

## North East Planning Committee – Blended Meeting

JP Court Room, County Buildings, Cupar

Wednesday, 23 August 2023 - 1.00 pm

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### AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of Meeting of North East Planning Committee of 31 May 2023. 5 – 6
4. **22/03401/FULL - ELIE HOUSE GROUNDS, THE GRANARY, ELIE** 7 – 19  
Change of use from agricultural land/walled garden to eco cemetery and formation of parking area.
5. **22/04249/PPP - LAND ADJACENT TO BALMASHIE HOLIDAY HOMES, KENLY, BOARHILLS** 20 – 33  
Planning permission in principle for the erection of additional holiday cottages and extension of tourism development (renewal of planning permission in principle 19/00883/PPP).
6. **23/00848/ARC - LAND ADJACENT TO BALMASHIE HOLIDAY HOMES, KENLY, BOARHILLS** 34 – 47  
Approval of matters required by Conditions 1, 2, 4 and 8 of planning permission in principle 19/00883/PPP for the erection of 11 holiday cottages, manager's accommodation and associated parking, landscaping and suds.
7. **23/00849/FULL - LAND ADJACENT TO BALMASHIE HOLIDAY HOMES, KENLY, BOARHILLS** 48 – 57  
Installation of surface water drainage outfall pipe to serve suds associated with application 23/00848/ARC and formation of parking.
8. **23/00643/PPP - LAND ADJACENT TO 65-67 MAIN STREET, LEUCHARS** 58 – 68  
Planning permission in principle for erection of two flatted dwellings and associated vehicle access (renewal of 18/02540/PPP).
9. **23/00644/PPP - LAND ADJACENT TO 65-67 MAIN STREET, LEUCHARS** 69 – 80  
Planning permission in principle for the erection of 3 dwellinghouses (renewal of 18/02542/PPP).

10. **22/04135/FULL - OLD HOSPITAL, CRAIGTOUN, ST ANDREWS** 81 – 111
- Change of use from former hospital (Class 8) to 27 flatted dwellinghouses (sui generis) and erection of 18 townhouses (Class 9) (enabling development), formation of access, hardstanding and associated landscaping.
11. **22/04134/LBC - OLD HOSPITAL, CRAIGTOUN, ST ANDREWS** 112 – 122
- Listed building consent for internal and external alterations to former hospital building to facilitate the conversion to 27 flats (sui generis) and demolition of existing outbuildings within the curtilage.
12. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**
- List of applications dealt with under delegated powers for the period 15 May to 11 June; 12 June to 9 July; and 10 July to 6 August 2023.
- Note - these lists are available to view with the committee papers on the Fife.gov.uk website.

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

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16 August 2023

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## **BLENDED MEETING NOTICE**

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.





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

**JP Court Room, County Buildings, Cupar**

**31 May 2023**

**1.00 pm – 1.45 pm**

**PRESENT:** Councillors Jonny Tepp (Convener), Al Clark, Fiona Corps, Sean Dillon, Alycia Hayes, Stefan Hoggan-Radu, Gary Holt, Louise Kennedy-Dalby, Allan Knox, Robin Lawson, Jane Ann Liston, David MacDiarmid and Ann Verner.

**ATTENDING:** Chris Smith, Lead Officer – Development Management, Planning Services; Steven Paterson, Solicitor, Planning and Environment and Emma Whyte, Committee Officer, Legal and Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Margaret Kennedy and Donald Lothian.

**88. DECLARATIONS OF INTEREST**

Councillor Dillon declared an interest in Paras 92 and 93 - 6 Mid Shore, Pittenweem, Anstruther – as he had expressed an opinion on the application and had close family members who had objected.

**89. MINUTE**

The Committee considered the minute of the North East Planning Committee of 3 May 2023.

**Decision**

The Committee agreed to approve the minute.

**90. 23/00084/FULL - RUSSELL HOTEL, 26 THE SCORES, ST ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for alterations and extension to allow for change of use from Hotel (Class 7) to 6 flatted dwellings and associated works (partial demolition of existing building) (Amendment to planning reference 22/01675/FULL) to allow external alterations to the east elevation and installation of 6 no. air source heat pumps and erection of a smoke shaft.

**Decision**

The Committee agreed to approve the application subject to the 5 conditions and for the reasons detailed in the report.

**91. 23/00412/CAC - RUSSELL HOTEL, 26 THE SCORES, ST ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for Conservation Area Consent for substantial demolition of part of former hotel.

**Decision**

The Committee agreed to approve the application subject to the 2 conditions and for the reasons detailed in the report.

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

**92. 23/00117/FULL - 6 MID SHORE, PITTENWEEM, ANSTRUTHER**

The Committee considered a report by the Head of Planning Services relating to an application for the installation of a mural (retrospective).

The Committee were advised that the building relating to this application, and the associated application for Listed Building Consent, was a Category C Listed Building and not a Category B Listed Building as stated in the report.

**Decision**

The Committee agreed:-

- (1) to refuse the application for the reason set out in the report; and
- (2) that the appropriate enforcement action be taken with respect to the unauthorised activity and that this action be agreed under the Head of Planning Services delegated powers.

*Councillor Liston joined the meeting during consideration of the above item.*

**93. 23/00528/LBC - 6 MID SHORE, PITTENWEEM, ANSTRUTHER**

The Committee considered a report by the Head of Planning Services relating to an application for Listed Building Consent for a painted mural to the side of a building (retrospective).

**Decision**

The Committee agreed:-

- (1) to refuse the application for the reasons set out in the report; and
- (2) that the appropriate enforcement action be taken with respect to the unauthorised activity and that this action be agreed under the Head of Planning Services delegated powers.

**94. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**

**Decision**

The Committee noted the list of applications dealt with under delegated powers for the period 17 April to 14 May 2023.

**ITEM NO: 4**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 22/03401/FULL**

**SITE ADDRESS: ELIE HOUSE GROUNDS THE GRANARY ELIE**

**PROPOSAL : CHANGE OF USE FROM AGRICULTURAL LAND/WALLED GARDEN TO ECO CEMETERY AND FORMATION OF PARKING AREA**

**APPLICANT: A.STEPHEN JOINERS AND FUNERAL UNDERTAKERS  
6 BRAEHEAD ST MONANS ANSTRUTHER**

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

**CASE OFFICER:** Lauren McNeil

**DATE REGISTERED:** 01/02/2023

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 6 representations were received which are contrary to the officer 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 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the adopted NPF4 and the adopted FIFEplan LDP 2017.

## 1.0 BACKGROUND

1.1 This application relates to an area of prime agricultural land situated within the grounds of Elie House. The development site is situated in a countryside location, as defined within the Adopted FIFEplan (2017) located approximately 500m North of the settlement of Elie. The development site and surrounding area are situated within the East Neuk Local Landscape Area as designated within the Adopted FIFEplan (2017). There are various listed features surrounding the site including the Elie House Steading and Sawmill (Category B listed), Elie House Walled Garden (Category B listed) and Elie House, Convent of St Marty Reparatrice (Category A listed). The development site is accessed via a private access road off the A917 which forms part of the Elie to Kilconquhar core path link.

1.2 This application seeks full planning permission for the change of use from agricultural land/walled garden to an eco-cemetery and the formation of a parking area.

1.3 There is no relevant planning history associated with the site.

1.4 A site visit was conducted on the 15th of May 2023. The following information was also used to inform the consideration and assessment of this application.

- \* Google imagery (including Google Street View and Google satellite imagery),
- \* GIS mapping software,
- \* Photographs provided by the applicant/agent, and
- \* Photographs provided by objectors.

## 2.0 ASSESSMENT

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

- a) Principle of Development
- b) Impact on the Countryside and the Setting of the Listed Building
- c) Amenity
- d) Road Safety
- e) Flooding and Drainage
- f) Land Contamination

## g) Natural Environment

### 2.2 Principle of Development

2.2.1 Policy 5 of NPF4 states development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:

- i. Essential infrastructure and there is a specific locational need and no other suitable site;
- ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
- iii. The development of production and processing facilities associated with the land produce where no other local site is suitable;
- iv. The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required.

Policy 29 of NPF4 states development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy will be supported, including:

- i. farms, crofts, woodland crofts or other land use businesses, where use of good quality land for development is minimised and business viability is not adversely affected;
- ii. diversification of existing businesses;
- iii. production and processing facilities for local produce and materials, for example sawmills, or local food production;
- iv. essential community services;
- v. essential infrastructure;
- vi. reuse of a redundant or unused building;
- vii. appropriate use of a historic environment asset or is appropriate enabling development to secure the future of historic environment assets;
- viii. reuse of brownfield land where a return to a natural state has not or will not happen without intervention;
- ix. small scale developments that support new ways of working such as remote working, homeworking and community hubs; or
- x. improvement or restoration of the natural environment.

Furthermore, development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

2.2.3 Policies 1 and 7 of the Adopted FIFEplan (2017) also apply in this respect. Policy 1 Part A states the principle of development will be supported if it is either within a defined settlement boundary and compliant with the policies for the location; or in a location where the proposed use is supported by the Local Development Plan. Policy 1 Part B states development proposals must address their development impact by complying with the following relevant criteria and supporting policies, where relevant including in the case of proposals in the countryside or green belt, be a use appropriate for these locations. Policy 7 (Development in the Countryside) states development in the countryside will only be supported where it:

1. is required for agricultural, horticultural, woodland, or forestry operations;
2. will diversify or add to the above land-based businesses to bring economic support to the existing business;
3. is for the extension of established businesses;
4. is for small-scale employment land adjacent to settlement boundaries, excluding green belt areas, and no alternative site is available within a settlement boundary which contributes to the Council's employment land supply requirements;
5. is for facilities for access to the countryside;
6. is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location; or
7. is for housing in line with Policy 8 (Houses in the Countryside)

In all cases, development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Policy 7 further goes on to detail development on prime agricultural land will not be supported except where it is essential:

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

2.2.4 Representations received raised both supporting and objecting comments regarding the nature of the proposal, the appropriateness of the location, the lack of alternative provision within Fife, the increased demand for alternative methods/practices, and the principle of supporting local businesses.

2.2.5 The development site is situated outwith any defined settlement boundary therefore the proposal would be situated in a countryside location, as defined within the Adopted FIFEplan (2017). Whilst the proposal would not wholly comply with Policy 7 of the Adopted FIFEplan (2017) or Policy 5 of NPF4 regarding development on prime agricultural land, given the most recent use of the land as grazing land, it is therefore considered the land would be of low agricultural value. As such, the loss of this small portion of prime agricultural land would be considered acceptable in this instance. Whilst the business premises is located in St Monans, there is a long-established history of the family joinery and undertaking business operating within the existing courtyard therefore it is considered the proposal would constitute an extension to the existing business. Moreover, a supporting statement has been submitted alongside this application detailing that historically the land was consecrated during the time that Elie House served as the Convent of St Mary Reparatrice (from the 1950s to 1980s), and a small portion of the site was previously used for burials evidenced by the presence of small crosses and a crucifix towards the western end of the walled garden therefore a small enterprise of this nature would be considered compatible with the historic use of the site. Furthermore, it is considered the nature of the proposed eco-cemetery use would lend itself to a natural/countryside location and there is demand for this type of service.

2.2.6 In light of the above, the principle of the proposed change of use would be considered acceptable however the overall acceptability of any such development must also satisfy other relevant policy criteria which are considered in detail below.

## 2.3 Impact on the Countryside and the Setting of the Listed Building

2.3.1 Policy 7 of NPF4 states development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest. Policy 14 of NPF4 states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14 of NPF4 also goes on to stipulate development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, adaptable. Policy 29 of NP4 states development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.2 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Historic Environment Policy for Scotland (HEPS) (2019), Historic Environment Scotland (HES) Managing Change in the Historic Environment: Setting (2016), and Policies 1, 7, 10, and 14 of The Adopted FIFEplan (2017) also apply in this respect. Policy 1 Part B states development proposals must safeguard the characteristics of the historic environment, including archaeology. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area. Policy 7 states development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Policy 14 states proposals will not be supported where it is considered they will harm or damage listed buildings or their setting, including structures or features of special architectural or historic interest.

2.3.3 Representations received raised both supporting and objecting comments regarding maintenance, the historical significance of the site, and the impact on the listed structures. Fife Council's Built Heritage Team (FCBH) were consulted and advised the proposed use is sympathetic and would have no adverse impact on the character of the setting. Moreover, the addition of post and wire fencing within the walled garden is acceptable as the open character of the area would be maintained and it could be readily reversed in the future. As such, FCBH are generally supportive of the proposal however they have requested additional information be submitted in relation to the proposed tree planting, the proposed parking area and the gated entrance to ensure these aspects would not have a significant detrimental impact on the setting of the listed buildings. Fife Council's Archaeology Team (FCARCH) were also consulted and advised the footprint of ground to be developed is small, rural and of low archaeological potential. As such, FCARCH raised no archaeological issues with the proposal.

2.3.4 As previously detailed, the site for the proposed eco-cemetery currently comprises of an area of grazing land therefore it is considered the site itself would be of low amenity value. Moreover, given there is various street furniture and vehicles situated within the existing courtyard on balance it is considered the formation of a parking area within the existing courtyard would not have a significant detrimental impact on the character of the listed steading and sawmill. The proposed tree planting would take place on a request basis as part of the proposed eco-burial service therefore full details have not been provided at this stage, however given the wider character of the site the introduction of additional native trees would be considered complimentary. Further to this, the applicant would be responsible for the maintenance of the site.

2.3.5 In light of the above, the proposal would be considered acceptable and would not have a significant detrimental impact on the character of the countryside or the setting of the surrounding listed buildings. As such, the proposal would be in compliance with Policies 1, 7, 10, and 14 of The Adopted FIFEplan (2017) and would be consistent with the relevant policies of NPF4.

## 2.4 Amenity

2.4.1 Policy 23 of NPF4 seeks to encourage, promote and facilitate development that improves health and wellbeing. Policy 29 of NP4 states development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area. They should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

2.4.2 Policies 1 and 10 of the Adopted FIFEplan (2017) also apply in this respect. Policy 1 Part B states development proposals must protect the amenity of the local community. Policy 10 states that development will only be supported if it does not have a significant detrimental 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 the loss of privacy and impacts on the operation of existing or proposed businesses and commercial operations.

2.4.3 Representations received raised concerns regarding the impact on the amenity of the existing uses, in particular residential amenity, the operational matters associated with the proposal, and the impact on health and well-being. The proposal would be situated in a rural location but would be read in conjunction with the wider estate. The surrounding land uses are predominately residential in nature with the exception of a few small businesses located within the courtyard area to the North of the site for the proposed eco-cemetery. The supporting statement submitted dated the 1st June 2023 details that the applicant anticipates between 6-10 burials a year and on average one burial every 5 weeks- 2 months. In addition, the supporting statement submitted dated the 1st June 2023 clarifies that the proposed use is intended for small private burials and not large memorial services. Therefore, the proposed use would be considered a small-scale enterprise which would not likely attract a significant number of visitors. In addition, the existing listed wall structure would appropriately screen the site for the proposed burials from the residential dwellinghouses to the north. Furthermore, the site for the proposed burials would be sited some 160 metres from the residential dwellings at Elie House thus on balance it is considered the activities associated with the proposed use would not have a significant detrimental impact on the amenity/health and well-being of residents in the surrounding area.

2.4.4 In light of the above, on balance the proposal would be considered acceptable in terms of amenity and would be in compliance with Policies 23 and 29 of NPF4 and Policies 1 and 10 of the Adopted FIFEplan (2017).

## 2.5 Road Safety

2.5.1 Policy 13 of NPF4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;



- ii. Will be accessible by public transport, ideally supporting the use of existing services;
- iii. Integrate transport modes;
- iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles; Part 2 - National Planning Policy Framework 4 58
- vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- viii. Adequately mitigate any impact on local public access routes.

Moreover, where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance. Also, development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area. Furthermore, development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation. Policy 29 of NPF4 also states development proposals in rural areas should also consider how the development will contribute towards local living and take into account the transport needs of the development as appropriate for the rural location.

2.5.2 Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines also apply in this respect. Policy 1 Part C states development proposals must provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 states development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.5.3 Representations raised concerns regarding the proposals impact on road and pedestrian safety. Whilst it is recognised that there are bus services running along the A917 and established active transport routes within close proximity to the site (Elie to Kilconquhar core path: P227/01), given the remote location and length of the existing access road (approximately 1km) it is considered the proposal would be predominantly accessed by private car. The application form submitted indicates that the proposal seeks to incorporate 20 parking spaces to serve the proposal however initially only 12 parking spaces were shown on the proposed block plan submitted. These parking spaces were originally laid out in a diagonal arrangement within the existing courtyard surrounding the Category B listed Steading and Sawmill.

2.5.4 Fife Council's Transportation Development Management Team were consulted and raised the following objections regarding road and pedestrian safety;

\* The proposal would increase the number of vehicular trips over a private access that has substandard passing places, has no passing places over the stretch of the access at the North end of the area and which already serves more than 30 houses and businesses. As such, any increase in vehicular trips over this substandard access would be to the detriment of road and pedestrian safety.

\* The off-street parking area shown to the North of the site will be difficult to manoeuvre in and out of due to the 45-degree parking layout. Vehicles will not be able to turn and will block the access for other vehicle users of the dwellings and business in this area.

\* There is limited forward visibility at the 90-degree bends around the courtyard. Any increase in vehicular movements in this area would be detrimental to the drivers of all vehicles and pedestrians.

2.5.5 After much discussion with the applicant/agent, revised plans were submitted detailing 6 parking spaces in a linear arrangement within the existing courtyard and the provision of a turning circle within the grazing land to the south of the existing courtyard. A supporting statement was also submitted in response to the concerns raised by Fife Council's Transportation Development Management Team dated the 1<sup>st</sup> June 2023. This supporting statement details that alternative parking arrangements could also be located within the grazing land within the walled garden however this was discussed at length between the applicant/agent, the case officer and Fife Council's Transportation Development Management Team and was subsequently discounted as a viable option. Moreover, it is considered that there is no reasonable planning mechanism which could be implemented to restrict the number of vehicles entering/leaving the site via the existing substandard access.

2.5.6 In light of the above, the proposal would not be considered acceptable as it would increase the number of vehicular trips over a substandard private access which would have a detrimental impact on road and pedestrian safety. In addition, there is limited forward visibility at the 90-degree bends around the courtyard therefore the increase in vehicular movements within this area would also have a detrimental impact on road and pedestrian safety. As such, the proposal would not be in compliance with Policies 13 and 29 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines.

## 2.6 Flooding and Drainage

2.6.1 Policy 22 of NPF4 states development proposals will not increase the risk of surface water flooding to others, or itself be at risk. Also, developments should manage all rain and surface water through sustainable urban drainage systems and proposals should assumed no surface water connection to the combined sewer. Furthermore, development proposals will seek to minimise the area of impermeable surface.

2.6.2 Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements also apply in this respect. Policy 1 Part B of FIFEplan (2017) states development proposals must address their development impact by complying with the following relevant criteria and supporting policies, where relevant including avoid flooding and impacts on the water environment. Policy 3 of FIFEplan (2017) states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area,

development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 of FIFEplan states development proposals will only be supported where they can demonstrate 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.

2.6.3 Representation raised concerns regarding the impact on groundwater. Scottish Environment Protection Agency (SEPA) flood maps have been analysed and show that the development site is not located within an area of known river, coastal or surface water flood risk. The nature of the proposal would also not involve the creation of additional areas of impermeable surface. Furthermore, SEPA and Scottish Water were consulted on the proposal and raised no concerns/objections.

2.6.4 In light of the above, the proposal would be considered acceptable and would not have a significant detrimental impact on flooding and drainage. As such, the proposal would be in compliance with Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Policy 22 of NPF4.

## 2.7 Land Contamination

2.7.1 Policy 9 of NPF4 states where land is known or suspected to be unstable or contaminated, development proposals will demonstrate that the land is, or can be made, safe and suitable for the proposed new use. Planning Advice Note 33 (PAN 33) advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use.

2.7.2 Policies 1 and 10 of the Adopted FIFEplan (2017) also apply in this respect. Policy 1 Part B sets out that development proposals must protect the amenity of the local community. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to contaminated and unstable land, with particular emphasis on the need to address potential impacts on the site and surrounding area.

2.7.3 The development site is situated on an area of potentially contaminated land. As such, Fife Council's Land and Air Quality Team were consulted and advised they have no comments to make regarding the application.

2.7.4 In light of the above, the proposal would be considered acceptable in this respect and would be in compliance with Policies 1 and 10 of the Adopted FIFEplan (2017) and Policy 9 of NPF4.

## 2.8 Natural Environment

2.8.1 Policy 3 of NPF4 states proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Policy 4 of NPF4 states development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Also, development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or

ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

2.8.2 Policies 1 and 13 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) also apply in this respect. Policy 1 Part B states development proposals must safeguard the character and qualities of the landscape. Policy 13 states development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of local importance, including Local Landscape Area; biodiversity in the wider environment; and landscape character and views.

2.8.3 Representations received raised both supporting and objecting comments regarding the impact on the landscape and wider environment. Whilst the development site and surrounding area are situated within the East Neuk Local Landscape Area the site for the proposed eco-cemetery currently comprises of an area of grazing land therefore it is considered the site itself would be of low natural heritage/biodiversity value. Moreover, the nature of the proposed use would be sympathetic to the natural setting and would have a minimal impact on the character of the landscape. Furthermore, the development site would be screened by the existing walled garden and extensive tree belts therefore the proposal would not have a significant detrimental impact on the natural heritage value of the site or the wider character of the Local Landscape Area.

2.8.4 Furthermore, Fife Council's Natural Heritage Officer was consulted on the proposal and advised the application appears to be sensitive to the surrounding area and the proposals will leave the site essentially unchanged with the exception of possibly the addition, over time, of additional trees. As such, Fife Council's Natural Heritage Officer raised no significant concerns/objections.

2.8.5 In light of the above, the proposal would be considered acceptable in terms of its impact on the natural environment. As such, the proposal would be in compliance with Policies 1 and 13 of the Adopted FIFEplan (2017) and would be consistent with the relevant policies of NPF4.

## CONSULTATIONS

Archaeology Team, Planning Services	No archaeological issues
Built Heritage, Planning Services	Approval is supported subject to additional information
Historic Environment Scotland	No comments
Land And Air Quality, Protective Services	No comments
TDM, Planning Services	TDM raised objections in the interests of road and pedestrian safety
Environmental Health (Public Protection)	No objections
Scottish Environment Protection Agency	No site specific comments on this application
Natural Heritage, Planning Services	No objections raised
Community Council	Elie and Earlsferry Community Council made comments neither objecting to nor supporting the proposal
Scottish Water	No objections

## REPRESENTATIONS

64 public representations were received; 28 letters of objection, 35 letters of support and 1 neutral comment. 2 letters of support received did not provide any comments/justification for their position and thus shall be discounted from the overall number of representations. Also, 1 neutral comment was received from Elie and Earlsferry Community Council (statutory consultee) and 1 letter of support was received from St Monan's and Abercrombie Community Council (St Monan's and Abercrombie Community Council did not request statutory consultee status).

Concerns raised included:

- o Impact on the amenity of the existing uses, in particular residential amenity (addressed within Section 2.4),
- o Impact on road safety, in particular the increase in traffic movements, the impact on the existing junction between the private access and the A917, the proposed parking layout, issues relating to access, and the standard of passing places (addressed within Section 2.5),
- o Impact on pedestrian safety (addressed within Section 2.5),
- o Impact on health and well-being (addressed within Section 2.4)
- o Appropriateness of the location (addressed within Section 2.2),
- o Operational matters such as the number of burials to take place and the days/hours of operation (addressed within Section 2.4),
- o Issues relating to maintenance (addressed within Section 2.3),
- o Impact on the environment (addressed within Section 2.8),
- o Impact on groundwater (addressed within Section 2.6)
- o Nuisances caused by existing businesses, and
- o Impact on the Category B listed entrance pillars (addressed within Section 2.3).

Comments received in support raised matters relating to:

- o The lack of alternative provision within Fife (addressed within Section 2.2),
- o The minimal impact on the landscape (addressed within Section 2.8),
- o The historical significance of the site (addressed within Section 2.3),
- o The appropriateness of the location (addressed within Section 2.2),
- o The nature of the proposal (sustainable/eco-friendly), (addressed within Section 2.2)
- o The increase in demand for alternative methods/practices (addressed within Section 2.2),
- o The principle of supporting local businesses (addressed within Section 2.2), and
- o The impact on the environment (addressed within Section 2.8).

Concerns raised relating to nuisances caused by the existing commercial businesses would not form a material planning consideration in the assessment of this application. All other material planning considerations have been addressed within the assessment section of this report of handling.

## CONCLUSIONS

Whilst the principle of the proposal would be considered acceptable, on the whole the proposal would not be considered acceptable as it would increase the number of vehicular trips over a substandard private access and there is limited forward visibility at the 90-degree bends around the courtyard therefore the increase in vehicular movements within this area would have a detrimental impact on road and pedestrian safety. As such, the proposal would not be in

compliance with Policies 13 and 29 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines. Therefore, the proposal is recommended for refusal.

## **RECOMMENDATION**

The application be refused for the following reason(s)

1. In the interests of pedestrian and road safety; the proposal would increase the number of vehicular trips over a substandard access which already serves more than 30 houses and businesses. As such, the proposal would not be in compliance with Policy 13 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017), or Fife Council Transportation Development Guidelines.
2. In the interests of pedestrian and road safety; there is limited forward visibility at the 90-degree bends around the existing courtyard where the proposed parking area is to be located. As such, the proposal would not be in compliance with Policy 13 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017), or Fife Council Transportation Development Guidelines.

## **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

Historic Environment Policy for Scotland (2019)

Historic Environment Scotland (HES) Managing Change in the Historic Environment: Setting (2016)

Planning Advice Note 33: Development of contaminated land (2017)

### Development Plan

National Planning Framework 4: Adopted (February 2023)

The Adopted FIFEplan Local Development Plan (2017)

### Other Guidance

Making Fife's Places Supplementary Guidance (2018)

Fife Council Transportation Development Guidelines

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements

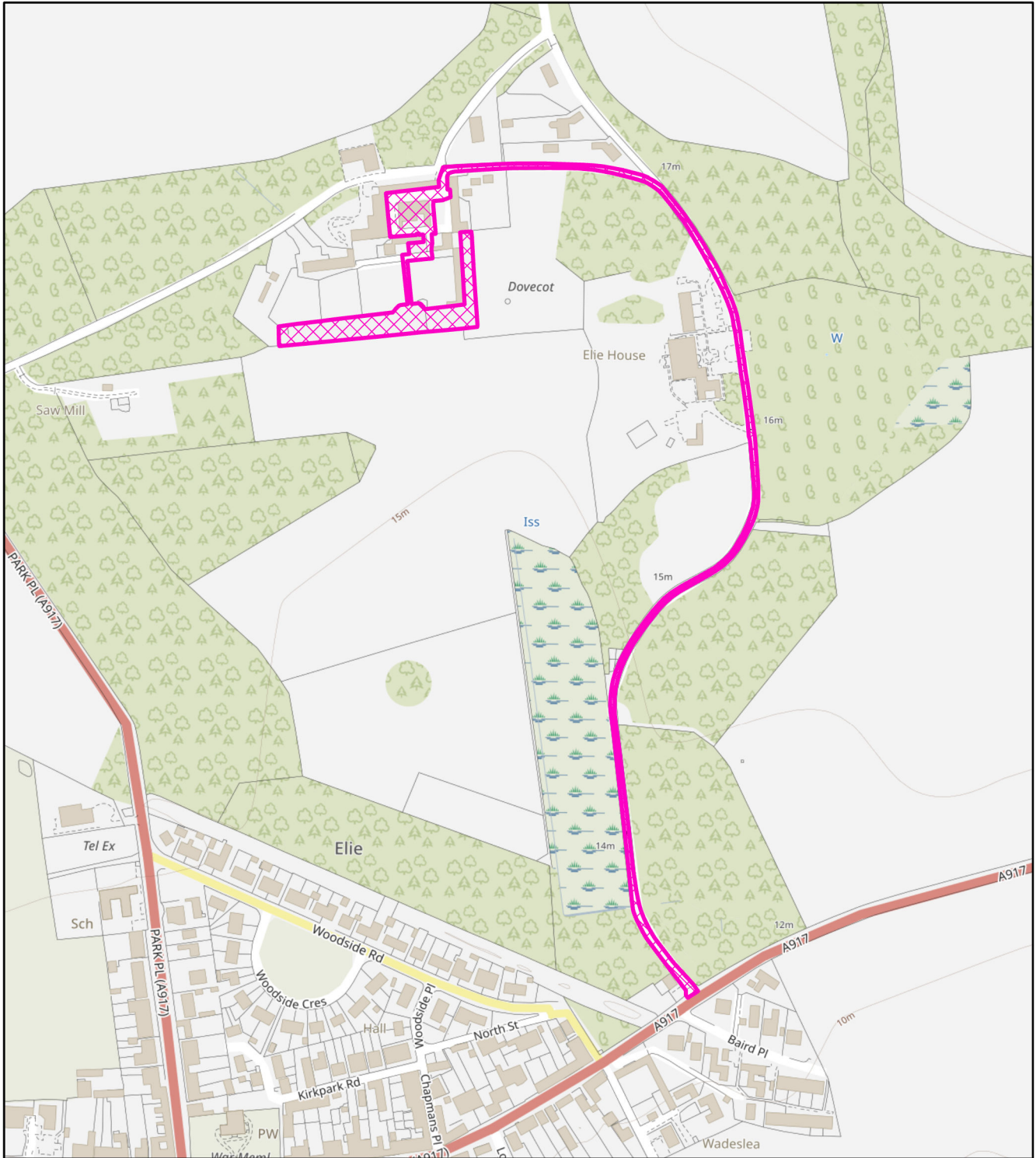
Report prepared by Lauren McNeil

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 14/8/23.

Date Printed 26/07/2023

# 22/03401/FULL

## Elie House Grounds, The Granary, Elie



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<b>Legend</b>			
<b>Application Boundary</b>			

**ITEM NO: 5**

**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE REF: 22/04249/PPP**

**SITE ADDRESS: LAND ADJACENT BALMASHIE HOLIDAY HOMES KENLY BOARHILLS**

**PROPOSAL : PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF ADDITIONAL HOLIDAY COTTAGES AND EXTENSION OF TOURISM DEVELOPMENT (RENEWAL OF PLANNING PERMISSION IN PRINCIPLE 19/00883/PPP)**

**APPLICANT: BALMASHIE 3 LLP  
UNIT 8, THE VISITOR BUILDING 20 GREENMARKET DUNDEE**

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

**CASE OFFICER: Lauren McNeil**

**DATE 16/01/2023  
REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 6 representations were received which 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.



National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

## 1.0 Background

1.1 This application relates to an area of open space to the north-west of the Balmashie complex. The development site is situated in a countryside location located approximately 1km west of Boarhills and is situated within the St Andrews to Fife Ness Local Landscape Area, as defined within the Adopted FIFEplan (2017). The holiday cottages within the Balmashie complex to the south-east of the site received planning permission in January 2015 for a change of use to residential dwellinghouses (planning reference: 14/03020/FULL). As such, the surrounding land uses include residential to the south, the St Andrews Bay Golf Course to the north and agricultural fields to the east and west of the existing access road.

1.2 This application is for planning permission in principle for the erection of additional holiday cottages and extension of tourism development. The proposal is a renewal of the previous planning permission in principle application (reference: 19/00883/PPP).

1.3 The relevant planning history can be summarised as follows:

- \* 08/00775/EFULL: Change of use of agricultural to recreational land and form new farm access- Application Permitted with Conditions (April 2009)
- \* 08/00774/EOPP: Planning permission in principle for erection of additional holiday cottages and extension of tourism development- (July 2010)
- \* 13/01013/FULL: Variation of condition 2 of planning permission 08/00774/EOPP for extension to time period by an additional 3 years- Application Permitted with Conditions (April 2013)
- \* 14/03020/FULL: Change of use from holiday cottages (Class 7) to residential dwellinghouses (Class 9)- Application Permitted with Conditions (January 2015)
- \* 15/00713/OBL: Discharge of planning obligation 08/98/0039D- Application Permitted - no conditions (April 2015)
- \* 15/03226/OBL: Modification of planning obligations associated with 08/00774/EOPP and 13/01013/FULL- Application Permitted - no conditions (November 2015)
- \* 16/00885/FULL: Erection of additional holiday cottages and extension of tourism development (Renewal of planning permission 13/01013/FULL)- Application Permitted with Conditions (May 2016)
- \* 19/02209/OBL: Discharge of planning obligation (08/00774/EOPP)- Application Permitted - no conditions (October 2019)
- \* 19/00883/PPP: Erection of additional holiday cottages and extension of tourism development (Renewal of planning permission 16/00885/FULL)- Application Permitted with Conditions (June 2019)

\* 21/03603/FULL: Tourism development including change of use from storage building to reception centre and erection of 21 holiday pods and associated landscaping and works- Application Refused (September 2022). This application was refused by committee for the following reasons.

*Reason 1: In the interests of safeguarding the visual amenity, character and protecting the environmental quality of the countryside location; the Application Proposal by virtue of its design, form, scale and layout would have a detrimental visual impact on this countryside location introducing a significant level of built form into the generally open area resulting in a scale of development which is out of keeping with the existing character of the immediate surrounding area. The Application Proposal is therefore considered to be contrary to Scottish Planning Policy 2014; Policies 1, 7 and 10 of the adopted FIFEPlan local Development Plan 2017; and the adopted Making Fife's Places Supplementary Planning Guidance 2018.*

*Reason 2: In the interest of preserving and protecting residential amenity; the Application Proposal would have an adverse impact on the residential amenity arising from the proposed use of the Application Site. The Application Proposal by virtue of the nature of the use/development would cause noise and disturbance to the detriment of the occupiers of the adjoining/nearby residential properties and other surrounding residents introducing an adverse/detrimental impact on residential amenity not currently experienced. The Application Proposal is therefore considered to be contrary to Policies 1 and 10 of the adopted FIFEPlan Local Development Plan 2017.*

1.4 Two further applications have been submitted; 23/00848/ARC: Approval of Matters Required by Conditions 1, 2, 4 and 8 of planning permission in principle 19/00883/PPP for the erection of 11 holiday cottages, manager's accommodation and associated parking, landscaping and SUDS, and 23/00849/FULL: Installation of surface water drainage outfall pipe to serve SuDS associated with application 23/00848/ARC and formation of parking.

1.5 A site visit was conducted on the 15th of May 2023. The following evidence was also used to inform the assessment of this proposal:

- Google imagery (including Google Street View and Google satellite imagery), and
- GIS mapping software.

## 2.0 Assessment

2.1 The issues to be assessed against the development plan and other guidance are:

- a. Principle of Development
- b. Design/Visual Impact
- c. Residential Amenity
- d. Road Safety
- e. Flooding and Drainage
- f. Natural Environment
- g. Low Carbon Fife

## 2.2 Principle of Development

2.2.1 Representations received raised concerns regarding the principle of the development. The principle of the development has been established through the approval of planning applications 08/00774/EOPP, 13/01013/FULL, 16/00885/FULL and 19/00883/PPP.

In addition, the application to renew the previous planning permission in principle (reference 19/00883/PPP) was submitted prior to the date that the existing consent was due to lapse; application submitted on the 21st of December 2022, existing consent lapsed on the 31st of March 2023.

2.2.2 Scottish Government Circular 4/1998 states that generally applications for renewals should only be refused for one of the following reasons; where there has been a material change in planning circumstances since the original permission was granted, where there is likely to be continued failure to begin the development and this will contribute unacceptably to uncertainty about the future pattern of development in the area, or where the application is premature as the permission still has a reasonable time to run before expiring.

2.2.3 As previously detailed, NPF4 was adopted in February 2023 and now forms part of the Development Plan. Policy 10 of NPF4 sets out the policy outcomes for coastal development however given the development site is situated some 1.3km from the coastline it is therefore considered the proposal would not constitute a coastal development. Policy 30, Part A of NPF4 states that development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported. Moreover, Policy 30, Part B of NPF4 states that proposals for tourism related development will take into account the contribution made to the local economy.

2.2.4 Although the development site is not allocated within the Adopted FIFEplan (2017) as an area for tourism, there is support within Policy 7 of the Adopted FIFEplan (2017) for tourism development within the countryside where there is a proven need for a countryside location. Moreover, given the planning history of the site it is considered the appropriateness of the location for tourism has already been accepted. Also, the development site would be situated adjacent to the St Andrews Bay Golf Course therefore the proposal would be appropriately sited in relation to the existing tourism facilities within the surrounding area. Therefore, no significant change has been introduced which would impact on the acceptability of the principle of the development. Furthermore, it is recognised that the tourism sector is a key driver of the local economy in East Neuk therefore the proposal would have a wider economic benefit.

2.2.5 In light of the above, the principle of the development would be considered acceptable in this instance.

## 2.3 Design/Visual Impact

2.3.1 Policy 14, Part A of NPF4 states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14, Part B of NPF4 goes on to stipulate development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, adaptable. Policy 29, Part B of NPF4 states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.2 Policies 1, 7 and 10 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) apply with regard to the design and visual impact of the proposal. Policies 1 and 10 aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area. Policy 7 states development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Making Fife's Places Supplementary Guidance (2018) also sets out the expectation for developments with regards to design.

2.3.3 Representations received raised concerns regarding the design of the proposed holiday cottages and the impact of the proposals on the character of the countryside. There are no significant changes to the site context since the approval of the 19/00883/PPP application, and from the indicative site layout plan submitted to the 08/00774/EOPP application it is considered the proposed development would comprise of a similar layout to the existing Balmashie complex. Moreover, given the limited amenity value of the site at present, it is considered the proposed development could be designed in a manner to improve the general appearance/character of the site. However detailed design matters would be considered within the assessment of the corresponding Approval of Matters Required by Conditions application (planning reference: 23/00848/ARC).

## 2.4 Residential Amenity

2.4.1 Policy 20, Part A of NPF4 states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this. Also, Policy 30 of NPF4 states that proposals for tourism related development will take into account compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors; impacts on communities, for example by hindering the provision of homes and services for local people; and opportunities to provide access to the natural environment.

2.4.2 Policies 1 and 10 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Daylight and Sunlight and Minimum Distances Between Window Openings apply in this respect. Policy 1 Part B states development proposals must protect the amenity of the local community. Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Furthermore, development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to noise, light, and odour pollution and other nuisances, including shadow flicker from wind turbines; the loss of privacy, sunlight and daylight; and the loss of outdoor sports facilities, open space, green networks, protected trees, and woodland.

2.4.3 Representations received raised concerns regarding the loss of open space as a result of the proposed development. The development site comprises of an area of informal open space to the north-west of the existing Balmashie complex. This area of open space is characterised by relatively flat grassland and some shrubbery along the north-west boundary therefore it is considered this area of open space does not have any formal recreational amenity value however it is recognised this area would provide opportunities for informal play. The indicative site plan submitted to the 08/00774/EOPP application illustrates that the proposed holiday

cottages would be set out in a courtyard arrangement, similar to the existing Balmashie complex, therefore it is considered the proposed development would be characterised by small pockets of informal open space and given the wider countryside setting it is considered there are other opportunities for informal play within the wider context of the site. As such, it is considered the loss of this area of open space would not have a significant detrimental impact on the amenity of the residents of Balmashie.

2.4.4 Representations received raised concerns regarding the impact on residential amenity. Whilst the existing Balmashie complex has undergone a change in land use from holiday cottages to residential properties since the 08/00774/EOPP consent, no significant changes to the surrounding context in terms of land use have occurred since the approval of the previous planning permission in principle application (planning reference: 19/00883/PPP). Moreover, the proposed holiday cottages would be comparable to that of a residential land use and whilst the proposal would introduce an increase in traffic/activity this would likely be seasonal therefore it is considered overall the proposal would be less onerous than private residential dwellings. Furthermore, given the position of the proposed site in relation to the neighbouring properties, it is considered the proposed development could be designed in a manner to ensure no significant detrimental impact on residential amenity. However, these matters would be considered within the assessment of corresponding Approval of Matters Required by Conditions application (planning reference: 23/00848/ARC).

## 2.5 Road Safety

2.5.1 Policy 13 Part B of NPF4 states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- \* Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- \* Will be accessible by public transport, ideally supporting the use of existing services;
- \* Integrate transport modes;
- \* Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- \* Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- \* Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- \* Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- \* Adequately mitigate any impact on local public access routes.

Moreover, policy 30, Part B of NPF4 states that proposals for tourism related development will take into account opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas.

2.5.2 Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines also apply in this respect. Policy 1 Part C states development proposals must provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 states

development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.5.3 The no.95 bus route runs along the A917 connecting the site to St Andrews and the nearby coastal villages. Therefore, whilst visitors will most likely arrive to the site by private car there are opportunities for sustainable travel during their stay.

2.5.4 Representations received raised concerns regarding access and general road safety. There is no increase in the number of holiday cottages proposed from the original 08/00774/EOPP consent therefore it is considered there would be no increase in traffic movements along the existing access road than that of which was previously accepted. In addition, Fife Council's Transportation Development Management Team were consulted on this application and noted an indicative site plan was submitted with Planning Application No. 08/00774/EOPP which showed a possible layout of the site which included 12 additional holiday cottages and a Manager's House. No further drawings/revisions have been provided within any of the previous subsequent applications. As the 08/00774/EOPP application was an Outline Application, no specific figure on off street parking was included as part of the off-street parking condition. However, there is generally 1 No. off street parking space required for each holiday unit. In light of this, Fife Council's Transportation Development Management Team raised no objections to the proposal subject to the imposition of the recommended conditions relating to off-street parking provision, the provision of suitable turning areas, and the provision of adequate visibility splays.

2.5.5 Considering the above, the proposal subject to conditions would be considered acceptable and would be in compliance with Policy 13 and 30 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines.

## 2.6 Flooding and Drainage

2.6.1 Policy 22 of NPF4 states that development proposals will not increase the risk of surface water flooding to others, or itself be at risk. Also, developments should manage all rain and surface water through sustainable urban drainage systems and proposals should assumed no surface water connection to the combined sewer. Furthermore, development proposals will seek to minimise the area of impermeable surface.

2.6.2 Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements also apply in this respect. Policy 1 Part B of FIFEplan (2017) states development proposals must address their development impact by complying with the following relevant criteria and supporting policies, where relevant including avoid flooding and impacts on the water environment. Policy 3 of FIFEplan (2017) states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and

surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 of FIFEplan states development proposals will only be supported where they can demonstrate 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.

2.6.3 Scottish Environment Protection Agency (SEPA) flood maps have been analysed and show that the development site is not located within an area of known river, coastal or surface water flood risk. The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) requires that a Sustainable Drainage System (SuDS) is installed for all new developments where surface water discharges to ground or water to prevent pollution, with the exception of runoff from a single dwelling or discharge to coastal waters. An indicative site layout plan was submitted to the 08/00774/EOPP application which detailed that the proposed development would incorporate a SUDS scheme. Full details of the proposed SUDS have not been submitted to this application however these details would be considered at detailed planning stage. Scottish Water have also raised no objections.

2.6.4 In light of the above, it is considered the proposal could be designed to comply with Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements.

## 2.7 Natural Environment

2.7.1 Policy 3, Part C of NPF4 states proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Policy 4, Part A of NPF4 states development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Also, Policy 4, Part D of NPF4 states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

Furthermore, Policy 30, Part B states that proposals for tourism related development will take into account opportunities to provide access to the natural environment.

2.7.2 Policies 1 and 13 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) also apply in this respect. Policy 1 Part B states development proposals must safeguard the character and qualities of the landscape. Policy 13 states development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas; biodiversity in the wider environment; and landscape character and views.

2.7.3 Although the development site would comprise of an area of prime agricultural land, given its present use and the nature of the existing land uses to the north (St Andrews Bay Golf Course) it is considered the site would not lend itself to farming and would be of low natural heritage value. Moreover, the proposed development would be appropriately sited in relation to the existing Balmashie complex and given the character of the surrounding area it is considered

the proposal could be designed in a manner that would be in keeping and would not significantly disrupt any key vistas. Furthermore, the proposal could be designed in a manner to ensure a biodiversity net gain and there are various paths to the east of the site including the Boarhills circuit (P032/02) which connects the site to the nearby settlement of Boarhills and the St Andrews to Kingsbarns coastal path therefore there are opportunities to access the natural environment.

## 2.8 Low Carbon Fife

2.8.1 Policy 1 of NPF4 states when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 of NPF 4 states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and to adapt to current and future risks from climate change. Furthermore, Policy 30, Part B states that proposals for tourism related development will take into account measures taken to minimise carbon emissions.

2.8.2 Policies 1 and 11 of the Adopted FIFEplan (2017) and Fife Council's Low Carbon Fife Supplementary Guidance (2019) apply in this respect. Policy 1 Part C of FIFEplan states development proposals must be supported by information or assessments to demonstrate that they will comply with the following relevant criteria and supporting policies, where relevant including provide measures that implement the waste management hierarchy as defined in the Zero Waste Plan for Scotland; provide sustainable urban drainage systems in accordance with any relevant drainage strategies applying to the site or flood assessments; provide for energy conservation and generation in the layout and design; and contribute to achieving the area's full potential for electricity and heat from renewable sources, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations. Policy 11 states 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.

2.8.3 Representations were received regarding the sustainability of the proposed development. No details have been submitted at this stage therefore a condition shall be imposed to ensure these details are submitted at detailed planning stage.

### Other Matters

Condition 9 of the 19/00883/PPP consent; 'The occupation of the staff cottages shall be limited to persons solely or mainly employed in the rural business operated at Balmashie, the holiday complex existing or proposed; or a dependant of such a person residing with him or her, or a widow or widower of such a person. Reason: To ensure the units are not occupied as permanent residential units' has been omitted from this consent as the Chief Planner's letter dated the 4th



of November 2011 outlines occupancy restrictions are rarely appropriate and so should generally be avoided therefore it is considered Condition 9 would no longer be relevant or appropriate.

## CONSULTATIONS

Scottish Water	No objections
Environmental Health (Public Protection)	No objections
TDM, Planning Services	No objections subject to conditions

## REPRESENTATIONS

10 letters of objection were received. Boarhills and Dunino Community Council also objected to the proposal however these comments were received after the statutory period for comments had surpassed. Two support letters were also received after the statutory period for comments had surpassed. The material planning considerations raised within the objection comments received include:

- the principle of the development (addressed within Section 2.2),
- the impact on the character of the countryside (addressed within Section 2.3)
- the design of the proposed holiday cottages (addressed within Section 2.3)
- the impact on residential amenity (addressed within Section 2.4),
- the loss of open space (addressed within Section 2.4),
- the impact on access/road safety (addressed within Section 2.5), and
- the sustainability of the proposed development (addressed within Section 2.7).

## CONCLUSIONS

The proposal, subject to conditions would be considered acceptable in principle and would be in compliance with the relevant national and local policies, however a subsequent application would be required in order to fully assess the detailed matters of the proposal.

## RECOMMENDATION

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

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

Reason: In order to comply with the provisions of Section 59 of the Town and Country Planning (Scotland ) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

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

- (a) A location plan of all the site to be developed to a scale of not less than 1:2500, showing generally the site, any existing trees, hedges, walls (or other boundary markers) layout of the roads and sewers, and the position of all buildings;
- (b) A detailed plan to a scale of not less than 1:500 showing the site contours, the position and width of all proposed roads and footpaths including public access provision, the siting of the proposed buildings, finished floor levels, new walls and fences and details of proposed landscape treatment;
- (c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, together with details of the proposed method of drainage and the colour and type of materials to be used externally on walls and roofs;
- (d) Details of the existing and proposed ground levels as well as the finished floor levels all related to a fixed datum point. The details shall specify the extent and height of any areas of mounding;
- (e) A supporting statement illustrating the developments' compliance with National Planning Framework 4 (2023) and Fife Council's Planning Policy - Making Fife's Places Supplementary Guidance Document (2018) - including reference and proposals relating to the design, layout, green network infrastructure and biodiversity enhancement;
- (f) Detailed drawings illustrating the developments' compliance with Fife Council's Planning Customer Guidelines on Daylight and Sunlight, Window to Window distances, Garden Ground requirements and car parking requirements, shall be submitted.
- (g) A sustainability statement illustrating the developments' compliance with Fife Council's Planning Policy - Low Carbon Fife Supplementary Guidance Document (2019). The sustainability statement shall address all of the matters set out in Appendix B of Fife Council's Low Carbon Fife Supplementary Guidance (January 2019);
- (h) A SUDS scheme as set out within Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements.

Reason: To ensure compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2019.

3. Application for any of the matters referred to in Condition 2 above shall be made before:-

- (i) the expiration of 3 years from the date of the grant of this planning permission in principle;
- (ii) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
- (iii) the expiration of 6 months from the date on which an appeal or review against such refusal was dismissed, whichever is the latest.

Reason: To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.

4. Prior to the occupation of the Manager's House or the first holiday unit, there shall be 1 No. off street parking space provided per holiday cottage and 3 No. for the Manager's House within the curtilage of the site.

Reason: In the interest of road safety; to ensure that adequate off street parking is provided.

5. Prior to the occupation of the Manager's House or the first holiday unit, there shall be provided within the curtilage of the site suitable turning areas for vehicles suitable for use by the largest size of vehicle expected to visit or be used by occupants of the premises to allow a vehicle to enter and exit the driveway in a forward gear. The turning area shall be formed outwith the parking areas and shall be retained throughout the lifetime of the development.

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

6. Prior to the occupation of the Manager's House or the first holiday unit, visibility splays of 4.5m x 210m to the left and to the right at the junction of the vehicular crossing and the A917 public road shall be maintained insofar as lies within the applicants control, clear of all obstructions exceeding 1.05 metres above the adjoining carriageway level

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

7. Prior to the occupation of the Manager's House or the first holiday unit, all roadside boundary markers being maintained at a height not exceeding 1.05 metres above the adjacent carriageway level.

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

8. Unless otherwise agreed in writing by the Planning Authority, no cottage shall be let to any single occupier for more than 12 weeks in any calendar year and shall not be used as a sole or main residence by the occupant.

Reason: To ensure the development is restricted to holiday accommodation only and not permanent residential accommodation.

## **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

Planning Circular 4/1998: the use of conditions in planning permissions (1998)

Development Plan

National Planning Framework 4: Adopted (February 2023)

The Adopted FIFEplan Local Development Plan (2017)

## Other Guidance

Making Fife's Places Supplementary Guidance (2018)

Fife Council's Planning Customer Guidelines on Daylight and Sunlight

Fife Council's Planning Customer Guidelines on Minimum Distances Between Window Openings

Fife Council Transportation Development Guidelines

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements

Fife Council's Low Carbon Fife Supplementary Guidance (2019)

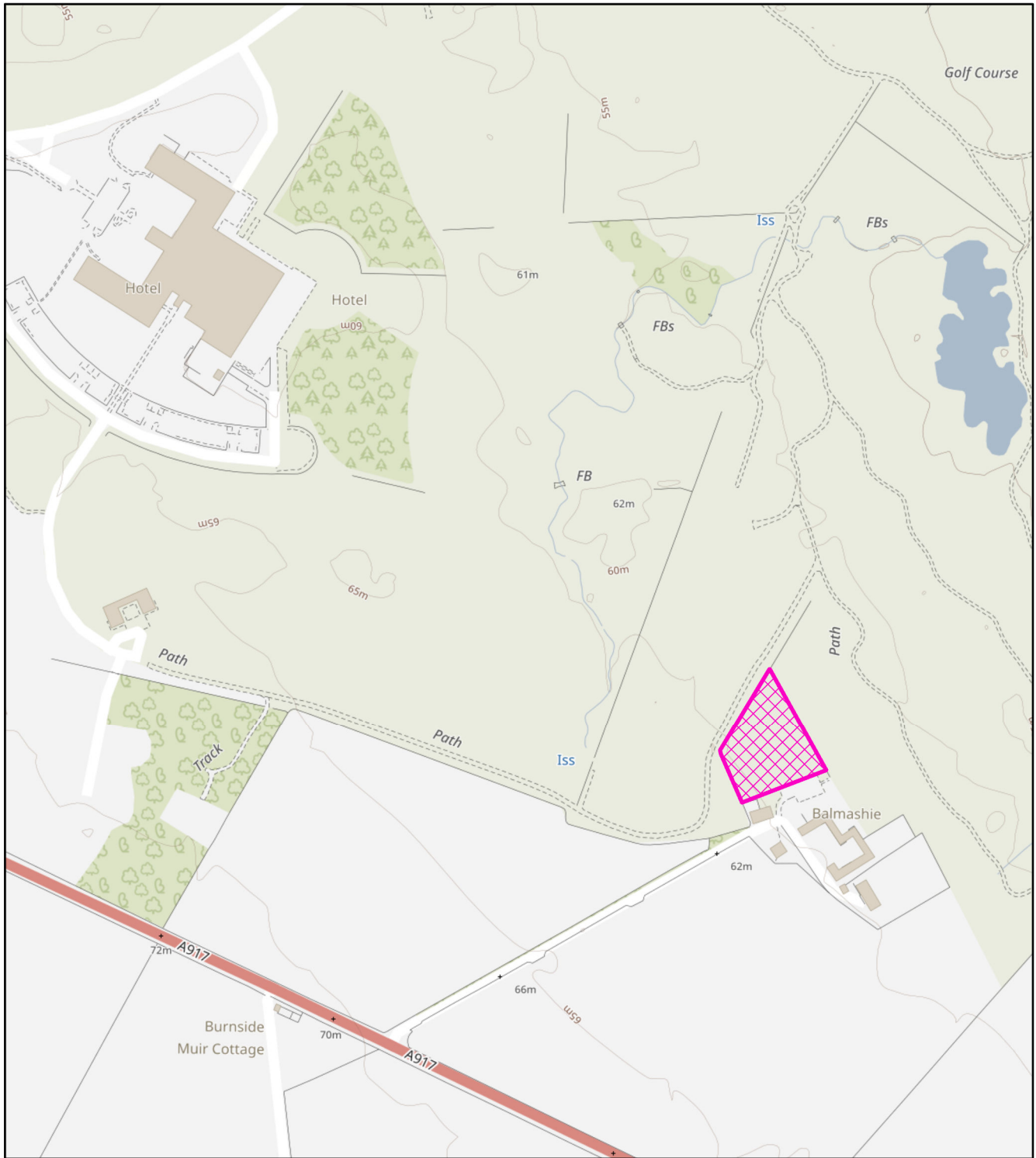
Report prepared by Lauren McNeil

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 14/8/23.

Date Printed 25/07/2023

# 22/04249/PPP

## Land Adjacent Balmashie Holiday Homes Kenly Boarhills



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<b>Legend</b>	
 Application Boundary	
	
 Fife COUNCIL Planning Services	

**ITEM NO: 6**

**APPLICATION FOR APPROVAL REQUIRED BY CONDITION(S) REF: 23/00848/ARC**

**SITE ADDRESS: LAND ADJACENT BALMASHIE HOLIDAY HOMES KENLY BOARHILLS**

**PROPOSAL : APPROVAL OF MATTERS REQUIRED BY CONDITIONS 1, 2, 4 AND 8 OF PLANNING PERMISSION IN PRINCIPLE 19/00883/PPP FOR THE ERECTION OF 11 HOLIDAYS COTTAGES, MANAGER'S ACCOMMODATION AND ASSOCIATED PARKING, LANDSCAPING AND SUDS**

**APPLICANT: BALMASHIE 3 LLP  
UNIT 8, THE VISION BUILDING 20 GREENMARKET DUNDEE**

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

**CASE OFFICER: Lauren McNeil**

**DATE REGISTERED: 24/04/2023**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 6 representations were received which 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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

## 1.0 Background

1.1 This application relates to an area of open space to the north-west of the Balmashie complex. The development site is situated in a countryside location located approximately 1km west of Boarhills and is situated within the St Andrews to Fife Ness Local Landscape Area, as defined within the Adopted FIFEplan (2017). The holiday cottages within the Balmashie complex to the south-east of the site received planning permission in January 2015 for a change of use to residential dwellinghouses (planning reference: 14/03020/FULL). As such, the surrounding land uses include residential to the south, the St Andrews Bay Golf Course to the north and agricultural fields to the east and west of the existing access road.

1.2 This application seeks full planning permission for the approval of matters required by conditions of the previous planning permission in principle application (reference: 19/00883/PPP) for the erection of 11 holiday cottages, manager's accommodation and associated parking, landscaping and SUDS.

1.3 Condition 1 of the 19/00883/PPP states;

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

- (a) A location plan of all the site to be developed to a scale of not less than 1:2500, showing generally the site, any existing trees, hedges, walls (or other boundary markers) layout of the roads and sewers, and the position of all buildings;*
- (b) A detailed plan to a scale of not less than 1:500 showing the site contours, the position and width of all proposed roads and footpaths including public access provision, the siting of the proposed buildings, finished floor levels, new walls and fences and details of proposed landscape treatment;*
- (c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, together with details of the proposed method of drainage and the colour and type of materials to be used externally on walls and roofs;*
- (d) A supporting statement illustrating the developments' compliance with Fife Council's Low Carbon Fife Supplementary Guidance (January 2019) - including details of the required renewables technologies.*

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

Condition 2 of the 19/00883/PPP states;

*'The detailed plans required by Condition 1 of the consent shall clearly illustrate, in cross-section form, the existing ground level, the extent of any underbuilding, the finalised floor level of the proposed development in relation to the levels of adjacent land and buildings (including windows of buildings within 18 metres) and any intervening existing or proposed screening (walls or fences). The floor levels shall clearly relate to a Fixed Datum Point on or nearby the site such as a road or pavement, which shall be identified on the submitted plans.'*

Condition 4 of the 19/00883/PPP states;

*'The detailed plans required by Condition 1 of the consent shall include the design and specification of the proposed turning area to a scale not less than 1:500. The turning area as approved shall be constructed within each curtilage in order that vehicles can enter and leave in a forward gear BEFORE THE DEVELOPMENT IS OCCUPIED.'*

Condition 8 of the 19/00883/PPP states;

*'Surface water to be disposed of from the development site shall be dealt with using techniques advocated in 'Sustainable Urban Drainage Systems - Design Manual for Scotland and Northern Ireland' published by CIRA in 2015. Full details of the methods to be used (including all calculations) shall be submitted to the Planning Authority for approval in writing. THEREAFTER THE SCHEME AS APPROVED SHALL BE FULLY COMPLETED BEFORE ANY PART OF THE DEVELOPMENT AUTHORISED BY THE GRANTING OF THIS PERMISSION BECOMES OPERATIONAL.'*

1.4 The relevant planning history can be summarised as follows:

- \* 08/00775/EFULL: Change of use of agricultural to recreational land and form new farm access- Application Permitted with Conditions (April 2009)
- \* 08/00774/EOPP: Planning permission in principle for erection of additional holiday cottages and extension of tourism development- (July 2010)
- \* 13/01013/FULL: Variation of condition 2 of planning permission 08/00774/EOPP for extension to time period by an additional 3 years- Application Permitted with Conditions (April 2013)
- \* 14/03020/FULL: Change of use from holiday cottages (Class 7) to residential dwellinghouses (Class 9)- Application Permitted with Conditions (January 2015)
- \* 15/00713/OBL: Discharge of planning obligation 08/98/0039D- Application Permitted - no conditions (April 2015)
- \* 15/03226/OBL: Modification of planning obligations associated with 08/00774/EOPP and 13/01013/FULL- Application Permitted - no conditions (November 2015)
- \* 16/00885/FULL: Erection of additional holiday cottages and extension of tourism development (Renewal of planning permission 13/01013/FULL)- Application Permitted with Conditions (May 2016)
- \* 19/02209/OBL: Discharge of planning obligation (08/00774/EOPP)- Application Permitted - no conditions (October 2019)
- \* 19/00883/PPP: Erection of additional holiday cottages and extension of tourism development (Renewal of planning permission 16/00885/FULL)- Application Permitted with Conditions (June 2019)
- \* 21/03603/FULL: Tourism development including change of use from storage building to reception centre and erection of 21 holiday pods and associated landscaping and works-



Application Refused (September 2022). This application was refused by committee for the following reasons.

*Reason 1: In the interests of safeguarding the visual amenity, character and protecting the environmental quality of the countryside location; the Application Proposal by virtue of its design, form, scale and layout would have a detrimental visual impact on this countryside location introducing a significant level of built form into the generally open area resulting in a scale of development which is out of keeping with the existing character of the immediate surrounding area. The Application Proposal is therefore considered to be contrary to Scottish Planning Policy 2014; Policies 1, 7 and 10 of the adopted FIFEPlan local Development Plan 2017; and the adopted Making Fife's Places Supplementary Planning Guidance 2018.*

*Reason 2: In the interest of preserving and protecting residential amenity; the Application Proposal would have an adverse impact on the residential amenity arising from the proposed use of the Application Site. The Application Proposal by virtue of the nature of the use/development would cause noise and disturbance to the detriment of the occupiers of the adjoining/nearby residential properties and other surrounding residents introducing an adverse/detrimental impact on residential amenity not currently experienced. The Application Proposal is therefore considered to be contrary to Policies 1 and 10 of the adopted FIFEPlan Local Development Plan 2017.*

1.5 Two further applications have been submitted; 22/04249/PPP: Planning permission in principle for the erection of additional holiday cottages and extension of tourism development (renewal of planning permission in principle 19/00883/PPP), and 23/00849/FULL: Installation of surface water drainage outfall pipe to serve SuDS associated with application 23/00848/ARC and formation of parking.

1.6 A site visit was conducted on the 15th of May 2023. The following evidence was also used to inform the assessment of this proposal.

- Google imagery (including Google Street View and Google satellite imagery), and
- GIS mapping software.

## 2.0 Assessment

2.1 The issues to be assessed against the development plan and other guidance are:

- a. Principle of Development
- b. Design/Visual Impact
- c. Residential Amenity
- d. Road Safety
- e. Flooding and Drainage
- f. Natural Environment
- g. Low Carbon Fife

## 2.2 Principle of Development

2.2.1 Policy 30, Part A of NPF4 states that development proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported. Moreover, Policy 30, Part B of NPF4 states that proposals for tourism related development will take into account the contribution made to the local economy.

2.2.2 Policies 1 and 7 of the Adopted FIFEplan Local Development Plan (2017), also apply with regards to the principle of the development. Policy 1 Part A states 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. Policy 1 Part B states in the case of proposals in the countryside or green belt, development proposals must be a use appropriate for these locations. Policy 7 states development in the countryside will only be supported where it, amongst other criteria, is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location. Further to this, policy 7 states that in all cases, development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area.

2.2.3 Objections received raised concerns regarding the principle of the development. Supporting comments received raised matters relating to the local economic benefit of the proposal. The principle of the development is well established through the approval of planning applications 08/00774/EOPP, 13/01013/FULL, 16/00885/FULL and 19/00883/PPP. Moreover, the principle of the development has been revisited and accepted through the assessment of the 22/04249/PPP application. However, the overall acceptability of any such development must also satisfy other relevant policy criteria which are considered in detail below.

## 2.3 Design/Visual Impact

2.3.1 Policy 14, Part A of NPF4 states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14, Part B of NPF4 goes on to stipulate development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, adaptable. Policy 29, Part B of NPF4 states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.2 Policies 1, 7 and 10 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) apply with regard to the design and visual impact of the proposal. Policies 1 and 10 aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the surrounding area. Policy 7 states development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Making Fife's Places Supplementary Guidance (2018) also sets out the expectation for developments with regards to design.

2.3.3 Representations received raised both supporting and objecting comments regarding the scale, design, and finish of the proposed holiday homes and the visual impact on the countryside. The proposed holiday cottage development would be sufficiently set back from the main road and would be viewed in context of the existing Balmashie complex. The proposed holiday cottage development would comprise of a similar courtyard layout and density to the existing Balmashie complex. Moreover, from the sectional drawings provided, it is considered the proposed holiday cottages would consist of a similar scale and massing to the original holiday cottages, now residential dwellinghouses. The proposed material palette would be consistent with the finish of the neighbouring properties and the use of traditional materials such

as stone and slate would be considered appropriate to the rural setting. Furthermore, the varying scale, design, and finishes of the proposed holiday cottages add interest and help to create a more distinctive development.

2.3.4 In light of the above, it is considered the proposal would comprise of a high-quality design and on balance would not have a significant detrimental impact on the visual amenity of the immediate surrounding area or the character of the wider countryside setting. As such, the proposal would be in compliance with Policies 14 and 29 of NPF4 and Policies 1, 7 and 10 of the Adopted FIFEplan (2017).

## 2.4 Residential Amenity

2.4.1 Policy 20, Part A of NPF4 states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this. Also, Policy 30 of NPF4 states that proposals for tourism related development will take into account compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors; impacts on communities, for example by hindering the provision of homes and services for local people; and opportunities to provide access to the natural environment.

2.4.2 Policies 1 and 10 of the Adopted FIFEplan (2017) and Fife Council's Planning Customer Guidelines on Daylight and Sunlight and Minimum Distances Between Window Openings apply in this respect. Policy 1 Part B states development proposals must protect the amenity of the local community. Policy 10 states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Furthermore, development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to noise, light, and odour pollution and other nuisances, including shadow flicker from wind turbines; the loss of privacy, sunlight and daylight; construction impacts; and the loss of outdoor sports facilities, open space, green networks, protected trees, and woodland.

2.4.3 The development site comprises of an area of informal open space to the north-west of the existing Balmashie complex. This area of open space is characterised by relatively flat grassland and some shrubbery along the north-west boundary therefore it is considered this area of open space does not have any formal recreational amenity value however it is recognised this area would provide opportunities for informal play. The proposed site plan submitted illustrates that the proposed holiday cottages would be set out in a courtyard arrangement, similar to the existing Balmashie complex, therefore it is considered the proposed development would be characterised by small pockets of informal open space primarily along the periphery and given the wider countryside setting it is considered there are other opportunities for informal play within the wider context of the site. As such, it is considered the loss of this area of open space would not have a significant detrimental impact on the amenity of the residents of Balmashie.

2.4.4 Representations received raised concerns regarding the proposals impact on residential amenity including potential noise/light nuisance. The proposed holiday cottages would comprise of 2/3 bedrooms, although given a maximum of two bedrooms within any of the neighbouring four or more bedroom dwellinghouses could be used as a bed and breakfast establishment or guesthouse at any given time under the provisions of The Town and Country Planning (Use Classes) (Scotland) Order 1997, as amended, it is therefore considered that the proposal would

be comparable to that of the existing residential land uses. Moreover, whilst the proposal would introduce an increase in traffic/activity this would likely be seasonal therefore it is considered the proposal would be less onerous than private residential dwellings. Also, an appropriate separation distance is proposed between the proposed holiday cottages and the existing residential dwellinghouses and the existing/proposed landscaping would afford some noise mitigation. Further to this, no external lighting is proposed, and any noise/activity generated during the construction phase would be temporary in nature and would be controlled under separate legislation; The Control of Pollution Act 1974.

2.4.5 The proposed window openings on the south elevation of the proposed manager's house would be situated within 18m of the rear elevation of the neighbouring property to the south. Although there are no window openings on this elevation at present, there is an extant permission for the change of use of this neighbouring property from an office to a residential dwellinghouse and the erection of a rear extension (planning reference: 22/02340/FULL) which would introduce new window openings to the rear elevation of this neighbouring property. As such, the proposal would not comply with Fife Council's Planning Customer Guidelines on Minimum Distances Between Window Openings however given the proposed window openings on the rear elevation of the proposed manager's house would be situated at ground floor level and there would be a 1.8m high boundary fence between the proposed manager's house and the neighbouring residential property to the south, as approved within the 22/02340/FULL consent, it is therefore considered the proposal would not result in a significant loss of privacy to the neighbouring property to the south. In addition, the proposed holiday cottages in block 3 would be sited more than 18 metres from the neighbouring properties and would be separated via some light landscaping/trees. As such, the proposal introduces no significant overlooking/privacy concerns. Furthermore, from review of the plans submitted it is considered the proposal would not have a significant detrimental impact on the level of daylight received within the neighbouring properties nor the level of sunlight to the neighbouring private amenity spaces.

2.4.6 In light of the above, the proposal would be considered acceptable and would not raise any significant residential amenity concerns. As such, the proposal would be in compliance with Policies 20 and 30 of NPF4 and Policies 1 and 10 of the Adopted FIFEplan (2017).

## 2.5 Road Safety

2.5.1 Policy 13 Part B of NPF4 states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- \* Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- \* Will be accessible by public transport, ideally supporting the use of existing services;
- \* Integrate transport modes;
- \* Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- \* Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- \* Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;

- \* Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- \* Adequately mitigate any impact on local public access routes.

Moreover, policy 30, Part B of NPF4 states that proposals for tourism related development will take into account opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas.

2.5.2 Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines also apply in this respect. Policy 1 Part C states development proposals must provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 states development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.5.3 Representations received raised both supporting and objecting comments regarding the proposed access, parking, and transport arrangements. There are no changes to the proposed access since the approval of the 08/00774/EOPP outline consent. Moreover, there are passing places currently in place and the current proposal would introduce a reduction in the number of holiday cottages utilising this access. The No.95 bus route runs along the A917 connecting the site to St Andrews and the nearby coastal villages. Also, there are various footpaths to the east of the site including the Boarhills circuit (P032/02) which connects the site to the nearby settlement of Boarhills and the St Andrews to Kingsbarns coastal path. Therefore, whilst visitors will most likely arrive to the site by private car there are opportunities for sustainable and active travel during their stay. Fife Council's Transportation Development Management Team were consulted on this application and initially raised concerns regarding the off-street parking provision proposed, particularly given the size of the proposed holiday cottages. After much discussion with the applicant/agent revised plans were submitted which sought to reduce the number of holiday cottages from 12 to 11 and to increase the number of off-street parking spaces proposed from 15 to 25. Fife Council's Transportation Development Management Team were then re-consulted and confirmed the revised plans submitted satisfactorily addressed their concerns relating to parking and the proposed site plan also shows a suitable turning area for the manoeuvring of vehicles. As such, Fife Council's Transportation Development Management Team raised no objections.

2.5.4 In light of the above, the proposal would be considered acceptable in terms of road safety and would be in compliance with Policy 13 and 30 of NPF4, Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines.

## 2.6 Flooding and Drainage

2.6.1 Policy 22 of NPF4 states that development proposals will not increase the risk of surface water flooding to others, or itself be at risk. Also, developments should manage all rain and surface water through sustainable urban drainage systems and proposals should be assumed to have no surface water connection to the combined sewer. Furthermore, development proposals will seek to minimise the area of impermeable surface.

2.6.2 Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements also apply in this respect. Policy 1 Part B of FIFEplan (2017) states development proposals must address their development impact by complying with the following relevant criteria and supporting policies, where relevant including avoid flooding and impacts on the water environment. Policy 3 of FIFEplan (2017) states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 of FIFEplan states development proposals will only be supported where they can demonstrate 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.

2.6.3 Representations received raised concerns regarding flooding and drainage. With regard to flooding, Scottish Environment Protection Agency (SEPA) flood maps have been analysed and show that the development site is not located within an area of known river, coastal or surface water flood risk. With regard to drainage, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) requires that a Sustainable Drainage System (SuDS) is installed for all new developments where surface water discharges to ground or water to prevent pollution, with the exception of runoff from a single dwelling or discharge to coastal waters. The proposal seeks to incorporate a SUDS and foul drainage scheme, however the proposed outfall pipe would be considered under separate cover as it is situated outwith the site boundary (reference: 23/00849/FULL).

2.6.4 Fife Council's Structural Services, Flooding, Shoreline and Harbours Team were consulted on this application and advised they have no objections relating to flooding, however they raised objections relating to surface water management. Fife Council's Structural Services, Flooding, Shoreline and Harbours Team requested further information be submitted with regard to the capacity of the existing receiving pipe, underground attenuation tanks details, and confirmation from the adjacent landowner(s) that permission is granted for the installation of the proposed outfall pipe and connection to the existing system. Further information was then submitted (dated the 9th of August 2023) which was verified and agreed by Fife Council's Structural Services, Flooding, Shoreline and Harbours Team.

2.6.5 In light of the above, the proposal would be considered acceptable in terms of flooding and drainage. As such, the proposal would be in compliance with Policy 22 of NPF4, Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements.

## 2.7 Natural Environment

2.7.1 Policy 3, Part C of NPF4 states proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Policy 4, Part A of NPF4 states development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Also, Policy 4, Part D of NPF4 states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

Furthermore, Policy 30, Part B states that proposals for tourism related development will take into account opportunities to provide access to the natural environment.

2.7.2 Policies 1 and 13 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) also apply in this respect. Policy 1 Part B states development proposals must safeguard the character and qualities of the landscape. Policy 13 states development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas; biodiversity in the wider environment; and landscape character and views.

2.7.3 Representations received raised concerns regarding the impact on the natural environment including trees. Although the development site would comprise of an area of prime agricultural land, given its present use and the nature of the existing land uses to the north (St Andrews Bay Golf Course) it is considered the site would not lend itself to farming and would be of low natural heritage value. In addition, whilst the proposal would involve the removal of 6 trees, given the proposal seeks to incorporate native hedgerows along the periphery and planting various trees and shrubbery of native species throughout it is considered appropriate mitigation is proposed which would compensate for the loss of these trees. Fife Council's Tree Officer was also consulted and raised no objections. Also, the proposed development would be appropriately sited in relation to the existing Balmashie complex and given the topography of the wider surrounding area it is considered the proposal would not significantly disrupt any key vistas, therefore the proposal would not have a significant detrimental impact on the character of the St Andrews to Fife Ness Local Landscape Area. Furthermore, there are various paths to the east of the site including the Boarhills circuit (P032/02) which connects the site to the nearby settlement of Boarhills and the St Andrews to Kingsbarns coastal path therefore there are opportunities to access the natural environment.

2.7.4 In light of the above, the proposal would be considered acceptable in terms of its impact on the natural environment. As such, the proposal would be in compliance with Policies 3, 4 and 30 of NPF4 and Policies 1 and 13 of the Adopted FIFEplan (2017).

## 2.8 Low Carbon Fife

2.8.1 Policy 1 of NPF4 states when considering all development proposals significant weight will be given to the global climate and nature crises. Policy 2 of NPF 4 states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible

and to adapt to current and future risks from climate change. Furthermore, Policy 30, Part B states that proposals for tourism related development will take into account measures taken to minimise carbon emissions.

2.8.2 Policies 1 and 11 of the Adopted FIFEplan (2017) and Fife Council's Low Carbon Fife Supplementary Guidance (2019) apply in this respect. Policy 1 Part C of FIFEplan states development proposals must be supported by information or assessments to demonstrate that they will comply with the following relevant criteria and supporting policies, where relevant including provide measures that implement the waste management hierarchy as defined in the Zero Waste Plan for Scotland; provide sustainable urban drainage systems in accordance with any relevant drainage strategies applying to the site or flood assessments; provide for energy conservation and generation in the layout and design; and contribute to achieving the area's full potential for electricity and heat from renewable sources, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations. Policy 11 states 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.

2.8.3 Representations received raised both supporting and objecting comments regarding the sustainability of the proposal. A low carbon statement was submitted alongside this application detailing that the proposed development shall incorporate high standards of insulation, implement Passivhaus techniques, utilise zero carbon generating technologies such as solar panels and air source heat pumps, seek to utilise local/sustainable building materials where possible, provide facilities for the collection of waste and incorporate an appropriate SUDS scheme.

2.8.4 In light of the above, the proposal would be considered acceptable in this respect and would be in compliance with Policies 1, 2 and 30 of NPF4 and Policies 1 and 11 of the Adopted FIFEplan (2017).

## CONSULTATIONS

Scottish Water	No objections
TDM, Planning Services	No objections
Land And Air Quality, Protective Services	Given that there are no land quality conditions or air quality conditions imposed under the 19/00883/PPP consent no comment to make on this ARC application
Structural Services - Flooding, Shoreline And Harbours	Holding objection: further information on surface water management required



	(04/05/2023). Further information submitted (09/08/2023). Confirmation received via email that information submitted is acceptable/no further comment (11/08/2023).
Parks Development And Countryside	No response
Transportation And Environmental Services - Operations Team	No response
Environmental Health (Public Protection)	No objections
Trees, Planning Services	No comments
TDM, Planning Services	Concerns raised via email regarding off-street parking
Urban Design, Planning Services	No response

## REPRESENTATIONS

30 public representations were received; 12 letters of support and 18 letters of objection. One of the support letters and one of the objection letters received provided no comments/justification to support their position and thus shall be discounted. 1 letter of objection was also received from Boarhills and Dunino Community Council. Boarhills and Dunino Community Council requested statutory consultee status however this request was received outwith the statutory timescales therefore the community council could not be registered as a statutory consultee for this application. All material planning considerations raised within support/objection comments received are outlined below.

Supporting comments can be summarised as follows:

- Local economic benefit/increase in tourism as a result of the development (addressed within Section 2.2),
- The proposed design is in keeping with the existing cottages (addressed within Section 2.3),
- The proposal is appropriate to its rural setting (addressed within Section 2.3),
- The provision of adequate parking facilities (addressed within Section 2.5), and
- The sustainability of the proposed development (addressed within Section 2.8).

Concerns raised within objections can be summarised as follows:

- The principle of the development (addressed within Section 2.2),
- The density/scale of the development (addressed within Section 2.3),
- The design and finishes of the proposed holiday cottages (addressed within Section 2.3),
- Impact on the countryside (addressed within Section 2.3),
- Residential amenity concerns (addressed within Section 2.4),
- Noise/light nuisance (addressed within Section 2.4),
- Access/parking/transport arrangements (addressed within Section 2.5),
- Flooding and drainage issues (addressed within Section 2.6),
- Impact on the natural environment/trees (addressed within Section 2.7),
- Sustainability concerns (addressed within Section 2.8), and
- Occupancy restrictions (addressed within 22/04249/PPP).

## **CONCLUSIONS**

The proposal would be considered acceptable and would be in compliance with Policies 1, 2, 3, 4, 13, 14, 20, 22, 29, and 30 of NPF4 and Policies 1, 3, 7, 10, 11, 12 and 13 of the Adopted FIFEplan (2017).

## **RECOMMENDATION**

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

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

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

2. Unless otherwise agreed in writing by the Planning Authority, no cottage shall be let to any single occupier for more than 12 weeks in any calendar year and shall not be used as a sole or main residence by the occupant.

Reason: To ensure the development is restricted to holiday accommodation only and not permanent residential accommodation.

## **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

National Planning Framework 4: Adopted (February 2023)  
The Adopted FIFEplan Local Development Plan (2017).

Other Guidance

Making Fife's Places Supplementary Guidance (2018)  
Fife Council's Planning Customer Guidelines on Daylight and Sunlight  
Fife Council's Planning Customer Guidelines on Minimum Distances Between Window Openings  
Fife Council Transportation Development Guidelines  
Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements  
Fife Council's Low Carbon Fife Supplementary Guidance (2019)

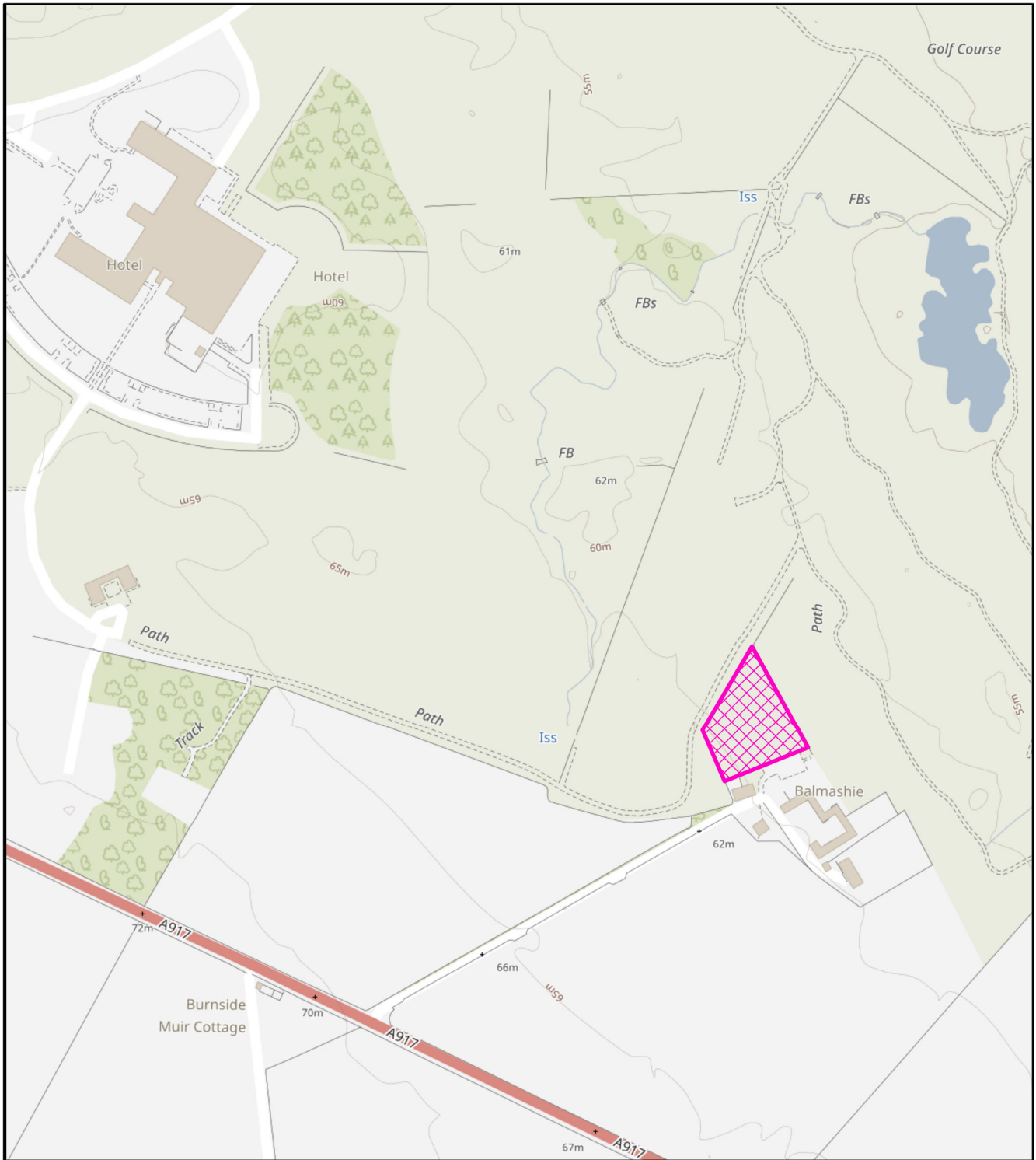
Report prepared by Lauren McNeil

Report agreed and signed off by Alastair Hamilton, Service Manager, Committee Lead 148/23.

Date Printed 25/07/2023

# 23/00848/ARC

## Land Adjacent Balmashie Holiday Homes Kenly Boarhills



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<b>Legend</b>	
 Application Boundary	
	
 Fife COUNCIL Planning Services	

**ITEM NO: 7**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 23/00849/FULL**

**SITE ADDRESS: LAND ADJACENT BALMASHIE HOLIDAY HOMES KENLY BOARHILLS**

**PROPOSAL : INSTALLATION OF SURFACE WATER DRAINAGE OUTFALL PIPE TO SERVE SUDS ASSOCIATED WITH APPLICATION 23/00848/ARC AND FORMATION OF PARKING [SITE: BALMASHIE COTTAGES, KENLY, BOARHILLS, ST ANDREWS, FIFE]**

**APPLICANT: BALMASHIE 3 LLP  
UNIT 8 THE VISION BUILDING 20 GREENMARKET**

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

**CASE OFFICER: Lauren McNeil**

**DATE REGISTERED: 20/04/2023**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

More than 6 representations were received which 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.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

## 1.0 Background

1.1 This application relates to an area of open space to the north-east of the Balmashie complex. The development site is situated in a countryside location located approximately 1km west of Boarhills and is situated within the St Andrews to Fife Ness Local Landscape Area, as defined within the Adopted FIFEplan (2017). The holiday cottages within the Balmashie complex to the south-west of the site received planning permission in January 2015 for a change of use to residential dwellinghouses (planning reference: 14/03020/FULL). As such, the surrounding land uses include residential to the south, the St Andrews Bay Golf Course to the north and agricultural fields to the east and west of the existing access road.

1.2 This application seeks full planning permission for the installation of a surface water drainage outfall pipe required to serve the SUDs associated with planning application 23/00848/ARC and the formation of parking. The proposed outfall pipe is outwith the site area for the proposed holiday cottages therefore the outfall pipe would constitute development requiring permission in its own right.

1.3 There is no relevant planning history for the proposed site, however two corresponding applications have been submitted relating to this proposal:

- 22/04249/PPP: Planning permission in principle for the erection of additional holiday cottages and extension of tourism development (renewal of planning permission in principle 19/00883/PPP)
- 23/00848/ARC: Approval of Matters Required by Conditions 1, 2, 4 and 8 of planning permission in principle 19/00883/PPP for the erection of 11 holiday cottages, manager's accommodation and associated parking, landscaping and SUDS

1.4 A site visit was conducted on the 15th of May 2023. The following evidence was also used to inform the assessment of this proposal.

- Google imagery (including Google Street View and Google satellite imagery), and
- GIS mapping software.

## 2.0 Assessment

2.1 The issues to be assessed against the development plan and other guidance are:

- a. Principle of Development
- b. Design/Visual Impact
- c. Loss of Open Space
- e. Flooding and Drainage
- f. Road Safety
- g. Natural Environment

## 2.2 Principle of Development

2.2.1 Policy 22 Part B of NPF4 states that development proposals will manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure.

2.2.2 Policies 1, 7 and 12 of the Adopted FIFEplan (2017) apply in this regard. Policy 1 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 through the Local Development Plan. Moreover, Policy 1 Part B states that development proposals should avoid flooding and impacts on the water environment. Furthermore, Policy 1 Part C states that development proposals should provide sustainable urban drainage systems in accordance with any relevant drainage strategies applying to the site or flood assessment. Policy 7 states development in the countryside will only be supported where it is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location. Policy 12 states that development proposals will only be supported where they can demonstrate 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.

2.2.3 Representations received raised matters relating to the requirement of the proposal to service the proposed holiday cottage development. The proposal involves the installation of an outfall pipe which forms part of the wider drainage scheme for the proposed holiday cottages to the north-west of the site. The principle of the proposed holiday cottages is established within the associated 22/04249/PPP application therefore given this proposal is ancillary to the wider tourism development it is considered there if a proven need for a countryside location. Also, given the nature of the proposal it is considered the proposed works would provide essential infrastructure for the drainage of surface water.

2.2.4 In light of the above, the principle of the development would be considered acceptable as it would be in compliance with Policy 22 of NPF4 and Policies 1, 7 and 12 of the Adopted FIFEplan (2017).

## 2.3 Design/Visual Impact

2.3.1 Policy 29, Part B of NPF4 states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.2 Policies 1, 7 and 10 of the Adopted FIFEplan (2017) also apply with regard to the visual impact of the proposal. Policies 1 and 10 aim to protect the visual amenity of the local community and state that development proposals must demonstrate that they will not lead to a significant detrimental impact in relation to the visual impact of the development on the

surrounding area. Policy 7 states development must be of a scale and nature compatible with surrounding uses; be well-located in respect of available infrastructure and contribute to the need for any improved infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area.

2.3.3 Given the proposed outfall pipe would be situated underground, it is considered the proposal would have a minimal impact on the visual amenity of the proposed site and wider countryside setting. Moreover, the replacement parking would be situated within an existing parking area and therefore would be compatible with its surrounds.

2.3.4 In light of the above, the proposal would be considered acceptable in this regard and would be in compliance with Policy 29 of NPF4 and Policies 1, 7 and 10 of the Adopted FIFEplan (2017).

## 2.4 Loss of Open Space

2.4.1 Policy 20, Part A of NPF4 states that development proposals that result in fragmentation or net loss of existing blue and green infrastructure will only be supported where it can be demonstrated that the proposal would not result in or exacerbate a deficit in blue or green infrastructure provision, and the overall integrity of the network will be maintained. The planning authority's Open Space Strategy should inform this.

2.4.2 Policies 1 and 10 of the Adopted FIFEplan (2017) apply in this respect. Policy 1 Part B states development proposals must protect the amenity of the local community. Policy 10 states that development proposals must demonstrate that they will not lead to a significant detrimental impact on the loss of outdoor sports facilities, open space, green networks, protected trees, and woodland.

2.4.3 Representations received raised concerns regarding the loss of open space. The development site is characterised by flat grassland therefore it is considered this area of open space does not have any formal recreational amenity value however it is recognised this area would provide opportunities for informal play. As previously detailed, the proposed outfall pipe would be situated underground therefore the proposal would not result in the loss of this area of open space and upon completion of development the site would return to its original state.

2.4.4 In light of the above, the proposal would be considered acceptable and would not have a significant detrimental impact on amenity in relation to open space provision. As such, the proposal would be in compliance with Policy 20 of NPF4 and Policies 1 and 10 of the Adopted FIFEplan (2017).

## 2.5 Flooding and Drainage

2.5.1 Policy 22 of NPF4 states that development proposals will not increase the risk of surface water flooding to others, or itself be at risk. Also, developments should manage all rain and surface water through sustainable urban drainage systems and proposals should assumed no surface water connection to the combined sewer. Furthermore, development proposals will seek to minimise the area of impermeable surface.

2.5.2 Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements also apply in this respect. Policy 1 Part B of FIFEplan (2017) states development proposals must address their

development impact by complying with the following relevant criteria and supporting policies, where relevant including avoid flooding and impacts on the water environment. Policy 3 of FIFEplan (2017) states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 of FIFEplan (2017) states development proposals will only be supported where they can demonstrate 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.

2.6.3 Representations received raised concerns regarding flooding and drainage in particular, third-party agreement to connect to the existing drainage system, capacity/appropriateness and maintenance of SUDS, and foul drainage. With regard to flooding, Scottish Environment Protection Agency (SEPA) flood maps have been analysed and show that the development site is not located within an area of known river, coastal or surface water flood risk. With regard to drainage, The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR) requires that a Sustainable Drainage System (SuDS) is installed for all new developments where surface water discharges to ground or water to prevent pollution, with the exception of runoff from a single dwelling or discharge to coastal waters. A detailed drainage layout plan and drainage strategy report have been submitted alongside this application.

2.6.4 Fife Council's Structural Services, Flooding, Shoreline and Harbours Team were consulted on this application and advised they have no objections relating to flooding, however they raised objections relating to surface water management. Fife Council's Structural Services, Flooding, Shoreline and Harbours Team requested further information be submitted with regard to the capacity of the existing receiving pipe, underground attenuation tanks details, and confirmation from the adjacent landowner(s) that permission is granted for the installation of the proposed outfall pipe and connection to the existing system. Further information was then submitted (dated the 10th of August 2023) which was verified and agreed by Fife Council's Structural Services, Flooding, Shoreline and Harbours Team.

2.6.5 In light of the above, the proposal would be considered acceptable in terms of flooding and drainage. As such, the proposal would be in compliance with Policy 22 of NPF4, Policies 1, 3 and 12 of the Adopted FIFEplan (2017) and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements.

## 2.7 Road Safety

2.7.1 Policy 13 Part B of NPF4 states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- \* Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- \* Will be accessible by public transport, ideally supporting the use of existing services;
- \* Integrate transport modes;
- \* Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- \* Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;



- \* Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- \* Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- \* Adequately mitigate any impact on local public access routes.

2.7.2 Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council Transportation Development Guidelines also apply in this respect. Policy 1 Part C states development proposals must provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 states development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.7.3 Representations received raised concerns regarding parking and general road/pedestrian safety. The proposal seeks to incorporate three replacement parking spaces to compensate for the loss of the existing spaces as a result of the proposed vehicular access to the holiday cottage development. Fife Council's Transportation Development Management Team were consulted and raised no objections subject to the imposition of a condition requiring the proposed replacement spaces to be constructed prior to the construction of the proposed vehicular access serving the proposed holiday cottage development.

2.7.4 In light of the above, the proposal subject to condition would be considered acceptable in terms of road safety and would be in compliance with Policy 13 of NPF4 and Policies 1, 3 and 10 of the Adopted FIFEplan (2017).

## 2.8 Natural Environment

2.8.1 Policy 3, Part C of NPF4 states proposals for local development will include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development. Policy 4, Part A of NPF4 states development proposals which by virtue of type, location or scale will have an unacceptable impact on the natural environment, will not be supported. Also, Policy 4, Part D of NPF4 states that development proposals that affect a site designated as a local nature conservation site or landscape area in the LDP will only be supported where:

- i. Development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified; or
- ii. Any significant adverse effects on the integrity of the area are clearly outweighed by social, environmental or economic benefits of at least local importance.

2.8.2 Policies 1 and 13 of the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018) also apply in this respect. Policy 1 Part B states development proposals must safeguard the character and qualities of the landscape. Policy 13 states

development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of local importance, including Local Wildlife Sites, Regionally Important Geological Sites, and Local Landscape Areas; biodiversity in the wider environment; landscape character and views; and core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation.

2.8.3 Representations raised concerns regarding the impact on the natural environment. Although the development site would comprise of an area of prime agricultural land, given its present use and the nature of the existing land uses to the north (St Andrews Bay Golf Course) it is considered the site would not lend itself to farming and would be of low natural heritage value. In addition, given the proposed works would be situated underground and upon completion of development the site would return to its original state it is considered the proposal would have a negligible impact on the natural environment. Further to this, the development site would be situated some 225m from the nearest designated local path therefore the proposal would not have a significant detrimental impact on the Core Path Network.

2.8.4 In light of the above, the proposal would be considered acceptable and would not have a significant detrimental impact on the natural environment. As such, the proposal would be in compliance with Policies 3 and 4 of NPF4 and Policies 1 and 13 of the Adopted FIFEplan (2017).

## CONSULTATIONS

Scottish Water	No objections
TDM, Planning Services	No objections subject to condition.
Structural Services - Flooding, Shoreline And Harbours	Holding objection: further information on surface water management required (04/05/2023). Further information submitted (10/08/2023). Confirmation received via email that information submitted is acceptable/no further comment (11/08/2023).
Parks Development And Countryside	No response (consultee request sent in error)
Trees, Planning Services	No comment
Natural Heritage, Planning Services	No objections

## REPRESENTATIONS

30 public representations were received; 19 letters of objection and 11 letters of support. 1 objection was also received from Boarhills and Dunino Community Council. Three letters of support and one objection letter received provided no comments/justification for their position and thus shall be discounted from the overall number of representations. All material planning considerations raised within support/objection comments received are outlined below.

Support comments received can be summarised as follows:

- Proposal is required to service the proposed holiday cottage development (addressed within Section 2.2 of this report of handling),

- Local economic benefit of the proposed holiday cottage development (addressed within Section 2.2 of the report of handling for the corresponding 22/04249/PPP application),
- Design of the proposed holiday cottages would be in keeping with neighbouring properties and local area (addressed within Section 2.3 of the report of handling for the corresponding 23/00848/ARC application),
- Adequate parking provision is proposed (addressed within Section 2.7 of this report of handling), and
- Use of renewable energy technologies (addressed within Section 2.8 of the report of handling for the 23/00848/ARC).

Objection comments received raised concerns regarding the following:

- Loss of open space (addressed within Section 2.4 of this report of handling),
- Third-party agreement to connect to existing drainage system (addressed within Section 2.5 of this report of handling),
- Capacity/appropriateness and maintenance of SUDS (addressed within Section 2.5 of this report of handling),
- Flooding/drainage concerns including foul drainage (addressed within Section 2.5 of this report of handling),
- Impact on parking/general road and pedestrian safety issues (addressed within Section 2.7 of this report of handling), and
- Impact on natural environment/landscaping (addressed within Section 2.8 of this report of handling).

Also

- Principle of the proposed holiday cottage development (addressed within Section 2.2 of the report of handling for the corresponding 22/04249/PPP application),
- Design of the proposed holiday cottages (addressed within Section 2.3 of the report of handling for the corresponding 23/00848/ARC application),
- Residential amenity impact of the proposed holiday cottage development (addressed within Section 2.4 of the report of handling for the corresponding 23/00848/ARC application), and
- Construction impacts (addressed within Section 2.4 of the report of handling for the corresponding 23/00848/ARC application).

## **CONCLUSIONS**

The proposal would be considered acceptable and would be in compliance with Policies 3, 4, 13, 20, 22, and 29 of NPF4 and Policies 1, 3, 7, 10, 12 and 13 of the Adopted FIFEplan (2017).

## **RECOMMENDATION**

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

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

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

2. FOR THE AVOIDANCE OF DOUBT, the 3 additional parking spaces shown on Document 02 shall be constructed and available for use prior to the vehicular access to the proposed holiday cottages being constructed.

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

## **STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS**

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

### Development Plan

National Planning Framework 4: Adopted (February 2023)  
The Adopted FIFEplan Local Development Plan (2017)

### Other Guidance

Making Fife's Places Supplementary Guidance (2018)  
Fife Council Transportation Development Guidelines  
Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements

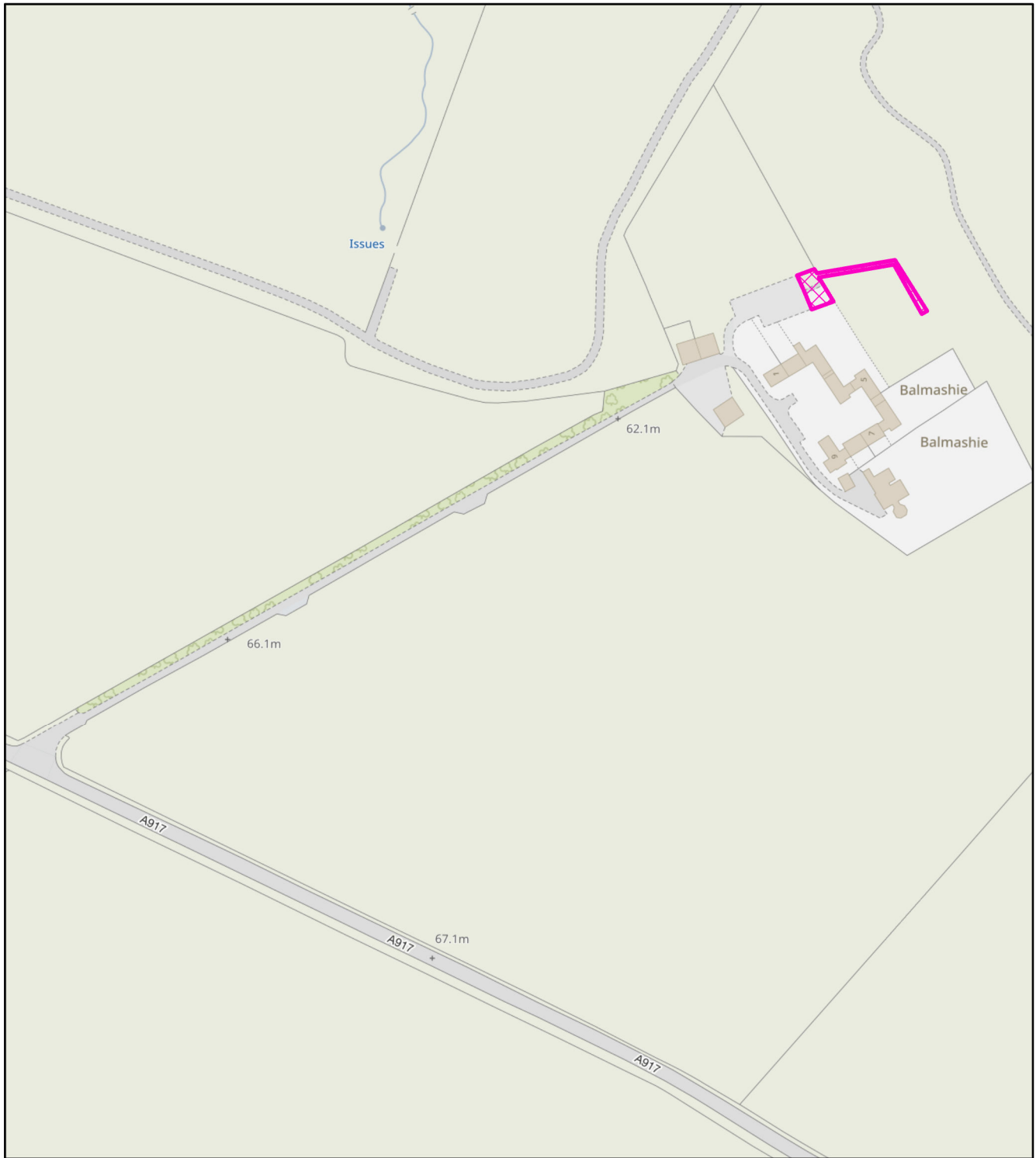
Report prepared by Lauren McNeil

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead)14/8/23

Date Printed 25/07/2023

# 23/00849/FULL

## Land Adjacent Balmashie Holiday Homes Kenly Boarhills



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 Fife COUNCIL Planning Services	

**ITEM NO: 8**

**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE REF: 23/00643/PPP**

**SITE ADDRESS: LAND ADJACENT 65-67 MAIN STREET LEUCHARS**

**PROPOSAL : PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF TWO FLATTED DWELLINGS AND ASSOCIATED VEHICLE ACCESS (RENEWAL OF 18/02540/PPP)**

**APPLICANT: MR JAMES HENDERSON  
YE OLDE HOTEL MAIN STREET LEUCHARS**

**WARD NO: W5R17  
Tay Bridgehead**

**CASE OFFICER: Scott McInroy**

**DATE REGISTERED: 10/04/2023**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

The Community Council objected to this application as a Statutory Consultee

**SUMMARY RECOMMENDATION**

The application is recommended for:

Conditional Approval

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

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. Under Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

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

## 1.0 Background

1.1 This application relates to an area of vacant land located within the settlement of Leuchars (FIFEplan Local Development Plan, 2017). The site is located on the corner of Main Street and Meadow Road. The surrounding area is characterised by residential properties, however there is a C listed building located within the immediate vicinity of the application site. The site does not form part of a conservation area and is located outwith the Leuchars local centre (FIFEplan, 2017). It is apparent from the markings on the neighbouring property to the south that a single storey property/extension once occupied the site. The site is predominately overgrown; however, the modern foundations of a building occupy the east of the site. The site is flush with the pedestrian footway.

1.2 The application is for Planning Permission in Principle for erection of two flatted dwellings and associated vehicle access (renewal of 18/02540/PPP).

## 1.3 Planning History

1.3.1 The relevant planning history to this particular site include the following:  
- 18/02540/PPP- Planning Permission in Principle for the erection of two flatted dwellings and associated vehicle access - approved 16.07.2019.

## 1.5 Application Process

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

1.5.2 As stated in paragraph 1.1. Since the original application was consented NPF4 (2023) was formally approved in 2023.

## 2.0 PLANNING ASSESSMENT

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

- Principle of Development
- Renewal of Planning Permission
- Design/Visual Impact
- Residential Amenity Impact/Garden Ground
- Road Safety Impact
- Flooding and Drainage
- Archaeology
- House In Multiple Occupation (HMO)
- Low Carbon

### 2.2 Principle of Development

2.2.1 The principle of development in this particular case has already been established with the approval of the original planning permission under planning reference 18/02540/PPP. In addition, the application to renew the planning permission was submitted prior to the date that the existing consent was due to lapse on 31st March 2023.

### 2.3 Renewal of Planning Permission

2.3.1 Scottish Government Circular 4/1998 states that generally applications for renewals should only be refused for one of the following reasons; there has been a material change in planning circumstances since the original permission was granted, whether it is likely that as a consequence of the failure to begin the development that this would contribute unacceptably to uncertainty about the future development in the area, or whether the application is premature as the permission still has a reasonable time to run before expiring.

2.3.2 Since the original application was approved, there has been a material change in circumstance with the approval of NPF4 (2023). However, having assessed this proposal against the policy provision of NPF4, the proposal is still considered acceptable in this regard.

### 2.4 Design and Visual Impact

2.4.1 Policy 14 of NPF 4 states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14 also stipulates development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Adopted FIFEplan Policies 1 and 10 require new development to make a positive contribution to its immediate environment in terms of the quality of the development. Further detail on good design and how this should relate to its context is contained in the supplementary guidance 'Making Fife's Places' (2018).

2.4.2 There have been no significant changes in site context or applicable guidance which would affect the assessment of the visual impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard.



## 2.5 Residential Amenity/Garden Ground

2.5.1 NPF 4 Policy 16 Part (g) whilst predominantly for householder development proposals advises that support will generally be given where proposals - (i) do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and (ii) do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking. In this instance whilst the policy criteria relate to householder developments, these requirements are also considered materially relevant to new residential units and the need to protect amenity standards for both existing as well as new occupants.

2.5.2 Adopted FIFEplan Policies 1 & 10 states that development will only be supported if it does not have a significant detrimental 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 a variety of issues, including: the loss of privacy, sunlight and daylight; construction impacts; the visual impact of the development on the surrounding area; and noise, light and odour pollution.

2.5.3 As with the assessment of the visual impact above, there have been no significant changes in site context or applicable guidance which would affect the assessment of the garden ground or residential amenity impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard. Conditions attached to the original consent regarding noise mitigation measures have been carried forward to this application.

## 2.6 Road Safety

2.6.1 Policy 13 of NPF4 states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and where appropriate they will be accessible by public transport. Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council's Transportation Development Guidelines apply in this respect. Policy 3 states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.6.2 Objections have been raised regarding road safety. Fife Council Transportation Development Management Team were consulted on the application to assess the impact the proposed development would have on road safety in the surrounding area. Transportation Development Management (TDM) were consulted on the previous application and offered no objection, subject to the imposition of road safety conditions. A visibility splay condition was included in that previous application. However, the road markings at the junction of the private access (Meadow Road) with the A919 classified public road have been modified. This allows for visibility splays of 2.4m x 43m to the East and 2.4m x 40m to the West towards the roundabout, to be contained wholly within the Highway Boundary. There is, therefore, no longer a requirement for a visibility splay condition for this application.

2.6.3 Application 18/02540/PPP included a Site Layout Plan that showed 3 No. off street parking spaces. TDM stated in their response to this layout plan that it would mean that the proposal for two flatted dwellings would limit these to one 2 or 3 bedroom flat and one 1 bedroom flat due to the off street parking requirement for each flatted dwelling. This will remain the case for this renewal application. Concerns have been raised regarding cars reversing out onto Meadow Road from the application site, however, there is sufficient room within the curtilage of the application site for cars to manoeuvre to enter Meadow Road forward facing.

2.6.4 In conclusion, TDM have no objections to this proposal subject to conditions regarding off street parking, turning areas and driveway material.

## 2.7 Flooding and Drainage

2.7.1 Policy 22 of NPF4 states a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- essential infrastructure where the location is required for operational reasons;
- water compatible uses;
- redevelopment of an existing building or site for an equal or less vulnerable use; or.
- redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.

Furthermore, Part D states that development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity. NPF4 states that development proposals will not increase the risk of surface water flooding to others, or itself be at risk.

2.7.2. Policy 1 and 3 states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate 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, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.7.3 Objections have been raised regarding impact on flooding and drainage. The previous application assessment undertook the due consultation and assessment as necessary for these issues with the necessary information submitted as required as per the above. As with the assessment of the visual impact and residential amenity above, there have been no significant changes in site context or applicable guidance which would affect the assessment of the flooding and drainage provision impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard.

## 2.8 Archaeology

2.8.1 Policy 7 of NPF4 states non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment. Adopted FIFEplan (2017) Policies 1 and 14 apply in this instance.

2.8.2 There have been no significant changes in site context or applicable guidance which would affect the assessment of the archaeological impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard.

## 2.9 House In Multiple Occupation (HMO)

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

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

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

## 2.10 Low Carbon

2.10.1 NPF 4 Policies 1 (Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) advise that when considering proposals, significant weight to encourage, promote and facilitate development in sustainable locations and those that address the global climate and nature crises through zero carbon and nature positive places will be encouraged. As such proposals will be sited and designed to minimise lifecycle greenhouse gas emissions and adapt to current and future risks for climate change as far as possible.

2.10.2 NPF4 Policy 11 (Energy) also provides support for all forms of renewable, low-carbon and zero emissions technologies provided associated detrimental impacts are addressed whilst Policy 12 (Zero Waste) also aims to encourage, promote and facilitate development that is consistent with the waste hierarchy and as such development proposals should seek to reduce, reuse or recycle materials and amongst others reuse existing buildings; reduce/minimise waste; use materials with the lowest forms of embodied emissions such as recycled and natural construction materials. Policy 19 (Heat and Cooling) part (f) advises that development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.

2.10.3 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that: low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support. As this application is for planning permission in principle the applicant has not provided a statement on low carbon sustainability, however a condition has been attached that this information should be provided during the detailed applications stage.

2.10.4 Subject to a condition of planning permission requiring submission of the above checklist, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

## CONSULTATIONS

Archaeology Team, Planning Services	No objection
Structural Services - Flooding, Shoreline And Harbours	No objection
Environmental Health (Public Protection)	No objection
TDM, Planning Services	No objection subject to conditions
Ministry Of Defence (Statutory)	No comment
Scottish Water	No objection
Community Council	Object

## REPRESENTATIONS

4 objections received, including one from Leuchars Community Council as a statutory consultee. The material planning considerations relating to these concerns have been addressed under sections 2.6 (Road Safety) and 2.7 (Flooding and Drainage) of this report of handling.

Comments regarding lack of notification of residents on Rosebank Park are noted, however they are outwith the area for neighbour notification.

Comments regarding the blocking of the access road are noted, however these comments are not a material planning consideration in the assessment of this application.

## CONCLUSIONS

The proposal is acceptable in meeting the terms of National Guidance, the Development Plan, and relevant Council Planning Customer Guidelines and is compatible with its surrounds in terms of land use and its siting, design and finish will not have any adverse impact on the amenity of the surrounding area.

## RECOMMENDATION

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

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

Reason: In order to comply with the provisions of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

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

- (a) A location plan of all the site to be developed to a scale of not less than 1:2500, showing generally the site, any existing trees, hedges, walls (or other boundary markers) layout of the roads and sewers, and the position of all buildings;
- (b) A detailed plan to a scale of not less than 1:500 showing the site contours, the position and width of all proposed roads and footpaths including public access provision, the siting of the proposed buildings, finished floor levels, new walls and fences, details of proposed landscape treatment and the phasing of development.
- (c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, and their relationship to adjacent land and/or buildings, together with details of the colour and type of materials to be used externally on walls and roofs;
- (d) Details of the existing and proposed ground levels as well as the finished floor levels all related to a fixed datum point. The details shall specify the extent and height of any areas of mounding;
- (e) An updated Noise Impact Assessment to demonstrate that the proposed development can achieve the required internal noise levels within the habitable room of the flats;
- (f) Details of noise attenuation measures and ventilation as referred to in the approved Noise Impact Assessment.
- (g) A supporting statement illustrating the developments' compliance with Fife Council's Planning Policy - Making Fife's Places Supplementary Guidance Document (2018) - including reference and proposals relating to the design, layout, green network infrastructure and biodiversity enhancement;
- (h) A sustainability statement illustrating the developments' compliance with Fife Council's Planning Policy - Low Carbon Fife Supplementary Guidance Document (2019). The sustainability statement shall address all of the matters set out in Appendix B of Fife Council's Low Carbon Fife Supplementary Guidance (January 2019);
- (i) Details of SuDS and appropriate documentation, including check certificates, in line with Fife Council's Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note.

Reason: To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.

3. Prior to the occupation of each of the proposed flatted dwellings, there shall be off street parking spaces provided for each of those flatted dwellings on the basis of 1 parking spaces for vehicles per 1 bedroom flat, 2 parking spaces for vehicles per 2 and 3 bedroom flat and 3 parking spaces per 4 and above bedroom flat in accordance with the current Appendix G

(Transportation Development Guidelines) of Making Fife's Places. The parking spaces shall be retained throughout the lifetime of the development for the purposes of off street parking.

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

4. Prior to the occupation of the first proposed flatted dwelling, there shall be provided within the area of the site, turning areas for a cars to allow a vehicle to enter and exit the A919 classified public road in a forward gear. The turning area shall be formed outwith the parking area and shall be retained throughout the lifetime of the development.

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

5. Prior to the occupation of the first proposed flatted dwelling, the first two metre length of the driveway to the rear of the private road (Meadow Road) shall be constructed in a paved material (not concrete slabs).

Reason: In the interest of road safety; to ensure that no deleterious material is dragged on to the road.

6. The flatted premises hereby approved shall not be occupied until such time as all necessary works which form part of the sound attenuation scheme, as specified in the approved Noise Impact Assessment, have been carried out in full and written confirmation from a suitably qualified noise consultant has been submitted to this Planning Authority confirming full compliance with the sound attenuation scheme measures. Thereafter such works shall be retained and maintained as such for the lifetime of the development unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of residential amenity; to ensure future residents of the flatted dwellings are not subjected to adverse noise levels.

7. The flats provided on the site shall be used solely as a residence for (a) a single person or by people living together as a family; or (b) not more than 3 unrelated residents living together in a flatted dwelling. For the avoidance of doubt, the flats hereby approved shall not be used for Housing in Multiple Occupation.

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

## **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 Government Circular 4/1998 - The Use of Planning Conditions in Planning Permissions  
Planning Advice Note (PAN) 33 – Development of Contaminated Land (2000)

## Development Plan

National Planning Framework 4 (2023)

Adopted FIFEplan Fife Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

## Other Guidance

Fife Council Transportation Development Guidelines (2015)

Fife Council Low Carbon Fife Supplementary Guidance (2019)

Fife Council Advice for Developing Brownfield Site in Fife (2018)

Fife Council Sustainable Drainage Systems Design Guidance Criteria Guidance Note

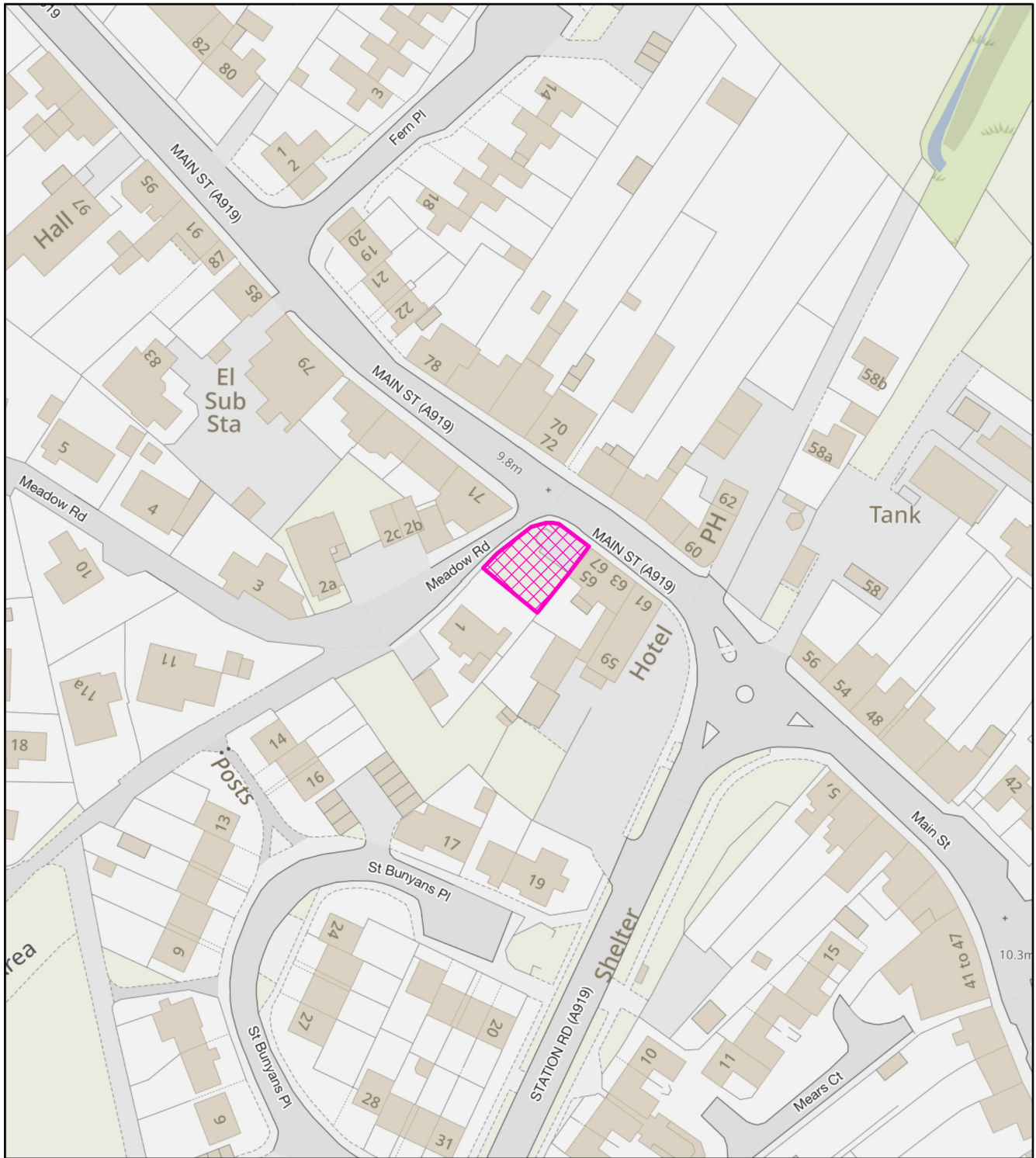
Report prepared by Scott McInroy, Chartered Planner Development Management

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 26/7/23.

Date Printed 18/07/2023

# 23/00643/PPP

Land Adjacent 65-67 Main Street, Leuchars



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<b>Legend</b>			
	<b>Application Boundary</b>		

0 20 40 80 120 m



**ITEM NO: 9****APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE REF: 23/00644/PPP****SITE ADDRESS: LAND ADJACENT 65-67 MAIN STREET LEUCHARS****PROPOSAL : PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF 3 DWELLINGHOUSES (RENEWAL OF 18/02542/PPP)****APPLICANT: MR JAMES HENDERSON  
YE OLDE HOTEL MAIN STREET LEUCHARS****WARD NO:** W5R17  
Tay Bridgehead**CASE OFFICER:** Scott McInroy**DATE** 07/04/2023  
**REGISTERED:****REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because:

A Statutory Consultee (Community Council) has objected.

**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 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for

the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers.

The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan.

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

## 1.0 Background

1.1 This application relates to an area of vacant land located within the settlement of Leuchars (FIFEplan Local Development Plan, 2017). The surrounding area is characterised by residential properties; however, the C listed Ye Old Hotel is located within the immediate vicinity of the application site. The site is located behind the stone wall which bounds the car parking area attributed to the neighbouring hotel. There are no boundary treatments to the north of the site. The site does not form part of a conservation area and is located outwith the Leuchars local centre (FIFEplan, 2017). The site is presently overgrown.

1.2 The application is for Planning Permission in Principle for the erection of 3 dwellinghouses (renewal of 18/02542/PPP). The indicative footprint provided details that the three proposed dwellinghouses would be of equal size, approximately 75 square metres (including garage). The development would comprise two semi-detached dwellings, fronting the A919 (Plots 1 and 2), and one detached dwelling, fronting Meadow Road (Plot 3). Vehicular access for Plots 1 and 2 would be taken from the A919 via the existing car park for Ye Olde Hotel; vehicular access for Plot 3 would be taken from Meadow Road, a private road leading from Main Street. No design information has been submitted.

## 1.3 Planning History

1.3.1 The relevant planning history to this particular site include the following:

- 18/02542/PPP- Planning Permission in Principle for the erection of 3 dwellinghouses - approved 25.07.2019.

## 1.5 Application Process

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

1.5.2 As stated in paragraph 1.1. Since the original application was consented NPF4 (2023) was formally approved in 2023.

## 2.0 PLANNING ASSESSMENT

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

- Principle of Development
- Renewal of Planning Permission
- Design/Visual Impact
- Residential Amenity Impact/Garden Ground
- Road Safety Impact
- Flooding and Drainage
- Contamination
- Archaeology
- House In Multiple Occupation (HMO)
- Low Carbon

### 2.2 Principle of Development

2.2.1 The principle of development in this particular case has already been established with the approval of the original planning permission under planning reference 18/02542/PPP. In addition, the application to renew the planning permission was submitted prior to the date that the existing consent was due to lapse on 31st March 2023.

### 2.3 Renewal of Planning Permission

2.3.1 Scottish Government Circular 4/1998 states that generally applications for renewals should only be refused for one of the following reasons; there has been a material change in planning circumstances since the original permission was granted, whether it is likely that as a consequence of the failure to begin the development that this would contribute unacceptably to uncertainty about the future development in the area, or whether the application is premature as the permission still has a reasonable time to run before expiring.

2.3.2 Objections have been raised regarding the lack of development of this site since its original approval. Since the original application was approved, there has been a material change in circumstance with the approval of NPF4 (2023). However, having assessed this proposal against the policy provision of NPF4, the proposal is still considered acceptable in this regard. It is therefore recommended that this proposal is also granted subject to the same conditions as it was previously approved.

### 2.4 Design and Visual Impact

2.4.1 Policy 14 of NPF 4 states development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. Policy 14 also stipulates development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable. Adopted FIFEplan Policies 1 and 10 require new development to make a positive contribution to its immediate environment in terms of the quality of the development. Further detail on good design and how this should relate to its context is contained in the supplementary guidance 'Making Fife's Places' (2018).

2.4.2 There have been no significant changes in site context or applicable guidance which would affect the assessment of the visual impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard.

## 2.5 Residential Amenity/Garden Ground

2.5.1 NPF 4 Policy 16 Part (g) whilst predominantly for householder development proposals advises that support will generally be given where proposals - (i) do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and (ii) do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking. In this instance whilst the policy criteria relate to householder developments, these requirements are also considered materially relevant to new residential units and the need to protect amenity standards for both existing as well as new occupants.

2.5.2 Adopted FIFEplan Policies 1 & 10 states that development will only be supported if it does not have a significant detrimental 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 a variety of issues, including: the loss of privacy, sunlight and daylight; construction impacts; the visual impact of the development on the surrounding area; and noise, light and odour pollution.

2.5.3 As with the assessment of the visual impact above, there have been no significant changes in site context or applicable guidance which would affect the assessment of the garden ground or residential amenity impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard. Conditions attached to the original consent regarding noise mitigation measures have been carried forward to this application.

## 2.6 Road Safety

2.6.1 Policy 13 of NPF4 states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and where appropriate they will be accessible by public transport. Policies 1, 3 and 10 of the Adopted FIFEplan (2017) and Fife Council's Transportation Development Guidelines apply in this respect. Policy 3 states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.6.2 Objections have been raised regarding road safety. Fife Council Transportation Development Management Team were consulted on the application to assess the impact the proposed development would have on road safety in the surrounding area. Transportation Development Management (TDM) were consulted on the previous application and offered no objection, subject to the imposition of road safety conditions. A visibility splay condition was included in that previous application. However, the road markings at the junction of the private access (Meadow Road) with the A919 classified public road have been modified. This allows for visibility splays of 2.4m x 43m to the East and 2.4m x 40m to the West towards the roundabout,

to be contained wholly within the Highway Boundary. There is, therefore, no longer a requirement for a visibility splay condition for this application.

2.6.3 Application 18/02540/PPP included a Site Layout Plan that showed plots 1 and 2 18/02542/PPP taking access through the Hotel car park then on to the A919 public classified road, while plot 3 would take access off Meadow Road. The submitted drawing shows space within the each of the curtilage of the proposed dwellings to accommodate off street parking and turning. This will remain the case for this renewal application.

2.6.4 In conclusion, TDM have no objections to this proposal subject to conditions regarding off street parking, turning areas and driveway material.

## 2.7 Flooding and Drainage

2.7.1 Policy 22 of NPF4 states a) Development proposals at risk of flooding or in a flood risk area will only be supported if they are for:

- essential infrastructure where the location is required for operational reasons;
- water compatible uses;
- redevelopment of an existing building or site for an equal or less vulnerable use; or.
- redevelopment of previously used sites in built up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate that long term safety and resilience can be secured in accordance with relevant SEPA advice.

Furthermore, Part D states that development proposals will be supported if they can be connected to the public water mains. If connection is not feasible, the applicant will need to demonstrate that water for drinking water purposes will be sourced from a sustainable water source that is resilient to periods of water scarcity. NPF4 states that development proposals will not increase the risk of surface water flooding to others, or itself be at risk.

2.7.2. Policy 1 and 3 states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 of the FIFEplan advises that development proposals will only be supported where they can demonstrate 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, that they will not reduce the water conveyance and storage capacity of a functional flood plain or detrimentally impact on future options for flood management and that they will not detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use.

2.7.3 Objections have been raised regarding impact on flooding and drainage. The previous application assessment undertook the due consultation and assessment as necessary for these issues with the necessary information submitted as required as per the above. As with the assessment of the visual impact and residential amenity above, there have been no significant changes in site context or applicable guidance which would affect the assessment of the flooding and drainage provision impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard.

## 2.8 Contamination

2.8.1 Planning Advice Note (PAN) 33 Development of Contaminated Land (2000) and Policies 1 and 10 of FIFEplan Local Plan (2017) apply with regards to land stability in this instance.

2.8.2 PAN 33 advises that suspected and actual contamination should be investigated and, if necessary, remediated to ensure that sites are suitable for the proposed end use. Policy 10 of FIFEplan advises development proposals involving sites where land instability or the presence of contamination is suspected, the developer is required to submit details of site investigation to assess the nature and extent of any risks presented by land stability or contamination which may be present and where risks are known to be present, appropriate mitigation measures should be agreed with the Council.

2.8.3 Fife Councils Land and Air Quality team were consulted on this application and have requested that the conditions on the approved application 18/02542/PPP be carried forward onto this application.

2.8.4 In conclusion, it is deemed that the proposal would be compliant with the above legislation, subject to meeting the requirement of appropriate conditions as recommended by the Fife Council's Land and Air Quality Team.

## 2.9 Archaeology

2.9.1 Policy 7 of NPF4 states non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains to exist below a site, developers will provide an evaluation of the archaeological resource at an early stage so that planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment. Adopted FIFEplan (2017) Policies 1 and 14 apply in this instance.

2.9.3 There have been no significant changes in site context or applicable guidance which would affect the assessment of the archaeological impact of the proposal compared to that granted previously and consequently the proposal is acceptable in this regard.

## 2.10 House In Multiple Occupation (HMO)

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

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

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

## 2.11 Low Carbon

2.11.1 NPF 4 Policies 1 (Climate and Nature Crises) and 2 (Climate Mitigation and Adaptation) advise that when considering proposals, significant weight to encourage, promote and facilitate development in sustainable locations and those that address the global climate and nature crises through zero carbon and nature positive places will be encouraged. As such proposals will be sited and designed to minimise lifecycle greenhouse gas emissions and adapt to current and future risks for climate change as far as possible.

2.11.2 NPF4 Policy 11 (Energy) also provides support for all forms of renewable, low-carbon and zero emissions technologies provided associated detrimental impacts are addressed whilst Policy 12 (Zero Waste) also aims to encourage, promote and facilitate development that is consistent with the waste hierarchy and as such development proposals should seek to reduce, reuse or recycle materials and amongst others reuse existing buildings; reduce/minimise waste; use materials with the lowest forms of embodied emissions such as recycled and natural construction materials. Policy 19 (Heat and Cooling) part (f) advises that development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.

2.11.3 Collectively, Policies 1:Development Principles (Part B), 3: Infrastructure and Services and 11: Low Carbon Fife of FIFEplan state that planning permission will only be granted for new development where it has been demonstrated, amongst other things, that: low and zero carbon generating technologies will contribute to meeting the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards); construction materials come from local or sustainable sources; and water conservation measures are in place. The Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support. As this application is for planning permission in principle the applicant has not provided a statement on low carbon sustainability, however a condition has been attached that this information should be provided during the detailed applications stage.

2.11.4 Subject to a condition of planning permission requiring submission of the above checklist, it is considered that the proposed development accords with the above provisions of policy and guidance in relation to low carbon.

### CONSULTATIONS

Land And Air Quality, Protective Services	No objections subject to conditions
Transportation And Environmental Services - Operations Team	No response
Environmental Health (Public Protection)	No objections
TDM, Planning Services	No objections subject to conditions
Archaeology Team, Planning Services	No objections
Ministry Of Defence (Statutory)	No response
Community Council	Object
Scottish Water	No objection

## **REPRESENTATIONS**

5 letters of objection from third parties were received and one letter of objection was also received from Leuchars Community Council as a statutory consultee. The material planning considerations relating to these concerns have been addressed under sections 2.6 (Road Safety) and 2.7 (Flooding and Drainage) of this report of handling.

Comments regarding access to neighbouring properties fence are noted, however these are a civil matter between the applicant and neighbour.

Comments regarding lack of design details are noted, however this will be dealt with at detailed planning stage.

Comments regarding the lack of notification of residents on Rosebank Park are noted, however they are outwith the area for neighbour notification.

Comments regarding the blocking of the access road are noted, however these comments are not a material planning consideration in the assessment of this application.

## **CONCLUSIONS**

The proposal is acceptable in meeting the terms of National Guidance, the Development Plan, and relevant Council Planning Customer Guidelines and is compatible with its surrounds in terms of land use and its siting, design and finish will not have any adverse impact on the amenity of the surrounding area.

## **RECOMMENDATION**

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

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

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

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

(a) A location plan of all the site to be developed to a scale of not less than 1:2500, showing generally the site, any existing trees, hedges, walls (or other boundary markers) layout of the roads and sewers, and the position of all buildings;

(b) A detailed plan to a scale of not less than 1:500 showing the site contours, the position and width of all proposed roads and footpaths including public access provision, the siting of the proposed buildings, finished floor levels, new walls and fences, details of proposed landscape treatment and the phasing of development.



- (c) Detailed plans, sections and elevations of all buildings proposed to be erected on the site, and their relationship to adjacent land and/or buildings, together with details of the colour and type of materials to be used externally on walls and roofs;
- (d) Details of the existing and proposed ground levels as well as the finished floor levels all related to a fixed datum point. The details shall specify the extent and height of any areas of mounding;
- (e) An updated Noise Impact Assessment to demonstrate that the proposed development can achieve the required internal noise levels within the habitable room of the flats;
- (f) Details of noise attenuation measures and ventilation as referred to in the approved Noise Impact Assessment.
- (g) A supporting statement illustrating the developments' compliance with Fife Council's Planning Policy - Making Fife's Places Supplementary Guidance Document (2018) - including reference and proposals relating to the design, layout, green network infrastructure and biodiversity enhancement;
- (h) A sustainability statement illustrating the developments' compliance with Fife Council's Planning Policy - Low Carbon Fife Supplementary Guidance Document (2019). The sustainability statement shall address all of the matters set out in Appendix B of Fife Council's Low Carbon Fife Supplementary Guidance (January 2019);
- (i) Details of SuDS and appropriate documentation, including check certificates, in line with Fife Council's Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note.

Reason: To be in compliance with Section 59 of The Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006.

3. Prior to the occupation of any of the proposed dwellings, there shall be off street parking spaces provided within the curtilage of that site for that dwelling on the basis of 1 parking spaces for vehicles per 1 bedroom dwelling, 2 parking spaces for vehicles per 2 and 3 bedroom dwelling and 3 parking spaces per 4 and above bedroom dwelling in accordance with the current Fife Council Parking Standards. Where a garage is to be considered for inclusion in the required off street parking provision, the minimum internal garage dimensions to accommodate a single off street parking space, shall be 3m x 7m. Anything smaller than this will not be considered as an off street parking space.

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

4. Prior to the occupation of the proposed dwelling at Plot 3, the first two metre length of the driveway to the rear of the private road shall be constructed in a paved material (not concrete slabs).

Reason: In the interest of road safety; to ensure that no deleterious material is dragged on to the road.

5. Prior to the occupation of the proposed dwellings at Plots 1 and 2, the first two metre length of the car park to the rear of the public footway shall be constructed in a paved material (not concrete slabs).

Reason: In the interest of road safety; to ensure that no deleterious material is dragged on to the road.

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

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

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

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

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

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

8. 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.

9. PRIOR TO OCCUPATION of either of the approved houses, all works which form part of the sound attenuation scheme as specified in the approved Noise Impact Assessment shall be carried out in full. Thereafter these works shall be retained for the lifetime of the development.

Reason: In the interests of residential amenity; to ensure future residents of the dwellinghouses are not subjected to adverse noise levels.

10. The dwellinghouse provided on the site shall be used solely as a residence for (a) a single person or by people living together as a family; or (b) not more than 5 unrelated residents living together in a dwellinghouse. For the avoidance of doubt, the dwellinghouse hereby approved shall not be used for Housing in Multiple Occupation.

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

## **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 Government Circular 4/1998 - The Use of Planning Conditions in Planning Permissions  
Planning Advice Note (PAN) 33 – Development of Contaminated Land (2000)

### Development Plan

National Planning Framework 4 (2023)  
Adopted FIFEplan Fife Local Development Plan (2017)  
Making Fife's Places Supplementary Guidance (2018)

### Other Guidance

Fife Council Transportation Development Guidelines (2015)  
Fife Council Low Carbon Fife Supplementary Guidance (2019)  
Fife Council Advice for Developing Brownfield Site in Fife (2018)  
Fife Council Sustainable Drainage Systems Design Guidance Criteria Guidance Note

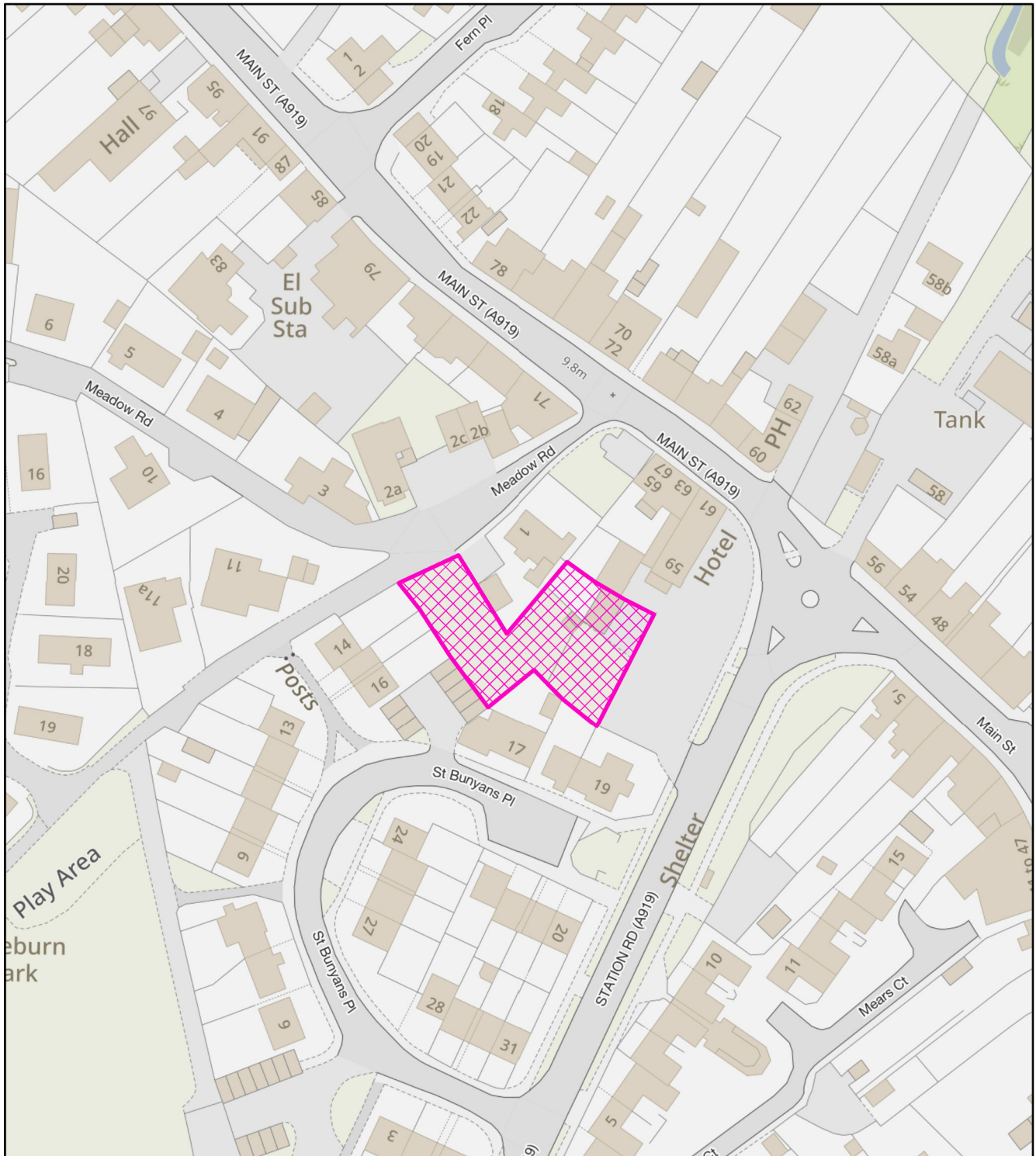
Report prepared by Scott McInroy, Chartered Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 14/8/23.

Date Printed 18/07/2023

# 23/00644/PPP

Land Adjacent 65-67 Main Street, Leuchars



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<b>Legend</b>		 <b>N</b>	 <b>Fife</b> COUNCIL Planning Services
	<b>Application Boundary</b>		

**ITEM NO: 10**

**APPLICATION FOR FULL PLANNING PERMISSION REF: 22/04135/FULL**

**SITE ADDRESS: OLD HOSPITAL CRAIGTOUN ST ANDREWS**

**PROPOSAL : CHANGE OF USE FROM FORMER HOSPITAL (CLASS 8) TO 27 FLATTED DWELLINGHOUSES (SUI GENERIS) AND ERECTION OF 18 TOWNHOUSES (CLASS 9)(ENABLING DEVELOPMENT), FORMATION OF ACCESS, HARDSTANDING AND ASSOCIATED LANDSCAPING.**

**APPLICANT: GREYSTONE ESTATES (DUNDEE) LTD  
RIVER COURT 5 WEST VICTORIA DOCK ROAD DUNDEE**

**WARD NO: W5R18  
St. Andrews**

**CASE OFFICER: Jamie Penman**

**DATE 30 December 2022**

**REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because: More than 5 representations have been received which is contrary to the Case Officer's recommendation.

**SUMMARY RECOMMENDATION**

The application is recommended for:

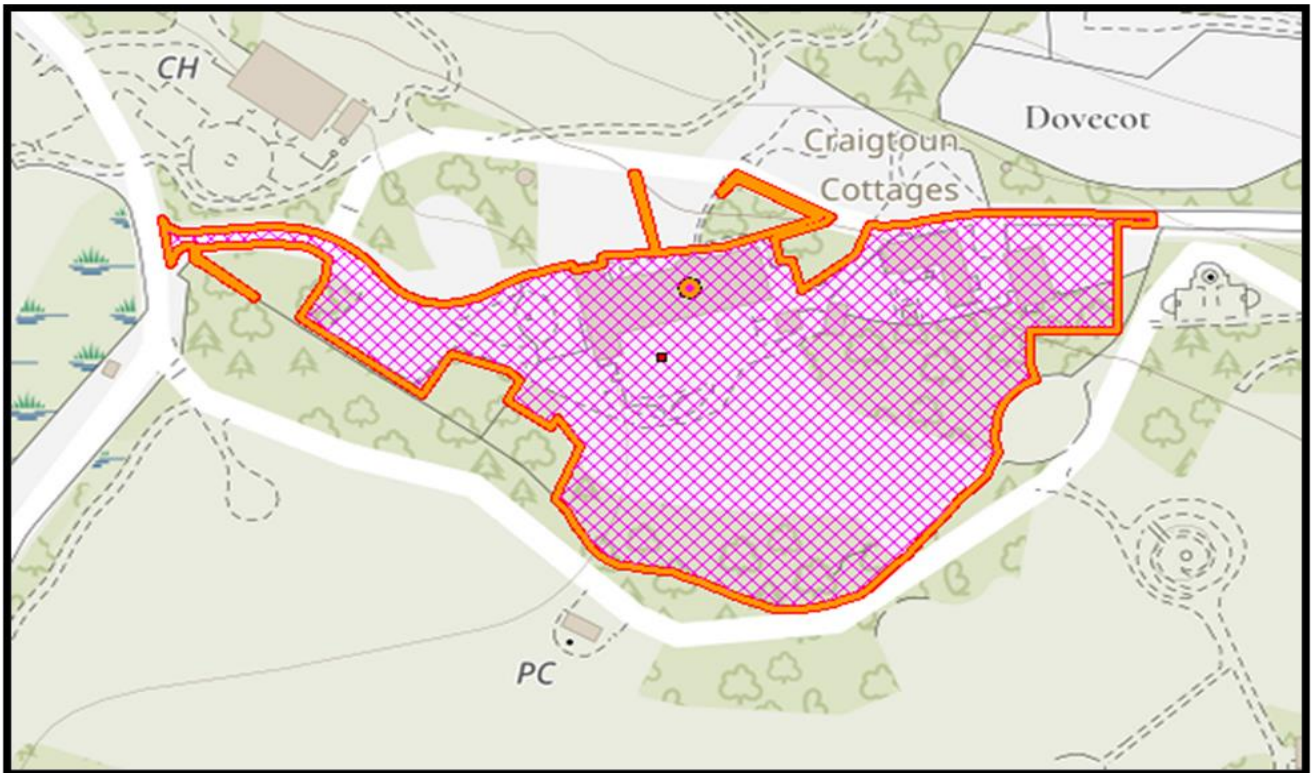
Conditional approval requiring a legal agreement

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



## 1.0 Background

### 1.1 The Site



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**1.1.1** This application relates to the former Craigtoun Hospital and its surrounding grounds. The site is located within the countryside, approximately 2 miles to the southwest of St Andrews and is situated within the St Andrews Green Belt and the Craigtoun Local Landscape Area. The application site and wider Craigtoun Country Park is a designated Garden and Designed Landscape. The former Craigtoun Hospital building is currently vacant and has been for some time. It is a category B listed building and is on the Buildings at Risk Register which categorises it as being in 'Poor' condition and deemed to be at 'Moderate' risk. The listed building and its wider grounds are also on Fife Council's Vacant and Derelict Land Register (STA002). There are 3 ancillary buildings located within the grounds of the former Craigtoun Hospital. These buildings are not individually listed but are considered to benefit from curtilage listing. 2 other structures located within the grounds are individually listed which includes Craigtoun Hospital Sundial (category B) and the Cypress Avenue Screen Wall with Archway (category B). The application site can be accessed from 2 separate private roads; 1 that routes to the west of the site and has a junction onto the C65. This private access is the main access to the site and is currently used to access the Duke's Golf Course and Craigtoun Country Park. Though currently unused, the site can also be accessed via a private track that routes to the east, through Mount Melville and has a junction onto the U056. There is a private golf course maintenance track which routes directly to the north of the site and links the two private roads. The application site measures 1.99 hectares and is surrounded by the Duke's Golf Course to the north and west, a private road which leads onto Mount Melville to the east and Craigtoun Country Park is located to the south. The grounds of the former Craigtoun Hospital are overgrown and contain both mature trees and various areas of self-seeded hedge/shrub planting. The application site is covered by a blanket Tree Preservation Order (E0090) which notes that all trees within the area are protected and there is no dominant species present. Core Path P023/01 passes the application site to the north and The

Pilgrim Way routes along the southern boundary. The application site is located within a Coal Authority High Risk Area.

## **1.2 The Proposed Development**

**1.2.1** This application is for full planning permission for the change of use of the former hospital building (Class 8). It is proposed to restore and convert the listed building into 27 flatted dwellings (Sui Generis). Due to the costs associated with restoring the listed building, enabling development is also proposed within the grounds of the listed building in the form of 18 new townhouses (Class 9). Car parking and landscaping (including tree removal) is also proposed.

**1.2.2** Works are proposed to the external elevations of the former Craigtoun Hospital building and are limited to the modification of existing dormer extensions, replacement windows and replacement roof coverings. Significant internal alterations are proposed in order to accommodate the proposed 27 flatted dwellings, however, these internal works do not require the benefit of full planning consent and will be subject to a separate assessment through the listed building consent application. Communal car parks area also proposed to serve the proposed flatted dwellings. 2 car parking areas would be located to the west of the building and 1 would be located to the east.

**1.2.3** The 18 enabling development units are located within the grounds of the former Craigtoun Hospital in three separate arrangements. One arrangement of 4 units (western cluster) is proposed towards the southwest boundary of the site and is formed of two blocks of semi-detached two-storey dwellings. One arrangement of 9 units (the crescent) is proposed further to the eastern boundary and is formed of a terrace of 3-storey dwellings. One arrangement of 5 units (eastern cluster) is proposed to the east of the crescent, adjacent to the eastern boundary of the site and is formed of a terrace of 2 2-storey dwellings and 3 3-storey dwellings. All enabling development units would have a similar architectural style and would be finished with areas of glass, stone and timber cladding. All enabling units would have an internal garage, with in-curtilage parking also proposed within each plot. Each unit would also have a private garden ground area.

## **1.3 Relevant Planning History**

04/02055/EFULL - Reconsider Condition 13 of 98/00018/EOPP concerning the phasing of the ancillary hotel accommodation units/ construction of footpath, in relation to the completion of Craigtoun House conversion - Withdrawn - 30/09/04

98/00017/EFULL - Convert/Alter/Extend Outbuildings to form 4 Ancillary Hotel Accommodation Units and Erect 2 Further Units – Permitted with Conditions - 13/08/03

98/00018/EOPP - Outline Planning Permission for Erection of 34 Ancillary Hotel Accommodation Units - Permitted with Conditions - 13/08/03

98/00316/EFULL - Change of Use/Alter/Extend Former Hospital to form Leisure Club and Ancillary Hotel Accommodation - Permitted with Conditions - 13/08/03

06/02575/EFULL - Variation of condition 2 of consent reference 98/00018/EOPP to extend period for the submission of reserved matters - Permitted with Conditions - 17/08/06

07/01603/ELBC - Listed building consent to demolish extension and alter interior and exterior - Permitted with Conditions - 18/10/07

09/00223/EFULL - Extension to building to form single storey conservatory - Permitted with Conditions - 30/04/09

09/00226/ELBC - Listed building consent for erection of conservatory - Withdrawn - 06/04/09

09/01187/EFULL - Erection of single storey storage building - Permitted with Conditions - 29/10/09

14/01472/FULL - Renewal of planning permission 09/00223/EFULL for extension to building to form single storey conservatory - Permitted with Conditions - 24/06/14

19/02940/LBC - Listed building consent for external alterations to listed building (repair and part-replacement to roof), erection of perimeter security fencing and security lighting - Permitted - 28/11/19

19/02941/FULL - External alterations to listed building (repair and part-replacement to roof), erection of perimeter security fencing and security lighting - Permitted - 28/11/19

22/04134/LBC - Listed building consent for internal and external alterations to former hospital building to facilitate the conversion to 27 flats (Sui Generis) and demolition of existing outbuildings within the curtilage – Pending Consideration

## **1.4 Application Procedures**

**1.4.1** The proposal falls within Class 2: Housing, of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. As the site measures less than 2Ha and the number of dwellings proposed is less than 50, the proposal is categorised as a Local development.

**1.4.2** Whilst this application proposal did not require a statutory period of pre-application consultation with the community, it is understood that the applicant undertook some voluntary consultation with the community.

**1.4.3** The application has been advertised in The Courier newspaper for neighbour notification purposes. It was also advertised due to the proposal being potentially contrary to the development plan and due to its potential to affect a listed building/setting of a listed building. Site notices were also displayed on site which advised how interested parties could comment on the proposal.

**1.4.4** Several site visits were undertaken by the Case Officer who observed the surrounding area, the application site and limited internal areas of the application property. Photographs of the site were taken and aerial drone footage was also recorded.

**1.4.5** Concerns have been raised in submitted objections which note that the site area is above 2Ha and as such, the application should be assessed as a major application. The site area has been checked with the applicant's architect who provided evidence that the area of the red line boundary measures 1.99Ha. Further concerns also note that certain areas of land have been omitted from the red/blue line boundary on the location plan. Whilst this is noted, the omissions have no impact of the recommendation being made.

## **2.0 ASSESSMENT**

### **2.1 Legislation**

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 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.



## 2.2 Relevant Matters

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

- Principle of Development
- Design and Layout / Visual Impact / Historic Environment
- Residential Amenity
- Transportation/Road Safety/Sustainable Travel
- Flooding and Drainage
- Contaminated Land, Land Stability and Air Quality
- Natural Heritage and Trees
- Sustainability
- Developer Contributions
- Archaeology

## 2.3 Relevant Policies

### **National Planning Framework 4 (2023)**

#### **Policy 1: Tackling the climate and nature crises**

NPF4 Policy 1 Tackling the Climate and Nature Crises states significant weight will be given to same.

### **National Planning Framework 4 (2023)**

#### **Policy 3: Biodiversity**

NPF4 Policy 3 Biodiversity states a) proposals will contribute to biodiversity enhancement, including, where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

Potential adverse impacts on biodiversity, nature networks and the natural environment will be minimised.

### **National Planning Framework 4 (2023)**

#### **Policy 4: Natural places**

NPF4 Policy 4 Natural Places states proposals which by virtue of type, location or scale will have unacceptable impact on the natural environment, will not be supported.

Proposals affecting a local nature conservation site or landscape area designated in the LDP will only be supported where: there will be no significant adverse effects on the integrity of the area or the qualities for which it has been identified; or significant adverse effects on that integrity are clearly outweighed by social, environmental or economic benefits of at least local importance.

If there is reasonable evidence suggesting a protected species is present or may be affected, steps must be taken to establish its presence; the level of protection required by legislation must be factored into planning and design, and potential impacts fully considered.

### **National Planning Framework 4 (2023)**

#### **Policy 6: Forestry, woodland and trees**

NPF4 Policy 6 Forestry, Woodland and Trees states proposals that enhance, expand and improve woodland and tree cover will be supported.

Proposals involving woodland removal will only be supported where they will achieve significant and clearly defined additional public benefits in accordance with relevant Scottish Government policy on woodland removal. Where woodland is removed, compensatory planting will most likely be expected.

#### **National Planning Framework 4 (2023)**

##### **Policy 7: Historic assets and places**

NPF4 Policy 7 Historic Assets and Places states proposals for demolition of listed buildings will not be supported unless demonstrated there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the building. Considerations include whether the: building is no longer of special interest; building is incapable of repair and re-use as verified through structural condition survey; repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or demolition is essential to delivering significant benefits to economic growth or the wider community.

Proposals for reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

Proposals affecting nationally important Gardens and Designed Landscapes will be supported where they protect, preserve or enhance their cultural significance, character and integrity and where they will not significantly impact on important views to, from and within the site, or its setting.

Proposals which sensitively repair, enhance and bring historic buildings, as identified as at risk locally or in the national Buildings at Risk Register, back into beneficial use will be supported.

Enabling development for historic environment assets or places otherwise unacceptable in planning terms, will only be supported when demonstrated it is: essential for the future of an historic environment asset or place at risk of serious deterioration or loss; and the minimum necessary for restoration, adaptation and long-term future of the asset or place.

Non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible. Where there is potential for non-designated buried archaeological remains, developers will provide an evaluation of the archaeological resource at an early stage so planning authorities can assess impacts. Historic buildings may also have archaeological significance which is not understood and may require assessment. Where impacts cannot be avoided, they should be minimised. Where demonstrated that avoidance or retention is not possible, excavation, recording, analysis, archiving, publication and activities to provide public benefit may be required. When new archaeological discoveries are made during works, they must be reported to the planning authority for agreement on inspection, recording and mitigation.

#### **National Planning Framework 4 (2023)**

##### **Policy 8: Green belts**

NPF4 Policy 8 Green Belts states proposals within a green belt designated in the LDP will only be supported if for the reuse, rehabilitation and conversion of historic environment assets and the purpose of the green belt at that location is not undermined. The proposal is to be compatible with surrounding established countryside and landscape character; design is of an appropriate scale,

massing and external appearance, with materials minimising visual impact as far as possible; and there will be no significant long-term impacts on the green belt's environmental quality.

#### **National Planning Framework 4 (2023)**

##### **Policy 9: Brownfield, vacant and derelict land and empty buildings**

NPF4 Policy 9 Brownfield, Vacant and Derelict Land and Empty Buildings states proposals for sustainable reuse of brownfield land including vacant and derelict land and buildings, permanent or temporary, will be supported. In determining whether reuse is sustainable, biodiversity value should be taken into account.

Where land is known or suspected to be unstable or contaminated, it will be demonstrated that it is, or can be made, safe and suitable for the proposed use.

Proposals for building reuse will be supported, taking into account suitability for conversion. Given the need to conserve embodied energy, demolition will be the least preferred option.

#### **National Planning Framework 4 (2023)**

##### **Policy 12: Zero Waste**

NPF4 Policy 12 Zero Waste states proposals will seek to reduce, reuse, or recycle materials in line with the waste hierarchy.

Proposals will be supported where they: reuse existing buildings and infrastructure; minimise demolition and salvage materials for reuse; minimise waste, reduce pressure on virgin resources and enable building materials, components and products to be disassembled, and reused at the end of their useful life; use materials with the lowest forms of embodied emissions, such as recycled and natural construction materials; use materials suitable for reuse with minimal reprocessing.

Proposals likely to generate waste when operational, will set out how much waste is expected and how it will be managed, including: provision to maximise waste reduction and waste separation at source, and measures to minimise cross-contamination, through appropriate segregation and storage of waste; convenient access for waste collection; and recycling and localised waste management facilities.

#### **National Planning Framework 4 (2023)**

##### **Policy 13: Sustainable transport**

NPF4 Policy 13 Sustainable Transport states proposals to improve, enhance or provide active travel and public transport infrastructure or multi-modal hubs will be supported, including proposals: for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy; which support shift of freight from road to more sustainable modes, including last-mile delivery; that build in resilience to climate change effects and where appropriate incorporate blue and green infrastructure and nature rich habitats.

Proposals will be supported where demonstrated that transport requirements generated have been considered in line with sustainable travel and investment hierarchies and where appropriate they: provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation; will be accessible by public transport, ideally supporting use of existing services; integrate transport modes; provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards; supply safe, secure and convenient cycle parking to meet user needs and more conveniently located than car parking; are designed to incorporate safety measures including safe crossings for walking and

wheeling and reducing the number and speed of vehicles; have taken into account, at the earliest design stage, the transport needs of diverse groups to ensure the safety, ease and needs of all users; and adequately mitigate any impact on local public access routes.

Where a proposal will generate a significant increase in person trips, a transport assessment will be required to be undertaken in accordance with relevant guidance.

Proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.

Proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations well-served by sustainable transport modes and where they do not create barriers to access by disabled people.

#### **National Planning Framework 4 (2023)**

##### **Policy 14: Design, quality and place**

NPF4 Policy 14 Design, Quality and Place states proposals will be designed to improve an area's quality, regardless of scale.

Proposals will be supported where consistent with the qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable.

Proposals that are poorly designed, detrimental to amenity or inconsistent with the qualities of successful places, will not be supported.

#### **National Planning Framework 4 (2023)**

##### **Policy 16: Quality Homes**

NPF4 Policy 16 Quality Homes states proposals for homes on land allocated for housing in LDPs will be supported.

Proposals for homes on land not allocated for housing in the LDP will only be supported in limited circumstances where: supported by an agreed timescale for build-out; and otherwise consistent with the plan spatial strategy and other relevant policies including local living and 20 minute neighbourhoods; and either: i. delivery of sites is happening earlier than identified in the deliverable housing land pipeline, determined by reference to two consecutive years of the Housing Land Audit evidencing substantial delivery earlier than pipeline timescales and that general trend being sustained; or ii. the proposal is consistent with policy on rural homes; or iii. the proposal is for smaller scale opportunities within an existing settlement boundary; or iv. the proposal is for delivery of less than 50 affordable homes as part of a local authority supported affordable housing plan.

#### **National Planning Framework 4 (2023)**

##### **Policy 18: Infrastructure first**

NPF4 Policy 18 Infrastructure First states proposals providing or contributing to infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported.

Proposals' impacts on infrastructure should be mitigated. Proposals will only be supported where demonstrated that provision is made to address impacts on infrastructure.

## **National Planning Framework 4 (2023)**

### **Policy 22: Flood risk and water management**

NPF4 Policy 22 Flood Risk and Water Management states proposals at risk of flooding or in a flood risk area will only be supported if for: i. essential infrastructure where the location is required for operational reasons; ii. water compatible uses; iii. redevelopment of an existing building or site for an equal or less vulnerable use; or iv. redevelopment of previously used sites in built-up areas where the LDP has identified a need to bring these into positive use and where proposals demonstrate long-term safety and resilience can be secured in accordance with SEPA advice. The protection offered by an existing formal flood protection scheme or one under construction can be taken into account when determining flood risk. In such cases, it will be demonstrated by the applicant that: all risks of flooding are understood and addressed; there is no reduction in floodplain capacity, increased risk for others, or a need for future flood protection schemes; the development remains safe and operational during floods; flood resistant and resilient materials and construction methods are used; and future adaptations can be made to accommodate climate change effects.

Proposals will: i. not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems (SUDS), which should form part of and integrate with proposed and existing blue-green infrastructure. All proposals should presume no surface water connection to the combined sewer; iii. seek to minimise the area of impermeable surface.

Proposals will be supported if they can connect to the public water mains. If connection is not feasible, the applicant will need to demonstrate that drinking water will be sourced from a sustainable water source resilient to periods of water scarcity.

Proposals for natural flood risk management, including blue and green infrastructure, will be supported.

## **National Planning Framework 4 (2023)**

### **Policy 23: Health and safety**

NPF4 Policy 23 Health and Safety states proposals with positive effects on health will be supported, e.g. proposals incorporating opportunities for exercise, community food growing or allotments.

Proposals likely to have significant adverse effects on air quality will not be supported. Proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 1: Development Principles**

FIFEplan Policy 1 Development Principles states that development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts. The principle of development will be supported if the site is either within a defined settlement boundary and compliant with the policies for the location or in a location where the proposed use is supported by the Local Development Plan.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 2: Homes**

FIFEplan Policy 2 Homes states that housing development will be supported to meet strategic housing land requirements and provide a continuous 5-year effective housing land supply. Proposals will be supported on sites allocated for housing in FIFEplan or on other sites provided the proposal is compliant with the policies for the location.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 3: Infrastructure and Services**

FIFEplan Policy 3 Infrastructure and Services states that development must be designed and implemented in a manner that ensures it delivers the required level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling; Foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS); Green infrastructure complying with specific green infrastructure and green network requirements contained in the Making Fife's Places Supplementary Guidance and settlement proposals and low and zero carbon generating technologies.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 4: Planning Obligations**

FIFEplan Policy 4 Planning Obligations 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, providing additional capacity or improving existing infrastructure, or providing new infrastructure. This will be applied through planning conditions, legal agreements and planning obligations.

Developments, other than a change of use of employment land or outdoor sports facilities, will be exempt from these obligations if they are for the conversion or renovation of an existing building, particularly if it is listed or the re-use of derelict land or buildings or previously developed land.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 7: Development in the Countryside**

FIFEplan Policy 7 Development in the Countryside states that development will only be supported where, amongst other instances, it is for housing in line with Policy 8 (Houses in the Countryside).

## **FIFEplan – Local Development Plan (2018)**

### **Policy 8: Houses in the Countryside**

FIFEplan Policy 8 Houses in the Countryside states that proposals will only be supported where, amongst other instances, it is for the rehabilitation and/or conversion of a complete or substantially complete existing building

## **FIFEplan – Local Development Plan (2018)**

### **Policy 9: Green Belt**

FIFEplan Policy 9 Green Belt states that proposals in green belts will only be supported where it is for housing where it is for rehabilitation and/or conversion of complete or substantially complete existing buildings. In all cases, development within green belts must be of a scale and nature compatible with surrounding uses, maintain the setting and the key views to and from the historic core of St Andrews, improve the landscape and environmental quality of the green belt, improve local infrastructure and be of a high-quality design.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 10: Amenity**

FIFEplan Policy 10 Amenity states that development will only be supported if it does not have a significant detrimental 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, contaminated and unstable land, noise/light/odour pollution, traffic movements, privacy, loss of sunlight/daylight, visual appeal of surrounding area or the operation of existing or proposed businesses.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 11: Low Carbon Fife**

FIFEplan Policy 11 Low Carbon Fife states that planning permission will only be granted for new development where it has been demonstrated that 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 20% of these savings from 2020. It states that construction materials should come from local or sustainable sources, water conservation measures should be put in place, SUDS should be utilised, was recycling facilities should be provided. Policy 11 advises that all development should encourage and facilitate the use of sustainable transport appropriate to the development, promoting in the following order of priority: walking, cycling, public transport, cars.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 12: Flooding and the Water Environment**

FIFEplan Policy 12 Flooding and the Water Environment states that development proposals will only be supported where they can demonstrate that they will not, individually or cumulatively increase flooding or flood risk from all sources on the site or elsewhere. To ascertain the impact on flooding, developers may be required to provide a flood risk assessment addressing potential sources of flooding and the impact on people, properties, or infrastructure at risk.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 13: Natural Environment and Access**

FIFEplan Policy 13 Natural Environment and Access states that development proposals will only be supported where they protect or enhance natural heritage and access assets including, Local Landscape Areas, woodlands and trees/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, green networks and greenspaces and core paths, cycleways, existing rights of way and established footpaths. Where adverse impacts on existing assets are unavoidable, we will only support proposals where these impacts will be satisfactorily mitigated.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 14: Built and Historic Environment**

FIFEplan Policy 14 Built and Historic Environment states that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported. Proposals will not be supported where it is considered they will harm or damage listed buildings or their setting, including structures or features of special architectural or historic interest and sites recorded in the Inventory Historic Gardens and Designed Landscapes. For all historic buildings and archaeological sites, whether statutorily protected or not, support will only be given if, allowing for any possible mitigating works, there is no adverse impact on the special architectural or historic interest of the building or character or appearance of the conservation area.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future.

All archaeological sites and deposits, whether statutorily protected or not, are considered to be of significance. Accordingly, 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 mitigation is proposed.

### **Making Fife Places Supplementary Planning Guidance (2018)**

This document sets out Fife Council's expectations for the design of development in Fife. It explains the role of good design in creating successful places where people will want to live work and play through an integrated approach to buildings, spaces and movement.

### **Low Carbon Fife (2019)**

This document provides guidance on the application of FIFEplan Policy 11: Low Carbon Fife and Policy 10: Amenity (specifically relating to Air Quality and the impacts on amenity of low carbon energy proposals).

### **Other Policy and Guidance:**

**Fife Council's Planning Obligations Framework Guidance (2018)**

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

**Historic Environment Scotland Historic Environment Policy for Scotland (2019)**

**Managing Change in the Historic Environment: Setting (2020)**

**Managing Change in the Historic Environment: Demolition (2020)**

**Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings (2020)**

**Managing Change in the Historic Environment: Roofs (2020)**

**Managing Change in the Historic Environment: Windows (2020)**

**Fife Council Planning Customer Guidelines: Garden Ground**

**Fife Council Planning Customer Guidelines: Daylight/Sunlight**

**Fife Council Planning Customer Guidelines: Windows in Listed Buildings and Conservation Areas**

**Circular 1 2011: Tree Preservation Orders**

**PAN33: Development of Contaminated Land (as amended)**



## **2.4 Principle of Development**

**2.4.1** The application site is located out with any defined settlement boundary and is therefore located within the countryside. The application site is also located within the St Andrews Green Belt. In accordance with NPF4 policies 8, 9 and FIFEplan policies 1, 2, 7, 8 and 9, proposals for housing on sites not allocated in the local development plan, within the countryside or within a green belt, will only be acceptable in certain instances. One such instance is where the proposal would be for the reuse, rehabilitation and conversion of historic environment assets. As such, whilst the former Craigtoun Hospital building is located within the countryside/St Andrews Green Belt, given it is a category B listed building which is on the Buildings at Risk Register for Scotland and is in significant need of rehabilitation, the proposed conversion to 27 flatted dwellings is acceptable in principle.

**2.4.2** In terms of the additional 18 unit enabling development within the grounds of the former Craigtoun Hospital, NPF4 policy 7 and FIFEplan policy 14 apply. In accordance with these policies, enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future. Such enabling development must also be the minimum necessary to secure the restoration and the long-term future of the asset. Whilst previously there have been planning applications approved for schemes to secure the restoration of the listed building, none of the approved developments have been progressed or completed. As such, it is considered that the proposed scheme is the only means of preventing the loss of the asset.

**2.4.3** Concerns have been raised in submitted objections regarding the timing of the enabling development and that the listed building should be restored first before any work on the enabling development commences. Comments also note that the number of enabling units proposed is excessive and that the proposal does not comply with the green belt policy.

**2.4.4** The applicant advised that the high costs associated with converting the listed building would exceed the total sales value of the resultant dwellings. As such, they consider that converting the listed building in isolation would be unviable from a financial perspective. Enabling development was therefore proposed as part of the wider scheme. When this application was originally submitted, 22 enabling units were proposed within the grounds of the former Craigtoun Hospital Building. Through pre-application discussions with the applicant, it was advised that a full viability appraisal would be required with any future application to fully justify that the amount of enabling development proposed was the minimum necessary to secure the restoration of the listed building. The submitted viability appraisal was reviewed by District Valuer Services (DV) (part of the Valuation Office Agency). The DV responded with a report which summarised their assessment of the applicant's viability appraisal. Key findings of their assessment noted that the construction costs associated with part of the enabling development was estimated to be higher than what it would generate in sales value. This was due to high costs associated with the proposed underground parking. The applicant was subsequently advised that the proposal as originally presented could not be considered enabling development given it would provide no cross-funding for the restoration of the listed building. As part of the DV's assessment, they advised that a development of 17 town houses (with no underground parking) would likely cover the costs of the restoration. This was communicated with the applicant and the enabling development aspect of the proposal was subsequently reduced to a total of 18 units. The DV was asked to re-evaluate the revised viability assessment and advised that proposal represents the optimum level of enabling development required on the basis of the information available. The principle of enabling development can therefore be accepted subject to a condition which restricts the phasing of the enabling development to ensure significant

progress is made on the listed building. The condition allows some flexibility in the build out and occupation rates of the enabling development to ensure that funds generated from the sale of the enabling properties can be put towards the restoration of the listed building.

**2.4.5** Whilst a full assessment of the application's visual impact will be undertaken in the following sections of this report, consideration must be given to the purpose of the green belt and ensure its purpose is not undermined. Given the proposal is for the conversion of an existing building, no significant concerns would be raised with the principle of this activity within the St Andrews Green belt, given that the building already exists and its visual presence is long established. Furthermore, given the wider site is well screened and close to existing building groups, no significant concerns would be raised in principle of the enabling development, with regard to its visual impact on the wider St Andrews Green Belt.

**2.4.6** Notwithstanding the above assessment against current policy, the principle of restoring and converting the listed building, along with further development within the wider grounds, has already been accepted through the approval of 98/00316/EFULL. Whilst this is a historic consent, it is considered to have been implemented and is therefore extant in perpetuity, meaning that it can be developed to completion at any time.

**2.4.7** The application site is located within the countryside and within the St Andrews Green Belt and the proposal is for the rehabilitation of a category B listed building which is on the Buildings at Risk Register. Enabling development is also proposed and it has been demonstrated and confirmed by the DV that the amount proposed is the minimum necessary to secure the long-term future of the listed building. As such, the proposal meets the terms of NPF4 policies 8, 9 and FIFEplan policies 1, 2, 7, 8 and 9 and is therefore acceptable, in principle.

## **2.5 Design and Layout / Visual Impact / Historic Environment**

**2.5.1** External alterations are proposed to the former Craigtoun Hospital building which consist of replacement windows, replacement roof coverings and the modification of existing dormer extensions on the north and south roof slopes. Due to the small-scale nature of these works, they would have no significant visual impact on the surrounding countryside, Local Landscape Area (LLA), St Andrews Green Belt or the Garden & Designed Landscape. The main point of assessment for these aspects of the proposal are whether the proposed changes preserve or enhance the historic character of the listed building.

**2.5.2** The former Craigtoun Hospital is on the Buildings at Risk Register and is noted as being in 'Poor' condition and deemed to be at 'Moderate risk.' A detailed building condition survey has been submitted with this application which concludes by noting that external fabric of the building is 'generally poor.' The survey notes continued degradation of roof coverings, dormers, valleys, parapet gutters, abutment detailing, masonry joints and wallhead copes. The survey continues to advise that a section of floor and ceiling on the south elevation has collapsed and that missing boarding to windows increases the risk of unauthorised entry. The survey details that the condition of the remaining sash and case windows is fair and that extensive replacement of leaded windows should be anticipated. The survey also considers internal features and notes that continuing water ingress, associated with the poor condition of the external fabric is resulting in the loss and greater risk to key features, especially in the upper rooms and is resulting in the further loss of plasterwork and that dry rot outbreaks are worsening and will continue to exacerbate the rate of intervention required.

**2.5.3** Fife Council's built heritage officer has been consulted on the proposed external works to the listed building and the impact that the enabling development might have on its setting. Built Heritage has advised that the building is dilapidated and has undergone significant internal alterations and losses through its previous uses and subsequent closure as a hospital. The response continues to note that the historic gardens have been reduced through the creation of Duke's Golf Course and clubhouse to the north and use of a southern part of the garden as a Craigtoun Park public park. The response details that a limited area of land has been retained around the house with the remaining land included within the development site being subject to significant constraints on development through covenants which makes the site particularly challenging for securing sympathetic enabling development. Some concerns are raised with the modification of dormers and the additional of balconies on the roof of the building however it is noted that development of the attic space has been restricted which results in reduced impacts to the roof. The response notes that the window condition report has been reviewed which details that many of the windows are 20<sup>th</sup> century replacements and that they are of negligible interest. The consultation response addresses the enabling development within the grounds and notes that there is a complex massing and articulation of units which would interrupt views to/from the listed house. The consultation response concludes by noting that overall, there is a medium level of adverse detrimental impact, however, it does note that there are no objections to the development proposal, subject to conditions securing further detail.

**2.5.4** A more substantial level of intervention is proposed within the grounds of the former Craigtoun Hospital building, where 18 enabling development units are proposed. One arrangement of 4 units (western cluster) is proposed towards the southwest boundary of the site (50m to the south of the listed building) and is formed of two blocks of semi-detached two-storey dwellings. One arrangement of 9 units (the crescent) is proposed further to the eastern boundary (30m to the east of the listed building) and is formed of a terrace of 3-storey dwellings. One arrangement of 5 units (eastern cluster) is proposed to the east of the crescent (65m to the east of the listed building), adjacent to the eastern boundary of the site and is formed of a terrace of 2 2-storey dwellings and 3 3-storey dwellings. All enabling development units would have a similar architectural style and would be finished with large areas of glass, stone and timber cladding. All units would have a flat roof and the two-storey units would have an approximate finishing height of 7.5m with the 3-storey units having a maximum finishing height of 9.5m. All enabling units would have an internal garage, with in-curtilage parking also proposed within each plot. Each unit would also have a private garden ground area.

**2.5.5** Concerns have been raised in submitted objections regarding the visual impact associated with the new build enabling development. Comments note that the design is not in-keeping with the surrounding area.

**2.5.6** The proposed site plan has been subjected to significant collaborative review by the applicant, case officers, urban design officer, built heritage officer and Historic Environment Scotland (HES). The siting of the proposed enabling development ensures that key views of the listed building are not significantly interrupted, and sufficient separation distances have been proposed along with a proportionate scale and massing to ensure that the enabling development does not compete with the presence of the listed building. Proposed finished materials largely have a modern, natural and muted appearance, ensure that the buildings blend in with both the listed building and the surrounding grounds.

**2.5.7** Historic Environment Scotland has also been consulted on this application and advised that they had no comments to make.

**2.5.8** A significant material consideration in the assessment of this proposal is the need to secure the at risk listed building's long-term future. In an ideal scenario, no enabling development would be required within the grounds of the building. However, it has been demonstrated that the proposed level of enabling development is the minimum amount required to cross-fund the restoration. Whilst there will no doubt be a significant visual impact in terms of the enabling development's relationship with the listed building, this has been minimised through sensitive and well-considered design. It is therefore considered on balance that the proposed enabling development would preserve the setting of the listed building.

**2.5.9** Furthermore, in terms of the enabling development's impact on its position within the wider countryside, LLA, St Andrews Green Belt or the Garden & Designed Landscape, given the site is well screened by existing vegetation and the development is close to existing building groups, whilst also being of a similar/lesser scale than existing buildings, no significant visual impact concerns would be raised in this regard.

**2.5.10** The application proposal would therefore comply with NPF4 policies 7, 8, 14, 16 and FIFEplan policies 9, 10, 13 and 14.

## **2.6 Residential Amenity**

**2.6.1** This application site has no immediate residential neighbours with the closest neighbouring dwelling located in Mount Melville, approximately 100m to the east of the eastern cluster. As such, no significant privacy or overshadowing impacts would be raised in this regard.

**2.6.2** In terms of the relationship between the proposed buildings within the site itself, buildings have been positioned to ensure no significant privacy or overshadowing impacts. No private garden ground areas have been provided for the proposed flatted dwellings. The proposed enabling units would all have private garden ground areas ranging from 50sqm to 200sqm. All properties would have access to the resultant communal grounds which would measure around 6,000sqm. Furthermore, Craigtoun Country Park is a short walk to the south. No concerns would therefore be raised with the proposed garden ground strategy.

**2.6.3** There will likely be some disruption during the construction period to both the neighbouring golf course, users of Craigtoun Country Park and neighbouring residential properties within Mount Melville. Such disruption will be limited to a temporary period and can be suitably controlled through the submission of a Construction and Environmental Management Plan.

**2.6.4** The proposal would also result in increased traffic movements through the Mount Melville settlement. Given the eastern access is currently closed off, the increase in traffic from the units using the eastern access and travelling through Mount Melville will be significant, however, it is not considered that the increased traffic movements through Mount Melville would result in significantly detrimental amenity impacts from road traffic noise, due to the ultimately low traffic volumes and low traffic speeds.

**2.6.5** The application would therefore comply with NPF4 policies 14, 16 and FIFEplan policy 10.

## **2.7 Transportation/Road Safety/Sustainable Travel**

**2.7.1** The application site can be accessed from 2 separate private roads; 1 that routes to the west of the site and has a junction onto the C65. This private access is the main access to the site and is currently used to access the Duke's Golf Course and Craigtoun Country Park. The

site can also be accessed via a private track that routes to the east (currently unused), through Mount Melville and has a junction onto the U056. There is a private golf course maintenance track which routes directly to the north of the site and links the two private roads. Off-street parking has been provided within the site through the use of parking courts, in-curtilage parking and internal garages. All flats would utilise the parking courts whilst all dwellinghouses would have their own private parking. The closest bus stop to the site is on the C65, an approximately 900m walk from the site. The closest train service is Leuchars. Core Path P023/01 passes the application site to the north and The Pilgrim Way routes along the southern boundary. The C65 is an on-carriageway cycling route which links into the west of St Andrews.

**2.7.2** Comments have been made in submitted representations raising concerns around the increase trip generation the development would create. Many of the objections focus on development traffic using the eastern access route through Mount Melville and the impact on road safety that this would have.

**2.7.3** A Transport Assessment has been submitted with this application and advises that the roads within and surrounding the site are small-scale, lightly trafficked and rural in nature. It states that all the roads are private and do not have dedicated footways. The report advises that the level of provision is in-keeping with the rural nature of the roads. The whole of St Andrews is within a 20–25-minute cycle whilst only the western part of St Andrews is within a 20-25 minute walk. The Transport Assessment summarises the pedestrian and cycle links which are available in the surrounding area and covers the public transport options which are available. It states that an hourly bus service is available into St Andrews with the trip taking 15 minutes and in the opposite direction, the service travels to Cupar, Ladybank Auchtermuchty and Glenrothes. The transport statement states that Cupar is the closest train station with services to Edinburgh, Aberdeen and Dundee available, however, it is noted that Leuchars train station is marginally closer to the site than Cupar.

**2.7.4** The Transport Assessment considers the safety of junctions onto the public road network and advises that the visibility splays at the western access/C65 junction are good. However, it states that the eastern access/Balone Steading (U056) and the Balone Steading (U056)/C65 both have reduced visibility and that widening these junctions is not feasible due to land ownership issues.

**2.7.5** The submitted Transport Assessment advises that it is estimated that the development would generate 40 two-way person trips during the am peak hour (08:00 – 09:00) and 37 two-way person trips during the pm peak hour (17:00 – 18:00). This equates to 20 vehicle trips during both the am and pm peaks. In general terms, this equates to roughly 1 vehicle trip ever three minutes during the respective peak hour. The Transport Assessment advises that this is expected to have a negligible impact on the operation of the local road network.

**2.7.6** The Transport Assessment also provides an overview of the proposed level of off-street parking. It advises that in accordance with Fife Council's parking standards, the development would require a total of 102 spaces. The report notes that only 77 spaces have been provided, which represents a 25-space shortfall. Justification has been given in the report and details that every unit would have access to at least one parking space. Furthermore, the parking strategy has tried to balance an appropriate level of parking whilst also trying to maintain a high-quality environment where views are undominated by parked cars. The report also advises that according to census data, only 31% of households in the KY16 8 postcode own more than 2 cars per household.

**2.7.7** Fife Council's Transportation Development Management Team (TDM) has been consulted on the proposal and has advised that whilst they agree that there are opportunities to travel by sustainable modes to St Andrews, making sustainable multi-modal journeys for longer trips will be more difficult. TDM advise that all three junctions as detailed in paragraph 2.7.4 all have limited visibility sprays which do not accord with current guidelines. However, TDM advise that in line with the speed surveys which have been undertaken by the applicant, along with the fact there has been no recorded accidents at any of the junction in the previous 10 years, they are satisfied that the existing visibility sprays are acceptable to serve the increase in vehicle trips. TDM have raised no significant road safety concerns with the use of either the eastern or western private access by vehicular traffic. It is noted however that the eastern access is unsuitable for construction traffic. As such, the condition requiring the submission of a CEMP will specifically reference that construction traffic shall not access the site from the east through Mount Melville. TDM have reviewed the submitted site layout and has advised that it is acceptable. Whilst TDM do acknowledge that they have concerns regarding whether the development would be sustainable, given it would encourage a majority of car trips rather than through sustainable modes, they ultimately have no objections to the proposal, subject to conditions.

**2.7.8** Concerns raised in submitted objections regarding the poor condition of the eastern access are noted, however, given the relatively low amount of traffic that would utilise this route from the development, it is not considered that this would have a further significant detrimental impact on the existing condition of the road. The applicant has the legal right to utilise this access route and it is likely they will also have a maintenance responsibility along with other users of the road in Mount Melville. Financial contributions towards the upkeep of the route through Mount Melville would therefore be a private matter between the applicant and other interested parties. The applicant has also sought to address concerns regarding the increase in non-development through traffic using the eastern route. There is an existing gate towards the western boundary of the site which will be upgraded and would stop through traffic from the west. Furthermore, a bollard system has been proposed on the eastern access which only residents in the eastern enabling units will have control over. This will prevent non-development traffic from accessing either the golf course or Craigtoun Country Park from the east. A condition has been added which requires specific details of this system to be submitted and agreed before the development is occupied.

**2.7.9** The application site is located within the countryside and is not located within a reasonable walking distance of local amenities. Whilst St Andrews is within a reasonable cycling distance, the location of the site is unlikely to encourage walking trips into the town. Similarly, whilst public transport is available, given the nearest bus stop is located approximately 1km away from the site, it is likely that residents will be more likely to use a private car. A significant material consideration for this application is the need to secure the long-term future of the listed building. It has also been demonstrated that the proposed enabling development is required and is the minimum amount necessary to achieve the conversion. Had this not been the case, it is likely that the application would have been refused given the site's unsustainable location. However, given the proposal would see the at risk listed building restored, it would generate a relatively small number of vehicular trips and as it would raise no other significant road safety concerns, the development is considered acceptable on balance.

**2.7.10** The proposal does not wholly comply with the sustainable travel aspects of NPF4 policies 13 and FIFEplan policies 3 and 11, it would raise no other significant road safety concerns with regard to these policies and is therefore acceptable.

## **2.8 Flooding and Drainage**

**2.8.1** The SEPA flood maps do not identify any areas of potential flooding within the site. Flooding information submitted with this application has been reviewed by Structural Services who has advised they have no flooding concerns.

**2.8.2** Concerns have been raised in submitted objections regarding existing drainage issues in the surrounding area and the adequacy of existing foul infrastructure.

**2.8.3** Foul water from this development would be directed to an existing Scottish Water Sewer. Scottish Water has been consulted on this proposal and has raised no objections. They have noted however that they were unable to confirm capacity at the St Andrews Wastewater Treatment works. This is generally confirmed once planning permission has been achieved and a formal enquiry has been made to Scottish Water by the applicant. A condition will therefore be added to ensure that no unit is occupied until Technical Approval has been granted by Scottish Water.

**2.8.4** Due to unforeseen complications with the originally proposed surface water drainage scheme, the proposed solution was amended late in the assessment process. As such, an acceptable surface water drainage scheme has not been agreed as part of this application. The applicant has however identified a potential drainage solution which would route surface water run-off into the ponds within Craigtoun Country Park. Discussion on this option were still ongoing at the time of writing this report. This approach has been discussed with Structural Services who has advised that it is acceptable in principle however the ultimate acceptability will depend on the outcome of the detailed supporting calculations. Whilst surface water drainage proposals are always normally agreed as part of a planning proposal, in order to give the applicant more time to design an acceptable solution, it is considered acceptable to progress this application without a surface water drainage scheme being approved at this stage. A condition will however be added to ensure that no development can commence on the enabling development before a detailed planning application for a surface water drainage scheme to serve the development has been approved.

**2.8.5** Whilst this application is not wholly compliant with NPF4 policy 22 and FIFEplan policies 3 and 12 at this stage, it is considered that compliance can be controlled through condition. The proposal is therefore acceptable in this regard.

## **2.9 Contaminated Land, Land Stability and Air Quality**

**2.9.1** The application site is located within a Coal Authority High Risk Area. A Coal Mining Risk Assessment was submitted with the application which has been reviewed by the Coal Authority. The Coal Authority advised that they agree with the findings of the report in that intrusive site investigations are required in order to ascertain whether remedial works are required. This can be covered by condition.

**2.9.2** Concerns have been raised in submitted objections regarding potential air quality impacts associated with increased traffic levels generated by the development.

**2.9.3** A Phase 1 Contaminated Land Risk Assessment was submitted and reviewed by Fife Council's Land & Air Quality Team (L&AQ) who advised that further site-specific risk assessment was required. This can be secured by condition.

**2.9.4** An Air Quality Impact Assessment was submitted with the application which was reviewed by L&AQ. They advised that the proposed development would not prejudice the achievement of both local and national statutory air quality standards and objections.

**2.9.5** The proposal would therefore comply with NPF4 policies 9, 23 and FIFEplan policy 10.

## **2.10 Natural Heritage and Trees**

**2.10.1** The wider grounds of the application site are likely to have habitat potential. Furthermore, as with many historic buildings, the former hospital building and its ancillary buildings are likely to have good bat roost potential. The same is true for mature trees within the site. The application site is also covered by a blanket Tree Preservation Order (TPO). Individual trees have not been identified as part of the TPO and it covers a mix of species.

**2.10.2** Concerns have been noted in submitted objections raising concerns that no bat survey has been submitted. This has been submitted however this information is marked as a sensitive document and is not visible to the general public. Comments also note that tree felling is proposed out with the red line boundary.

**2.10.3** A preliminary ecology appraisal (PEA) has been submitted with the application. The survey considered the grounds of the building and a preliminary roost assessment was also undertaken for all buildings present on site. The PEA advises that the grounds are dominated by grassland, trees and scrub which provides habitat for protected species, namely nesting and foraging birds, however no nests of large bird species were found during the survey. The PEA notes that mature trees which are present within the site have been managed and it was observed that limbs have been removed, however, no cracks or crevices were recorded where bat roosting could occur. The submitted tree report does however note that some trees do have high habitat potential for bats. It was also noted that the trees and vegetation will provide suitable foraging habitat for birds. The PEA continues to note that as the site is surrounded by heavily managed grassland areas, this will restrict the movement of animals into and out of the site and that no evidence of mammal species such as badger, pine martin or red squirrel were found. Overall, the report considers that the site was assessed as providing low suitability to support protected species (excluding bats) and the no evidence of protected species was identified. The PEA identifies enhancement measures that can be incorporated into the final design which could include bird nesting boxes and bat boxes. A detailed biodiversity enhancement plan will be secured by condition.

**2.10.4** The PEA considers the buildings within the site and notes that the main building was found to provide high bat roost potential where loose/missing tiles were present where bats could gain access for roosting. It was also noted that old bat droppings were found within the building in two different locations. Two other buildings within the site were assessed as having medium bat roost potential. The PEA recommended further bat surveys be undertaken. Further bat surveys were subsequently undertaken which recorded common and soprano pipistrelle bats emerging from the buildings. Any further surveys shall also consider all trees within the site that have been categorised as having habitat potential for bats.

**2.10.5** Fife Council's Natural Heritage Officer was consulted on the proposal and has advised that the surveys undertaken to date establish that the former Craigtoun Hospital building supports bat roosts, however, further surveys will be required during the next active season to establish how many. Any report accompanying the survey will also need to detail any mitigation measures that may be required and any enhancement measures which could include the



installation of artificial roost facilities. These further surveys can be conditioned. The applicant will also need to secure a license from Nature.Scot before any works are undertaken which may disturb bat roosts. A condition will be attached to this consent requiring evidence to be submitted which shows that the license has been obtained.

**2.10.6** A tree survey has been submitted with the application which recorded a total of 52 individual trees within the site, including 4 groups. The recorded trees consist of 5 beech, 2 birch, 2 cedar, 1 buckeye, 4 cypress, 4 holly, 2 holm oak, 5 chestnut, 3 lime, 1 maple, 1 monkey puzzle, 1 nootka cypress, 2 oak, 7 sycamore, 3 wellingtonia, 1 hemlock and 9 yew trees. The groups of trees consisted of laurels, rhododendron, yew and holly. The tree survey has considered the proposed development layout and notes that 11 trees, including 3 groups will need to be removed in order to facilitate the development. These are trees 5009, 5014, 5015, 5020, 5025, 5029, 5030, 5031, 5032, 5037, 5038 and groups 1, 3 and 4. These trees include 5 category U trees, 5 category C trees, 3 category B trees and 1 category A tree. A number of other trees are also proposed to be removed due their overall poor condition. These are trees 5002, 5003, 5004, 5005, 5006, 5007, 5010, 5012, 5016, 5024, 5028, 5034, 5041, 5045, 5046, 5048, 5051. Maintenance is also recommended and will be carried out to trees 5011, 5013, 5021, 5022, 5023, 5026, 5027, 5033, 5035, 5036, 5039, 5040, 5043, 5049, 5050, 5052. All trees to be retained will be protected during the construction period in accordance with the tree protection plan. It is noted that some of the trees to be removed/maintained are located out with the red line site boundary. As these trees are covered by a blanket TPO, any tree to be removed/maintained out with the red line boundary would require approval through a separate Tree Works application. Such trees include 5001, 5002, 5003, 5004, 5005, 5006, 5007, 5009, 5010, 5041, 5045, 5046, 5048, 5051. Removal/maintenance of trees within the red line boundary will not require a further Tree Works application to be submitted as these can be approved through the full planning application in accordance with Circular 1/2011.

**2.10.7** Fife Council's Tree Officer has been consulted on this application and has advised that the submitted tree survey is comprehensive and adequate for the required purposes. They have advised that a replanting plan has also been submitted which includes species of native and non-native origins and also includes ornamentals. A replanting ratio of 3:1 is proposed. The Tree Officer notes that the tree protection plan is also adequate but does note that hand excavation will be required at trees 5009 and 5035. Overall, the Tree Officer has made no objections to the proposed tree removal/impact on protected trees.

**2.10.8** The proposal results in the loss of 11 individual and 3 groups of protected trees, however, the majority of these are category B, C and U which are not normally viewed as barriers to development. The loss of 1 category A tree is proposed and whilst steps were taken to ensure that it could be retained, its loss is unavoidable due to the level of enabling development that is proposed and the limited site area which can be utilised. Taking a wholistic view of this application, the loss of this category A tree can be accepted in order to realise a scheme which ensures the survival of the listed building. Furthermore, the PEA raises no significant impacts on ecology within the site, subject to conditions requiring further bat surveys to be undertaken and a biodiversity enhancement plan to be provided.

**2.10.9** Whilst the proposal does not wholly comply with NPF4 policy 6 and FIFEplan policy 13, the application proposal is considered acceptable on balance.

## **2.11 Sustainability**

**2.11.1** A low carbon statement has been submitted with this application which details that building materials will be locally sourced where possible. It also notes that the enabling development will utilise air source heat pumps as their main heating source. The statement also notes that the main building would be heated using electric heating rather than gas. Proposals for the reuse and conversion of existing buildings are exempt from having to provide energy generating technologies. Electric vehicle charging points will also be secured by condition.

**2.11.2** The proposal therefore complies with NPF4 policy 1 and FIFEplan policy 1.

## **2.12 Developer Contributions**

**2.12.1** Concerns have been raised in submitted objections noting that the development should not be exempt from relevant planning obligations.

**2.12.2** Given the proposal is for the conversion of a listed building and that the whole site is on the Vacant and Derelict Land Register, the proposal is exempt for most planning obligations. Furthermore, as enabling development is only acceptable where the minimum amount necessary to secure the historic asset is proposed, planning obligations are not normally sought due to viability reasons. The proposal is therefore exempt from contributing towards affordable housing and strategic transport intervention measures. Notwithstanding, exemptions from planning obligations for education only applies in cases where there is not a critical capacity issue. In this regard, Fife Council's Education Team has been consulted and has advised that there are known capacity issues at both Madras College and Lawhead Primary School. They note that the capacity issue at Lawhead Primary School is not expected within the next 2 years and as such, it is not critical. However, they have advised that the capacity issue is expected within the next 2 years at Madras College and the issue is therefore critical. This therefore requires a financial contribution of £3,454 to be paid per eligible 3-bed unit in the catchment area. This figure either increases or decreases depending on the number of bedrooms within the unit and units with only 1 bedroom are exempt. This development therefore requires a total contribution of £145,345 to be paid to mitigate the impact on local school infrastructure and will be secured through a legal agreement.

## **2.13 Archaeology**

**2.13.1** Fife Council's Archaeology Officer has been consulted on this proposal and has advised that the proposal considerations are largely a built heritage matter. However, comments are noted that a basic pre-change record of the site should be made and a scheme of archaeological works should be undertaken in the areas where car parking areas and enabling development is proposed. This can be secured by condition.

**2.13.2** The proposal therefore complies with NPF4 policy 7 and FIFEplan policy 14.

## **3.0 CONSULTATION SUMMARY**

Community Council	Objects to the proposal.
Scottish Water	No objections.
Archaeology Team, Planning Services	No objections subject to conditions.

Housing And Neighbourhood Services	Comments received however proposal is exempt.
Structural Services - Flooding, Shoreline And Harbours	Further detail required.
The Coal Authority	No objections subject to conditions.
Education (Directorate)	Critical capacity issue at Madras College. Contribution required.
Environmental Health (Public Protection)	No objections.
Urban Design, Planning Services	Comments received. No objections.
Trees, Planning Services	No objections subject to conditions.
Natural Heritage, Planning Services	No objections subject to conditions.
Parks Development And Countryside	Comments received however proposal is exempt.
NatureScot	No objections, bat license required.
Historic Environment Scotland	No comments.
Land And Air Quality, Protective Services	No objections subject to conditions.
TDM, Planning Services	No objections subject to conditions.

#### **4.0 REPRESENTATIONS SUMMARY**

28 objections have been submitted, including an objection from the Cameron Community Council. Concerns raised include:

Inadequate neighbour notification/consultation – Addressed in 1.4

Submitted location plans inadequate (red line boundary) – Addressed in 1.4

Site area has been measured incorrectly and should have been assessed as a Major application – Addressed in 1.4

Additional land owned by the applicant not shown on location plan – This land is remote from the site and does not necessarily need to be shown.

Private roads to the east of the site are not suitable to cope with increased traffic – Addressed in 2.7

Increase traffic will result in noise and air pollution – Addressed in 2.9

Increased traffic will impact on pedestrian safety – Addressed in 2.7

Eastern access already in poor condition – Addressed in 2.7

Eastern access already experiences high traffic volumes - Addressed in 2.7

Eastern access has no streetlights or pavements – Addressed in 2.7

Eastern access not wide enough for two-way traffic – Addressed in 2.7

Road layout does not meet Fife Council standards – Addressed in 2.7

The western access should be prioritised for site traffic – Addressed in 2.7

All construction traffic should use western access – Addressed in 2.7

No construction management plan has been submitted – Addressed in 2.6

Opening up of the eastern access should not create a through route – Addressed in 2.7

Legal issues around maintenance responsibilities of private roads – Addressed in 2.7

No mention of how construction traffic will access the site – Addressed in 2.7

Trips will not prioritise western access road – Addressed in 2.7

Junctions along the eastern access route are unsafe – Addressed in 2.7

No public transport links within close proximity to the site – Addressed in 2.7

Transport assessment underestimates number of trips generated by the development/vehicle speeds – The TA has been prepared by a qualified professional.  
No bat survey has been submitted – Addressed in 2.10  
Drainage issues – Addressed in 2.8  
Adequacy of foul drainage provision – Addressed in 2.8  
New build element not in-keeping with the surrounding environment – Addressed in 2.5  
Restoration of the listed building should be complete before any works start on the new build elements – Addressed in 2.4  
Previously approved applications did not allow use of eastern access 98/00018/EOPP 98/00017/EFULL; 98/00018/EFULL & 98/00316/EFULL – Each application must be assessed on its own merits.  
Tree felling works proposed out with red line boundary – Addressed in 2.10  
Number of additional new build homes is excessive – Addressed in 2.4  
Previous approvals only consented holiday homes – Each application is assessed on its own merits.  
No footpaths on eastern and western access roads – Addressed in 2.7  
Privacy impacts as a result of increased use of eastern access – Addressed in 2.6  
Enabling development does not accord with greenbelt policy – Addressed in 2.4  
The development has substandard parking provision – Addressed in 2.7  
Viability assessment is based on inflated costs and should be independently reviewed – Addressed in 2.4  
Planning obligations should not be waived – Addressed in 2.12  
Development would be unsustainable a rely on use of private car – Addressed in 2.7  
Bollard solution on eastern access not practical/lacks detail on how it will operate – Addressed in 2.7

## **5.0 CONCLUSIONS**

The application proposal represents a viable opportunity for the restoration of a category B listed building which is on the Buildings at Risk Register. Enabling development is proposed within the grounds of the listed building and a full review of the project financials has been undertaken by the District Valuer, who has advised that the amount proposed is the minimum necessary to secure the restoration of the listed building. The amount of developable land around the listed building is limited and has led to challenges in achieving an acceptable layout, however, through collaborative review, the proposed scheme achieves an acceptable balance of preserving the setting of the listed building whilst providing the minimum amount of enabling development required to cross-fund the restoration. It is therefore considered on balance that the proposed works to the listed building and the enabling development within the grounds is acceptable and approval of the proposal would see a historic asset rehabilitated and preserved for future generations. The proposal raises no other significant concerns in terms of residential amenity, road safety or biodiversity impacts and is therefore recommended for approval subject to conditions and subject to the conclusion of a legal agreement.

## **6.0 RECOMMENDATION**

It is accordingly recommended that:

- A. That the application is approved subject to the undernoted conditions and reasons, following the conclusion of a legal agreement to secure;

- 1, Payment of £145,345 towards addressing critical capacity issue at Madras College

2, Secure land rights for surface water drainage route.

3, Secure the cross-funding from the enabling development towards the restoration of the listed building.

- B. That authority is delegated to the Head of Planning Services, in consultation with the Head of Legal & Democratic Services, to negotiate and conclude the legal agreement.
- C. That should no agreement be reached within 6 months of the Committees decision, authority is delegated to the Head of Planning Services, in consultation with the Head of Legal & Democratic Services, to refuse the application.

and the following conditions and reasons:

**CONDITIONS:**

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

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

- 2. No development shall commence on the enabling new build aspects of this proposal until full planning permission has been approved for a sustainable surface water drainage scheme which adequately deals with surface water run-off from both the former Craigtoun Hospital building and all elements of the enabling development. The surface water drainage scheme shall address surface water run-off from all hard surfaces within the site.

Reason: In the interests of preventing flooding and to ensure an enforceable mechanism is in place so that no development can commence until a suitable drainage scheme has been agreed.

- 3. Prior to the commencement of development on any new build enabling dwelling, evidence of a legally binding contract that is demonstrably for the complete rehabilitation and conversion of the listed building (former Craigtoun Hospital) and provides for the conversion of the listed building to residential accommodation, shall be submitted to Fife Council as Planning Authority.

Thereafter, development may proceed on the following basis unless otherwise approved in writing by Fife Council as Planning Authority:

- i) No more than 9 new build dwellings shall be constructed and no more than 4 of those new build dwellings shall be occupied until the listed building is fully secured/made wind and watertight and not less than 7 units within the listed building are completed, to the extent that they will be suitable for permanent occupation following installation of kitchen and bathroom fittings and floor coverings;
- ii) Upon completion of the 7th unit within the listed building, as described in item i) above, a photographic record of those units shall be submitted to Fife Council as Planning Authority for approval. Once Fife Council has confirmed the completion status, as described in item i) above,

of the 7 units in the listed building, construction of the remaining new build dwellings can commence but no more than 9 shall be occupied until 15 units within the listed building are completed, to the extent that they will be suitable for permanent occupation following installation of kitchen and bathroom fittings and floor coverings;

iii) Upon completion of the 15th unit within the listed building, a photographic record of those units shall be submitted to Fife Council as Planning Authority for approval. Once Fife Council has confirmed the completion status, as described in item i) and ii) above of 15 units in the listed building, occupation of a further 5 (14) new build units can commence.

iv) The remaining 4 new build dwellings shall not be occupied until the restoration of the listed building is complete and the occupation of the first 2 units within the listed building can commence.

Reason: To ensure that the listed buildings are restored as a priority for the benefit of their architectural and historic interest.

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

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

5. 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 4. In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement - or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site - all development work on site (save for site investigation work) shall cease immediately and the planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement - or any approved revised Remedial Action Statement - a Verification Report shall be submitted by the developer to the local planning authority.

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

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

6. No development shall commence (excluding the approved demolition of existing structures and site clearance) until;

a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and

b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance and shall not commence until they have been agreed in writing with Fife Council as Planning Authority in consultation with the Coal Authority.

Reason: To ensure all coal mining legacy issues which may impact on land stability are fully investigated and dealt with.

7. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to Fife Council for approval in writing, in consultation with the Coal Authority. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: To ensure all coal mining legacy issues which may impact on land stability are fully remediated.

8. Prior to occupation of the first dwelling, the existing Craigtoun Country Park bus stops located on the C65 shall be upgraded to provide hard standings, boarders, flags, and road markings. Work shall include the provision of a footway on the southern side of the C65 between the Craigtoun County Park vehicular access and the eastbound bus stop with a dropped kerb pedestrian crossing point on the C65 to the westbound bus stop. A detailed layout shall be submitted to and for approval of Fife Council before any works start on site and thereafter implemented in accordance with the approved plan.

Reason: To ensure the existing bus stops are adequately upgraded in the interests of safety and to encourage increased usage.

9. Prior to the occupation of the first dwelling, the private accesses shown on document 07A shall be open to pedestrian, cyclist, wheeled and vehicle traffic. These works shall include a collapsible bollard on the private access routing along the northern boundary of the site, details of which shall be submitted to Fife Council as Planning Authority for approval in writing.

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

10. Prior to occupation of each dwelling, the off-street car parking for that plot and the off-street car parking and cycle parking spaces as shown on approved document 07A shall be provided. Provision shall be made for a minimum of 6 no. ELV charging points in the car park serving Craigtoun House with the remaining parking spaces future-proofed for easy conversion to ELV charging points. All dwellings with a private driveway shall be provided with an ELV charging point. The parking spaces shall be retained through the lifetime of the development. For the avoidance of doubt, the 27 flatted dwellings within Craigtoun House shall be allocated a maximum of 1 off-street car parking space each, with the remaining spaces being for communal use.

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

11. Prior to occupation of the 4 west townhouses and townhouses 10 & 13 – 17 the driveways shall be widened to 5 metres to provide the required 3 off-street car parking spaces per dwelling.

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

12. Prior to the occupation of the first dwelling, the finalised travel plan shall be submitted for the approval of Fife Council. Thereafter, the applicant would be responsible the promotion of the travel plan; appointment of a Travel Plan Coordinator and on-going monitoring and updating the Travel Plan, including the implementation of identified mitigation measures.

Reason: In the interest of sustainable travel; to ensure travel impacts associated with the development are limited and sustainable travel methods are encouraged.

13. Before any works commence on the new build elements of the proposal, full finishing details (including samples) shall be submitted to Fife Council as Planning Authority for prior written approval. The development shall then proceed in accordance with the agreed details.

Reason: In the interest of visual amenity; to ensure the development complements its countryside location and the adjacent listed building.

14. Before any works commence on the listed building, full external finishing details (including samples) shall be submitted to Fife Council as Planning Authority for prior written approval. The development shall then proceed in accordance with the agreed details.

Reason: In the interest of visual amenity and protecting the historic environment; to ensure the works to listed building preserve its historic character.



15. Before any works start on site, a full window schedule shall be submitted in respect of the listed building which shall cover all windows which shall be replaced and those which shall be retained/repared. Where windows are to be replaced, full details of their replacements shall be submitted to Fife Council for prior written approval. For avoidance of doubt all stained-glass are to be retained/repared. The works shall then proceed in accordance with the agreed details.

Reason: In the interest of visual amenity and protecting the historic environment; to ensure the works to listed building preserve its historic character.

16. Before they are installed on site, full details of all boundary treatments (hard/soft) shall be submitted to Fife Council as Planning Authority for prior written approval. The agreed boundary treatments shall be fully installed before each respective unit is occupied.

Reason: In the interest of visual amenity; to ensure boundary treatments respect the countryside setting and the setting of the listed building.

17. Before any works commence on site, further bat surveys shall be undertaken to establish the precise nature and location of bat roosts within all buildings on site. Once established, a bat protection and mitigation plan shall be submitted to Fife Council as Planning Authority for prior written approval. Works shall only then commence once a bat license has been obtained from Nature.Scot and evidence of this has been submitted to Fife Council as Planning Authority. Works shall only then proceed in accordance with the terms of the agreed bat license.

Reason: In the interest of protecting natural heritage; to ensure there are no impacts on protected species.

18. Before any works commence on site, all tree protection measures shall be erected on site and retained in a sound upright condition for the duration of the construction period.

Reason: In the interest of protecting natural heritage; to ensure all trees are protected for the duration of the construction works.

19. No tree works or scrub clearance shall occur on site from 1st March through to 31st August each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. In the event that clearance is proposed between 1st March to 31st August, a suitable bird survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area and shall be submitted to and approved in writing by this Planning Authority before those clearance works commence. Once written approval has been given the works themselves should be carried out within a specified and agreed timescale.

Reason: In order to avoid disturbance during bird breeding seasons.

20. Before any works start on the enabling development, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which shall be 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 the investigation, recording and rescue archaeological excavation of remains on the site.

21. Before they are installed on site, full details of all biodiversity enhancement measures shall be submitted to Fife Council as Planning Authority for prior written approval. The approved ecological enhancement measures shall be installed on site prior to it being fully occupied.

Reason: In the interest of biodiversity; to ensure enhancement measures are provided.

22. Before any development commences on site, a Construction and Environmental Management Plan (CEMP) shall be submitted to Fife Council as Planning Authority, for prior written approval. The approved measures shall then be followed in full on site during the construction period. For the avoidance of doubt, the CEMP shall full consider all potential impacts on ecology, all surrounding businesses, residential properties and roads. Furthermore, it shall specifically state that no construction traffic shall access the site from the east through Mount Melville.

Reason: In the interest of protecting residential amenity and ecology; to ensure adequate measures are put in place during the construction period to avoid any significant impacts.

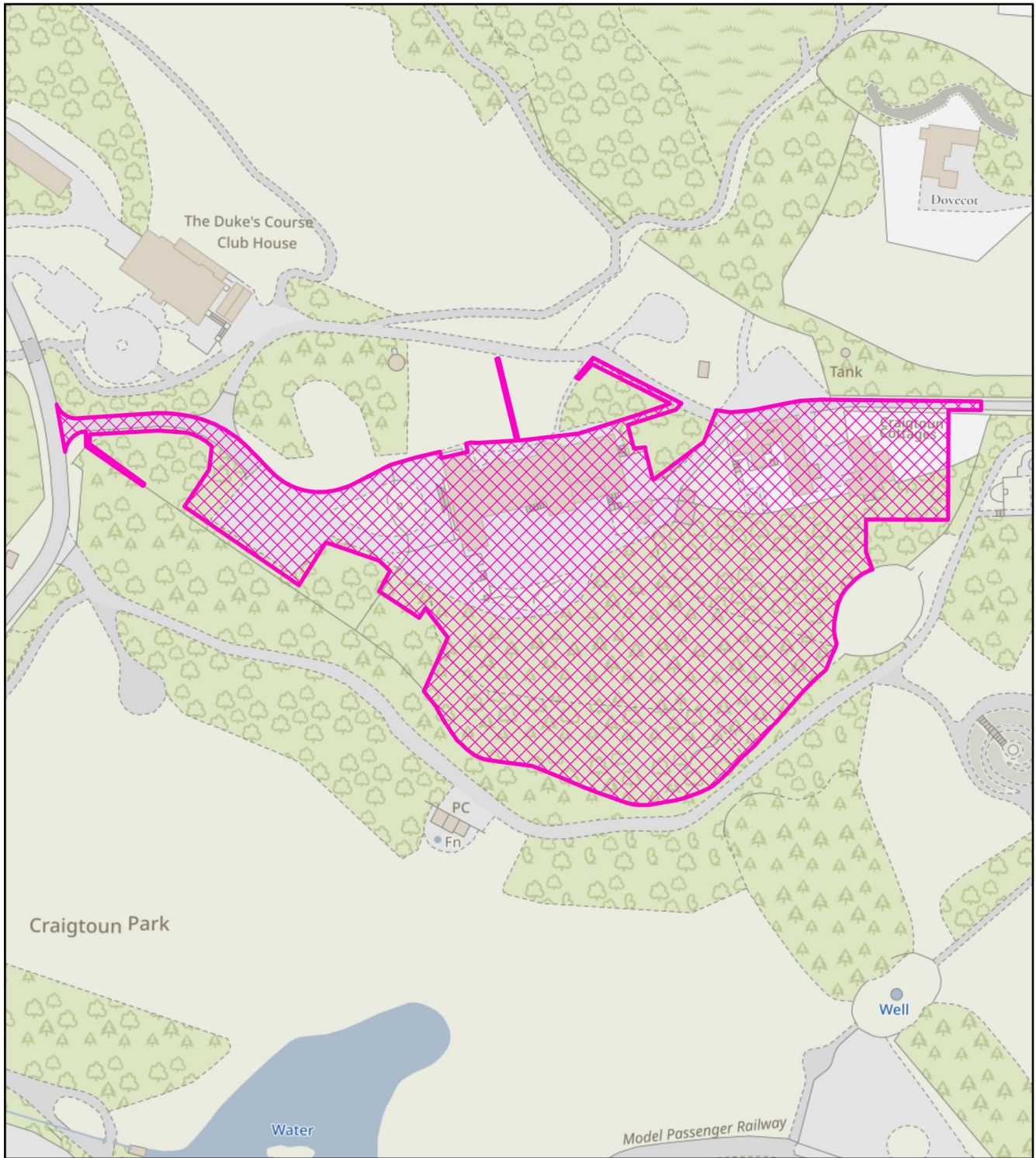
23. Prior to the occupation of any unit on site, proof of Scottish Water's acceptance of foul drainage into their public sewer shall be submitted to Fife Council as Planning Authority. The agreed measures shall then be completed on site before any part is occupied.

Reason: In the interest of securing a suitable means of foul water discharge.

Report prepared by Jamie Penman – Chartered Town Planner

Report agreed and signed off by Alastair Hamilton, Service Manager (Committee Lead) 14/8/23.

Date Printed 08/07/2023



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<b>Legend</b>	
 Application Boundary	
	
 Fife COUNCIL Planning Services	

**ITEM NO: 11**

**APPLICATION FOR LISTED BUILDING CONSENT REF: 22/04134/LBC**

**SITE ADDRESS: OLD HOSPITAL CRAIGTOUN ST ANDREWS**

**PROPOSAL : LISTED BUILDING CONSENT FOR INTERNAL AND EXTERNAL ALTERATIONS TO FORMER HOSPITAL BUILDING TO FACILITATE THE CONVERSION TO 27 FLATS (SUI GENERIS) AND DEMOLITION OF EXISTING OUTBUILDINGS WITHIN THE CURTILAGE**

**APPLICANT: GREYSTONE ESTATES (DUNDEE) LTD  
RIVER COURT 5 WEST VICTORIA DOCK ROAD DUNDEE**

**WARD NO:** W5R18  
St. Andrews

**CASE OFFICER:** Jamie Penman

**DATE** 30 December 2022

**REGISTERED:**

**REASONS FOR REFERRAL TO COMMITTEE**

This application requires to be considered by the Committee because: There is an associated full planning application 22/04135/FULL which requires to be determined by committee. To ensure both applications have the same route of appeal, this listed building consent application also requires to be determined by committee.

**SUMMARY RECOMMENDATION**

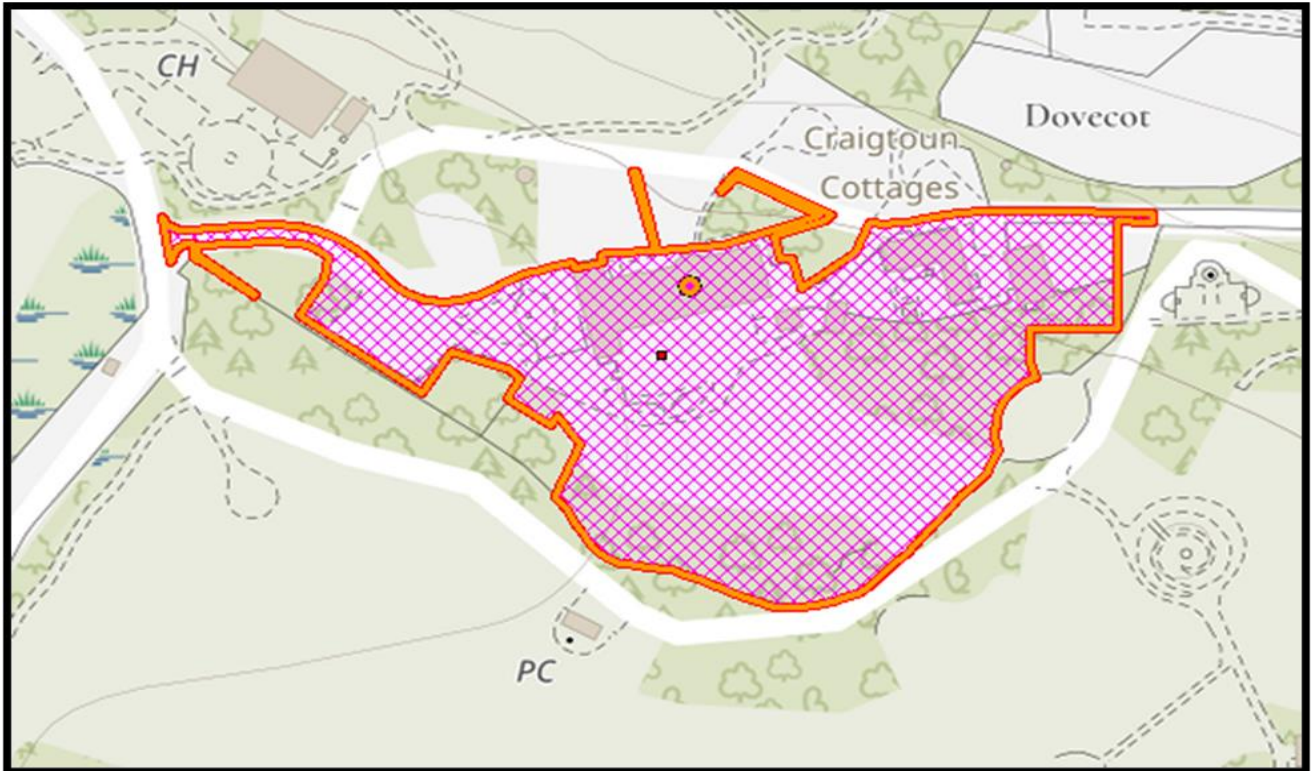
The application is recommended for:

Conditional approval

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

## 1.0 Background

### 1.1 The Site



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**1.1.1** This application relates to the former Craigtoun Hospital and its surrounding grounds. It is located within the countryside, approximately 2 miles to the southwest of St Andrews and is situated within the St Andrews Green Belt and the Craigtoun Local Landscape Area. The application site and wider Craigtoun Country Park is a designated Garden and Designed Landscape. The former Craigtoun Hospital building is currently vacant and has been for some time. It is a category B listed building and is on the Buildings at Risk Register which categorises it as being in 'Poor' condition and deemed to be at 'Moderate' risk. The listed building and its wider grounds are also on Fife Council's Vacant and Derelict Land Register (STA002). There are 3 ancillary buildings located within the grounds of the former Craigtoun Hospital. These buildings are not individually listed but are considered to benefit from curtilage listing. 2 other structures located within the grounds are individually listed which includes Craigtoun Hospital Sundial (category B) and the Cypress Avenue Screen Wall with Archway (category B).

### 1.2 The Proposed Development

**1.2.1** This application is for listed building consent for internal and external alterations to former hospital building to facilitate the conversion to 27 flats. Demolition of 2 existing outbuildings within the curtilage is also proposed.

**1.2.2** Works are proposed to the external elevations of the former Craigtoun Hospital building and are limited to the modification of existing dormer extensions, replacement windows and replacement roof coverings. Significant internal alterations are proposed in order to accommodate the proposed 27 flatted dwellings.



**1.2.3** Two outbuildings within the grounds are proposed for demolition in order to create space for enabling new build development proposed through 22/04135/FULL.

### **1.3 Relevant Planning History**

04/02055/EFULL - Reconsider Condition 13 of 98/00018/EOPP concerning the phasing of the ancillary hotel accommodation units/ construction of footpath, in relation to the completion of Craigtoun House conversion - Withdrawn - 30/09/04

98/00017/EFULL - Convert/Alter/Extend Outbuildings to form 4 Ancillary Hotel Accommodation Units and Erect 2 Further Units – Permitted with Conditions - 13/08/03

98/00018/EOPP - Outline Planning Permission for Erection of 34 Ancillary Hotel Accommodation Units - Permitted with Conditions - 13/08/03

98/00316/EFULL - Change of Use/Alter/Extend Former Hospital to form Leisure Club and Ancillary Hotel Accommodation - Permitted with Conditions - 13/08/03

06/02575/EFULL - Variation of condition 2 of consent reference 98/00018/EOPP to extend period for the submission of reserved matters - Permitted with Conditions - 17/08/06

07/01603/ELBC - Listed building consent to demolish extension and alter interior and exterior - Permitted with Conditions - 18/10/07

09/00223/EFULL - Extension to building to form single storey conservatory - Permitted with Conditions - 30/04/09

09/00226/ELBC - Listed building consent for erection of conservatory - Withdrawn - 06/04/09

09/01187/EFULL - Erection of single storey storage building - Permitted with Conditions - 29/10/09

14/01472/FULL - Renewal of planning permission 09/00223/EFULL for extension to building to form single storey conservatory - Permitted with Conditions - 24/06/14

19/02940/LBC - Listed building consent for external alterations to listed building (repair and part-replacement to roof), erection of perimeter security fencing and security lighting - Permitted - 28/11/19

19/02941/FULL - External alterations to listed building (repair and part-replacement to roof), erection of perimeter security fencing and security lighting - Permitted - 28/11/19

22/04135/FULL - Change of use from former hospital (Class 8) to 27 flatted dwellinghouses (Sui Generis) and erection of 18 townhouses (Class 9)(Enabling Development), formation of access, hardstanding and associated landscaping – Pending Consideration

## **2.0 ASSESSMENT**

### **2.1 Legislation**

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.

### **2.2 Relevant Matters**

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

- Impact on the Historic Character of the Listed Building
- Demolition of Curtilage Listed Buildings
- Impact on Protected Species

## 2.3 Relevant Policies

### **National Planning Framework 4 (2023)**

#### **Policy 1: Tackling the climate and nature crises**

NPF4 Policy 1 Tackling the Climate and Nature Crises states significant weight will be given to same.

### **National Planning Framework 4 (2023)**

#### **Policy 3: Biodiversity**

NPF4 Policy 3 Biodiversity states a) proposals will contribute to biodiversity enhancement, including, where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.

Potential adverse impacts on biodiversity, nature networks and the natural environment will be minimised.

### **National Planning Framework 4 (2023)**

#### **Policy 7: Historic assets and places**

NPF4 Policy 7 Historic Assets and Places states proposals for demolition of listed buildings will not be supported unless demonstrated there are exceptional circumstances and that all reasonable efforts have been made to retain, reuse and/or adapt the building. Considerations include whether the: building is no longer of special interest; building is incapable of repair and reuse as verified through structural condition survey; repair of the building is not economically viable and there has been adequate marketing for existing and/or new uses at a price reflecting its location and condition for a reasonable period to attract interest from potential restoring purchasers; or demolition is essential to delivering significant benefits to economic growth or the wider community.

Proposals for reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting. Proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

Proposals which sensitively repair, enhance and bring historic buildings, as identified as at risk locally or in the national Buildings at Risk Register, back into beneficial use will be supported.

### **FIFEplan – Local Development Plan (2018)**

#### **Policy 13: Natural Environment and Access**

FIFEplan Policy 13 Natural Environment and Access states that development proposals will only be supported where they protect or enhance natural heritage and access assets including, Local Landscape Areas, woodlands and trees/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, green networks and greenspaces and core paths, cycleways, existing rights of way and established footpaths. Where adverse impacts on existing assets are unavoidable, we will only support proposals where these impacts will be satisfactorily mitigated.

## **FIFEplan – Local Development Plan (2018)**

### **Policy 14: Built and Historic Environment**

FIFEplan Policy 14 Built and Historic Environment states that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported. Proposals will not be supported where it is considered they will harm or damage listed buildings or their setting, including structures or features of special architectural or historic interest and sites recorded in the Inventory Historic Gardens and Designed Landscapes. For all historic buildings and archaeological sites, whether statutorily protected or not, support will only be given if, allowing for any possible mitigating works, there is no adverse impact on the special architectural or historic interest of the building or character or appearance of the conservation area.

Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future.

All archaeological sites and deposits, whether statutorily protected or not, are considered to be of significance. Accordingly, 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 mitigation is proposed.

### **Making Fife's Places Supplementary Planning Guidance (2018)**

This document sets out Fife Council's expectations for the design of development in Fife. It explains the role of good design in creating successful places where people will want to live work and play through an integrated approach to buildings, spaces and movement.

#### **Other Policy and Guidance includes:**

**Historic Environment Scotland Historic Environment Policy for Scotland (2019)**

**Managing Change in the Historic Environment: Setting (2020)**

**Managing Change in the Historic Environment: Demolition (2020)**

**Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings (2020)**

**Managing Change in the Historic Environment: Roofs (2020)**

**Managing Change in the Historic Environment: Windows (2020)**

**Fife Council Planning Customer Guidelines: Windows in Listed Buildings and Conservation Areas**

## **2.4 Impact on the Historic Character of the Listed Building**

**2.4.1** External alterations are proposed to the former Craigtoun Hospital building which consist of replacement windows and replacement roof coverings. The modification of existing dormer extensions on the north and south roof slopes is also proposed. The main point of assessment for these aspects of the proposal are whether the proposed changes preserve or enhance the historic character of the listed building.

**2.4.2** The former Craigtoun Hospital is on the Buildings at Risk Register and is noted as being in 'poor' condition and deemed to be at 'moderate risk.' A detailed building condition survey has been submitted with this application which concludes by noting that external fabric of the building is 'generally poor.' The survey notes continued degradation of roof coverings, dormers, valleys, parapet gutters, abutment detailing, masonry joints and wallhead copes. The survey continues to advise that a section of floor and ceiling on the south elevation has collapsed and that missing



boarding to windows increases the risk of unauthorised entry. The survey details that the condition of the remaining sash and case windows is fair and that extensive replacement of leaded windows should be anticipated. The survey also considers internal features and notes that continuing water ingress, associated with the poor condition of the external fabric is resulting in the loss and greater risk to key features, especially in the upper rooms and is resulting in the further loss of plasterwork and that dry rot outbreaks are worsening and will continue to exacerbate the rate of intervention required.

**2.4.3** Internal works are also proposed in order to subdivide rooms to facilitate the proposed 27 flatted dwellings. The alteration and reuse of the internal spaces within the building has been set out to maximise the use of the volume of the building whilst minimising the extent of alteration of the historic fabric. It is proposed to re-use of as many of the existing features and details as possible such as fireplaces and cornicing, corner rooms, skirtings and beams, doors, and flagstones. Much of the original interior of the building is relatively plain in character with few special details (due to significant loss) which contributes to a degree of flexibility of layouts. Where details and special features do occur, these are to be retained and enhanced in the new residential units. Given the current condition of the building and the level of internal intervention that is required to facilitate the proposed use, no significant concerns are raised with the proposed internal works. Furthermore, throughout time the building has been subject to significant alterations to accommodate its changing function. There would be no significant impact on the historic character of the building in this regard.

**2.4.4** Fife Council's Built Heritage Officer has been consulted on the proposal and has advised that the building is dilapidated and has undergone significant internal alterations and losses through its previous uses and subsequent closure as a hospital. The response details that a limited area of land has been retained around the house with the remaining land included within the development site being subject to significant constraints on development through covenants which makes the site particularly challenging for securing sympathetic enabling development. Some concerns are raised with the modification of existing dormers and the addition of balconies on the roof of the building however it is noted that development of the attic space has been restricted which results in reduced impacts to the roof. The response notes that the window condition report has been reviewed which details that many of the windows are 20<sup>th</sup> century replacements and that they are of negligible interest. The consultation response concludes by noting that overall, there is a medium level of adverse detrimental impact, however, it does note that there are no objections to the development proposal, subject to conditions securing further detail.

**2.4.5** Historic Environment Scotland has also been consulted on this application and advised that they had no comments to make.

**2.4.6** A window schedule and condition survey has been submitted with the application which details that many of the windows which remain are non-original and are therefore of negligible interest. It is largely proposed that new windows would be installed, however, a limited number of windows would be refurbished where possible. No window details have been submitted with the application however these have been requested by condition. It is expected that any proposed windows would respect the historic character of the building and would be traditional sash and case windows constructed from timber. Given the low level of interest associated with the existing windows (where they remain), no significant concerns would be raised with the installation of suitable replacements. This would be deemed to preserve the character of the listed building.

**2.4.7** No substantial works are proposed to the stone walls or other stone features of the building with the exception of localised repairs where required. The same is true for the slate roof coverings where new slates will be installed where required and existing slates retained where suitable.

**2.4.8** The modification of existing dormers and addition of balconies would be restricted to the north and south roof slopes which would avoid views of the principal north elevation. Whilst the modification/installation of these features would be a significant change to the roof of the building, their modern appearance would contrast well with the historic nature of the building and as such, would have no significant impact on the historic character of the listed building.

**2.4.9** A significant material consideration in the assessment of this proposal is the need to secure the at risk listed building's long-term future. Whilst there will no doubt be a significant impact on the building's historic character, this has been minimised through sensitive and well-considered design. It is therefore considered on balance that the internal and external works to the listed building preserve the historic character and would ensure its continued survival for future generations to enjoy.

**2.4.10** The application proposal would therefore comply with NPF4 policies 7 and FIFEplan policies 14.

## **2.5 Demolition of Curtilage Listed Buildings**

**2.5.1** The application proposes the demolition of two buildings within the curtilage of the listed building. Whilst the listing description for the main building does not reference these buildings, they are considered to be curtilage listed. The heritage statement submitted with the application notes that these buildings are of low significance in relation to the listing of the main building. The building condition survey submitted with the application details that both buildings have been significantly altered and extended. It continues to note that both buildings are in fair condition but both have suffered significant damage and that complete refurbishment of both buildings would be required in order to make them habitable.

**2.5.2** Historic Environment Scotland's Managing Change in the Historic Environment - Demolition (2019) advises that if one of the following situations applies then the loss of a listed building is likely to be acceptable, if clear justification has been given:

- a) the building is no longer of special interest; or
- b) the building is incapable of repair; or
- c) the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d) the repair of the building is not economically viable.

**2.5.3** As part of the full planning application associated with this proposal, the applicant has advised that the overall development faces significant viability constraints, due to the high costs associated with restoring the main listed building. Enabling development is proposed within the grounds of the main building and it has been established that the amount of enabling development proposed is the minimum amount required, in order to cross-fund the restoration. The applicant has confirmed that the demolition of the curtilage listed buildings is required in order to provide additional land to facilitate the enabling development and their retention and restoration is not viable.

**2.5.4** The curtilage listed buildings may be capable of repair, however, they do have a low level of significance in relation to the main listing. Furthermore, the identified viability constraints, combined with the significant benefits that would be achieved through the restoration of the main building, their demolition can be accepted in order to realise the wider objective of securing the future of the 'at risk' listed building. The land on which they are situated is required for the enabling development which has been shown to be the only viable option to realise the complete refurbishment of the listed building.

## **2.6 Protected Species**

**2.6.1** A preliminary ecology appraisal (PEA) has been submitted with the application. The PEA considers the buildings within the site and notes that the main building was found to provide high bat roost potential where loose/missing tiles were present where bats could gain access for roosting. It was also noted that old bat droppings were found within the building in two different locations. Two other buildings within the site were assessed as having medium bat roost potential. The PEA recommended further bat surveys be undertaken. Further bat surveys were subsequently undertaken which recorded common and soprano pipistrelle bats emerging from the buildings. Any further surveys shall also consider all trees within the site that have been categorised as having habitat potential for bats.

**2.6.2** Fife Council's Natural Heritage Officer was consulted on the proposal and has advised that the surveys undertaken to date establish that the former Craigtoun Hospital building supports bat roosts, however, further surveys will be required during the next active season to establish how many. Any report accompanying the survey will also need to detail any mitigation measures that may be required and any enhancement measures which could include the installation of artificial roost facilities. These further surveys can be conditioned. The applicant will also need to secure a license from Nature.Scot before any works are undertaken which may disturb bat roosts. A condition will be attached to this consent requiring evidence to be submitted which shows that the license has been obtained.

**2.6.3** The proposal complies with NPF4 policy 6 and FIFEplan policy 13 and is therefore acceptable in this regard.

## **3.0 CONSULTATION SUMMARY**

Historic Environment Scotland  
Built Heritage

No comments.  
No objections subject to conditions.

## **4.0 REPRESENTATIONS SUMMARY**

2 general comments and 5 objections have been submitted. Concerns raised largely relate to the associated full application and have therefore been considered in that report.

Submitted concerns which relate to this LBC application include:

Design of the new dormers is inappropriate – Addressed in Section 2.4.1

Not possible to comment in full without seeing inside – Some photographs are available of the internals however it was not possible to survey some of the building due to safety concerns. A site visit confirmed that the internal areas of the building are in a very poor state of repair and that little remains of architectural value.

Supporting comments include:

It will bring much needed change to the derelict building and the sooner the refurbishment starts the better

## **5.0 CONCLUSIONS**

This application for listed building consent proposes internal and external changes to a category B listed building, in order to bring the 'at risk' building back into beneficial use. The current condition of the building requires immediate intervention to prevent further decline and the conversion into 27 flatted dwellings has been proposed in a sensitive way, which preserves the historic character of the listed building and would ensure its continued survival for future generations. Demolition of existing outbuildings which are curtilage listed is also proposed in order to facilitate enabling development so the wider scheme and the ultimate aim of saving the listed building is achieved. The proposal is recommended for approval subject to conditions.

## **6.0 RECOMMENDATION**

It is accordingly recommended that the application be approved subject to conditions.

### **CONDITIONS:**

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

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

2. Prior to their demolition, a historic building recording survey of the two curtilage listed buildings shall be undertaken and submitted to Fife Council for prior written approval.

Reason: In the interest of preserving the historic interest of the curtilage listed buildings.

3. Before any works commence on the listed building, full finishing details (including samples) shall be submitted to Fife Council as Planning Authority for prior written approval. The development shall then proceed in accordance with the agreed details.

Reason: In the interest of visual amenity and protecting the historic environment; to ensure the works to listed building preserve its historic character.

4. Before any works start on site, a full window schedule shall be submitted in respect of the listed building which shall cover all windows which shall be replaced and those which shall be repaired. Where windows are to be replaced, full details of their replacements shall be submitted to Fife Council for prior written approval. The works shall then proceed in accordance with the agreed details.

Reason: In the interest of visual amenity and protecting the historic environment; to ensure the works to listed building preserve its historic character.

5. Before any works commence on site, further bat surveys shall be undertaken to establish the precise nature and location of bat roosts within all buildings on site. Once established, a bat protection and mitigation plan shall be submitted to Fife Council as Planning

Authority for prior written approval. Works shall only then commence once a bat license has been obtained from Nature.Scot and evidence of this has been submitted to Fife Council as Planning Authority. Works shall only then proceed in accordance with the terms of the agreed bat license.

Reason: In the interest of protecting natural heritage; to ensure there are no impacts on protected species.

6. No demolition works shall take place until construction contracts have been agreed for the enabling development associated with full planning application 22/04135/FULL and written evidence of this, has been submitted to and approved in writing by Fife Council as Planning Authority.

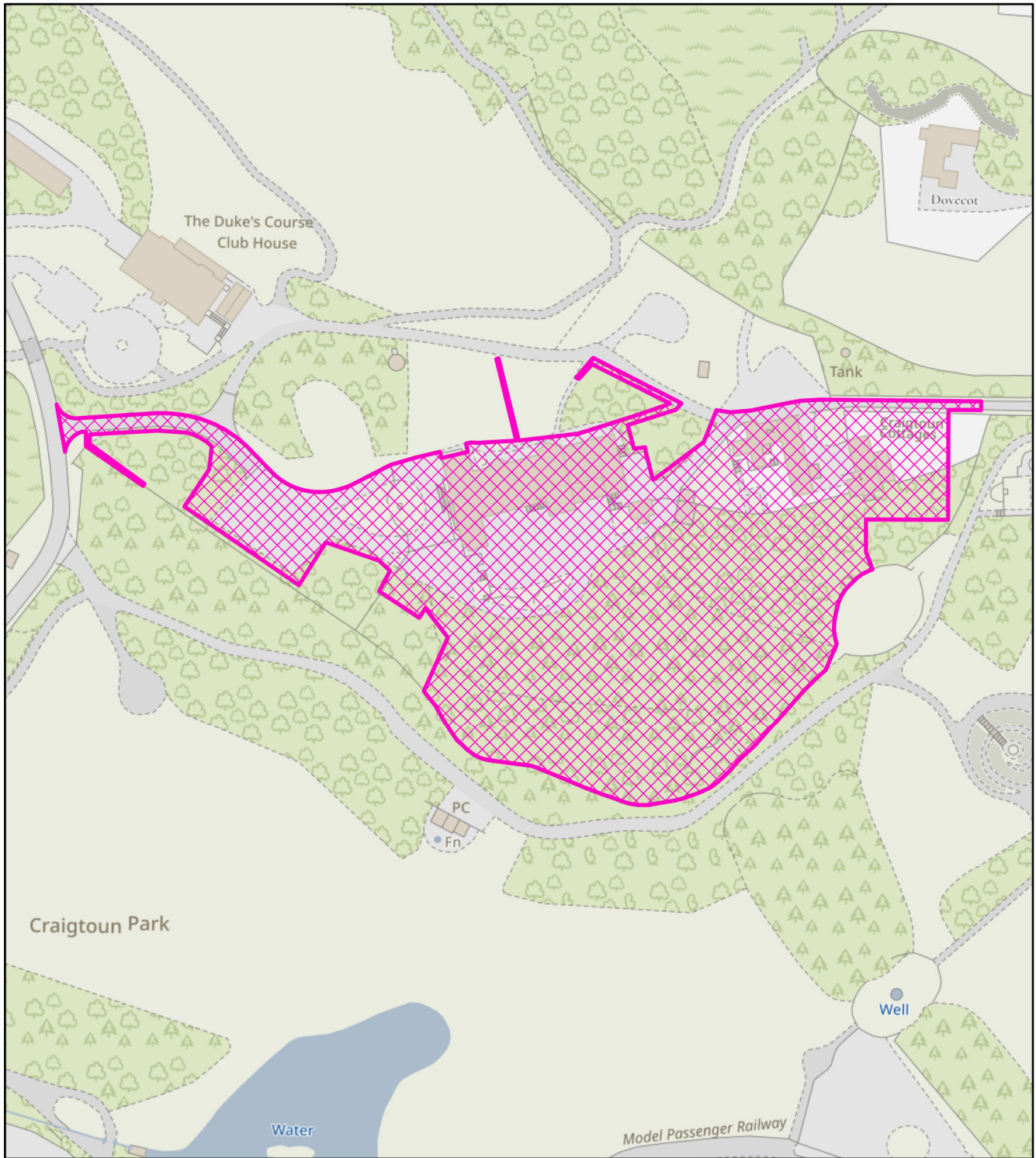
Reason: In the interests of protecting the built historic environment; to ensure that Fife Council as Planning Authority retains effective control over the timing of the development to avoid the unnecessary loss of a listed building.

Report prepared by Jamie Penman – Chartered Town Planner

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead) 14/8/23.

# 22/04134/LBC

Old Hospital, Craigtoun, St Andrews



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