

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 15 November 2023. 3 – 4
4. **22/03003/PPP - LAND AT NUMBER 12 STATION ROAD, KINGSBARN** 5 – 17  
Planning permission in principle for erection of 3 dwelling houses.
5. **23/01121/PPP - HAWKSWOOD COUNTRY ESTATE, PEAT INN, FALFIELD** 18 – 56  
Planning permission in principle for mixed holiday tourism development including tree house style holiday homes, golf greens and bunkers, private grass airstrip, wedding venue and chapel, play barn, indoor swimming pools, store building and associated infrastructure.
6. **23/02301/FULL - LAND FOR PROSPECTIVE STUDENT ACCOMMODATION, ALBANY PARK, ST ANDREWS** 57 – 91  
Erection of student accommodation buildings, alterations to Woodburn House, bin stores, cycle storage, air source heat pumps, electrical sub-stations, formation of parking, landscaping and other ancillary works.
7. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**  
List of applications dealt with under delegated powers for the period 30 October to 26 November.  
Note - these lists are available to view with the committee papers on the [Fife.gov.uk](http://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.**

Fife House  
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6 December 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**

**15 November 2023**

**2.00 pm – 3.05 pm**

**PRESENT:** Councillors Jonny Tepp (Convener), Al Clark, Alycia Hayes, Gary Holt, Louise Kennedy-Dalby, Jane Ann Liston, Donald Lothian, David MacDiarmid and Ann Verner.

**ATTENDING:** Alastair Hamilton, Service Manager, Development Management; Steven Paterson, Solicitor, Planning & Environment and Diane Barnett, Committee Officer, Finance & Corporate Services.

**APOLOGIES FOR ABSENCE:** Councillors John Caffrey, Fiona Corps, Allan Knox and Robin Lawson.

**113. DECLARATIONS OF INTEREST**

No declarations of interest were submitted in terms of Standing Order No 22.

**114. MINUTE**

The committee considered the minute of the North East Planning Committee of 18 October 2023.

**Decision**

The committee agreed to approve the minute.

**115. 22/03393/FULL - 12 SHORE STREET, CELLARDYKE, ANSTRUTHER**

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

**Decision**

The committee agreed to approve the application subject to the three conditions and for the reasons detailed in the report.

**116. 22/04122/FULL - CRAIGTOUN COUNTRY PARK, CRAIGTOUN**

The committee considered a report by the Head of Planning Services relating to an application for the erection of a workshop (Class 5).

**Decision**

The committee agreed to approve the application subject to:-

- (1) the two conditions and for the reasons detailed in the report; and
- (2) an amendment to condition two to read:

## 2023 NEPC 54

2. The use authorised by this permission shall be carried out only by the organisation known as St Andrews Men's Shed, based at Wallace Street, St Andrews, KY16 8AN or any subsequent registered address thereafter.

Reason:-

The development is only considered to be acceptable on the basis of a personal permission.

### **117. 23/01556/FULL - CUPAR MUIR SAWMILL, QUARRY ROAD, CUPAR MUIR**

The committee considered a report by the Head of Planning Services relating to a reserved matters application for detailed roads and layout and erection of 37 dwellinghouses (Section 42 application to vary condition 19 of planning permission 07/01297/EARM relating to hours of construction).

#### **Decision**

The committee agreed to approve the application to vary condition 19 of planning permission 0701297/EARM - as detailed in condition 18 of the report.

### **118. 23/01782/FULL - GARDEN 1, GREYFRIARS GARDEN, ST ANDREWS**

The committee considered a report by the Head of Planning Services relating to an application for alterations to a boundary wall, including erection of railings and a gate.

#### **Decision**

The committee agreed to approve the application subject to the one condition and for the reason detailed in the report.

### **119. 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 2 to 29 October 2023.

Committee Date: 13/12/2023

Agenda Item No. 4

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**Application for Planning Permission in Principle**      **Ref: 22/03003/PPP**

**Site Address:**                      **Land At Number 12 Station Road Kingsbarns**

**Proposal:**                              **Planning permission in principle for erection of 3 dwelling houses**

**Applicant:**                              **Mrs K McFarlane, 3 Briar Gardens Newlands**

**Date Registered:**                      **7 November 2022**

**Case Officer:**                              **Scott McInroy**

**Wards Affected:**                      **W5R19: East Neuk And Landward**

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### **Reasons for Referral to Committee**

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This application requires to be considered by the Committee because the application has attracted six or more separate individual representations which are contrary to the officer's recommendation including an objection from Kingsbarns Community Council as a statutory consultee.

### **Summary Recommendation**

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The application is recommended for: Conditional Approval

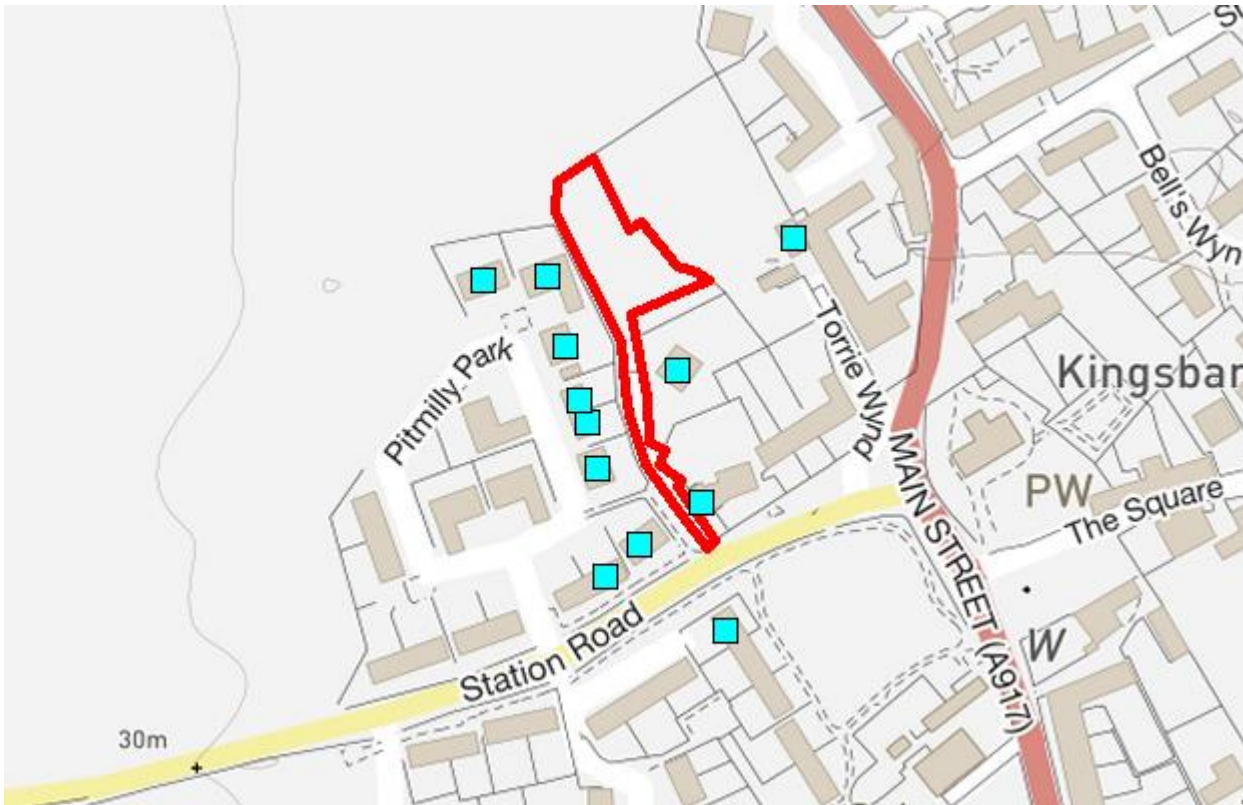
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## **1.0 Background**

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### **1.1 The Site**

### 1.1.1 LOCATION PLAN



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**1.1.2** The application relates to a grassed area to the north of 10 Station Road, located within the Kingsbarns Conservation Area and settlement boundary as designated in the adopted FIFEplan (2017). The proposed site measures approximately 0.12ha and is currently bounded by a stone dyke to the east and the category B Listed Torrie House, a residential property to the south, a new housing development to the west and a stone dyke and post wire fence to the north. A house used to sit on this site but was demolished after application 09/01376/ECAC was approved in September 2009. Access to the site is taken via a track to the west of 10 Station Road.

## 1.2 The Proposed Development

**1.2.1** The application seeks Planning permission in principle for erection of 3 dwelling houses.

## 1.3 Relevant Planning History

06/01345/EOPP - Outline application for erection of a dwellinghouse. This application was approved on 14.09.2006.

09/01376/ECAC - Demolition of dwellinghouse was approved at officer level under the Approved Scheme of Delegation on 16th September 2009.

09/03009/ARC - Approval required by conditions for the erection of 2 dwelling houses (including demolition of existing dwelling) - this application was approved on 04/06/2010.

09/02158/FULL - Erection of dwelling house and boundary fence - this application was approved on 13/05/2010.

19/00902/FULL - Erection of dwellinghouse, formation of hardstanding and associated parking, and erection of boundary fence - approved 20.06.2019.

## **1.4 Application Procedures**

**1.4.1** Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Sections 59(1) and 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

**1.4.2** 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 now adopted NPF4 and the adopted FIFEplan LDP 2017.

**1.4.3** A physical site visit was undertaken on 08.02.2023.

## **1.5 Relevant Policies**

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

#### **Policy 1 & 2: Tackling the climate and nature crises**

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.

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

NPF4 Policy 7 stipulates development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained and mitigation.

### **Policy 11: Energy**

NPF4 Policy 11 (Energy) also provides support for all forms of renewable, low-carbon and zero emissions technologies provided associated detrimental impacts are addressed.

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

NPF4 Policy 13 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.

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

NPF4 Policy 14 states development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. NPF 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.

### **Policy 15: Local Living and 20-minute neighbourhoods**

NPF4 Policy 15 (Local Living and 20 Minute Neighbourhoods) aims to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options and where relevant within 20 minutes neighbourhoods.

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

NPF4 Policy 16 aims to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

### **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; (ii) 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.



## **Adopted FIFEplan (2017)**

### **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.

### **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.

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

FIFEplan 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: Amenity

### **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. Policy 10 also states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

### **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.

### **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.

## **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.

### **National Guidance and Legislation**

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

Historic Environment Scotland Policy Statement (June 2016)

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

### **Supplementary Guidance**

#### **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.

Supplementary Guidance: Low Carbon Fife (2019)

#### **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).

### **Planning Customer Guidelines**

Fife Council Planning Customer Guidelines: Garden Ground (2016)

Fife Council Planning Customer Guidelines: Daylight/Sunlight (2022)

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

### **Other Relevant Guidance**

#### **Kingsbarns Conservation Area Appraisal and Management Plan**

This provides a detailed conservation review of the town's Conservation Area boundaries. Further to this, it also aims to highlight the key townscape, architecture and historic issues considered to be important to the character of the town as a whole. The document also identifies important conservation issues and provides a framework for the conservation area's future management. The general advice, guidance, and management considerations referred to are relevant to all new development opportunities within the Conservation Area itself and mirror the advice contained within the HES Historic Environment Policy for Scotland (May 2019).

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- Principle of Development
- Design/Impact on Conservation Area/Impact on settling of Listed Buildings
- Residential Amenity
- Garden Ground
- Transportation/Road Safety
- Flooding and Drainage
- Low Carbon
- HMO

### 2.2 Principle of Development

**2.2.1** In simple land use grounds, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within the settlement boundary of Kingsbarns within the Adopted FIFEplan (2017). The site has had multiple previous residential consents on site (see section 1.4), however none of these consents have been implemented apart from the demolition of the house that previously stood on this site. Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

### 2.3 Design/Impact on Conservation Area/Impact on settling of Listed Buildings

**2.3.1** The surrounding area is predominantly residential with a mixture of housetypes, with a new housing estate to the west and individual houses to the south and east (category B listed). The proposed development seeks to build three houses on the application site. Concerns have been raised regarding the indicative drawings in terms of footprint, proposed size in terms of bedrooms and lack of design detail. As this is an application for Planning Permission in Principle, detailed design aspects do not form a key part of the current application assessment. The applicant has submitted an indicative site layout and elevation drawings with this application demonstrating how the site could be developed with three one and a half storey dwelling. The previous consents on the application site were for dwellings that were one and a half storey in height. It is considered that the site is of a sufficient size to accommodate three dwellinghouses and that the dwellinghouses could be designed and sited within the site to respect the surrounding settlement pattern and visual amenity of the area. Notwithstanding this, aspects of the proposed development relating to design and visual impact of a future proposed residential development on the surrounding area would be assessed at the subsequent detailed Approval Required by Conditions planning stage.

**2.3.2** Having considered the prevailing layout of development in the area surrounding the proposal it is considered that the indicative development of this site subject to an appropriate design would not cause any detriment to the surrounding streetscene and established pattern of development.

## **2.4 Residential Amenity**

**2.4.1** The limited information provided with a planning permission in principle application means that it is not possible or appropriate to assess what impact, if any, a proposal may have on the residential amenity of adjacent properties. The indicative drawings indicate that there would be no glazing on the elevation adjacent the nearest residential properties. Taking into account the indicative plans provided and the distance and layout of neighbouring properties, as well as boundary treatments, it is considered that the proposed dwellinghouses could be designed in such a way to ensure that there would be no significant or additional residential amenity issues raised with regard to loss of privacy and overlooking, nor daylight and sunlight. Such impacts would be fully assessed should any future approval required by conditions (ARC) application be submitted.

**2.4.2** It is considered, therefore, that a proposal could be designed to comply with the guidance on residential amenity (set out in section 1.5). These issues, however, would be assessed as part of a future detailed design proposal. Because this is an application for planning permission in principle this is not therefore the main determining factor in this instance.

**2.4.3** One of the previous consents on site (ref 19/00902/FULL) had a condition attached with regards proposed boundary treatment to safeguard the residential amenity and setting of the category B listed Torrie House listed property that sits to the east. It is considered appropriate to carry this condition forward to this application.

**2.4.4** In conclusion, the indicative plans provided suggest that the proposal would not give rise to residential amenity issues for neighbouring properties, however, this will be fully investigated at the detailed application stage.

## **2.5 Garden Ground**

**2.5.1** Fife Council Planning Customer Guidelines: Garden Ground (2014) advises that all new and existing dwelling-houses should be served by a minimum of 100 square metres of useable garden space and that a ratio of building footprint of 1:3 will be required.

**2.5.2** The proposal would provide sufficient outdoor space to meet the minimum requirements above.

## **2.6 Transportation/Road Safety**

**2.6.1** Concerns have been raised regarding road safety in terms of the potential number of cars using the existing access road and junction. Fife Council's Transportation Development Management (TDM) were consulted on this application. Initial drawings for this application, showed the off street parking and turning layout to be inadequate. Revised drawings were submitted by the applicant that shows a re-configuration of the site plan which now accommodates the required off street parking and turning that will accommodate the proposal. TDM have no objections to this application subject to appropriate conditions relating to off street parking and turning area. It is therefore considered that the proposed development complies

with the relevant Development Plan policies relating to transportation as well as Fife Council Transportation Development Guidelines, subject to compliance with the attached conditions.

## **2.7 Flooding And Drainage**

**2.7.1** Concerns have been raised regarding flood risk. The submission complies with the Council's requirements for full planning permission, with reference to the 'Sustainable Drainage Systems (SuDS) - Design Criteria Guidance Note'. Initially the applicant had not provided a Surface Water Management Report alongside this application. Further to discussions this report was subsequently submitted. The current proposals will not increase flooding or drainage issues and the Council's Structural Service Team have no objection to this proposal.

## **2.8 Low Carbon**

**2.8.1** Fife Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. A condition has been added regarding the submission of a Low carbon statement and sustainability statement with any future detailed application.

## **2.9 HMO**

**2.9.1** Policy 2 of the Adopted FIFEplan advises that the use of a new build house or flat as a house in multiple occupation will not be permitted unless the development is purpose built for that use and that the Council will impose 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.

## **3.0 Consultation Summary**

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Structural Services - Flooding, Shoreline And Harbours	Initial objection removed following submission of additional information.
Community Council	Objection- design, size, access and no need for large houses in the village.
TDM, Planning Services	No objection subject to conditions
Scottish Water	No objection

## 4.0 Representation Summary

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4.1 6 objections received including Kingsbarns Community Council as a statutory consultee.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

<b>Issue</b>	<b>Addressed in Paragraph</b>
a. Design	2.3.1
b. Road Safety	2.6.1
c. Flooding and Drainage	2.7.1

#### 4.2.3 Other Concerns Expressed

<b>Issue</b>	<b>Comment</b>
a. Site plan and land ownership	Comment regarding the site plan and land ownership certificate are noted, these have been rectified by the applicant.
b. Future owners of dwellings	Concerns regarding who will reside in these dwellings is noted, however this is not a material planning consideration in the assessment of this application.
c. Previous applications	Comments regarding previous applications are noted. The site history of the application site is set out in the Committee report in section 1.3.
d. Potential noise issues	Comments regarding potential works noise are noted. Under the Control of Pollution Act 1974, Section 60 Fife Council Protective Services can control noise from construction sites by serving a notice.
e. Biodiversity impacts	Comments regarding biodiversity impacts are noted. A condition has been attached to this planning permission in principle that any ARC (approval required by condition) application will have to address these issues to allow detailed consideration at that stage of the process.

## 5.0 Conclusions

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This proposal is considered to be acceptable in meeting the relevant policies of NPF4, FIFEplan (2017), other relevant national policy/guidance and Fife Council Customer Planning Guidance. The proposal is compatible with the area in terms of land use and scale. A detailed application will be required, and the planning conditions recommended herewith will help ensure a satisfactory detailed submission for further consideration.

## 6.0 Recommendation

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

### **CONDITIONS:**

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 Fife Council's Planning Policy - Making Fife's Places (2015) - including reference and proposals relating to the design, layout, green network infrastructure and biodiversity enhancement. 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.

(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 surface water management plan as set out within Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2020).

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 dwellinghouse, the off street resident and visitor parking and turning facilities as shown on Drawing No.03B shall be provided in accordance with the current Appendix G (Transportation Development Guidelines) of Making Fife's Places. The parking spaces and turning areas shall be retained throughout the lifetime of the development for the purposes of off street parking and turning.

Reason: In the interest of road safety; to ensure the provision of adequate off-street parking and turning areas are maintained in perpetuity for vehicles.

4. The residential unit hereby approved 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 residential unit 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.

5. BEFORE THE DEVELOPMENT IS OCCUPIED, the boundary fence between any part of the property proposed and any land belonging to the category B listed Torrie House shall be a minimum of 1.8 metres in height and have a solid rather than open slatted finish.

Reason: In the interests of the residential amenity.



## 7.0 Background Papers

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

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Development Plan:

NPF4 (2023)

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance Document (2018)

Low Carbon Fife Supplementary Guidance (2019)

National Guidance -

Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

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

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

Other Guidance -

Kingsbarns Conservation Area Appraisal and Management Plan (2015)

Other Guidance:

Fife Council Planning Customer Guidelines on Garden Ground (2016)

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

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

Report prepared by Scott McInroy, Planner Development Management

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 4/12/23.

Committee Date: 13/12/2023

Agenda Item No. 5

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**Application for Planning Permission in Principle**                      **Ref: 23/01121/PPP**

**Site Address:**                      **Hawkswood Country Estate Peat Inn Falfield**

**Proposal:**                      **Planning permission in principle for mixed holiday tourism development including tree house style holiday homes, golf greens and bunkers, private grass airstrip, wedding venue and chapel, play barn, indoor swimming pools, store building and associated infrastructure**

**Applicant:**                      **Hawkswood Resort Development Ltd, Hawkswood House  
Hawkswood Country Estate**

**Date Registered:**                      **16 May 2023**

**Case Officer:**                      **Scott Simpson**

**Wards Affected:**                      **W5R19: East Neuk And Landward**

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### **Reasons for Referral to Committee**

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This application requires to be considered by the Committee because the application is for a Major Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009

### **Summary Recommendation**

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The application is recommended for: Conditional Approval

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## **1.0 Background**

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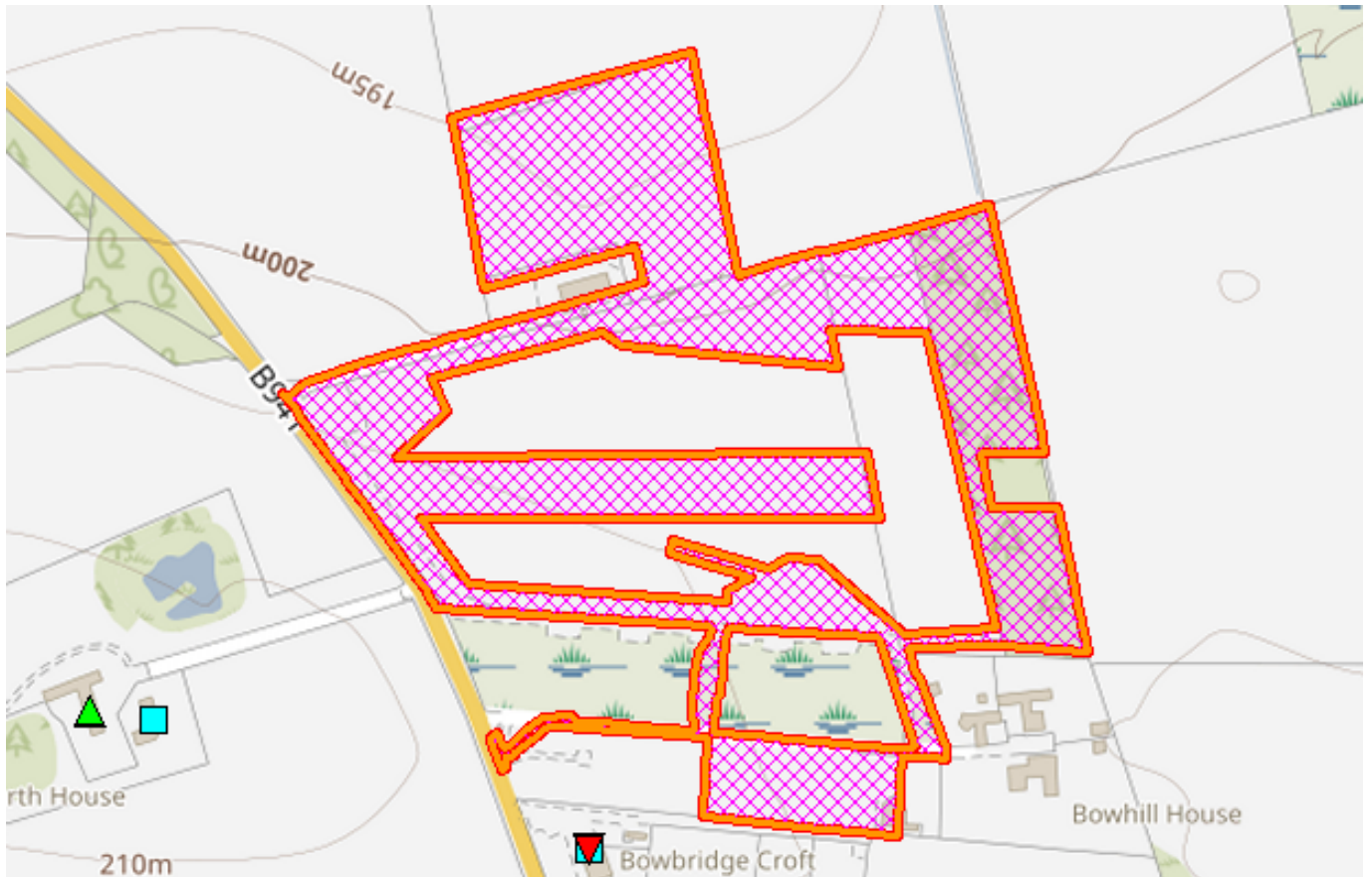
### **1.1 The Site**

1.1.1 The application site measures approximately 12.9 hectares, is located outwith any settlement boundary and is located approximately 570 metres to the south-east of the Peat Inn Settlement Boundary and approximately 1.14 kilometres to the north of the Largoward Settlement Boundary as designated within the Adopted FIFEplan (2017) (LDP). The site is located within Hawkswood Estate and comprises grassed field areas, access road and strips of trees to the east and south of the site with a number of buildings associated with Hawkswood Estate located to the south-east of the site. Access into the site is taken from the B941 distributor road to the west. An agricultural building is also located adjacent to the northern boundary of the site. The site and surrounding area are run by Hawkswood Estate with The Roundell and Hawkswood House used for tourist holiday accommodation. To the south of the site lies Bowbridge Croft and its associated enterprise containing Alpacas and on-site

accommodation. The nearest third-party residential use would be Tayforth House which is located approximately 185 metres to the west of the site.

1.1.2 The northern part of the site is located within a coal mining high risk area and most of the site is classed as non-prime agricultural land (Category 3.2) as per the Land Capability Classification for Agriculture as carried out by the James Hutton Institute. The south-western part of the site (approximately 2823 square metres) is classed as prime agricultural land (Category 3.1) with this area comprising of the existing southern access road into the site (approximately 700 square metres), the B941 distributor road and part of the grassed field area (approximately 2123 square metres) adjacent to the western boundary and the B941 road. The rest of this field adjoining this section is classed as non-prime agricultural land (Category 3.2).

### 1.1.2 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 This application is for planning permission in principle for a mixed holiday tourism development including tree house style holiday homes, golf greens and bunkers, private grass airstrip, wedding venue/chapel, play barn, indoor swimming pools, store building and associated infrastructure. The proposed indicative site plan also shows 12 twin unit caravans on the northern part of the site and this part of the proposal would constitute a change of use of the land to a caravan site, therefore, this part of the proposal is not being assessed under this current planning permission in principle application. This is because a planning permission in principle application cannot legally deal with a change of use of land or buildings and can only deal with operational development. A separate full planning application will be required for this part of the proposal to be fully assessed and determined.

1.2.2 The indicative site plan shows a primary loop road connecting the tree house lodges and wedding chapel to a single existing vehicular entrance to the B941. A turning head is provided at the end of this road. The proposed six tree house lodges would be located within the north-eastern part of the site and would be arranged within an 'L' shaped pattern, whilst the wedding venue/chapel and service block buildings would be located to the south of these lodges on the eastern part of the site. These buildings would be located directly to the north of the existing Hawkswood Estate holiday buildings. The proposed play barn, swimming pool and maintenance/storage buildings would be located on the southern part of the site and to the east of the approved Bistro/Cafe building, to the south of the approved holiday lodge buildings and to the west of the existing Hawkswood Estate buildings. The indicative site plan and landscape drawings show that all these buildings would be surrounded by numerous trees and planting. A private grass airstrip is also shown within the centre of the site and a SUDS pond is proposed to the north-east corner of the site.

### **1.3 Relevant Planning History**

1.3.1 The relevant planning history for application site is as follows:

- Full planning permission (20/02272/FULL) for erection of restaurant/bistro (Class 3) with associated outdoor seating area, car parking and access road, installation of gates, helicopter landing facility and associated drainage infrastructure was approved with conditions on 21st December 2021. This site is adjacent to the south-western part of the application site.
- Full planning permission (21/02159/FULL) for erection of Class 4 office building was approved with conditions on 17th November 2021. This site is adjacent the south-eastern part of the application site.
- Full planning permission (20/01324/FULL) for change of use from agricultural land to golf driving range and formation of hardstanding (in retrospect) was approved with conditions on 13th August 2020. This site is on the eastern part of the application site.
- Full planning permission (21/01593/FULL) for construction of temporary access road, delivery/storage compound, gate and access onto public road was approved with conditions on 6th August 2021. This land is on the north-western part of the site with the temporary access road exiting onto the B941 distributor road.
- Full planning permission for (17/00531/FULL) erection of four holiday homes, visitor reception building, W.C. Block, helicopter landing facility and pump house building with associated parking and landscaping was approved with conditions on 31st January 2018. Full planning permission (19/01134/FULL) to amend this planning permission with the substitution of four amended holiday homes was approved with conditions on 5th August 2019. Full planning permission (22/03879/FULL) to vary condition 2 of planning reference 19/01134/FULL was approved with conditions on 12th January 2023. Condition 2 required that a woodland planting plan be submitted to this Planning Authority for approval. This permission amended the timing of the provision of the required woodland planting. This site is adjacent to the south-western part of the application site within the former southern woodland area.
- Full planning permission (02/00450/EFULL) for conversion of steading to residential use (renewal of a 1999 planning permission) was approved with conditions on 15th February 2002. Full planning permission (06/03821/EFULL) to alter/extend this steading to form dwellinghouse was then approved with conditions on 12th January 2007. An application (07/00588/EFULL) to amend this planning permission was approved with conditions on 18th May 2007. This application site was located at Bowhill House to the south of the site.
- Full planning permission (06/03914/EFULL) for alteration/change of use/extension of redundant steading building to form dwellinghouse, detached garage and change of use of agricultural land to form garden ground was approved with conditions on 12th January 2007. An

application (07/00586/EFULL) to amend this planning permission was approved with conditions on 22nd June 2007. This application site was located at Bowhill House to the south of the site.

1.3.2 The relevant planning history for the surrounding area is as follows:

- Full planning permission (22/01211/FULL) for change of use of part agricultural shed and agricultural land to alpaca tourist/visitor facility (mixed use) (sui generis) (retrospective) was approved with conditions on 3rd February 2022 on Bowbridge Farm to the south of the site.
- Full planning permission (17/01288/FULL) for siting of static caravan (Retrospective) associated with agricultural business and formation of vehicular access (Renewal of Full Planning Permission 15/01610/FULL) was approved with conditions on 20th December 2021. Planning permission reference 15/01610/FULL was for siting of static caravan (Retrospective) associated with the alpaca business and formation of vehicular access and this land is also directly adjacent to the southern side of the site on Bowbridge farm
- Outline planning permission (07/02446/EOPP) and a reserved matters application (09/01333/EARM) for the conversion and extension of existing garage to form a single dwellinghouse were approved with conditions on 6th March 2008 and 27th November 2009 respectively. This land is to the west of the application site at Falfield Bank with the dwellinghouse being called Tayforth House.
- Planning permission in principle (13/03366/PPP) for the erection of a farm manager's dwellinghouse was approved at appeal (PPA-250-2187) on 20th June 2014. An approval of matters specified by condition application (16/00542/ARC) for the dwellinghouse was then approved with conditions on 5th April 2016. This land is adjacent to the north-west part of the site and is associated with the farming operation at North Bowhill Farm. This permission would appear to be extant as works have commenced on site.

## 1.4 Application Procedures

1.4.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of the National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017) (LDP).

1.4.2 As per Section 24 (3) of the Town and Country Planning (Scotland) Act 1997 (as amended) where there is any incompatibility between a provision of the National Planning Framework and a provision of a LDP, whichever of them is the later in date is to prevail. The Chief Planner's Letter dated 8th February 2023 also advises that provisions that are contradictory or in conflict would be likely to be considered incompatible.

1.4.3 This application would constitute a major development as per Class 9 (Other Development) of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 as the site area exceeds 2 hectares. This application is, therefore, classified as a Major Development. The applicant has carried out the required pre-application consultation (ref: 22/03106/PAN) and a Pre-Application Consultation Report (Online Plan Reference: 09) outlining comments made by the public has been submitted as part of this application. The manner of the consultation exercise, including the notification and media advertisement process, complied with the relevant legislation. This exercise included advertisements relating to the public events being advertised within the Courier and Fife Herald newspapers in July and October 2022, whilst a notification email was sent out to all Local Members and to the Community Council. There was, however, unfortunately, no local

Community Council for Largoward as this was inactive at the time of the consultation process and there is no requirement under current legislation for a letter to be sent out to any neighbouring properties within a certain distance of the application site. It should also be noted that the applicant carried out an extra public event within Largoward, as requested by members of the public, on 6<sup>th</sup> June 2023 and approximately 51 members of the public turned up to this event.

1.4.4 The proposal would fall under Class 12 (Tourism and Leisure) (c) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 and would have a site area which is more than 0.5 hectares. The proposed development could, therefore, have an impact that would necessitate the need for an Environmental Impact Assessment (EIA) Screening. A formal screening application (22/03461/SCR) was made on 7<sup>th</sup> October 2022 and this Planning Authority determined that an EIA was not required for this proposal. Objections advise that an EIA should have been requested, however, the reasoning behind this screening opinion is set out in application reference 22/03461/SCR and it was not considered that the proposal would require an EIA.

1.4.5 A physical site visit was undertaken for this application on 19<sup>th</sup> June and 14<sup>th</sup> November 2023. All other necessary information has been collated digitally and drone footage has also been carried out in August 2023 to allow the full consideration and assessment of the proposal.

1.4.6 This application was advertised in The Courier newspaper on 25<sup>th</sup> May 2023 and was re-advertised on 21<sup>st</sup> September 2023. Neighbour notification letters were also sent out to all physical premises within 20 metres of the application site boundary on 16<sup>th</sup> May 2023 and 6<sup>th</sup> October 2023. The neighbour notification process and all objectors to this proposal were also re-notified on 9<sup>th</sup> October 2023 after an Energy Statement of Intent was received.

## **1.5 Relevant Policies**

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

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

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

#### **Policy 2: Climate mitigation and adaptation**

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

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

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

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

To protect, restore and enhance natural assets making best use of nature-based solutions.

#### Policy 5: Soils

To protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.

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

To protect and expand forests, woodland and trees.

#### Policy 9: Brownfield, Vacant and derelict land and empty buildings

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. This policy also covers matters relating to contaminated and unstable land.

#### Policy 12: Zero Waste

To encourage, promote and facilitate development that is consistent with the waste hierarchy.

#### Policy 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

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

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

#### Policy 15: Local Living and 20-minute neighbourhoods

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

#### Policy 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

#### Policy 19: Heat and cooling

To encourage, promote and facilitate development that supports decarbonised solutions to heat and cooling demand and ensure adaptation to more extreme temperatures.

#### Policy 20: Blue and green infrastructure

To protect and enhance blue and green infrastructure and their networks.

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

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

#### Policy 23: Health and safety

To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

#### Policy 25: Community wealth building

To encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

#### Policy 29: Rural development

To encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

#### Policy 30: Tourism

To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

### **Adopted FIFEplan (2017)**

#### Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts.

#### Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

#### Policy 7: Development in the Countryside

Outcome: A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

#### Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life.



### Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

### Policy 12: Flooding and the Water Environment

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved.

### Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

### Policy 14: Built and Historic Environment

Outcomes: Better quality places across Fife from new, good quality development and in which environmental assets are maintained, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

## **National Guidance and Legislation**

### PAN 1/2011: Planning and Noise

This PAN provides advice on the role of the planning system in helping to prevent and limit the adverse effects of noise. It also advises that Environmental Health Officers should be involved at an early stage in development proposals which are likely to have significant adverse noise impacts or be affected by existing noisy developments.

## **Supplementary Guidance**

### Supplementary Guidance: Low Carbon Fife (2019)

Low Carbon Fife Supplementary Planning Guidance provides guidance on assessing low carbon energy applications; demonstrating compliance with CO2 emissions reduction targets and district heating requirements and requirements for air quality assessments.

### Supplementary Guidance: Making Fife's Places (2018)

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

## Planning Policy Guidance

Planning Policy Guidance: Development and Noise (2021)

Policy for Development and Noise looks at both noisy and noise sensitive land. Noise sensitive developments may need to incorporate mitigation measures through design, layout, construction or physical noise barriers to achieve acceptable acoustic conditions.

## Planning Customer Guidelines

Fife Council's Minimum Distance between Windows Guidance (2011)

This guidance advises that there should be a minimum of 18 metres distance between windows that directly face each other, however, this distance reduces where the windows are at an angle to each other.

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

This guidance sets out that unacceptable impacts on light to nearby properties should be minimised and preferably avoided.

## Other Relevant Guidance

The Landscape Institute's Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013)

This guidance provides advice on how to carry out a landscape and visual impact assessment.

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- **Principle of Development**
- **Loss of Prime Agricultural Land**
- **Design and Layout/Landscape and Visual Impact**
- **Amenity Impacts including noise, privacy/loss of daylight/sunlight, light pollution and construction disturbance**
- **Transportation/Road Safety**
- **Sustainable Transport and the Location of the Development**
- **Low Carbon, Sustainability and Tackling the Climate and Nature Crises**
- **Flooding and Drainage**
- **Contaminated Land, Air Quality and Land Stability**
- **Natural Heritage including impact on Trees, Protected Species and Wildlife Habitats and Biodiversity Enhancement**
- **Community and Economic Benefits**

- **Waste Management**

## **2.2 Principle of Development**

2.2.1 Policies 1, 29 and 30 of NPF4 and Policies 1 and 7 of the LDP apply.

2.2.2 A number of objections have been received which consider that the proposal does not comply with Policies 7 and 8 of the LDP, that there is no need for a “monstrous” development of this type in the countryside and that there is an overprovision of holiday accommodation in the area. Other concerns raised include that more residential homes are needed in the area, not holiday homes, and that the proposal will turn the village into a housing scheme. The objections also state that the proposal is not consistent with the Fife Structure Plan – 2006 to 2026 and that the tree houses are too big to be tree houses. Letters of support state that the proposal complies with the LDP and NPF4, that the new plans will enhance an already exceptional property, therefore, the proposal should be supported. The Fife Structure Plan is no longer a material consideration as it has been superseded by NPF4 and the LDP and this application is being assessed against the current policies contained within these documents. This proposal is also for a tourism development, therefore, the matter relating to whether another type of use or proposal should be provided is not being assessed under this application. The proposal will also not be assessed against Policy 8 of the LDP as that policy relates to housing within the countryside and the current proposal is for a tourism development. The matter relating to overprovision of holiday site accommodation is not a material planning consideration.

2.2.3 Fife Council’s Tourism team advise that they support this application, whilst stating that the current trend in visitors seeking luxury, unique experiences looks set to continue and this development fits in with this and would cause little displacement from other locations throughout Fife as demand increases.

2.2.4 The Hawkswood Country Estate is a well-established rural business with live consents in place for the diversification and extension of this business to include additional holiday homes and a driving range with a café/bistro and Class 4 office building having also been approved (see planning history section 1.3.1 above). The proposal includes six tree house holiday lodges, golf greens, indoor swimming pool, play barn, wedding venue/chapel, maintenance/storage building and private grass airstrip which would represent a further extension and diversification of this established rural business. It is considered that this proposal would accord with the above policies relating to development in the countryside and tourism as it would involve the extension of an established business and would provide a facility for a tourism use which requires a countryside location. Policy 30 (Tourism) of NPF4 also states that proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported. The current LDP advises under Policy 7 that a tourism use can be supported within the countryside, therefore, the current LDP identifies countryside locations as being potentially suitable for tourism uses. It may be possible for a large holiday site to be located within a settlement boundary; however, this application is for the extension to an existing holiday site and business, therefore, the location of this development is also defined by the location of the existing holiday site which is in the countryside. The principle of this development within the countryside would, therefore, be acceptable and would comply with the Development Plan in this respect. A condition is also recommended requiring that the holiday accommodation cannot be permanently occupied. This is to ensure that, for the avoidance of doubt, the units are not used as permanent dwellings. The impact criteria associated with these policies including impacts on prime agricultural land, sustainability, visual and landscape impact, transportation/road safety, natural heritage and amenity impacts will be fully assessed throughout this report.

## **2.3 Loss of Prime Agricultural Land**

2.3.1 Policies 1 and 5 of NPF4 and Policies 1 and 7 of the LDP apply.

2.3.2 Objections state that the proposal would result in the unacceptable loss of agricultural land.

2.3.3 The majority of the site is classed as non-prime agricultural land (Category 3.2) as per the Land Capability Classification for Agriculture carried out by the James Hutton Institute. The south-western part of the site (approximately 2123 plus 700 square metres) is classed as prime agricultural land (Category 3.1) with this area comprising of the existing southern access road (approximately 700 square metres) into the site, the B941 distributor road and part of the grassed field area (approximately 2123 square metres) adjacent to the western boundary and the B941 road. The rest of this field adjoining this section is classed as non-prime agricultural land (Category 3.2). The proposal would, therefore, potentially result in the loss of approximately 2823 square metres of prime agricultural land.

2.3.4 It is considered that this application would not result in the significant loss of prime agricultural land as the area which is subject to this classification is an access road (approximately 700 square metres) and a small triangular part of the edge of a field (approximately 2123 square metres) which is situated next to the B941 road with the majority of the field to the east of this area classed as non-prime agricultural land. It would not be practical for this small triangular area of land to be farmed and it is currently not utilised as farming land due to these constraints. It should also be noted that the maps showing the location of Prime Agricultural Land are indicative at a national level and they occasionally show areas such as distributor roads, hardstanding areas and small unusable parcels of land as part of the prime agricultural classification. The proposal would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## **2.4 Design and Layout/Landscape and Visual Impact**

2.4.1 Policies 4, 14, 29 and 30 of NPF4 and Policies 1, 7, 10, 13 and 14 of the LDP and Making Fife's Places apply.

2.4.2 As this application seeks planning permission in principle, specific detailed design aspects do not form part of this submission, nor does it form part of the assessment of this application as this matter would be fully assessed at the approval of matters specified by condition stage (ARC). Notwithstanding this, an indicative site plan has been submitted to demonstrate how the proposal could be accommodated within the site. The application site is also located within the countryside; therefore, consideration must be given to the proposal's wider and local impact on the landscape. An indicative site layout, a Design and Access Statement (DAS) and a Landscape and Visual Appraisal report (LVA) have been submitted in support of this application.

2.4.3 The indicative site plan shows a primary loop road connecting the accommodation lodges, tree house lodges and wedding chapel to a single existing vehicular entrance to the B941. A turning head is provided at the end of this road. The proposed six tree house lodges would be located within the north-eastern part of the site and would be arranged within an 'L' shaped pattern, whilst the wedding venue/chapel and service block buildings would be located to the south of these lodges on the eastern part of the site. These buildings would be located directly to the north of the existing Hawkswood Estate holiday buildings. The proposed play barn, swimming pool and maintenance/storage buildings would be located on the southern part of the

site and to the east of the approved Bistro/Cafe building, to the south of the approved holiday lodge buildings and to the west of the existing Hawkswood Estate buildings. The indicative site plan and landscape drawings show that all these buildings would be surrounded by numerous trees and planting. A private grass airstrip is also shown within the centre of the site and a SUDS pond is proposed to the north-east corner of the site.

2.4.4 The DAS includes contextual drawings and visualisations which demonstrate how the proposal would sit on the site in relation to the surrounding rural area and adjacent buildings. The DAS also includes sketch drawings of the proposed tree houses and a Computer Generated Image (CGI) of the proposed northern lodge accommodation, access road and new swimming pool and play barn buildings along with a conceptual CGI drawing of the whole site. The indicative drawings of the tree house lodges show buildings with natural timber finishing materials. The DAS demonstrates a clear understanding of the site and its historical context including the existing site conditions, whilst it provides a summary of the relevant investigations which were undertaken including landscape and visual impact, ecology, transportation and drainage. The design philosophy has been clearly articulated and this provides an understanding of the architectural form and history of the site and surrounding rural area in terms of the built and natural environment. The DAS concludes that the submission demonstrates that the site can be developed with a view to providing a high quality and locally responsive design, whilst it outlines proposals which it considers positively address visual impact, integration with existing estate infrastructure and the consented holiday homes along with the promotion of biodiversity and a fully self-contained drainage and access solution. The DAS also sets out how the proposal would meet the six qualities of a successful place.

2.4.5 Objections state that the proposal would not be in keeping with the surrounding area, it would constitute overdevelopment of the site and that it would have a detrimental visual and landscape impact.

2.4.6 The submitted information demonstrates the potential visual impact that the proposal could potentially have on the site and surrounding rural area and how the proposal could be accommodated within the application site. It is considered that the indicative proposed buildings, shown within the Design and Access Statement, would be of a similar scale and nature to the existing neighbouring buildings on site and those previously approved under application references 17/00531/FULL and 19/01134/FULL (four holiday lodges), 20/02272/FULL (Restaurant/Bistro) and 20/01324/FULL (Golf Driving Range). The proposed holiday development and associated infrastructure would, therefore, not appear as an incongruous addition to this area and would be visually acceptable when taken within the context of the existing buildings and surrounding land uses which includes agricultural buildings, holiday lodges and farm buildings. A proposal could, therefore, be designed to respect the character and appearance of the surrounding rural area and adjacent buildings. Conditions are recommended requiring that details of the proposed finishing materials and design of the buildings are submitted at the ARC stage.

2.4.7 With regards to landscape impact, a Fife Landscape character assessment was carried out in 1999 and this is included within the NatureScot Landscape Character Assessment (2019). The proposal would be located in the Pronounced Volcanic Hills and Crags (FFE4) as shown on the NatureScot Landscape Areas Character table. The assessments state that the Pronounced Hills and Crags Landscape Character Type has conspicuous, pronounced, often distinctive and recognisable hills or hill ranges standing out from the surrounding lowland landscapes.

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

2.4.9 An LVA has been submitted by the agent with regards to the proposal's landscape and visual effects. The LVA includes a zone of theoretical visibility (ZTV) which uses a study area of 2 kilometres from the site, photos taken from six viewpoints and photomontages showing a modelled visual impact of the proposal. These demonstrate how the proposal would sit within the site and the surrounding landscape. The LVA makes reference to the Fife Landscape Character Assessment and sets out the characteristics of these landscape areas. The assessments include the likely landscape and visual effects of the proposal during the construction phase, in year one when construction is complete and then once the additional landscape and mitigation measures are well established within year 10. The six viewpoints which were identified to illustrate the potential visual and landscape impacts of the development are as follows;

- Viewpoint 1 was taken from the B941 near South Bowhill Farm approximately 262 metres to the south.
- Viewpoint 2 was taken from a claimed right of way (FN578) approximately 414 metres to the east.
- Viewpoint 3 was taken from the B941 at the junction with a Core Path (P034/10) approximately 496 metres to the north-west.
- Viewpoint 4 was taken from the B940 at Lawhead approximately 504 metres to the north.
- Viewpoint 5 was taken from a Core Path (P792/04) approximately 970 metres to the south.
- Viewpoint 6 was taken from Cadger's Road approximately 1.5 kilometres to the south.

2.4.10 The LVA advises that the above viewpoints would allow a full landscape and visual impact assessment to be carried out on all neighbouring visual receptors including pedestrian and vehicular routes, Peat Inn, Largoward, the cluster of homes at Lawhead and open sections of farmland to the north, north-east and south of the proposed site and a section of open farmland to the south-east from North Cassingray to South Cassingray. The LVA advises that despite the site's relatively elevated position within the immediate landscape, views to the proposed site from the immediate surrounding landscape are generally restricted by existing built form and existing tree cover. The clearest views towards the site occur from the length of the B940 between Lawhead and the Peat Inn junction with the B941. Views towards the site from the wider surrounding landscape are generally further restricted by agricultural structures, urban development, and intervening tree cover to the south-west of the site, whilst clearer views to the site are afforded across farmland areas to the north, south-east and south. Where actual visibility of the proposal is predicted, it will often be viewed in context with the existing residential buildings and ancillary structures within the site boundary along with agricultural structures adjacent to the site.

2.4.11 The LVA grades each visual effect of the development from each viewpoint and advises that effects graded below moderate (including minor/moderate, moderate/minor, minor, minor/negligible, negligible) and none are not considered to be significant. The LVA states that the residual effects on landscape character within the site and upon the surrounding

Pronounced Hills and Craggs would be minor adverse, whilst the impact on the nearby Tarvit and Ceres Local Landscape Area would be moderate/minor adverse but negligible within the wider context, whilst the impact on the Largo Law Landscape Area would be negligible. The LVA further considers that, whilst the proposal would result in some adverse effects upon visual receptors across the study area, these would primarily be minor or negligible once proposed mitigation planting begins to mature. This is predominantly due to screening provided by existing vegetation and buildings, in addition to the existing context of the proposed site, which contains existing residences and properties of a similar scale. Where moderate adverse effects do occur, they are considered to either lessen overtime as the proposed mitigation planting matures or be temporary in nature during the construction period.

2.4.12 The LVA concludes that the screening influence of intervening topography, vegetation, and buildings, in addition to establishment of the proposed mitigation outlined in Section 5 of the report would minimise the effect on landscape character to a small component of the settlement of Lawhead and its surroundings to the north and north-east of the study area. The proposed mitigation measures include promotion of locally appropriate woodland and wildflower meadow species and the establishment of suitable boundary treatments to the site, including native woodland planting to the north, east and south, and retained hedgerow planting to the west. The report also advises that design styles and finishing materials would be chosen which would be appropriate in the local context. A landscape plan has been submitted with regards to this which shows significant tree planting around the proposed buildings. The LVA concludes that the site can accommodate the proposal without leading to unacceptable effects on landscape character and visual amenity.

2.4.13 The LVA demonstrates that the proposal would have no significant effect on the landscape within year one and ten from all viewpoints apart from viewpoint 4 (B940 at Lawhead) where there would be a moderate adverse effect within year one and then a moderate/minor neutral effect in year ten when any proposed screen planting has fully established. The LVA considers, therefore, that there would be no significant effect in year ten from this viewpoint. It should be noted that the LVA includes the proposed 12 holiday caravans which are located on the northern part of the site, and this would have informed the conclusion that the proposal would have a moderate adverse effect within the first year from viewpoint 4. These holiday caravans are not however, included within the assessment of this planning permission in principle application as set out within section 1.2.1 of this report. A separate full planning application would have to be submitted to allow the matter relating to the change of use of the northern part of the site to a caravan site to be fully assessed. Indicative landscaping plans have also been submitted and the proposal would incorporate the planting of mature trees around the proposed structures which would effectively screen and help soften the impact of the development on the surrounding rural area and landscape. The effect of this development would, therefore, lessen further over time once the proposed screening has fully established and it is considered that there would be no significant effect in year ten once the proposed planting has fully established. The LVA, which includes the proposed caravan site to the north, concludes that the proposal could be accommodated within the site with no unacceptable effect on landscape character and visual amenity and these findings are accepted. The proposal would also be viewed within the context of the existing and approved buildings within the estate; therefore, the landscape impact of the proposal would be acceptable and there would also be no significant effect on the nearby Tarvit and Ceres or Largo Law Local Landscape Areas. The visual amenity issues (design and finishes) and landscape impact would, however, be fully considered as part of any future ARC application and conditions are recommended which require the final design and details of all buildings including finishing materials along with an updated LVA to be submitted at the ARC stage.

2.4.14 The proposal is not necessarily the best or only design solution for the application site; therefore, a condition is recommended which advises that the layout and indicative plans accompanying the application are not, hereby, approved. Further details relating to the proposal's visual and landscape impact, in the form of a Design and Access Statement which includes 3D visualisations and photomontages from relevant viewpoints, should also be submitted with any future ARC applications to fully demonstrate its visual and landscape impact. The proposal subject to conditions would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## **2.5 Amenity Impacts including noise, privacy/loss of daylight/sunlight, light pollution and construction disturbance**

2.5.1 PAN (Planning Advice Note) 1/2011, Policies 23 and 30 of NPF4, Policies 1 and 10 of the LDP, Fife Council's Planning Customer Guidelines on Daylight and Sunlight, Fife Council's Minimum Distance between Windows Guidance and Fife Council's Policy for Development and Noise apply.

### 2.5.2 Noise

2.5.2.1 The proposed golf course and holiday accommodation would have no further significant impact on the surrounding area in terms of noise when compared to the existing business and approved consents on site for a driving range, holiday accommodation and café/bistro building, however, the proposed wedding venue, play barn, airstrip usage and swimming pool could potentially have a significant noise impact on the surrounding area. A noise impact assessment report (NR) has, therefore, been submitted in relation to these proposed uses, whilst additional information in relation to the airstrip usage was also submitted.

2.5.2.2 The NR assesses the level of noise affecting the nearest Noise Sensitive Receptors (NSRs) resulting from live and pre-recorded music played in the proposed wedding venue during events, and from any items of fixed plant associated with the proposed swimming pool. The NR identifies the nearest NSRs as Falfield Bank/Tayforth House which is located approximately 530 metres to the west of the wedding venue/events space and Hawkswood Accommodation which would be located approximately 45 metres to the north of the proposed pool building. The NR provides an assumption in relation to the building fabric of the proposed wedding venue building and advises that the assumed performance of the building elements is typical for this type of structure and are not overly onerous to achieve. The findings of the NR demonstrate that the resultant levels from music noise are well within the required internal noise limits at the nearest NSR, whilst each octave band level would also be at least 3dB below the measured night-time background noise level. The proposed fixed plant associated with the proposed swimming pool would also be able to comply with the required noise levels of NR35 during the day and NR25 at all NSRs.

2.5.2.3 Additional information was also requested with regards to the proposed airstrip usage and the agent has advised that the airstrip would only be used by guests arriving and departing the holiday site and would not be used for leisure/sight-seeing trips. Details relating to the noise levels associated with the aircraft and frequency of flights were also submitted. The estimated trips for the airstrip would be approximately 12 guest arrivals and departures per year, whilst the applicant intends to undertake approximately 10 flight trips per year to keep their licence up to date. The submitted noise certificate states that the take-off noise level for a typical aircraft would be approximately 65.7 dB(A). For reference purposes, PAN 1/2011 states that the decibel rating at source for a passenger car is 70 dB(A) (60 km/h at 7m distance), whilst a modern twin-engine jet is 81 dB(A) (at take-off at 152m distance).



2.5.2.4 Fife Council's Environmental Health Public Protection team (PP) were consulted, and they agree with the findings and recommendations contained within the NR and have no objections based on the submitted information. They have, however, requested conditions requiring that the recommendations contained within the NR are implemented in full before the development is brought into use and that all proposed plant, machinery or equipment shall comply with the required noise levels at the nearest NSR. They also advise that the submitted information demonstrates the use of the airfield would not meet the nuisance criteria, however, they have requested a condition which restricts the use of the airfield from the hours of 8 am to 10 pm. It should also be noted that this PP response was based on the use of the airfield being for visiting guests and for leisure/sightseeing purpose, however, the agent has since confirmed that the airfield would not be used for leisure/sight-seeing purposes and would only be used as set out in section 2.5.2.3 above.

2.5.2.5 Objections have been received regarding the noise impact from the proposal including from the wedding venue and light aircraft. The objections advise that there are inaccuracies within the noise report and that it only assesses internal noise for the wedding venue, whilst it should also take into account noise from the previously approved bistro, four lodges and helipad. The concerns raised also include that 1 am is too late with regards to noise and light and if approved, a maximum sound limitation restriction should be imposed at the site boundary. The objections further consider that there would be construction disturbance due to the proposal and that there would also be disturbance due to extra traffic associated with the proposal, whilst the proposal would have a detrimental impact on the alpacas and horses in neighbouring fields. An objection also states there would be a loss of amenity from the helipad, however, the helipad does not form part of this proposal and has been previously approved under separate planning applications. A supporting comment advises that the NR confirms that the proposal meets environmental standards.

2.5.2.6 It is considered that the proposed holiday accommodation would be a fully compatible use with the surrounding area and would, therefore, have no significant detrimental noise or light pollution impact on the site or surrounding area. The submitted information has also demonstrated that there would be no significant noise impact on any NSR within the surrounding area subject to the recommendations contained within the NR being implemented in full before the development is brought into use. These recommendations relate to the proposed building fabric of the wedding venue and the type of plant and machinery associated with the development. The PP team have agreed with these findings and the conclusions, and the findings and recommendations contained within the NR are accepted. The proposed airstrip would also have no significant noise impact on the surrounding area due to the distances involved between any NSR's and the airstrip, the number of flights involved throughout the year (approximately 22 flights per year) and the submitted noise information which has been accepted by PP. Conditions are also recommended restricting the operating hours and usage type of the proposed airstrip and with regards to noise from any associated plant and machinery. It is also considered necessary to require that an updated noise impact assessment is submitted at the ARC stage to take into account the detailed layout of the site and the detailed location, design and finishes of the proposed buildings. The proposal subject to conditions would, therefore, have no significant detrimental noise impact on the surrounding area, would be acceptable in principle and would comply with the Development Plan in this respect.

### 2.5.3 Privacy/Loss of Daylight and Sunlight

2.5.3.1 Objections state that there would be a loss of privacy as a result of the proposal and that there would be overlooking for the lodge style caravans to Braeside Farm.

2.5.3.2 The nearest third-party residential use would be Tayforth House which is located approximately 185 metres to the west of the site. The residential buildings at Braeside Farm are also located approximately 335 metres to the north-west of the site and the proposed lodge style caravans located on the northern part of the site do not form part of this assessment as set out in section 1.2 of this report. The proposal would have no significant impact on the privacy or sunlight/daylight levels of the surrounding area due to the distances involved between neighbouring residential properties and the proposed. The proposed buildings would also be surrounded by significant tree planting which would screen the proposal from the surrounding area. The proposal would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## 2.5.4 Light Pollution

2.5.4.1 Objections state that there would be a detrimental impact on the surrounding area due to light pollution. They state that existing woodland areas were felled but these were required to shield neighbours from the golf range which was granted permission retrospectively and the floodlights will result in light pollution due to loss of woodland areas.

2.5.4.2 It is considered that due to the location of the site and the distances involved that there would be no significant impact on any surrounding residential areas as a result of light pollution from the proposal. The proposed and existing planting and trees and the intervening land and buildings would also provide mitigation against this. It should be noted that no floodlights are proposed and there are no existing floodlights located on the estate. No external illumination of the site is shown within the submission; however, a condition is recommended requiring that details of any proposed associated external lighting scheme or confirmation that no external lighting will be used shall be submitted at the ARC stage for further assessment. The proposed development would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## 2.5.5 Construction Disturbance

2.5.5.1 Objections consider that there would be a detrimental construction disturbance due to the proposal.

2.5.5.2 It is considered that any construction disturbance caused as a result of the proposal would be temporary in nature and any developer should also work to the best practice contained in British Standard 5228: Part 1: 2009 "Noise and Vibration Control on Construction and Open Sites" and BRE Publication BR456 - February 2003 "Control of Dust from Construction and Demolition Activities". This is in order to mitigate the effects on sensitive premises/areas (i.e. neighbouring properties and road) of dust, noise and vibration in relation to construction works. It should also be noted that PP can deal with any complaints should they arise, and they can control noise and the operating hours of a construction site by serving a notice under the Control of Pollution Act 1974. The site is also located approximately 570 metres to the south-east of the Peat Inn Settlement Boundary and approximately 1.14 kilometres to the north of the Largoward Settlement Boundary with the nearest dwelling being located approximately 185 metres to the west of the site on the other side of the B941 distributor road. There would, therefore, be no significant impact on the surrounding area as a result of any associated construction works. A condition is, however, recommended requiring that a Construction Method Statement and Management Plan, including an Environmental Protection Plan and Scheme of Works are submitted at the ARC stage. The proposed development would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## 2.6 Transportation/Road Safety

2.6.1 Policies 13, 14, 15 and 30 of NPF4, Policies 1 and 3 of the LDP and Making Fife's Places Supplementary Guidance apply.

2.6.2 A Transport Statement (TS) dated April 2023 has been submitted in support of this application. The TS considers the potential transport impact of the proposal and examines the access strategy and how this relates to the existing and consented tourism uses within the Estate. The TS states that the existing access to the Estate will continue to be the main signposted access for guests, however, due to the proposed expansion, a second access is proposed which can also accommodate visitors to the site. The existing approved temporary construction access (21/01593/FULL) would be moved to the south of its existing location allowing for visibility splays of 4.5 metres x 180 metres in both directions. The TS sets out that a week-long speed survey was carried out which demonstrates that the 85<sup>th</sup>ile speeds were 49 mph in both directions and it, therefore, considers that the aforementioned visibility splays would comply with Fife Council's TDM Guidelines. The TS further advises that parking would be provided for the proposed holiday lodges, however, no additional parking is proposed for the 4 greens and associated bunkers, swimming pool, children's play barn and wedding venue/chapel as these facilities will only be utilised by guests of the Estate holiday accommodation. The TS states that it is generally accepted that tourist related development generates limited peak time traffic given the nature of the land use and it is likely that any external trips attracted to the site would mostly operate outwith the peak commuting periods. The TS, using the industry standard Trip Rate Information Computer System estimates that the proposal would generate a maximum of 1 and 2 (two-way) vehicle movements during the peak periods (11 am to 12 noon and 5 pm to 6 pm), whilst the busiest vehicle generating period is forecast to be between 11 am and 12 pm when 4 two-way vehicles movements could be generated. The TS concludes that the proposal will, therefore, have a negligible impact on the local road network and the existing access road is adequate to serve the development.

2.6.3 Objections state that the TS is inaccurate and was carried out at the wrong time of the year when the volume of traffic would be quieter. Objections also state that the TA doesn't take into account adjoining roads to the B941 or employee journeys, whilst the TS mentions staff accommodation which is not proposed. The objections also consider that the proposal would result in a detrimental impact to safety due to the increase in traffic, whilst the proposed access could be dangerous. They also state that there is not enough parking on site, no safe walking or cycling routes within the vicinity of the proposal and that the free community bus service will never happen. They also consider that there is no mention of Peat Inn residents for the bus service, whilst they have queries if the golf buggies would be petrol, diesel or electric and where the associated fuel store would be situated. It is correct that Peat Inn residents are not specifically mentioned within the submission with regards to the bus service, however, the bus service is being provided for guests of the resort and can be used by visitors to the café/bistro. It is also not considered relevant to the assessment of this proposal whether the golf buggies are electric, petrol or diesel. This application is also for planning permission in principle and further details of the location of associated infrastructure should be included on the drawings submitted at the ARC stage.

2.6.4 Fife Council's TDM have no objections, in principle to the proposal subject to conditions relating to the provision of visibility splays of 4.5 metres x 180 metres in both directions at the proposed junction. TDM have also request that a layout plan showing the required parking is submitted before the occupation of the first holiday accommodation unit.

2.6.5 The information submitted has demonstrated that there would be no significant impact on the surrounding area in terms of road safety and the submitted indicative drawings demonstrate an acceptable layout in terms of access and that the required parking can be accommodated within the site. There is also capacity to accommodate the traffic generated by the proposal on the local road network. TDM have also raised no significant concerns with the methodology and findings of the TS and have no objections to the proposal subject to the submission of further information as set out in section 2.6.4 above. Conditions are recommended regarding these matters and a condition is also recommended requiring that details of adequate wheel cleaning facilities are submitted at the ARC stage. It is considered that a proposal could be designed to comply with these road safety conditions, therefore, there would be no detrimental impact on the site or surrounding area in terms of road safety. These matters relating to road safety would also be further assessed at the ARC stage once a detailed layout has been received. The proposed development subject to conditions would, therefore, provide the required on-site transport measures to minimise and manage future levels of traffic generated by the proposal and would, in principle, comply with the Development Plan in this respect.

## **2.7 Sustainable Transport and the Location of the Development**

2.7.1 Policies 13, 14, 15 and 30 of NPF4, Policies 1 and 3 of FIFEplan and Making Fife's Places Supplementary Guidance (2018) apply.

2.7.2 The TS and the Energy Statement of Intent (ESI) advise that the site is ideally located for the tourist proposal as it would generate a limited number of people trips for all types of travel modes and that this rural location is ideal for a tourism development of this type. The TS, therefore, considers that the accessibility of the site and the application of policies covering this aspect of the proposal should be considered in context. It should also be noted that the TS does state that Stagecoach operates a bus (Service 98) which runs between St Andrews and Leven, however, this is not accurate as the site is not served by a public bus service. The ESI also advises in relation to the private airstrip, that those who would be flying to this part of Fife for golfing or tourism purposes, would be doing so anyway, and would utilise one of several other private airstrips on the locality, such as Kingsmuir, Fife Airport, Bonnybank airstrip and Dundee Airport. The submission, therefore, contends that the proposed airstrip at Hawkswood Country Estate would not materially increase light aircraft journeys to Fife, and it would in fact be more sustainable as guests would use the proposed airstrip at Hawkswood Country Estate, rather than using another airstrip in Fife then travelling to the Estate by car or bus. The ESI states that the vast majority of guests stay at the estate to enjoy a group golfing vacation, although vacations associated with weddings and other types of celebrations are becoming increasingly popular, they are from overseas and most guests arrive at Hawkswood Country Estate by airport transfer, or if there is a party of golfers for instance, they will collectively hire a mini bus or people carrier to travel from and to the airport and for golf outings. Hawkswood Country Estate also offers an existing airport (and train station where appropriate) pick up and drop off service, when guests arrive and depart from the estate. Also on offer is a private mini coach service (currently 2 x 18 seat mini coaches) to take guests to and from destinations such as golf courses.

2.7.3 Fife Council's TDM have no objections to the proposal as stated in section 2.6.4 above, however, they have advised that they consider the proposal to not be located within a sustainable location with regards to transport links and they consider that nothing has been proposed to improve this situation. It should, however, be noted that a daily mini-bus service is proposed.

2.7.4 It is considered relevant to note that a recent appeal decision (PPA-250-2392) dated 21<sup>st</sup> August 2023 for an extension to tourist, commercial and leisure development including 131 lodge style static caravan pitches and associated infrastructure on land at Northbank Farm, Lathlockar, St Andrews was recently allowed, and planning permission was granted subject to several conditions. This planning application (21/02819/EIA) was originally refused in the interests of road safety and sustainable travel and due to its visual impact on the surrounding rural area. The sustainable transport refusal reason stated that “the application site is located where more sustainable modes of transport (including public transport) are not readily and safely available necessitating the need for the use of private motor vehicles to access local amenities”. The Reporter when assessing the location of the development commented in their report of handling that, “as Policy 30 of NPF4 supports extended tourist facilities in locations identified in a LDP and Policy 7 of the LDP supports development in the countryside which represents the extension of established businesses, the proposed development is consistent with the provisions of these overarching spatial objectives of the development plan. They considered that the accessibility of the proposal must therefore be seen in this context, along with the recognition in Policy 30 of NPF4 that account must be taken of the specific characteristics of the area: in this instance, a rural area. The reporter, in this instance, therefore, placed weight on the LDP support for tourism development and the extension of established businesses within the countryside when assessing the proposed location of the development in relation to sustainable transport. Each case should be judged on its own individual merits; however, this appeal decision is considered relevant with regards to the implementation of Policy 13 and 30 of NPF4 and tourism development within countryside locations. The reporter, in this case, advises that more weight should be provided to Policy 30 (Tourism) of NPF4 than Policy 13 (Sustainable Travel) when assessing the expansion of a rural business and tourism development in the countryside which has support in principle.

2.7.5 The application site is located approximately 570 metres to the south-east of the Peat Inn Settlement Boundary and approximately 1.14 kilometres to the north of the Largoward Settlement Boundary as designated within the Adopted FIFEplan (2017). There are, however, no sustainable links between the site and these settlements. Policy 13 requires that 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, however, Policy 30 states that proposals for new or extended tourist facilities or accommodation, including caravan and camping sites, in locations identified in the LDP, will be supported. This policy further states that tourism related development will only be supported in these locations where they take into account opportunities for sustainable travel and scope for sustaining public transport services particularly in rural areas. The policy support for the principle of this tourism development within the countryside and the extension of the existing business (see section 2.2 above), is, therefore, a material planning consideration and the accessibility of the proposal within this rural area must be assessed within this context. Policy 30 of NPF4 does require that opportunities for sustainable travel are investigated and it is not possible for this proposal to provide any sustainable links such as footpaths or roads to the nearby settlement boundaries due to the distances and intervening third party land involved, however, the agent has advised that the applicant has investigated opportunities for sustainable travel which would comply with the requirements of Policy 30. The proposal would include a bus service for guests which would operate a seven day a week round trip to St Andrews every two hours, and this would be driven by demand operating from 9 am to 10 pm. Hawkswood Country Estate also offers an existing airport (and train station where appropriate) pick up and drop off service, when guests arrive and depart from the estate. Also on offer is a private mini coach service (currently 2 x 18 seat mini coaches) to take guests to and from destinations such as golf courses. These proposed services would reduce the amount of private car travel associated with the development as guests could make use of this service instead of using private cars. The proposed service would also be made available for use to residents within the local area and visitors to the café/bistro. Policy 30 of NPF4 and Policy 7 of the LDP also provide support, in principle, for the expansion of existing rural businesses and tourism development within the

countryside, therefore, significant weight must be given to these policies and this development would comply with the requirements contained within Policies 30 and 7 as it has investigated opportunities for sustainable travel options.

2.7.6 Objections state that the proposed airstrip is outwith current environmental and green goals, whilst the proposal runs contrary to net zero and the proposal is an unsustainable development which does nothing to reduce carbon emissions.

2.7.7 It is considered that the submitted evidence demonstrates that the proposed trip generations associated with this development would not be significant as set out in section 2.6 above and the proposed play barn, swimming pool and wedding venue would only be used by guests of the holiday site. It is also accepted that guests may on occasions not leave the site on certain days due to the numerous leisure activities available for use at this location. On the basis of the above, it is apparent that the particular circumstances of this case show the extension to the existing holiday site would provide a visitor facility where there is reasonable opportunity for visitors to utilise the proposed mini-bus services and pickup service from airports instead of travelling by private car, and when staying on the site there are good travel and leisure options that are not reliant solely on the private car. A condition is recommended requiring that this bus service is provided throughout the lifetime of the development and that the swimming pool, play barn and wedding venue can only be used by guests in the interests of sustainable travel. In relation to the proposed airstrip, the estimated trips associated with this would be approximately 12 guest arrivals and departures per year, whilst the applicant intends to undertake approximately 10 flight trips per year to keep their licence up to date. This is not considered to be a significant number of trips. Comments have also been made that this grass airstrip is already in use, however, it should be noted that parts of the Estate fields could currently be used 28 days of the year as an airstrip without the need for planning permission as per Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). Class 14 allows the use of land for any purpose, other than land within the curtilage of a building, on not more than 28 days in total in any calendar year without the need to apply for planning permission. The proposed estimated trips set out in the submission would currently breach the requirements of Class 14 as the flights would take place over approximately 34 days of the year based on the submitted information. Based on the submitted information it is accepted that the proposed private grass airstrip could reduce the amount of car travel to the site from other airports in Fife as this would enable guests who already travel to neighbouring airstrips to fly directly to Hawkswood Estate. It is also considered that the proposed location of the proposal within this rural area would be acceptable as it is for tourism development which is an extension to an existing business, and it has taken into account opportunities for sustainable travel as required by Policy 30 of NPF4. The proposal subject to conditions would, therefore, be acceptable in principle at this location.

## **2.8 Low Carbon, Sustainability and Tackling the Climate and Nature Crises**

2.8.1 Policies 1, 2 and 19 of NPF4, Policies 1 and 11 of the LDP and Fife Council's Low Carbon Fife Supplementary Guidance apply.

2.8.2 Objections state that the proposed airstrip is outwith current environmental and green goals, whilst the proposal runs contrary to net zero and the proposal is an unsustainable development which does nothing to reduce carbon emissions. They further state that any proposed solar panels would have nowhere to be sited due to trees being planted everywhere, whilst the proposed renewable energy technology will have a significant impact on the grid with Peat Inn and Largoward suffering power cuts, therefore, Scottish Power should be consulted. There is no requirement to consult Scottish Power with regards to a development of this type

and any additional connection to the grid would need to be applied for by the applicant and would be dealt with through a separate regulatory process to the planning system.

2.8.3 An ESI has been submitted with regards to this proposal. The ESI states that Hawkswood Resort Development Ltd is committed to maintaining as low a carbon footprint as possible. All new buildings on site will operate as sustainably as possible, and locally sourced sustainable materials will be used in their construction wherever practical. The ESI further advises that all new buildings will meet or exceed current Scottish Building Standards with a carbon dioxide reduction target of at least 20%, whilst, foul and surface water drainage will be treated entirely on site, and an intended benefit of the on-site foul and surface water drainage system is that the biodiversity of the overall site will be considerably enhanced. The ESI also states that any energy generation associated with the proposal at Hawkswood Country Estate will be a mix of air source heat pumps, photovoltaic panels, heat recovery systems and associated battery storage whilst, electric vehicle charging points will be installed within the proposed car parking areas. The matters relating to sustainable transport and the location of the development have also been fully outlined and assessed under section 2.7 of this report and the location of the development is considered to be acceptable for a proposal of this type.

2.8.4 It is considered that sufficient information has been submitted to demonstrate that the proposal could incorporate sufficient energy efficiency measures and energy generating technologies which would contribute towards the current carbon dioxide emissions reduction target. The application site is also located more than one kilometre from a district heating network, therefore, it does not have to investigate the feasibility of connecting to an existing or proposed district heat network. Conditions are also recommended requiring that an updated energy statement of intent along with full details of any energy generating technologies and measure are submitted at the ARC stage. These matters would, therefore, be fully assessed at the ARC stage once a detailed proposal has been received. The proposal, subject conditions, would therefore be acceptable in principle and would comply with the Development Plan in this respect.

## **2.9 Flooding and Drainage**

2.9.1 Policies 1, 2, 18, 20 and 22 of NPF4 and Policies 1 and 3 of the LDP apply.

2.9.2 An indicative surface water management plan including a drainage impact assessment report has been submitted. The report provides information regarding the proposed surface water drainage/SuDS scheme and also information relating to the proposed private wastewater management system, whilst the assessment also takes into account other consented development at the site. It states that impermeable areas of the site would be drained using conventional pipework and conveyance swales and attenuated via purpose-built SuDS attenuation ponds. Discharges from the SuDS ponds would be attenuated to appropriate pre-development runoff rates and discharge would be to the Craighall Burn via the existing drainage outlet through the site. The relevant Fife Council drainage/SuDS compliance certificates and checklists have also been included within this report. The report then sets out indicative details of a proposed private wastewater management system which would include various components such as a bespoke WwTP, Reed Bed and Willow Bed Soakaway. The report does advise that the final sizing, layout and details of the proposed drainage and SuDs elements would be refined/confirmed at later design stages, however, the report states that there should be no impediment to the proposal in terms of surface water and wastewater drainage provision. The agent has also submitted evidence to demonstrate that a potable water supply would be provided to the development and has advised that each holiday unit would have a water supply holding tank which would provide a continuous and adequate supply of water. Hawkswood

Estate is also connected to the public water supply and any increase to the estate's water supply would be carried out as part of the normal infrastructure upgrade requirements.

2.9.3 Objections state that the B941 road floods easily, the proposal will result in flooding and water runoff, whilst the water supply to nearby villages will be impacted upon.

2.9.4 Fife Council's Flooding, Shorelines and Harbours Team advise that they have no objections to the proposal. Scottish Water also advise that they have no objections, however, there is no wastewater infrastructure within the vicinity of the development. They advise that the application should, therefore, investigate private options. Scottish Water have also advised that Hawkswood Estate does benefit from a public water supply.

2.9.5 An indicative surface water management plan including a drainage impact assessment report has been submitted which demonstrates that a surface water management and drainage solution could be accommodated on the site. It is considered, therefore, that the proposal has demonstrated that the site could incorporate measures to ensure that it would be served by adequate infrastructure and services to deal with surface water run-off, wastewater drainage and the provision of potable water. These matters would, however, be fully assessed at the ARC stage and conditions are, therefore, recommended requiring that a full surface water management plan including Fife Council's SUDS certification documents be submitted with any future ARC application. The proposal subject to conditions would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

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

2.10.1 Policy 9 and 23 of NPF4, Policies 1 and 10 of the LDP and Fife Council's Low Carbon Fife Supplementary Guidance apply.

2.10.2 Objections state that the proposal will impact air quality and will result in pollution in the country, whilst an inadequate assessment of disturbance of soil next to old mine workings has been carried out.

2.10.3 Fife Council's Land and Air Quality Team have no objections subject to conditions requiring that works cease on site should any unidentified contaminated land be discovered and that an air quality impact assessment be submitted in support of this application. A condition relating to the discovery of contaminated land during construction works is recommended. The proposal subject to this condition would, therefore, be acceptable in principle with regards to contaminated land and would comply with the Development Plan in this respect.

2.10.4 An air quality impact assessment which describes existing local air quality conditions and assesses the potential air quality impacts in the future as a result of the proposal could be conditioned to be submitted at the ARC stage in compliance with Fife Council's Air Quality in Fife Advice for Developers. A condition relating to this matter is recommended. The proposal, subject to this condition, would therefore be acceptable in principle with regards to air quality impact and would comply with the Development Plan in this respect.

2.10.5 The site is located within a coal mining high risk area; therefore, a coal mining risk assessment (CMRA) has been submitted which advises that the presence of possible unrecorded shallow mineworkings in two seams of coal beneath the north portion of the site were identified as the principal risk to surface stability. The report further advises that the areas affected by shallow underground mine workings may require stabilisation by grout injection or



the adoption of special foundation measures. The report recommends that further intrusive site investigation works should be carried out to assess the potential risks.

2.10.6 The Coal Authority considers that the content and conclusions of the CRMA are sufficient for the purposes of the planning system in demonstrating that the application site is, or can be made, safe and stable for the proposal. The Coal Authority, therefore, has no objections subject to a condition that these investigative works are carried out prior to the commencement of works. A condition is recommended regarding these matters. The proposal subject to these conditions would, therefore, be acceptable in principle with regards to unstable land and would comply with the Development Plan in this respect.

## **2.11 Natural Heritage including impact on Trees, Protected Species and Wildlife Habitats and Biodiversity Enhancement**

2.11.1 Policies 3, 4 and 6 of NPF4 and Policies 1 and 13 of the LDP apply.

### 2.11.2 Trees

2.11.2.1 Fife Council's Tree Officer has no objections subject to a detailed arboricultural impact assessment being submitted which demonstrate that existing trees on site will not be detrimentally impacted upon.

2.11.2.2 Objections state that the proposal would have a detrimental impact on natural heritage, and that trees were felled under a tree felling licence previously, whilst these trees still require to be re-planted.

2.11.2.3 The proposed tree houses would be located within an area which previously contained a woodland belt. This tree belt area has however been removed previously and the agent has advised that the applicant was granted a felling licence by Scottish Forestry in January 2022 which authorised the felling of these trees. This felling licence covered the woodland belt area to the east (650 trees over an area of 0.93 hectares) and another woodland belt area to the south (1694 trees over an area of approximately 1.54 hectares) of the site. This licence includes a condition that all felled woodland areas must be re-stocked with similar trees on the land on which the felling took place or an agreed alternative area. The licence also sets out the number and type of trees to be re-planted and the areas must be completed by 31<sup>st</sup> March 2027. This application only impacts upon the re-planting of the eastern woodland belt area and the applicant has applied to Scottish Forestry to provide the required woodland re-stocking on an alternative area upon the Estate. Scottish Forestry initially objected to this proposal as the matter relating to the re-planting of the woodland belt on an alternative location had not been agreed and this proposed development could have prejudiced this re-planting. They have, however, withdrawn their objection as they have agreed to the re-planting of this woodland belt on an area of land to the west of the previous woodland belt area and to the north of the proposed airstrip. Any proposed tree re-planting relating to this proposal would, therefore, be in addition to the required re-planting of the woodland area and this development would not be an impediment to the replanting of the previously felled woodland area.

2.11.2.4 The submitted indicative layout shows that a development could be located on the site which would have no significant impact on existing trees. The existing trees on site are to be retained and a landscape concept has been submitted which shows significant tree planting within the site. The tree planting would also be located around the existing holiday units to provide a semi-natural woodland setting and screening of the development. It is also considered that there is sufficient space within the site for the proposal to be located with no

significant impact on existing trees. Conditions are, however, recommended requiring that the proposed buildings and infrastructure are located outwith the root protection areas of the trees to be retained and requiring that an arboricultural impact assessment, including a tree protection plan are submitted with any future ARC application. A condition is also recommended requiring that no existing trees are felled, lopped or topped unless evidence is submitted to this Planning Authority to justify this. The proposal subject to conditions would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

### 2.11.3 Protected Species and Wildlife Habitats

2.11.3.1 A preliminary ecological appraisal (PEA) has been submitted which includes a desk-based search and habitat and protected species surveys of the application site. The PEA advises that habitats and plant species recorded within the survey area are considered widespread and common throughout the local region, therefore, no further habitat assessment is recommended. The PEA further advises that no protected species were discovered within or adjacent to the site, however, the trees, scrub and areas of tall ruderal vegetation within and adjacent to the site provide suitable nesting habitat for breeding birds and there are features which have potential suitability for use by roosting bats on the mature beech trees, to be retained along the south boundary. The PEA advises that no heavy engineering, such as piling or blasting, is currently planned within 30 metres of these trees and therefore no further bat survey work is currently required. It does, however, recommend that should future works be required on the trees, or heavy engineering works within 30 metres of them, that further assessment for bats should be carried out. It also recommends that, as badgers are a transient species, a pre-construction badger survey should be carried out prior to works commencing and that no building, demolition or vegetation clearance should be carried out during the bird breeding season which is March to August inclusive. The report advises that this survey expires on 20th October 2024 and a further survey should be carried out to ascertain that the situation regarding protected species has not changed. The report also recommends good working practices with regards to the protection of animals during construction works.

2.11.3.2 Objections state that the proposed would have a detrimental impact on wildlife habitats and birds and other species. They also state that woods were previously felled during bird nesting season in contravention of the Forestry and Land Management Act 2018 and the conditions of a previous planning permission (19/01134/FULL). The concerns raised regarding the previous felling works being carried out during the bird nesting season are not a material planning consideration during the assessment of this application and this matter was previously dealt with through an application (19/01134/CND016) to discharge condition 16 (Works during Bird Breeding Season) of planning permission reference 19/01134/FULL. This 2019 application also related to the southern woodland belt area which does not form part of the current application site.

2.11.3.3 Fife Councils' Natural Heritage Officer has no objections to the proposal and agrees with the findings contained within the PEA. They advise that the recommendations contained within the PEA should, however, be carried out in full.

2.11.3.4 It is considered that the submitted information demonstrates that the site can be developed with no significant impact on protected species, wildlife habitats or birds. Conditions are recommended requiring that the recommendation contained within the PEA relating to protected species are carried out in full. This includes the required pre-construction badger survey and the matter relating to no construction works being carried out during the bird nesting season. A condition is also recommended requiring that an updated Ecological report is submitted with any future ARC application should the future ARC be submitted after the report's

expiry date of 20<sup>th</sup> October 2024. The concerns raised regarding the previous felling works being carried out during the bird nesting season are not a material planning consideration during the assessment of this application. The proposal subject to conditions would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

#### 2.11.4 Biodiversity Enhancement

2.11.4.1 The PEA recommends that a Biodiversity Enhancement Plan (BEP) for the site is prepared prior to the submission of a fully detailed planning application.

2.11.4.2 The agent's supporting statement advises that mitigation measures are proposed as part of the proposal, which aim to establish a suitable landscape design which allows the development to be sympathetically integrated within its environment and to complement the site's wider landscape setting. The statement advises that proposals include the promotion of locally native woodland and wildflower meadow species to increase landscape structure and biodiversity value, as well as the establishment of suitable boundary treatments for the site.

2.11.4.3 Objections state that biodiversity on the site would be reduced.

2.11.4.4 Fife Councils' Natural Heritage Officer has no objections to the proposal subject to the structure tree planting being selected entirely from 'native stock' and that the recommendations contained within the PEA and Landscape and Visual Appraisal are carried out in full with regards to biodiversity enhancement.

2.11.4.5 The proposed indicative landscaping plan including the recommendations contained within the LVA demonstrate that the proposal would include planting of native species and a number of measures to enhance biodiversity on site. This matter would, however, be fully assessed at the detailed ARC stage and conditions are recommended which require that a BEP and detailed landscaping plan are submitted at the ARC stage, and this should include measures relating to the planting of native species, possible green/living roofs and walls and bat and bird roost boxes/bricks. The proposal could, therefore, bring about a significant biodiversity enhancement to the site and surrounding area when compared to the existing grassed site. The proposal subject to conditions would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## 2.12 Community and Economic Benefits

2.12.1 Policies 29 and 30 of NPF4 apply.

2.12.2 An Independent Economic Impact Analysis report prepared by a Tourism Consultant has been submitted by the agent. The report defines economic benefit as referring to positive impacts within the Fife economy arising as a result of expenditure on goods and services by those coming to stay at Hawkswood. The report states that it is likely that the proposed expansion elements would create and sustain around 85 full-time and part-time jobs in the local economy, whilst there would be local economic benefits created during the construction phase, however, these have not been estimated, whilst, there would also be an ongoing benefit to the Local Authority due to business rates levelled on the resort. The report also sets out the estimated total economic impact of the proposed extension to the local area annually and it advises this would be approximately £3,683.082. It concludes that if the proposed expansion plans are implemented in full, Hawkswood would become a tourism business of Fife-wide importance, attracting many thousands of additional overnight visitors to Fife each year and

supporting around 110 local jobs, making the business a major contributor to the Fife economy. Such expenditure will also have a positive effect on employment locally.

2.12.3 The supporting information submitted by the agent also states that the proposal would include a bus service for guests which would operate a seven day a week round trip to St Andrews every two hours, and this would be driven by demand operating from 9 am to 10 pm. This proposed service would also be made available for use to residents within the local area and visitors to the café/bistro.

2.12.4 Objections state that the benefits to the local area and Fife are overstated, there will be no economic benefit and that the proposal will create jobs but there is no supply for these jobs. The letters of support state that the proposal would encourage investment into the area and that there will be a significant economic benefit, whilst the proposal would create and have a positive impact on jobs. The supporting letters also state that amenities such as roads and water supply should improve as a result of the development. The matter relating to whether there is a supply for jobs is not a material planning consideration.

2.12.5 The submitted information has demonstrated that the proposal would provide an economic and community benefit to Fife, and it is accepted that a development of this type would provide an economic benefit. It is also considered that visitors to the café/bistro or holiday resort may also utilise the local services within the villages of Peat Inn and Largoward so there would also be an associated economic benefit provided to these local villages. The proposed mini-bus service would also be available to local residents of the neighbouring villages and visitors to the café/bistro and it is considered that this would provide another benefit to the local community. The proposal would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## **2.13 Waste Management**

2.13.1 Policy 12 of NPF and Policies 1 and 10 of the LDP apply.

2.13.2 Objections state that the proposal would result in excess letter.

2.13.3 The submitted information demonstrates that there is sufficient space within the curtilage of the proposed site to accommodate any required bin storage facilities and a condition is recommended requiring that full details regarding this matter shall be submitted at the ARC stage. The proposal subject to conditions would, therefore, be acceptable in principle and would comply with the Development Plan in this respect.

## **3.0 Consultation Summary**

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Scottish Water

No objections

TDM, Planning Services

No objections subject to conditions relating to road safety matters.

Community Council

Object

The Coal Authority

No objections subject to conditions relating to further coal mining investigative works being carried out.

Windfarm Enquiries	No response
NATS Air Traffic Services	No objections
Directorate Of Airspace Policy	No response
Highlands And Islands Airports Ltd	No objections
Tayside Aviation Ltd	No response
Archaeology Team, Planning Services	No objections
Strategic Policy And Tourism	No objections
Built Heritage, Planning Services	No response
Trees, Planning Services	An arboricultural impact assessment should be submitted.
Natural Heritage, Planning Services	No objections subject to the recommendations contained within the preliminary ecological appraisal being carried out in full.
Land And Air Quality, Protective Services	No objections subject to conditions relating to contaminated land and air quality.
Structural Services - Flooding, Shoreline And Harbours	No objections
Environmental Health (Public Protection)	No objections subject to conditions relating to noise impact.
Transportation And Environmental Services - Operations Team	No response
Ministry Of Defence (Enquiries)	No objections

## 4.0 Representation Summary

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4.1 Fifty-one letters of objection including one from the Largoward Community Council and eight letters of support have been received in relation to this application.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

Issue	Addressed in Section
- Development does not comply with policies 7 or 8 of LDP.	2.2
- Not consistent with Fife Structure Plan - 2006 to 2026.	2.2
- Overprovision of holiday accommodation in area.	2.2
- Will turn village into housing scheme.	2.2
- Detrimental noise impact from proposal.	2.5.2
- Noise report is inaccurate.	2.5.2

Issue	Addressed in Section
- One am too late with regards to noise and light and maximum sound restrictions should be imposed at site boundary.	2.5.2
- Construction Disturbance	2.5.5
- Disturbance from extra traffic.	2.5.2
- Privacy and overlooking concerns.	2.5.3
- Light pollution	2.5.4
- Transportation/Road Safety concerns including lack of parking, inaccuracies in TS, increase in traffic and no safe walking or cycling routes.	2.6
- Flooding	2.9
- Water Supply will be impacted upon which serves villages.	2.9
Surface Water Runoff.	2.9
- Location of the development is unsustainable.	2.7
- Development is unsustainable.	2.8
- Renewable energy proposal would have significant impact on the grid.	2.8
- Visual and landscape impact concerns as development not in keeping with area, overdevelopment and detrimental visual and landscape impact.	2.4
- Benefits to local area and life are overstated.	2.12
- Will create jobs but no supply for jobs.	2.12
- No economic Benefit and no benefit to Largoward.	2.12
- Detrimental impact on natural heritage including birds, other species and destruction of habitats.	2.11.3
- Loss of woodland not acceptable.	2.11.2
- Biodiversity would be reduced.	2.11.4
- Loss of Agricultural Land.	2.3
- Proposal will result in excess litter.	2.13
- Inadequate assessment of disturbance of soil next to old mine working.	2.10
- Largoward Community Council have stated that the proposal does not accord with the policies contained within NPF4.	2.0

Issue	Addressed in Section
- Contrary to Policy 9 of NPF4 as is for development of greenfield site.	2.2 (The matter relating to the principle of development is fully assessed under this section)

#### 4.2.2 Support Comments

Issue	Addressed in Section
- Complies with LDP and NPF4.	2.0
- New plans will enhance an exceptional property.	2.2
- Proposal will encourage investment into area.	2.12
- Positive impact and creation of local jobs.	2.12
- Significant economic benefit.	2.12
- Good screening provided with regards to planting.	2.4

#### 4.2.3 Other Concerns Expressed

Issue	Comment
- Tree Houses are too big to be treehouses.	This proposal that is being assessed is for 6 holiday homes and the definition of what constitutes a tree house is not relevant to the assessment of this proposal.
- More residential home required not holiday homes.	This proposal is for a tourism development and is being assessed as such. It is not relevant or a material planning consideration whether more homes are required within the adjacent settlement boundaries.
- Loss of amenity from helipad.	This matter does not form part of the proposal and was assessed under a previous planning application (see planning history section above)
- Increase in traffic could affect structure of houses.	The proposed increase in traffic would have no significant impact on the structure of houses, however, this would not be a material planning consideration.
- Woods felled during nesting season in contravention of Forestry and Land Management Act 2018 and the condition of a previous planning permission.	See section 2.11.2

<b>Issue</b>	<b>Comment</b>
<ul style="list-style-type: none"> <li>- Plans have changed since PAC events.</li> </ul>	<p>There is no legal requirement for the proposal to match that which was presented during the PAC process as long as no new proposals and no significant changes are made to the proposal. It is not considered that any significant changes were made to the proposal which would warrant the PAC process being undertaken again.</p>
<ul style="list-style-type: none"> <li>- Development won't stick to any planning restrictions placed on it and don't trust that applicant will follow conditions.</li> </ul>	<p>This is not a material planning consideration as any conditions attached to a planning consent must legally be complied with and any breach of a planning condition would be appropriately investigated by this Council's Planning Authority.</p>
<ul style="list-style-type: none"> <li>- Consultation process has not been carried out correctly.</li> </ul>	<p>See section 1.4</p>
<ul style="list-style-type: none"> <li>- Cameron CC not consulted.</li> </ul>	<p>The submission for the pre-application notification (22/03106/PAN) advises that Cameron Community Council were consulted. Fife Council were also copied into the email notifications to Local Members and this Community Council.</p>
<ul style="list-style-type: none"> <li>- Land Ownership inaccurate.</li> </ul>	<p>The submitted land ownership advises that the relevant landowners who are not the applicant were notified and no evidence has been submitted to contradict this. The agent has also confirmed that the land ownership is accurate, therefore, this Planning Authority has no reason to doubt the validity of this.</p>
<ul style="list-style-type: none"> <li>- Should have requested an EIA.</li> </ul>	<p>See section 1.4</p>
<ul style="list-style-type: none"> <li>- Mobile phone signals affected.</li> </ul>	<p>This is not a material planning consideration; however, it is considered that the proposal would have no significant impact on the mobile phone signals within the area.</p>
<ul style="list-style-type: none"> <li>- Safety risk of airstrip.</li> </ul>	<p>This is not a material planning consideration; however, the applicant would have to apply for a licence to operate light aircraft from this area. The MOD and Dundee airport also have no objections to the proposal.</p>



Issue	Comment
<ul style="list-style-type: none"> <li>- Why does proposal not include a change of use element since if granted much of the proposal cannot proceed.</li> </ul>	See section 1.2.
<ul style="list-style-type: none"> <li>- Concerns regarding what will be built given number of planning permissions and withdrawals and amendments.</li> </ul>	Each case is assessed on its own individual merits, however, the planning history for the site and surrounding area is taken into account during any planning assessment of a proposal (see section 1.3).
<ul style="list-style-type: none"> <li>- Safety of alpacas.</li> </ul>	This is not a material planning consideration; however, it is considered that there would be no further significant safety risk to the alpacas as a result of the proposal.
<ul style="list-style-type: none"> <li>- Local residents will not be able to use facilities.</li> </ul>	Local residents will not be able to use the swimming pool or playbarn as this does not form part of the proposal, however, they can make use of the holiday lodge facilities if they so wish. This matter is also discussed under section 2.7.
<ul style="list-style-type: none"> <li>- Fire risk from refuelling of planes.</li> </ul>	This is not a material planning consideration and would be dealt with through other regulatory processes. The applicant would have to ensure that the site adheres to the relevant fire safety legislation and the Health and Safety at Work Regulations 1999.
<ul style="list-style-type: none"> <li>- Are Leuchars aware of the airstrip.</li> </ul>	The MOD were consulted and responded in relation to the safeguarding zone around RAF Leuchars. They advised they had no objections as long as no buildings are erected which are more than 6 metres high.
<ul style="list-style-type: none"> <li>- Could use grass airfield at Kingsmuir.</li> </ul>	The visitors could utilise other airfields within Scotland, however, this is not relevant to the assessment of this proposal.
<ul style="list-style-type: none"> <li>- Colinsburgh Community Council not consulted, and its area adjoins Largoward .</li> </ul>	There was no legal requirement to consult Colinsburgh Community Council as the application site boundary is not within and does not adjoin this Community Council.
<ul style="list-style-type: none"> <li>- Power infrastructure would be overwhelmed.</li> </ul>	The applicant would be required to apply to Scottish Power to connect into the

Issue	Comment
	grid if required and this matter would be fully assessed by Scottish Power.
- Could make other similar developments unviable.	The matter relating to economic competition with other similar developments is not a material planning consideration.
- Development will promote consumption of alcohol.	This is not considered a material consideration in the assessment of this application.
- Development will conflict with policies 21 and 26 of NPF4.	These policies are not considered relevant to the assessment of this application.

## 5.0 Conclusions

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5.1 The proposal would be for a tourism development which would represent a further extension and diversification of an established rural business, therefore, the principle of this proposal within the countryside would be acceptable and would comply with the Development Plan. The proposal subject to conditions could also be compatible with its surrounds in terms of land use and could be designed to cause no significant detrimental impacts on the surrounding area in terms of natural heritage, transportation/road safety, amenity, contaminated land, land stability air quality, sustainability or in terms of its visual and landscape impact. These detailed matters would, however, be fully assessed at the ARC stage. The proposal would, therefore, be acceptable in principle subject to conditions and would comply with the Development Plan.

## 6.0 Recommendation

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

### **CONDITIONS:**

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 Specified 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 more 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. This plan should be sufficient to identify the land to which it relates and should show the situation of the land in relation to the locality and in relation to neighbouring land.
- (b) Detailed plans, sections and elevations of all buildings proposed to be erected on the site including the colour and type of materials to be used externally for walls, windows, roofs and rainwater goods. The design and finishing materials should reflect any proposed mitigation measures set out in the subsequent updated Noise Impact Assessment.
- (c) A Design and Access statement (DAS) which evidences how the design and layout has been derived by an analysis of the site and its context, and how it addresses the six qualities of successful places and how it would meet the requirements of NPF4, the Adopted FIFEplan (2017) and Making Fife's Places Supplementary Guidance (2018). The DAS shall include contextual drawings and visualisations which demonstrate how the proposal would sit on the site in relation to the surrounding rural area and adjacent buildings.
- (d) An updated Landscape and Visual Impact Assessment which takes into account the detailed design layout of the proposal.
- (e) An updated noise impact assessment which demonstrates that the proposal would have no significant noise impact on any nearby noise sensitive uses.
- (f) Full details of any proposed external lighting scheme or confirmation that no external lighting scheme is proposed. The submitted scheme shall indicate the measures to be taken for the control of any glare or stray light arising from the operation of the artificial lighting and shall demonstrate that this will have no detrimental impact on any neighbouring public roads, sensitive properties or bats with regards to light spillage and glare. Thereafter, the lighting shall be installed and maintained in a manner which prevents spillage of light or glare into any neighbouring public roads or sensitive properties in accordance with the manufacturer's specification and approved details.
- (g) Construction Method Statement and Management Plan, including an Environmental Protection Plan and Scheme of Works relating to construction activities on site. Any alterations to the principles described in the Construction Method Statement and Management Plan during construction should be agreed in writing by Fife Council as Planning Authority.
- (h) Details including plans showing the provision of off-street parking on the site including ELV charging points, cycle and visitor parking spaces in accordance with the current Fife Council Parking Standards as contained within Appendix G (Transportation Development Guidelines) of Making Fife's Places Supplementary Guidance (2018) or any subsequent revision. These plans shall also show a turning area for the largest vehicle expected to visit the site.
- (i) Details including plans showing that the required visibility splays of 4.5 metres x 180 metres, in accordance with Appendix G (Transportation Development Guidelines) of Making Fife's Places Supplementary Guidance (2018) or any subsequent revision, can be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at the junction of the access onto the B941 distributor road.

(j) Details of adequate wheel cleaning facilities which ensure that no mud, debris or other deleterious material is carried by vehicles on to the public roads. Any subsequent approved wheel cleaning facilities shall then be provided and maintained throughout the construction works.

(k) An energy statement of intent and details of the energy efficiency measures and energy generating technologies which would be incorporated into the proposed development as required in the Fife Low Carbon Supplementary Guidance (2019) or any subsequent revision. A manufacturers brochure/specification of any proposed energy generating technologies shall also be submitted.

(l) A surface water management plan as set out within Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2020) or any subsequent revision.

(m) An air quality impact assessment as per Fife Council's Air Quality in Fife Advice for Developers or any subsequent revision.

(n) A scheme of intrusive site investigation works for mine entries and shallow coal workings to identify any coal mining legacy. The nature and full extent of these investigative works shall be agreed with the Coal Authority and shall be carried out before the submission of a further application(s) for certain matters (Approval of Matters Specified By Condition). The results of these investigations including the results of any gas monitoring along with any remedial works required shall be submitted in a report.

(o) A supporting statement illustrating the development's compliance with Making Fife's Places Supplementary Guidance (2018) including reference and proposals relating to the design, layout, green network infrastructure and natural heritage and biodiversity enhancement.

(p) A Biodiversity Enhancement Plan and detailed plans of the landscaping scheme for the site including the number, species and size of all trees or shrubs to be planted and details of all hard landscaping elements, including surface finishes and boundary treatments within the site. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is sooner.

(q) Details of the future management and aftercare of the proposed landscaping and planting. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

(r) An Arboricultural Impact Assessment including a tree protection plan and arboricultural method statement which takes into account any subsequent detailed layout. This report shall include full details of all tree protection measures which require to be implemented during the construction phase of the development. No trees shall be felled, topped, lopped or have roots cut or damaged without the prior written approval of this Planning Authority.

(s) If any subsequent Approval of Matters Specified by Condition application is submitted after the expiry date (20th October 2024) of the current Ecological Appraisal report (Plan Reference 21) then an updated Ecological Appraisal report which takes into account any subsequent detailed layout and sets out any required mitigation and biodiversity enhancement measures shall be submitted.

(t) A Waste Management Statement including details showing the location of bin storage facilities.

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

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

3. BEFORE ANY CONSTRUCTION WORKS COMMENCE ON SITE; a pre-construction survey for badgers shall be carried out by a qualified ecologist within the site and on land within 100 metres of the site. Any checks shall be undertaken fully in accordance with "Scottish Badgers Surveying for Badgers Good Practice Guidelines (2018)" or any subsequent revision. Should any evidence of badgers be discovered then full details of this check and any required mitigation measures shall be submitted to and approved in writing by Fife Council as Planning Authority BEFORE ANY CONSTRUCTION WORKS COMMENCE ON SITE.

Reason: In the interests of species protection.

4. The indicative drawings and layout plans accompanying the application are hereby not approved.

Reason: The details shown on the submitted drawings are not regarded as the best or only solution for the development of this site.

5. The holiday accommodation, hereby approved, shall be used as holiday accommodation only, shall not be sold or let as a permanent dwellinghouse and shall not be occupied for a continual period of more than 12 continuous weeks in any calendar year.

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

6. The daily bus service as set out within this submission shall be retained for the lifetime of the development unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In the interests of sustainability; to ensure the provision of a sustainable travel method.

7. The Play barn, Swimming Pool and Wedding Venue/Chapel shall only be used by guests of the overall holiday site development unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In the interests of retaining proper control over the development and as the use of the play barn and swimming pool by external users has not been fully assessed.

8. The hours of operation of the airstrip shall be restricted to between 8 am and 10 pm Monday to Sunday inclusive unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In the interests of safeguarding residential amenity during night time hours.

9. The off-street parking as required by condition 2 (h) shall be provided BEFORE THE DEVELOPMENT IS OCCUPIED and shall be retained for the lifetime of the development.

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

10. The visibility splays as required by condition 2 (i) shall be provided BEFORE THE DEVELOPMENT IS OCCUPIED and shall be retained for the lifetime of the development.

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

11. No building, vegetation, trees or scrub clearance shall occur on site from 1st March through to 31st August inclusive each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. If clearance is proposed between these dates, then a bird survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area which provides justification and recommendations with regards to the proposed clearance works. This report 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 as per the agreed methodology.

Reason: In the interests of species protection.

12. 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 and approved in writing by Fife Council as Planning Authority BEFORE THE DEVELOPMENT IS OCCUPIED AND BEFORE ANY PART OF THE SITE IS BROUGHT INTO USE. 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 avoid unacceptable risks to human health and the environment.

13. 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.

14. The recommendations contained within the approved Ecological Appraisal report (Plan Reference 21) or any subsequent approved Ecological Appraisal report shall be carried out in full BEFORE THE DEVELOPMENT IS OCCUPIED.

Reason: In the interests of species protection and biodiversity enhancement.

15. The total noise from any subsequently approved plant and machinery, shall be such that any associated noise does not exceed NR 25 in bedrooms, during the night; and NR 30 during the day in all habitable rooms, when measured within any noise sensitive property, with windows open for ventilation. For the avoidance of doubt, daytime shall be 0700-2300hrs and night-time shall be 2300-0700hrs. WITHIN THREE MONTHS OF THE DEVELOPMENT BEING BROUGHT INTO USE; written evidence demonstrating that the aforementioned noise rating levels have been achieved shall be submitted to and approved in writing by Fife Council as Planning Authority.

Reason: In the interests of safeguarding residential amenity.

## 7.0 Background Papers

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

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Report prepared by Scott Simpson, Chartered Planner

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 6/12/23.



Committee Date: 13/12/2023

Agenda Item No. 6

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**Application for Full Planning Permission**

**Ref: 23/02301/FULL**

<b>Site Address:</b>	<b>Land For Prospective Student Accommodation Albany Park St Andrews</b>
<b>Proposal:</b>	<b>Erection of student accommodation buildings, alterations to Woodburn House, bin stores, cycle storage, air source heat pumps, electrical sub-stations, formation of parking, landscaping and other ancillary works</b>
<b>Applicant:</b>	<b>University of St Andrews and Campus Living Villages, Campus Living Villages UK Ltd 1 Lowry Plaza (7th Floor)</b>
<b>Date Registered:</b>	<b>29 August 2023</b>
<b>Case Officer:</b>	<b>Sarah Purves</b>
<b>Wards Affected:</b>	<b>W5R18: St. Andrews</b>

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**Reasons for Referral to Committee**

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This application requires to be considered by the Committee because the application is for a Major Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009.

**Summary Recommendation**

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The application is recommended for: Conditional Approval

## **1.0 Background**

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### **1.1 The Site**

1.1.1 The site comprises an approximately 2.5 hectare area of ground located within the East Sands area of St Andrews. The site formerly accommodated a collection of buildings used as student accommodation and University offices. The site is bound on the north by Woodburn Place which connects St Mary Street to the west with the East Sands car park to the east. The site is bound on the east in part by the said car park, the East Sands beach, Fife Coastal Path and the vehicular entrance to the Scottish Oceans Institute Laboratory (Gatty Lab). The east boundary extends south along a high wood-panelled fence which secures yard space within the Gatty Lab complex. The remainder of the east boundary continues its alignment with the Coastal Path and beach before reaching the Coastguard station at the south east corner of the site. The south boundary is marked by a low stone wall and a footpath from St Mary Street to the coast. The adjacent land uses to the south boundary include the St Nicolas Farmhouse and Steading residential dwellings and a more modern residential area on and around Brewster

Place. The latter area comprises predominantly two storey demi-detached properties with private gardens. The west boundary is marked by the car park to Fife Council's St David's Community Hub and the rear gardens of the properties on St Mary Street, which is divided by a 2m high stone wall. St Mary Street is the main route in to St Andrews from the south east and is characterised primarily by residential properties of varying heights, including 25 St Mary's Street which is a Category C Listed Building (HBNUM: 50927). The street also accommodates a public house (The New Inn) and the aforementioned St David's Resource Centre.

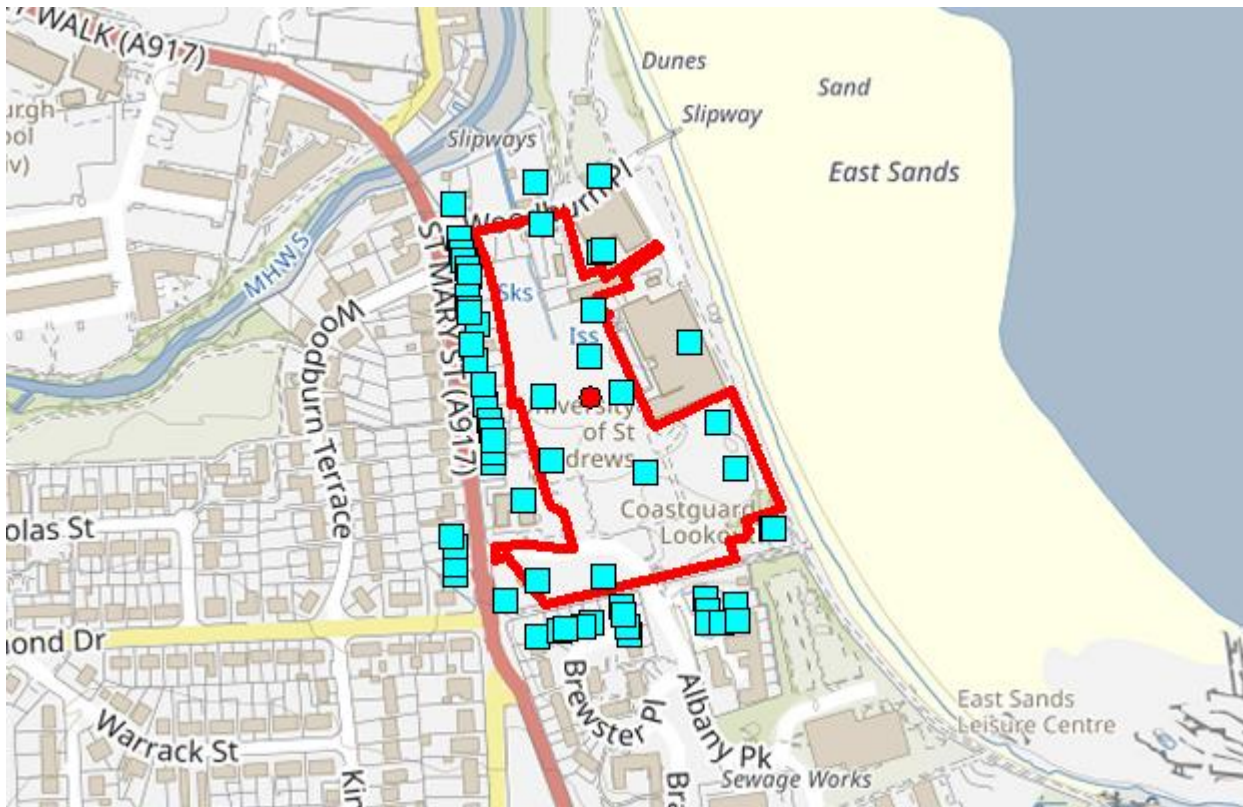
1.1.2 The majority of the site was previously used as student accommodation, known as Albany Park. It provided a total of 333 single rooms within 10 separate buildings. However, these have been demolished by the applicant and the site is now cleared, awaiting redevelopment. The northern portion of the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

1.1.3 The development plan for the site comprises the adopted Fife Local Development Plan 2017 (FIFEplan). The site is within the settlement boundary of St Andrews, as defined by FIFEplan and is part of Development Opportunity Site STA014: East Sands. This 13.8 area of ground extends as far south as the student accommodation, nursery and public art approved in January 2014 under reference 13/03039/FULL. STA014 also includes the leisure centre, the private residences adjacent to St Nicholas Farmhouse, the application site, and the Gatty Lab. STA014 also extends north of Woodburn Place to include the harbour area, the Shore, the Shorehead and St Andrews Pier. FIFEplan states that development of this area will come forward in different phases and with different lead agencies. To coordinate these various efforts, the East Sands Urban Design Framework 2010 (ESUDF) provides design policies and principles to ensure individual proposals avoid piecemeal development and that change in the area is managed in a coordinated way. The ESUDF sets a broad framework for buildings, movement and spaces which development proposals should conform to. FIFEplan also notes the requirement for Flood Risk Assessments to support proposals. The site is located outwith the area covered by the St Andrews Design Guidelines.

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

1.1.5 The site is outwith but adjacent to the boundary of the St Andrews Conservation Area. There are no listed buildings on site. The site shares a boundary wall with 25 St Mary Street which is a Category C Listed Building. The site is bound on all sides by Core Paths, National Cycle Routes and the Fife Coastal Path. The site falls outwith the Coal Authority development consultation zones. Scottish Environmental Protection Agency (SEPA) flood maps demonstrate that the site is at risk of coastal, river and surface water flooding. Part of the site is within an Archaeological Area of Regional Importance. The site is not statutorily designated for nature conservation purposes. The Craig Hartle SSSI lies around 200m to the southeast at its closest point to the site.

## 1.1.6 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 Full planning permission is sought for the erection of a student accommodation complex. This would provide 703 beds within 6 new buildings and would include the conversion of Woodburn House. The 6 new buildings would be arranged broadly in a north-south alignment and would vary in height, based on the surroundings. The westernmost block (Block E) and the northern central block (Block A) would comprise of 3.5 storeys, Block F to the south would comprise of 2.5 storeys, the southern central block (Block B) would comprise of 5 storeys, Block C to the east coast comprising of 3 storeys and Block D comprising of two storeys. To the north, the applicant proposes to retain and convert Woodburn House, which would contain one 2-bedroom flat and warden accommodation. Through the site, the applicant proposes a path network, set within amenity landscaped areas, linking the blocks to each other and the surrounding areas. There would be 113 vehicle parking spaces of which 5 are accessible bays, 12 for electric vehicle charging and a further 57 spaces with infrastructure for future EV provision. Bin and cycle storage is proposed throughout the site in timber-clad secure pods. There would also be two clusters of Air Source Heat Pumps (12 in total) which would be enclosed by aluminium louvre panels.

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

1.2.3 Block A to the east, adjacent to the Gatty building, would be three and a half storeys in height, which is consistent with the previous approval. The roof space would contain conservation style roof lights in grey, with the roof covering a dark grey slate. On the eastern elevation, the building would provide a mix of off-white textured render, red-brown textured render and pitched face stonework. The south and north elevations would contain the off-white render and natural pitched face stonework with conservation style rooflights and grey aluminium windows. The western elevation, facing into the site, would contain the same material palette and rooflights, with the addition of square feature dormers and grey zinc cladding.

1.2.4 Block B, to the south of Block A would be four and a half storeys in height, with a feature corner block. The building would be arranged in the form of two joined L shapes. The finishing materials would comprise of off-white textured render, red-brown zinc panelling, light grey zinc panelling, black zinc banding features, pitched face stonework and extensive glazing to the ground floor of the north and west elevations. The roof space would contain dormers and conservation style rooflights, with banding features extending from the dormers to ground and first floor levels. The feature corner block would protrude from the corner of the east and west elevations and would be finished with red-brown zinc overlapping pattern cladding and a smooth band on the west side, with red-brown zinc vertical cladding on the east elevation.

1.2.5 Block C, to the south of the Gatty building at the eastern boundary of the site, would be three storeys in height, as previously approved. The block would be arranged in an L shape and would be viewed as individual units with pitched roofs. The finishing materials would comprise of off-white textured render, red-brown textured render and pitched face stonework. The north elevation, which would face the Gatty building, would contain a glazed element, broken up with grey aluminium panels and pitched face stonework. The south gable end would comprise of light grey textured render at the southernmost wing, with three vertically arranged windows. The recessed portion of the south elevation would be finished with off-white render. The western elevation, facing into the site, would contain a feature entrance with a large portion of windows broken up with grey aluminium panels.

1.2.6 Block D would be located in the south eastern corner of the site and would be two storeys in height, as previously approved. Similar to Block C which is adjacent, the block would be arranged in an L shape and would be viewed as sections with pitched roofs with vertically arranged windows, in blocks of off-white textured render, red-brown textured render and pitched face stonework. This material palette would also be used on the north elevation. The windows on the north elevation would mostly be smaller and squarer, aside from the larger windows on the entrance feature. This elevation would face directly onto Block C, therefore some of the windows would be positioned at an obscure angle. The southern elevation of this block would be predominantly off-white and light grey textured render, with two vertically arranged windows on the southernmost elevation, which would serve the ground and first floor hallways.

1.2.7 Block F would be a linear building, located to the southwest corner of the site, which would be two and a half storeys in height as previously approved. The north and south elevations would be similar, containing a mix of off-white textured render, a red-brown textured render and pitched face stonework with conservation style rooflights. The east and west elevations would also be similar, comprising off-white render

1.2.8 Woodburn House is the existing building to be retained and refurbished to the north of the site. It is proposed that this building would retain the same external features, with stonework, dormers, render and windows to be repaired as required. Some of the outbuildings within the Estates Yard would be demolished to facilitate the development.

1.2.9 Vehicular access to the site would be retained as existing. From the south, Albany Park provides vehicular access from the A917 and St Mary's Street. Pedestrian access points would utilise existing connections with the surrounding area but provide additional connection from south to north towards Woodburn Place.

### **1.3 Relevant Planning History**

17/01711/PAN - Proposal of Application Notice for student accommodation development, associated landscaping, parking, ancillary facilities and development at Albany Park, St Mary Street, St Andrews, KY16 8BP - PANA - 19/06/17

18/01531/FULL - Erection of student accommodation buildings, a facilities building, including seasonal café, with associated landscaping, parking and other ancillary works - REF - 24/07/19

19/02919/DPN - Prior Notification for Demolition of buildings - PER - 07/11/19

19/03013/FULL - Erection of student accommodation buildings, conversion of dwelling to form student residence, alteration and extension of office building to form a facilities building, including seasonal cafe, erection of a boat shed, bin stores, cycle storage, electrical sub-stations, gas meter housing, formation of parking, landscaping and other ancillary works. - PERC - 20/01/21

23/01278/PAN - Proposal of Application Notice for erection of student accommodation buildings, refurbishment of Wood Burn House, landscaping, parking and other ancillary works (alterations to planning reference 19/03013/FULL) - PANA - 02/06/23

23/01628/FULL - Erection of student accommodation buildings, conversion of dwelling to form student residence, alteration and extension of office building to form a facilities building, including seasonal cafe, erection of a boat shed, bin stores, cycle storage, electrical sub-stations, gas meter housing, formation of parking, landscaping and other ancillary works (Section 42 to vary condition 2 of planning permission 19/03013/FULL relating to parking) - PERC - 31/07/23

## **1.4 Application Procedures**

1.4.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017).

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

1.4.3 In terms of pre-application consultation (PAC), the applicant submitted a Proposal of Application Notice (PAN) on the 12<sup>th</sup> of May 2023 which was registered under 23/01278/PAN. The Council is satisfied that members of the community, including the immediate neighbours of the site, have been kept informed of the applicant's proposals and had the opportunity to comment on and influence the design of development.

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

1.4.5 The application has been screened by Fife Council officers under the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. It was the adopted opinion of Fife Council officers that the proposal does not constitute EIA Development as defined by the Regulations.

## **1.5 Relevant Policies**

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

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

## Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

## Policy 3: Biodiversity

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

## Policy 7: Historic assets and places

To protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.

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

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

## Policy 10: Coastal development

To protect coastal communities and assets and support resilience to the impacts of climate change.

## Policy 11: Energy

To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).

## Policy 12: Zero Waste

To encourage, promote and facilitate development that is consistent with the waste hierarchy.

## Policy 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

## Policy 14: Design, quality and place

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

## Policy 15: Local Living and 20 minute neighbourhoods

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

#### Policy 16: Quality Homes

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland

#### Policy 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

#### Policy 19: Heat and cooling

To encourage, promote and facilitate development that supports decarbonised solutions to heat and cooling demand and ensure adaptation to more extreme temperatures.

#### Policy 20: Blue and green infrastructure

To protect and enhance blue and green infrastructure and their networks

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

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

#### Policy 23: Health and safety

To protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

#### Policy 25: Community wealth building

To encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

#### Policy 26: Business and industry

To encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses

#### Policy 27: City, town, local and commercial centres

To encourage, promote and facilitate development in our city and town centres, recognising they are a national asset. This will be achieved by applying the Town Centre First approach to help centres adapt positively to long-term economic, environmental and societal changes, and by encouraging town centre living.

### Policy 30: Tourism

To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

### Policy 31: Culture and creativity

To encourage, promote and facilitate development which reflects our diverse culture and creativity, and to support our culture and creative industries.

## **Adopted FIFEplan (2017)**

### Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts. FIFEplan Policy 1 Part B criterion 9 requires new development proposals to safeguard or avoid the loss of natural resources within a site, including effects on internationally designated sites.

### Policy 2: Homes

Outcomes: An increase in the availability of homes of a good quality to meet local needs. The provision of a generous supply of land for each housing market area to provide development opportunities and achieve housing supply targets across all tenures. Maintaining a continuous five year supply of effective housing land at all times.

### Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services. Policy 3 also ensures that a proposal makes provision for infrastructure requirements to support new development. This includes green infrastructure and green network requirements, such as open space and amenity space. Policy 3 also requires new development to provide roads and paths designed for all users which integrate with existing roads and paths.

### Policy 6: Town Centres First

Outcome: Thriving town centres in Fife which are hubs of activity in the local community and act as a focus for commercial, leisure, and cultural services.

### Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life. This policy supports proposals that do not lead to a significant detrimental impact on amenity in relation to a range of considerations. These include air quality, noise, privacy, sunlight and daylight and construction impacts. Where significant detrimental impacts on amenity are identified, Policy 10 provides a set of actions which are considered to be appropriate for mitigating or avoiding these impacts. Policy 10 also requires an applicant to demonstrate the development will not result in a significant detrimental impact on amenity in relation to contaminated and unstable land. Consideration of impacts includes the site and its surrounding area. A site investigation is required to demonstrate that suitable ground conditions for the



development are present on the site and, where remediation is necessary to make the ground suitable, then these are clearly set out in a strategy that is agreed by Fife Council and other appropriate agencies. Policy 10 presumes against the loss of assets such as green infrastructure and green network requirements, such as open space and amenity space.

#### Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits. Policy 11 also requires development proposals to provide, where appropriate, sustainable urban drainage measures to ensure surface water runoff does not result in any detrimental impact on the ecological quality of the water environment. Policy 11 supports the development of new buildings that contribute to carbon dioxide reduction targets, use sustainable construction materials, conserve water, provide SuDS and include facilities for collection of recyclable materials.

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

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved. Policy sets a requirement for proposals to demonstrate that development is not at risk from flooding and will not result in an increase of flood risk elsewhere. Policy 12 also seeks to ensure that new development will not have a significant detrimental impact on the ecological value of the water environment including its natural characteristics.

#### Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors. Policy 13 protects natural heritage and access assets whilst also promoting the enhancement of green networks and greenspaces and access arrangements to encourage outdoor recreation. The Policy requires development proposals to provide evidence that there will be no resulting significant adverse impacts on designated sites of international, national and local importance, woodlands, trees and hedgerows that have a landscape, amenity or nature conservation value or biodiversity assets such as protected and priority habitats and species.

#### Policy 14: Built and Historic Environment

Outcomes: Better quality places across Fife from new, good quality development and in which environmental assets are maintained, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors. Policy 14 reinforces the principles of successful places which encourages, through good street design, road safety for all users which encourages active travel movement and social interaction. Policy 14 also aims to protect and enhance Fife's cultural heritage, including Listed Buildings, Conservation Areas, Scheduled Ancient Monuments, Gardens and Designed Landscapes and other historic assets. Policy 14 also considers all archaeological sites and deposits to be of significance, regardless of any statutory designation. A proposal must demonstrate that the presence or otherwise of such deposits has been investigated and, where appropriate, a scheme of recording and mitigation is developed in collaboration with Fife Council.

## **National Guidance and Legislation**

### **PAN 33: Development of Contaminated Land**

This is a key reference document in the consideration of ground conditions and the legacy of previous land uses as it relates to proposed future uses.

### **PAN 1/2011: Planning and Noise**

This gives advice to those within the planning system on ways to detect and mitigate for the impacts of noise on new developments. Noise can have a detrimental impact on residential amenity and the assessment of potential noise sources on sensitive receptors is a key consideration in the determination of any planning application.

### **Assessment of Noise: Technical Advice Note (TAN 1/2011)**

This provides guidance which may assist in the technical evaluation of noise assessment.

### **Royal Environmental Health Institute Scotland (REHIS) Briefing Note 017**

This document provides further guidance on the assessment of noise, including the quantitative and qualitative methodologies, when considering proposals for a noise generating use located next to a noise sensitive receptor.

## **Supplementary Guidance**

### **Supplementary Guidance: Low Carbon Fife (2019)**

The Adopted Low Carbon Fife Supplementary Guidance (January 2019) sets out the Council's expectations on information requirements relating to sustainable buildings. It states that these requirements will be secured through building standards regulations and it is unreasonable to expect this level of detail to be submitted with a planning application. For district heating, the Fife Heat Map shows the site is not near any existing heat networks. Therefore, no further action is required.

### **Supplementary Guidance: Making Fife's Places (2018)**

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife. This encourages an integrated approach to the provision of green infrastructure, open space, SuDS and other green network assets. In addition, proposals should consider ecological and natural heritage impacts from the outset and demonstrate, where appropriate, that appropriate mitigation has been designed in.

Fife Council's Transportation Development Guidelines, as Appendix G to Making Fife's Places, provide technical requirements of new developments to ensure road safety is built into the design of new transport infrastructure. It also provides more detail on the expectations of street design, access and car parking standards. This includes more detail on the assessment of proposals against FIFEplan Policy 3. For example, proposals should provide safe routes to public transport, schools and community facilities. The site appraisal process promoted in the SG should establish the location of these in relation to the site. Development proposals need to demonstrate how all future users of the site will access these safely and with priority given to active travel options.

## **Planning Customer Guidelines**

### **Daylight and Sunlight**

This sets out standards to guide the assessment of new buildings and their impact (if any) on neighbouring properties' daylight and sunlight.

### **Minimum Distances between Window Openings**

This guidance provides an assessment framework to assess the impact of new development on the privacy of existing properties and the levels of privacy future occupiers can enjoy.

### **Planning Policy Guidance; Houses in Multiple Occupation (2011)**

Houses in Multiple Occupation (HMO) guidance applies to the Central St Andrews Conservation Area.

### **Planning Policy Guidance: Development and Noise (2021)**

Policy for Development and Noise looks at both noisy and noise sensitive land. Noise sensitive developments may need to incorporate mitigation measures through design, layout, construction or physical noise barriers to achieve acceptable acoustic conditions.

## **Other Relevant Guidance**

### **East Sands Urban Design Framework 2010 (ESUDF)**

This framework is relevant, which extends from the pier to the north to the Brownhill Cliffs to the south. The area is divided into three components: The Harbour Area; The Central Area; and The South Area. The application site is located within The Central Area. For each area, the ESUDF identifies the site constraints and opportunities for development and enhancement.

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

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

### **The St Andrews Conservation Area Appraisal and Management Plan 2010**

This document sets out the history of the town as well as the defining features of the Conservation Area which make up its character and appearance. The 19th Century developments around Woodburn, to the south east of the medieval cathedral precinct, are noted as including "a water-powered mill built by John Gibson". The Church and University are noted as the main drivers of growth of the town and its architectural development, with golf and tourism becoming more important during the 19th Century. The medieval town plan of four parallel streets running west-east is at the heart of the Conservation Area designation. This

urban form is book-ended to the west by Georgian townhouses and, to the east, the harbour which is described as "mainly functional with a mix of 17th to 20th Century buildings".

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- Principle of Development
- Design and Layout/Visual Impact
- Residential Amenity
- Transportation/Road Safety
- Access/Parking
- Flooding and Drainage
- Contaminated Land and Air Quality
- Green Networks, Green Infrastructure and Open Space
- Natural Heritage and Trees
- Cultural Heritage
- Sustainability

### 2.2 Principle of Development

2.2.1 The development plan comprises the National Planning Framework 4 (NPF4) (2023) and the FIFEplan Local Development Plan (LDP) (2017). National Planning Framework 4 (NPF4) is the national spatial strategy for Scotland. It sets out the spatial principles, regional priorities, national developments and national planning policy.

2.2.2 Policy 16 of NPF4 (Quality Homes) supports development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, including homes for people undertaking further and higher education. Policy 25 of NPF4 aims to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.

2.2.3 FIFEplan's Spatial Strategy accords with NPF4 by promoting sustainable growth in key economic sectors as well as providing safeguards for the area's cultural and natural assets. FIFEplan Policy 1: Development Principles is divided into three parts. It provides support to development proposals which meet one of the points in Part A, address its development impact in relation to the issues listed in Part B and provide the necessary supporting statements set out in Part C. Policy 1 Part A supports the principle of development if it is within a settlement boundary and compliant with the policies for the location.

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

the ESUDF to ensure development in the area comes forward in a co-ordinated manner. The allocation also notes the requirement for a Flood Risk Assessment of proposals within the East Sands area.

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

2.2.6 Fife Councils Supplementary Planning Guidance on Houses in Multiple Occupation (HMO) in the St Andrews area states that purpose built student and HMO accommodation provided by the University in line with planning policy will be supported as the Council wishes to encourage the future development of accommodation which can specifically serve the needs of students and others in Fife who may benefit from this type of accommodation. Therefore, the development is in accordance with this supplementary guidance.

2.2.7 The applicant also proposes to use the student rooms created by the development for tourist/visitor accommodation during periods when students are not in residence. The principle of this seasonal Class 7 use of the site requires to be established independently of the student accommodation use. In this regard, it is important to establish whether the use would significantly impact on the surrounding area, particularly in terms of parking. A Transport Assessment (Transport Planning, August 2023) has been submitted, which references a survey carried out in July 2017 at the Agnes Blackadder Halls car park. This survey concluded that for every parking space taken up there were 3.4 rooms occupied. As a result, a rate of one parking space per three rooms was agreed for planning applications 17/00776/FULL and 17/00781/FULL. Given that the Albany Park development will attract the same type of out of term occupants as Agnes Blackadder Hall and University Hall it was agreed that a parking ratio of 1 space per 3 rooms would also be appropriate in this instance. There would be 113 parking spaces, of which 31 are required for the Scottish Oceans Institute. The proposed development would therefore have 82 parking spaces, including 12 electric vehicle spaces and 5 would be for blue badge holders. One hundred and eighty-eight beds at the proposed development are envisaged to be occupied by year-round students, hence 19 of these 77 spaces could be occupied by vehicles related to those students (based on the rate of one parking space per 10 student beds agreed as part of the previous consent). Applying the rate of one space per three available rooms (58 spaces when accounting for year-round students) will mean that a maximum of 174 of the en-suite rooms will be available for out of term letting. A condition has been proposed, to ensure that this is adhered to. It is considered therefore, that the proposed seasonal Class 7 use of the site can be accommodated on this site.

2.2.8 Policy 30 of NPF4 (Tourism) provides support for the growth of the tourism sector across the region and the FIFEplan Spatial Strategy sustains this in general terms. Policy 27 of NPF4 (City, town, local and commercial centres), directs commercial developments towards sequentially preferable locations, such as town centres. However, it is clear the proposal includes a Class 7 element only as an incidental aspect which is secondary to the principal student accommodation proposal to redevelop Albany Park. Considering this, a sequential assessment of this aspect of the scheme is not considered appropriate.

2.2.9 It is accepted that allowing the use of the student beds during non-University teaching time would ensure that the development is both well-utilised and commercially successful. NPF4 Policies 25 (Community Wealth Building) and 26 (Business and industry) remind planning authorities to support local economic development that focuses on community and place benefits as a central and primary consideration – to support local employment and supply chains, whilst safeguarding and enhancing natural and historic environments. Although there is

no specific FIFEplan support for hotel use in this location, it is considered that the seasonal use of the bedrooms for non-student use is acceptable in principle.

2.2.10 The density of the proposals has been identified as a concern by objectors, with concern that the number of bedrooms accommodated on the site would be significantly increased. This is an issue that is noted, given the accommodation on the site would be increased from the previous (now demolished) 333 rooms to 703 rooms. For reference, the previously approved scheme was for 672 rooms, therefore there has been an increase of 31 rooms from this point. This issue is considered and balanced against the key issues throughout the main report, including infrastructure impact, amenity, and design, scale and visual impact. It is considered, when balancing all key issues, that the number of units proposed can be accommodated on the site, without any adverse impacts on these key material considerations. These issues are discussed throughout the rest of the report.

2.2.11 Whilst the principle of development is established, the overall acceptability of the proposal is dependent on compliance with the remaining policies of FIFEplan. Support provided by Policy 1 is dependent on compliance with Parts B and C. These refer to applicable policies 2 - 15 of FIFEplan which are discussed in subsequent sections of this report, along with NPF4 and statutory supplementary guidance.

## **2.3 Design and Layout / Visual Impact**

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

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

2.3.3 The redevelopment of the Woodburn complex and Albany Park are listed as potential development sites, with Figure 13 providing detailed site-specific guidance. For the Woodburn complex, a new proposal must respect/enhance the built heritage of the site, including the setting of the Conservation Area. The redeveloped proposal within the area should look to retain

the existing complex of buildings on Woodburn Place and around to the East Sands Car Park. If retention is not possible, then new development should be designed to reflect the existing character of this part of the site.

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

2.3.5 Objection comments note concern that the proposed design is not appropriate for the site, and the layout is not in keeping with the surrounding area. Objection comments also express concern that the height of the proposed buildings is excessive. The applicant has submitted a Design and Access Statement (DAS) in accordance with statutory requirements for a Major Development. It provides details on the context of the site, its opportunities and constraints, and details on the design response, strategies and proposals for the redevelopment. The site is part of an area which is diverse in character due to post-war developments which are mixed with the more traditional elements of Woodburn Place. The design response draws influence from the character of the East Neuk in order to establish an architectural expression for Albany Park. The strong north-south axis created by the green spine is the starting point for a street pattern running alongside in a grid pattern. In turn, the secondary lanes radiating from central green spine provide a strong grid structure to the development.

2.3.6 The proposal would retain Woodburn House, as well as the boundary wall to Woodburn Place, which enhance the character of the area. Woodburn House and the mature trees within the rear gardens of the Woodburn Place properties and behind the Coastguard's Station to the south are the important built and natural heritage assets of the site. The proposals include the retention and, where required, repair of Woodburn House which is welcomed. Additionally, most of the mature trees would be retained within the proposed square, with replacement planting proposed where removal is required.

2.3.7 In terms of the layout, the grid formation preference as set out within the ESUDF has been applied to the proposals - the more linear buildings would be situated behind the Gatty building, with the buildings to the south and west at the coastal locations being smaller and broken up. The applicant has provided various viewpoints throughout the site, which shows that the views towards the historic core would be retained.

2.3.8 Blocks C and D would step down towards the Coastguard Station to the south east as the built form moves away from the Gatty buildings, as approved in the previous application. When viewed from the east or, from wider viewpoints, this change helps reinforce the 'layering' of buildings/streets across the site, providing a contribution to a variety across the roofscape and helping to breaking up any uniformity. Similarly, Blocks A, B and E have reduced building heights at the edges, as previously approved. This has the effect of emphasising the spaces between buildings and movement nodes to a greater degree, presenting a variation in building/roof lines, and breaking up any over-dominant building uniformity. The proposed building heights contribute to the variation of buildings along the coastal frontage and helps make a comfortable urban transition from the smaller buildings to the south of the site to the more dominant Gatty buildings adjacent.

2.3.9 The ESUDF notes that the height of buildings on the shoreline should not rise above 1.5 storeys or 2 where a change in level can accommodate additional height. Furthermore, it goes on to note that 'buildings of greater height should be located behind the frontage of lower buildings; they should not rise above 2 storeys except where additional height to 3 storeys can be justified by the function of the proposed building, the quality of the architectural solution, and

is supported by contextual analysis. No buildings or external plant should rise above the eaves height of the new Gatty Laboratory.’

2.3.10 The height of the proposed buildings would remain the same as the consented scheme, which is below the eave’s height of the original Gatty building, with the exception of Block B which has increased by one storey. The buildings of greater height would be located where the landscape context can accommodate it, however, such as in the lower parts of the site and adjacent the Gatty laboratory. The DAS demonstrates this, with visuals which show the existing site, the approved scheme and the now proposed works. Given the grid pattern proposed within the site, Block B would not be directly adjacent to the the Gatty laboratory, with Block A directly behind and Block C directly to the side. As such, this separation allows for each building to be viewed separately, with Block B in the context of the surrounding student accommodation blocks. The proposed sectional drawings further demonstrate how the height of the proposed buildings respond and reflect the neighbouring context and how the proposal can be accommodated on site.

2.3.11 Fife Councils Urban Design Officer has been involved throughout the application process and has noted that the height increase in Block B is acceptable, given that it would be located in the middle of the site, which would allow for it to be visually absorbed into the wider urban context. In addition, there would be no significant impact on the historic skyline from approach roads due to the increase in height.

2.3.12 In relation to the wider roofscape, the proposed pitched roofs, gable features and protruding dormers would ensure that there would be no horizontal emphasis of the rooflines. These features would also ensure that the overall building designs would not appear overly uniform which would add character to the scheme as a whole. The use of conservation style rooflights is an appropriate feature, which can visually lighten the roof massing in places.

2.3.13 Objection comments noted concerns with the proposed materials and colours. The proposed materials have not changed significantly from the previous proposal, and the colour palette remains largely the same. In each of the different areas of the site, the materials reflect the character of the area. Woodburn House would retain the existing materials which is a combination of stone and render. On the seafront, Blocks C and D would also comprise of stone and render, with metal and zinc roofs. On Block A, B, E and F, an even mix of stone, render and zinc cladding is proposed, which would reflect the adjacent context of the mainly 20th century residential housing. A combination of Tile/Zinc roofs are to be used, which also reflect the adjacent residential context. Block B has an enhanced design to signify it’s more prominent role as the main reception for the overall scheme. The proposed materials are of high quality and, where viewed from coastal points to the east, are sympathetically considered and simplified further in response to their coastal location, which helps to integrate the proposals into the surrounding area. Within the site, the material palette is more contemporary.

2.3.14 The former Blocks 8 and 9 have been joined to create the proposed Block E. The proposed ‘link’ between the buildings would have a flat roof, which reflects the feature corner of Block B whilst creating a clear separation between the north and south sides of Block B. Zinc red-brown cladding would be used in an overlapping pattern to add further visual interest and set this element apart from the off-white render on the north side and the pitched face stonework on the south side. Fife Councils Urban Design Officer has also reviewed this element and noted that this an appropriate solution which would break up the massing of the ‘host’ structure(s).

2.3.15 There are a number of ancillary structures proposed within the site, including cycle and bin storage areas. The number and size of these has been developed with the University of St Andrews, based on past experience with students and encouragement of recycling and sustainable transport usage. All enclosures would have green/living roof which would minimise the visual impact whilst creating biodiversity benefits. The external materials would be timber, which would contrast with the materials used on the buildings whilst tying into the natural elements proposed within the site such as the green corridor. There would also be two Air



Source Heat Pump enclosures located adjacent to Block B and two substations located to the south of the site and the north of the site. The ASHP enclosures would comprise of graphite grey louvred panels of 4 metres in height, which would fully screen the associated plant/equipment. The modern materials would complement those to be used on the adjacent feature Block B, with the height of the enclosures least prominent in this location of the site, given that Block B is to be the largest on the site. In addition, the ASHP enclosures would be located within densely landscaped areas to reduce the visual impact further.

2.3.16 There is a strong architectural variation across the site. The building heights help to create a variation to building mass, reducing the visual density from the established viewpoints, and allows a natural transition from the lower lying buildings to the north and south of the site up to the visually dominant Gatty building. The proposed buildings would be of a fresh contemporary architectural form, but with elements of traditional proportions and verticality to help ground the development in its historic environment. It is considered that the design of these buildings would offer feature buildings to this coastal edge and prominent corner site, making a significant contribution to the sense of place.

2.3.17 Overall, it is considered that the scale of the development, the variation in building heights, the general roof arrangement, the spaces and movement nodes, the subtle transition in building heights along the coastal fringe, the legible palette of materials and the relationship of buildings to neighbouring properties, all help address previous urban design concerns. The alterations and additions to the previously approved scheme are appropriate in the context of the site and wider area. The proposal is considered to fit comfortably within its immediate context and the wider townscape/ landscape setting of the site.

2.3.18 The proposals would result in the redevelopment of a brownfield site, which has been vacant since the previously unfit buildings were demolished. The development would see high quality redevelopment of the site, with the views of the site being improved from the surrounding areas. The proposals have considered the ESUDF, whilst establishing a design and layout which meets the six qualities of successful places. The proposals would comply with FIFEplan (2017) and Making Fife's Places (2018) in terms of placemaking and design.am

## **2.4 Residential Amenity**

### **Noise**

2.4.1 The applicant has submitted a Noise Impact Assessment (NIA) (Sandy Brown Consultants, 2023), which advises that the site is relatively quiet and the daytime ambient noise level is typically below 55dB at the locations where the new buildings are proposed. It is advised that suitable internal noise levels will be achieved, and no specific noise mitigation measures are considered necessary in this regard.

2.4.2 Objection comments have been received with concerns regarding noise in relation to both plant/machinery as well as use of outdoor space by students. In relation to the plant/machinery, there would be 12 air source heat pumps (ASHP) located at two locations within the site; 6 within the courtyard of Block B and 6 to the south of Block B. Both of the clusters would be housed within a sound attenuation enclosure, as noted in the NIA. Section 6 of the NIA, makes reference to the proposed Air Source Heat Pumps, noting that the nearest and most affected noise sensitive premises would be the bedrooms within Block B, given the proximity. The nearest dwellings on Albany Park and Brewster Place would be approximately 32 and 40 metres from the nearest enclosure, respectively. The NIA states that the results of noise modelling carried out show that the predicted noise level would be 40 dB outside the nearest and most exposed window, and between 21dB to 26 dB outside the dwellings on Albany Park and Brewster Place. The report concludes on this matter that the Fife Council plant noise limit of NR 25 inside the nearest bedroom would be achieved with windows sufficiently open for

ventilation. Provided that noise from the ASHPs does not contain attention catching features (such as tones, bangs, or is intermittent), this meets the Fife Council noise limit. Given the high acoustic attenuation is to be provided by the ASHP enclosures, strong attention catching features to the ASHP are not expected outside the nearest bedroom windows or inside bedrooms, as noted within the report. Fife Councils Environmental Health (Public Protection) team were consulted on the previous application and had no objections, subject to conditions. The Public Protection team were consulted again on this application and noted that the previous response remains valid. Conditions have been added to this consent accordingly, to ensure that the amenity of existing and proposed residents is protected. This includes plant/equipment noise levels to be controlled, a Scheme of Works to be provided to mitigate the impacts of construction and compliance with the Noise Impact Assessment.

2.4.3 In regard to the objection comments which make reference to noise created by future residents in the outdoor spaces, the Planning Statement notes that a site-specific Operational Management Plan will be developed for the site. The site will be managed and operated by the University of St Andrew's Residential and Business Services management team who will be based on site within Block B and will be on duty from 8am to 5pm Monday to Friday. They will be supported by the Wardens team who are also based at Albany Park and who will live on site. There will be Porter cover until 8pm and at weekends and out with these times there will be support from the University Security and Response Team. This has the effect that the site will be fully managed 24/7 for any matters of concern which may arise. A condition has been attached to ensure that a Noise Management Plan is provided in relation to this.

2.4.4 In any case, if after completion of the development, complaints of nuisance are received, the Public Protection team are duty bound to investigate. If a statutory nuisance is established, then works / further works may be required to abate the nuisance. Therefore, it is considered the proposal accords with NPF4, FIFEplan and PAN 1/2011 with regard to noise subject to the aforementioned conditions.

## Daylight and Sunlight

2.4.5 Objection comments note concern regarding the potential impact of the proposals on sunlight and daylight to residential properties outwith the site. In this regard, a sunpath study has been carried out and submitted with the application. The study shows the site over the four seasons and indicates that the majority of overshadowing would occur within the site itself and, crucially, not to the residential properties outwith the site. The analysis shows that, due to the north - south orientation of the blocks, the amount of overshadowing is limited and no neighbouring properties would be overshadowed by the proposals.

2.4.6 One of the objection comments has also noted the impact of artificial lighting on surrounding properties. The Planning Statement makes reference to this, stating that appropriate lighting has been incorporated into the design, thereby avoiding light pollution. In any case, as noted above, if after completion of the development there are complaints of nuisance, the Public Protection team are duty bound to investigate.

## Privacy and Overlooking

2.4.7 Objection comments have been received outlining concerns that the proposals would impact the privacy of the residents living within close proximity to the site. In regard to privacy, it is noted that the nearest residential properties are located to the west at St Mary Street and to the south at Brewster Place. Block E would sit to the east of the existing properties along St Marys Street, which back onto the site. Block E would measure approximately 12.3 metres in height to the ridge, with windows sitting at a maximum of 9.5m above ground level (dormers).

The windows of Block E would be at a distance of approximately 24 metres from the closest windows on properties at St Mary Street to the west. Garden boundaries of the existing properties to the west would be at a distance of 10.5 metres at the least from the west elevation of Block E, but the majority would be over this distance. The maximum window height on this scheme is consistent with the maximum window height approved as part of the most recent consent. With regards to Block F to the south of the site, this would comprise of 2.5 storeys and would measure approximately 9.4 metres in height to the ridge, which is consistent with the previous approval for the site. The highest windows would sit at approximately 6 metres from ground level, maximum. The windows of Block F would face onto the rear elevations of the existing residential properties at Brewster Place. It is noted that there was a previous relationship between the Albany Park residences and the residential properties at Brewster Place, for these were demolished. Whilst the majority of the proposed windows on Block F would sit at a distance of over 18 metres from the rear elevations of the properties at Brewster Place, 5 windows would sit at a distance of approximately 17.2 metres away. This is approximately 0.8 metres closer than the recommended distance noted in Fife Councils Minimum Distances between Window Openings guidance. However, this is an improvement to the previously approved scheme which was approximately one metre closer to the boundary. Tree planting is proposed along this boundary, which would provide a buffer between the residential properties and the proposed units which does not currently exist here.

2.4.8 Overall, the vast majority of the window-to-window distances exceed the 18-metre distance required by Fife Council guidelines, as outlined above. In the few cases where this is not possible by a small margin, planting is proposed for screening purposes. In all locations, the comparison with the previously approved scheme demonstrates that the impact of the alterations would not result in any significant impacts on the privacy or daylight/sunlight reaching adjacent residential properties, all in accord with FIFEplan Policy 10.

## **2.5 Transportation/Road Safety**

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

2.5.2 A Transport Assessment (Transport Planning, August 2023) was submitted with the application. This advises that during term time the increase in accommodation at Albany Park will result in a daily increase of person trips by 1,003. Person trips are journeys taken by a single person using any mode of transport. These trips are spread over the day, with a peak hour trip rate of 220 trips anticipated from 18:00 to 19:00. Of these trips it is expected that approximately 67% will walk, 29% will cycle, 2% will travel by bus and 2% will travel by car.

2.5.3 With regards to the safety of routes to and from Albany Park, the Transport Assessment notes that where the footway on the western side of the A917 Abbey Walk narrows as it passes the Old Borough School, there is an adequate width footway on the eastern side of the road. In addition, there is a signalised pedestrian crossing of the A917 Abbey Walk at the southern end of the narrow section of footway and a signalised and unsignalised crossings of the A917 Abbey Street north of Greenside Place, therefore there is the opportunity to avoid this by crossing to the footway on the eastern side.

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

2.5.5 The Community Council have expressed concern that the proposals should contribute towards the provision of an appropriate crossing of Kinnessburn. Given that the proposals would not directly impact on the crossing, it would therefore not be possible to request the applicant to upgrade this crossing, as such a request would not meet the tests for planning obligations set out in Planning Circular 3/2012.

2.5.6 The Transport Assessment submitted with the previous application identified a very small increase in pedestrian and cyclist usage of Lade Braes Walk as a result of the development, however the developer agreed to fund a feasibility study into what improvements may be required to provide a suitable alternative route for cyclists to avoid using Lade Braes. A £5000 contribution was paid at this time. In June 2023, the Sustainable Traffic and Travel team within Fife Councils Roads and Transportation Services noted that work on this had started.

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

2.5.8 The nearest bus stops to the development are on the A917 St. Mary's Street. The stop for southbound services is around 50m to the south of the junction with Woodburn Place while the nearest northbound stop is around 30m from Albany Park. In addition there are stops nearby on Lamond Drive. St. Andrews bus station is approximately a 20 minute walk from the proposed development, giving access to local and longer distance bus services.

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

2.5.10 Objection comments noted concerns with the impact of construction traffic as a result of the development. A condition has been added to this consent to ensure that a Construction and Environmental Management Statement (CEMP) is submitted prior to the commencement of development, which would include details of construction traffic access, delivery routes and timing of deliveries to site; details of site operatives parking; wheel cleaning facilities and traffic

management required to allow off site operations such as utilities connections, amongst other criteria. This would ensure that the impact of construction is limited in regard to transportation and road safety.

2.5.11 Transportation Development Management Officers have no objections to the proposals, as noted above. In terms of the transport network, the proposals would comply with the relevant policies and guidance of NPF4, FIFEplan (2017) and Making Fife's Places, and the proposals are acceptable in this regard, subject to the proposed conditions.

## **2.6 Access and Car Parking**

2.6.1 Objection comments note concern that the proposals do not include sufficient parking. In this regard, Fife Council Transportation Development Management (TDM) Officers have reviewed the proposals and conclude that the proposed level of parking is acceptable. The proposals include car parking to be provided within the development site. In total there would be 113 parking spaces. Of these, 31 spaces would be reserved for staff at the Scottish Oceans Institute, as required following Fife Council's consideration of planning application 16/00044/FULL, for the expansion of the Scottish Oceans Institute. The remaining spaces would be for use by students and University staff. UoSA advises that, during term time, there will normally be 10 staff at the proposed development between the hours of 0600 and 2100 with a handful of staff present outwith that period, which would equate to approximately 72 spaces for students. This ratio is consistent with that agreed for other recent student accommodation developments in St. Andrews including University Hall (17/00776/FULL), Agnes Blackadder Hall (17/00781/FULL) and the previously consented scheme. Although the standard set out in the current Transportation Development Guidelines for student parking is 1 space per 7 students, survey data has been provided on the level of car ownership among previous residents of Albany Park. This data was collected in the Spring of 2017 as part of a travel survey of all students. The data showed that around 8%, or 1 in 13, of residents at Albany Park, had access to a car. In order to provide a more robust assessment for the proposed development it was agreed that parking shall be provided at a rate of 1 space per 10 students.

2.6.2 Measures that the University of St Andrews have implemented to manage trips include a car share scheme for staff and students, and a parking management plan which includes mandatory permits for staff and students.

2.6.3 Objection comments note concern that the parking standards would not be sufficient for the proposal to let some of the rooms out to members of the public outwith term time. A Transport Assessment (Transport Planning, August 2023) has been submitted, which references a survey carried out in July 2017 at the Agnes Blackadder Halls car park. This survey concluded that for every parking space taken up there were 3.4 rooms occupied. As a result, a rate of one parking space per three rooms was agreed for planning applications 17/00776/FULL and 17/00781/FULL. Given that the Albany Park development will attract the same type of out of term occupants as Agnes Blackadder Hall and University Hall it was agreed that a parking ratio of 1 space per 3 rooms would also be appropriate in this instance. There would be 113 parking spaces, of which 31 are required for the Scottish Oceans Institute. The proposed development would therefore have 82 parking spaces, including 12 electric vehicle spaces and 5 would be for blue badge holders. One hundred and eighty-eight beds at the proposed development are envisaged to be occupied by year-round students, hence 19 of these 77 spaces could be occupied by vehicles related to those students (based on the rate of one parking space per 10 student beds agreed as part of the previous consent). Applying the rate of one space per three available rooms (58 spaces when accounting for year-round students) will mean that a maximum of 174 of the en-suite rooms will be available for out of term letting. A condition has been proposed, to ensure that this is adhered to.

2.6.4 Facilities for the secure covered storage of a minimum of 356 bicycles would be provided within the development. This is in excess of the current Transportation Development Guidelines requirement of one cycle storage space per two beds. A condition is recommended to ensure these are secured and retained.

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

## **2.7 Flooding And Drainage**

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

2.7.2 Recognising the flood risk profile of the site, and in accord with the development requirements of FIFEplan Proposal STA014, the applicant has undertaken a Flood Risk Assessment (Addendum to the original 2020 version) (Kaya Consulting Limited, 2023). The FRA assessed three potential sources of flooding: high flows from the St Nicholas Burn, which runs through the site (partially culverted), high coastal water levels along the Kinness Burn and into the lower part of the St Nicholas Burn and overtopping its banks; and from high waves overtopping the coastal defences to the east. Coastal flooding includes the combined effect of tides and storm surges. Surface water runoff has also been considered.

2.7.3 SEPA initially submitted a holding objection to the proposals, on the grounds that insufficient information had been provided. In particular, further clarity was sought on the potential loss of flood plain via platforming, the inclusion of flood defence measures, the position of accommodation blocks in relation to updated flood extents and details of flood-free pedestrian access, amongst other matters. Kaya Consulting Limited responded to each of the points in turn. In relation to the loss of floodplain, Kaya noted that the key comparison is between the consented scheme and the new scheme, as the new scheme could provide approximately 1,160m<sup>3</sup> of flood storage compared to the consented scheme, which has been gained by a reduction in landscape platforming to the north of the accommodation blocks, lower car parking and a reduction in the overall footprint. In response to the query regarding flood free pedestrian access, a map has been provided (Figure 2: 200-year plus climate change flood extent – hazard map), which demonstrates access routes. This map shows that there is a very low hazard in terms of pedestrian access, as the maximum water depth in an extreme flood event at building access points is predicted to be 0.2 metres. As such, the buildings are predicted to be accessible. It is also noted that the FRA did not predict flooding to the south of the site due to overtopping, but there is uncertainty as to how waves might flow up the path to the south of the site. As such, the development could be developed without a flood wall, however, the wall is recommended by the FRA by way of additional protection which would feature as part of landscaping. Following receipt of the additional information, SEPA noted that the fuller and more detailed information satisfied the previous concerns and therefore the holding objection was withdrawn. Further to this, SEPA noted that the proposal is an improvement on the extant planning permission design.

2.7.4 Objection comments have outlined concerns regarding flooding including the safety of occupants. In this regard, a Flood Emergency Response Plan has been developed for the site, as per the consented scheme. This has been submitted as part of the application and includes details on access/egress, responsibilities and general arrangements including briefing/training and details of flood warnings and action required.

2.7.5 In addition to the updated FRA, an updated Drainage Strategy (Woolgar Hunter Engineers, 2023) has been submitted as part of the application. The report describes the proposed surface water management strategy for the site and the existing arrangement of foul and surface water drainage on the proposed development and describes how it would be drained once complete. Details of the proposed surface water runoff and treatment have been included, with a drainage layout showing the proposed discharge points. The report provides recommended maintenance requirements for the surface water drainage network and identifies who is responsible for the maintenance. It is proposed that the surface water is discharged via a combination of partial infiltration and discharge to St Nicholas Burn. It is proposed that foul water generated from the development will be drained via a below ground gravity drainage system, laid to falls, discharging into combined sewers within and adjacent to the site, subject to the approval of Scottish Water. Objection comments have expressed concern that there would be no capacity for the foul water drainage from the development. The applicant has provided Scottish Water Correspondence from August 2023. At this time, Scottish Water advised that there would be sufficient capacity in the St Andrews Waste Water Treatment works to service the development, and there were no issues within the wastewater network that would adversely affect the demands of the development. Scottish Water was consulted as part of the application process and confirmed that there were no objections. In this regard, it is considered that the applicant has submitted sufficient information to assess the proposals in terms of drainage capacity, with Scottish Water confirming capacity, albeit final Scottish Water approval would be required in any instance.

2.7.6 Fife Councils Flooding, Shoreline and Harbours team were consulted on this application and have confirmed that there is no objection to the surface water management proposals. However, the team have objected on flooding grounds, based on the requirements of NPF4. In response, the applicant has provided flood maps to demonstrate the provision of the access and egress paths for the buildings illustrating the comparison between the approved plans which can be built and the proposed scheme, which shows limited changes. The Flooding Shoreline and Harbours team note the context of the approved scheme; however their response is framed on the basis of their standards solely on the currently proposed scheme and the flood mapping provided. In this context while more up to date software has increased the accuracy of the information which can be produced, which now indicates that whilst the access/egress routes would not be completely dry for the proposed scheme, this would be the same for the consented scheme. Based on this information, in planning terms the applicant has demonstrated that the current proposals have limited changes to the previously approved scheme and given the forecast impacts are no worse than those which were previously approved and can still be built, therefore the provision is acceptable in this instance.

2.7.7 Overall, whilst the proposal would not be in compliance with policy in regard to flood risk, it is a material consideration that there is an extant consent on the site which does not expire until 31.07.2026. Given that the applicant has confirmed that there would be no worse impact on access/egress routes in the event of a flood, this can be accepted, given the planning history of the site.

2.7.8 In terms of drainage, the Flooding, Shoreline and Harbours team have no objection to the surface water management proposals, which is therefore in compliance with NPF4 and FIFEplan in this respect.

## **2.8 Contaminated Land And Air Quality**

2.8.1 The Applicant has submitted a Geo-environmental Desk Study (Woolgar Hunter, 2023) and a Geo-Environmental Development Appraisal (Woolgar Hunter, 2023). These reports conclude that the risk to human health and the water environment is considered to be low. Based on gas monitoring results, it was concluded that gas protection measures would not be required.

2.8.2 Fife Councils Land and Air Quality team reviewed the submitted information and were satisfied that no significant pollutant linkages were identified, and no further investigation or remedial measures have been recommended. However, it was noted that due to flood risk and poor soil structure on the site, upfill would be required. As such, it was noted that any soils imported to facilitate this uplift will require to be tested/certified utilising appropriate assessment values confirming their suitability for the site. Details of the source, validation testing / certification of this material is therefore required prior to the material being brought on site. As such, a condition has been recommended to ensure that verification testing is carried out. In addition, a condition has been attached to ensure that any unexpected contamination within the site is suitably dealt with, should this be encountered during development.

2.8.3 An Air Quality Assessment (Redmore Environmental, 2023) has also been submitted with this application, which concluded that during the construction phase, the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts of dust to an acceptable level. In addition, it was noted that due to the low number of vehicle trips anticipated to be produced by the scheme while operational, road traffic exhaust impacts were not predicted to be significant.

2.8.4 Fife Councils Land and Air Quality team reviewed the submitted information and were satisfied with the content. The proposed dust mitigation measures as outlined in the assessment have been recommended as a condition, to ensure that local residents are not adversely affected.

2.8.5 The applicant has provided sufficient information to demonstrate the development would be acceptable in terms of land and air quality impacts, subject to the aforementioned conditions. In addition, there has been no significant change to contamination/air quality considerations from the previous consent. Therefore, the proposal is in accord with NPF4, FIFEplan Policy 10 and PAN 33.

## **2.9 Green Networks, Green Infrastructure and Open Space**

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

- Part of the strategically significant Fife Coastal Path route; along 'green' streets through the Scores area, north of the town centre. Connects to the Ladebraes Green Network (STAGN01) in the harbour area, albeit the link is 'on-street' to the University Green Network (STAGN04), and to the Swilken Green Network (STAGN02);
- Key assets include: the blue flag beaches of East and West Sands, Bow Butts, East Bents, the Cathedral and Priory, Kirkhill Cemetery and the Harbour;
- Some coastal erosion issues, which limits potential to access some parts of the shore line. There are various coastal protection measures in place and works are currently ongoing at Castle Sands to deal with problems caused by a recent landslip;
- At risk from coastal flooding due to low lying nature of much of the coastline; there is some dune management but this could be better co-ordinated;
- Intertidal zone is of significant habitat value at West Sands and to the east of East Sands (SPA, RAMSAR, SSSI designations).

The opportunities for enhancement are noted as:

- Potential to enhance connection to the Ladebraes Green Network (STAGN01) around the harbour;



- Potential to improve access to the coastal greenspaces and East and West sands;
- Habitat enhancement potential - of the grassland along the coastal strip at East Bents;
- Dune management could be better co-ordinated to help reduce the risk from coastal flooding;
- Part of NCN76 to be provided along the A914.

The development plan priorities are to protect existing assets.

2.9.2 The Design and Access Statement (DAS) and Landscape Design and Access Statement consider landscape and amenity within the development. As part of the proposals, there would be a footpath connection to the north of the site, which would link to the existing green network to the west. The existing coastal path is an important connection into the town centre and conservation area from the south and the return direction is an important connection to the Albany Park campus. The connection between the campus and coastal path would be enhanced along the southern boundary of the Gatty, with steps proposed to improve pedestrian access. The site would contain connections through to the south, from Albany Park, with attractive routes through the site north to south through a proposed green corridor. The green corridor would connect into a square, which would be created to the north of the site, adjacent to Woodburn House. The square would be created as a social/seating space, whilst enhancing connections throughout the site and beyond. This part of the site would also include the retention of existing mature trees, new planting and a growing area. A central swale would be located in the north of the site which is identified as a key area for biodiversity enhancement. Planting here would include species adapted to swale conditions, and where width and the drainage strategy allow, the level would be banked with a slope creating opportunity for marginal habitat creation and amenity planting higher up. The Landscaping Softworks Plan (Ironsides Farrar, 2023) highlights the maintenance schedule which includes replacement planting where necessary, trimming of plants, general pruning and litter picking, amongst other requirements. Conditions have been added to ensure that this is adhered to.

2.9.3 The proposed planting would highlight the proposed footpath connections and adding border features. The proposals include a total of 96 new trees and numerous varieties of shrubs, perennials, ferns, grasses and hedges, which would enhance the site and replace any lost to development, with the new landscape structure being well integrated into the new campus. There would also be a social/seating space which would create an inviting entrance to the primary corridor and support wayfinding. The east to west space between Blocks A and B would form the major connection in this direction and provide access to the coastal path, forming a high footfall route and it is an important feature of the site. The central path would be punctuated by mini paved plazas which would cross the path and span the green corridor, with south facing plazas providing opportunities for seating areas and space to use as outdoor meeting spaces, with views along the green central spine.

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

2.9.5 In comparison to the consented scheme, the green networks, green infrastructure and open space retain the same principles as previously approved with the green central corridor through the site and various spaces for recreation including seating and social spaces. The proposals therefore comply with FIFEplan (2017) and Making Fife's Places (2018) in regard to green networks, green infrastructure and landscaping.

## 2.10 Natural Heritage And Trees

2.10.1 The site is not subject to any specific natural heritage designation and is suitably remote from those in the surrounding area to avoid any likely significant effects on their qualifying interests. Therefore, an appropriate assessment of the proposal is not required in this instance. A Preliminary Ecological Appraisal (ITP Energised, 2023) has been submitted with this application. This describes the ecological studies that have been undertaken, recommends mitigation requirements and also how biodiversity enhancement could be delivered. A Bat Survey Report (ITP Energised, 2023), A Bat Survey of Trees (Echoes Ecology LTD, 2023) and an Active Season Survey Report (ITP Energised, 2023) have also been submitted with the application. A ground inspection was completed on 15.08.2023 which identified three trees as requiring further inspection, two sycamore (*Acer pseudoplatanus*) and one holm oak (*Quercus ilex*). These trees were fully inspected, looking for evidence of, or potential for, roosting bats. The sycamore trees showed negligible potential for roosting bats and the holm oak showed moderate bat roost potential. The holm oak was fully inspected with no bats, or evidence of bats identified. The trees with negligible roost suitability do not require further survey, as per the survey guidelines. If works are going to occur within 30 metres of the holm oak, however, the potential roost features should undergo a ground reinspection. This has been conditioned accordingly. With regards to the buildings, the Active Season Survey Report states, 'The survey found no evidence of roosting bats and there is no bat-related reason why the development cannot proceed.' Scottish Natural Heritage has reviewed the application and offered no comment. In this instance, the findings of the reports have been accepted by officers.

2.10.2 It is noted that the site is mainly grassland with remnants of demolished buildings, however there are mature individual trees, tree lines and shrubs within the site. As outlined within the East Sands Urban Design Framework, the majority of the existing trees would be retained with the retained trees and the St Nicholas Burn riparian zone proposed to be protected during demolition and construction works. A Tree Survey and Arboricultural Implication Assessment (Hinshelwood Arboricultural Consultants, 2023) has been submitted with the application, which noted that one tree and one group were categorised as high quality ('A'), four trees were categorised as moderate quality ('B'), no trees were categorised as low quality ('C') and eight trees were categorised as ('U'), which are trees that should be removed for management reasons. It is noted that no trees are to be removed as a direct result of the development proposal, only due to low classification. In total, 96 new trees are proposed, and 4 mature trees are to be retained. All the surveyed trees to be retained in the context of the proposals will be protected in accordance with current Government guidance. Fife Councils Tree Officer has been consulted and initially requested that the exact location of protective fencing should be clear and that the proposed Japanese Rose should be removed from the proposal. Subsequently, further information was submitted which adequately addressed the above points. It was made clear where protective fencing would be erected in the Tree Survey and Arboricultural Impaction Assessment and Japanese Rose has been removed from the planting plans and replaced with a different species.

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

## 2.11 Cultural Heritage

2.11.1 The East Sands Urban Design Framework requires a new proposal to respect the existing built heritage of the East Sands area (Themes 1, 2 & 5). It must avoid any significant adverse impact on the setting of the St Andrews Conservation Area. The layout should ensure that views to the historic core or the wider landscape setting of the town. Although not listed, the courtyard buildings that comprise the University's Estates office are considered worthy of retention and possible sensitive redevelopment. The stone boundary walls should be retained.

2.11.2 The site is outwith but adjacent to the boundary of the St Andrews Conservation Area. There are no listed buildings on site, however the site shares a boundary wall with 25 St Mary Street which is a Category C Listed Building.

2.11.3 The proposal has been reviewed by Historic Environment Scotland (HES) who assessed the impact of the proposal against St Andrews Cathedral, Priory and the adjacent ecclesiastical remains. HES noted that they had no comments to make on this application. Fife Councils Built Heritage team were also consulted, and no response was provided.

2.11.4 In regard to archaeology, Fife Council's Archaeologist has reviewed the proposals. The site is not covered by any historic environment designations and is outwith the medieval burgh of St Andrews. However, it is very close to the site of St Andrews' medieval leper house. As such, the site was archaeologically evaluated in December, 2021, in connection with application 19/03013/FULL. Medieval ceramics and residual human bone was recorded, both likely to have been plough scattered from their original medieval context which is assumed to have been the Hospital of the Blessed Nicholas, a 12th century leper hospital largely now under the nearby leisure centre. Fife Councils Archaeologist has therefore noted that no archaeological mitigation works will be required.

2.11.5 In regard to cultural heritage, the context of the site and surrounding area is largely unchanged since the previous consent was granted. Given the information outlined above, the proposals would comply with NPF4, FIFEplan (2017) Policy 14, Making Fifes Places Supplementary Guidance (2018), The St Andrews Conservation Area Appraisal and Management Plan 2010 and The East Sands Urban Design Framework.

## **2.12 Sustainability**

2.12.1 The applicant has submitted a Low Carbon Checklist and an Energy and Sustainability Statement in response to the requirements of FIFEplan Policy 11. The statement advises that 'passive design strategies' have been applied to the blocks to minimise primary energy consumptions associated with heating, cooling, ventilation and lighting. In terms of district heating, the site is within a low heat density area and, as such, is unlikely to have been identified as a potential district heating zone. However, the proposed development has a high heat demand which is of sufficient size to support a district heating scheme. Furthermore, district heating is recommended for the development due to the high heat density and block arrangement of the site. In this regard, a detailed study of various low carbon heat options to serve the proposed district heating system has been undertaken. The proposed solution for heat generation at the site is therefore a district heating scheme, Air Source Heat Pumps (ASHP) would be used to provide the domestic hot water and space heating requirements within the site. In terms of the use of renewable technologies, it is also proposed to install photovoltaic panels to the roof of the proposed blocks. Therefore, it is considered that the proposal provides sufficient information to meet the terms of FIFEplan Policy 11.

2.12.2 With regards to the proposed materials, the applicant has confirmed that the materials will be selected in consideration of the Green Guide to Specification. The Green Guide outlines an extensive list of building materials according to their environmental impact. The proposed scheme would predominantly use A and A+ rated products. It is intended that the structural timber and form work elements would be sustainably sourced or would comprise of recycled timber.

2.12.3 Sustainable Urban Drainage has been covered in section 2.6 of the report.

2.12.4 Waste has been considered by the applicant, who has confirmed that the contractor will seek to minimise waste on site and careful consideration will be taken to avoid surplus materials. The contractor will be requested to review their programme/process to minimise waste throughout the works on site. A Waste Management Strategy has been provided for the

site in terms of operational requirements, which includes the provision of sufficient bins for the number of bedrooms to collect General Waste, Dry Mixed Recycling and Glass separately.

2.12.5 An Air Quality Assessment (Redmore Environmental, 2023) has been submitted with this application, which concluded that during the construction phase, the use of good practice control measures would provide suitable mitigation for a development of this size and nature and reduce potential impacts of dust to an acceptable level. In addition, it was noted that due to the low number of vehicle trips anticipated to be produced by the scheme while operational, road traffic exhaust impacts were not predicted to be significant.

2.12.6 Sustainable transport has been considered with the provision of secure covered storage for a minimum of 356 bicycles. This is in excess of the current Transportation Development Guidelines requirement of one cycle storage space per two beds. A condition is recommended to ensure that these are secured and retained.

### 3.0 Consultation Summary

Natural Heritage, Planning Services	Conditions recommended.
Trees, Planning Services	Initial information requested was satisfactorily provided.
Land And Air Quality, Protective Services	Conditions recommended.
Scottish Water	No objections.
Community Council	Objection comments noted in representations section of this report.
Parks Development And Countryside - Rights Of Way/Access	No response.
Structural Services - Flooding, Shoreline And Harbours	No objection to the surface water management proposals, however, the team have objected on flooding grounds.
Archaeology Team, Planning Services	No archaeological implications
Urban Design, Planning Services	The proposed design is accepted.
TDM, Planning Services	No objections, subject to conditions.
NatureScot	The recommendations of the Ecological Appraisal are welcomed.
Ministry Of Defence (Statutory)	No response.
Transportation And Environmental Services - Operations Team	No response.
Policy And Place Team (North East Fife Area)	No response.
Historic Environment Scotland	No comments.

Built Heritage, Planning Services

No response.

Scottish Environment Protection Agency

Initial holding objection withdrawn.

## 4.0 Representation Summary

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4.1 Nine letters of objection (two from one individual) have been received from the general public and one objection has been received from the Royal Burgh of St Andrews Community Council.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. The development is not considered to be in compliance with the East Sands Urban Design Framework	2.3
b. Concerns with traffic both during and after construction	2.5
c. The development is considered to be out of keeping due to the proposed scale and massing- the proposed height is of particular concern.	2.3
d. Concerns with the proposed modern materials.	2.3
e. The proposal is considered to be overdevelopment.	2.3
f. Student accommodation is thought to be more appropriate elsewhere	2.2
g. Concerns that there may not be sufficient sewage capacity	2.7
h. The site may be impacted by flooding	2.7
i. Insufficient vehicle parking facilities	2.6
j. The existing footpath/cycleways surrounding the site may be insufficient to safely accommodate the future occupants of the development	2.5
k. Increase in noise as a result of the development	2.4
l. Light pollution	2.4
m. The potential for overlooking/loss of privacy	2.4
n. The potential for loss of daylight/sunlight	2.4
o. Impacts on the historic skyline	2.3/2.11
p. Insufficient neighbour notification carried out	1.1.6

#### 4.2.2 Support Comments

No support comments were received, however one objection comment noted that the proposal to retain and refurbish Woodburn House is welcomed, as is the retention of part of the estate's buildings. The same comment noted that the overall design and materials palette of the proposals would be a realistic and appropriate response to the general character of the area.

### 4.2.3 Other Concerns Expressed

Issue	Comment
a. The units would not be affordable for students.	a. The affordability of student accommodation is not a planning matter.
b. Concerns with lack of communication from the developer in relation to other developments.	b. This is not relevant to this proposal.
c. Development outside the site not progressing.	c. This is not relevant to this proposal.
d. Too many documents associated with the application.	d. This is proportionate to the scale of the Major application.

## 5.0 Conclusions

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The proposal has been assessed against the terms of National Planning Framework 4, the development plan and other material considerations. The assessment finds the principle of student accommodation use on the site to accord with the land use provisions of the East Sands Urban Design Framework 2010 (ESUDF) and FIFEplan Proposal STA014. This assessment finds that, subject to compliance with the impact policies of FIFEplan, student accommodation is an appropriate use for the site, which previously accommodated the same use and has current consent for (19/03013/FULL). The applicant proposes sufficient parking within the site to accommodate the development and the proposals would not have any adverse impacts on the surrounding road network. The proposals have addressed key flooding concerns and the design and density has been amended to address concerns regarding the scale and impact on the surrounding area. The assessment finds the proposal accords with NPF4 sustainable development criteria of SPP and the assessment finds no planning basis on which to refuse the application when balanced against all planning matters relevant to this proposal. Overall, the proposal represents a high-quality design which would develop a brownfield, vacant site within St Andrews. The proposal would avoid or mitigate its impacts to the satisfaction of the planning authority, subject to adherence to the recommended conditions.

## 6.0 Recommendation

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It is accordingly recommended that the application be approved subject to 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. A Traffic Management Plan covering the construction of the development shall be submitted for written approval of this planning authority prior to commencement of any works on site. The TMP will contain details on routing and timing of deliveries to site, including anticipated vehicle numbers, site operatives parking area, traffic management

required to allow off site operations such as public utility installation, pedestrian access etc. The approved traffic management plan shall thereafter be implemented for the duration of the construction works.

**Reason** – In the interest of Road Safety – to ensure minimum disruption to residents and road users in the vicinity of the site.

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

**Reason** – In the interest of Road Safety – to ensure the provision of adequate wheel cleaning facilities.

4. Prior to the first occupation of the development, 113 parking spaces shall be made available for use. Of these, 31 spaces shall be for the sole use of the Scottish Oceans Institute. The parking spaces shall thereafter remain for the lifetime of the development.

**Reason** – To ensure the provision of adequate off-street parking.

5. Prior to first occupation of the development, the existing St. Andrews University Travel Plan shall be updated to take account of the development.

**Reason** - To ensure the Travel Plan remains current.

6. A minimum of 356 covered cycle storage spaces shall be provided within the development prior to occupation of the development. The cycle storage shall remain for the lifetime of the development.

**Reason** - In the interest of adequate cycle storage.

7. Of the 113 parking spaces to be provided a minimum of 5 of them shall be for disabled provision. The disabled spaces shall remain for the lifetime of the development.

**Reason** – To ensure the provision of adequate disabled parking.

8. Of the 113 parking spaces to be provided a minimum of 12 of them shall be for electric vehicle charging. These spaces shall remain for the lifetime of the development.

**Reason** – To ensure the provision of electric vehicle charging points.

9. Outwith St. Andrews University term time, no more than a maximum of 174 bedrooms shall be let out to the general public at any one time.

**Reason-** To ensure the provision of adequate off-street parking.

10. Outwith St. Andrews University term time, no more than a maximum of 188 bedrooms shall be let to St. Andrews University post graduate students at any one time.

**Reason-** To ensure the provision of adequate off-street parking.

11. 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 local planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the local planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement — or any approved revised Remedial Action Statement — a Verification Report shall be submitted by the developer to the local planning authority. Unless otherwise agreed in writing with the local planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement — or the approved revised Remedial Action Statement — and a Verification Report in respect of those remedial measures has been submitted to and approved in writing by the local planning authority.

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

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

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

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



13. PRIOR TO THE COMMENCEMENT OF DEVELOPMENT, the developer shall submit a Construction and Environmental Management Statement (CEMP) for the written approval of the planning authority. The approved CEMP shall include the following details:
- Details of construction traffic access, delivery routes and timing of deliveries to site;
  - Details of site operatives parking;
  - Traffic management required to allow off site operations such as utilities connections;
  - Tree root protection measures;
  - Ecological protection measures, including wildlife entrapment prevention measures;
  - Construction phase sustainable drainage systems, in accord with Chapter 31 of SuDS Manual (C753);
  - Noise and vibration suppression measures, in accord with British Standard BS 5228: Part 1: 2009 "Noise and Vibration Control on Construction and Open Sites";
  - Dust and other air quality impacts suppression measures, in accord with the Air Quality Impact Assessment (Redmore environmental, October 2019) and BRE Publication BR456
  - February 2003 "Control of Dust from Construction and Demolition Activities"; and,
  - Hours of construction operations.

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

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

14. PRIOR TO THE OCCUPATION OF ANY BUILDING HEREBY APPROVED, all works relative to that building which form part of the sound attenuation scheme set out in The Noise Impact Assessment (Sandy Brown, July 2023) shall be implemented in full and retained through the lifetime of that building. Thereafter, the developer shall submit written evidence to demonstrate that the specified noise levels have been achieved for the written approval of the planning authority.

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

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

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

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

variation to it recommended by the planning authority.

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

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

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

18. PRIOR TO THE COMMENCEMENT OF THE DEVELOPMENT a final lighting scheme shall be submitted for prior approval.

**Reason-** In the interests of ecological protection; to minimise the impact of artificial light on commuting and foraging bats.

19. The approved landscaping scheme shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner.

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

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

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

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

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

22. Any demolition or site clearance, including tree felling works, shall avoid the bird breeding season (March - September inclusive). If this is not possible, a suitably qualified ecologist (SQE) should search works areas for evidence of nesting birds within 48 hours of works commencing.

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

23. If works are going to occur within 30 metres (m) of the holm oak tree, the potential roost features should undergo a ground reinspection within 24 hours prior to works, if works are to take place during the summer period (May to September). If works occur during the winter (October to April) the inspection can be undertaken up to 48 hours prior to

works commencing.

**Reason-** In the interests of the protection of bats; to ensure the works do not adversely impact on bat roosts.

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

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

## 7.0 Background Papers

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

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Report prepared by Sarah Purves, Planner

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 6/12/23.