrastructure and Services requires a proposal to be designed and implemented in a manner that ensures delivery of the required level of infrastructure in a sustainable way. This includes the delivery of local transport and access routes which connect the proposals to existing networks.

2.7.3 TAYplan Policy 6: Developer Contributions sets out the strategic policy basis for the use of developer contributions to mitigate the impact of new development on key infrastructure such as transport infrastructure and facilities. FIFEplan Policy 4: Planning Obligations recognises that developments may have a cumulative impact on strategic transport infrastructure within their vicinity. It provides a policy mechanism to ensure a proportionate financial contribution can be secured from such developments to fund improvements to the transport network that are necessary to support growth.

2.7.4 Making Fife's Places SG provides more detail on the assessment of proposals against FIFEplan Policy 3. A proposal should provide safe routes to public transport, schools and community facilities. The site appraisal process promoted in the SG should establish the location of these in relation to the site. Development proposals need to demonstrate how all future users of the site will access these safely and with priority given to active travel options.

2.7.5 SPP (Promoting Sustainable Transport and Active Travel) directs the planning system to support patterns of development which optimise the use of existing infrastructure, reduce the need to travel and provide safe and convenient opportunities for active travel options and public transport.

2.7.6 The East Sands Urban Design Framework Theme 3 Improving Access and Movement Into and Through the Area looks to reduce transport impacts, promote sustainable travel and increase connectivity through the application site and the wider Framework area. Figure 9 sets out existing and potential vehicular routes and car parking infrastructure within the area. Table 2 sets out these assets and opportunities for potential enhancement in detail. For vehicular access and movement to and from the application site, Table 2 notes that Woodburn Place has limited capacity to accommodate a significant increase in traffic volumes. Access from Albany Park is preferable for development the Central and South Area of East Sands, unless a Transport Assessment can demonstrate no significant adverse impacts would occur. Access to the Coastguard station must be preserved. For cycle and pedestrian movement, enhancement of the Fife Coastal Path is highlighted as is the public realm around Woodburn Place. Pedestrian links north to south and east to west through the Central Area should be a key feature of any redevelopment within this part of the Framework area. For car parking, the ESUDF notes the potential to improve East Sands Car Park, both in appearance and function through improved layout and surfacing. The improved layout should address conflicts between core path users are vehicle movements. Finally, cycle parking should be provided in all appropriate locations in the Framework area.

2.7.7 The facilities building would provide laundry, catering and communal areas. As it is intended that the development will be available for summer letting this will also be where out of term guests will check in. A small area of the dining space, around 20 to 25 seats, will be available as a café for use by the public from June to early September from 10am to 3pm daily. It is not anticipated that this will generate additional traffic as it will likely be more attractive to people who are already in the vicinity such as those using the beach or staying at Albany Park.

2.7.8 A Transport Assessment was submitted with the application. This advises that during term time the increase in accommodation at Albany Park will result in a daily increase of person trips of 1100 trips. Person trips are journeys taken by a single person using any mode of transport. These trips are spread over the day, with a peak hour trip rate of 126 trips anticipated from 18:00 to 19:00. Of these trips it is expected that 67% will walk, 29% will cycle, 2% will travel by bus and 2% will travel by car. In number terms, 84 trips will be carried out by walking, 37 trips by cycling, 3 trips by bus and 3 trips by car. In addition it is anticipated that there will be typically 35 HGV

deliveries of catering supplies per week to the proposed development. There will also be daily refuse collections, thrice weekly laundry vehicles and occasional deliveries of other supplies. The Transport Assessment identified routes students would be likely to take from Albany Park, and using journey planning software concluded that the additional peak hour pedestrian movements on Abbey Street, by far the most popular route, would be 68, with an additional 35 cyclists using this route.

2.7.9 Objectors to the development noted that they considered Abbey Walk to be inadequate to cater for the increase in pedestrians. A review of the footway widths confirmed that there is a footway of at least 2m width on at least one side of the carriageway over the 640m distance from South Street to Woodburn Place, with the exception of 130m. Those sections narrower than 2m are still sufficient to allow two-way pedestrian movements. Only where the turrets impinge on the eastern side of Abbey Walk pedestrians may wish to wait to allow an opposing direction pedestrian to pass.

2.7.10 A safety review was carried out on core parts of the walking and cycling routes between the proposed development generally resulting from comments made by members of the public. The outcome of the audit is:

- Even though the Transport Assessment identified a very small increase in pedestrian and cyclist usage of Lade Braes Walk the developer has agreed to fund a feasibility study into what improvements may be required to provide a suitable alternative route for cyclists to avoid using Lade Braes. A £5000 contribution would be sought from the developer through a Section 75 agreement for this.
- The audit team identified that there is an unacceptable pedestrian and vehicle conflict within the East Sands Car Park. The increase in pedestrian movements resulting from the development will only exacerbate the existing problem. The audit team recommended that any improvements to the East Sands Car Park include parking management, improved infrastructure, signing, and parking enforcement. They further advised that ideally pedestrians and cyclists should be segregated from vehicles.

2.7.11 Objection comments have expressed concern that improvements to East Sands Car Park should be undertaken as part of the proposals. Given that there will be a reduction in University related traffic on Woodburn Terrace and the East Sands car park due to the closure of the Estates department it is considered that the increase in pedestrian and cyclist movements will have minimal net detriment on an existing problem. It is, therefore, not possible to request the University pay for any upgrade of the East Sands car park, as such a request would not meet the tests for planning obligations set out in Planning Circular 3/2012. Similarly, the Community Council have expressed concern that the proposals should contribute towards the provision of an appropriate crossing of Kinnessburn. Again, as discussed throughout this section of the report, the proposals would not directly impact on the crossing and therefore it would not be possible to request the applicant to upgrade this crossing.

2.7.12 In terms of traffic generated by the development during term time the Transport Assessment advises that during peak traffic hours of 08.00 – 09.00 there would only be an increase of one vehicle trip, and between 17.00 – 18.00 an increase of two vehicle trips. There would, therefore, be no impact on the surrounding road network due to any increase in vehicular traffic

2.7.13 The Transport Assessment also addressed the traffic impact of the development during out of term time. The assessment confirmed that the junction of Albany Park and St. Mary's Street is estimated to continue to operate satisfactorily during peak hours. Overall, due to the removal of traffic associated with the existing University of St. Andrews Estates Department, there will be no impact on the surrounding road network.

2.7.14 Cycling routes connect from the development to the town centre and beyond. These are mainly on road and include Woodburn Place, St. Mary's Street, Balfour Place, The Shore, The Pends and Lamond Drive, in the vicinity of the development.

2.7.15 The nearest bus stops to the development are on the A917 St. Mary's Street. The stop for southbound services is around 50m to the south of the junction with Woodburn Place while the nearest northbound stop is around 30m from Albany Park. In addition there are stops nearby on Lamond Drive. The following services operate from these stops:

- 9 - St. Andrews circular bus route operates every 30 minutes.
- 95 hourly service from St. Andrews to Leven
- 99 – 30minute service between St.Andrews and Dundee
- X60 – Hourly service from St. Andrews to Edinburgh

2.7.16 St. Andrews bus station is approximately a 20 minute walk from the proposed development giving accesses to local and longer distance bus services.

2.7.17 Objectors have expressed concern that the additional bedroom numbers within the site would mean that more students would be beyond walking distance to their teaching location – specifically they have referred to this being contrary to PAN 75: Planning for Transport. Pan 75 sets out that effective working practice involves different professions understanding and working with one another, either within or outwith planning. Land use planners and transport professionals should work together to develop complementary and co-ordinated policies and proposals which contribute to integration within and between different modes of transport. It sets out that key locations designated in development plans should aim to be destinations in their own right, with a sense of place created through an emphasis on quality. It considers that the Transport Assessment process should establish ways to accommodate or mitigate the impacts of less sustainable transport modes in order to meet mode share targets. It also sets out that travel plans should be submitted to ensure sustainable transport modes are considered as part of the development. In this regard, St. Andrews University have a well-established travel plan. As with other similar developments a condition has been included requiring the existing travel plan to be updated to take account of the proposed development. This will ensure sustainable transport modes are continually considered throughout the lifetime of the development.

2.7.18 Transportation Development Management Officers have no objections to the proposals, subject to the aforementioned Section 75 agreement for the Lade Braes Walk cycling feasibility study and conditions. In terms of the transport network, the proposals would comply with the relevant policies and guidance of FIFEplan (2017) and Making Fife's Places, and the proposals are acceptable in this regard, subject to the proposed conditions and legal agreement.

2.8 Access and Car Parking

2.8.1 FIFEplan Policy 3: Infrastructure and Services requires new development to provide roads and paths designed for all users which integrate with existing roads and paths. Policy 14: Built and Historic Environment also reinforces the principles of successful places which encourages,

through good street design, road safety for all users which encourages active travel movement and social interaction.

2.8.2 Fife Council's Transportation Development Guidelines, as Appendix G to Making Fife's Places, provide technical requirements of new developments to achieve in order to ensure road safety is built into the design of new transport infrastructure. It also provides more detail on the expectations of street design, access and car parking standards.

2.8.3 National policy direction is provided by Designing Streets and Creating Places, the Scottish Government's Policy on Architecture and Place.

2.8.4 Objection comments, including comments from the Community Council, note concern that the proposals do not include sufficient parking. In this regard, Fife Council Transportation Development Management (TDM) Officers have reviewed the proposals and conclude that the proposed level of parking is acceptable. The proposals include car parking to be provided within the development site. In total there would be 108 parking spaces. Of these, 31 spaces would be reserved for staff at the Scottish Oceans Institute, as required following Fife Council's consideration of planning application 16/00044/FULL, for the expansion of the Scottish Oceans Institute. The remaining 77 spaces would be for use by students and University staff. This is very slightly higher than the ratio of one space per 10 beds, agreed with Fife Council's Transportation Development Management officer during pre-application discussions. This ratio is consistent with that agreed for other recent student accommodation developments in St. Andrews at University Hall (17/00776/FULL) and Agnes Blackadder Hall (17/00781/FULL). Although the standard set out in the current Transportation Development Guidelines for student parking is 1 space per 7 students, survey data has been provided on the level of car ownership among previous residents of Albany Park. This data was collected in the Spring of 2017 as part of a travel survey of all students. The data showed that around 8%, or 1 in 13, of residents at Albany Park, had access to a car. In order to provide a more robust assessment for the proposed development it was agreed that parking shall be provided at a rate of 1 space per 10 students.

2.8.5 Objection comments, including comments from the Community Council, note concern that the parking standards would not be sufficient for the proposal to let some of the rooms out to members of the public outwith term time. TDM note that it is intended that the University will let out some of the en-suite rooms directly to members of the public, tour groups, conference delegates and summer school students. A survey carried out in July 2017 at the Agnes Blackadder Halls car park determined that for every parking space taken up there were 3.45 rooms occupied. As a result, a rate of one parking space per three rooms was agreed for planning applications 17/00776/FULL and 17/00781/FULL. Given that the Albany Park development would attract the same type of out of term occupants as Agnes Blackadder Hall and University Hall it has been agreed that a parking ratio of 1 space per 3 rooms would also be appropriate for there. As discussed above, it should be noted that the development car park has 108 spaces. Of these spaces, 31 are required for the Scottish Oceans Institute. A further 10 spaces would be required for the anticipated 100 post graduate students living there outwith term time (1 space per 10 students ratio) which would leave 67 spaces. Applying the rate of one space per three rooms would mean that a maximum of 201 of the en-suite rooms would be available for out of term letting. A condition has been proposed, should this application be approved, to ensure that this would be adhered to. Those not arriving out of term by private car would likely arrive by coach. These would be groups of tourists, conference delegates, or summer school students. There would not be any dedicated coach parking within the proposed development. It is intended that a coach party would be met on arrival or a representative of the party would visit the facilities building and obtain room keys for everyone in their party. The

representative would then return to the coach and distribute the keys at the which point the occupants would disembark, collect their luggage and walk to their rooms. The coach would then leave the site with the option of parking at the overspill parking area at Agnes Blackadder Hall.

2.8.6 Facilities for the secure covered storage of a minimum of 374 bicycles would be provided within the development. This is in accordance with the current Transportation Development Guidelines which requires one cycle storage space per two beds. Additional cycle stands will be provided at the facilities building. Objection comments consider that there are not enough disabled parking spaces being provided. In this regard, the applicant is proposing sufficient disabled spaces, as set out within Making Fife's Places (2018) and a condition is recommended to ensure these are secured and retained.

2.8.7 The existing University of St. Andrews Estates Department is currently located in buildings on Woodburn Place. These buildings would be demolished and replaced by the proposed facilities building. The 90 staff in the Estates Department would be relocated to other University buildings. It is, therefore, anticipated that there will be a reduction in parking demand on Woodburn Place and East Sands Car Park as a result.

2.8.8 Transportation Development Management Officers have no objections to the proposals in terms of parking. The proposals would comply with the relevant policies and guidance of FIFEplan (2017) and Making Fife's Places, and the proposals are acceptable in this regard, subject to the proposed conditions.

2.9 Ground Conditions

2.9.1 FIFEplan Policy 10: Amenity requires an applicant to demonstrate the development will not result in a significant detrimental impact on amenity in relation to contaminated and unstable land. Consideration of impacts includes the site and its surrounding area. A site investigation is required to demonstrate that suitable ground conditions for the development are present on the site and, where remediation is necessary to make the ground suitable, then these are clearly set out in a strategy that is agreed by Fife Council and other appropriate agencies.

2.9.2 PAN 33: Development of Contaminated Land is a key reference document in the consideration of ground conditions and the legacy of previous land uses as it relates to proposed future uses.

2.9.3 The Applicant has submitted a Geo-environmental Desk Study (Woolgar Hunter, April 2017) and a Geo-Environmental Development Appraisal (Woolgar Hunter, July 2017). These reports conclude that the risk to human health and the water environment is considered to be low. Further investigations would need to be undertaken once existing buildings are removed from the site. The site is considered to be at low risk from previous mineral workings.

2.9.4 Fife Council Land & Air Quality Team has assessed the application and reviewed the supporting documents. It is noted that there is a requirement for an additional phase of site investigation works post demolition of the existing site structures. It is noted that this is likely to comprise of a series of trial pits and boreholes in the areas of current on-site structures and within the area of the proposed new student facilities building. It is advised that conditions requiring the additional phase of site investigation works to be undertaken and reported, along with the required remedial actions, are submitted.

2.9.5 The applicant has provided sufficient information to demonstrate the ground conditions of the site can be made suitable for the proposed use. Therefore, the proposal is in accord with FIFEplan Policy 10 and PAN 33.

2.10 Flood Risk and Drainage

2.10.1 TAYplan Policy 2: Shaping Better Quality Places Part C requires new development to be adaptable to a changing climate. It provides a presumption against development in areas vulnerable to flood risk and rising sea levels. New development must assess its risk from all sources of flooding and propose and implement mitigations and management measures to reduce flood risk. TAYplan also supports the management of surface water through SuDS and storage. TAYplan Policy 8: Green Networks promotes use of green infrastructure for water management. Policy 9: Managing TAYplan's Assets Part C (ii) promotes the protection and improvement of the water environment.

2.10.2 FIFEplan Policy 3: Infrastructure and Services expects developers to provide on-site infrastructure to serve the needs of the development in relation to both foul water drainage and surface water drainage. Policy 12: Flooding and the Water Environment sets a requirement for proposals to demonstrate that development is not at risk from flooding and will not result in an increase of flood risk elsewhere. Policy 12 also seeks to ensure that new development will not have a significant detrimental impact on the ecological value of the water environment including its natural characteristics. FIFEplan Development Opportunity Site STA014: East Sands requires Flood Risk Assessments to accompany new development in this area. The East Sands Urban Design Framework also notes the flood risk associated with parts of the Framework area and requires new development to take this in to account (see Theme 4).

2.10.3 This policy background supports the aims of Scottish Planning Policy (Managing Flood Risk and Drainage), which requires planning authorities to prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Paragraph 255 states that the planning system should adopt a precautionary approach to flood risk from all sources and take account of the predicted effects of climate change. New development should avoid areas of medium to high flood risk without adopting natural and structural flood management measures within the design of new development. SPP also promotes the use of SUDS to address surface water flood risk.

2.10.4 According to the SEPA Flood Risk Map, the site is at risk from fluvial (river), pluvial (rainfall) and coastal flooding. The hydrology of the site is characterised by the St Nicholas Burn which flows south to north through the central spine of the site. It then passes under Woodburn Place and discharges to the Kinness Burn before joining the sea via the harbour. The coastal flood risk identified by SEPA on the site relates to the north part of the site only, rather than the east part of the site through overtopping the coastal defences.

2.10.5 Recognising the flood risk profile of the site, and in accord with the development requirements of FIFEplan Proposal STA014, the applicant has undertaken a Flood Risk Assessment (Kaya Consulting Limited, updated version November 2020). The FRA assesses three potential sources of flooding: high flows from the St Nicholas Burn, which runs through the site (partially culverted), high coastal water levels along the Kinness Burn and into the lower part of the St Nicholas Burn and overtopping its banks; and from high waves overtopping the coastal defences to the east. Coastal flooding includes the combined effect of tides and storm surges. Surface water runoff has also been considered.

2.10.6 Objection comments, including that from the Community Council, have outlined concerns regarding flooding. In this regard, following amendments to the proposals, all new buildings would be located outwith the predicted functional floodplain. The new part of the Facilities Building will replace existing buildings with a smaller footprint and similar land use. Woodburn House is already used for residential accommodation and would be retained and used for residential accommodation on the upper floors. The building is predicted to flood during a 200 year flood event and above, and provisions are made to evacuate the building in such an event. This would be done through a Flood Emergency Plan which the University would implement. The other proposal buildings would not have to be evacuated during these events, however, the Facilities Building may need to be evacuated during extreme events. Flood risk from exceedance events was assessed and it was indicated that excess flows running overland from the higher ground to the south could be safely routed through the site along the internal roads and open space and flow into the open channel section of the burn. In order to protect the site from future wave overtopping rates increasing, due to climate change, augmentation of the existing coastal defences is proposed, in the form of low walls and flood gates. The coastal defences proposed are mostly for exceedance events and most of these may not be fully used during the lifetime of the development. However, a precautionary approach has been adopted.

2.10.7 SEPA initially objected to the proposals, on the grounds that it may place buildings and people at flood risk. Buildings 2 and 9 and the facilities building, were all within the functional floodplain, with buildings 2 and 9 comprising of an undercroft area to allow flood waters to enter. SEPA objected to the buildings being elevated in this way and advised that they should be relocated outwith the 0.5% AP (1:200) flood risk area. Additionally, the applicant had introduced various different methods of dealing with flood risk, including the installation of flood walls and gates around the facilities building. SEPA advised that the facilities building would be increasing in vulnerability to flooding, given the building does not currently contain any living accommodation and the applicant had proposed 20 new bedrooms within the building, albeit at the top floors.

2.10.8 The amended proposals ensure that the development would not reduce water conveyance and storage capacity of the functional flood plain as all buildings are located outwith its extent. In addition, the new build elements of the facilities building are 54sqm smaller than the existing footprint. As such, there would be no reduction of storage capacity in this area from existing, as there would be less built form in this area. The FRA submitted concludes that no defences would be required against coastal erosion – the proposed development is outwith the coastal zone and would not impact on coastal erosion.

2.10.9 As discussed above, in response to SEPA's comments, the applicant has removed all living accommodation from within the facilities building and has reduced the footprint of Blocks 2 and 9, which would bring these buildings outwith the functional flood plain. This would also negate any need for the buildings to be elevated. These amendments have allowed SEPA to remove their objection to the proposals on the grounds of flood risk. They advise that, since their initial response, the further information submitted in support of the application, including the revised site layout, allows them to remove their objection to the proposed development.

2.10.10 Fife Council Flooding, Shoreline and Harbours shared the view of SEPA and also initially objected to the proposals on the grounds of flood risk. However, following the amendments that the applicant has made to the facilities building and Blocks 2 and 9, they have advised that they are now in a position to support the proposals.

2.10.11 In addition to the updated FRA, an updated Drainage Impact Assessment (DIA) including drainage strategy and surface water management plan have been submitted by the applicant. The report describes the proposed surface water management strategy for the site and the existing arrangement of foul and surface water drainage on the proposed development and describes how it would be drained once complete. Details of the proposed surface water attenuation and treatment have been included, with a drainage layout showing the proposed discharge points. The report provides recommended maintenance requirements for the surface water drainage network and identifies who is responsible for the maintenance. It is proposed that the surface water is discharged to St Nicholas Burn and foul water drainage would be drained via a below ground gravity drainage system, discharging into the combined sewers within and adjacent to the site. Objection comments, including those from the Community Council have expressed concern that there would be no capacity for the foul water drainage from the development, and that an updated Scottish Water Pre Development Enquiry is required. The applicant has provided Scottish Water Correspondence within the DIA from October 2019, which reviewed the proposal for 920 student residences (above that now proposed). Scottish Water advised that they would have sufficient capacity in the St Andrews Waste Water Treatment works to service the development, and there would be sufficient capacity within the Lomond Hills Water Treatment Works to service the development. In this regard, it is considered that the applicant has submitted sufficient information to assess the proposals in terms of drainage capacity, with Scottish Water confirming capacity, albeit final Scottish Water approval would be required in any instance. Additionally, it is noted that Fife Council Flooding, Shoreline and Harbours Officers have reviewed all updated information and have no objections to the proposals in terms of drainage and flood risk.

2.10.12 Overall, the proposals would now fully comply with FIFEPlan (2017) Policy 3, and SPP in regard to flood risk and drainage. There are no objections from SEPA or Fife Council Flooding, Shoreline and Harbours.

2.11 Cultural Heritage

2.11.1 TAYplan Policy 9: Managing TAYplan's Assets Part C (i) provides a safeguard to the integrity of Fife's historic assets. These assets include townscapes, archaeology, historic buildings and monuments. New development should only be allowed where it is demonstrated that it would not result in any adverse impacts on these assets. Preferably, new development should seek to enhance these assets where possible.

2.11.2 FIFEplan Policy 14: Built and Historic Environment aims to protect and enhance Fife's cultural heritage, including Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Gardens and Designed Landscapes and other historic assets. Policy 14 also considers all archaeological sites and deposits to be of significance, regardless of any statutory designation. A proposal must demonstrate that the presence or otherwise of such deposits has been investigated and, where appropriate, a scheme of recording and mitigation is developed in collaboration with Fife Council.

2.11.3 SPP (Valuing the Historic Environment) recognises the contribution made by cultural heritage to the economy, cultural identity and quality of life in Scotland. The planning system should promote the maintenance and enhancement of cultural heritage assets, including their setting and the wider cultural landscape. Positive change in the historic environment is encouraged, where this is based on a clear understanding of the importance of cultural heritage assets. This understanding should inform change by identifying key characteristics that are protected and enhanced, not harmed, by new development. Paragraph 143 states that

proposals on the edge of Conservations Areas should avoid harm to its character and appearance. These will be defined through a Conservation Area Appraisal and decisions on applications are required to be informed by this appraisal.

2.11.4 The East Sands Urban Design Framework requires a new proposal to respect the existing built heritage of the East Sands area (Themes 1, 2 & 5). It must avoid any significant adverse impact on the setting of the St Andrews Conservation Area. The new layout should ensure that views to the historic core or the wider landscape setting of the town. Although not listed, the courtyard buildings that comprise the University's Estates office are considered worthy of retention and possible sensitive redevelopment. The applicant is required to demonstrate to the Council that retention and redevelopment is not possible. If this is accepted then a proposal must reflect the existing building roofline, height, massing and overall character of the existing complex, including the courtyard open space. The stone boundary walls should be retained.

2.11.5 The St Andrews Conservation Area Appraisal and Management Plan 2010 sets out the history of the town as well as the defining features of the Conservation Area which make up its character and appearance. The 19th Century developments around Woodburn, to the south east of the medieval cathedral precinct, are noted as including "a water-powered mill built by John Gibson". The Church and University are noted as the main drivers of growth of the town and its architectural development, with golf and tourism becoming more important during the 19th Century. The medieval town plan of four parallel streets running west-east is at the heart of the Conservation Area designation. This urban form is book-ended to the west by Georgian townhouses and, to the east, the harbour which is described as "mainly functional with a mix of 17th to 20th Century buildings".

2.11.6 The proposal has been reviewed by Historic Environment Scotland who assessed the impact of the proposal against the St Andrews Cathedral and Priory Scheduled Ancient Monument. HES do not have any comments to make on the proposal. The supporting materials submitted with the application have been reviewed by Fife Council's Built Heritage officers. Following discussion with the applicant and Fife Council Built Heritage Officers, the scheme was amended to take comments into account regarding the materials, massing and form. The massing, form and grain of the amended proposals takes its influence more from the historic character of the area rather than the burgh town core (more maritime and associated activities than town centre). Similarly, the choice of architectural paradigms, materials, colours and textures where visible and having an influence, take their reference from such past activities rather than selected from the centuries and different building types represented within the conservation area. The reduction of the impact of any visible parts has been reduced by introducing more variety and breaking up some of the previous design massiveness, emphasised by uniform treatments. Following the amendments made to the scheme as outlined above, Fife Council Built Heritage are supportive of the proposals.

2.11.7 In regard to archaeology, Fife Council's Archaeologist has reviewed the proposals. The site is not covered by any historic environment designations and is outwith the medieval burgh of St Andrews. However, it is very close to the site of St Andrews' medieval leper house. Leprosy was common in medieval Scotland and most of the larger burghs had leper hospitals on their outskirts. The Hospital of the Blessed Nicholas of St Andrews was probably founded in the 1160s and appears to have operated until the 16th century. Previous development-related excavation around the East Sands Leisure Centre area indicates that core of the medieval leper complex lay just to the south of Albany Park. However, stray finds of human bone in the southern area of the Albany Park footprint suggests that burial associated with the leper hospital could have strayed into the Albany Park area. It is therefore possible that evidence of burial

activity associated with the medieval leper hospital might exist in the southern area of Albany Park. Fife Council's Archaeologist has advised that it would therefore be expedient to add a condition to this consent, requiring the implementation of a programme of archaeological work, prior to the commencement of works on site.

2.11.8 In regard to built heritage, the proposals would comply with FIFEplan (2017) Policy 14, Making Fifes Places Supplementary Guidance (2018), The St Andrews Conservation Area Appraisal and Management Plan 2010 and The East Sands Urban Design Framework, subject to the aforementioned condition requiring the implementation of a programme of archaeological work.

2.12 Sustainability

2.12.1 Sustainability is a central concern of the planning system in Scotland. Along with placemaking, sustainable development is seen as a principal policy focus to help create a more successful country with opportunities for all. The concept of sustainability and sustainable development is defined variously across different parts of the development plan and other material considerations. These are set out in the subsequent sections of this report. The Scottish Government's Policy Statement on Architecture and Place: Creating Places states that sustainability is a cross-sectoral issue that covers many aspects, such as natural capital, cultural heritage, energy, transport and health.

2.12.2 TAYplan Policy 2: Shaping Better Quality Places Part D promotes efficient resource consumption in new development. It encourages integrated waste management solutions, orientation of buildings to reduce energy consumption, the use of low/ zero carbon technologies and the connection to heat networks where feasible. Policy 7 promotes efficient waste and resource management.

2.12.3 FIFEplan Policy 11 supports the development of new buildings that contribute to carbon dioxide reduction targets, use sustainable construction materials, conserve water, provide SuDS and include facilitates for collection of recyclable materials. The Adopted Low Carbon Fife Supplementary Guidance (January 2019) sets out the Council's expectations on information requirements relating to sustainable buildings. It states that these requirements will be secured through building standards regulations and it is unreasonable to expect this level of detail to be submitted with a planning application. For district heating, the Fife Heat Map shows the site is not near any existing heat networks. Therefore, no further action is required.

2.12.4 The applicant has submitted a Low Carbon Sustainability Checklist and an Energy and Sustainability Statement in response to the requirements of FIFEplan Policy 11. The statement advises that 'passive design strategies' have been applied to the blocks, to minimise primary energy consumptions associated with heating, cooling, ventilation and lighting. In terms of district heating, the site is within a low heat density area and, as such, is unlikely to have been identified as a potential district heating zone. However, the proposed development has a high heat demand which is of sufficient size to support a district heating scheme. Furthermore, district heating is recommended for the development due to the high heat density and block arrangement of the site. In this regard, a detailed study of various low carbon heat options to serve the proposed district heating system has been undertaken. The proposed solution for heat generation at the site is therefore a district heating scheme, with combined air source heat pumps and high efficiency gas fired condensing boilers which would provide a resilient source of heat energy for the development. In terms of the use of renewable technologies, it is also proposed to install photovoltaic panels to the roof of the site and use air source heat pumps.

Whilst the detail of this strategy would be secured through the assessment the technical details of building construction, it is considered that the proposal provides sufficient information to meet the terms of FIFEplan Policy 11.

2.12.5 An Air Quality Assessment has been submitted with the application, dated 11 October 2019. It notes that the site is considered to be suitable for the proposed end use from an air quality perspective. It is noted that various dust emission mitigation measures have been proposed and it is advised that these be suitably actioned in order to minimise the potential for nuisance complaints being raised by local residents during the demolition/construction activities. A condition is recommended to secure this.

2.12.6 SPP (2014) introduces a presumption in favour of development that contributes to sustainable development. The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.

2.12.7 SPP sets out 13 principles which will assist in identifying sustainable development. It states that policies and decisions should be guided by these principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and,
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

2.12.8 In terms of economic development, the applicant considers that, further student accommodation within St Andrews would further support itself as a major contributor towards the local economy, whilst providing confidence to private sector investment in terms of guaranteeing student population numbers. The proposals would offer a significant investment into the regeneration of this part of East Sands, to the benefit of the town and wider area. In the Plan for Fife (2017), the 12 ambitions for a Fairer Fife include increasing employment opportunities in tourism, attracting more visitors and increasing visitor spend. It is considered that the development of a hotel would accord with these local strategies. The University is a significant contributor to the economy of Fife according to the Fife Economic Strategy. The proposal would contribute to the growth ambitions of the University in general accord with the Council's Strategy.

2.12.9 In terms of good design and the six qualities of a successful place, this issue has been assessed in detail in Section 2.3 of this report. This section concludes the proposal accords with the placemaking principles set out in FIFEplan and other material considerations.

2.12.10 The proposal makes efficient use of land, buildings and infrastructure and promotes the regeneration of a vacant and derelict site within the East Sands area. Therefore, this principle is met.

2.12.11 The proposal delivers business development by way of student accommodation in an accessible location, as set out in Section 2.8.

2.12.12 The proposal includes the delivery of supporting infrastructure, as set out in Sections 2.4, 2.5, 2.7, 2.8, and 2.10.

2.12.13 The proposal takes due account of flood risk, as set out in Section 2.10 and responds to the challenge of climate change mitigation through compliance with FIFEplan Policy 11, as set out in Section 2.12.

2.12.14 The proposal would deliver a usable and accessible open space by forming a new square, social space and green network throughout the site. This provision would encourage informal recreation and social interaction in accord with this sustainable development principle.

2.12.15 The proposal would accord with the Land Use Strategy for Scotland by reusing previously developed land within the settlement boundary of St Andrews.

2.12.16 Section 2.11 assesses the proposal against the terms of the development plan and other material considerations in relation to the preservation and enhancement of the adjacent St Andrews Conservation Area and the potential archaeological deposits beneath the ground. The proposal is considered to accord with these relevant policies and would preserve and enhance the cultural heritage of the area.

2.12.17 Sections 2.4 and 2.5 consider the impact of the proposal on natural heritage assets. There would be very minor loss of trees as a result of the development and, on balance the proposal is considered to provide sufficient benefits to outweigh their loss. The applicant proposes compensatory planting to offset this loss. Over time, some of these new trees will become future mature, high valued specimens whilst all would enhance the ecological value of the site above its currently low value baseline. The applicant proposes measures to enhance biodiversity and would create habitat connections with existing green networks in the area.

2.12.18 Section 2.12 considers waste reduction, management and resource recovery and concludes the proposal would accord with FIFEplan Policy 11.

2.12.19 The issue of over-development, amenity and the implications for water, air and soil quality is considered at various stages throughout this report. Over-development is considered in principle in Section 2.2 and throughout the main report. The design of the development as it relates to scale and massing is considered in Section 2.3. Amenity concerns are addressed fully in Section 2.6 and issues relating to air quality are addressed in Section 2.12. Land contamination is considered in Section 2.9. In considering these various matters, the objective was to determine if there were any objective measures that would indicate the site was over-developed.

In each aspect, the site is considered to accord with the development plan and other material considerations. The proposal is not considered to constitute over-development of the site.

2.12.20 Whilst the preceding chapters of this report consider each issue separately, it is important to consider them in a holistic manner to determine if the development is sustainable. The proposals are compliant with the vision of East Sands Urban Design Framework 2010 (ESUDF) and would redevelop a site which would otherwise lay vacant with existing student accommodation not fit for purpose. The applicant has demonstrated successfully that this scale of development can be accommodated on the site in a way that any adverse impacts can be successfully mitigated either by design or planning condition. As a result, the site cannot be considered over-developed and this principle of sustainable development is met by the proposal.

2.12.21 Therefore, on the basis of the above, the proposal is considered to be sustainable development as defined by Scottish Planning Policy. This lends strong material weight to the support of the proposal provided by the development plan and material considerations.

CONSULTATIONS

Scottish Water	No objections.
Scottish Environment Protection Agency	No objections.
Historic Environment Scotland	No objections.
NatureScot	No objections.
Ministry Of Defence (Statutory)	No objections.
Archaeology Team, Planning Services	No objections, subject to conditions.
Built Heritage, Planning Services	No objections.
Policy And Place Team (North East Fife Area)	No objections.
Natural Heritage, Planning Services	No objections, subject to conditions.
Trees, Planning Services	No objections.
Urban Design, Planning Services	No objections.
Land And Air Quality, Protective Services	No objections, subject to conditions.
Structural Services - Flooding, Shoreline And Harbours	No objections.
Environmental Health (Public Protection)	No objections, subject to conditions.
Transportation And Environmental Services - Operations Team	No response.
Parks Development And Countryside	No comments.
Community Council	The Community Council object to the proposals in September 2020, prior to the amended proposals being submitted in November 2020. They raise concerns that the site is not permeable; the proposals only have one entrance and one exit, which is unlikely to result in a safe passage for pedestrians. They are concerned that the Transport Assessment submitted is not accurate; the Scottish Water sewage system does not have capacity; they have raised flooding concerns; concerns with the choice of modern materials;

<p>Transportation, Planning Services</p>	<p>the height of the buildings, particularly to the coast; density; concerns regarding safe access to East Sands Car Park; no assessment on the needs of visitors to the beach in relation to safe travel to the beach; lack of disabled parking and safe access; lack of appropriate crossing of Kinnessburn – shared use bridge to Shore Bridge should be provided; parking provision is inadequate for holiday letting; sharing of the carriageway at St Mary Street/Abbey Walk between cyclists and motorists is not safe.</p> <p>No objections, subject to conditions.</p>
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REPRESENTATIONS

39 representations have been received for this application, all of which are objection comments. The main issues raised by objectors and supports are set out in the relevant sections of the report and are summarised here:

Objectors are concerned that the buildings are too dense, that they are too high and that the design and materials are not appropriate in relation to the surrounding area. There is concern regarding the impact of the proposals on views of St Andrews and the visual impact of the proposals from the beach. There are concerns that the proposals are over-dominant.

Addressed in Section 2.3 Design and Placemaking

Objectors have concerns regarding additional traffic, lack of parking and road safety issues.

Addressed in Sections 2.7 and 2.8

Objectors are concerned about potential noise from students, and from plant machinery within the site.

Addressed in Section 2.6 Amenity

Objectors are concerned about the residential area being eroded by student accommodation.

Addressed in Section 2.2 Principle of Development

Objectors are concerned about potential adverse impact on tourism

Addressed in Section 2.2 Principle of Development

Objectors are concerned about flooding and drainage and that the sewage works would not have enough capacity.

Addressed in Section 2.10 Drainage and Flooding

Objectors have raised concerns regarding impact on privacy, daylight and sunlight impacts to existing residential properties outwith the site.

Addressed in Section 2.6 Amenity

A comment was raised that account should be taken of St Davids Day Care Centre potentially being sold and becoming apartments, which would overlook Block 8. Potential impact on privacy towards the centre was assessed as part of the proposals and, should the centre be developed in future, planning permission would likely be required and at that point, amenity issues would be assessed fully.

A comment was also raised that existing disabled parking bays within the existing East Sands Car Park are not maintained well. This is a separate issue to be raised outwith this planning application.

Issues raised which are not material planning considerations include concerns regarding the loss of view from a property and depreciation of value of a property and the internal layout not having been designed to reflect potential future pandemics.

CONCLUSIONS

The proposal has been assessed against the terms of the development plan and other material considerations. The assessment finds the principle of student accommodation use on the site to accord with the land use provisions of the East Sands Urban Design Framework 2010 (ESUDF) and FIFEplan Proposal STA014. This assessment finds that, subject to compliance with the impact policies of FIFEplan, student accommodation is an appropriate use for the site, which previously accommodated the same use. The applicant proposes sufficient parking within the site to accommodate the development and the proposals would not have any adverse impacts on the surrounding road network. The proposals have addressed key flooding concerns and the design and density has been amended to address concerns regarding the scale and impact on the surrounding area. The assessment finds the proposal accords with the sustainable development criteria of SPP and benefits from a presumption in favour. The assessment finds no planning basis on which to refuse the application when balanced against all planning matters relevant to this proposal. Overall, the proposal represents a high-quality design which would develop a brownfield, vacant site within St Andrews. The proposal would avoid or mitigate its impacts to the satisfaction of the planning authority, subject to adherence to the recommended conditions.

RECOMMENDATION

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

The conclusion of a legal agreement relating to:

A £5000 contribution towards a feasibility study into what improvements may be required to provide a suitable alternative route for cyclists to avoid using Lade Braes.

and the following conditions and reasons:

1. PRIOR TO THE COMMENCEMENT OF ANY WORKS ON SITE, a traffic management plan covering the construction of the development shall be submitted for written approval. The traffic management plan shall contain details on routing and timing of deliveries to site, including anticipated vehicle numbers, 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.

2. BEFORE THE FIRST OCCUPATION OF THE DEVELOPMENT, 108 parking spaces shall be made available for use as shown on drawing 50458-P-100 P03. Of these, 31 spaces shall be for the sole use of the Scottish Oceans Institute. The parking spaces shall thereafter remain for the lifetime of the development.

Reason: To ensure the provision of adequate off street parking.

3. WITHIN ONE YEAR OF OCCUPATION OF THE DEVELOPMENT the existing St. Andrews University Travel Plan shall be updated to take account of the development.

Reason: To ensure the Travel Plan remains current.

4. PRIOR TO THE OCCUPATION OF THE DEVELOPMENT, a minimum of 374 covered cycle storage spaces shall be provided within the development. The cycle storage shall remain for the lifetime of the development.

Reason: In the interest of adequate cycle storage.

5. Of the 108 parking spaces to be provided a minimum of three of them shall be for disabled provision. The disabled spaces shall remain for the lifetime of the development.

Reason: To ensure the provision of adequate disabled parking

6. Of the 108 parking spaces to be provided a minimum of three of them shall be for electric vehicle charging. These spaces shall remain for the lifetime of the development.

Reason: To ensure the provision of electric vehicle charging points.

7. Outwith St. Andrews University term time, no more than a maximum of 201 bedrooms shall be let out to the general public at any one time, and no more than a maximum of 100 bedrooms shall be let to St. Andrews University students at any one time. For the avoidance of doubt, the maximum number of bedrooms to be let out to the general public (201) and to students (100) apply regardless of there being less occupancy in the other letting definition.

Reason: To ensure the provision of adequate off street parking.

8. NO DEVELOPMENT SHALL COMMENCE ON SITE until the risk of actual or potential land contamination at the site has been investigated and a suitable second phase Intrusive Investigation (Phase II Investigation Report) has been submitted by the developer to and approved in writing by the local planning authority. Where remedial action is recommended in

the Phase II Intrusive Investigation Report, no development shall commence until a suitable Remedial Action Statement has been submitted by the developer to and approved in writing by the local planning authority. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures.

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

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

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

Unless otherwise agreed in writing with the 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 — or the approved revised Remedial Action Statement — and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

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

10. IN THE EVENT THAT CONTAMINATION NOT 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.

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

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

12. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, the developer shall submit a Construction and Environmental Management Statement (CEMP) for the written approval of the planning authority. The approved CEMP shall include the following details:

- Wheel cleaning facilities;
- Details of construction traffic access, delivery routes and timing of deliveries to site;
- Details of site operatives parking;
- Traffic management required to allow off site operations such as utilities connections;
- Tree root protection measures;
- Ecological protection measures, including wildlife entrapment prevention measures;
- Construction phase sustainable drainage systems, in accord with Chapter 31 of SuDS Manual (C753);
- Noise and vibration suppression measures, in accord with British Standard BS 5228: Part 1: 2009 "Noise and Vibration Control on Construction and Open Sites";
- Dust and other air quality impacts suppression measures, in accord with the Air Quality Impact Assessment (Redmore environmental, October 2019) and BRE Publication BR456 - February 2003 "Control of Dust from Construction and Demolition Activities"; and,
- Hours of construction operations.

For the avoidance of doubt, activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads shall not take place outside the hours of: 08:00 - 18:00 Monday to Fridays; and, the hours of 08:00 - 13:00 Saturdays, with no working on Sundays or Public Holidays, unless varied by the written agreement of the planning authority. Thereafter, the construction phase of development shall be undertaken in accord with the approved CEMP, unless otherwise varied with the written agreement of the planning authority.

In the interests of amenity and environmental protection; to ensure the effective management of the construction phase of development.

13. PRIOR TO THE OCCUPATION OF ANY BUILDING HEREBY APPROVED, all works relative to that building which form part of the sound attenuation scheme set out in The Noise Impact Assessment (Sandy Brown, October 2019) shall be implemented in full and retained through the lifetime of that building. Thereafter, the developer shall submit written evidence to demonstrate that the specified noise levels have been achieved for the written approval of the planning authority.

Reason: In the interests of amenity; to ensure adequate mitigation of noise.

14. The total noise from all plant, machinery or equipment shall comply with NR 25 in bedrooms during the night, and NR 30 during the day in all habitable rooms, when measured within any noise sensitive property with windows open for ventilation. If the planning authority consider there is a discernible tone contained within the noise source, then the NR curves shall be reduced to NR 20 and NR 25 respectively. For the avoidance of doubt, daytime shall be within the hours of 07:00 - 23:00 and night time shall be 23:00 - 07:00 hours.

Reason: In the interests of amenity; to ensure adequate mitigation of noise.

15. PRIOR TO THE OCCUPATION OF THE STUDENT ACCOMMODATION BUILDING, the operator shall submit a Noise Management Plan to demonstrate the proposed measures intended to control behavioural and transient noise generated by occupants for the written approval of the planning authority. Thereafter, the operation of the student accommodation building shall accord with the agreed Noise Management Plan and any variation to it recommended by the planning authority.

Reason: In the interests of amenity; to ensure adequate mitigation of behavioural and transient noise.

16. BEFORE ANY WORKS START ON SITE, a scheme promoting biodiversity and wildlife habitat and confirmation of the delivery of the mitigation requirements set out within the Addendum to the Extended Phase 1 Habitat Survey and Preliminary Roost Assessment and Outline Biodiversity Enhancement Plan (McLeod and Aitken, October 2019) shall be submitted for the prior written approval of Fife council as Planning Authority. Thereafter the planting shall be carried out in accordance with the approved scheme.

Reason: In the interests of ecological protection; to ensure the development does not result in any significant adverse impacts on the ecology of the site or its surroundings.

17. BEFORE ANY WORKS START ON SITE, the developer shall undertake and submit a pre-demolition bat activity study programme for the written approval of the planning authority, to ensure the works area is clear of roosting bats.

Reason: In the interests of ecological protection; to ensure the development does not result in any significant adverse impacts on the ecology of the site or its surroundings.

18. PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT a final lighting scheme shall be submitted for prior approval. The lighting scheme must be designed to ensure that the western boundary bat commuting route is retained.

Reason: In the interests of ecological protection; to ensure the development does not result in any significant adverse impacts on the ecology of the site or its surroundings.

19. BEFORE ANY WORKS START ON SITE, the developer shall submit details and specifications of the protective measures necessary to safeguard the trees and vegetation that are to be retained on the site during (demolition) (development) operations, including the St Nicholas Burn riparian zone. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective

measures shall be retained in a sound and upright condition throughout the demolition/development operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area.

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

20. 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 earth-mounding, shall be submitted for approval in writing by this Planning Authority. The scheme shall include replacement tree planting for those trees which have and are being lost as part of the development. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

21. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, a sample of all external finishing materials for buildings shall be submitted for the written approval of this Planning Authority. Thereafter, the finishes used in all buildings shall be in accord with the approved samples.

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

22. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, the developer shall submit details of the future management and aftercare of all external areas of hard and soft landscaping within the site and external lighting details, for the written approval of the planning authority. Thereafter, the external areas of the site shall be maintained in accordance with the agreed arrangements, unless otherwise agreed in writing with the planning authority.

Reason: In the interest of place-making; to secure adequate provision of maintenance of external parts of the development.

23. All planting carried out on site shall be maintained by the developer (or a contractor of their behalf) 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.

24. Any vegetation clearance, including tree felling works, shall avoid the bird breeding season (March - September inclusive).

Reason: In the interests of the protection of birds; to ensure de-vegetation works do not adversely impact on bird nests.

25. BEFORE ANY WORKS START ON SITE, the developer shall submit a bird hazard management plan to be approved in writing, in consultation with the MOD. The submitted bird hazard management plan shall contain but not be limited to:

- Means of managing flat, shallow pitched, green roofs erected as part of the development;
- The site manager has safe and easy access to the roof to carry out inspections and carry out appropriate dispersal techniques in line with appropriate licenced means;
- Details of recording inspections, dispersal of birds, any licensed activities for addressing nesting or eggs to be made available to RAF Leuchars/MOD on request
- A clear statement that the bird hazard management plan is to be operated and complied with in perpetuity or until RAF Leuchars is no longer operational

Reason: To minimise and mitigate the potential for the development to attract and support birds of such species that could endanger the safe movement of aircraft and the operation of RAF Leuchars.

26. PRIOR TO THE OCCUPATION OF ANY BUILDING, the developer shall submit to the planning authority confirmation from Scottish Water that a connection to the public sewer for foul water drainage is agreed, all to the satisfaction of the planning authority.

Reason: To ensure the provision of supporting infrastructure.

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.

Development Plan:

Approved Tay Region Strategic Development Plan 2017 (TAYplan)

Adopted Fife Local Development Plan 2017 (FIFEplan)

Making Fife's Places Supplementary Guidance 2018

Low Carbon Fife Supplementary Guidance 2019

Other Local Authority Guidance:

East Sands Urban Design Framework 2010 (ESUDF)

Supplementary Planning Guidance: Houses in Multiple Occupation (St Andrews Central Conservation Area) 2011

St Andrews Conservation Area Appraisal and Management Plan 2010

Draft Planning Obligations Framework 2017

National Policy:

National Planning Framework 2014 (NPF3)

Scottish Planning Policy 2014 (SPP)

PAN 3/2010: Community Engagement

Circular 4/1998: The Use of Conditions in Planning Permissions

Creating Places: A Policy Statement on Architecture and Place for Scotland 2013

Historic Environment Policy for Scotland 2019

Historic Environment Scotland Guidance: New Design in Historic Settings 2010

Managing Change in the Historic Environment Guidance Note: Setting 2016

PAN71: Conservation Area Management

PAN51: Planning, Environmental Protection and Regulation 2006

PAN1/2011: Planning and Noise

TAN1/2011: Planning and Noise

Circular 8/2009: Houses in Multiple Occupation , Guidance on Planning Control and Licencing

PAN75

Background Documents:

Fife Tourism Strategy

Fife Economic Strategy

Royal Environmental Health Institute Scotland Briefing Note 017 2015

Report prepared by Natasha Cockburn, Planner, Case Officer

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 18/12/20.

Date Printed 04/12/2020

Land For Prospective Student Accommodation Albany Park St Andrews



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Legend

 Application Boundary

0 20 40 80 120 m







Economy, Planning & Employability Services

ITEM NO: 6**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/00821/FULL****SITE ADDRESS: ST ANDREWS HARBOUR SHOREHEAD ST ANDREWS****PROPOSAL : ERECTION OF STORAGE SHED (CLASS 6) AND
INSTALLATION OF FUEL TANK WITH ASSOCIATED
SECURITY CAGE****APPLICANT: MR CAMERON RAE
CHESTNEY HOUSE 149 MARKET STREET ST ANDREWS****WARD NO: W5R18
St. Andrews****CASE OFFICER: Jamie Penman****DATE 19/10/2020
REGISTERED:****REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

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

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

**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 small area of ground, measuring approximately 60sqm, located to the west of St Andrews Harbour. The application site is located within the settlement boundary of St Andrews, as defined by FIFEplan (2017). It is also located within the Central St Andrews Conservation Area and the St Andrews Area Archaeological Regional Importance. The application site is generally flat and currently reads as vacant open space; Evidence has been submitted which shows that a shed once stood on this site, however it was removed some time ago (20 years +). To the north of the site lies the shore line of St Andrews Bay, to the east is an area for car parking and St Andrews Harbour (Category A Listed), to the south is an access road and residential properties which vary in style (the closest of which is Category B Listed - Bell Rock House) and to the west, is a grassed bank that slopes upwards towards St Andrews Cathedral and Priory and adjacent ecclesiastical remains, which is a scheduled monument. Core Path P003/02, the Fife Coastal Path and a Cycleway all pass by the site to the south.

1.1.2 This application is for full planning permission for the erection of a storage shed (Class 6) and the installation of a fuel tank with associated security caging. The application is submitted by the St Andrews Harbour Trust.

1.1.3 There is no planning history associated with this site.

1.1.4 The submitted plans show that the storage shed would be constructed on a new concrete slab base and measure approximately 5.5m by 3m, to provide a floor area of approximately 16.5sqm. It would have a pitched roof measuring 2.2m to the eaves with a maximum finishing height of 3.1m. The shed would be timber framed with light golden coloured cladding. The roof would be covered with green mineral felt. The shed would include UPVC guttering and timber framed windows with toughened safety glass. The fuel tank would be located to the west of the shed and have a powder coat black finish. It would measure approximately 2.31m by 1.55m and have a finishing height of 1.95m. No finishing details of the security cage which would enclose the fuel tank have been submitted however it would measure 2.2m by 2.9m and have a finishing height of 2.3m.

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
- Residential Amenity Impact
- Road Safety Impact
- Low Carbon Fife
- Flooding Impact
- Archaeology Impact

2.2 Principle of Development

2.2.1 The Scottish Government's Scottish Planning Policy (SPP) (2014) and Policy 1 of the Adopted FIFEplan Local Development Plan (2017) apply with regards 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 that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. Such development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C. Part A states 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 Local Development Plan.

2.2.4 Both support and objection comments have been received. Issues raised in these representations which are relevant to the principle of development in this instance, relate to the need for the proposal and with regard to the proposal's visual impact. Support comments state that there is a need for this development, and it would improve the offerings of the harbour and its continued survival, improve amenities to fisherman, improve safety and improve economic growth. Objection comments argue that there is no need for this development. Some objection comments acknowledge that whilst there may be a need for this development, the proposed site would not be acceptable. Representations also raise the visual impact of the proposal. Support comments argue that the proposal would have no visual impact and that it would blend in with the surrounding area whilst objection comments argue that it would have a detrimental impact on the surrounding area including key views and the historic built environment. These issues will be discussed below.

2.2.5. A limited amount of information has been submitted with this application however it is noted on the submitted plans that the proposed shed would be used for storage and would include a walk-in freezer and toilet facility. It is noted that the site would be used by the inshore fishing fleet based at the harbour and would not be open to the public.

2.2.6 As the application site is situated within the settlement boundary of St Andrews, there is a general presumption in favour of development and the proposed use of the shed/fuel tank, would be deemed acceptable, in principle. No significant concerns are therefore raised with regard to the need for the development and it is accepted that the development would improve the offerings of the working harbour which would likely have wider benefits for the local area. No supporting information has been submitted however, with regard to why the proposal needs to be sited in this location. It is considered that the proposal, if located closer to the working harbour beside the existing fishermen's sheds at East Bents, this would help reduce the proposal's visual impact. Attention is drawn, to Policy 1 Part B Criteria 7 and 10. These criteria note that development proposals must address their development impact by safeguarding the character and qualities of the landscape and by safeguarding the characteristics of the historic environment. As will be discussed in Section 2.3 of this report, the proposal, due to its inappropriate location, utilitarian form, choice of colour and low quality finishing materials, would

be considered an incongruous addition to the area and as such, cannot be deemed to safeguarding the character and qualities of the landscape or safeguard the characteristics of the historic environment.

2.2.7 With regard to the principle of development, the proposal is deemed contrary to FIFEplan (2017) Policy 1, specifically Part B Criteria 7 and 10 and Making Fife's Places Supplementary Planning Guidance (2018). As such, the principle of development cannot be deemed acceptable in this instance.

2.3 Design/Visual Impact on Conservation Area and Setting of a Listed Building

2.3.1 Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Policies 1, 10, 13 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Planning Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010), The East Sands Urban Design Framework (2010), Historic Environment Scotland (HES) Historic Environment Policy for Scotland (May 2019), New Design in Historic Settings (2010) and Managing Change in the Historic Environment (2010) apply with regard to this proposal.

2.3.2 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that in considering whether to grant planning permission for development which affects a listed building or its setting, the planning authority shall 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. 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 2014 (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.

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. Policy 1 Part B Criteria 7 and 10 note that development proposals must address their development impact by safeguarding the character and qualities of the landscape and by safeguarding the characteristics of the historic environment. 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 13 of FIFEplan (2017) advised that development proposals will only be supported where they protect or enhance landscape character and views. Policy 14 of FIFEplan (2017) advises that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported.

2.3.5 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.

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).

2.3.7 Fife Council's East Sands Urban Design Framework (2010) describes how design policies and principles should be implemented to control, guide and promote change in a coordinated manner. The document provides a broad framework for buildings, movement and spaces that will inform more detailed development briefs, masterplans, and planning applications in the future.

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.

2.3.9 This proposal has attracted both support and objection comments with regard to its visual impact on the surrounding area. Concerns raised relate to the proposal's negative visual impact on the St Andrews Conservation Area, nearby Listed Buildings and the nearby Scheduled Monument and views towards St Andrews Bay. Support comments argue that the proposal would blend in with its surroundings. The proposal's visual impact will be discussed in detail below.

2.3.10 The submitted plans show that the storage shed would be constructed on a new concrete slab base and measure approximately 5.5m by 3m, to provide a floor area of approximately 16.5sqm. It would have a pitched roof measuring 2.2m to the eaves with a maximum finishing height of 3.1m. The shed would be timber framed with light golden coloured cladding. The roof would be covered with green mineral felt. The shed would include UPVC guttering and timber framed windows with toughened safety glass. The fuel tank would be located to the west of the shed and have a powder coat black finish. It would measure approximately 2.31m by 1.55m and have a finishing height of 1.95m. No finishing details of the security cage which would enclose the fuel tank have been submitted however it would measure 2.2m by 2.9m and have a finishing height of 2.3m.

2.3.11 The proposal would be located on a vacant site, which currently reads as open space. The application site is a sensitive location, located within the Central St Andrews Conservation Area, south of the shoreline of St Andrews Bay, 30m the west of Category A Listed St Andrews Harbour, 15m to the east of St Andrews Cathedral and Priory and adjacent ecclesiastical remains which is a scheduled monument, and 10m to the north of Category B Listed Bell Rock House. It is also located towards the north of the well-used Fife Coastal Path, Core Path P003/02 and a Cycleway.

2.3.12 Historic Environment Scotland (HES) have been consulted on this proposal and have advised that due to the proposal's plain, utilitarian form, light colour and prominent location, it would have a moderate adverse visual impact on the setting of the A listed harbour and a more limited impact on the setting of the scheduled monument. HES advise however, that the adverse impact would not be serious enough to warrant an objection and that mitigation could be obtained to provide a darker colour for both the shed and caging for the fuel tank. HES conclude their consultation response by stating that the proposal does not raise historic environment issues which are of national significant and therefore, they do not object. However, the decision not to object, should not be taken as support for the proposal and that the application should be determined in accordance with national and local policy, together with related guidance.

2.3.13 Fife Council's Built Heritage Team (BH) have also been consulted on this proposal and have advised that the location, massing and form of the shed is appropriate. BH also suggest that mitigation could be obtained to provide a darker colour for both the shed and caging for the fuel tank. The consultation response concludes by advising that whilst generally acceptable, there could be some minor adverse impact on the context and setting of the listed harbour and Conservation Area.

2.3.14 Whilst the decision by HES and Fife Council's Built Heritage Team not to object to this proposal is noted, attention should be drawn to their comments regarding the proposal's potential adverse impact on the surrounding Conservation Area, Listed Buildings and Scheduled Monument. It is important to note the requirements of Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, which require that proposals must preserve the listed building or its setting or any features of special architectural or historic interest which it possesses and that the proposal should preserve or enhance the character or appearance of the Conservation Area. In this instance, given the proposal's utilitarian form, prominent location, choice of colour and low quality finishing materials, it would neither preserve the setting of listed buildings or preserve or enhance the character of the Conservation Area. Given the nature of the issues with this application, the applicant was not invited to amend the proposal.

2.3.15 It is noted that within the East Sands Urban Design Framework (2010), page 18 refers to the existing fisherman's huts at East Bents and notes that, such wooden huts, painted, with pitched roofs and traditional windows, well maintained, make a positive contribution to the working character of the harbour. In response to this, it is acknowledged that the proposal would be similar in design to the referenced structures. It is argued however, that given that the proposal would be located in a prominent location, yet isolated position away from similar buildings which form part of the working harbour at East Bents (approximately 120m with no visual connection between the two sites), it is duly considered that the proposal would read as an out of place, utilitarian domestic garden shed, which would not blend in with its surroundings and would therefore fail to preserve or enhance the character of the East Sands Urban Design Framework Area and the Conservation Area it sits within.

2.3.16 The isolated siting of the proposal away from the working harbour, combined with its utilitarian form, choice of colour and low quality finishing materials, is not considered appropriate for the Central St Andrews Conservation Area and would therefore be considered to have a negative visual impact on the character of the Conservation Area.

2.3.17 Whilst the proposal would not be attached to any of the surrounding listed buildings or scheduled monument, it would be visible when viewing these given its relatively close proximity and would therefore, due to its utilitarian form, choice of colour and low quality finishing

materials, have a negative visual impact on the setting of the listed buildings and scheduled monument.

2.3.18 The proposal would also be located in a prominent location towards the north of Shorehead, where The Fife Coastal Path, Core Path P003/02 and a Cycleway all pass the site to the south. There are currently uninterrupted views across St Andrews Bay when using these routes, whether approaching from The Pends to the west, Shorehead to the south or from the listed harbour to the east. These uninterrupted views make a valued contribution to the sense of place, within the Conservation Area. Given the proposals utilitarian form, size and low-quality colour and finishing materials, it would not blend in with the surrounding landscape and would therefore obstruct and impact on key views of St Andrews Bay from Shorehead. The proposal would therefore have a negative impact on the landscape character and views across the Bay which would also have a detrimental impact on the sense of place within the Conservation Area.

2.3.19 In light of the above, due to the proposal's inappropriate location, in an isolated position away from similar buildings which form part of the working harbour, combined with the proposal's utilitarian form, choice of colour and low quality finishing materials, it would blend in with the surrounding area and as such, have a negative visual impact on the Central St Andrews Conservation Area, surrounding Listed Buildings and Scheduled Monument and on prominent views across St Andrews Bay, all to the detriment of the surrounding, visual amenity, historic environment and landscape character.

2.3.20 The proposal is therefore deemed contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), Policies 1, 10, 13 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Planning Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010) and The East Sands Urban Design Framework (2010).

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 and Fife Council Customer Guidelines on Daylight and Sunlight (2018), 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 protecting 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 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) state that 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.

2.4.5 Objection comments have been received which raise concerns with regard to noise impacts, loss of daylight/overshadowing impacts, privacy impacts, light pollution impacts and odour impacts. These issues will be discussed below.

2.4.6 Given the scale of the proposal and that the closest residential property is located approximately 10m to the south of the application site, no overshadowing concerns would be raised in this instance. Similarly, given the nature of the proposal, no concerns would be raised with regard to existing levels of privacy. It should also be noted that no external lighting is proposed therefore no concerns regarding light pollution would be raised. Furthermore, whilst the proposal would include freezers for the storage of bait, no odour impact concerns would be raised in this regard. Also, due to the nature of the development, no significant concerns would be raised with regard to an increase in litter.

2.4.7 When considering the proposed use of the proposal, no significant noise impacts would be expected on neighbouring residential properties. If noise was to become an issue however, complaints can be made to Fife Council's Environmental Health Team and if nuisance is established, action can be taken to rectify any issues under legislation relevant to that team. As such, no significant noise impact concerns would be raised in this instance.

2.4.8 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) policies 1, 10 and Making Fife's Places Supplementary Planning Guidance (2018) in this instance.

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. Policy 10 of FIFEplan specifically relates to traffic movements. Transportation Development Guidelines set out the minimum parking standards for developments, as well as standards for roads developments.

2.5.3 Concerns have been raised by objectors that the proposal would have an impact on existing levels of road safety in terms of both vehicular traffic and pedestrians. It is noted that the proposal would lead to increased vehicular trips which would increase congestion and as there is no footway, pedestrians would have to walk in the middle of the road.

2.5.4 The proposal would be utilised by existing inshore fishing fleets located within the harbour and that there will be no access to the general public. No significant increase in vehicular trips would therefore be anticipated. Furthermore, due to the nature and geometry of the road in this location, vehicle speeds are likely to be low and as such, no significant road safety impacts on vehicles or pedestrians would be anticipated. As such, no significant road safety concerns would be raised in this instance.

2.5.5 Fife Council's Transportation Development Team (TDM) have been consulted on this application and have advised that they have no objections to make.

2.5.6 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) policies 1, 3, 10 and Making Fife's Places Supplementary Planning Guidance (2018) in this instance.

2.6 Low Carbon Fife

2.6.1 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.

2.6.2 SPP (paragraph 154) 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.

2.6.3 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.

2.6.4 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 Supplementary Guidance).

2.6.5 Given that the proposed sheds will not be heated, the proposal is exempt from the requirements of Policy 11.

2.7 Flooding

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) apply in this instance.

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 This application has attracted objections with regard to the proposal being at risk from flooding and that there is no SUDS scheme proposed. This will be discussed below.

2.7.4 Given that surface water runoff would be discharge to coastal waters, no SUDS scheme would be required in this instance. Structural Services have noted that the downpipe should be extended to within 50mm of the slipway. This could be addressed by condition.

2.7.5 The SEPA flood maps have been analysed in this instance and indicate that this site is located in an area prone to coastal flooding. Fife Council's Structural Services Team and SEPAs standing advice for local authorities have been consulted in this instance. No objections were raised by Structural Services and SEPAs standing advice notes the development would have no significant impact on flood risk. It is also considered that the development would not increase the likelihood of flooding elsewhere.

2.7.6 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) policies 1, 3, 12 and Making Fife's Places Supplementary Planning Guidance (2018) in this instance.

2.8 Archaeology Impact

2.8.1 FIFEplan (2017) Policies 1 and 14 apply in this instance. FIFEplan Policy 14 states that all archaeological sites and deposits, whether statutorily protected or not, are considered to be of significance. Development proposals which impact on archaeological sites will only be supported where: remains are preserved in-situ and in an appropriate setting or there is no reasonable alternative means of meeting the development need and the appropriate investigation, recording, and mitigations is proposed. If unforeseen archaeological remains are discovered

during development, the developer is required to notify Fife Council and to undertake the appropriate investigations.

2.8.2 The application site is located within the St Andrews Area Archaeological Regional Importance, as such, Fife Council's Archaeological Team have been consulted. Their consultation response notes that the sub-surface disturbance of the application site would be limited to areas of ground that are already likely to be archeologically sterile, due to previous episodes of ground disturbance. The response concludes by noting that no archaeological works would be required.

2.8.3 In light of the above, the proposal would be deemed to comply with FIFEplan (2017) policies 1, 14 and Making Fife's Places Supplementary Planning Guidance (2018) in this instance.

2.9 Natural Heritage/Access Impact

2.9.1 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.

2.9.2 This application has attracted objections with regard to the proposal's impact on the natural environment (pollution). One objection also raises concerns that trees would be lost as a result of this development however it should be noted that there are no trees on this site.

2.9.3 A core path, cycle way and the Fife Coastal Path pass along the southern boundaries of the site. The proposed development would not impact these however a condition can be added to ensure these are not blocked during the development phase.

2.9.4 With regard to the impact of the fuel tank on the natural environment, SEPA have been consulted and have raised no concerns. The applicant would be required under separate legislation, to ensure there would be no pollution impacts from the proposed fuel tank.

2.9.5 In light of the above, the proposal would have no significant impact on natural heritage assets. The proposal is therefore deemed to comply with FIFEplan (2017) Policies 1, 13 and Making Fife's Places Supplementary Planning Guidance (2018) in this instance.

CONSULTATIONS

Community Council
Archaeology Team, Planning Services
Historic Environment Scotland

Scottish Environment Protection Agency
Scottish Water

Objects to the proposal.
No archaeological works required.
Does not object however proposal would have moderate adverse impact on historic environment. Mitigation recommended.
Refer to standing advice.
No objections.

Structural Services - Flooding, Shoreline And Harbours	No objections.
Transportation, Planning Services	No objections.
Built Heritage, Planning Services	No objection however proposal may have some minor adverse impact on the context and setting of the listed harbour and the conservation area. Mitigation recommended.

REPRESENTATIONS

138 representations have been received. This includes 63 objections (including an objection from the Royal Burgh of St Andrews Community Council as a statutory consultee) and 82 support comments. 2 late objections were also received.

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

- Proposal would support fishing industry/working harbour/recreational crafts/Harbour Trust - Addressed in Section 2.2
- Proposal would make getting fuel safer and easier - Addressed in Section 2.2
- Proposal would include safety equipment making harbour safer - Addressed in Section 2.2
- Improve amenity of harbour - Addressed in Section 2.2
- Support local enterprise - Addressed in Section 2.2
- Would continue great improvements of historic harbour - Addressed in Section 2.2
- Proposal would attract new users to harbour - Addressed in Section 2.2
- Proposal is part of a strategic plan for harbour and would benefit current and future users - Addressed in Section 2.2
- Proposal essential to support continued use of harbour - Addressed in Section 2.2
- Proposal would replace similar shed which once stood on this site - Addressed in Section 2.3
- Negligible, if any, disadvantages to local area - Addressed in Section 2.2
- Would benefit tourism - Addressed in Section 2.2
- Shed would enhance view of harbour - Addressed in Section 2.3
- Old shed did not have detrimental effect on appearance of area - Addressed in Section 2.3
- Application should be viewed with open and practical mindset - Addressed throughout
- Proposal would blend in with surroundings - Addressed in Section 2.3
- Proposal would not be detrimental to the harbour - Addressed in Section 2.3

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

- No other land available at harbour
- Refusal of application would result in loss of funding
- Need for shed should outweigh aesthetic preferences
- Opinions of Harbour Trust should be given greater weight than individuals who have filed objection based on personal dislike of structure

Concerns which are deemed material in the assessment of the proposal include:

- Misleading title - This was rectified
- Impact on visual amenity/historic environment/Conservation Area/Listed Buildings - Addressed in Section 2.3
- Impact on view of sea to north - Addressed in Section 2.3
- Pollution risk from fuel tank - Addressed in Section 2.9

- View of iconic St Andrews view would be ruined - Addressed in Section 2.3
- Use of proposal would create traffic hazard to existing road users - Addressed in Section 2.5
- Application site is a beauty spot - Addressed in Section 2.3
- Proposal would not replace existing shed - Addressed in Section 2.3
- No indication of height of hut - Submitted plans can be fully scaled
- Proposal would block parking spaces - Addressed in Section 2.5
- No need for the proposal - Addressed in Section 2.2
- Historic Environment Scotland have not been consulted - Addressed in Section 2.3
- Proposal out of keeping with surrounding buildings - Addressed in Section 2.3
- Proposal would be in danger from flooding - Addressed in Section 2.7
- Are unsuitable for business as it is already congested - Addressed in Section 2.5
- Impact on major site - Addressed in Section 2.3
- Storage of diesel dangerous in this location - Addressed in Section 2.9
- Application does not provide sufficient information - Addressed in Section 2.2
- No protection for shed against elements - Addressed in Section 2.3/2.7
- There is a small garden on this site - Addressed in Section 2.3
- Noise levels - Addressed in Section 2.4
- Impact on breeding birds - Addressed in Section 2.9
- Odour impact - Addressed in Section 2.4
- Loss of daylight and overshadowing - Addressed in Section 2.4
- Overlooking and loss of privacy - Addressed in Section 2.4
- Infrastructure capacity - Addressed in Section 2.4
- Impact on natural assets - Addressed in Section 2.9
- Loss of trees - Addressed in Section 2.9
- Light pollution - Addressed in Section 2.4
- Increase in litter - Addressed in Section 2.4
- No SUDS details - Addressed in Section 2.7

Concerns which are not deemed material in the assessment of the proposal include:

- Better location would be next to existing fishermen's sheds
- Fishermen do not use diesel
- Fisherman have own sources for bait already
- Fuel tank could be vandalised/stolen
- Fishermen have not been consulted
- External door opens to toilet and could be used by public
- With Covid 19, use of toilet by public would be undesirable
- Who will be responsible for cleaning toilet?
- Risk of water freezer in unheated shed
- Harbour trust may rent out building to an individual to run as a business premises
- Unprotected building would lead to anti-social incidents
- Harbour Trusts across the UK can help make this area more financially secure
- University students can come up with imaginative and innovative ideas for area
- Slipway at harbour is in danger of being destroyed as Harbour Trust removed protective boulders
- It will make social distancing difficult for pedestrians
- Will block view from residents' windows
- No available plumbing/electric on site
- Impact on value of neighbouring properties
- Building not DDA compliant
- Proposal would become redundant given likely banning of diesel vehicles
- Application needs more publicity

- Health and safety impact from storing diesel in public area

CONCLUSIONS

Whilst no significant concerns would be raised with the proposal in terms of residential amenity, road safety or flooding impacts, significant concerns would be raised with regard to the proposal's visual impact on both visual amenity and the surrounding historic environment. Due to the proposal's inappropriate location and isolated position away from other buildings which form part of the working harbour, it would be considered an incongruous addition within the surrounding area, whose utilitarian form, choice of colour and low quality finishing materials, would have a significant detrimental visual impact on the immediate area, the Central St Andrews Conservation Area, the surrounding Listed Buildings and Scheduled Monument and on prominent views across St Andrews Bay, all to the detriment of existing levels of visual amenity, the surrounding historic environment and landscape character. The proposal is therefore deemed contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), Policies 1, 10, 13 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Planning Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010) and The East Sands Urban Design Framework (2010).

RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of protecting visual amenity; the application proposal by virtue of its inappropriate location, utilitarian form/design, choice of colour and low quality finishing materials, as well as having a character and appearance which are not in keeping with the surrounding area, does not make a positive contribution to the surrounding area, immediate environment and built environmental quality. The Application Proposal is therefore considered to be contrary to Policies 1, 10 and 14 of the adopted FIFEPlan 2017 and the adopted Making Fife's Places Supplementary Planning Guidance 2018.

2. In the interests of protecting the surrounding historic built environment; the application proposal by virtue of its inappropriate location, utilitarian form/design, choice of colour and low quality finishing materials, as well as having a character and appearance which are not in keeping with the surrounding area, does not make a positive contribution to the surrounding area, immediate environment and built environmental quality and is considered to have a significant detrimental impact on the character of the Central St Andrews Conservation Area and the setting of adjacent Listed Buildings and Scheduled Monument. The Application Proposal is therefore considered to be contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Policies 1 and 14 of the adopted FIFEPlan 2017 and the approved St Andrews Conservation Area Appraisal and Management Plan 2010.

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.

3. National:

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

Scottish Planning Policy (2014)

Historic Environment Scotland Policy Statement (April 2019)

Historic Environment Scotland's Managing Change in the Historic Environment Guidance Documents

PAN 1/2011: Planning and Noise

Development Plan:

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Planning Guidance (2018)

Local Guidance:

Central St Andrews Conservation Area Appraisal and Management Plan (2010)

East Bents Urban Design Framework (2010)

Report prepared by Jamie Penman – Graduate Planner

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 21/12/20.

Date Printed 07/12/2020



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<p>Legend</p> <p> Application Boundary</p> <p>0 5 10 20 30 m</p>		<p>N</p> 	 <p>Fife COUNCIL</p> <p>Economy, Planning & Employability Services</p>
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ITEM NO: 7

APPLICATION FOR FULL PLANNING PERMISSION REF: 20/01881/FULL

SITE ADDRESS: 13 KINKELL TERRACE ST ANDREWS FIFE

PROPOSAL : ERECTION OF OUTBUILDING TO REAR OF DWELLINGHOUSE

**APPLICANT: MR AND MRS GIBSON
21 WESTGARTH AVENUE COLINTON EDINBURGH**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Stacey Wotherspoon

**DATE 01/09/2020
REGISTERED:**

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

More than 5 letters of representation have been received in relation to this application and the officers recommendation is contrary to this.

SUMMARY RECOMMENDATION

The application is recommended for:

Unconditional 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 This application relates to a single storey detached dwelling house located within an established residential area of St Andrews, which currently operates as a HMO and has done for some time. Finishing materials of this property include concrete roof tiles, wet dash render, and white uPVC windows and brown uPVC doors, with the front elevation of the property partially finished with brickwork. There are a mix of property types in the surrounding area, however, they follow a similar architectural form. The immediate area mostly consists of semi-detached and terraced properties with a mix of single storey and two-storey designs. The property currently has garden ground to the front, side, and rear, and is bound by walls and hedges.

1.2 This application is for full planning permission for an outbuilding within the rear garden ground of the property to accommodate a home office, as well as a bedroom for visiting friends and family. The proposed works have already begun on site.

1.3 Planning history for this property includes;

- 06/00652/EFULL - Extension and dormer extensions to dwelling house - Permitted 15.05.2006

1.4 A physical site visit has not been undertaken. All necessary information has been collated digitally to allow the full consideration and assessment of the application. A risk assessment has been carried out and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

2.0 POLICY ASSESSMENT

2.0.1 The issues which are to be assessed against the Adopted FIFEplan 2017 policies and other related guidance are as follows:

- Principle of Development (House of Multiple Occupancy (HMO))
- Design and Visual Impact
- Residential Amenity Impact
- Road Safety Impact

2.1 Principle of Development

2.1.1 Scottish Planning Policy (SPP) and Policies 1 and 2 of the Adopted FIFEplan (2017) set out the requirements for the principle of the development with regard to this application.

2.1.2 The Scottish Government's SPP advises that development for new residential units should be concentrated within existing settlements and encourages 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. The current proposal is assessed on the basis of a domestic outbuilding.

2.1.3 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 Team. Policy 2 of FIFEplan states that Houses in Multiple Occupancy (HMO) will not be supported if it is a new dwelling, unless purpose built for HMO use; or it is the conversion of an existing building in an area where restrictions on HMOs are in place. In terms of planning, the current proposal is not for a change of use to an HMO.

2.1.4 It is noted that Fife Council's HMO Overprovision Policy (2019) was agreed by Fife Council Community & Housing Services Committee which means, in principle, that there will be no further growth in HMO's in the defined boundary of the St Andrews area (this boundary includes the whole of the settlement envelope). The policy will apply to new planning application or proposals for change of use of existing properties and does not affect the availability and operation of HMOs already with the benefit of planning permission. The current use of the property as an HMO did not require planning permission as it is for less than 6 people

2.1.5 A HMO License for the main dwelling house was granted and has been maintained since 2011. The current proposal does not propose any formal changes to the level of HMO use in terms of capacity. Planning permission is not required for dwelling houses to operate as HMOs unless there are more than 5 residents living together. If the house owner wished to increase the number of residents by 1 person this would require a new HMO licence application. If the property were occupied by 6 or more unrelated residents, then a formal planning application would be required for change of use to a HMO. Thus, the proposed development would comply with Policies 1 and 2 of FIFEplan in terms of outbuildings within the curtilage of domestic properties. 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.

2.2 Design and Visual Impact

2.2.1 FIFEplan Local Development Plan (2017) Policies 1 and 10 and Fife Council Customer Guidelines on Home Extensions (including garages and conservatories) (2016) apply with regard to the design and visual impact of the proposal.

2.2.2 FIFEplan 2017 Policy 10 requires that development must not lead to a detrimental visual impact on the surrounding area and Fife Council Planning Customer Guidelines on Home Extensions reinforce that any proposed development should not dominate or detract from neighbouring development, be subsidiary to the existing dwelling house, respect existing materials and reflect the style of the original build.

2.2.3 The proposed outbuilding would have a footprint of approximately 37 square metres, and the height of the outbuilding would measure approximately 3 metres. The proposed extension would be finished with a Sedum Green flat roofing system, vertical Cedar cladding with a natural finish, and white uPVC windows and doors. Neighbours have expressed concerns that the proposed works would not be in keeping with the surrounding area, however the scale of the outbuilding and the proposed finishing materials would be sympathetic to the property and its surroundings, and therefore it is not considered to create an overbearing visual impact to the property. The outbuilding would be positioned to the rear of the garden which is bound by tall hedging, and the choice of natural finishing materials to the roof and cladding will further allow the proposed outbuilding to blend in with its surroundings. Additionally, as the proposed outbuilding would be located to the rear of the dwellinghouse, it would not be seen from a public road due to the size of the property and the existing boundary treatments, and so it is considered that it would not have a detrimental visual impact to the public street scene.

2.2.4 It is therefore considered that by way of scale, design and external finishing materials, the proposed works would not have a detrimental visual impact on the existing property, and therefore, would be deemed to comply with the relevant FIFEplan policies and Fife Council's Planning Customer Guidelines on Home Extensions (including garages and conservatories).

2.3 Residential Amenity Impact

2.3.1 Policies 1 and 10 of the Adopted FIFEplan (2017), Fife Council Customer Guidelines on Daylight and Sunlight (2018) and Garden Ground (2016) apply in terms of residential amenity.

2.3.2 Policy 1 of the Adopted FIFEplan (2017) advise that a development proposal will be supported if it is in a location where the proposal use is supported by the Local Development Plan, and proposals address their individual and cumulative impacts. Policy 10 advises that development is required to be implemented in a manner that ensure that existing uses and the quality of life of those in the immediate area are not adversely affected by factors such as, (but not limited to) noise, potential losses of privacy, sunlight, or daylight etc. Fife Council Planning Customer Guidelines on Garden Ground recommends that a home extension should not reduce a garden's usefulness, reduce a neighbour's quality of life by blocking out the sun or harm the quality of the local environment. Fife Council Customer Guidelines on Daylight and Sunlight advises that the design of residential environments must seek to ensure that adequate levels of natural light can be achieved within new development and that unacceptable impacts on light to nearby properties are avoided.

2.3.3 The proposed outbuilding would introduce 1 no. door, 1 no. patio door, and 1 no. window to the west facing the main dwellinghouse, 1 no. window to the south, and 1 no. window to the east. Objectors have stressed concerns that the proposed works will be detrimental to the privacy currently enjoyed by neighbouring properties. In this instance, it is considered that there would be no significant additional overlooking/privacy issues than already exists from the proposed windows and doors as the views achievable here are already readily available from existing openings on the property. The existing boundary treatments on site include tall hedging which would further obscure views into neighbouring properties and their respective gardens. Therefore, it can be deemed that this development would have no significant impact on privacy, and as such, would be compliant with Fife Council's Planning Customer Guidance on Home Extensions and Policy 10 of FIFEplan in regard to privacy issues.

2.3.4 In regard to daylight and sunlight, due to the path of the sun, distance to adjacent properties and the position of the proposed works, the proposals would not result in the loss of significant amounts of sunlight to neighbouring garden ground or daylight to neighbouring windows than already exists. On this basis the proposal would meet the terms of residential amenity as set out in the Local Development Plan policy and Fife Council's Planning Customer Guidelines on Home Extensions and Daylight and Sunlight respectively.

2.3.5 Fife Council Customer Guidelines on Garden Ground (2016) applies in this instance. Garden Ground guidelines advise that home extensions and outbuildings should not occupy more than 25% of the original private garden per dwelling house. The existing rear garden ground measures 233 square metres and the proposed outbuilding would occupy approximately 15.8% of the original garden area, and so the proposed outbuilding would have no significant impact on the existing garden ground.

2.3.6 The proposal is considered acceptable in this respect in terms of overshadowing, overlooking and garden ground, would be compatible with its surrounds in terms of land use and would be in compliance with the Development Plan and relevant guidance.

2.4 Road Safety Impact

2.4.1 Policies 3 and 10 of FIFEplan applies in terms of road safety impact. 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.

2.4.2 The property itself currently has 4 no. bedrooms, and the proposed outbuilding would introduce 1 no. additional bedroom within the curtilage of the dwellinghouse. Concerns have been raised by neighbours regarding the potential increase in the number of car parking spaces required for the property, and the risk of an increased number of on-street parking. Making Fife's Places Transportation Development Guidelines (2018) states that a 5-bedroom property must have provision for 3 no. off-street car parking spaces. A Block Plan was provided to show that the property currently has provision for 3 no. spaces within the curtilage of the property, and therefore the existing level of parking provision is considered sufficient in this case. In light of the above, the proposal is deemed to comply with FIFEplan policies and Making Fife's Places Transportation Development Guidelines (2018).

CONSULTATIONS

Scottish Water

Scottish Water have no objections.

REPRESENTATIONS

12 letters of objection, including one from St. Andrews Community Council, have been received regarding this application. The issues of concern can be summarised as follows;

Impact upon Visual Amenity

- Potential overdevelopment of the site
- Not in keeping with the surroundings
- Creates a precedence for other properties

These issues have been considered and fully addressed within section 2.1 of this report.

Impact upon Residential Amenity

- Impacts upon the privacy of neighbouring properties
- Increase in noise from the property

These issues have been considered and fully addressed within section 2.2 of this report.

Impact upon Road Safety

- Existing levels of parking provision on site
- Additional strain on the public road

These issues have been considered and fully addressed within section 2.3 of this report.

House of Multiple Occupancy (HMO)

- Potential increase in the number of residents within the HMO

These issues have been considered and fully addressed within section 2.4 of this report.

Non-Material Concerns

- Unauthorised building works

The Planning Authority is aware of these unauthorised works with any potential any enforcement action on hold pending the determination of this application. The applicant has been advised to stop works and that any further works are carried out at their own risk.

CONCLUSIONS

The proposal is considered acceptable in terms of form, scale, layout, detailing and choice of materials. It would have no significant detrimental impact on the surrounding area and would create no significant overshadowing, overlooking or garden ground issues. Therefore, the proposal is considered to be compliant with FIFEplan Local Development Plan (2017) and other guidance.

RECOMMENDATION

It is accordingly recommended that the application be approved unconditionally

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.

Development Plan

Adopted FIFEplan Development Plan (2017)

Making Fife's Places (2018)

Making Fife's Places Transportation Development Guidelines (2018)

Other Guidance

Fife Council's Planning Customer Guidelines on Home Extensions (including conservatories and garages) (2016)

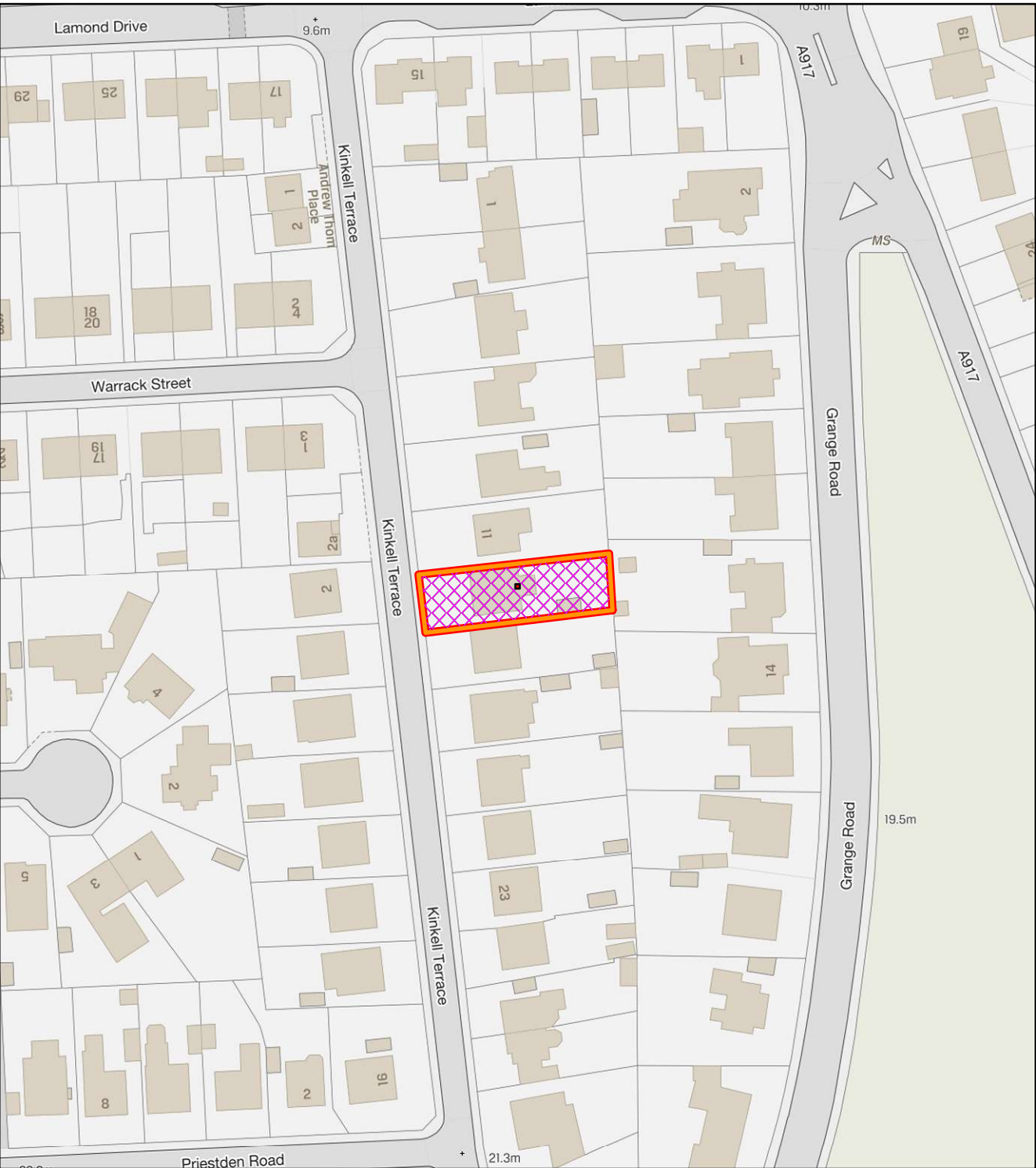
Fife Council's Planning Customer Guidelines on Garden Ground (2016)

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

Report prepared by Stacey Wotherspoon, case officer

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead)
21/12/20.

Date Printed 02/12/2020



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Legend

 Application Boundary

0 5 10 20 30 m





Economy, Planning & Employability Services

ITEM NO: 8**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/02079/FULL****SITE ADDRESS: NORTH CAR PARK ARGYLE STREET ST ANDREWS****PROPOSAL : INSTALLATION OF NEW AND REPLACEMENT LIGHTING
COLUMNS AND LANTERNS INCLUDING ASSOCIATED
INFRASTRUCTURE****APPLICANT: FIFE COUNCIL
BANKHEAD CENTRAL BANKHEAD PARK GLENROTHES****WARD NO:** W5R18
St. Andrews**CASE OFFICER:** Paul Ede**DATE** 09/10/2020
REGISTERED:**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 5 letters of representation have been received that are contrary to the officer recommendation

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL
CONSIDERATIONS**

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

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

1.0 BACKGROUND

1.1 The application site is approx. 6500 sq.m in area and comprises two Council-operated pay and display car parks on either side of Argyll Street, from which they are accessed. Doubledykes Car Park in the north half of the application site is also accessible from Doubledykes Road, while the Argyll Street Car Park in the south half of the application site is also accessible by pedestrians from Lade Braes walk to the south. The application site is located within the settlement envelope and Central Conservation Area of St Andrews, as per the Adopted FIFEplan (2017). The B-listed Gibson House is located to the east, and surrounding properties are largely residential, between 2-5 storeys tall. Three lighting columns (between 8m and 10m in height) currently serve the two car-parks: Doubledykes car-park is served by 2 existing lighting columns (no. 1&2 on submitted drawings), and Argyll Street car-park by 1 existing column (no. 1 on submitted drawings). Two smaller lighting columns just outwith the application site are also located just to the south on Lade Braes, and there is an existing street light on Argyll Street located between the two car parks. The existing car parks presently feature a low level of lighting given the limited number of streetlights. Boundary treatment around the site consists largely various heights of stone walling, with some planting/hedging as well. The car parks are distinctly modern and are of little conservation interest, featuring asphalt surfacing, white painted bay spaces and numerous pay metres and totem style signs. The traditional stone walls and buildings which bound the car parks are however of historic and architectural interest.

1.2 The proposal is for full planning permission for the installation of new and replacement lighting columns and lanterns, including associated infrastructure. As part of the application, all three existing columns serving the car-parks would be replaced, with the location of 3 of the proposed new columns being substantially the same on these three spots. It is proposed that a total of 14 new lighting columns would be installed, 3 for Argyll Street Car Park to the south, and 11 for Doubledykes Car-park to the north. All of these columns would be aluminium 'hockey stick' columns with 1m outreach poles and Hestia lanterns, as agreed in the St. Andrews Design Guidelines as being appropriate for car-parks, and now commonplace in other parts of the Conservation Area. The columns would be 8m tall. Junction boxes and underground cabling is proposed to serve these new lighting columns. The light temperature of the lanterns would be 4000K (white light). Access to individual properties would be maintained at all times.

1.3 Planning History

- 06/00197/EFULL Change of use of public car park for farmers market (one day a month) was permitted with conditions on 14/03/06
- 07/01187/EFULL Change of use of public car park for farmers market (one day a month) (renewal of 06/00197/EFULL) was permitted with conditions on 30/05/07
- 07/01409/EFULL Partial change of use to provide temporary market was permitted with conditions on 31/08/07
- 08/00441/EFULL Permanent change of use to hold farmers market one day per month was permitted with conditions on 04/04/08

1.4 Procedural Issues

1.4.1 The 2009 Notification Direction and Circular came into effect on 1 April 2009 and advises that Ministers should be notified where a planning authority has an interest in a development and where the proposal involves a significant departure for the authority's own Development Plan. This revision to the notification procedures is to ensure central government plays a more proportionate involvement in planning cases. The new Direction also advises that planning authorities do not require to inform objectors of their intention to grant planning permission or advise them of their reasons for doing so, nor does it require an authority to invite further comment prior to notifying Ministers. In this instance the proposal is not considered to be a significant departure from the Development Plan and therefore, if approved, should not be referred to Scottish Ministers for consideration.

1.4.2 Scottish Water was consulted with regard this application and indicated that a vitrified old sewer lies within the application site. This information was passed into to applicant as an informative but is not an issue that is material to the determination of this planning application.

2.0 ASSESSMENT

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

- Principle of Development
- Design and Visual Impact on Conservation Area
- Residential Amenity
- Road Safety
- Potentially Contaminated Land
- Trees
- Archaeology

2.2 Principle of Development

2.2.1 The Scottish Government's Scottish Planning Policy (SPP) (2014) and Policy 1 of the Adopted FIFEplan Local Development Plan (2017) apply with regards to the principle of development for this proposal. 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 Town and Country Planning (Scotland) Act 1997 [the Act]. The document also aims to promote high quality design and the protection of the existing urban character. Policy 1 of FIFEplan sets out that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. Such development proposals must meet one of the points in Part A and conform to all applicable requirements in Parts B and C. Part A states 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 Local Development Plan. The St Andrews Design Guidelines also apply.

2.2.2 The application site is located within the settlement envelope of St Andrews, as per FIFEplan (2017). The site is a Council operated pay and display car park. The justification for the new lighting, which is to illuminate this area for safety reasons (following the guidance of British Standard EN13201-2:2015 Road Lighting), is acceptable, complying with the requirements of Guideline 10 of the St Andrews Design Guidelines that street and other outdoor lighting should

be designed to meet statutory requirements and community safety concerns. Given the continued use of the site, the development is deemed to be acceptable in general land use terms and would meet the requirements of FIFEplan outlined above.

2.2.3 The proposal would therefore comply with the Development Plan in this respect and would be acceptable in this instance. 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 and Visual Impact on Conservation Area

2.3.1 Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment, Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010), St Andrews Design Guidelines (2011), and Historic Environment Scotland Historic Environment Policy for Scotland (May 2019) and Managing Change in the Historic Environment (2010) apply with regard to this proposal.

2.3.2 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that in considering whether to grant planning permission for development which could affect the setting of a listed building, the planning authority shall have special regard to the desirability of preserving its setting or any features of special architectural or historic interest which it possesses. 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 2014 (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.

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.

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

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).

2.3.7 St Andrews Design Guidelines (2011) sets out appropriate principles to guide public and private works in St Andrews central conservation area and the townscape on its main approaches. This document aims to ensure an appropriate approach to conservation, repair, adaptation, improvement and renewal of historic buildings and streetscape; restoring original materials and details where practicable. The guidance advises that development should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate. The guidelines advise that a policy of 'white light' should apply to all new lighting installations; the level of illumination should not exceed mandatory requirements to avoid diminishing the effect of illumination of historic building facades. Lanterns should be mounted on kerbside columns of varying heights. Columns and brackets should be positioned diagonally along streets, using lanterns with directional optics to minimise number of columns required. They should be positioned to take account of street trees, important building facades (sited opposite the junction of adjoining facades), and vistas along streets (avoiding the axis at 'T' junctions). Following public consultation, a contemporary streetlight has been selected that is appropriate in the public realm within the gateways throughout the historic core.

Key principles related to the proposed development include:

- Guideline 10 - Design street and other outdoor lighting to meet statutory requirements and community safety concerns (fear of crime and support for CCTV) but avoid 'spillage' and higher levels of illumination than necessary. Adopt a presumption against floodlighting all but the most important buildings.
- Guideline 11 - Use lamps producing 'white' light for new development and, as quickly as resources permit, replace all existing 'orange' low pressure sodium lamps.
- Guideline 35 - Select new lighting installations and replacements (where appropriate and resources permit) for the public realm of the historic core and on the main approaches to St Andrews to conform with the range of street lighting set out in Figures 56-60.
- Guideline 36 - For traditional installations specify lanterns with columns or brackets of the type used at the location in the past.
- Guideline 37 - For contemporary installations avoid the immediate setting of the landmark buildings.

Figure 60 of this document features a table which advises the type of streetlighting which should be used in specific areas throughout the conservation area. In car parks, it is detailed that columns should be 5-6 metres in height and be of a tapered tube spun aluminium finish or steel painted charcoal finish; Hestia lanterns should be used.

2.3.8 The North and South Argyle Street Car Parks are distinctly modern features and are of little conservation interest, with asphalt surfacing, white painted bay spaces and numerous pay metres and totem style signs. The traditional stone walls and buildings which bound the car parks are however of historic and architectural interest. The existing car parks presently feature a low level of lighting given the limited number of streetlights. The justification for the new lighting, which is to illuminate this area for safety reasons, following the guidance of British Standard EN13201-2:2015 Road Lighting, is acceptable.

2.3.9 Representations were submitted objecting to the design of the new columns in the following regards: the improvement of the output of the existing lanterns would be preferable; the proposed new column and lantern design are out of character in this residential area; a concern that the existing light half way along the Argyll Street car park should not be removed to ensure pedestrian safety; a concern that lamps should only be 5-6m tall in car-parks.

2.3.10 It was requested that the applicant supply a justification for the whole proposal, as well as for the height of the columns and the location of lamp no. 3 especially. The applicant stated that "As an authority we have chosen to illuminate this area for safety reasons. In doing so we follow the guidance of British Standard EN13201-2:2015 Road Lighting which details appropriate levels for such areas...It is not possible to illuminate the car park to the desired standard with only [the existing lanterns] due to the width and length of the area." It was confirmed that "the lantern[s] will be installed at 8m height and the finial (spike) will be a further 800mm above that. Due to the width of the car park it is not possible to illuminate the car park with 5m or 6m column heights without additional columns. The existing column [no.1 in the centre of Argyll Street Car-park] is 10m in height for this very reason. If we were to reduce the height of the columns and increase the number of new columns the new columns would have to be installed within the car park itself as there isn't a suitable surrounding area to place them. This would reduce the number of parking bays within the car park. The St Andrews Development Guidelines state that these columns and lanterns should be used in the conservation area...The replacement of [column no.1 towards the middle of Argyll Street Car-park] was identified for replacement due to its age, style and the material it is made from. We are targeting all columns of a similar age, style and material as part of a Fife wide column replacement programme which has been underway for several years. The existing column is structurally unsound with obvious corrosion visibly showing through the paint."

2.3.11 Fife Council's Built Heritage Officer was consulted and made no objection, stating that due to the locations of the lighting columns there would be no direct visual impact on the surrounding conservation area or the context and setting of listed buildings.

2.3.12 The existing streetlighting columns are of a design which is not considered to be visually appealing and do not comply with current street furniture recommendations for St Andrews. The removal of these columns is therefore acceptable.

2.3.13 It is accepted that because of the age and condition of the existing lamps, new lighting columns are required rather than attempting to improve the existing columns. This notwithstanding the proposed lighting columns and Hestia lanterns would represent an upgrade required by policy (figure 56 of Guideline 35), meaning that upgraded columns would comply with the design guidelines for this car-park location where existing columns do not. In accord with Guideline 11, proposed lamps would produce 'white' light.

2.3.14 In light of the response from the Built Heritage Officer, it is considered that there would be no significant impact on the setting of the nearby listed building as a result of this proposal, and

that the level of illumination would not diminish the effect of illumination of historic building facades, and would avoid the immediate setting of surrounding landmark buildings. It is also considered that the development would protect or enhance the wider conservation area.

2.3.15 The layout is generally acceptable. As part of the application, all three existing columns serving the car-parks would be replaced, with the location of 3 of the proposed new columns being substantially the same on these three spots, meaning that there would be no detrimental impact on pedestrian safety at any of the existing lighting locations. The increase in the overall number of lighting columns from 3 to 14 is acceptable to improve the openness and perceived vehicular and pedestrian safety of the car parks, making the overall area more welcoming, but also because it brings the existing situation into compliance with the standards laid down in the St Andrews Design Guidelines.

2.3.16 Proposed columns would be 8m in height, rather than the 5-6m stipulated in policy. However, it is accepted that in this location taller columns are required in order to appropriately light the area for safety reasons. Crucially, it is noted that the three existing columns are all between 8m and 10m in height, which means that the proposed height of the lighting columns is not only required for pragmatic reasons but also do not represent an increase of height over and above the existing situation. The 8m high columns are therefore considered acceptable.

2.3.17 Proposed infrastructure associated with the lighting columns is acceptable in design terms, and in keeping with the wider land-use of the area.

2.3.18 In light of the above, the development is considered acceptable, complying with the design and visual amenity terms of the Development Plan and associated guidelines, protecting the character of the St Andrew's Conservation area and the setting of the surrounding listed buildings, subject to condition.

2.4 Residential Amenity

2.4.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017) and Planning Advice Note (PAN) 51: Planning Environmental Protection and Regulation (2006), Scottish Executive Guidance Note: Controlling Light Pollution and Reducing Energy Consumption (2007) 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, especially with regard to light pollution as is applicable in this instance.

2.4.3 In terms of light pollution, PAN 51: Annex (Environmental Protection Regimes), advises on the consideration of light-generating proposals in relation to residential amenity. A follow up Guidance Note: Controlling Light Pollution and Reducing Energy Consumption (Scottish Executive, March 2007) provides further detailed guidance for designers and applicants of such proposals as well as policy for decision takers to assess new proposals. This includes a requirement that new lighting proposals shall be commensurate in appearance to the existing luminance of the surrounding area.

2.4.4 Representations were submitted objecting to the potential amenity impact of new lighting column no.3 at the south end of Argyll Street Car Park, including objections that 1) it would shine directly into neighbouring residential properties; 2) that the existing lights to the south of proposed column 3 means that another light is not needed; 3) that even when windows are curtained, the light from lamp 3 would be strong enough to make it unpleasant for residents; 4) that Lade Braes walk is already adequately lit.

2.4.5 It was requested that the applicant supply a justification for the whole proposal, as well as for the height of the columns and the location of lamp no. 3 especially. The applicant stated that "As an authority we have chosen to illuminate this area for safety reasons. In doing so we follow the guidance of British Standard EN13201-2:2015 Road Lighting which details appropriate levels for such areas...It is not possible to illuminate the car park to the desired standard with only [the existing lanterns] due to the width and length of the area." It was confirmed that "the lantern[s] will be installed at 8m height and the finial (spike) will be a further 800mm above that. Due to the width of the car park it is not possible to illuminate the car park with 5m or 6m column heights without additional columns. The existing column [no.1 in the centre of Argyll Street Car-park] is 10m in height for this very reason. If we were to reduce the height of the columns and increase the number of new columns the new columns would have to be installed within the car park itself as there isn't a suitable surrounding area to place them. This would reduce the number of parking bays within the car park. The St Andrews Development Guidelines state that these columns and lanterns should be used in the conservation area...The replacement of [column no.1 in the centre of Argyll Street Car-park] was identified for replacement due to its age, style and the material it is made from. We are targeting all columns of a similar age, style and material as part of a Fife wide column replacement programme which has been underway for several years. The existing column is structurally unsound with obvious corrosion visibly showing through the paint." With regard to lighting column no. 3, the applicant stated the following: "We require the column in this position to illuminate the car park to the desired standard. The lumen output of the lanterns is shown on the design drawing. Column 3, for clarity will be 8.91km. We have no plans for any additional lighting on Lade Braes."

2.4.6 Fife Council's Environmental Health (Public Protection) team was consulted and stated that they have no objection, subject to a condition to ensure that lighting does not generate light levels exceeding 50 lux when measured at the boundary of the site and neighbouring third-party properties. It was also requested that a condition be applied to the effect that any complaints received by the Environmental Health (Public Protection) team regarding excessive light spillage should be investigated by the light unit operator and a light luminance level report with appropriate mitigation measures included submitted for assessment and implementation once approved.

2.4.7 It was requested that the applicant submit light-level mapping demonstrating the luminance of all proposed street lights in lux as it would impact the surrounding area. This was submitted as well as a document explaining the equivalent lights levels represented by various levels of luminance, to enable interpretation of expected light levels.

2.4.8 The proposed streetlighting would provide additional light during evening hours to the car parks, improving the visibility and safety for drivers and pedestrians. That the proposed layout is required to sufficiently illuminate the car-park to the required standards is accepted. In accord with Guideline 11 of the St Andrews Design Guidelines, proposed lamps would produce 'white' light. Submitted light-level mapping demonstrated that the requirements of the Environmental Health (Public Protection) team would be complied with and would be commensurate in

appearance to the existing luminance of the surrounding area, with lanterns angled to minimise light spillage to the boundaries of the car-park. The proposal would thereby avoid 'spillage' and higher levels of illumination than necessary, in accord with Guideline 10 of the St Andrew's Design Guidelines. As a result, it is considered that the proposal is acceptable and would not represent a significant detrimental impact with regards to light pollution on surrounding neighbouring residential properties, subject to the condition requested by the Environmental Health (Public Protection) team.

2.4.9 In light of the above it is considered that the proposal is acceptable and in compliance with the Development Plan and relevant policies and guidelines regarding residential amenity, subject to the condition.

2.5 Road Safety

2.5.1 Policy 1, Part C of the Adopted 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 the Adopted FIFEplan advise that such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling. Further detailed technical guidance relating to this including parking requirements, visibility splays and street dimensions are contained within Appendix G (Transportation Development Guidelines) of Making Fife's Places Planning Supplementary Guidance (2018).

2.5.2 The proposed development would seek to improve the level of lighting within the car parks. Fife Council's Transportation Development Management (TDM) team were consulted and expressed no objections to the proposed development, nor requested any transport related conditions.

2.5.3 The proposal would therefore comply with the Development Plan in this respect and would be acceptable.

2.6 Potentially Contaminated Land

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

2.6.2 A representation was received objecting the application on the basis of potentially contaminated land, querying what action is being taken to ensure the necessary precautions are taken.

2.6.3 Fife Council's Land and Air Quality team were consulted regarding these proposals. They considered that because of the location and nature of the development there was a low risk of detrimental impact but requested the imposition of a standard condition designed to require the developer to investigate appropriately should any unforeseen contamination be discovered during development operations. This condition has therefore been appended to this consent, to ensure appropriate action is taken by the applicant should this be required.

2.6.4 In light of the above it is considered that subject to condition the proposal complies with the local development plan and associated guidance regarding potentially contaminated land.

2.7 Trees

2.7.1 Scottish Planning Policy (2010), Policy 13 of Adopted FIFEplan (2017), Making Fife's Places (2018) and Fife Customer Guidelines on Trees and Development apply. Development proposals will only be supported where they protect or enhance natural heritage and access assets. Where adverse impacts on existing assets are unavoidable, we will only support proposals where these impacts will be satisfactorily mitigated.

2.7.2 A number of trees are located in the vicinity of proposed lights in the centre of Doubledykes Car-park, on land owned by the council. A supporting statement as to potential impact on these trees was requested from the applicant, who stated that they do not anticipate any tree pruning will be required. An on-site assessment of the situation was made and, given the nature and type of the trees, none of which are of particular significance, and the position of proposed lighting columns, it is accepted that no harm would come to these trees as a result of this proposal.

2.7.3 In light of the above, it is considered that the proposals would not significantly detrimentally impact the existing situation and therefore complies with the relevant policies and guidelines regarding trees.

2.8 Archaeology

2.8.1 Policies 1 and 14 of FIFEplan (2017) apply with regard to archaeology. FIFEplan Policy 14 states that all archaeological sites and deposits, whether statutorily protected or not, are considered to be of significance. Development proposals which impact on archaeological sites will only be supported where: remains are preserved in-situ and in an appropriate setting or there is no reasonable alternative means of meeting the development need and the appropriate investigation, recording, and mitigations is proposed. If unforeseen archaeological remains are discovered during development, the developer is required to notify Fife Council and to undertake the appropriate investigations.

2.8.2 Fife Council's Archaeology Team was consulted and stated that the sub-surface disturbance will be limited to areas of ground that are already considered to be archeologically sterile due to previous episodes of ground disturbance, concluding that should consent be granted, then no archaeological works will be required.

2.8.3 In light of the above, the proposal considered to be acceptable in this regard, complying with relevant FIFEplan policies and associated guidance.

CONSULTATIONS

Land And Air Quality, Protective Services	No objection, subject to condition
Archaeology Team, Planning Services	No objection
Asset And Facilities Management Services	No comment
Transportation, Planning Services	No objection
Built Heritage, Planning Services	No objection
Scottish Water	No objection
Environmental Health (Public Protection)	No objection, subject to condition

REPRESENTATIONS

Ten representations were made regarding this application, all objecting. Concerns and objections were raised regarding design and visual amenity, residential amenity, and potentially contaminated land, which have been dealt with in the Report of Handling above:

For objections and comments regarding Design and Visual Amenity see section 2.3 above

For objections and comments regarding Residential Amenity see section 2.4 above

For objections and comments regarding Residential Amenity see section 2.6 above

CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of Development Plan, the relevant Council Planning Customer Guidelines and is compatible with its surrounds in terms of land use. The proposal is considered to be acceptable in relation to trees, road safety and design and visual impact, and would protect the character of the St Andrews Conservation Area and the setting of surrounding listed buildings.

RECOMMENDATION

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

1. The lighting hereby approved shall not generate light levels exceeding 50 lux when measured at the boundary of the site and neighbouring third-party properties. Any complaints received regarding excessive light spillage shall be investigated by the light unit operator and a light luminance level report with appropriate mitigation measures included shall be submitted to this planning authority for further final approval. Thereafter, all approved necessary adjustments required as a result of this assessment shall be made to the satisfaction of this planning authority within 3 months of the further approval, unless otherwise agreed in writing with this planning authority.

Reason: In the interests of protecting residential amenity and avoiding unnecessary light pollution within the local area.

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 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.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

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

National Policy/Guidelines:

Scottish Planning Policy (2014)

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

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

Historic Environment Scotland (HES) Policy Statement (May 2019)

Managing Change in the Historic Environment (2010)

Planning Advice Note (PAN) 51: Planning Environmental Protection and Regulation (2006)

Scottish Executive Guidance Note: Controlling Light Pollution and Reducing Energy Consumption (2007)

Development Plan:

Adopted FIFEplan (2017)

Making Fife's Places Supplementary Guidance (2018)

Making Fife's Places Transportation Development Guidelines Supplementary Guidance (2018)

Other Guidance:

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

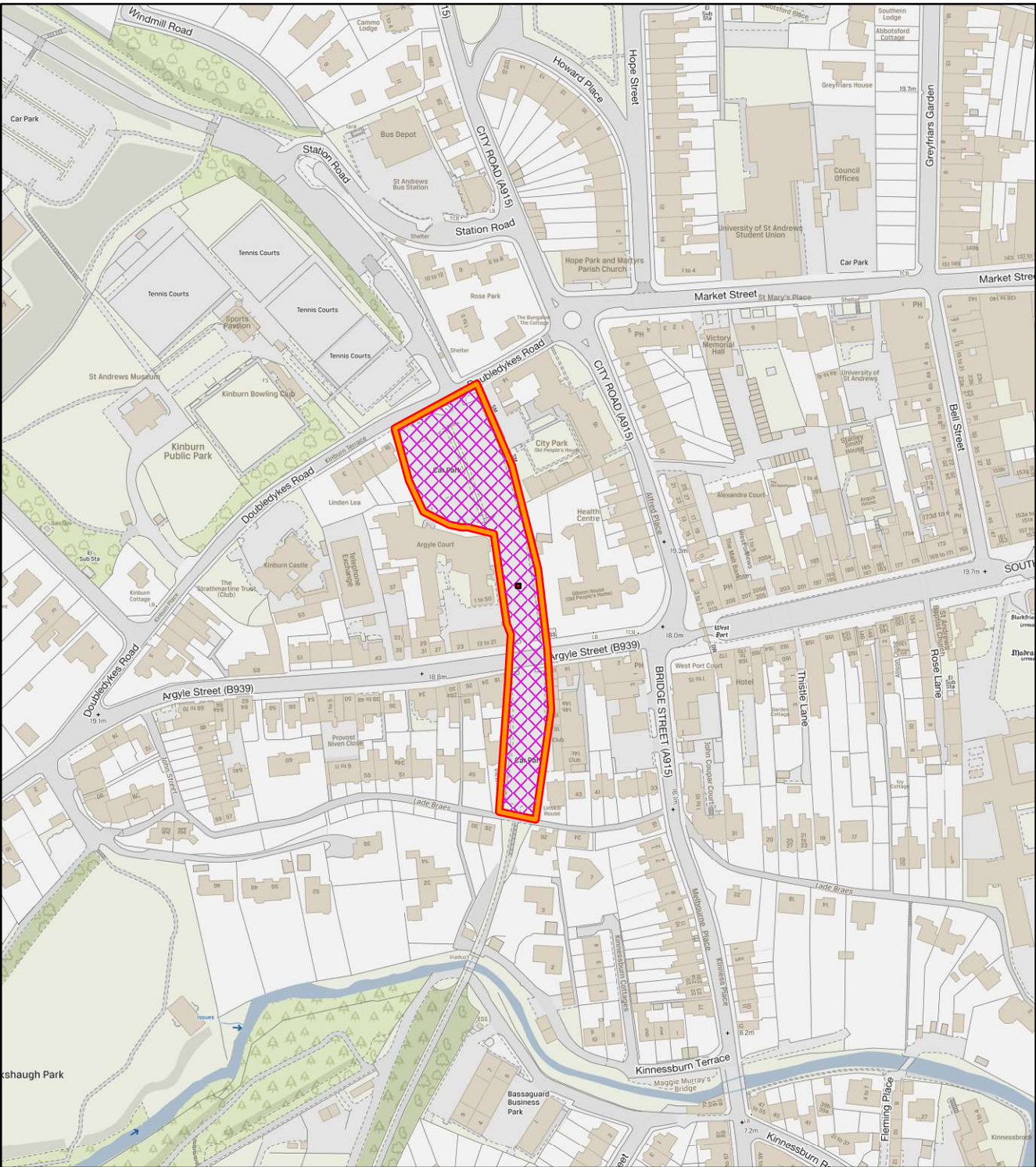
St Andrew Design Guidelines (2011)

Report prepared by Paul Ede, Graduate Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 7/12/20.

Date Printed 04/12/2020

North Car Park Argyle Street St Andrews



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Legend



Application Boundary

0 15 30 60 90 m







Economy, Planning & Employability Services

ITEM NO: 9

APPLICATION FOR FULL PLANNING PERMISSION REF: 20/02389/FULL

SITE ADDRESS: CASTLESHOTTS BALMBLAE FALKLAND

PROPOSAL: EXTERNAL ALTERATIONS TO DWELLINGHOUSE INCLUDING
ERECTION OF SINGLE STOREY EXTENSION, INSTALLATION
OF DOOR AND WINDOWS, ROOFLIGHTS, AND
REPLACEMENT RAINWATER GOODS, AND ALTERATIONS TO
ROOF AND BOUNDARY WALLS

APPLICANT: MR ALASDAIR BAIRD
CASTLE SHOTTS BALMBLAE FALKLAND

WARD NO: W5R16
Howe Of Fife And Tay Coast

CASE OFFICER: Kristie Hung

DATE 21/10/2020
REGISTERED:

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

The applicant has declared that their partner is a member of the planning staff.

SUMMARY RECOMMENDATION

The application is recommended for:

Unconditional 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.

1.0 BACKGROUND

1.1 This application relates to a traditional 18th century two-storey detached dwellinghouse, which is located within the Falkland Conservation Area. The property, which is a Category 'B' Listed Building, is externally finished in whitewashed harling with a pantile roof and timber windows and doors painted blue. There are a number of listed properties in close proximity to the dwellinghouse. 'Bridgend' and 'Balmbae Cottage' are Category B listed properties located approximately 5m and 19m to the south and south east of the site. There is an existing single storey extension to the south and an outbuilding to the northern end of the dwellinghouse. The property is bound by stone walls, which is also listed, along its garden ground to the side of dwellinghouse. The property also has access to an upper garden via a path across the garden ground of Bridgend.

1.2 This application seeks full planning permission for internal and external alterations incorporating a single storey extension, installation of replacement windows and door and rooflights, replacement rainwater goods and alterations to roof and boundary walls. It is proposed to demolish the existing outbuilding to accommodate the proposed extension.

1.3 A separate application seeking Listed Building Consent (Ref: 20/02391/LBC) has been submitted and is also included on this agenda for committee consideration.

1.4 There is no relevant planning history for this site.

1.5 A physical site visit has not been undertaken. All necessary information has been collated digitally to allow the full consideration and assessment of the application. A risk assessment has been carried out and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

2.0 POLICY ASSESSMENT

2.0.1 The issued are to be assessed against the Adopted FIFEplan 2017 policies and other related guidance are as follows:

- Design/ Impact on Listed Building and Conservation Area
- Residential Amenity Impact
- Road Safety

2.1 Design/ Impact on Listed Building and Conservation Area

2.1.1 Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Scotland (HES) - Policy Statement (2019), Scottish Government Creating Places: A Policy Statement on Architecture and Place for Scotland (2013), Managing Change in the Historic Environment on Windows (2018), Extensions (2010), Roofs (2010) and Doorways (2010), Policies 1, 10 and 14 of the Adopted FIFEplan (2017), Fife Council's Planning Customer Guidance on Windows in Listed Buildings and Conservation Areas (2018) and Falkland Conservation Area Appraisal and Conservation Area Management Plan (2013) apply with regards to the design and visual impact of the development.

2.1.2 SPP (Valuing the Historic Environment) advises that the planning system should promote the care and protection of the designated and non-designated historic environment (assets, settings and landscape). Proposals should contribute to a sense of place and enable positive change in the historic environment, which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of notable buildings and areas and ensure their special characteristics are protected, conserved or enhanced. The policies of the Development Plan follow on from the guidelines set out in the SPP and HES's Policy Statement, which indicate that development that fails to preserve or enhance the character or appearance of the area should normally be refused planning permission. Development that does not harm the building or its setting should be treated as being one, which preserves the area's character or appearance.

2.1.3 The Scottish Government's document Creating Places: A Policy Statement on Architecture and Place for Scotland refers to the 6 qualities of successful places - distinctive identity, safe and pleasant spaces, ease of movement, a sense of welcome, adaptability and good use of resources. The document and The Policy Statement set out the principles for the need for new developments to include sustainability, good architecture, and quality building design. In doing so such developments will assist in conserving and enhancing the built environment, help promote regeneration, and thus add to the communities themselves. The document also advises that new development proposals should reflect a site's setting, the local form of buildings, and use of finishing materials.

2.1.4 Policy 1, 10 and 14 of the FIFEplan advise that proposals should safeguard the characteristics of the historic environment, proposals should not lead to a significant visual detrimental impact on their surrounds, and new developments must meet the 6 qualities of successful places (as outlined in paragraph 2.1.3 earlier in this report). Further to this, Policy 14 also advises that development, which protects or enhances buildings or other built heritage of special architectural or historic interest, will be supported. Overall, approved FIFEplan Policies generally support extensions to existing dwellinghouses where they are of a scale and nature which will not impact detrimentally on the original character of the property of its setting.

2.1.5 Fife Council's Planning Customer Guidelines on Home Extensions (including Garages and Conservatories) (2016) advises that a house extension should fit in with and add to its surroundings. In order to do this, the size and design of extensions should fit in with the rest of the building and be physically subordinate; and should not dominate or detract from neighbouring buildings nor look like an afterthought. Further to that, extensions should leave enough garden ground; keep overshadowing of neighbouring properties to a minimum; should not intrude on a neighbour's privacy; and, be energy efficient and be accessible to all.

2.1.6 Fife Council Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas advises that proposals should protect and enhance the traditional character and appearance of buildings by ensuring that replacement windows match traditional originals in every detail including materials, design, opening method and paint finish. In terms of rooflights, they should normally be installed and positioned where they provide symmetry to the building, should use as few as possible and should be of a conservation standard flush with the plain of the roof and not raised. Rooflight dimensions should also have a traditional proportion to the main roofslope (width smaller than its length; not overly dominate the area of slope; and smaller units preferable to one larger unit).

2.1.7 The proposed first floor flat roof extension would increase the overall footprint of the dwellinghouse by approximately 19 square meters, with a maximum height of approximately 2.8m. The proposal would replace the existing timber extension (painted blue) which has no heritage value and is currently adjoined to the listed garden wall. The proposed extension would be set back from the wall to allow for the original copings and wallhead to be reinstated. The proposal would be finished in vertical boarded untreated Larch cladding, timber windows/doors painted to match the existing and a sedum planted roof. The extension would be accessed via an existing doorway which has been boarded up previously and therefore no new structural alterations will be required through the existing wall. In assessing this proposed, Fife Council's internal Built Heritage officer was consulted and have no objections to the proposal. It was stated that the extension would be subsidiary and respectful with materials of equal quality. Normally timber is preferred to be limited to traditional features like windows and doors and cladding would not generally be supported. However, a small construction in a small secluded part of the rear garden is acceptable especially as it would be offset from the garden wall which would allow for the repair and circulation of air and moisture at that location. The windows and doors are positioned in a random pattern which reflect the design of the listed building. The sedum roof would be acceptable and on the whole would be a subtle addition. The officer considered overall that the proposal would have no significant additional impact upon the appearance of the dwellinghouse and would comply with relevant policy and guidance. The proposed extension would be partially visible from the public road but due to its scale/massing and design it would have no adverse impact on the special architectural or historic interest of the listed building and the conservation area. It is considered to be in keeping with the listed building and character of the area and would therefore comply with relevant policy and guidance.

2.1.8 It is also proposed to replace 4no. first floor 9 pane, inward opening, side hung casement windows to the east (front) elevation and 1no. first floor fixed 4 pane window to the west (rear) elevation. The proposed replacements would be double-glazed units with astragals and glazing patterns to match the existing. Built Heritage have no objections. It is considered the proposals are acceptable due to the existing windows' level of deterioration as shown in the windows report and therefore the replacements would enhance the appearance and character of the listed building and wider conservation area. The installation of a stable door and matching side window to replace an existing modern window opening is proposed on the front elevation of the existing southern extension. The existing window measures 0.9m x 1.8m and the new painted vertically boarded stable door would measure 1.8m x 0.8m with the side window measuring 0.9m x 1m. There is no objection from the Built Heritage officer and has stated that the proposal would be more in keeping with the historical character of the property. There is no objection for the installation of 2no. new rooflights and 1no. replacement rooflight to the rear elevation and 1no. new rooflight to the front elevation. The installation of rooflights to the front elevation would not normally be supported but due to the location of the dwellinghouse, it would not have a significant detrimental impact on the appearance of the listed building and conservation area. The installation and replacement of new windows and door would complement the historic character of the building and complies with the Fife Council's Planning Customer Guidance on Windows in Listed Buildings and Conservation Areas.

2.1.9 A supporting statement submitted by the applicant stated that the existing clay pantiles on the main dwellinghouse are partially delaminated/split due to the lack of sarking or membrane underneath which often resulted in water ingress. It is therefore proposed to re-roof with reclaimed tiles and 'pre-weathered' tiles if required. The applicant has confirmed a priority to use reclaimed tiles will be given to the eastern (front) elevation with the use of new tiles to the rear if insufficient reclaimed tiles are available. It is also proposed to replace the corrugated asbestos/cement roof sheeting on the southern single storey extension with a matching Eternit Profile 6 fibre cement

sheeting in the colour 'Farmscape Anthracite'. Fife Council's internal Built Heritage officer has no objections to the proposed materials. It is considered that the proposed tiles would be sympathetic to the age and character of the building and would have no significant adverse impact upon the appearance of this listed building and conservation area.

2.1.10 The proposal is considered acceptable in this instance in terms of form, detailing and choice of materials; would protect the character of this Category 'B' Listed Building and the Falkland Conservation Area and would be compliance with the Development Plan and its associated guidance.

2.2 Residential Amenity Impact

2.2.1 Policies 1 and 10 of the Adopted FIFEplan (2017), Fife Council Customer Guidelines on Daylight and Sunlight (2018) and Garden Ground (2016) apply in terms of residential amenity.

2.2.2 Policy 1 of the Adopted FIFEplan (2017) advise that a development proposal will be supported if it is in a location where the proposal use is supported by the Local Development Plan, and proposals address their individual and cumulative impacts. Policy 10 advises that development is required to be implemented in a manner that ensure that existing uses and the quality of life of those in the immediate area are not adversely affected by factors such as, (but not limited to) noise, potential losses of privacy, sunlight, or daylight etc. Fife Council Planning Customer Guidelines on Garden Ground recommends that a home extension should not reduce a garden's usefulness, reduce a neighbour's quality of life by blocking out the sun or harm the quality of the local environment. Fife Council Customer Guidelines on Daylight and Sunlight advises that the design of residential environments must seek to ensure that adequate levels of natural light can be achieved within new development and that unacceptable impacts on light to nearby properties are avoided.

2.2.3 The proposed extension is appropriately sited and is of an acceptable scale and design in keeping with the existing property. The extension would introduce 3no. windows to the western elevation and patio doors to the northern elevation and a rooflight. 2no. new rooflights and 1no. rooflight are also proposed on the main dwellinghouse. It is considered there would be no issues arising with regard to overlooking/loss of privacy given the views achievable from the proposed windows are already readily available from existing openings and would predominantly overlook the applicant's own rear garden area with no additional vantage points of third party properties than already exists. It can be deemed that this development would have no significant impact on privacy, and as such, would be compliant with Fife Council's Planning Customer Guidance on Home Extensions and Policy 10 of FIFEplan in regard to privacy issues.

2.2.4 In regard to daylight and sunlight, due to the path of the sun and the location of the proposal, the majority of the shadow caused by the proposed extension would be cast on the application site. On this basis the proposal would meet the terms of residential amenity as set out through Development Plan policy and Fife Council's Planning Customer Guidelines on Home Extensions and Daylight and Sunlight respectively.

2.2.5 Fife Council Customer Guidelines on Garden Ground (2016) applies in this instance. Garden Ground guidelines advise that home extensions should not occupy more than 25% of the original private garden per dwelling house. The existing rear garden ground measures approximately 80 square meters and the proposals would occupy approximately 24% of rear garden ground. The proposed works would take up less than 25% of the original garden area, and it is therefore deemed that the proposal meets the requirements in relation to garden ground.

2.2.6 The proposal is considered acceptable in this respect in terms of overshadowing, overlooking and garden ground, would be compatible with its surrounds in terms of land use and would be in compliance with the Development Plan and relevant guidance.

2.3 Road Safety Impact

2.3.1 Policies 3 and 10 of FIFEplan applies in terms of road safety impact. 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.

2.3.2 As this application does not propose any changes to the number of bedrooms the property currently has, the existing level of parking provision is considered sufficient. In light of the above, the proposal is deemed to comply with FIFEplan policies and Making Fife's Places Transportation Development Guidelines.

CONSULTATIONS

Archaeology Team, Planning Services
Built Heritage, Planning Services
Scottish Water

No archaeological works will be required.
No objections.
No objections.

REPRESENTATIONS

A letter of support has been received stating the plans are clear and sensitive to the surrounding area.

CONCLUSIONS

The proposal is considered acceptable in this instance in terms of detailing and choice of materials; would protect the character of this Category 'B' Listed Building and the Falkland Conservation Areas and would be in compliance with the Development Plan and its associated guidance.

RECOMMENDATION

It is accordingly recommended that the application be approved unconditionally

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

Sections 59 and 64 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997
Historic Environment Scotland - Policy Statement (2019)

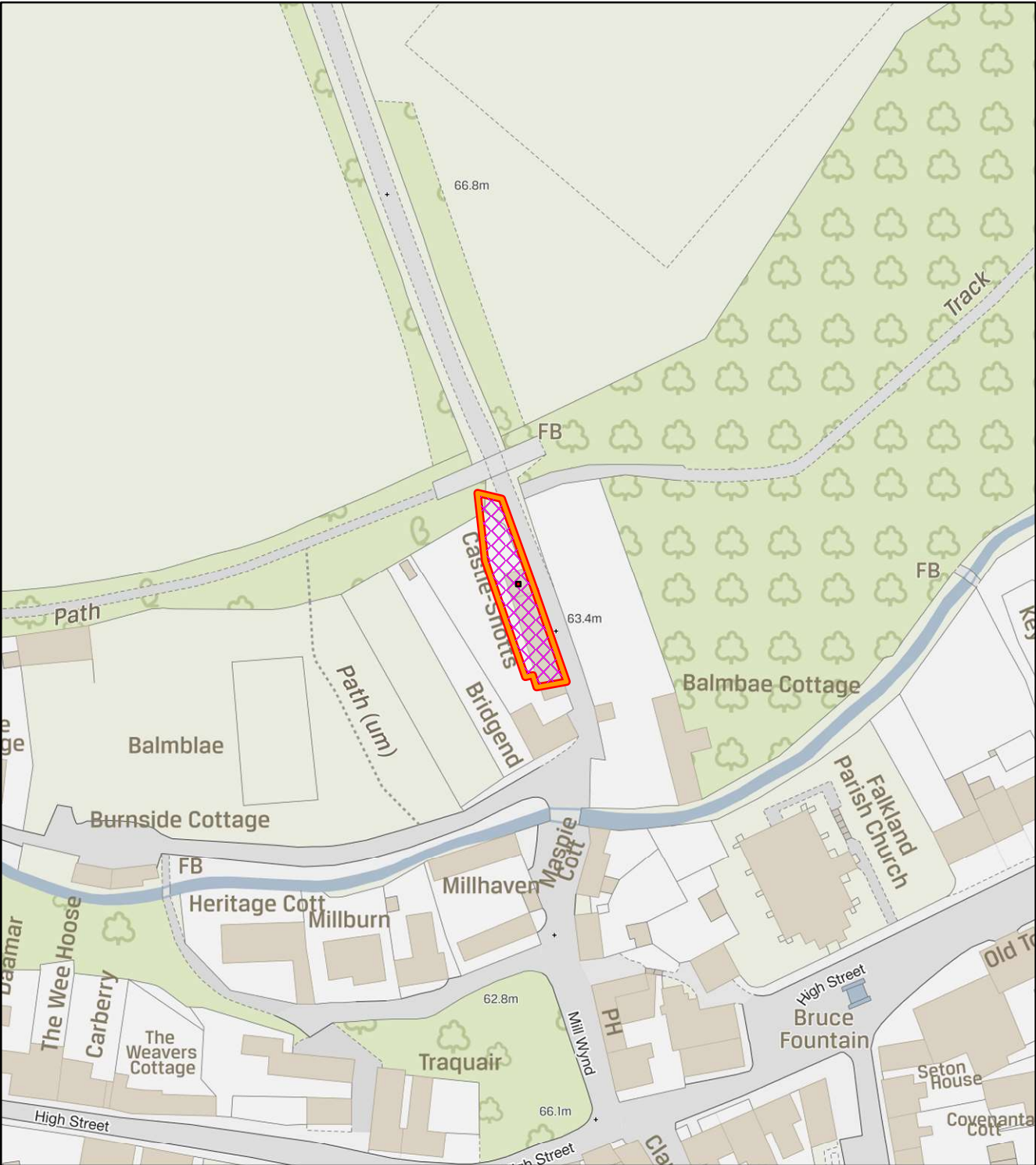
Scottish Planning Policy (2014) (Historic Environment)
Scottish Government Creating Places: A Policy Statement on Architecture and Place for Scotland (2013)
Managing Change in the Historic Environment - Windows (2018), Extensions (2010), Roofs (2010) and Doorways (2010)

Development Plan
Adopted FIFEplan Local Development Plan (2017)
Fife Council Making Fife's Places Supplementary Guidance (2018)

Other Guidance
Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018)
Falkland Conservation Area Appraisal and Conservation Area Management Plan (2013)
Fife Council Planning Customer Guidelines on Garden Ground (2016)
Fife Council Planning Customer Guidelines on Daylight and Sunlight (2018)

Report prepared by Kristie Hung, Planning Assistant and Case Officer.

Date Printed 03/12/2020



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<p>Legend</p> <div>  <p>Application Boundary</p> </div> <div> <p>0 5 10 20 30 m</p>  </div>			 <p>Fife COUNCIL</p> <p>Economy, Planning & Employability Services</p>
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ITEM NO: 10

APPLICATION FOR LISTED BUILDING CONSENT REF: 20/02391/LBC

SITE ADDRESS: CASTLESHOTTS BALMBLAE FALKLAND

PROPOSAL: LISTED BUILDING CONSENT FOR EXTERNAL ALTERATIONS TO DWELLINGHOUSE INCLUDING ERECTION OF SINGLE STOREY EXTENSION, INSTALLATION OF DOOR AND WINDOWS, ROOFLIGHTS, AND REPLACEMENT RAINWATER GOODS, AND ALTERATIONS TO ROOF AND BOUNDARY WALLS

**APPLICANT: MR ALASDAIR BAIRD
CASTLE SHOTTS BALMBLAE FALKLAND**

**WARD NO: W5R16
Howe Of Fife And Tay Coast**

CASE OFFICER: Kristie Hung

**DATE 21/10/2020
REGISTERED:**

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

The applicant has declared that their partner is a member of the planning staff.

SUMMARY RECOMMENDATION

The application is recommended for:

Unconditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

Under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

1.0 BACKGROUND

1.1 This application relates to a traditional 18th century two-storey detached dwellinghouse, which is located within the Falkland Conservation Area. The property, which is a Category 'B' Listed Building, is externally finished in whitewashed harling with a pantile roof and timber windows and doors painted blue. There are a number of listed properties in close proximity to the dwellinghouse. 'Bridgend' and 'Balmbae Cottage' are Category B listed properties located approximately 5m and 19m to the south and south east of the site. There is an existing single storey extension to the south and an outbuilding to the northern end of the dwellinghouse. The property is bound by stone walls, which is also listed, along its garden ground to the side of dwellinghouse. The property also has access to an upper garden via a path across the garden ground of Bridgend.

1.2 This application seeks listed building consent for internal and external alterations incorporating a single storey extension, installation of replacement windows and door and rooflights, replacement rainwater goods and alterations to roof and boundary walls. It is proposed to demolish the existing outbuilding to accommodate the proposed extension.

1.3 A separate full planning application (Ref: 20/02389/FULL) has been submitted and is currently under consideration by the Planning committee.

1.4 There is no relevant planning history for this site.

1.5 A physical site visit has not been undertaken. All necessary information has been collated digitally to allow the full consideration and assessment of the application. A risk assessment has been carried out and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

2.0 POLICY ASSESSMENT

2.0.1 The issued are to be assessed against the Adopted FIFEplan 2017 policies and other related guidance are as follows:

- Design/ Impact on Listed Building and Conservation Area

2.1 Design/ Impact on Listed Building and Conservation Area

2.1.1 Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Scotland (HES) - Policy Statement (2019), Scottish Government Creating Places: A Policy Statement on Architecture and Place for Scotland (2013), Managing Change in the Historic Environment on Windows (2018), Extensions (2010), Roofs (2010) and Doorways (2010), Policies 1, 10 and 14 of the Adopted FIFEplan (2017), Fife Council's Planning Customer Guidance on Windows in Listed Buildings and Conservation Areas (2018) and Falkland Conservation Area

Appraisal and Conservation Area Management Plan (2013) apply with regards to the design and visual impact of the development.

2.1.2 SPP (Valuing the Historic Environment) advises that the planning system should promote the care and protection of the designated and non-designated historic environment (assets, settings and landscape). Proposals should contribute to a sense of place and enable positive change in the historic environment, which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of notable buildings and areas and ensure their special characteristics are protected, conserved or enhanced. The policies of the Development Plan follow on from the guidelines set out in the SPP and HES's Policy Statement, which indicate that development that fails to preserve or enhance the character or appearance of the area should normally be refused planning permission. Development that does not harm the building or its setting should be treated as being one, which preserves the area's character or appearance.

2.1.3 The Scottish Government's document Creating Places: A Policy Statement on Architecture and Place for Scotland refers to the 6 qualities of successful places - distinctive identity, safe and pleasant spaces, ease of movement, a sense of welcome, adaptability and good use of resources. The document and The Policy Statement set out the principles for the need for new developments to include sustainability, good architecture, and quality building design. In doing so such developments will assist in conserving and enhancing the built environment, help promote regeneration, and thus add to the communities themselves. The document also advises that new development proposals should reflect a site's setting, the local form of buildings, and use of finishing materials.

2.1.4 Policy 1, 10 and 14 of the FIFEplan advise that proposals should safeguard the characteristics of the historic environment, proposals should not lead to a significant visual detrimental impact on their surrounds, and new developments must meet the 6 qualities of successful places (as outlined in paragraph 2.1.3 earlier in this report). Further to this, Policy 14 also advises that development, which protects or enhances buildings or other built heritage of special architectural or historic interest, will be supported. Overall, approved FIFEplan Policies generally support extensions to existing dwellinghouses where they are of a scale and nature which will not impact detrimentally on the original character of the property of its setting.

2.1.5 Fife Council's Planning Customer Guidelines on Home Extensions (including Garages and Conservatories) (2016) advises that a house extension should fit in with and add to its surroundings. In order to do this, the size and design of extensions should fit in with the rest of the building and be physically subordinate; and should not dominate or detract from neighbouring buildings nor look like an afterthought. Further to that, extensions should leave enough garden ground; keep overshadowing of neighbouring properties to a minimum; should not intrude on a neighbour's privacy; and, be energy efficient and be accessible to all.

2.1.6 Fife Council Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas advises that proposals should protect and enhance the traditional character and appearance of buildings by ensuring that replacement windows match traditional originals in every detail including materials, design, opening method and paint finish. In terms of rooflights, they should normally be installed and positioned where they provide symmetry to the building, should use as few as possible and should be of a conservation standard flush with the plain of the roof and not raised. Rooflight dimensions should also have a traditional proportion to the main

roofslope (width smaller than its length; not overly dominate the area of slope; and smaller units preferable to one larger unit).

2.1.7 The proposed first floor flat roof extension would increase the overall footprint of the dwellinghouse by approximately 19 square meters, with a maximum height of approximately 2.8m. The proposal would replace the existing timber extension (painted blue) which has no heritage value and is currently adjoined to the listed garden wall. The proposed extension would be set back from the wall to allow for the original copings and wallhead to be reinstated. The proposal would be finished in vertical boarded untreated Larch cladding, timber windows/doors painted to match the existing and a sedum planted roof. The extension would be accessed via an existing doorway which has been boarded up previously and therefore no new structural alterations will be required through the existing wall. In assessing this proposed, Fife Council's internal Built Heritage officer was consulted and have no objections to the proposal. It was stated that the extension would be subsidiary and respectful with materials of equal quality. Normally timber is preferred to be limited to traditional features like windows and doors and cladding would not generally be supported. However, a small construction in a small secluded part of the rear garden is acceptable especially as it would be offset from the garden wall which would allow for the repair and circulation of air and moisture at that location. The windows and doors are positioned in a random pattern which reflect the design of the listed building. The sedum roof would be acceptable and, on the whole, would be a subtle addition. The officer considered overall that the proposal would have no significant additional impact upon the appearance of the dwellinghouse and would comply with relevant policy and guidance. The proposed extension would be partially visible from the public road but due to its scale/massing and design it would have no adverse impact on the special architectural or historic interest of the listed building and the conservation area. It is considered to be in keeping with the listed building and character of the area and would therefore comply with relevant policy and guidance.

2.1.8 It is also proposed to replace 4no. first floor 9 pane, inward opening, side hung casement windows to the east (front) elevation and 1no. first floor fixed 4 pane window to the west (rear) elevation. The proposed replacements would be double-glazed units with astragals and glazing patterns to match the existing. Built Heritage have no objections. It is considered the proposals are acceptable due to the existing windows' level of deterioration as shown in the windows report and therefore the replacements would enhance the appearance and character of the listed building and wider conservation area. The installation of a stable door and matching side window to replace an existing modern window opening is proposed on the front elevation of the existing southern extension. The existing window measures 0.9m x 1.8m and the new painted vertically boarded stable door would measure 1.8m x 0.8m with the side window measuring 0.9m x 1m. There is no objection from the Built Heritage officer and they have stated that the proposal would be more in keeping with the historical character of the property. There is no objection for the installation of 2no. new rooflights and 1no. replacement rooflight to the rear elevation and 1no. new rooflight to the front elevation. The installation of rooflights to the front elevation would not normally be supported but due to the location of the dwellinghouse, it would not have a significant detrimental impact on the appearance of the listed building and conservation area. The installation and replacement of new windows and door would complement the historic character of the building and complies with the Fife Council's Planning Customer Guidance on Windows in Listed Buildings and Conservation Areas.

2.1.9 A supporting statement submitted by the applicant stated that the existing clay pantiles on the main dwellinghouse are partially delaminated/split due to the lack of sarking or membrane underneath which often resulted in water ingress. It is therefore proposed to re-roof with reclaimed tiles and 'pre-weathered' tiles if required. The applicant has confirmed a priority to use reclaimed

tiles will be given to the eastern (front) elevation with the use of new tiles to the rear if insufficient reclaimed tiles are available. It is also proposed to replace the corrugated asbestos/cement roof sheeting on the southern single storey extension with a matching Eternit Profile 6 fibre cement sheeting in the colour 'Farmscape Anthracite'. Fife Council's internal Built Heritage officer has no objections to the proposed materials. It is considered that the proposed tiles would be sympathetic to the age and character of the building and would have no significant adverse impact upon the appearance of this listed building and conservation area.

2.1.10 The proposal is considered acceptable in this instance in terms of form, detailing and choice of materials; would protect the character of this Category 'B' Listed Building and the Falkland Conservation Area and would be compliance with the Development Plan and its associated guidance.

CONSULTATIONS

Built Heritage, Planning Services
Historic Environment Scotland

No objections.
No comments to make on the proposals.

REPRESENTATIONS

A letter of support has been received stating the plans are clear and sensitive to the surrounding area.

CONCLUSIONS

The proposal is considered acceptable in this instance in terms of detailing and choice of materials; would protect the character of this Category 'B' Listed Building and the Falkland Conservation Areas and would be in compliance with the Development Plan and its associated guidance.

RECOMMENDATION

It is accordingly recommended that the application be approved unconditionally

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

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

Historic Environment Scotland - Policy Statement (2019)

Scottish Planning Policy (2014) (Historic Environment)

Scottish Government Creating Places: A Policy Statement on Architecture and Place for Scotland (2013)

Managing Change in the Historic Environment - Windows (2018), Extensions (2010), Roofs (2010) and Doorways (2010)

Development Plan

Adopted FIFEplan Local Development Plan (2017)

Fife Council Making Fife's Places Supplementary Guidance (2018)

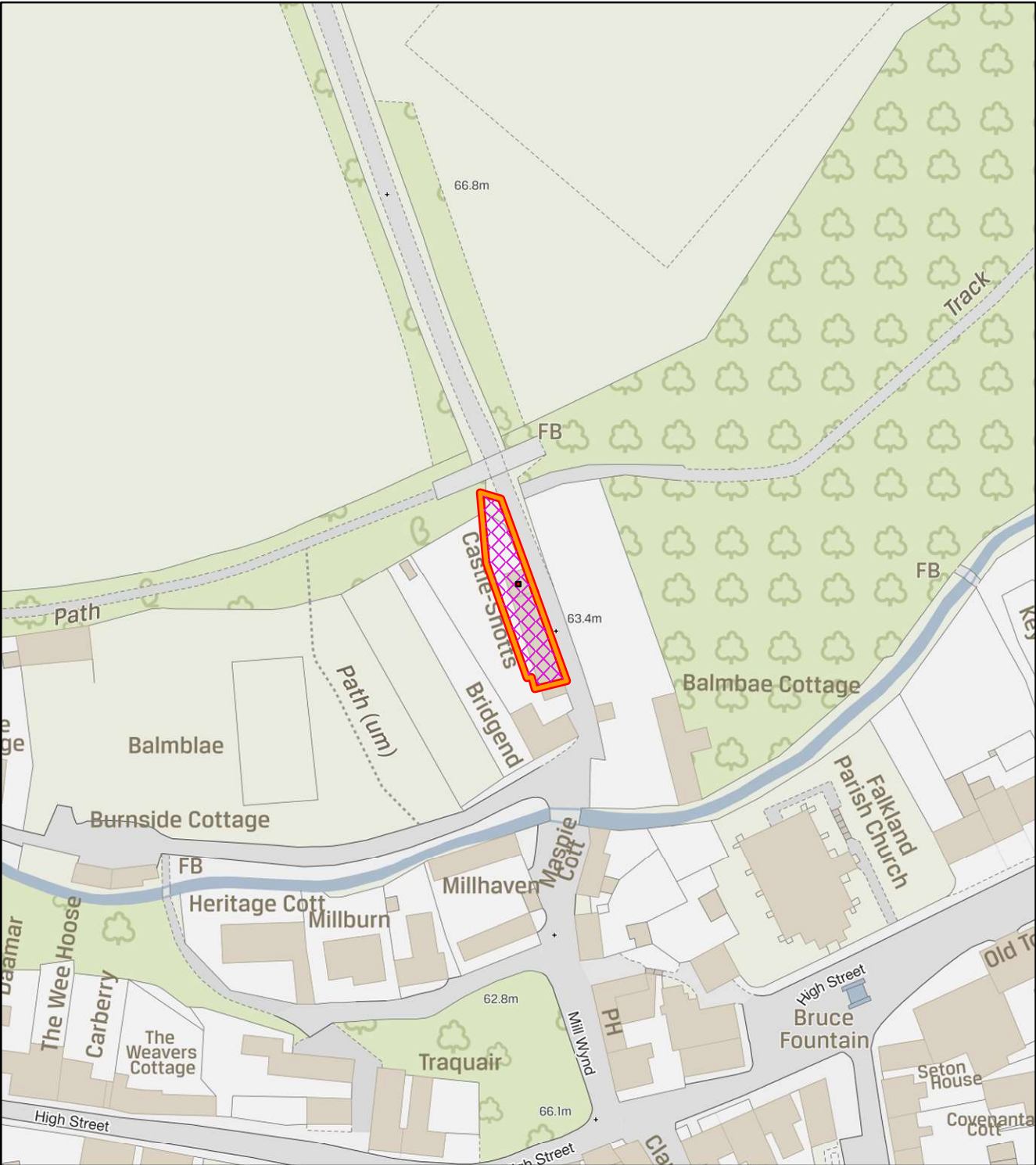
Other Guidance

Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2018)

Falkland Conservation Area Appraisal and Conservation Area Management Plan (2013)

Report prepared by Kristie Hung, Planning Assistant and Case Officer

Date Printed 03/12/2020



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<p>Legend</p> <div>  <p>Application Boundary</p> </div> <div> <p>0 5 10 20 30 m</p>  </div>		<div>  <p>N</p> </div> <div>  <p>Fife COUNCIL</p> <p>Economy, Planning & Employability Services</p> </div>
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ITEM NO: 11**APPLICATION FOR FULL PLANNING PERMISSION REF: 20/00901/FULL****SITE ADDRESS: KINBURN CASTLE DOUBLEDYKES ROAD ST ANDREWS****PROPOSAL : ERECTION OF SIX FLATTED DWELLINGS WITH ASSOCIATED ACCESS, PARKING AND LANDSCAPING WORKS****APPLICANT: EASTACRE CASTLE COURT LLP
47 SOUTH STREET ST. ANDREWS SCOTLAND****WARD NO:** W5R18
St. Andrews**CASE OFFICER:** Bryan Reid**DATE** 25/05/2020
REGISTERED:**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

This application could be determined under delegated authority, however the associated application for Listed Building Consent would be subject to different appeal route unless both the applications are determined together by Committee.

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

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.

1.0 BACKGROUND

1.1 This application relates to an area of land within the grounds of the Category C Listed Kinburn Hotel (known locally as 'Kinburn Castle') located within the settlement envelope of St Andrews (FIFEplan Local Development Plan, 2017). The site forms part of the St Andrews Central Conservation Area. The two storey Kinburn Hotel has a castellated appearance with its central and corner towers/turrets featuring battlements, as well as its 4 bay window frontage. The symmetrical design of the building can be attributed to it being originally designed as a pair of semi-detached private villas. The Tudor style of the building is of a similar design to Kinburn House (designed by the same architect, John Milne) which is similarly situated, set back from the road within its own grounds on the northern side of Doubledykes Road. The listing for the property also includes the stone boundary walls which are considered to contribute positively to the character and appearance of the listed building and conservation area. A number of outbuildings have been sited to the rear of the Kinburn Hotel building - outwith public view. Located to the west of Kinburn Hotel, the application site is currently a well-maintained garden area, predominately comprising of a grass lawn and a variety of low planting/hedges and trees, with the listed stone wall bounding the north and west of the site. A brick wall, a later addition to the curtilage of the listed building (circa. 1960s), bounds the east of the site, separating the maintained garden area of the listed building from the front car parking area. A three storey terrace building (containing a number of flatted dwellings) is sited to the west of the application site - this terrace is of a historic design, constructed of stone walls, slate roof tiles and (originally) timber sash-and-case windows (some of these have since been replaced). Parking for the Kinburn Hotel takes place at the front of the building, with access taken via an originally designed opening in the stone wall directly from Doubledykes Road. The symmetrically designed opening in the wall aligns with the centre of the building. Currently, the Kinburn Hotel is used as (Class 4) offices for two businesses.

1.2 This application seeks planning permission erection of six flatted dwellings with associated access, parking and landscaping works). The proposed development would consist of a three storey, hipped roofed building containing six two-bedroomed flatted dwellings. Proposed finishing materials include natural slate roofing, natural sandstone (with three block sizes), rubble ashlar quoins and window surrounds, grey/buff lime render, white timber sash-and-case windows, black aluminium rainwater goods, conservation style rooflights and solar roof slates. Six off-street parking spaces are proposed to be located at the rear of the building, with a bin storage area beyond. The driveway and parking area surface would be permeable monoblock. A grass lawn area would be maintained between the northern stone boundary wall and the proposed building, with this extending around to the eastern side of the building, and an additional small lawn area immediately to the rear of the building. Existing trees and foliage along the southern site boundary are proposed to be retained, with additional trees and hedges planted along the driveway. It is proposed to remove the existing brick wall which subdivides the application site (garden area) from the parking area at the front of the Kinburn Hotel, with this to be replaced by a low stone wall (matching the materials of the northern stone boundary wall). Additionally, it is proposed to alter the northern stone boundary wall to create a separate vehicular entrance for the flatted dwellings.

1.3 There is no relevant recorded planning history associated with the application site/garden area itself, however there is a record of past planning applications relating to Kinburn Hotel and its rear outbuildings - these are set out below. A related application for listed building consent for alterations to boundary wall including reduction of height and widening of access (20/00899/LBC) has been submitted alongside this application and is also included on this agenda.

2.0 ASSESSMENT

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

- Principle of Development
- Design/Visual Impact on Conservation Area and Setting of Listed Building
- Residential Amenity
- Low Carbon
- Transportation/Road Safety
- Flooding and Drainage
- Archaeology

2.2 PRINCIPLE OF DEVELOPMENT

2.2.1 The Scottish Government's Scottish Planning Policy (SPP) (2014) 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 (FIFEplan, 2017), in an area which is largely 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 general 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 location requirements of Policy 1. The overall acceptability of any such development with regard to Policy 1 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 CONSERVATION AREA AND SETTING OF LISTED BUILDING

2.3.1 Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), 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 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that in considering whether to grant planning permission for development which affects a listed building or its setting, the planning authority shall 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. 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 2014 (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.

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 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 HES Managing Change in the Historic Environment: Setting; recognises the importance setting has on the historic environment, including listed buildings and conservation areas. 'Setting' is the way the surroundings of a historic asset contribute to how it is understood, appreciated and experienced. The guidance notes that buildings and gardens are designed and orientated deliberately, normally with reference to the surrounding topography, resources, landscape and other structures. Setting is therefore unrelated to modern landownership, often extending beyond immediate property boundaries into the wider area. The setting of a historic asset can incorporate a range of factors, including: views to, from and across or beyond the historic asset; the prominence of the historic asset of place in views throughout the surrounding area, bearing in mind that sites need to be visually prominent to have a setting; general and specific views including foregrounds and backdrops; and relationships with other features.

2.3.11 The design of the proposed development has evolved since the planning application was first submitted. When originally submitted, the proposed building was larger in scale and featured differing finishing materials and window designs to what is now before Members for determination. The previous version of the submitted plans additionally proposed to locate building approximately 1.8 metres behind the northern site boundary and proposed to lower the height of the northern boundary wall to approximately 500mm along its full length. Furthermore, it was previously proposed to create a wider opening in the northern boundary wall (with a single pillar separating the accesses to the Kinburn Hotel and proposed development). Following the concerns of representations, including the Royal Burgh of St Andrews Community Council and Planning Authority with regard to the design of the proposed development, an opportunity was presented for a revised scheme to be submitted.

2.3.12 A revised design was submitted which proposed to reduce the footprint of the building, alter the proportions of the windows, change the finishing materials and maintain the height of the northern boundary wall along the frontage of the proposed building. Following further discussions between the applicant's agent and Fife Council consultees, further amendments to the development were proposed, including the relocation of the building within the site (now approximately 4.8 metres behind the northern boundary wall), changes in materials and alterations to the proposed access and eastern boundary wall.

2.3.13 The proposed development would consist of a three storey, hipped roofed building containing six two-bedroomed flat dwellings. Proposed finishing materials include natural slate roofing, natural sandstone (with three block sizes), rubbed ashlar quoins and window surrounds, grey/buff lime render, white timber sash-and-case windows, black aluminium rainwater goods, conservation style rooflights and solar roof slates. Six off-street parking spaces are proposed to be located at the rear of the building, with a bin storage area beyond. The driveway and parking area surface would be permeable monoblock. A grass lawn area would be maintained between the northern stone boundary wall and the proposed building, with this extending around to the eastern side of the building, and an additional small lawn area immediately to the rear of the

building. Existing trees and foliage along the southern site boundary are proposed to be retained, with additional trees and hedges planted along the driveway. It is proposed to remove the existing brick wall which subdivides the application site (garden area) from the parking area at the front of the Kinburn Hotel, with this to be replaced by a low stone wall (matching the materials of the northern stone boundary wall). Additionally, it is proposed to alter the northern stone boundary wall to create a separate vehicular entrance for the flatted dwellings.

2.3.14 The amendments to the application are considered to be an improvement on the design and layout which was originally proposed. Nevertheless, it is considered by the Planning Authority that the proposed development would have a negative impact on the character and appearance of the conservation area, as well as the setting of the Category C Listed Kinburn Hotel.

2.3.15 The design on the proposed would be similar in appearance to the neighbouring terrace building to the west of the application site, taking cues from the finishing materials, proportions, massing, bay rhythms and general profile. The height, eaves levels and twin north facing parapet gable features all consistent with the neighbouring terrace building and other terraces found throughout the town. The height and massing of the proposed building would be lesser than that of Kinburn Hotel. Through its complimentary replication of its surrounds, as well as its use of materials and colours, it is considered by the Planning Authority that the design of the proposed building is a good example of a historicist design which has traditionally been supported in the historic settings. However, as shall be explored fully in the proceeding paragraphs, the Planning Authority is unable to support a building of this size, massing and architectural style in this location given as it would have a significantly adverse impact on the character and appearance of the listed Kinburn Hotel which has been specifically designed and laid out to be separate from its neighbouring terraced buildings. The proposed building would also impact on the hierarchy of development of Doubledykes Road and the wider conservation area. Fife Council's Built Heritage Officer shares in this assessment.

2.3.16 The proposed three storey building would be sited within the west side/front garden area of the Kinburn Hotel. Whilst this garden area has been subdivided from the rest of the front curtilage of the listed building following the addition of a brick wall (circa. 1960s), the original curtilage layout of the grand building is still very much apparent (notwithstanding the outbuildings which have been added to the rear of the building). The listed building itself is of a symmetrical design, as is the design of the central opening in the northern boundary wall which aligns centrally with the principal elevation of the building. Whilst the curtilage of the building is not symmetrical, this can be attributed to the neighbouring buildings of Kinburn Terrace and Kinburn Place east and west of the site being constructed before Kinburn Hotel - these neighbouring buildings now set a bookend which frames the space in which Kinburn Hotel is situated. It is clear that much consideration was given to the massing and original positioning/setback of the building, as well as the design/layout of the curtilage, resulting in the building appearing of greater importance than its neighbours within the original western expansion of St Andrews - similar such design considerations can be attributed to Gibson House (Care Home), Kinburn House (St Andrews Museum) and Rose Park and City Park (when originally constructed), and to a lesser extent the properties along the Kennedy Gardens. As with the Kinburn Hotel, each of these properties have been set back from the roadside, detached from their neighbours and contained by stone boundary walls. Overtime, this pattern of development extended further to the west, across the area which is now designated as the Hepburn Gardens Conservation Area. This is in contrast to smaller neighbouring buildings (which are believed to have been constructed for local factory workers/weavers) and town centre properties which are located flush to the street with no front curtilages (or with very small separation) and often terraced. The separation of the Kinburn Hotel from its neighbours creates a hierarchy of development along Doubledykes Road which plays an

important role in defining the character of the conservation area. Along with the castellated appearance, massing, detachment and set back of the Kinburn Hotel (and the other properties mentioned above), the stone boundary walls are important features in defining the perceived importance of the listed building, resulting in it having a more commanding appearance over the streetscape and its neighbours. The height of the stone boundary walls in this instance are also considered to strengthen the castellated appearance of the building, similar to a defensive wall. Overall, the front curtilage/setting of the listed building is considered to be just as important as the large building itself in contributing to how the listed building is understood, appreciated and experienced.

2.3.17 The proposed development seeks to erect a large building (height of approximately 11.5 metres and footprint of approximately 195 square metres) within the clearly defined front curtilage of the listed building. Whilst it is recognised that the proposed development has been set back from its originally proposed position, by virtue of its massing and its complimentary replication of neighbouring buildings, it is considered by the Planning Authority that it would have a disruptive impact on the setting of the listed Kinburn Hotel, a building that was clearly designed to be a central focal point within its large curtilage. By siting such a large building within the front curtilage of the site, it is deemed by the Planning Authority that this would have a significantly adverse impact on the setting and character of the Category C listed building.

2.3.18 It is put forward in the submitted heritage appraisal that the brick wall which subdivides the curtilage of the property has previously altered the setting of the listed building, resulting in distinct spaces following the change of use of the building to a hotel. Additionally, it is set out that the garden area which forms the application site makes little contribution to the character and appearance of the conservation area, as it is of modern design, largely comprised of a flat lawn area, and is hidden from view from the street by the boundary wall. The proposed development would remove the brick wall, replacing it with a stone wall which would match the existing one which encloses the listed building. In response to this, it is agreed by the Planning Authority that the modern grass lawn and low planting located within the application site/garden are themselves not of any significant historical/visual importance, particularly given as the site is hidden from public view by the high northern boundary wall, however, it is considered that openness of the space (with no built features) is what helps to define the importance of the listed building. The openness of the side garden area greatly contributes to defining the importance of the listed building within the hierarchy of buildings in this location. The erection of the proposed large building in this space is considered to undermine the important set back, stand alone, set piece design of the listed building when viewed from Doubledykes Road. It is additionally noted that the St Andrews Design Guidelines (Guideline 17) seeks to protect private open space in the town centre from development given the important contribution they make to the character of their surroundings.

2.3.19 It is additionally stated in the supporting information provided as part of this application that the listed building has limited visibility public vantagepoints given the curved alignment of the road, set back of the building and neighbouring buildings built to the edge of the street. The boundary wall also screens the lower level of the building in views from the street so the full architectural composition is not visible until viewed directly in front of the entrance to the building. Given the limited clear views of the building away from the entrance, it is argued that the building is not a particular distinctive element of Doubledykes Road. Furthermore, the plain design of the boundary wall along Doubledykes road is argued to of any special historical or architectural importance, with it recognised that similar such walls are located throughout the surrounding area and have been extensively altered, lowered and opened up. The Planning Authority would concur with the argument put forward that the building is not overly visible/apparent until one is directly in front of

the entrance, however, it is considered that this is what defines the special character of the listed building and its presence within the conservation area. When travelling along Doubledykes Road, full views of the Kinburn Hotel may indeed be limited, nevertheless, what is clear is the notable absence of any other buildings. As set out previously, it is not just the design of the building and walls which is important, rather it is the detachment and set back positioning of the building within its large plot which also contributes to its special appearance and character, and to that of the conservation area through the hierarchy of development it creates. The erection of the proposed three storey building within the front curtilage of the listed building would alter the relationship the listed building has with other buildings and the streetscape in general as the proposed building, through its design characterises and similarities with the neighbouring terrace buildings, would be visually confusing in a space which was been purposely designed to separate the listed building from its neighbours. It is contended by the Planning Authority that the same visibility argument could be put forward for Kinburn House (St Andrews Museum) which is not visible from Doubledykes Road, however this does not diminish the importance of said building, with the character of the building enhanced by its setting and large open curtilage.

2.3.20 With regard to the proposed alterations to the wall/access point, it is considered that the creation of the secondary point of access itself would not have an adverse impact on the historic setting. The proposed development would involve mirroring the existing opening in the boundary wall by relocating the important pillars and replicating the design of the low curved wall feature (with rounded pillars). A centrally placed low wall, formed of materials from the down taking works, is proposed to divide the two access points. The proposed alterations would maintain a symmetrical opening in the boundary wall, with the design of the existing opening effectively being made larger with a small subdivision. It is proposed to extend the existing cobbled area along the frontage of the openings. The brick wall which currently subdivides the application site from the car parking is proposed to be removed and replaced with a low stone wall (similar in appearance to the northern boundary wall). Whilst this feature would be more visually prominent than the existing brick given the widened access point(s), this part of the development does not raise any significant concerns with regard to impact on the built and historic environment. Notwithstanding the general acceptability of the amendments to the boundary walls, the Planning Authority is unable to support this part of the development as the purpose of these works is solely to accommodate vehicular access to the proposed flatted dwellings. Therefore, the proposed alterations to the listed walls are not considered to have been justified.

2.3.21 In conclusion the positioning, massing and designing of the proposed building is considered to have an adverse impact on the character and appearance of the Category C listed Kinburn Hotel and the St Andrews Central Conservation Area. The proposed development would disrupt the hierarchy of development at this location by adding a building which is reminiscent of existing neighbouring terraces into the curtilage of the listed building which is characterised by its visual detachment. The proposed development is thus considered to be contrary to Policies 1, 10 and 14 of FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018), as well as the above noted national legislation and national and local guidance documents. As such, the application is recommended for refusal on the interests of visual amenity, impact on setting of the listed building and impact on the character and appearance of the conservation area.

2.4 RESIDENTIAL AMENITY

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 on Garden Ground (2016) 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 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 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.

2.4.6 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 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) would be consistent with vehicles parking in a residential street. 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. Additionally, it is considered that works would not be large enough to warrant the submission of scheme of works.

2.4.7 With regard to loss of daylight concerns, relevant assessments have been undertaken by the Planning Authority which confirm that the proposed development would result in an adverse

loss of daylight for neighbouring properties. Whilst there are windows located within the eastern gable of the neighbouring flatted dwellings to the west of the site, it has been confirmed that these windows serve non habitable rooms and it is thus considered that no material loss of daylight would occur. 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 not raise any adverse loss of daylight or sunlight concerns.

2.4.8 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, with windows of the proposed development primarily overlooking the associated rear parking area (to the south) and the small lawn area and public road to the north. Whilst it would be possible to see into the rear amenity spaces of the neighbouring flatted dwellings to the west, this is not considered to be of concern given as these spaces are already overlooked by other flatted dwellings within the terrace. Additionally, it has been calculated that the eastern most windows within the proposed development would be sufficiently distant/angled to avoid any adverse loss of privacy concerns for users of the offices within the Kinburn Hotel building.

2.4.9 The proposed development would fall short of the recommended garden ground provisions required for six 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 and a dedicated bin storage area is proposed which would be large enough to accommodate the refuse of the six flats. It is therefore considered to be appropriate to relax the garden ground recommendations on this occasion. Notwithstanding this relaxation, as above, it is determined that the proposed development would negatively impact on the contribution the application site, as a garden area, makes to the listed Kinburn Hotel building.

2.4.10 In conclusion, the proposed development is not considered to raise any adverse residential amenity concerns and is thus deemed to be acceptable, complying with the requirements of FIFEplan (2017). Notwithstanding the acceptability of the proposed development with regard to residential amenity, this is not the determining issue in the overall assessment of the application.

2.5 LOW CARBON

2.5.1 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.

2.5.2 SPP (paragraph 154) 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 for Planning Applications was submitted as part of this application. The information submitted details that the proposed development would adopt a 'fabric first' approach, making use of high levels of insulation to minimise heat loss, build in accordance with Passivhaus principles. This approach would reduce the energy consumption of the dwellinghouse to a minimum, with the small amount of energy required to heat the building partly produced using low carbon technologies, namely solar PV panels. Such technology is determined to be suitable by the Planning Authority to meet the requirements of the Supplementary Guidance. It has been confirmed the proposed building materials would contain recycled and locally sourced materials. This is welcomed by the Planning Authority. The statement details that the proposed development would benefit from internal mixed recycling facilities consistent with current Building Standards, whilst there would be sufficient external space for refuse bin storage for the proposed dwellinghouse. With regard to travel and transport, it is acknowledged that the application site is located within close proximity of the town centre and walking distance to the St Andrews Bus Station. There are also many cycle routes in and around St Andrews, with the nearest train station (Leuchars) accessible by bus and bicycle. The site's location is thus considered to promote sustainable transport options. There is no requirement for a development of the size proposed to consider district heating or air quality, whilst SuDS are proposed within the site (examined in detail later in this report). 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. Compliance with the relevant sustainability targets does not however outweigh the Planning Authority's recommendation to refuse the application in the interests of visual impact.

2.6 TRANSPORTATION/ROAD SAFETY

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 six two-bedroom flatted dwellings, with 6 off-street parking spaces located to the rear of the building. Vehicular access to the site is proposed to be taken via a new opening in the northern boundary wall which fronts Doubledykes Road. It is proposed to form the additional opening approximately 2.5 metres to the south west of the existing. A low stone wall would be formed between the two openings, with this wall extending into the site to divide the curtilage of the application site from the front parking area of Kinburn Hotel. Cobbles are proposed along the length of the two openings, however, a tarmac strip would be incorporated to assist with pedestrian movement. No amendments to the existing parking provisions of Kinburn Hotel are proposed.

2.6.4 As detailed previously in this report, the design of the opening in the boundary wall has been altered since the application was initially submitted. The previous design proposed a much wider combined opening, separated by a sole pillar, with a high wall dividing the east curtilage of the site and the parking area of Kinburn Hotel. Upon initial review of the application, Fife Council's Transportation Development Management (TDM) officers raised concerns regarding pedestrian safety when walking along the site frontage given the width of the opening and restricted visibility of vehicles behind the high wall. The height of the dividing wall also drew concerns with regard to the ability for motorists using either access to see one and other. Further concerns were raised regarding the use of cobbles along the full width of the openings given as this is a less pedestrian friendly material. Lastly, TDM officers advised that they could not support the proposed development given as the available visibility splay to the west of the new access would fall short of current Transportation Development Guidelines.

2.6.5 In response the concerns of TDM officers, the proposed opening in the boundary wall was amended (as described above). Upon considering the amended access arrangements, TDM advised that their initial concerns with regard to pedestrian safety and visibility between the two accesses had been addressed. Nevertheless, TDM confirmed that they would be unable to support the design of the proposed additional access given as the visibility available to the west would be 2m x 11m, significantly short of the current 2m x 25m recommendation. Notwithstanding this shortfall in visibility, which is acknowledged in the Transportation Statement (TS) submitted in support of this application, it is noted that the proposed development would significantly improve the western visibility splays for the existing access to the Kinburn Hotel (current 2m x 12m; proposed 2m x 27m) (the eastern visibility splay would remain unchanged at 2m x 11m). Given as this access serves two business and can accommodate upwards of 23 vehicles, the improved visibility is a material consideration for the Planning Authority. In this regard, as the proposed additional access would only serve 6 vehicles (6 off-street parking spaces proposed), it is considered by the Planning Authority that the enhancements in visibility to the existing access

would represent a significant road safety improvement overall at this location. If the site were to be developed (against officer recommendation for other matters), it is recognised that the development would enable upwards of 23 vehicles to egress much more safely from the existing access than what is currently achievable, with the proposed access for 6 vehicles, whilst falling short of current guidelines, being on a level which is comparable to the western visibility of the existing access (which serves a significantly greater number of vehicles). TDM's recommendation for refusal on the grounds of visibility splays has therefore not been taken forward in the final recommendation of this application.

2.6.6 With regard to off-street parking, the 6 off-street parking spaces proposed would be short of current Transportation Development Guidelines. As per current Guidelines, a development of this size would require a total of 14 off-street parking spaces; 12 residents spaces (2 per each two bedroomed flatted dwelling) and 2 visitor spaces (given as more than four units proposed). As visitor parking spaces have previously been approved on-street, given the application site's proximity to the pay and display car parks on Argyll Street, the Planning Authority is prepared to accept the two visitor spaces as being provided. The Transportation Development Guidelines offer a 25% reduction in off-street parking requirements in the 'Outer Core' of St Andrews (where the application site is located); this is mentioned in the submitted TS and planning statement accompanying this application). TDM officers also gave consideration to this relaxation in their off-street parking requirement calculation, recommending that the development should be served by 9 residents spaces and 2 visitor spaces. Whilst the Outer Core relaxation is noted, the Transportation Development Guidelines set out that this should only be applied where the proposed development involves redevelopment or refurbishment of a site. In this regard, whilst TDM have advised they would consider the application to represent redevelopment, this assessment is not shared by the Case Officer. Given as the application site is currently a garden area, where there is no recorded evidence of past development, it is determined that the 25% off-street parking relaxation does not apply in this instance. The proposed development is thus considered to have a shortfall of 6 off-street parking spaces. The shortfall in off-street parking spaces is considered to be significant in this instance and it is recommended that this be included as a reason for refusal of this application.

2.6.7 In conclusion, the proposed development would represent an improvement for the existing visibility splays for Kinburn Hotel, nevertheless, given the significant shortfall in off-street parking proposed, the proposed development would give rise to adverse road safety concerns, contrary to FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018). The application is therefore recommended for refusal on the grounds of road safety.

2.7 FLOODING AND DRAINAGE

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 be 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 was 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, supported by ground infiltration test results, have been submitted in support of the application, confirming that a drainage scheme to be designed to accommodate the proposed development. Completed drainage compliance and design and check certificates were also provided. The proposed driveway and parking area would be finished with a permeable surface. Fife Council Structural Services were consulted on the application to provide comment on the drainage proposals. Upon review, Structural Services confirmed that they have no comments or objections to raise. The drainage information provided is therefore considered to be acceptable to the Planning Authority.

2.7.5 It is proposed to connect to the existing Scottish Water public drainage network and public water supply. Scottish Water have been consulted on this application where they advised they have no objection to these connections. This does not however guarantee connection and the applicant would still require formal approval from Scottish Water through a separate consent process.

2.7.6 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 flattened dwellings. The application is therefore considered to comply with requirements of FIFEplan (2017) and relevant national legislation in this regard. Notwithstanding the acceptability of the development in flooding and drainage terms, this is not the determining consideration in the assessment of this application.

2.8 ARCHAEOLOGY

2.8.1 Policies 1 and 14 of FIFEplan (2017) apply with regard to archaeology.

2.8.2 FIFEplan Policy 14 states that all archaeological sites and deposits, whether statutorily protected or not, are considered to be of significance. Development proposals which impact on archaeological sites will only be supported where: remains are preserved in-situ and in an appropriate setting or there is no reasonable alternative means of meeting the development need and the appropriate investigation, recording, and mitigations is proposed. If unforeseen archaeological remains are discovered during development, the developer is required to notify Fife Council and to undertake the appropriate investigations.

2.8.3 The site lies outwith the core of the medieval burgh of St Andrews but it was still considered likely that significant archaeological deposits of medieval date could exist on this site. Specifically, the proposed development site is on land that made up part of the medieval 'Argyle' of St Andrews. A Fife Council Archaeology Officer was consulted on the application to assess the impact the proposed development would have on any archaeological or heritage issues within the application site. Following an assessment of the proposals, the consultation response highlighted that previous development works in the surrounding area have shown that an abundance of archaeological deposits exist this area. As such, it is deemed that the works proposed could have

the potential to disturb in situ medieval archaeological deposits. A condition was therefore recommended, if the application was to be approved, for archaeological works to be undertaken.

2.8.4 In conclusion, the proposed development has the potential to impact on archaeological deposits. Were this application to be recommended for approval, a condition would have been included to ensure a scheme of archaeological works be undertaken prior to the commencement of development.

CONSULTATIONS

Urban Design - EPES Transportation	Do not support. Recommend refusal on grounds of road safety.
Archaeology Team	Comments provided. Condition recommended if approved.
Structural Services - Flooding, Shoreline And Harbours	No objections.
Scottish Water	No objections.
Scottish Environment Protection Agency	No comments.
Ministry Of Defence (Statutory)	No objections.
Transportation And Environmental Services - Operations Team	No comments.
Environmental Health (Public Protection) - EPES	No objections. Conditions recommended if approved.
Built Heritage	Recommend refusal on grounds of adverse impact on listed building and conservation area.
Community Council	Object as statutory consultee.

REPRESENTATIONS

Three objections have been received in response to this application, including one submitted by the Royal Burgh of St Andrews Community Council as a statutory consultee. The concerns raised in the submitted objections, and the Planning Authority's response to these, is summarised below:

1. Lowering height of northern boundary wall would have an adverse impact on listed building and conservation area
 - These concerns were submitted in response to the previous design of the proposal. As detailed in Paragraphs 2.3.12-2.3.13, the proposed development has been revised, with the lowering of the boundary wall removed from the proposals.
2. Stone wall proposed between site and listed building would have adverse visual impact (in comparison to existing hedge)
 - The hedge referred to actually overgrows a brick wall (constructed circa 1960s). The replacement of the brick wall with a lower stone wall is not considered to raise any significant visual impact concerns. See Paragraph 2.3.20 of this report for further information.

3. Loss of garden ground to accommodate flats would have adverse impact on listed building and conservation area
 - The erection of proposed large building within the enclosed garden ground of the listed building is considered to be unacceptable as it would have an adverse impact on the setting of the Category C listed building, as well as the character and appearance of the conservation area.
4. Proposed development would lead to increase in road traffic
 - As only 6 off-street parking spaces are proposed, it is not considered that the proposed development would lead to a significant increase in road traffic at this location.
5. Proposed use of off white lime render would not be in-keeping the character of conservation area
 - These concerns were submitted in response to the previous design of the proposal. As detailed in Paragraphs 2.3.12-2.3.13, the proposed development has been revised, with the white lime render removed from the proposals.
6. Insufficient number of parking spaces proposed
 - The Planning Authority have recommended the refusal of the application on the grounds of a shortfall in off-street parking spaces. See Paragraph 2.6.6 of this report for further information.
7. Proposed development does not provide sufficient garden ground
 - The development would be Outer Core of St Andrews which does feature high density accommodation throughout which has 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. See Paragraph 2.4.9 of this report for further information.
8. No family bathroom (or visitors' cloakroom) proposed
 - The design/layout of bathroom facilities is not a material planning consideration.
9. Overprovision of two bedroom properties being constructed in St Andrews, an alternative size of development should be considered
 - The Planning Authority is unable to influence the type of development the applicant has applied for.
10. Proposed building and access should be set further back
 - These concerns were submitted in response to the previous design of the proposal. As detailed in Paragraphs 2.3.12-2.3.13, the proposed development has been revised, with the design of the access and positioning of the building amended.

CONCLUSIONS

Whilst it is considered that the proposed development would not raise any adverse concerns with respect to residential amenity, flooding or low carbon, it is considered that the application proposal would have a detrimental impact on the setting of the Category C listed building, as well as the character and appearance of the St Andrews Central Conservation Area. The proposed development would also give rise to road safety concerns given the significant shortfall in off-street parking spaces which have been proposed. The proposed development is therefore considered to be contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Historic

Environment Policy for Scotland (2019) and the St Andrews Conservation Area Appraisal and Management Plan (2010).

RECOMMENDATION

The application be refused for the following reason(s)

1. The application proposal by virtue of its positioning, form, massing, design and choice of materials is considered to have an adverse impact on the setting, character and historical integrity of the Category C Listed Building. The front curtilage/setting of the listed building is considered to be just as important as the building itself. The application proposal would be visually discordant and intrusive, resulting a detrimental impact on the how the listed building is understood, appreciated and experienced through its setting. The Application Proposal is therefore considered to be contrary to Section 59 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended), Scottish Planning Policy (2014), Policies 1, 10 and 14 of the adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Historic Environment Scotland Historic Environment Policy for Scotland (2019) and the approved St Andrews Conservation Area Appraisal and Management Plan (2010).
2. The application proposal by virtue of its positioning form, massing, design and choice of materials is considered to have an adverse impact on the character of the St Andrews Central Conservation Area designated as "Outstanding". The application proposal would be visually discordant and intrusive, detrimental to the hierarchy of development of Doubledykes Road and the contribution this makes to the St Andrews Central Conservation Area. The Application Proposal is therefore considered to be contrary to Section 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended), Scottish Planning Policy (2014), Policies 1, 10 and 14 of the adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Historic Environment Policy for Scotland (2019) and the approved St Andrews Conservation Area Appraisal and Management Plan (2010).
3. The justification for the works to the boundary wall of the listed building was based on the proposed erection of six flatted dwellings within the curtilage of the Category C Listed Building. The refusal of the application given its impacts on the setting of the listed building and character of the conservation area removes such justification. Consequently, without justification, the application proposal would be contrary to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended), Scottish Planning Policy (2014), Policies 1, 10 and 14 of the adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Historic Environment Policy for Scotland (2019) and the approved St Andrews Conservation Area Appraisal and Management Plan (2010).
4. The application proposal, per Appendix G of Making Fife's Places Supplementary Guidance (2018), would require to be served by a total of 12 off-street parking spaces. As only 6 off-street parking spaces are proposed, it is considered that the application proposal would give rise to significantly adverse road safety concerns. The application proposal is therefore considered to be contrary to Policies 1, 3 and 10 of the adopted FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018), including Appendix G thereof.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

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

National Guidance:

Scottish Planning Policy (2014)

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

Historic Environment Scotland 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

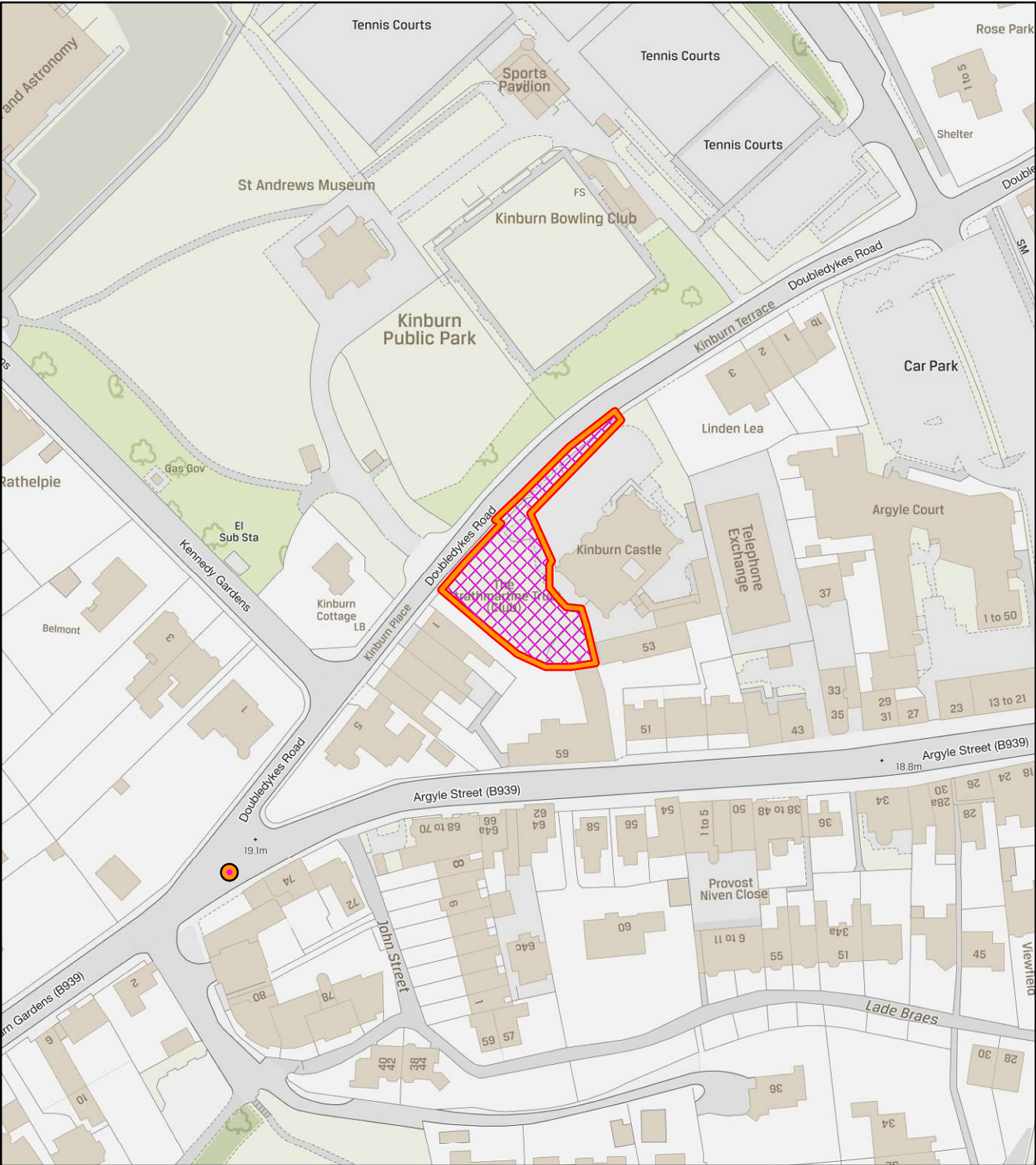
Fife Council St Andrews Conservation Area Appraisal and Management Plan (2010)

Fife Council St Andrews Design Guidelines (2011)

Report prepared by Bryan Reid, Chartered Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 7/12/20.

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Legend

 Application Boundary







Economy, Planning & Employability Services

ITEM NO: 12**APPLICATION FOR LISTED BUILDING CONSENT REF: 20/00899/LBC****SITE ADDRESS: KINBURN CASTLE DOUBLEDYKES ROAD ST ANDREWS****PROPOSAL : LISTED BUILDING CONSENT FOR ALTERATIONS TO
BOUNDARY WALL INCLUDING REDUCTION OF HEIGHT AND
WIDENING OF ACCESS****APPLICANT: EASTACRE CASTLE COURT LLP
47 SOUTH STREET ST. ANDREWS SCOTLAND****WARD NO: W5R18
St. Andrews****CASE OFFICER: Bryan Reid****DATE 05/05/2020
REGISTERED:****REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

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

SUMMARY RECOMMENDATION

The application is recommended for:

Refusal

**ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL
CONSIDERATIONS**

Under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the

desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

1.0 BACKGROUND

1.1 This application relates to an area of land within the grounds of the Category C Listed Kinburn Hotel (known locally as 'Kinburn Castle') located within the settlement envelope of St Andrews (FIFEplan Local Development Plan, 2017). The site forms part of the St Andrews Central Conservation Area. The two storey Kinburn Hotel has a castellated appearance with its central and corner towers/turrets featuring battlements, as well as its 4 bay window frontage. The symmetrical design of the building can be attributed to it being originally designed as a pair of semi-detached private villas. The Tudor style of the building is of a similar design to Kinburn House (designed by the same architect, John Milne) which is similarly situated, set back from the road within its own grounds on the northern side of Doubledykes Road. The listing for the property also includes the stone boundary walls which are considered to contribute positively to the character and appearance of the listed building and conservation area. A number of outbuildings have been sited to the rear of the Kinburn Hotel building - outwith public view. Located to the west of Kinburn Hotel, the application site is currently a well-maintained garden area, predominately comprising of a grass lawn and a variety of low planting/hedges and trees, with the listed stone wall bounding the north and west of the site. A brick wall, a later addition to the curtilage of the listed building (circa. 1960s), bounds the east of the site, separating the maintained garden area of the listed building from the front car parking area. A three storey terrace building (containing a number of flatted dwellings) is sited to the west of the application site - this terrace is of a historic design, constructed of stone walls, slate roof tiles and (originally) timber sash-and-case windows (some of these have since been replaced). Parking for the Kinburn Hotel takes place at the front of the building, with access taken via an originally designed opening in the stone wall directly from Doubledykes Road. The symmetrically designed opening in the wall aligns with the centre of the building. Currently, the Kinburn Hotel is used as (Class 4) offices for two businesses.

1.2 This application seeks listed building consent for alterations to boundary wall including reduction of height and widening of access. It is proposed to alter the northern stone boundary wall of the listed building to create a separate vehicular entrance for the flatted dwellings proposed under the application for planning permission (20/00901/FULL). Additionally, it is proposed to remove the existing brick wall which subdivides the application site (garden area) from the parking area at the front of the Kinburn Hotel, with this to be replaced by a low stone wall (matching the materials of the northern stone boundary wall).

1.3 The application for planning permission comprises of a proposed three storey, hipped roofed building containing six two-bedroomed flatted dwellings. Proposed finishing materials include natural slate roofing, natural sandstone (with three block sizes), rubbed ashlar quoins and window surrounds, grey/buff lime render, white timber sash-and-case windows, black aluminium rainwater goods, conservation style rooflights and solar roof slates. Six off-street parking spaces are proposed to be located at the rear of the building, with a bin storage area beyond. The driveway and parking area surface would be permeable monoblock. A grass lawn area would be maintained between the northern stone boundary wall and the proposed building, with this extending around to the eastern side of the building, and an additional small lawn area immediately to the rear of the building. Existing trees and foliage along the southern site boundary are proposed to be retained, with additional trees and hedges planted along the driveway.

1.4 There is no relevant recorded planning history associated with the application site/garden area itself, however there is a record of past planning applications relating to Kinburn Hotel and its rear outbuildings - these are set out below. A related application for planning permission for erection of six flatted dwellings with associated access, parking and landscaping works (20/00901/FULL) has been submitted alongside this application and is also included on this agenda.

2.0 ASSESSMENT

2.1 The issues to be assessed against the Development Plan and other guidance are as follows:
- Impact on Listed Building

2.2 IMPACT ON LISTED BUILDING

2.2.1 Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), 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.

2.2.2 Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that in considering whether to grant listed building consent for any work, the planning authority shall 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.

2.2.3 Scottish Planning Policy 2014 (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.

2.2.4 Policy 1 of the Adopted FIFEplan Local Development Plan (2017) advises that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. 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.

2.2.5 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 development proposals can be evaluated to ensure compliance with the six qualities of successful places. Lastly, the Supplementary Guidance recognises that the built environment has been adapted over time to meet changing needs, stating that protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

2.2.6 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.

2.2.7 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 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.

2.2.8 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.

2.2.9 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 are 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.

2.2.10 HES Managing Change in the Historic Environment: Setting; recognises the importance setting has on the historic environment, including listed buildings and conservation areas. 'Setting' is the way the surroundings of a historic asset contribute to how it is understood, appreciated and experienced. The guidance notes that buildings and gardens are designed and orientated deliberately, normally with reference to the surrounding topography, resources, landscape and other structures. Setting is therefore unrelated to modern landownership, often extending beyond immediate property boundaries into the wider area. The setting of a historic asset can incorporate a range of factors, including: views to, from and across or beyond the historic asset; the prominence of the historic asset of place in views throughout the surrounding area, bearing in mind that sites need to be visually prominent to have a setting; general and specific views including foregrounds and backdrops; and relationships with other features.

2.2.11 It is proposed to alter the northern stone boundary wall of the listed building to create a separate vehicular entrance for the flatted dwellings proposed under the application for planning permission (20/00901/FULL). Additionally, it is proposed to remove the existing brick wall which subdivides the application site (garden area) from the parking area at the front of the Kinburn Hotel, with this to be replaced by a low stone wall (matching the materials of the northern stone boundary wall).

2.2.12 When originally submitted, the proposed development sought to lower the height of the northern boundary wall to approximately 500mm along its full length. Furthermore, it was previously proposed to create a wider opening in the northern boundary wall (with a single pillar separating the accesses to the Kinburn Hotel and proposed flatted development). Following the concerns of representations, including the Royal Burgh of St Andrews Community Council and

Planning Authority with regard to the impact of the proposed works, an opportunity was presented for a revised scheme to be submitted. The design of the proposed flatted dwellings was also revised at this stage.

2.2.13 The revised designed proposed to maintain the height of the northern boundary wall along the frontage of the proposed building, lower the height of the proposed subdividing wall and reduced the scale of the works to the entrance to the site. The proposed development would involve mirroring the existing opening in the boundary wall by relocating the important pillars and low curved wall feature to the west. A centrally placed low wall, formed of materials from the down taking works, is proposed to divide the two access points. The proposed alterations would maintain a symmetrical opening in the boundary wall, with the design of the existing opening effectively being made larger with a small subdivision. The brick wall which currently subdivides the application site from the car parking is proposed to be removed and replaced with a low stone wall (similar in appearance to the northern boundary wall). Whilst the proposed subdividing wall would be more visually prominent than the existing brick given the widened access point(s), this part of the development does not raise any significant concerns with regard to impact on the listed building.

2.2.14 The amendments to the application are considered to be an improvement on the design and layout which was originally proposed. Nevertheless, the Planning Authority is unable to support the proposed alterations to the listed boundary walls as the purpose of these works would be solely to accommodate vehicular access to the proposed flatted dwellings. In this regard, it is considered that the proposed flatted dwellings (application ref. 20/00901/FULL), by virtue of their design and positioning, would have a negative impact on the character and appearance of the conservation area, as well as the setting of the Category C Listed Kinburn Hotel, with the planning application therefore recommended for refusal. The impacts on the setting of the listed building and character and appearance of the conservation area are considered in the report of handling for said application (also included on this agenda). Given the recommendation to refuse the planning application, it is determined by the Planning Authority that there is no justification for the proposed alterations to the listed boundary walls. With no justification for the proposed alterations, the listed building consent application is therefore recommended for refusal.

2.2.15 In conclusion, the proposed alterations to the boundary walls of the Category C Listed Building are not considered to be justified given as the related application for planning permission for six flatted dwellings (20/00901/FULL), which the proposed alterations are proposed to facilitate, has been recommended for refusal. The positioning, massing and design of the proposed flatted dwellings are considered to have an adverse impact on the character and appearance of the Category C listed Kinburn Hotel and the St Andrews Central Conservation Area. Consequently, without justification, the proposed alterations to the listed boundary walls would be contrary to Policies 1, 10 and 14 of FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018), as well as the above noted national legislation and national and local guidance documents.

CONSULTATIONS

Historic Environment Scotland
Built Heritage

No comments - C listed building.
Comments provided - advises refusal.

REPRESENTATIONS

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

1. Lowering height of northern boundary wall would have an adverse impact on listed building
- These concerns were submitted in response to the previous design of the proposal. As detailed in Paragraphs 2.2.12-2.2.13, the proposed development has been revised, with the lowering of the boundary wall removed from the proposals.
2. Proposed amendments would alter the balanced/symmetrical appearance of the opening in the boundary wall
- These concerns were submitted in response to the previous design of the proposal. As detailed in Paragraphs 2.2.12-2.2.13, the proposed development has been revised, with the proposed alterations to the opening in the wall revised to maintain the symmetrical appearance.

CONCLUSIONS

The proposed alterations to the boundary walls of the Category C Listed Building are not considered to be justified given as the related application for planning permission for six flatted dwellings (20/00901/FULL), which the proposed alterations are proposed to facilitate, has been recommended for refusal. The proposed development is therefore considered to be contrary to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Historic Environment Policy for Scotland (2019) and the St Andrews Conservation Area Appraisal and Management Plan (2010).

RECOMMENDATION

The application be refused for the following reason(s)

1. In the interests of protecting the architectural heritage and the character of the St Andrews Conservation Area. The justification for the works to the boundary wall of the listed building was based on the proposed erection of six flatted dwellings within the curtilage of the Category C Listed Building (20/00901/FULL. The refusal of the application for planning permission given its impacts on the setting of the listed building and character of the conservation area removes such justification. Consequently, without justification, the application proposal would be contrary to Sections 14 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended), Scottish Planning Policy (2014), Policies 1, 10 and 14 of the adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), Historic Environment Policy for Scotland (2019) and the approved St Andrews Conservation Area Appraisal and Management Plan (2010).

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.

2. National Guidance:

Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
Scottish Planning Policy (2014)
Historic Environment Scotland Historic Environment Policy for Scotland (May 2019)
Historic Environment Scotland Managing Change in the Historic Environment (2010)
Historic Environment Scotland New Design in Historic Settings (2010)

Development Plan:

FIFEplan Local Development Plan (2017)
Making Fife's Places Supplementary Guidance (2018)

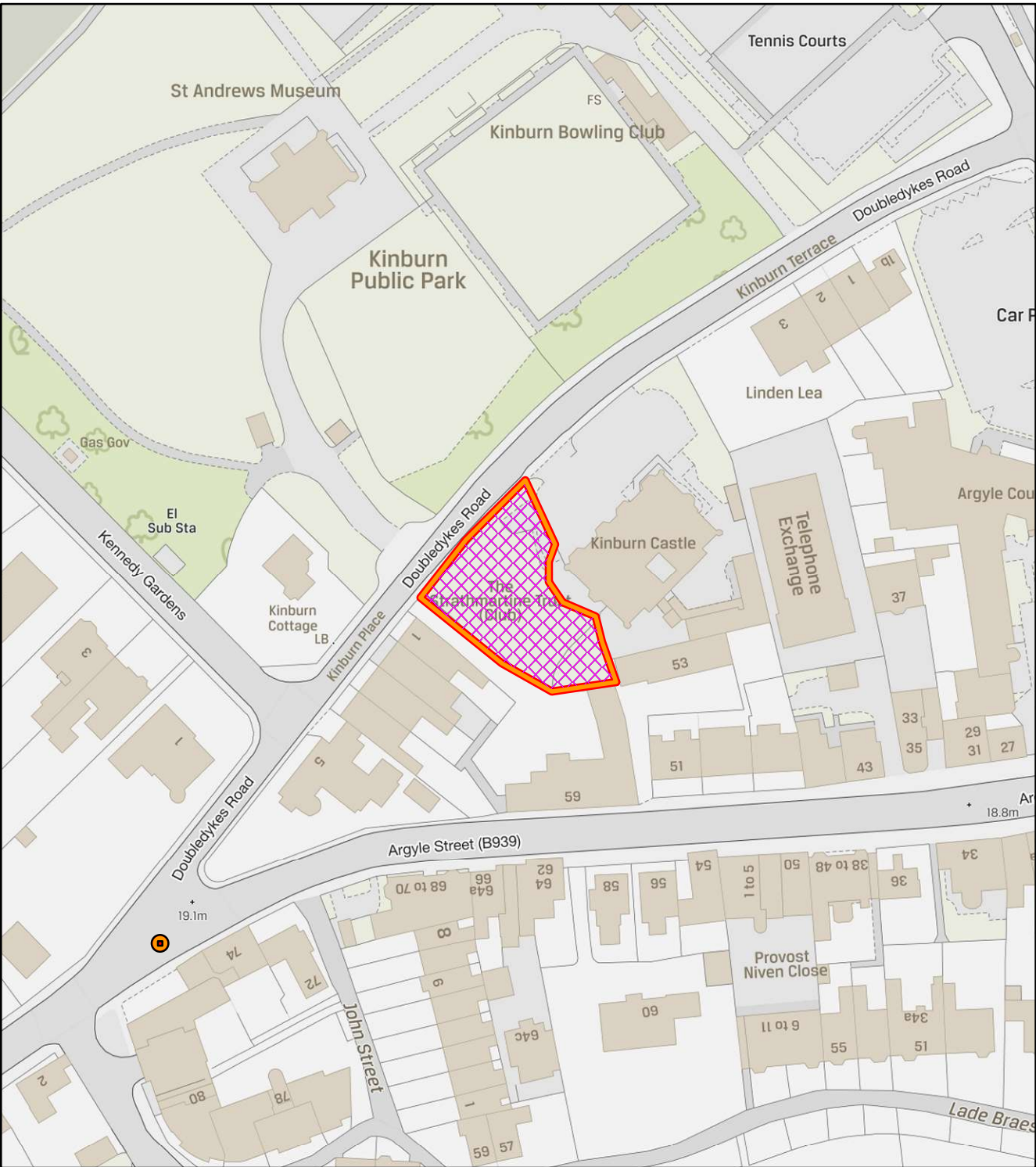
Other Guidance:

St Andrews Conservation Area Appraisal and Management Plan (2010)
St Andrews Design Guidelines (2011)

Report prepared by Bryan Reid, Chartered Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 7/12/20

Date Printed 20/11/2020



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<p>Legend</p> <div>  Application Boundary </div> <div>  </div>			 <p>Fife COUNCIL</p> <p>Economy, Planning & Employability Services</p>
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ITEM NO: 13

APPLICATION FOR APPROVAL REQUIRED BY CONDITION(S) REF: 19/03466/ARC

**SITE ADDRESS: LAND INFILL SITE AT NYDIE MAINS ROAD NYDIE
STRATHKINNESS**

**PROPOSAL : APPROVAL OF MATTERS SPECIFIED BY CONDITION FOR
ERECTION OF 65 DWELLINGS AND ASSOCIATED
LANDSCAPING, ACCESS AND ENGINEERING AND
INFRASTRUCTURE WORKS (15/04130/PPP)**

**APPLICANT: MR JIM RAVEY
SPRINGFIELD HOUSE 3 CENTRAL PARK AVENUE,
LARBERT,**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Natasha Cockburn

**DATE 10/01/2020
REGISTERED:**

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

The application has received more than six objections, contrary to the officer's recommendation, including an objection from the 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.

1.0 BACKGROUND

1.1 Site

1.1.1 The application site relates to a 4.8ha area of ground located on the North West edge of Strathkinness. The site comprises mainly an agricultural field but includes the adjoining road to the north and an area of infill ground which links the main field and the residential street of Bonfield Park. The main field site is bound on the north by the said road, on the east partly by the existing sports playing field and open space, partly by residential properties along Bonfield Park and partly by residential properties associated with Bonfield Road. Bonfield Road itself defines the southern boundary whilst the west boundary is defined by woodland screen planting with open countryside beyond. Part of the traditional field enclosure at the North West corner of the site is excluded from the application site boundary. This part of the field is where the access to this field and the field to the west is located and it is assumed this portion is retained in order to preserve this access.

1.1.2 The application site was approved through Planning Permission in Principle 15/04130/PPP. Part of the site was allocated for residential use, with the main part of the site being in agricultural use and classed as prime agricultural land (Class 3.1). The infill site, STK02, is undeveloped open space and in the ownership of Fife Council. The boundary to the north is defined by a stone wall mostly obscured by vegetation. The south boundary is defined by a drainage ditch and a sharp change in levels down to Bonfield Road. Field access is provided at two locations where the drainage ditch is culverted. The site generally slopes down from the road to the north, which occupies an elevated position within the wider landscape. Strathkinness occupies this south facing slope which falls towards the Kinness Burn and the B939. The site profile follows this context and presents a south-facing aspect across the valley.

1.2 Proposal

1.2.1 The proposal includes the construction of 65 dwellings, including affordable housing, and associated landscaping, access and engineering and infrastructure works. The layout includes a range of house types and sizes, which are a mix of single storey, two storey and one and a half storeys. The house types include terraced, semi-detached and detached properties. Vehicular access is proposed from High Road, to the north of the site, with an additional access formed to connect into Bonfield Park to the east. Pedestrian access is proposed into the playing field to the east of the site, a footpath/cycle path is proposed to the south of the site, into Bonfield Road, and a further footpath connection is proposed to the south, adjacent to the existing properties on Bonfield Road. SUDS is proposed to the south east corner of the site. A landscape buffer is proposed along the northern edge of the site, screening the garden boundaries of plots 25 – 31 and tree planting is proposed along the northern and western boundaries. Materials include grey stone and brick, grey timber cladding, and white render, with grey concrete tiles.

1.2.2 Proposals include a 3m wide cycle path along the frontage of the development and traffic calming measures. Parking would be predominantly allocated in-curtilage parking, with some parking courts.

1.2.3 Only part of the PPP site is proposed to be developed, with approximately one third of the site indicated as 'possible future development'. No houses on that section of the site would be approved through this ARC, with the applicant having to apply for full planning permission should they consider this in the future.

1.2.4 The affordable housing, for Fife Council, would be positioned in the south east of the site because this area is Council owned land. Further affordable units would also be located outwith the Council owned land, however the majority would be located within this land.

1.3 Planning History

1.3.1 Planning Permission in Principle (PPP) was approved on the site in 2019 (15/04130/PPP), for a residential development, including affordable housing with associated landscaping, access and associated engineering and infrastructure works. This current application is the ARC which follows on from that PPP consent.

1.3.2 The part of the site allocated as STK02 in the Adopted Local Plan benefits from full planning permission for 16 dwellings and associated works. This permission was granted in November 2013 under reference 13/03613/FULL. Fife Council was the applicant and the proposal was for 100% affordable housing.

1.3.3 The northern part of the remainder of the site was the subject of restoration works first granted consent under reference 99/00537/EFULL and then under 01/02457/EFULL.

2.0 Planning Assessment

2.1 The key issues relevant to an assessment of this application are:

- Compliance with PPP
- Education Impact and Phasing
- Design and layout
- Garden Ground
- Residential Amenity/Noise
- Parking and Road Safety
- Trees/Landscaping/Natural Heritage
- Open Space Provision
- Flooding and Drainage
- Land Stability and Contamination
- Public Art
- Affordable Housing
- Low Carbon Fife

2.2 Compliance with PPP

2.2.1 While the principle of development does not need to be revisited for an application of Matters Specified in Conditions, the proposal should comply with the conditions set out in the original PPP to be considered acceptable. Condition 1 of the PPP requires the submission of

further application(s) for certain matters of the development (Approval of Matters specified by Condition) for approval.

2.2.2 Condition 2 and Condition 3 of the PPP state that every application submitted under the terms of condition 1 shall include specific information where relevant. Compliance with condition 2 and 3 shall be discussed throughout the report where the condition relates to a specific topic.

2.2.3 Condition 4 sets out submission requirements for the first ARC submission, including a Phasing Plan for the whole site that is linked to a further assessment on education impact that demonstrates that each phase would not result in a breach in capacity at Strathkinness Primary School; a Public Art Strategy, fully costed and with a timetable programme linked to any approved phasing plan; a Play Strategy, undertaken in consultation with Fife Council and representatives of the local community; a Construction and Environmental Management Plan for the whole site; a Biodiversity Enhancement Plan including details of the creation of habitat, green networks and habitat connectivity; a Phase II Intrusive Site Investigation Report for the whole site; detailed SUDs and drainage calculations, including written evidence of Scottish Water's acceptance of proposed flow-rates into their system; details of the junction improvement between the High Road/ Main Street, in accordance with the Transport Planning Ltd Transport Assessment November 2015; and details of traffic calming proposals on Main Street and the High Road. These matters are discussed under the relevant sections of this report.

2.2.4 Condition 5 requires the total number of residential units approved for this site to be restricted to 66, unless otherwise subsequently varied in agreement with the planning authority. The application is for the erection of 65 residential units; therefore the ARC complies with this condition.

2.2.5 Condition 6 requires SEPA approval for the SUDS and drainage infrastructure. This is discussed within the report under Flooding and Drainage matters.

2.2.6 Condition 8 requires the development to be designed in accordance with 'Designing Streets (2010)' and the current Fife Council Transportation Development Guidelines, or any subsequent documents which supersedes either of the above. This is discussed within the report under Transportation and also Design and Layout. Condition 11 sets out transportation requirements, which are discussed within the report under Transportation.

2.2.7 Condition 15 requires the Design and Access Statement required under Condition 3 (c) to promote a mix of 1.5 and 2 storey residential house types across the development site and 1.5 storey house types along the north frontage of the site. Given the application excludes the north frontage of the site, the latter part of this condition is not relevant, however the rest of the condition is considered under the Design and Layout section of the report.

2.2.8 Overall it is considered that the proposed development complies with the illustrative masterplan and has met the general submission requirements for the relevant conditions where appropriate.

2.3 Education Impact and Phasing

2.3.1 Policy 4 of the Adopted FIFEplan (2017) states that developer contributions will be sought in relation to development proposals that will have an adverse impact on infrastructure capacity. The kinds of infrastructure to which this policy applies include transport, schools, affordable housing, greenspace, public art and employment land. The contributions will mitigate

development impact by making a contribution to existing infrastructure or providing additional capacity or improving existing infrastructure; or providing new infrastructure. This is reinforced in the Planning Obligations Framework Supplementary Guidance (2015). Fife Council's Planning Obligations Framework Draft Supplementary Guidance (2017) re-iterates this advice and contains more recent and up to date calculations and methodologies with regards to existing infrastructure. It is, therefore, considered that the calculations from the Draft Guidance should be used in this instance as this document provides the most recent and accurate calculations with regards to planning obligations.

2.3.2 Condition 4 (a) requires the submission of a Phasing Plan for the whole site that is linked to a further assessment on education impact that demonstrates that each phase would not result in a breach in capacity at Strathkinness Primary School. Condition 5 also relates to this issue, as it was considered at PPP stage that a capacity limit of 66 units would be appropriate in relation to the capacity limit at the school.

2.3.3 Objection comments, including an objection from Strathkinness Community Council, outline concerns that the development would adversely impact on the capacity of Strathkinness Primary School.

2.3.4 In this regard, discussions have been held with Education and Property Services regarding the capacity of Strathkinness Primary School and the impact of the proposed development. In response, the applicant has submitted an Education Capacity Report, and they have included a phasing plan linked to this. Education have reviewed the details submitted and have advised that they are in a position to support the proposals, subject to the recommended phasing being met by the applicant.

2.3.5 In more detail, at the Pupil Census (2019) there were 75 pupils on the Strathkinness Primary School roll organised in 4 classes in accordance with class size regulations. The school currently provides capacity for a maximum of 75 pupils only if all classes are 100% full at all stages across the school. The school has operated with 4 classes for the last 2 years to allow the flexibility to manage the full curriculum experience so, whilst considering that the school would prefer to work with 3 classes, Education Services have advised that the school can compromise for a temporary period and increase the roll to a maximum of 90 pupils, which would allow the school to facilitate dining. It has been considered that any more than 90 pupils will present difficult management of class organisation within the constraints of the current building. There is no scope to provide any additional temporary accommodation on the school grounds, and the next adjacent non-denominational Primary School is Lawhead Primary School in St Andrews which is already committed to accommodating pupils from the St Andrews West Strategic Development Area of 1000 units.

2.3.6 Overall, Fife Council Education Service have advised that, based on the applicant's submitted report and phasing plan, plus their own school roll calculations, house completion rates should be phased to meet the criteria of maintaining a school roll of maximum 90 pupils, with house completion rates being as per the phasing report set out by the applicant, which sets out that 20 units would be constructed in 2021, 16 units in 2022 and 29 units in 2023. Given the Phasing Plan submitted with the application is no longer reflective of the discussions held with Education Services throughout the application process, this would not form part of the approval. A condition is recommended to reflect the agreed phasing, which has been agreed by Education Services and the applicant.

2.3.7 The proposals therefore comply with the relevant condition of the PPP, Education Services are satisfied that the school roll would not be adversely impacted by the proposed phasing therefore, subject to a condition safeguarding this position, the proposals would comply with the Development Plan and Supplementary Guidance in this regard.

2.4 Design and Layout

2.4.1 Policy 14 of the Proposed FIFEplan requires development to demonstrate the six qualities of successful places detailed in SPP. Policy 14 is supported by 'Making Fifes Places' which provides detailed guidance on creating, and evaluating, successful places.

2.4.2 Condition 15 requires the Design and Access Statement required under Condition 3 (c) to promote a mix of 1.5 and 2 storey residential house types across the development site and 1.5 storey house types along the north frontage of the site. Given the application excludes the north frontage of the site, the latter part of this condition is not relevant. Building heights in Strathkinness are varied throughout the village. The single storey and 1 and half storey buildings mostly date back to early development along Main Street, although there are single storey properties to the south of the site at Bonfield Road. Most recent development to the south of the central park and to the edge of the settlement is of a higher 2 storey. Objection comments received have raised concern that the properties to the south of the site are higher than single storey and that the properties closest to the north of the site should be higher. In particular, comments have noted that the existing properties at Bonfield Road to the south are single storey, with two storey properties proposed to the north of those houses. In this regard, it is noted that the existing properties at Bonfield Road are set back from the application site, with their frontage onto Bonfield Road. Their gardens are long and there is a distance of over 28m from each of the proposed and existing houses. It is not considered that these two storey properties would significantly impact on the character of these properties, and they would instead relate to the two storey properties to the east of the site, to which the site relates more clearly. To avoid an overdominance of high roof lines, the proposed house types have features that scale back the housing with single and one and a half height projections and dropped roofs. As the site slopes down from Nydie Mains Road most houses will be screened from the change in level, the enhanced boundary landscape and temporary landscape buffer mitigating any concerns of skyline development. A variety of building heights have been incorporated at the edge at Bonfield Park to scale the development to the existing houses. The proposals comply with the requirements of Condition 15, having a mix of 1.5 and 2 storey house types with a limited number of bungalows to the south of the development, required to meet Fife Council's affordable housing needs.

2.4.3 Condition 3 (c) requires the submission of a design and access statement including a site appraisal, a landscape impact appraisal, a selection of street perspectives and a 'B-plan' in accordance with Fife Council's Making Fife's Places Supplementary Guidance. The applicant has submitted a design and access statement, various street perspectives, landscape details and a B-plan, including a comparison to the PPP indicative plan. The proposed development has been designed in line with the indicative plan approved through the PPP, with the key components of the concept design remaining consistent. These include; a logical movement hierarchy of streets, lanes and paths; vehicle access from Nydie Mains Road to Bonfield Park as a through road; pedestrian access from Nydie Mains Road, Bonfield Park, Bonfield Road and the playing field; and a landscape buffer to the western boundary as the new settlement edge. A notable difference when comparing the PPP and ARC is the location of the SuDS feature in the detention basin. In this regard, following more detailed site investigation and design work after the PPP stage, the topography of the site has dictated that the proposed location of the SuDS

feature, which will work with the existing levels and be sited next to the existing green network. This amendment is reasonable and justified.

2.4.4 The visual impact of the proposals has been assessed and viewpoints have been provided within the design and access statement submitted. It is noted that the most prominent buildings are the 1.5 and 2 storey units, however, the landscape would soften the appearance of these. The site slopes from north to south which will bring the houses within the development down and back from the ridge line, mitigating any concerns of skyline development within the proposal. The boundary landscape and landscape buffer will provide adequate screening to neighbouring plots and views along the ridge line of the site.

2.4.5 The design and access statement include a contextual analysis of the house types within the surrounding area, and concludes that there is a variation of terraced, detached and semi-detached properties within Strathkinness, with detached and semi-detached housing having been built to the south and east of the crossroads at the central park. The proposed development follows that trend and it can be seen from the 200m radius that detached housing is dominant to the outer edge of Strathkinness. However, the development also addresses the requirement for affordable homes, which has taken the form of terraced blocks, similar to that throughout the village.

2.4.6 Objection comments have raised concerns that the site is too dense and would not be acceptable given part of the site has been left without any development proposed. Given the submission only relates to part of the PPP site, the northern section of the site would remain agricultural land at this stage. Should the applicant seek to develop the northern part of a site at a later stage, they would have to submit a full planning application for the acceptability of this to be assessed. Only if this proposal would, on its own merits, be considered acceptable, would any further houses be approved.

2.4.7 Therefore, it is important that a landscape buffer is included along the northern edge of the proposed development to ensure an appropriate settlement edge is provided at this stage, given the visual prominence of the site boundary. This buffer has been indicated on the proposed site plan, and a condition is recommended to ensure that this is implemented prior to the properties adjacent being occupied.

2.4.8 The relationship of Blocks 9 and 10 with the rear gardens of the adjacent properties has been discussed with the applicant. The front of these properties would look onto the adjacent properties, which is something which was a concern. This approach has been justified by the applicant on the basis of strong landscaping to create a sense of intimate character. Whilst there are concerns around the relationship of the building fronts to the adjacent rear gardens, this is mitigated as best possible through the landscaping imagery provided. It is therefore recommended that details of the landscaping should be set out as a condition to ensure it can reflect the imagery currently used as justification for the proposal.

2.4.9 The dominance of parking within the development has been a concern. The applicant has addressed this by locating spaces behind landscaping. Some buildings have been brought forwards in order to screen in-curtilage parking spaces from the street. Additionally, some shared driveways are proposed, which would be screened from the frontage with planting.

2.4.10 In terms of boundary treatments, existing boundary treatments would be retained as much as possible. To the front elevations of properties, hedges and 900mm high post and wire fencing is proposed, to create a distinction between public and private areas. To the rear, grey

stained timber fences are proposed to the private gardens, complimenting the house materials. The applicant has agreed that any areas where a timber fence is proposed within a publicly visible area, would be supplemented with planting to soften its appearance. This is recommended as a condition.

2.4.11 In accordance with the PPP indicative layout, a cycle/pedestrian path is proposed to the south of the site, connecting to Bonfield Road. A pedestrian link is proposed to the east, between plots 34 and 35, connecting to the playing field. These links would provide opportunities for the development to connect with the surrounding area, including the playing field, helping to form a well-connected and permeable development, which is welcomed.

2.4.12 Objection comments have raised concern that the proposed houses are out of character with the surrounding area and that the appearance of the housing is not in keeping with the surrounding area. In this regard, the proposed materials include white render, grey stone, grey timber cladding and grey fencing to 'Character Finish 1' which is the majority of the site. 'Character Finish 2' includes the affordable housing, which would be finished in a complementary palette of materials, including grey brick rather than stone. The surrounding housing is predominantly off-white/grey rendered with some more traditional stone elements along High Road. It is considered that the proposals pull in an element of the surrounding stone, and the proposed materials are muted and high quality, and would create a distinctive place, whilst still suited to the character of the surrounding area.

2.4.13 The proposals are considered to accord with the requirements of Policy 13 of the Adopted FIFEplan Local Development Plan in relation to their design and layout. The development would also generally comply with the concept of the approved masterplan for the site and Making Fife Places.

2.5 Garden Ground

2.5.1 Fife Council's Planning Customer Guidelines on Garden Ground (2007) advises that new dwellinghouses shall have private garden ground of at least 100 square metres per dwellinghouse with 50 square metres of private amenity ground for flats. Policy 10 of the adopted FIFEplan also seeks to protect the amenity of existing and proposed land uses.

2.5.2 All of the plots within the site meet the minimum rear garden length specified within the minimum garden ground customer guidance document. The terraced and some semi-detached units do not meet the minimum garden ground standard with the lowest garden ground being 50sqm for a terraced unit. The garden grounds reflect the size of units proposed which are relatively small. The smallest garden grounds, which measure approximately 50-60sqm (Plots F11 – F15, A3, A4 and A8) are 2 bed terraced properties, with Plots A7, F3 and F4 containing garden sizes of approximately 60 - 64sqm, which are 3-bedroom terraced properties. As these are smaller units which are attached to other units, it is more difficult to meet the minimum standard without having disproportionately longer gardens. The larger and detached units on site comply with the minimum garden standards. It is noted that the garden shapes and size reflect the location and constraints of the site. The minimum garden ground standards are set out as a guidance and are not a statutory policy because it is considered that garden size should reflect the context of the site and they should reflect an aim for a site rather than a requirement. Flexibility must be provided for sites with the overall aim being to ensure that a suitable standard of amenity is provided for future residents. This is achieved here. Overall it is considered that an acceptable level of garden ground is being provided for the proposed units with the smaller units not meeting the standard. Nonetheless, these smaller properties would be provided with a

sufficient standard of garden relative to the dwelling size and would have sufficient garden ground to provide a good level of amenity for future occupants.

2.5.3 On balance, whilst the development does not fully meet the above noted guidance, it does provide an acceptable level of garden ground that meets the terms of Policy 10 and amenity levels would be acceptable.

2.6 Residential Amenity

2.6.1 The Adopted FIFEplan Policy 10: Amenity also seeks to ensure that new development does not impact on the privacy, sunlight or daylight enjoyed by existing properties. Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2010) and Minimum Distances between Window Openings (2011) provide additional guidance on the design of residential areas that incorporates concerns surrounding residential amenity.

2.6.2 In assessing residential amenity, attention should be paid not only to existing adjacent neighbours to the site but also to the interaction of the proposed houses to each other within the site. Window to window distances should be over 18m, as set out within Fife Council's Planning Customer Guideline on Minimum Distances between Window Openings. Rear garden depths should be a minimum of 9m throughout the site, as per the requirements of the Fife Council Garden Ground Customer Guideline.

2.6.3 An objection comment raised concern that the proposed development would be overbearing to existing residents at Bonfield Road, with 5 units bordering number 22 to the south. These properties are the nearest existing residential properties outwith the site, and they would sit to the south of Plots F1 – F8. The length of the proposed gardens measure 10m long, and the window to window distance is exceeded, at between 28m – 31m. Plots F11 – F15 sit to the west of the existing properties outwith the site and would also meet the 9m garden depth and minimum window to window distance. Further to this, throughout the site, the 9m garden depth and minimum window to window distance is met. Due to the siting and distance of the proposed dwellings from existing dwellings outwith the site, it is therefore not anticipated that privacy issues could arise for the existing dwellings outwith the site.

2.6.4 The plot layouts and house styles have been designed to ensure that no properties would create shade or block daylight/sunlight to any significant degree to any other adjacent existing property or any proposed property within the site itself.

2.6.5 Due to the proximity of the site to existing residential properties, Condition 4 (d) of the PPP requires a Construction Environment Management Plan (CEMP) to be submitted with the first ARC. The application submission includes a CEMP which sets out the proposed construction hours. Fife Council Environmental Health (Public Protection) have reviewed the CEMP and advised that the measures detailed would be sufficient to prevent dust, noise or light nuisance. However, they did raise a concern with the initially proposed hours of work (0700 – 1900). Environmental Health (Public Protection) generally recommended that activities relating to the erection, construction, alteration, repair or maintenance of buildings, structures or roads not to take place outside the hours of 08.00 and 18.00 hours Mondays to Friday and 08.00 and 13.00 hours Saturdays, with no working Sundays or Public Holidays. The applicant has therefore amended the CEMP accordingly, which satisfied the concerns of Environmental Health in this regard.

2.6.6 In summary, it is considered that the development will not adversely affect amenity through overshadowing or overlooking and will not adversely impact on neighbouring residential amenity. It is therefore considered that the development complies with the above noted policies in that regard.

2.7 Parking and Road Safety

2.7.1 Policy 3 of the Adopted FIFEplan requires proposals to demonstrate how they provide footpaths, cycleways and roads designed for all users which integrate in with existing footpaths, cycleways and roads; provide safe routes to public transport, schools, and community facilities; link to the existing or planned public transport network. Where public transport provision is limited, opportunities should be investigated for the introduction of an enhanced service to serve the site; address any impacts on road safety, particularly impacts on community facilities such as schools or parks; and address impacts on the local road network and the railway network including capacity. Once impacts have been identified through Transport Assessments, mitigation must be identified and agreed prior to an application being determined; Making Fife's Places Supplementary Guidance provides guidance on the design of movement routes for new development.

2.7.2 Fife Council's Transportation Development Management (TDM) officers have been consulted and, following discussion with the applicant, the proposed layout was amended to take account of comments and is now considered acceptable.

2.7.3 Condition 1 (d) required roads, access, car parking (including in-curtilage and visitor) footpath and cycle path provision and (e) requires details of the works to widen the Q8 public road (High Road) along the north frontage of the site to 5.5m, to the same width as the existing road to the east of the site.

2.7.4 Condition 4 (h) requires details of the junction improvement between the High Road/ Main Street, in accordance with the Transport Planning Ltd Transport Assessment November 2015; and (i) requires details of traffic calming proposals on Main Street and the High Road.

2.7.5 Condition 8 requires the development to be designed in accordance with 'Designing Streets (2010)' and the current Fife Council Transportation Development Guidelines, or any subsequent documents which supersedes either of the above

2.7.6 Condition 11 sets out various transportation requirements, including the minimum size of individual parking bays; off street parking; requirements for driveway gradients; grit bin and street lighting locations; visibility splays of 2.4m x 25m being provided to the left and to the right at the junction of the vehicular access to the site and the Q8 public road (the High Road) and maintained clear of all obstructions exceeding 600mm above the adjoining carriageway level; all other junctions within the site to have visibility splays of 2.4m x 25m; garage requirements and the requirement for a footway 2 metres wide along the total north frontage of the site on the Q8 High Road and connect to the existing footway to the east of the site.

2.7.7 The primary access to the site is proposed via Strathkinness High Road (Q8). A secondary access to the site would be provided from Bonfield Park. Objection comments have raised concerns regarding the requirement for this secondary access. Objectors consider that road safety issues will arise if through traffic is allowed via Bonfield Park, which is currently a cul de sac. Current government advice is that cul de sacs should be avoided as they 'create an introverted layout which fails to integrate with its surroundings'. Where short cul de sacs are

provided turning areas are required which are wasteful in terms of land use and create road safety issues with reversing vehicles.

2.7.8 Although the provision of two vehicular access points to the site will not reduce travel times to any significant degree it will aid in the integration of the development with the existing village. It will negate the need for vehicles to turn in Bonfield Park and will allow direct access for delivery vehicles which may be visiting both Bonfield Park and the proposed development. Vehicular access is not proposed via Bonfield Road as this is a private road unsuitable for vehicular intensification.

2.7.9 Objectors have raised concerns regarding the potential pedestrian increase on Bonfield Road, in particular children walking to the primary school. The main concern relates to the section of road to the east where there is no footway and the road is fairly narrow. Bonfield Road is a core path, designated for pedestrian use, with no record of injury accidents in the five year period between 2013 and 2018 (latest records available). Although there will not be any increase in traffic on Bonfield Road as a result of the development it is not intended that this route from the development would be promoted as a safer route to school. This will be via High Road and Main Street where further traffic calming measures are proposed. This is a longer route to the school and its use will, therefore, rely on appropriate parental guidance.

2.7.10 The following traffic management features have been proposed following discussion with Fife Council's Transportation Services Traffic Management team:

- A 40mph buffer zone to be introduced over the proposed access junction to the site on Strathkinness High Road to replace the existing 60mph speed limit
- Additional speed cushions to be incorporated on the High Road.
- High Road to be widened to 5.5m from the site eastwards.
- A 3m wide shared use footway/cycleway to be constructed from the site access eastwards to tie in with the existing footway on the south side of the High Road.
- 'STOP' line at junction of High Road and Main Street to be relocated to improve junction visibility.
- An additional set of speed cushions to be installed on Main Street, to the north of the High Road / Main Street junction.
- A raised table to be installed at the junction of Bonfield Road / Church Road/ Main Street.

2.7.11 The proposed development only covers part of the site approved under 15/04130/PPP and is remote from the High Road. It would have been more beneficial for the construction to begin adjacent to the High Road as this would have allowed dwellings to be seen from the road and encouraged lower traffic speeds.

2.7.12 The internal layout consists of a loop road with two points of access and is generally in line with the requirements of Designing Streets. Parking provision for the affordable housing is a mix of off street and on street parking. In total 8 on street parking spaces will be required in the vicinity of the affordable housing to meet the requirements of the current Fife Council parking standards. The road layout in this area will be able to accommodate the 8 on street parking spaces.

2.7.13 Subject to compliance with the conditions referred to above, it is therefore considered that the application complies with the above noted policies with respect to parking and road safety and the relevant conditions of the PPP in that regard.

2.8 Trees/Landscaping/Natural Heritage

2.8.1 Policy 13 of the Adopted FIFEplan only supports proposals where they protect or enhance natural heritage and access assets, including designated sites of international and national importance, including Natura 2000 sites and Sites of Special Scientific Interest (see Site Appraisal Process below); designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas; woodlands (including native and other long established woods), and trees and hedgerows that have a landscape, amenity, or nature conservation value; biodiversity in the wider environment; protected and priority habitats and species; landscape character and views; carbon rich soils (including peat); green networks and greenspaces; and core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation.

2.8.2 Policy 12 considers that development proposals will only be supported where they can demonstrate that they will not individually or cumulatively detrimentally impact on water quality and the water environment, including its natural characteristics, river engineering works, or recreational use. Making Fife's Places Supplementary Guidance states that where large semi-mature/ mature trees are present on and adjacent to a development site, separation distances between the properties and trees greater than the British Standard will be expected and no new buildings or gardens should be built within the falling distance of the trees at its final canopy height.

2.8.3 Condition 1(f) requires the submission of details of structural landscaping and boundary planting. Condition 2 (e) requires detailed plans of the landscaping scheme for the site including the number, species and size of all trees or shrubs to be planted and the method of protection and retention of any trees and details of all hard landscaping elements, including surface finishes and boundary treatments; (f) requires details of the future management and aftercare of the proposed landscaping and planting; and (i) requires details of tree protection measures for any trees bordering the site, where appropriate. This information has been submitted with the application.

2.8.4 Condition 4 (e) requires a Biodiversity Enhancement Plan including details of the creation of habitat, green networks and habitat connectivity. A Biodiversity Enhancement Plan has been submitted with the application. The plan shows that new planting of native species rich hedgerows and woodland will be undertaken as part of the landscaping plan. Areas of species rich grass will also be created, which is welcomed. The species proposed for the woodland and hedgerow planting are native and therefore acceptable. An Extended Phase 1 Survey Report has been submitted and includes recommendations, including integrated bat and bird boxes and fencing to allow mammal passage. However, these have not been included in all of the relevant documents submitted so a condition is recommended to ensure that the recommendations included within the Extended Phase 1 Survey Report are followed through.

2.8.5 A CEMP has been submitted. However, it does not include details of the mitigation required to protect wildlife. The Extended Phase 1 Survey Report includes mitigation requirements including a pre-start survey, protection for nesting birds and prevention of lighting impacts. All of the mitigation measures outlined within the Extended Phase 1 Survey Report should therefore be secured, and it is proposed that this could be addressed through a condition.

2.8.6 The Extended Phase 1 Survey Report includes an assessment of trees for bat roost potential. Four trees are to be felled, one beech, one ash and two Scots pine. The report

indicates that these have moderate bat roost potential and therefore further surveys were undertaken. The further surveys conclude that the trees have evidence of transitional roosting. The ecology report therefore advises pre-work checks for bat roosts, prior to the commencement of any work to the trees. This requirement is recommended as a condition. Additionally, trees may also be used by nesting birds and therefore tree works and tree removal should be undertaken outside the bird nesting season. This is covered by a condition of the PPP.

2.8.7 The report recommends that the SUDS design should be amended to remove any ground level alterations that may impact on tree 4224. The SUDs pond has been adjusted to avoid the potential conflict with the tree identified

2.8.8 It is acknowledged that the PPP included a site layout that showed a 10m buffer between the development and the tree lines. Objection comments have also noted this as a concern. Making Fife's Places supplementary guidance suggests that a 10m buffer should be provided to woodland and no development shall be within the falling distance of a tree. There are no specific Planning Conditions of the PPP relating to the requirement for a 10m buffer zone, although it is acknowledged that it was considered important for there to be a buffer between development and the trees adjacent to/on the site in order to protect the trees and also that this is set out within Fife Council Supplementary Guidance. In this regard, the applicant has amended the layout and submitted a Tree Protection Plan, which shows the 10m buffer zone around the site. The plan shows that the majority of the buildings themselves will be outwith the 10m buffer zone, with all buildings being outwith the root protection zone of the trees and most of the properties gardens being included within the 10m buffer zone. Four of the buildings themselves would be just within the 10m buffer zone (Plots 17, 25, 24 and 35). It is considered that, the gardens of the properties falling within the buffer zone, would not adversely impact on the condition of the trees therefore it is not considered justifiable to require the gardens of the proposed properties to be set back outwith the buffer zone. Additionally, the proposed landscape plans include the enhancement of the tree belts by integrating the trees into the setting of the housing development. This will also ensure future tree management, as outlined within the maintenance document submitted with the application. This includes regular inspections and intervention methods to ensure the long term health of the trees. Additionally, it is noted that the trees adjacent to Plot F15 and along the eastern boundary fall within the remit of Fife Council, therefore no works to these trees can be carried out without the permission of Fife Council as landowners. This reduces the risk that these trees would be removed by residents in future.

2.8.9 Information has been submitted in terms of the tree protection measures, indicating the location of all proposed structures and hard surfacing and the location of the Construction Exclusion Zone around the trees for retention. A condition is recommended to ensure that the proposed measures are put in place prior to works commencing on site, should Members decide to approve this application.

2.8.10 The submitted landscaping plan identifies additional tree planting in various locations across the site. Planting and trees have been incorporated in between parking spaces which softens the views of parked cars. With the addition of various species of planting and trees, the development will provide biodiversity enhancement to the area. It is therefore considered that, on balance, the development is acceptable in terms of landscaping, trees and natural heritage.

2.8.11 The development does not lie within a protected area and does not have the potential to impact on international, national, regional, or locally important species. Natural Heritage colleagues have been consulted and have no objections to the proposals.

2.9 Open Space and Play Provision - Play Strategy

2.9.1 Making Fife's Places states that The Fife Greenspace strategy set the aspiration that all residents in Fife will be within 250m of a 0.2 hectare open space. New housing developments of over 10 residential units will be expected to provide 60m² of green space for each new dwelling. Making Fife's Places specifies that there may be some flexibility in this requirement for sites/parts of sites that are located near existing greenspaces. Where a site is within 250m walkable distance of an existing open space, a contribution to the upgrade of existing open space or green network would be required.

2.9.2 The PPP did not require the provision of onsite open space in this instance, due to the proximity of the site to existing open space. The PPP therefore sets out a contribution requirement to be used for the provision or improvement of play facilities in the area. In this regard, Condition 4 (c) requires the submission of a Play Strategy, undertaken in consultation with Fife Council and representatives of the local community. Parks, Development and Countryside officers had recommended that any improvements in play provision should be directed by members of the local community, and a play strategy be formed out of consultation with them. The financial contribution from the development would be used to implement this strategy, alongside potential funding from various Fife Council and external sources. A play strategy with community buy-in would be the ideal solution to ensure that the improvements in play develop a sense of ownership with local people, rather than having a strategy enforced upon them.

2.9.3 The applicant has submitted a Play Strategy with the application, which outlines potential options for the use of the contribution. The Play Strategy document outlines that, prior to submitting the planning application for the housing, contact was made with the Secretary of the Strathkinness Community Council seeking the views of the Community Council upon the optimal allocation of available resources which would benefit both the new development and also serve the wider community. The matter was discussed at the meeting on 11th September 2019. The document outlines that the outcome of the discussions concluded the proposed investment to provide/improve play facilities should be focussed upon the western periphery of the settlement closest to the new housing development.

2.9.4 Objection comments have raised concerns regarding drainage issues at the adjacent football field. It is outlined that one particular issue raised through the consultation on the Play Strategy, was the inadequate drainage over the grassed football pitch, which has a detrimental impact upon the usability this facility year-round. This is therefore one of the options that can be explored for the use of the contributions, as set out below.

2.9.5 The options set out within the Play Strategy include:

- Assisting with the improvement of facilities at Church Street, with a financial contribution being pledged to the steering community group already behind this initiative; or
- Utilising the open space audit and steer from the Community Council to achieve improvements to the existing facilities at Bonfield Playing Field.

2.9.6 Parks Officers consider that the Bonfield Playing Field and the Church Street play areas are to be retained within the Fife Council strategies. They advise that, as there is an active group in the area seeking funding to improve the Church Street play area, first, it would be helpful for the developer contributions tied to the PPP to remain fluid over both these sites. If this is not possible then priority would go to the Bonfield Playing Field for the full amount, as per the community's request. It is anticipated that the final intervention adopted by the strategy will be

submitted once details have been finalised with the community. This can be covered through a condition.

2.9.7 It is therefore considered that as the development is in compliance with the conditions of the PPP and it would also be in accordance with Making Fife's Places in regard to open space and play provision, subject to the aforementioned condition and the existing legal agreement tied to the PPP.

2.10 Flooding and Drainage

2.10.1 Policy 3 of the Adopted FIFEplan requires development to utilise SUDS systems for surface water drainage. Development will be required to show how it links to the drainage system to the acceptance of the Council, Scottish Water, and Scottish Environment Protection Agency (SEPA). Capacity information and connection requirements will be provided by Scottish Water. As a general rule, development with a drainage requirement will be expected to use a public sewer connection; or if a public sewer connection cannot be achieved at a reasonable cost, use a private waste water treatment plant which must prevent any flooding or pollution and which must be adequately maintained through a legal agreement which the developer must enter into to cover ownership and maintenance. Where private foul drainage arrangements are proposed that will discharge to the environment, SEPA will be required to be consulted on the acceptability of the proposals under the Water Environment (Controlled Activities) Regulations 2011 (as amended). If upgrades to the present waste water treatment works are needed this will be required before development can commence. Scottish Planning Policy expects development and infrastructure to be designed to be free from surface water flooding. This policy will be used to assess whether development proposals: accommodate the requirements of any drainage strategies of assessments carried out for the site; have sufficient space within the site to accommodate sustainable drainage; and include an appropriately designed sustainable drainage system. Making Fife's Places Supplementary Guidance provides guidance on the siting and requirements of SUDS proposals.

2.10.2 The application provides full drainage details in accordance with Condition 1 (c) which requires the submission of SUDS and drainage infrastructure. Condition 2 (g) requires an updated Drainage Impact Assessment, which has been provided. Condition 4 (g) requires the submission of SUDs and drainage calculations, including written evidence of Scottish Water's acceptance of proposed flow-rates into their system, and Condition 6 states that no works shall take place on site until an application under condition 1(c) has been approved in consultation with SEPA. All of the aforementioned information has been submitted with the application.

2.10.3 Objection comments have raised concerns with existing flooding issues on and adjacent to the site, along with concerns regarding the proposed SUDS and concerns that Scottish Water would not have capacity for the site. In this regard, the information set out within the conditions of the PPP has all been submitted, Flooding Shoreline and Harbours Officers have been consulted and have no objections to the proposals, and SEPA have no objections to the proposals in terms of flood risk. Therefore, there are no concerns that the proposal should be refused on flooding or drainage grounds.

2.10.4 In regard to capacity, Scottish Water have confirmed that there is currently sufficient capacity in the Lomond Hills Water Treatment Works and also that there is currently sufficient capacity in the St Andrews Waste Water Treatment works to service the development. Although there is a response on the file from Scottish Water advising otherwise, they have since confirmed in writing that this was an oversight and the original response is correct.

2.10.5 Scottish Water have confirmed that a growth project is currently underway at the St Andrews wastewater treatment works to accommodate all planned growth within the St Andrews catchment. Whilst it may be a number of years before this project is completed, interim actions are underway at the works which will ensure that proposed build out plans of all Local Development Plan developments can be accommodated without impact.

2.10.6 A Drainage Impact Assessment indicates that foul flows from the new development will be discharged to the Scottish Water existing network at the southeast corner of the site. The wastewater will flow by gravity to the existing outfall into the St Andrews Wastewater Treatment Works. The modelling parameters have been agreed with Scottish Water and the developer and the future development has been incorporated into the model conceptually based on information provided by the developer. Scottish Water have confirmed agreement that there is capacity for this site.

2.10.7 A copy of a CCTV survey was submitted, which shows the culvert linking the site to Kinness Burn. The survey concludes that there is a connection between the site (along southern edge of the site) and the Kinness Burn. The development will reduce flows reaching the culverts for high flow events, with the culverts likely to be able to pass flows between the 1 in 100 year and 200-year flows. Therefore, with maintenance of the culverts, flooding should only occur during very extreme events.

2.10.8 Fife Council Flooding, Shoreline and Harbours Officers (FSH) have reviewed the information submitted, including the CCTV survey and are satisfied with the proposals in terms of drainage and flooding. FSH initially requested further information in regard to surface water run-off, information regarding emergency arrangements if the SUDS outlet were to become blocked, and confirmation of maintenance arrangements for the SUDS. The applicant has provided the required outstanding information and FSH are satisfied that the proposals meet the Council's requirements for drainage. In terms of the maintenance arrangements, FSH have recommended requiring factoring arrangements for the undertaking of inspections and maintenance of the SUDS to be in place.

2.10.9 SEPA have been consulted on this application and initially requested further information in order to discharge the appropriate drainage conditions. The applicant has confirmed that all foul effluent will go to the Scottish Water mains sewer and that surface waters will go to SUDS via a separate surface water only sewer. On this basis, SEPA have advised that there would be no adverse impact on the water environment and advise that the appropriate drainage conditions can be discharged.

2.10.10 Overall, Harbours, Flood and Coast are satisfied that the proposals meet their requirements in terms of flooding and drainage and SEPA have no objections. It is therefore considered that the development complies with the relevant policies of the development plan in this regard, and accordingly the application should not be refused on flooding and drainage grounds.

2.11 Land Stability and Contamination

2.11.1 Policy 10 of the Adopted FIFEplan only supports development if it does not have a significant impact on the amenity of existing or proposed land uses. Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to air quality and contaminated and unstable land. Where proposals involve the remediation of

contaminated land, or building on unstable land, developers must demonstrate to the Council's satisfaction that measures will be taken to ensure that contamination or stability issues on the development site and the adjacent land are addressed. Development proposals will be accompanied by a site investigation to assess the nature and extent of any risks and a remediation strategy. This will require to be agreed by Fife Council in conjunction with Scottish Environment Protection Agency and, where appropriate, the Coal Authority. As well as addressing impact on the quality of life of local residents, consideration will also be given to safeguarding the continued functioning of existing business and commercial facilities.

2.11.2 Site Investigation Reports have been submitted with the application. In this regard, Fife Council Land and Air Quality Officers have been consulted. They have advised that, whilst generally satisfied with the information provided, they note that whilst the first report recommended that gas membranes be installed within all properties given the area of made ground (associated with the infilled quarry) to the north of this phase, the updated report did not recommend gas membranes. They note that both reports stated that gas monitoring was ongoing and that this information would be assessed upon completion of the reporting. Land and Air Quality Officers requested that this information is assessed and provided by the applicant as well as clarification regarding the differing recommendations in relation to gas protection.

2.11.3 In regard to the Remedial Statement submitted, Land and Air Quality Officers note that the consultant has highlighted a single exceedance of benzo(a)pyrene recommending the removal of this given its location within the garden ground of proposed dwelling. Clarification was requested from the applicant regarding any proposed remedial measure to address this exceedance.

2.11.4 The applicant has submitted further information to address the points made by Land and Air Quality Officers. They note that the only plausible pollutant linkage at this site is in relation to the potential risk from elevated soil gas is within the last phase of the proposed development only and that all properties within this area will require the installation of a gas preclusion system, including a gas membrane. In this regard, a condition is proposed, which would require the details and design of the proposed protection system (foundation design) and a verification methodology (detailing proposed installation, and any testing and verification methods) to be provided by the applicant for comment and approval in the form of a Remediation Statement.

2.11.5 It is considered that policy 10 of the Adopted FIFEplan Local Development Plan has been adhered to in this case and contaminated land and land stability matters can be fully concluded through condition.

2.12 Low Carbon

2.12.1 Policy 11: Low Carbon Fife of the Adopted FIFEplan ensures that the Council contributes to the Climate Change (Scotland) Act 2009 target for reducing greenhouse gas emissions by at least 80% by 2050.

2.12.2 SPP (2014) introduces a presumption in favour of development that contributes to sustainable development. The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in

principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and the SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.

2.12.3 SPP states that policies and decisions should be guided by the following principles:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery;
- and avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

2.12.4 Scottish Planning Policy (paragraph 154) notes that the planning system should support the transition to a low carbon economy consistent with national objectives and targets. To achieve this, planning should seek to reduce emissions and energy use in new buildings and from new infrastructure by enabling development at appropriate locations that contributes to:

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

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

1. The proposal meets the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards), and that low and zero carbon generating technologies will contribute at least 15% of these savings from 2016 and at least 20% from 2020. Statutory supplementary guidance will provide additional advice on compliance with this requirement;
2. Construction materials come from local or sustainable sources;
3. Water conservation measures are in place;
4. Sustainable urban drainage measures will ensure that there will be no increase in the rate of surface water run-off in peak conditions or detrimental impact on the ecological quality of the water environment; and
5. Facilities are provided for the separate collection of dry recyclable waste and food waste.

All development should encourage and facilitate the use of sustainable transport appropriate to the development, promoting in the following order of priority: walking, cycling, public transport, cars.

2.12.6 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 and major developments are required to provide an energy statement of intention which sets out how the proposal will meet the requirements of Policy 11. In addition, planning application applicants are expected to submit a completed sustainability development checklist (Appendix B of the guidance).

2.12.7 Condition 3 (b) sets out a requirement for the submission of a sustainability statement which relates to policy 11 of the Proposed FIFEplan (Fife Local Development Plan) 2014 or any future policy which amends this; A sustainability statement which relates to policy 11 of the Proposed FIFEplan (Fife Local Development Plan) 2014 or any future policy which amends this. In this regard, an Energy Statement and Low Carbon Checklist have been submitted, in accordance with Policy 11 and the Low Carbon Guidance. The Energy Statement states that the dwellings adopt a fabric first approach, to ensure that the dwellings constructed are warm, comfortable and energy efficient homes. High levels of insulation and attention to details such as draft reduction will ensure the homes to be built will have a diminished heating load and, once heated, will provide a building fabric and living conditions, which will facilitate the retention heat. U values for building elements have been included with the submission, which demonstrates that the proposals would surpass the current Scottish Building Standards requirements. The statement sets out that dwellings are likely to achieve Full Silver Standard as defined in Section 7: Sustainability of the Technical Standards 2017. This would be met through the inclusion of enhanced fabric to achieve Silver Aspect 2 (Low Space Heating Demand), photovoltaics, enhanced glazing, flue gas heat recovery units, MVHR (whole house ventilation with heat recovery) and winder gardens. A Hybrid heating system will be used, with Full Air Source Heat Pump being used within the development.

2.12.8 In terms of District Heating, the statement provides a feasibility study, which concludes that there are no heat providers in the locale which could provide the necessary fuel source to implement a District Heating Network. Overall, it is concluded that a District Heating Network is not appropriate for the development at the site, as the proposals are for a low density residential development, coupled with the lack of proximity to major energy loads, means that District Heating is not the optimal solution provide heat and hot water on this site.

3.12.9 Condition 3 (e) requires the submission of details of waste management provision, including household waste facilities. These details have been submitted with the application, which shows that provision has been made within the curtilage of each property for the inclusion of bin storage areas that will allow for three 240 litre recycling bins (plastic, paper & food/garden waste) and one landfill bin as per current Fife Council policy, which aims to increase recycling rates.

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

2.13 Public Art

2.13.1 Policy 4 of the Adopted FIFEplan, the Planning Obligations Framework Guidance (2015), and Making Fife's Planning Policy Guidance provide details on how public art should be achieved.

2.13.2 Condition 4 of the PPP requires the submission of a public art strategy and this has been submitted with the application. The condition requires the Public Art Strategy to be fully costed and with a timetable programme linked to any approved phasing plan.

2.13.3 The Public Art Strategy submitted has set out the general themes of the public art for the site and has advised that the set budget for the site would be as per the Planning Obligations Framework Guidance, which requires £300 per market unit to be spent on public art. A budget of £19,500 has therefore been set for the site. However, the full costing details and timetable programme has not been submitted. In this regard, it is considered that these details can be conditioned to allow time for the applicant to consult fully with the community and the artist, with further details of this breakdown to be submitted when the details of the art strategy have been designed. It is envisioned that the public art would be focused on the access points throughout the site, to the north, east and south, with an installation within the SUDS. The theme is based on the importance of stone to the development of Strathkinness and its use throughout the historic core of the settlement. It is set out by the applicant that the commissioned artist will consult with the local community, including the local primary school before developing proposals further. The applicant has commissioned a sculptor who they have engaged with on other developments, and some examples have been provided. However, as quarrying was one of the most important in Strathkinness, it is thought that it could be appropriate to use a sculptor who can work with stone to produce the envisioned artwork.

2.13.4 The submitted public art strategy would meet the requirements of the condition of the Planning Permission in Principle and the strategy is in accordance with the Adopted FIFEplan and Planning Obligations Framework in terms of budget, public consultation and requirements.

2.14 Affordable Housing

2.14.1 SPP states that as far as possible tenure should not be discernible from its design, quality and appearance. Policy 2 of the Adopted FIFEplan states that open market housing development must provide affordable housing at the levels shown in Figure 2.2 for each Housing Market Area (HMA), consistent with the Affordable Housing Supplementary Guidance (2018). This should be fully integrated into new development and be indistinguishable from other forms of housing. In order to achieve mixed and balanced communities, mixed tenure developments will be promoted.

2.14.2 Condition 1 (b) of the PPP requires the construction of affordable residential units (30% of total number for site) as defined by Fife Council's supplementary guidance on affordable housing and associated infrastructure. The applicant has submitted full details of the affordable housing proposed on the site, which has been developed in consultation with Fife Council Housing and Neighbourhood Services. The number of affordable units proposed on the site is 30, which is above the 30% requirement. Objection comments have queried why the site should have a higher percentage of affordable homes than is set out within supplementary guidance and policy. In this instance, part of the site is owned by Fife Council and has planning permission for 100% affordable housing. This development would deliver that element of affordable housing on behalf

of Fife Council, whilst also contribution part of the developer's site towards affordable housing, as the developer's proportion of affordable housing on the site. Housing Services have confirmed that they have agreed to the proposed mix, which reflects the needs for affordable housing identified within the St Andrews Local Housing Strategy Area. The affordable housing on the site would be delivered by the developer and transferred over to Fife Council at an agreed price for onward management and maintenance by Fife Council. The proposals have the support of Fife Council Housing Services and the Scottish Government and the project is included within the current strategic Housing Investment Plan (SHIP).

2.14.3 The proposals comply with Policy 2 of FifePlan, the Affordable Housing Supplementary Guidance and the details required through Condition 1 of the PPP in relation to affordable housing. The proposals are therefore acceptable in this regard.

CONSULTATIONS

Urban Design - EPES	No objections, subject to conditions.
Transportation	No objections, subject to conditions.
Housing And Neighbourhood Services	No objections, subject to conditions
Structural Services - Flooding, Shoreline And Harbours	No objections, subject to conditions
Natural Heritage - EPES	No objections, subject to conditions
Land And Air Quality - EPES	No objections, subject to conditions.
Environmental Health (Public Protection) - EPES	No objections.
Scottish Water	No objections.
Scottish Environment Protection Agency	No objections.
Archaeology Team	No archaeological works required.
Development Plan Team (North East Fife Area)	No comments.
Trees - EPES	No objections, subject to conditions.
Education (Directorate)	No objections, subject to conditions
Transportation And Environmental Services - Operations Team	No response.
Parks Development And Countryside Community Council	No objections, subject to conditions Concerns with: the number of units being proposed only on part of the site; the impact on the school roll; the road through Bonfield Park; the addition of two storey properties close to Bonfield Road, the provision of a 3 metre wide cycle and footpath from the new development directly onto Bonfield Road; that the Developer has not been consistent in interpreting the condition of a 10 metre "no build" zone from the tree line round the perimeter of the site; the disposal of surface water from the proposed development; the proposed road improvements would be the minimum requirement and, with the potential

to build a further 14 homes on the remainder of the site this would take the total housing to 79, which is in excess of the original application which was not accepted.

REPRESENTATIONS

32 letters of representation have been received, all of which are objections. The letters of objection raised the following issues:

- Housing density and number of houses
- Part of the site is shown as potential future development, which brings the proposals over the maximum number of units allowed through the planning condition of the PPP.

These concerns are addressed within paragraph 2.4.6 of the main report.

School Capacity:

- The primary school will not be able to cope with additional children from this development.

These concerns are addressed within Section 2.3 of the main report.

Road Safety/Transportation:

- Increase in traffic on the High Road and the junction with Main Street
- The footpath to the south east exists onto a road
- The eastern edge of Bonfield Road has no pavements, safety is a concern for people using this part of the road.
- Should not be an access from Bonfield Park, as it is a quiet road.
- Traffic calming should be implemented at high road and main street
- Parking concerns
- Addition of a road at the bottom of the playing fields
- The east end of bonfield road has no pavements, which is dangerous
- no attempt is being made to provide a safe walking or cycling route to the West of the development or towards St Andrews.
- Would there be a condition that all access to the site for construction should be via the High Road, as this is the only suitable access.
- No sustainable access to secondary school
- Impact on Dairsie bridge

These concerns are addressed within section 2.7 of the main report.

Drainage and Flooding:

- What provision is there to maintain the ditch along Bonfield Road?
- Scottish water should confirm their foul drains are sufficient.
- The football field adjacent has drainage issues
- in order to reduce chances of blockage, the piped water runoff should enter a piped section of the Bonfield Road drain, not the open part of the ditch.
- concurs about the possible increase in frequency of flooding of Bonfield Road due to the changes in use of the field.

- Given known flooding of Bonfield Road, Fife Council and/or Scottish Water should undertake an investigation into the capacity, ownership, and maintenance regime for the existing drainage between the proposed SUDS drainage exit and the Kinnessburn.
- Drainage on Bonfield Road is poor

These concerns are addressed within Section 2.10 of the main report.

Natural Heritage:

- Felling trees will adversely affect the rural character of Bonfield Road and adversely impact on the biodiversity of the site/area.

These concerns are addressed within Section 2.8 of the main report.

Privacy:

- The proposed development would be overbearing to existing residents at Bonfield Road, with 5 units bordering number 22 to the south.

These concerns are addressed within paragraph 2.6.3 of the main report.

Design/Appearance:

- Out of character with the surrounding area
- Appearance of the housing is not in keeping

These concerns are addressed within paragraph 2.4.12 of the main report.

Affordable Housing:

- Why should this site have such a high percentage of affordable housing?

These concerns are addressed within paragraph 2.14.2 of the main report.

- Failure to notify residents

Response: All residents within 20m of the application site have been notified, as per legislation. Additionally, the application was advertised in The Courier for Neighbour Notification purposes.

- How will residents gain access to maintain their hedge?

Response: This is not a material planning issue, although something that the resident should raise with the developer to come to an arrangement if this causes a concern.

CONCLUSIONS

The principle of development at this location was established through the approval on the planning permission in principle application (Planning Reference 15/04130/PPP). The details now submitted comply with the conditions of that decision and the development is therefore considered to be satisfactory. The proposal is considered to be compatible with its surrounds in terms of land use; would not cause any detrimental impacts on surrounding residential properties or road safety and is considered acceptable in terms of its visual impact. The proposals would have no adverse impact on drainage or flooding, and the trees on the site would be sympathetically retained and protected where required. Crucially, the proposals would

not create any adverse impact on Strathkinness Primary School, and a phasing plan has been agreed which would ensure this remains the case.

RECOMMENDATION

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

1. UNLESS OTHERWISE AGREED IN WRITING WITH THE PLANNING AUTHORITY, the cumulative total number of residential units completed by the end of any given year shall be in accordance with the agreed phasing programme for the site. The agreed phasing programme is based on years running from March 22nd to March 21st and allows for the following number of completed units by the end of each year on a cumulative basis: by March 21st 2022: 20 units; by March 21st 2023: 36 units; by March 21st 2024: 65 units.

Reason: To ensure the pupil product of the development can be accommodated at Strathkinness Primary School.

2. The factoring arrangements for undertaking regular inspections and maintenance of the SUDS basin shall be in place until such times that Scottish Water and Fife Council have a Section 7 agreement in place and the basin is adopted by these authorities. This shall form part of the Factors legal contract and frequency of inspections shall be included within this to ensure functionality of the SUDS basin. All the homeowners shall be made aware of the factoring arrangements. If the Section 7 agreement will not be reached, the factoring arrangements shall become permanent.

Reason: To ensure the site has adequate drainage infrastructure and maintenance arrangements in place for the drainage infrastructure.

3. Appendix 5 – ‘Confirmation of future maintenance of Sustainable Apparatus’ and Appendix 6 – ‘Confirmation of Sustainable Drainage System Constructed to Current Best Practice’ shall be submitted for the written approval of the planning authority, once the SUDS is fully constructed.

Reason: To ensure the site has adequate drainage infrastructure.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order, 1992 (or any Order revoking and re-enacting that Order) no development within Class 1A, 1B, 1C and Class 3A and 3B shall be undertaken ON PLOTS F11 – F15, F2 – F8, F10, A7 – A11, 9 – 12, 16 and A12 – A14 without the express prior consent of this Planning Authority.

Reason: In the opinion of this Planning Authority the additional degree of planning control is necessary due to the small garden areas associated with some of the dwellinghouses

5. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, a revised landscape plan shall be submitted for the written approval of the planning authority. FOR THE AVOIDANCE OF DOUBT, the landscape plan shall include full details of all planting throughout the site, including screen planting to any publicly visible timber fencing and full details of the landscaping between Blocks 9 and 10 to reflect the landscaping imagery submitted through this ARC. The landscaping thereby approved, shall be implemented

Reason: In the interests of visual amenity; to ensure the provision of a high-quality treatment where there are publicly visible timber fences and to ensure the relationship between blocks 9 and 10 is reflective of the justification provided through the submitted imagery.

6. PRIOR TO THE OCCUPATION OF THE FIRST RESIDENTIAL UNIT, full details of the proposed Public Art as indicated in the Public Art Strategy, including a timetable programme linked to the phasing approved through Condition 1 and full costings, shall be submitted for the prior written approval of Fife Council as Planning Authority. The public art shall be implemented in accordance with the details approved through this condition BEFORE THE OCCUPATION OF THE LAST RESIDENTIAL UNIT.

Reason: In the interests of design and visual amenity.

7. PRIOR TO THE OCCUPATION OF PLOTS 25 – 31, the planting proposed along the northern boundary, to screen the north of Plots 25 – 31, shall be fully implemented. The landscaping shall thereafter be maintained unless any development is approved and constructed to the north of the site.

Reason: In the interests of visual amenity; to ensure the provision of a high quality treatment to the edge of the undeveloped agricultural land to the north.

8. The requirements and recommendations set out within the Direct Ecology bat survey, dated November 2020, shall be implemented in full and for the lifetime of the development. This includes the requirement for a toolbox talk, prior to any tree works commencing on site, and a pre-works check on the trees outlined within the survey report.

Reason: In the interest of protected species.

9. The requirements and recommendations set out within the Extended Phase 1 Survey Report, dated May 2019, shall be implemented in full and for the lifetime of the development, in order to secure the implementation of appropriate measure to protect wildlife.

Reason: In the interest of the protection of wildlife through the construction process.

10. Visibility splays of 3.0m x 110m shall be provided to the west, insofar as lies within the applicants control, and 2.4m x 25m to the east at the junction of the vehicular access to the site and the Q8 public road and maintained clear of all obstructions exceeding 600mm above the adjoining carriageway level, all in accordance with the current Fife Council Transportation Development Guidelines. All other junctions within the site must have visibility splays of 2.4m x 25m. These visibility splays shall remain in perpetuity.

Reason: In the interest of road safety – to ensure the provision of adequate visibility.

11. BEFORE WORKS START ON SITE, an updated Construction Environment Management Plan (CEMP) shall be submitted to include the details of the mitigation required to protect wildlife, as set out within the Extended Phase 1 Survey Report, dated May 2019, including a pre-start survey, protection for nesting birds and prevention of lighting impacts. The details approved through the updated CEMP shall be implemented for the duration of the construction works on the site.

Reason: In the interest of the protection of wildlife through the construction process.

12. BEFORE ANY WORKS START ON SITE, the developer shall submit, details and specifications of the protective measures necessary to safeguard the trees on the site during development operations. This Planning Authority shall be formally notified in writing of the completion of such measures and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the demolition/development operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

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

13. DEVELOPMENT SHALL NOT COMMENCE ON THE UNITS IDENTIFIED AS REQUIRING GAS MEMBRANES until a gas mitigation (membrane) specification/foundation design, and a verification methodology (detailing proposed installation, testing and verification methods) have been submitted to the Local Planning Authority for comment and approval.

Reason: To ensure the proposed gas mitigation design is suitable.

14. PRIOR TO THE OCCUPATION OF EACH PLOT IDENTIFIED AS REQUIRING GAS MEMBRANES, mitigation shall be carried out and completed in accordance with the agreed gas mitigation design and verification methodology (including installation of gas membrane, testing and collation of verification information) of approved pursuant to condition 13.

Reason: To ensure gas mitigation works are carried out to the agreed protocol

15. PRIOR TO THE OCCUPATION OF EACH PLOT IDENTIFIED AS REQUIRING GAS MEMBRANES - Following installation and testing of the approved gas mitigation system a verification report (containing all verification elements) shall be submitted to the Local Planning Authority for comment and approval.

The plot shall not be brought into use until such time as the mitigation measures for that plot have been completed in accordance with the approved gas mitigation design and a verification report in respect of those mitigation measures has been submitted and approved in writing by the local planning authority.

Reason: To provide verification that the approved gas mitigation has been installed, tested and validated to the appropriate standard.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

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

National Policy, Regulations and Guidance:
SPP - Scottish Planning Policy (2014)
Designing Streets (2010)
Creating Places (2013)
PAN 65 Planning and Open Space (2008)

PAN 33 Development of Contaminated Land (2000)
PAN 1/2011 Planning and Noise (2011)
PAN 68 Design Statements
PAN 77 Designing Safer Places
PAN 51 (Planning and Environmental Protection)

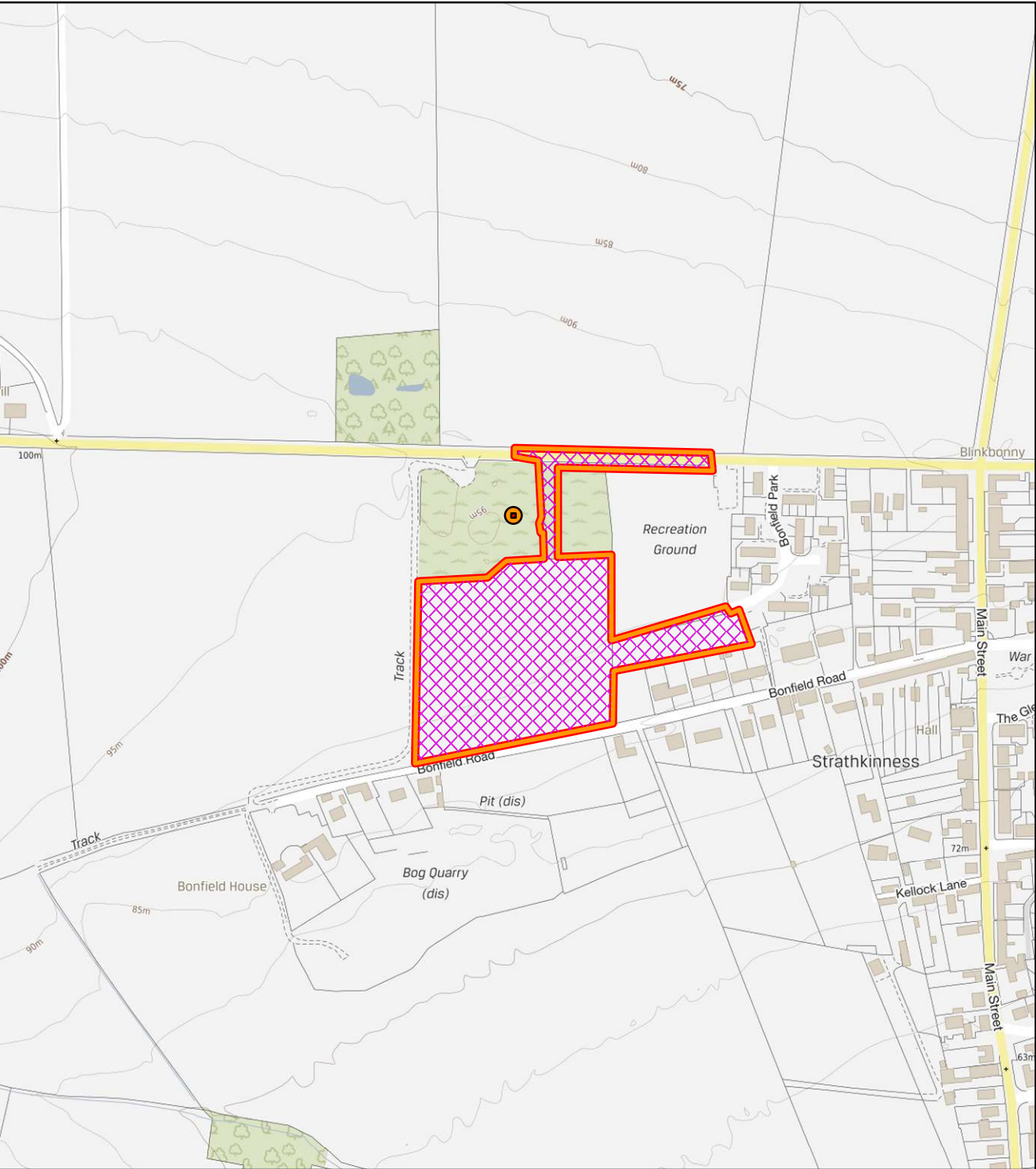
Development Plan, Supplementary Guidance and other local material considerations:
Adopted FIFEplan (Fife Local Development Plan) (2017)
Fife Councils Transportation Development Guidelines as an appendix to Making Fife's Places
Supplementary Guidance (2018)
Fife Council's Planning Obligations Framework Guidance (2015)
Fife Council's Draft Planning Obligations Framework Supplementary Guidance (2017)
Making Fife's Places Supplementary Guidance (2018)
Fife Council's Supplementary Guidance on Affordable Housing (2018)
Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2009)
Fife Council's Low Carbon Fife Supplementary Guidance (January 2019)
Plan for Fife 2017-2027 - Local Outcome Improvement Plan

Non Statutory National Guidance:
Land-Use Planning and Development Control: Planning for Air Quality (2015)
Landscape Institute and Institute for Environmental Management and Assessment document
Guidelines for Landscape and Visual Impact Assessment (2nd Edition, 2009)
Air Quality and Land Use Planning (2004)

Report prepared by Natasha Cockburn, Chartered Planner
Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 4/12/20.

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Land Infill Site At Nydie Mains Road Nydie Strathkinness



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Legend	
 Application Boundary	
	
 Economy, Planning & Employability Services	