

North East Planning Committee

County Hall, County Buildings, Cupar

Wednesday, 14 August 2024 - 1.30 p.m.



AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of Meeting of North East Planning Committee of 5 June 2024. 3
4. **23/02628/FULL - LAND TO THE NORTH OF ABBEY COTTAGE, ABBEY WALK, ST ANDREWS (SITE: FORMER GAS HOLDER SITE, BALFOUR PLACE, ST ANDREWS)** 4 – 23

Erection of five dwellinghouses.
5. **24/00785/FULL - EDEN SPRINGS COUNTRY PARK, MELVILLE LODGES, BOW OF FIFE** 24 – 59

Change of use from former quarry to holiday site including the erection of up to 75 holiday lodges, reception arrival building, management/maintenance facilities, play areas, linked network of pathways/footways/cycle ways, car park and associated works.
6. **24/00390/FULL - GARDEN 1, GREYFRIARS GARDEN, ST ANDREWS** 60 – 72

Change of use from private garden ground (Class 9) to siting of coffee kiosk and outdoor seating area (Class 3).
7. **24/00876/FULL - HAWKSWOOD COUNTRY ESTATE, PEAT INN, FALFIELD** 73 – 82

Siting of caravan for residential use (retrospective).
8. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**

<https://www.fife.gov.uk/kb/docs/articles/planning-and-building2/planning/planning-applications/weekly-update-of-applications2>

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.

Lindsay Thomson
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Finance and Corporate Services

Fife House
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7 August 2024

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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

5 June 2024

1.00 pm – 1.20 pm

PRESENT: Councillors Jonny Tepp (Convener), Alycia Hayes, Stefan Hoggan, Allan Knox, Robin Lawson, Jane Ann Liston, Donald Lothian and David MacDiarmid.

ATTENDING: Chris Smith, Lead Officer, Development Management and Scott McInroy, Chartered Planner, Development Management; Steven Paterson, Solicitor, Planning and Environment and Diane Barnett, Committee Officer, Legal and Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Al Clark, Fiona Corps, Gary Holt, Margaret Kennedy and Louise Kennedy-Dalby.

165. DECLARATIONS OF INTEREST

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

166. MINUTE

The committee considered the minute of meeting of the North East Planning Committee of 8 May 2024.

Decision

The committee approved the minute.

167. 24/00383/FULL - EAST SANDS BEACH, EAST SANDS, ST ANDREWS

The committee considered a report by the Head of Planning Services relating to an application for the siting of a mobile sauna unit.

Decision

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

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

The committee noted the list of applications dealt with under delegated powers since the previous meeting.

14 August 2024

Agenda Item No. 4

Application for Full Planning Permission

Ref: 23/02628/FULL

Site Address: Land To The North Of Abbey Cottage Abbey Walk St Andrews

Proposal: Erection of 5 dwellinghouses

Site: Former Gas Holder Site, Balfour Place, St Andrews

Applicant: Mr Mark Wilson, Woodlands Longforan

Date Registered: 5 October 2023

Case Officer: Scott McInroy

Wards Affected: W5R18: St. Andrews

Reasons for Referral to Committee

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.

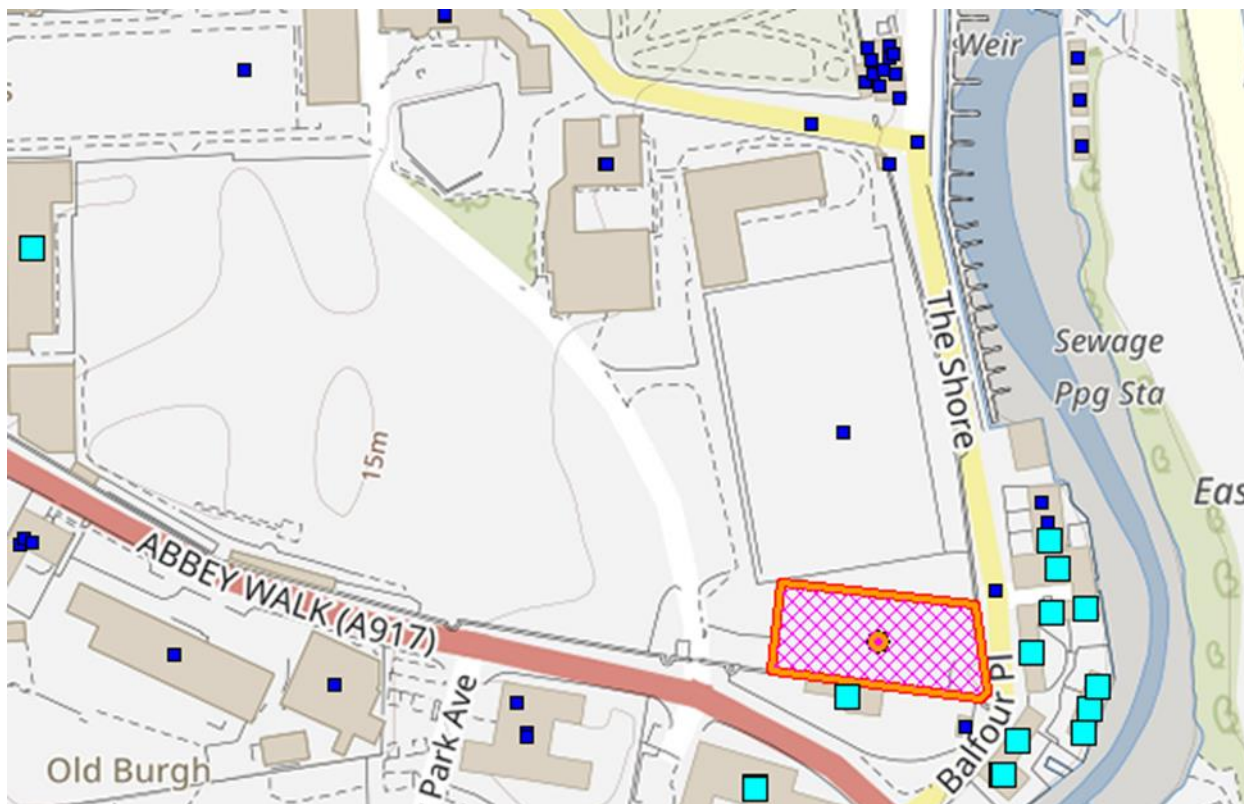
Summary Recommendation

The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

1.1.2 LOCATION PLAN



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1.1.2 The planning application site is located on the site of old gas works to the south east of St Leonards School, within the St Andrews Conservation Area and settlement boundary as per the adopted FIFEplan (2017). The site is also identified in FIFEplan as part of a larger area, the East Sands Development Policy, where proposal STA014 is classified as a development opportunity. The immediate vicinity comprises predominantly residential property and St Leonards Secondary School, although a privately owned student accommodation block is situated directly south, across the road from the planning application site. Immediately to the north of the site is an existing gas governor structure enclosed in a steel palisade fence. The site is bounded to the north and west by sporting grounds of St Leonards School, to the south by a Category B-listed single storey residential dwelling (Abbey Cottage) while Balfour Place bounds the site directly to the east. The Precinct Cathedral Wall of St Andrews Cathedral forms the perimeter of the site. The wall is a Scheduled Ancient Monument (SAM). The site is generally rectangular in shape. A main access to the site is gained via Balfour Place, through the existing arched gateway, approximately 2.5m wide and 3.5m tall. The gateway is formed within the ancient wall.

1.2 The Proposed Development

1.2.1 The proposal is for 5 detached dwelling houses, together with a shared private access drive and extensive new landscaping. The new homes would be 2-storey with three bedrooms formed on the ground level, with living rooms/kitchen dining area formed on the upper floor level. There would be car parking for 2 vehicles. The proposed dwellings are to be finished with rubble stone walls, ashlar stone lintels and stringers, oak window frames with timber external store doors and fences. All roofs are proposed to be sedum on a flat surface. The private garden grounds would be significantly planted with trees, ornamental shrubs and the rooftops would be specified as sedum roofs to manage and control water conservation and enrich biodiversity.

1.3 Relevant Planning History

1.3.1 There is no previous planning history for this 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 National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

1.4.2 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.

1.5 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 6: Forestry, woodland and trees

To protect and expand forests, woodland and trees.

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 mitigated.

Policy 9: Brownfield, Vacant and Derelict 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 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 12: Zero Waste

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

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 minutes 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

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 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 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

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)

PAN 1/2011: Planning and Noise

PAN 33: Development of contaminated land

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 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.

Planning Policy Guidance

St Andrews Design Guidelines (2011)

This sets out a number of principles to ensure appropriate design and materials are incorporated into new development. The guidance advises that buildings should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate.

East Sands Urban Design Framework (2010)

The purpose of this Urban Design Framework is to describe how design policies and principles should be implemented to control, guide and promote development in this location in a coordinated manner. The document provides a broad framework for buildings, movement and spaces that will inform more detailed development briefs, masterplans, and planning applications proposed within the area covered.

Planning Customer Guidelines

Fife Council Planning Customer Guidelines: Garden Ground (2016)

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

Other Relevant Guidance

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

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

2.1 Relevant Matters

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

- Principle of Development
- Design/Visual Impact on Conservation Area and Setting of Listed Building
- Residential Amenity
- Garden Ground
- Transportation/Road Safety
- Flooding and Drainage
- Contaminated Land and Air Quality
- Trees
- Archaeology

- Low Carbon
- HMO

2.2 Principle of Development

2.2.1 Concerns have been raised regarding the principle of development, whilst 3 supporting comments have been received supporting development in this location. The application site is located within the settlement boundary of St Andrews (FIFEplan, 2017), in an area which is largely characterised by a mixture of uses including residential properties, secondary school, leisure and tourism related uses. The application site is designated as a development opportunity site (ref STA 014, as per the adopted FIFEplan 2014) which is covered by the East Sands Urban Design Framework (2010). Within the East Sands Urban Design Framework, the site itself is highlighted as a redevelopment site. Given the residential nature of the proposal and the character of the surrounding area, and that the proposal would redevelop a brownfield site, the development is deemed to be acceptable in general land use terms. The proposal is therefore considered to meet the requirements of the policies outlined above and is thus deemed to be acceptable in principle, complying with the location requirements of Policy 1. The overall acceptability of any such development with regard to Policy 1 must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report.

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

2.3.1 Concerns have been raised regarding the impact on the Built Heritage of this area, whilst 3 supporting comments have been received supporting the design and choice of materials proposed for the dwellings. The proposed dwellings are to be finished with rubble stone walls, ashlar stone lintels and stringers, oak window frames with timber external store doors and fences. All roofs are proposed to be sedum on a flat surface. Window frames, detailing, garage doors, screens and gates will be constructed in oak. The palette of materials has been chosen to complement both the immediate context and the wider streetscape of St Andrews. The terraced levels across the site in conjunction with sunken areas in the rear gardens, create contained private courtyards for each house. With regards to the building form and material, it is considered that the proposal offers a distinctive design. There is a simplicity to the proposed design and materiality, and this helps the development to blend in comfortably when read against the historic wall context. The buildings would not be significantly visible from outside the site. From one of the more sensitive viewpoints, looking from The Pends/Shorehead, the development may be visible, but it would not extend above the height of the existing wall. From this view, other modern development sitting higher than the existing walls would be prominent - the proposed development would be more visually subservient to the precinct walls than the nearby buildings. The palette of materials (rubble stone walls, ashlar stone lintels) and design proposed take their cues from other recent contemporary developments in sensitive areas of St Andrews such as the architects award winning scheme in West Burn Lane. The proposed materials and design are considered acceptable in this historic setting.

2.3.2 With regards to the surrounding built heritage, the proposals do not involve any works to the stone precinct walls or archway and a non-build exclusion zone will be created around the walls to respect the historic setting. The contemporary timber gates on the stone gateway will be left open, which will enhance the views through to the site from Balfour Place. Category C listed buildings can be found on Balfour Place to the east of the application site. These listed properties cannot be seen from the site because of the stone precinct wall and are therefore not affected by the proposals. Abbey Cottage on Abbey Walk (LB40839) is listed Category B house and is located on the south side of the site adjacent to the precinct wall. The house cannot be seen from the site because of the stone precinct wall and is therefore not affected by the proposals. There is a bathroom window on the northern wall overlooking the site at low level, which will be screened by the proposed cycle store and landscape planting. It is concluded that although the addition of this development will be a change to the immediate area, it will not

significantly affect the architectural appearance of the neighbouring listed buildings or scheduled monument, nor the character of the Conservation Area.

2.3.3 Concerns have been raised that the proposal does not conform with the East Sands Urban Design Framework (2010). The application site falls within the area covered by the East Sands Urban Design Framework (2010), in particular The Harbour Area as set out in Figure 2 of that document. The East Sands Urban Design Framework sets out key principles for the development of the site. The site itself is highlighted as a development opportunity site and the proposal itself complies with a number of the key principles set out in the Framework. The relevant principles from the East Sands Urban Design framework are set out below together and how the proposal is considered to comply or not to comply with them:

- Principal 1: Historic Skyline – the proposals do not rise above, or adversely impact on sightlines to the historic skyline from the Key Viewpoints on the main approaches and Fife Coastal Path.
- Principle 2: Landmarks – given that the proposal would be hidden by the scheduled Abbey wall and only visible from St Leonards playing fields, the proposal would not detract from the town's historic landmarks or dominate the townscape within the East Sands area.
- Principle 3: The pattern of development – as the application site is a brownfield vacant site, development here would enhance this part of the Framework Area. The pattern of development proposed reflects existing development nearby.
- Principle 4: Site Assets –The 'no build zone' around the precinct walls and the positioning of the houses respect the setting of the conservation area and adjacent listed buildings and scheduled monument.
- Principle 5: Building heights -The proposed dwellings would be 2 storeys in height and not visible above the Abbey walls,
- Principal 6: Contemporary Design – the contemporary approach is of high architectural merit and uses high quality materials. The proposals directly respond to the stone boundary walls in terms of height, scale, proportion and massing. The 'no build zone' around the precinct walls and the positioning of the houses respect the setting of the conservation area and adjacent listed buildings. The finishing materials (natural stone, sedum roof) are appropriate in this location and provide many environmental benefits.
- Principal 7: Visual Analysis – the stone boundary walls contain the proposals, which are not visible from the Key Viewpoints V4 Shore Bridge and V5 Down Abbey Walk. The proposals will be seen in the distance from V1 Fife Coastal Path Over Kirk Hill, but the proposed stone walls, sedum roof and landscape provision will ensure the development blends with the setting.
- Principal 10: Vehicles & Heritage – parking is incorporated within the house design ensuring minimal visual impact on the built heritage.
- Principal 11: Sustainable Transport & Access – the town facilities and public transport are all within the 20-minute walk zone, with the town centre itself being just over 550m away. The nearest bus stop is 150m away on Abbey Walk. Each house will have dedicated cycle storage to encourage active travel to town centre facilities.
- Principle 12: Movement and the public realm – given the different land ownerships surrounding the application site and that the area to the west is an education facility proposed pedestrian links are not proposed east-west through the site.

- Principal 16: Flood Risk - the development site and entrance road are out-with all flood predictions on SEPA flood maps. All houses achieve flood free finished floor levels for living quarters.
- Principal 17: Vacant Brownfield Sites – the development will improve visual amenity and bring this brownfield site back into use.

2.3.4 The application site is also mentioned as a development opportunity site in the East Sands Urban Design Framework (2010), set out in Figure 12 - 1 Former gas holder. The development principles from Figure 12 are set out below and how the proposal does or does not comply with them:

- The scale of any development must respect/ enhance significant heritage factors - Scheduled Monument, Conservation Area, grade-A listed walls. - The contemporary approach is of high architectural merit and uses high quality materials. The proposals directly respond to the stone boundary walls in terms of height, scale, proportion and massing. The 'no build zone' around the precinct walls and the positioning of the houses respect the setting of the conservation area and adjacent listed buildings. The finishing materials (natural stone, sedum roof) are appropriate in this location and provide many environmental benefits.
- Archway onto Balfour Place must be preserved. Existing gates should be replaced with bespoke gate in timber/architectural metalwork that provides pedestrian access only – The proposal itself does not propose replacement gates (the existing gates are proposed to be kept open). The archway is proposed to be preserved. The archway is proposed to provide vehicular and pedestrian access to the site. The proposal in terms of its layout, design and redevelopment of a brownfield site would improve the visual amenity of the site and given TDM support the scheme it is considered acceptable to depart from what is set out in the East sands Urban Design framework (2010).
- Development must not be visible above the walls from Key Viewpoints -The development would not be visible above the Abbey Walls.
- Elevations towards Balfour Place, seen through the archway must be carefully considered - There would be limited views of the development through the archway given the orientation of the development.

While the proposal does not wholly comply with the above relevant key principles and development principles of the East Sands Urban Design Framework, however given that the proposal would redevelop a vacant brownfield site with a high-quality design, it is considered acceptable to depart from what is set out in the East sands Urban Design framework (2010).

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

2.4 Residential Amenity

2.4.1 Concerns have been raised regarding the impact on the amenity of the adjacent school from the construction works and the potential for noise complaints to be made to the school following occupation of the houses by future residents. The nearest school building is over 150m to the north of the application site on the other side of the astroturf playing fields. Given this distance it is considered that the proposal would not create any significant noise or concerns for the use of the existing school buildings. With regards to the wider school playing fields which sit to the north west of the application site, they are over 45m from the nearest proposed dwelling and there is mature planting and a footpath link between the playing field and the application site. Therefore, it is considered that although there will be noise from the construction phase, the finalised development would not create any significant noise or odour impact on the wider school playing fields. Any construction noise would also be for a temporary period.

2.4.2 Adjacent to the northern boundary of the site is St Leonards School's astroturf playing field which has flood lights. This facility is also used out with normal school hours until 10pm, as advised by third party representations. The proposed dwellings would be 12m away from the mutual boundary of the school to the north and over 16m to the astroturf pitches themselves. With regards to concerns regarding light spillage, the design of the houses is such that all of the living spaces and bedrooms face south, away from the courts to the North, with the only windows facing the north being from the entrance halls at ground floor level and kitchen/dining at first floor level. The predominant first floor elevation facing the astro turf pitches being masonry. Planting is proposed to the northern boundary that would in due course provide all year-round coverage which would also act as a buffer for potential light spillage. Light spillage however would only be onto the access court and parking areas. Given the angle of the flood lights, proposed layout of the dwellings and proposed planting to the north, it is considered that this would mitigate any potential detrimental residential amenity issues which might arise from light spillage.

2.4.3 With regards to concerns relating to existing noise from the use of the school floodlit pitches attracting complaints from future residents of the proposed dwellings, it is considered that the proposed dwellings are laid out internally such that the most sensitive habitable rooms are located on the ground floor (bedrooms) and at first floor level the dining and kitchen areas in each house are mostly shielded with a solid masonry wall. The proposed dwellings would be over 12m to the mutual boundary to the north at the nearest point and over 16m to the astroturf pitches themselves. Given the distance from the habitable rooms to the astroturf pitches it is considered that the new dwellings would not be detrimentally affected by the use of the pitches. Furthermore, the private garden areas are proposed to be located to the south (rear) of the proposed dwellings and would be over 27m from the astroturf pitches, therefore noise from the pitches would be significantly shielded by the dwellings themselves. Planting is proposed to the northern boundary that would provide all year-round coverage which would also contribute to buffer for potential noise concerns in the mutual access and parking court area.

While any construction noise would also be for a temporary period. A condition has also been added requiring the applicant to submit a Scheme of Works Report to mitigate the effects on sensitive premises/areas (neighbouring properties and road) of dust, noise and vibration from the construction phase of the proposed development. Under the Control of Pollution Act 1974, Section 60 Fife Council Protective Services can control noise from construction sites by serving a notice. This notice can specify the hours during which work may be carried out. It is considered that this is more effective than reliance on the planning enforcement system in that regard. Again, the submission of a Scheme of Works Report for the Council's prior approval would include proposed construction working practices and hours of construction operations, and this report would be discussed with colleagues from Environmental Health prior to it being agreed by officers. A draft condition has been included for Member's consideration should they resolve to approve the application in line with the Service recommendation.

2.4.4 Concerns have been raised regarding the potential for residents of the application site looking onto school playing fields. The design of the houses is such that all of the living spaces and bedrooms face south, away from the courts to the North. The proposed development is laid out in a fashion so that each unit is complementary to the next, assuring no overlooking and maximum light and views from each unit to the garden and Precinct Wall. At first floor level, the principle windows and terrace area would look onto the Precinct Wall and private garden area and would not impact on the residential amenity of the surrounding area. The windows at first floor level to the north are on the northeastern corner of the front elevation and would be from open-plan dining kitchen areas (the lounge area/living room area would be located to the rear-south) and would look onto the access lane then onto the floodlit courts/pitches at St Leonards. These secondary windows for this space would be 12m from the mutual boundary to the north and there is also proposed planting to the north which would be designed for all year-round coverage to create a natural boundary which will obscure views through to the pitches and mitigate against any potential residential impacts in this area.

2.4.5 A 3 storey 3 dwelling terrace development on the west side of The Shore (albeit outside the abbey wall) was approved and built in recent years which is situated just over 20m away from the astroturf pitches at St Leonards. This development has habitable rooms to the front at second floor level and is a similar distance away to the astroturf pitches as the proposed dwellings from this application and there have been no noise or light complaints submitted from this development with regards to the adjacent astroturf pitch.

2.4.6 Given the residential nature of the proposed development, it is considered that the proposed dwellinghouses would not give rise to any significant detrimental impacts in terms of light, odour and noise pollution for neighbouring properties during the construction phase or occupation. In addition, given the distance from the existing school pitches and orientation of the dwellings and accommodation within them, nor would future residents of the proposed dwellings be subjected to or detrimentally affected by existing neighbouring uses to any significant degree that would justify refusal of planning permission.

2.4.7 Concerns have been raised regarding bin storage/collection. With regards to bin provision, the bin stores would be located to the rear of each property. An area of hardstanding is to be created at the eastern section of the application site and on collection days bins will be taken here for pickup by the collection team, negating the need for refuse lorries to enter the development itself. This would therefore not create an impact on Balfour Place or the surrounding neighbours. The distance from the furthest bin to the roadside is less than 15m.

2.4.8 In conclusion, the proposed development is not considered to raise any adverse residential amenity concerns nor result in any unacceptable non-conforming use issues with established uses and is thus deemed to be acceptable, complying with the requirements of FIFEplan (2017).

2.5 Garden Ground

2.5.1 Concerns have been raised by objectors regarding the proposed garden ground provision. The private rear gardens proposed through this development would provide just less (90m²) than the 100m² of private external recreational space set out in Fife Council's Planning Customer Guidelines on Garden Ground. However, given that this proposal would regenerate a brownfield site and that the principle of development is acceptable and, it is additionally recognised that the proposed dwellings are well located with regard to safe and easy access to public greenspace locally. It is therefore considered that the garden ground guidance can be relaxed on this occasion.

2.6 Transportation/Road Safety

2.6.1 Concerns have been raised regarding the access to the site. The proposed development would consist of the erection of five three-bedroom dwellings, with each dwelling having two off-street parking spaces. Vehicular access to the site is proposed to be taken directly through the existing, currently gated access, onto Balfour Place/The Shore. The existing gate in the archway will be left open at all times and a retractable bollard will be located inside the gate on land within the ownership of the applicant. The applicant has full rights of pedestrian, vehicular and services access through the archway at all times. The existing gates were installed by Scottish Gas Network, the current owner of the application site and therefore they have control of the gates, so they would never be closed without consent of the application site owner as that right will transfer with ownership of the property. With regards to the application site itself, the access will come along to the North of the development site, to be laid in permeable paving granite setts. This access lane will allow for access to the off-street parking areas for each dwellinghouse and will accommodate the turning manoeuvres required by each vehicle.

2.6.2 Concerns have been raised regarding the impact on road safety. Figure 12 of the East Sands Urban Design Framework (2010) states that the archway onto Balfour Place should only provide pedestrian access only and only limited vehicular access may be possible, taken through grounds of St Leonards School and demonstrated through a Transport Assessment. Servicing must be taken through pedestrian access onto Balfour Place. Since this document was produced Transportation guidance has changed and given the small-scale nature of this proposal a Transportation Assessment is not required. Due to different landownership and given that the neighbouring land is used for educational purposes, it is considered that the proposed access off Balfour Place is more acceptable than taking access through the school grounds. The proposal itself in terms of its layout, design and redevelopment of a brownfield site would improve the visual amenity of the site and given TDM support, the scheme it is considered to meet the overall objectives of the Design Framework and it is therefore acceptable to depart from what is set out in the East sands Urban Design framework (2010) regarding access provision. The Transportation Development Management Team (TDM) was consulted and raised no objections apart from initial concerns regarding bin provision. Sufficient parking is provided on site to meet the relevant parking guidance for a proposal of this size. Sufficient parking is provided on site to meet the relevant parking guidance for a proposal of this size. With this amended information TDM have no objections to this application subject to conditions regarding bin locations, driveway material and off-street parking.

2.6.3 With regards to construction works traffic, the applicant has submitted a construction methodology plan which states that construction works would be restricted to daytime hours (8am-5pm Monday-Friday and 8am-1pm Saturday). Vehicles entering the site will be limited to narrow tracked barrows and diggers with no large lorry deliveries. The area in front of the gateway will be fenced off for loading and deliveries. Off site preparation of components and materials will be organised to ensure easy access to site. In terms of the existing parking spaces either side of the archway, there would be no difference between the existing situation and proposed. There is adequate access through the gate for vehicles to service the site, which gain access between the parking spaces positioned either side of the gateway without effecting their proper use.

2.7 Flooding and Drainage

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

2.7.2 Fife Councils Structural Service were consulted on this application and initially requested further details in terms of surface water management proposals. The applicant provided further information on this in terms of a drainage plan and the underground storage attenuation capacity. This further drainage information that has been submitted in support of the application fully addresses the relevant guidance. The proposed development, therefore, incorporates sufficient measures to ensure that it is served by adequate infrastructure and services relating to surface water management. Fife Councils Structural Services have been consulted on this application and have raised no concerns. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.8 Contamination

2.8.1 Concerns have been raised regarding the site investigation report that was submitted by the applicant. Figure 12 of the East Sands Urban Design Framework (2010) states that ground contamination may be an issue on the application site. The applicant submitted an initial ground investigation assessment as part of this application. Fife Councils Land & Air Quality team assessed this and requested that an updated site-specific risk assessment be undertaken and submitted. The applicant subsequently submitted an updated Environmental Assessment along with a remediation strategy for the site. Fife Council's Land & Air quality team assessed the updated report and concurred with the findings of this report and have no objections to the application subject to conditions regarding remedial actions being completed in accordance with the Remedial Statement that has been submitted as part of the application. SEPA were also consulted as part of this application given the proximity to the coastline. The updated Environmental report concluded that there would be a low risk to the water environment, SEPA concurred with the findings of this report subject to the actions set out in the remedial statement being undertaken.

2.9 Trees

2.9.1 Figure 12 of the East Sands Urban Design Framework (2010) states that the line of semi mature trees on site should be retained, however these trees were removed as part of application 21/02962/TCA. Through this application the applicant is proposing to replace this lost tree belt through the planting of trees and shrubs along the northern boundary. A draft condition for a landscaping plan to be submitted has been included for Member's consideration should they resolve to approve the application in line with the Service recommendation.

2.10 Archaeology

2.10.1 Concerns have been raised regarding disturbance of the environment in this area given its historical importance. The site lies within the conservation area, within the area designated as St Andrews Archaeological Area of Regional Importance and within the area statutorily protected as the scheduled ancient monument: St Andrews Cathedral and Priory and adjacent ecclesiastical remains (SM13322). The site is considered to be potentially archaeologically sensitive, with the possibility of significant deposits and structure of medieval date existing on site. Historic Environment Scotland initially objected to this application due lack of information on the potential direct impact on the above scheduled monument. The applicant submitted an Archaeological Evaluation Data Structure Report. This report finding stated that subsequent excavations of these areas found that no in situ archaeological remains or deposits had survived to the depth of the proposed building foundations. On review of this report HES have withdrawn their objection. Fife Council's Archaeology Officer was consulted on the application

to assess the impact the proposed development would have on any archaeological or heritage issues within the application site. Given the location of the application site, it is deemed that the works proposed could have the potential to disturb in situ medieval archaeological deposits. A condition is therefore recommended, if the application was to be approved, for archaeological works to be undertaken.

2.10.2 In conclusion, the proposed development has the potential to impact on archaeological deposits. A condition is therefore included in the recommendation to ensure a scheme of archaeological works be undertaken prior to the commencement of development.

2.11 Low Carbon

2.11.1 Applicants are expected to submit a Low Carbon Sustainability Checklist in support. The applicant has submitted a low carbon statement as part of the planning statement which states that the new build is designed to have 2 ev charging stations, solar photovoltaic panels, sedum roofs, greywater systems with each dwelling having high-specification insulation and triple glazing.

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

2.12 Houses in Multiple Occupation

2.12.1 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

Community Council	No comment
Structural Services - Flooding, Shoreline and Harbours	No objection
Historic Environment Scotland	Initial objection. Objection subsequently removed.
Archaeology Team, Planning Services	No objection subject to conditions
TDM, Planning Services	No objection subject to conditions
Land And Air Quality, Protective Services	No objection subject to conditions
Urban Design, Planning Services	No objection
Scottish Water	No objection

4.0 Representation Summary

4.1

7 objection, 3 supporting comments and one general comment received.

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Principle of Development	2.2.1
b. Impact on Built Heritage	2.3.2
c. Impact on Residential amenity (noise/light)	2.4.3
d. Impact on residential amenity (overlooking)	2.4.2
e. Impact on residential amenity (bins)	2.4.7
f. Garden ground	2.5.1
g. Impact on road safety (access)	2.6.1
h. Transportation (not conforming with East Sands Urban Design Framework)	2.6.2
h. site investigation report	2.8.1
i. Impact on historical importance of site.	2.10.1

4.2.2 Support Comments

Issue	
a. Principle of Development	2.2.1
b. Design of Dwellings	2.3.1

4.2.3 Other Concerns Expressed

Issue	Comment
a. Concerns regarding the naming of the application site	Comments noted. The naming of any new development comes post approval and is not part of the planning application process.
b concerns regarding who will purchase these dwellings	Comments noted; however, these are not a material planning consideration in the assessment of this planning applications.
c. Concerns have been raised regarding works taking place outwith the site boundary.	The applicant has confirmed that no works will take place outwith the red line boundary.

5.0 Conclusions

This full planning application for the erection of 5 dwellinghouses is deemed acceptable in terms of both scale and design. Furthermore, the design of the dwellinghouses is considered to represent the use of high-quality contemporary architecture which would create a visual enhancement to this brownfield site. Additionally, there would be no significant impact on existing levels of residential amenity. In light of the above, the proposal would be deemed to preserve the character of the surrounding St Andrews Conservation Area, and as such, comply with FIFEplan 2017 policies and other related guidance. The application is therefore recommended for conditional approval.

6.0 Recommendation

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

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

3. BEFORE ANY WORKS COMMENCE ON SITE, exact details of the protection measures for the abbey precinct wall and the arch during the construction period, shall be submitted for approval in writing by this Planning Authority. Thereafter the development shall be carried out in accordance with these approved details.

Reason: In order to safeguard the built heritage assets of the site.

4. NO BUILDING SHALL BE OCCUPIED UNTIL remedial action at the site has been completed in accordance with the Remedial Action Statement approved pursuant to condition. In the event that remedial action is unable to proceed in accordance with the approved Remedial Action Statement - or contamination not previously considered in either the Preliminary Risk Assessment or the Intrusive Investigation Report is identified or encountered on site - all

development work on site (save for site investigation work) shall cease immediately and the planning authority shall be notified in writing within 2 working days. Unless otherwise agreed in writing with the local planning authority, development works shall not recommence until proposed revisions to the Remedial Action Statement have been submitted by the developer to and approved in writing by the planning authority. Remedial action at the site shall thereafter be completed in accordance with the approved revised Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement - or any approved revised Remedial Action Statement - a Verification Report shall be submitted by the developer to the local planning authority.

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

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

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

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

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

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

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

7. BEFORE ANY WORKS START ON SITE, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

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

8. Prior to the occupation of any of the proposed dwellinghouses, the refuse bin storage area shall be provided within the red line boundary of the site as shown on Page 23 of the document entitled Design, Access & Heritage Statement (23 - DESIGN STATEMENT PART 2) and thereafter, this agreed site shall be used for this purpose. For the avoidance of doubt, no delineated 'drop off' zone is permitted on any area of the public highway, outside the archway or the development site.

Reason: In the interest of road safety; to ensure that no use of the public highway takes place for the purpose of any servicing, bin collections and deliveries and to ensure that there are no unnecessary obstructions on the public highway.

9. Prior to the occupation of the first dwellinghouse, the first two metres length of the private access to the rear of the public road - Balfour Place/The Shore - shall be constructed in a paved material (not concrete slabs).

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

10. Prior to the occupation of each dwelling, off street parking shall be provided for that dwelling, as shown on the submitted plan; 02 Block Plan. The parking spaces shall be retained throughout the lifetime of the development for the purposes of off-street parking.

Reason: In the interests of road safety. To ensure the provision of an adequate off street parking facilities.

11. The residential units provided on site shall be used solely as residences 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; or (c) not more than 2 unrelated residents living together in a flat. For the avoidance of doubt, none of the residential units hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Adopted FIFEplan - Fife Local Development Plan Policy 2 (Homes) or any subsequent revision or amendment of this document.

7.0 Background Papers

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](#)

National Guidance

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

Historic Environment Scotland Policy Statement (June 2016)

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

PAN 1/2011: Planning and Noise

Development Plan:

NPF4 (2023)

FIFEplan Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Low Carbon Fife 2019

Other Guidance:

Fife Council Planning Customer Guidelines - Garden Ground (2016)

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

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

St Andrews Conservation Area and Management Plan (2013)

St Andrews Design Guidelines (2007)

East Sands Urban Design Framework (2010)

Report prepared by Scott McInroy, Chartered Planner Development Management

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 5/8/24

Committee Date: 14/08/2024

Agenda Item No. 5

Application for Full Planning Permission

Ref: 24/00785/FULL

Site Address: Eden Springs Country Park Melville Lodges Bow Of Fife

Proposal: Change of use from former quarry to holiday site including the erection of up to 75 holiday lodges, reception arrival building, management/maintenance facilities, play areas, linked network of pathways/footways/cycle ways, car park and associated works

Applicant: Eden Muir Limited, 24a Stafford Street Edinburgh

Date Registered: 4 April 2024

Case Officer: Scott Simpson

Wards Affected: W5R16: Howe of Fife and Tay Coast

Reasons for Referral to Committee

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

The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

1.1.1 This application relates to a grassed area of land within the former Mountcastle sand and gravel Quarry. The wider Mountcastle Quarry site extraction has ceased and areas of extraction below the water table have been flooded with a series of lochans located around the former quarry. The site measures approximately 9.05 hectares and is located within the countryside and outwith any settlement boundary as designated within the Adopted FIFEplan (2017) (LDP). The site is situated approximately 836 metres to the south of Letham, approximately 3 kilometres to the east of Collessie and approximately 924 metres to the west of Bow of Fife. Parts of Letham, Bow of Fife and Collessie are designated as Conservation Areas. The nearest dwellings to the site are Ballantagar Cottages which are located approximately 55 metres to the north of the access from the A92 and approximately 338 metres to the north of the

proposed holiday lodges. Another dwelling (Bridgehill) is located approximately 444 metres to the south-east of the site. Access into the site is taken from the A92 Trunk Road to the north, the A91 distributor road to the south and the site is surrounded by waterbodies to the west (Eden Muir Loch), north (Bull Stone Loch) and south with several wooded areas also surrounding the site. The woodland area to the south-west is designated as an ancient woodland area (Approach Wood).

1.1.2 No natural heritage designations are in place; however, the quarry has become naturalised over the years since the quarry use ended with trees and shrubs establishing. There are also no designated or recorded rights of way or core paths running through or adjacent to the site, however, several man-made paths and tracks have been created through the wider area and these are used by members of the public for recreational uses.

1.1.3 The site is located adjacent to a fluvial floor risk area (1:10 and 1:200) as per SEPA's flood risk maps, whilst parts of this flood risk area are also located within the site. The site is also located on potentially contaminated land due to its former uses as a quarry and most of the land (approximately 5.01 hectares) is designated as non-prime land (Category 4.2), however, the northern triangular part of the site (approximately 1.09 hectares) is designated as Prime Agricultural Land (Category 3.1) as per the James Hutton Institute.

1.1.4 The Melville House Garden and Designed Landscape (GDL00283) is located approximately 436 metres to the west of the site. The site is not easily visible from the A92 Trunk Road or the A91 distributor road due to the wooded area which runs along the eastern and northern boundaries of these roads. The site is also not easily visible from the surrounding area due to the surrounding woodland areas, however, there are partial views into the site from Letham to the north of the site.

1.1.5 LOCATION PLAN



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1.2 The Proposed Development

1.2.1 This application is for full planning permission for a change of use from restored former quarry to holiday site including the erection of up to 75 holiday lodges, reception arrival building, management/maintenance facilities, play areas, linked network of pathways/footways/cycle ways, car park and associated works. The holiday site would comprise of a proposed play park, crazy golf area and lodge/reception office building on the northern part of the site, an existing car park area (40 spaces) and a proposed maintenance unit building on the north-eastern part of the site. The site plan shows seventy-five holiday lodges located around the site with several landscaped areas including tree belts and groups of trees located around the edges and within the site. These holiday lodges are to be of seven different designs and would be located within seven clusters around the site and accessed off the main proposed internal loop road. Off-street parking is proposed next to each lodge and throughout the site. Access into the site would be taken from an existing access road which exits onto the A92 Trunk Road to the north with emergency access taken via the A91 from the south of the site which would be gated. The proposed holiday site would be located approximately 263 metres to the south-east of the A92 Trunk Road and approximately 168 metres to the north of the A91 distributor road.

1.2.2 The proposed holiday lodges would all be single storey (measuring between approximately 3.9 and 4.1 metres high) and would have mono-pitch and dual pitched roofs, UPVC anthracite grey coloured windows and rainwater goods, horizontal green coloured timber cladding, vertically clad natural timber cladding and tiled roofs. Each lodge would also have a terrace timber decking area with an outdoor hot tub. The footprint area of each holiday lodge, including the terrace area, ranges from approximately 63 square metres to 151 square metres. The proposed play park area would measure approximately 603 square metres and would utilise wood, bark, grass and sand with natural climbing structures. The proposed crazy golf area which would be located adjacent to the play park area would measure approximately 962 square metres. The proposed reception building would be single storey (measuring approximately 4.9 metres high) with a footprint area measuring approximately 122 square metres. The building would have a pitched roof clad in flat concrete tiles, vertical timber cladding including charred timber cladding and grey and teal coloured timber, anthracite grey coloured rainwater goods and teal coloured UPVC casement windows. The reception building would include an office, reception and staff room area. The proposed maintenance building would be single storey (measuring approximately 6.3 metres high) with a footprint area measuring approximately 313 square metres. The maintenance building would have a pitched roof, an anthracite grey coloured metal clad finish, grey coloured UPVC casement windows and a large garage door. The building would include a workshop area, staff room and office areas and would be located adjacent to the existing car park area on the north-eastern part of the site. Recycling/waste storage areas are also proposed throughout the site along with electric distribution cabinets. The proposed waste storage areas would house the various recycling and general waste bins and would have a footprint area of approximately 11 square metres, would measure approximately 2 metres high and would have a flat tiled roof and a vertically clad natural timber finish. The electric distribution cabinets would have a footprint area of approximately 1.08 square metres, would measure approximately 1.7 metres high and would also have a natural timber clad finish and a mono-pitch tiled roof.

1.3 Relevant Planning History

03/03718/EFULL - Variation of Conditions 4 and 36 of Consent 01/90/0684 re dewater/dry work of Block 4 and 5, and revised landscaping scheme - PERC - 01/04/04

04/00010/EEPN - Erection of 11kv overhead power line - PER - 04/02/04

99/00710/EFULL - Vary Conditions 3/5/12 on 01940226 re Dewater/Dry Work of Block 3, Extraction Rate, Hours of Working - PER - 16/12/99ner

06/00727/EEIA - Sand and gravel extraction and restoration to form formal woodland and parkland including public car park and foot paths. - PERC - 24/04/09

07/03037/EEIA - Formation of sand and gravel quarry (extension to existing) - PERC - 02/09/09

07/03961/EFULL - Extension to sand and gravel quarry - PERC - 02/06/08

10/00294/PAN - Variation to condition 3 of permission ref 03/03718/EFULL to allow continuation of mineral extraction for a further 18 months. - PANA - 26/02/10

10/01344/FULL - Variation of condition 3 of planning permission 03/03718/EFULL to extend period of extraction of sand and gravel - PERC - 14/07/10

19/03659/FULL - Erection of fishing platforms / pontoons and reception building / storage area and associated footpaths and car parking at former Mount Castle Quarry, Ladybank, Fife - WDN - 06/03/20

20/03277/FULL - Installation of 25 fishing platforms, pontoon, reception building, ranger's lodge and associated works - REFE - 24/11/21. Approved at appeal (PPA-250-2371) on 11th May 2022.

21/03880/FULL - Section 42 application to extend operational life of Approach Wood Quarry, Mountcastle until 2030 to complete extraction of consented reserves and permit final restoration (amendment to condition 2 of planning permission 06/00727/EEIA) - PCO -

23/01672/PAN - Proposal of Application Notice for change of use from former quarry to holiday site including the erection of holiday lodge style pitches, reception arrival building, maintenance facilities, play area and associated infrastructure - PANA - 29/06/23

23/02867/SCR - EIA screening opinion for change of use from former quarry to holiday site including the siting of up to 75 holiday lodges, reception arrival building, management facilities, play area, crazy golf, linked network of pathways/footways/cycle ways, car park (including disabled) and associated works - EIANR - 27/10/23

24/00458/FULL - Erection of accommodation unit and formation of hardstanding and car parking and erection of bin store - PCO -

24/00785/FULL - Change of use from former quarry to holiday site including the erection of up to 75 holiday lodges, reception arrival building, management/maintenance facilities, play areas, linked network of pathways/footways/cycle ways, car park and associated works - PDE –

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 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 Local Development Plan, 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: 23/01672/PAN) and a Pre-Application Consultation Report (Online Plan References: 36) 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.

1.4.4 Objections state that an environmental impact assessment (EIA) should have been carried out. 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 proposal could, therefore, have an impact that would necessitate the need for an EIA Screening. A formal screening opinion application (23/02867/SCR) was made on 11th October 2023 and this Planning Authority determined on 27th October 2023 that an EIA was not required for this proposal. The objections advise that an EIA should have been requested, however, the reasoning behind this assessment is set out in the aforementioned screening opinion (23/02867/SCR) and this is available to view on Fife Council's Planning Portal website. The screening opinion advises that an EIA is not required in this instance when taking into account the characteristics of the development, the environmental sensitivity of its location, the characteristics of its potential impact and the relevant EIA screening criteria. It should be noted, however, that this does not negate the requirement to fully assess the potential environmental impacts of the proposal through this planning application and several reports carried out by professional consultants have been submitted alongside this application. These include an ecological report, a flood risk assessment and drainage strategy report.

1.4.5 A physical site visit was not undertaken for this application; however, the case officer did visit the application site on 26th June 2023. All other necessary information has been collated digitally and drone footage was produced in June 2024 to allow the full consideration and assessment of the proposal.

1.4.6 This application was advertised in The Courier newspaper on 18th April 2024 for neighbour notification purposes.

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 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. 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 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.

Historic Environment Scotland Policy Statement (2019)

This policy statement advises that development proposals involving Listed Buildings should have high standards of design and should maintain their visual setting.

Historic Environment Scotland's Managing Change in the Historic Environment's Guidance Note on Setting (2016)

This guidance sets out the general principles that should apply to developments affecting the setting of historic assets or places including listed buildings. The guidance advises that it is important to identify the historic assets that may be affected, define the setting of each asset and assess the impact any new development may have on this.

Historic Environment Scotland's Managing Change in the Historic Environment's Guidance Note on Gardens and Designed Landscapes (2016) This guidance note sets out the principles that apply to developments affecting Inventory gardens and designed landscapes including any impact that a development may have on the setting of garden and designed landscape.

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.

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management requirements (2022)

This guidance provides advice to all stakeholders involved in the planning process in relation to flooding and surface water management requirements.

2.0 Assessment

2.1 Relevant Matters

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 and Impact on the Setting of adjacent Garden and Designed Landscapes and Conservation Areas**
- **Amenity Impacts**
- **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, Land Stability and Air Quality**
- **Natural Heritage including impact on Trees, Protected Species and Wildlife Habitats and Biodiversity Enhancement**
- **Community and Economic Benefits**
- **Waste Management**
- **Archaeological Impact**

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 The agent has submitted a Planning Statement (PS) which advises that the overarching policy strategy of the LDP is to flexibly support, in principle, sustainable economic/business development in the countryside, with tourism identified as a key sector to expand in Fife. The

PS considers that at a national level, NPF4 gives general support for, and seeks to promote, sustainable economic development in rural areas, whilst the development of the site will involve no loss of prime agricultural land and will have no impact on any heritage features. The PS further considers that the proposal has been accommodated in a way which minimises landscape/environmental impact and the scale, spacing and design has been carefully considered, whilst, given the site topography and surrounding landscaping/trees the holiday lodges will be largely hidden from view. The PS also states that active travel measures have been accommodated, bus access has been improved and there is no impact on the local road network. The PS concludes that the proposal represents a comprehensive proposal and has been presented in a manner which is compliant with both the Development Plan and other material considerations.

2.2.3 Objections have been received which state that there is no justification for the project, whilst there is no evidence relating to demand for a holiday site. The objections also consider that the proposal does not comply with the LDP and NPF4 and a re-instatement bond should be required if the development fails. They also state that this green site should be protected.

2.2.4 Fife Council's Tourism Team has no objections and advise that they would welcome a tourism development of this type at this location, whilst they consider that the proposal would be a positive addition to the tourism assess in the area. They also advise that tourism trend analysis shows that demand for this type of accommodation and holidays are on the rise.

2.2.5 Policy 30 (Tourism) of NPF4 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 Policies 1 and 7 that development in the countryside will be supported where it is for a tourism use, whilst proposals that provide facilities for access to the countryside will also be supported, therefore, the current LDP identifies countryside locations as being potentially suitable for tourism uses and this type of development. In this regard, it is noted that the proposal would provide a tourism use in a countryside location which would also provide a facility which allows for access to the countryside. The adjacent Eden Springs Fishery business is also a well-established rural business (see planning history section 1.3 above) and it is considered that the proposed tourism use would complement this with visitors to the holiday site able to make use of the fishery and wild swimming. The objections do state that this green site should be protected, however, this site is not officially designated as protected open space within the LDP, has no other designated protected status and the principle of the development is considered to be acceptable. The principle of this tourism 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, to ensure that the units are not used as and become 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 Prime agricultural land (PAL) is defined in NPF4 and the LDP as land that is identified as being Class 1, 2 or 3.1 in the land capability classification for agriculture developed by Macaulay Land Use Research Institute (now the James Hutton Institute). The NPF4 definition also states that land of lesser quality that is culturally or locally important for primary use (i.e. for example food production, flood management, water catchment management and carbon storage should

also be recognised in decision-making. The majority of the land (approximately 5.01 hectares) is designated as non-prime land (Category 4.2); however, the northern triangular part of the site (approximately 1.09 hectares) which is located at the bottom of the existing access road into the site is designated as PAL (Category 3.1) as per the James Hutton Institute. The proposal could, therefore, result in the loss of an area of approximately 1.09 hectares of PAL. It is noted that the proposed holiday site would be less permanent than most other development types and the land could potentially be returned to its former state, however, the proposal is not for a temporary use, therefore, the proposal could result in the permanent loss of this PAL and this must be assessed against the relevant policies within the Development Plan.

2.3.3 Policy 5 (Soils) of NPF4 states that proposals will only be supported on PAL in the following circumstances:

- i. it is for essential infrastructure and there is a specific locational need and no other suitable site;
- ii. it is for small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;
- iii. it is for the development of production and processing facilities associated with the land produce where no other local site is suitable; or
- iv. the generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration.

The policy also requires that the layout and design of the proposal must minimise the amount of protected land that is required.

2.3.4 Policies 1 and 7 of the LDP state that development on PAL will not be supported except where it is essential as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available or it is for small-scale development directly linked to a rural business or it is for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is a commitment to restore the land to its former status within an acceptable timescale. Policy 7 of LDP allows for development of PAL where there is an established need for the proposal at this location, however, Policy 5 of NPF4 only allows for proposals on PAL as per the circumstances listed above under section 2.3.3 and this policy would prevail in this instance.

2.3.5 The agent's Planning Statement (Online Plan Reference 35) advises that whilst a small northern part of the site is historically designated as Category 3.1 (PAL) this soil has recently been re-surveyed by the James Hutton Institute and this area of the site has been downgraded to Category 3.2 (Not PAL). A summary of this agricultural survey report is shown within appendix 2 of the submitted Planning Statement and the full report is also available to view online as Soil Survey and Land Capability for Agriculture (LCA) Report (Plan Reference 49). The Soil Survey and LCA report was compiled by the James Hutton Institute in October 2023, and it states that the original LCA map, which was produced in 1986, categorises parts of the land as Class 3.1s (with stoniness limitations), however, since then, the area has undergone significant land use changes. The report advises that the James Hutton Institute has carried out further investigative works on the site in September 2023 including six soil inspection pits which were located on an approximate 50 metres grid across the area that was to be re-assessed. The report advises that the soils within the northern areas of the site have been affected by the historic quarrying works with the topsoil of both areas removed prior to the initiation of the quarrying works, whilst the topsoil was then reinstated over the area as part of a land restoration program and following the cessation of the quarrying works. The soils are,

therefore, now classed as man-made soils/made up ground. The report does advise that the land class could potentially be improved again with a higher level of appropriate management, however, this seems unlikely as the area is now small and geographically isolated from larger surrounding areas of more intensively used ground. The report concludes that the land should now be classified as Category 3.2 (non-prime agricultural land).

2.3.6 Objections state that the proposal would result in the loss of prime agricultural land, whilst the soil samples were only taken at one corner of the site. The soil samples were only taken from one corner of the site as this was the area that is shown on the James Hutton Institute's LCA maps as being PAL.

2.3.7 The submitted evidence demonstrates that the northern part of the site has been re-classified as Category 3.2 (non-prime agricultural land) by the James Hutton Institute, whilst, the rest of the application site is classified as Category 4.2, therefore, there would be no loss of PAL in this instance. It is also considered that the northern triangular area of land is not culturally or locally important in terms of its primary use and it is unlikely due to its isolated position, with the whole southern area of the site being designated as Category 4.2, that this area of land would be brought into farming use. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.4 Design and Layout/Landscape and Visual Impact and Impact on Setting of adjacent Garden and Designed Landscapes and Conservation Areas

2.4.1 The Historic Environment Scotland Policy Statement, Policies 4, 14, 29 and 30 of NPF4, Policies 1, 7, 10, 13 and 14 of the LDP, Making Fife's Places and Historic Environment Scotland's Managing Change in the Historic Environment's Guidance Note on Setting and Gardens and Designed Landscapes apply.

2.4.2 The application site is located within the countryside; therefore, consideration must be given to the proposal's wider and local impact on the landscape. A site layout, elevation drawings, 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 site plan shows seventy-five holiday lodges located around the site with several landscaped areas including tree belts and groups of trees located around the edges and within the site. These holiday lodges are to be of seven different designs and would be located within seven clusters around the site and accessed off the main proposed internal loop road. Off-street parking is proposed next to each lodge and throughout the site. A full detailed description regarding the proposal is included within section 1.2 of this report.

2.4.4 The submission and DAS includes a site analysis, site photographs, contextual drawings and visualisations which demonstrate how the proposal would sit on the site in relation to the surrounding rural area. The DAS includes drawings of the proposed holiday lodges, play park and crazy golf area and Computer-Generated Images (CGI) of parts of the site. The DAS advises that sustainable holiday lodges are a key focus of the design proposal, with local sustainable and natural materials forming the lodges, whilst the implementation of a natural palette for the development will fit in with the surrounding landscape, reducing visual impact. It is considered that the DAS demonstrates an 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, flood risk, transportation and drainage and it sets out how these have informed the layout of the site. 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.

2.4.5 Objections state that the proposal would constitute overdevelopment, would not be in keeping with the rural environment, whilst the scale and design of the proposal is excessive and not in keeping with the natural context of the area. They also consider that the proposal would have a detrimental impact on neighbouring conservation areas and on the landscape. The letters of support state that the proposal will enhance the natural beauty of the area and not detract from it, whilst the development is sensitively designed.

2.4.6 The submitted information demonstrates the potential visual impact that the proposal would have on the site and surrounding rural area and how the proposal would be accommodated within the application site. It is considered that the proposed buildings which would be single storey and would utilise finishing materials such as timber cladding, tiled roofing and anthracite grey coloured windows/doors would be in keeping with other types of rural buildings within the surrounding area and would be visually appropriate within the context of this surrounding rural area. The proposed holiday development and associated infrastructure would, therefore, be visually acceptable in terms of its layout and proposed finishing materials. The proposed holiday development would also have no significant visual impact on the setting of neighbouring Conservation Areas due to the distances involved between these areas and due to the fact that the proposal would be well screened by existing woodland areas with the proposal not being easily visible from the surrounding public roads. The proposed development would, therefore, visually respect the character and appearance of the surrounding rural area and adjacent buildings and would have no significant impact on neighbouring Conservation Areas. The matters relating to the landscape impact of the proposal are assessed below.

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 (2021). The proposal would be located in the Lowland River Basin (Landscape Character Type 9) as shown on the NatureScot Landscape Areas Character table. The assessments state that the Lowland River Basin LCT were formed by glacial action creating relatively wide, flat basins with glacial deposits subsequently covered by alluvial deposits mainly of sand and gravel from the rivers. The basins would once have formed extensive areas of marsh, fen and other wetlands, including lowland raised mires. The assessment advises that lowland river basins are distinctive features where the river valleys widen to form relatively flat, low-lying basins. They contrast with the narrow, steep sided sections of the valleys and the sections of the river which flow through the undulating lowland hills. The Howe of Fife particularly is very flat and very extensive. The assessment also identifies key characteristics of this LCT as follows:

- Flat, relatively low-lying landform with straight or angular horizontal lines and geometric patterns.
- Wide valley/basin contained by distant Foothills or volcanic hills.
- Open, medium to large scale, regular pattern of intensively cultivated arable fields with few animals.
- In some parts extensive coniferous plantations on poorer soils, but elsewhere many mature, narrow, linear, straight, predominantly coniferous shelterbelts forming strong visual features and patterns.
- A relatively modern, planned or well-organised landscape, with semi-natural vegetation confined to the banks of the rather inconspicuous, seemingly undersized rivers.
- Conspicuous former sand and gravel pits now filled with water in some parts.
- Regular pattern of small settlements, groups of farm buildings and occasional single buildings in open countryside, with a mix of traditional and more modern architectural styles.

- Many post and wire fences, few hedges, few hedgerow trees, many ditches.
- Dense network of narrow, straight lanes with bridges and sharp corners.
- Frequent, small, low or flat stone bridges over ditches and higher bridges over railway.
- Medium scale, diverse, confined, flat, active, planned, organised, tended and regular landscape

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 The submitted LVA includes a zone of theoretical visibility (ZTV) which includes a 5km ZTV drawing, and photomontages taken from six viewpoints showing a modelled visual impact of the proposal. These demonstrate how the proposal would sit within the site and the surrounding landscape. The LVA also makes reference to the Fife Landscape Character Assessment and sets out the characteristics of these landscape areas, whilst the assessment includes the likely landscape and visual effects of the proposal and provides a conclusion with regards to these effects. The LVA grades each visual effect of the development from each visual receptor and advises that effects graded below moderate (including minor/moderate, moderate/minor, minor, minor/negligible, negligible and none) are not considered to be significant. Effects that are moderate and above are, however, considered significant. The LVA sets out the potential effects of the development on several receptors. The six viewpoints which were identified to illustrate the potential visual and landscape impacts of the development, and the overall assessed impact are as follows;

- Viewpoint 1 was taken from The Row in Letham approximately 1 kilometre to the north of the site with the overall impact assessed as moderate.
- Viewpoint 2 was taken from the A92 approximately 1.2 kilometres to the north-east of the site with the overall impact assessed as moderate/minor.
- Viewpoint 3 was taken from Nisbetfield approximately 1.3 kilometres to the north-west of the site with the overall impact assessed as Moderate.
- Viewpoint 4 was taken from a minor road approximately 0.6 km to the north-east of the site with the overall impact assessed as minor.
- Viewpoint 5 was taken from immediately to the north of the site and from the existing access road (approximately 0.3 km) with the overall impact assessed as major/moderate.
- Viewpoint 6 was taken immediately to the east of the site (approximately 40 metres) with the overall impact assessed as major/moderate.

2.4.10 The LVA states that many of the settlements within the study area will gain very limited, or indeed have no views of the proposal due in part to the low-lying nature of the development and vegetation which surrounds the site, combined with screening elements within the settlements themselves. All settlements bar Letham have been scoped out of the assessment and the LVA provides a detailed assessment of the visual impact on residents of, and visitors to Letham. The LVA advises that the ZTV shows that the entire settlement could have theoretical visibility of the site, however, the ZTV does not take into account existing built development and

vegetation which can significantly reduce the area and extent of actual visibility. The LVA states that Viewpoints 1 (The Row) and 3 (Nisbetfield) illustrate the type of impact that residents could expect and concludes that the mature coniferous woodland in between the viewpoints and the site will provide notable levels of screening, where it is likely that only the very northern corner of the proposal would appear. From Viewpoint 3, located just to the north of the settlement, on the road between Letham and Nisbetfield, the elevated position gives a slightly more open view. Here, the views will be greater due to the openness, however it will still only be the northern corner of the proposal, which is visible, and would be completely backdropped by the landscape, mitigating the impact somewhat. The LVA states that the proposal would only be a minor feature in the view, and would not form any part of the skyline, where it would appear in a view already containing similarly scaled manmade features such as agricultural buildings and farmhouses. The LVA further states that this view is unlikely to be experienced from residential properties within Letham given that the vast majority of residential dwellings are orientated to the south-west over The Row and would not have views from their primary windows of the proposal. The LVA also considers that views will be experienced by residents departing the settlement to the south-east as they drive along The Row and whilst a small group of dwellings on Monimail Road do face the proposal, these will be screened locally by vegetation associated with The Pleasance and Fintry Cottage. The LVA advises that even when seen from within Letham, the visual impact would be limited, and the proposal would be typically indistinct from its surroundings. The LVA states that the overall impact on Letham would be negligible, resulting in a moderate/minor level of effect.

2.4.11 The LVA states that the overall sensitivity of the landscape unit is considered to be medium and whilst, the proposal would have a relatively large footprint, it would not result in the loss of any landscape features and would primarily affect a local landscape of rough grassland adjacent to the lochs. The series of fishing lochs and woodland creates a mini character within the wider Lowland River Basin that is smaller in scale and more enclosed. It considers that the proposal will have a direct correlation to the lochs and that sense of association to fishing and the lochs allows them to be accommodated within the landscape whilst, the design of the development has been tailored to fit into the landscape with minimal fuss, utilising natural materials to appear more sympathetic to their surroundings. The LVA also advises that the proposals include the planting of native species in and around the proposal which would help to knit the development into the existing landscape fabric and break up the massing of the manmade features. The LVA considers that the existing and proposed vegetation offers good containment to the development and the positioning of the development would be well screened from the majority of locations. The LVA also assesses the impact on surrounding LCTs and states that there are only four other LCTs within the 5km study area, of which only three are predicted to have theoretical visibility. The assessment shows that the visual influence over the wider area is extremely limited due to a combination of the low-lying nature of the development combined with the strong sense of containment and screening provided by the existing vegetation. Considering this wider area, the assessment has concluded that there would be no notable indirect effects from any of the other landscape character types within the study area.

2.4.12 The LVA concludes that the development is often screened by the existing woodland, particularly to the south, east and south-west. Even to the north, views are always afforded some level of screening, and the development is never seen in full. While visible from the settlement of Letham, the impact would be limited and the proposal would be indistinct from its surroundings, with vegetation screening large sections of the site with the proposal never being a prominent feature, backdropped by the landscape. The LVA considers that the proposal could be accommodated into the existing landscape with no significant detrimental landscape impact.

2.4.13 The LVA also assesses the impact on the nearby Melville House Garden and Designed Landscape (GDL). It concludes that due to the pattern of woodland in the area it is unlikely that even from more open areas of the estate that views would be achievable, therefore, the

proposal is unlikely to either alter the character of the GDL or scenic views from within the GDL. The LVA further advises that even in the unlikely event of views through gaps in vegetation, it would not be sufficient to impact the GDL. It concludes that the magnitude of impact would be negligible, resulting in a moderate/minor level of effect.

2.4.14 Historic Environment Scotland were also consulted due to the sites potential impact on the GDL which is located approximately 436 metres to the west of the site. They have advised that they have no objections to the proposal. It is considered that the proposed holiday development would, therefore, have no significant visual impact on the setting of the GDL due to the distances involved between these areas and due to the fact that the proposal would be well screened by existing woodland areas with the proposal not being easily visible from the surrounding public roads.

2.4.15 The LVA demonstrates that the proposal would have no significant detrimental effect on the landscape character of the area. The submission also shows that the proposal would incorporate the planting of trees in and around the proposed structures which would effectively screen and help further soften the impact of the development on the surrounding rural area and landscape. The woodland planting would also help blend the development into the surrounding woodland areas. The effect of this development would, therefore, lessen further over time once the proposed planting has fully established and it is considered that there would be no significant effect on the existing landscape or surrounding area. A condition relating to the landscaping scheme including the timing of planting and planting maintenance is also recommended. The LVA 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.

2.14.16 The proposed landscape impact of the proposal would, therefore, be acceptable and there would be no significant detrimental impact on the landscape character of the area. The proposal subject to conditions, would therefore, be visually acceptable, would have no significant detrimental impact on the landscape or the setting of neighbouring Conservation Areas or the GDL and would comply with the Development Plan in this respect.

2.5 Amenity Impacts

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 Objections have been received regarding the noise impact from the proposal and state that a noise report should be submitted, whilst comments also advise that the proposal could result in anti-social behaviour. The objections also state that the proposal would increase the number of people in the area by 300, the proposal would have a detrimental impact on Letham and that it could have a detrimental impact on the existing fishery and the wild swimming. The objections also consider that the proposal would result in odour pollution and dogs could worry sheep on the surrounding area. The letters of support state that noise from traffic etc will be minimal compared to the A92.

2.5.3 Daylight/Sunlight and Noise Impact

2.5.3.1 The nearest dwellings to the site are Ballantagar Cottages which are located approximately 55 metres to the north of the access from the A92 and approximately 338 metres to the north of the proposed holiday lodges. Another dwelling (Bridgehill) is located approximately 444 metres to the south-east of the site. 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 impact on the site or surrounding area. A noise report was also not considered to be necessary to assess this type of development as it is considered to be a compatible use with the surrounding area. The proposal would also have no significant impact on the daylight/sunlight levels or privacy levels of the surrounding area due to the distances involved and the fact that a woodland area is located between the site and the residential curtilages. The proposal would also complement the existing fishery business and wild swimming and would have no significant detrimental amenity impact on this business. It would, in fact, be a complementary use to this business. The proposal would, therefore, have no significant impact on the amenity of the surrounding area and would comply with the Development Plan in this respect.

2.5.4 Light Pollution

2.5.4.1 Objections state that the proposal would have a detrimental impact in terms of associated light pollution.

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. Any proposed external lighting could, however, impact on nearby habitats, therefore, a condition is recommended requiring the submission of lighting details and a lighting plan in this respect. This would also ensure that an acceptable lighting scheme is provided on site. The proposal subject to conditions would, therefore, be acceptable in terms of lighting and would comply with the Development Plan in this respect.

2.5.5 Construction Disturbance

2.5.5.1 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 Fife Council's Environmental Health Public Protection team 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. 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 for approval before any works commence on site. The proposal subject to conditions would, therefore, be acceptable and would comply with the Development Plan in respect of impacts on the amenity of adjacent land uses.

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 Assessment (TA) has been submitted in support of this application. The TA assesses the capacity of the local road network in terms of accommodating the proposal and the junction onto the A92 Trunk Road in terms of safety. The TA advises that the required visibility splays of 6 metres x 210 metres at the junction onto the A92 can be provided in both directions and this has been agreed with Transport Scotland. This would require the removal of some trees within the verge and the removal of these trees is to be undertaken by Transport Scotland's maintenance agents for the A92 who are AMEY. The location of the trees and shrubs to be removed has been agreed with Transport Scotland, and AMEY has this work programme to be completed by the end of the year. The TA advises that holiday accommodation typically generates a morning peak traffic generation outwith the typical network traffic peaks as holiday guests do not have the same time pressures as commuters travelling to work, whilst the evening peak generation for holiday accommodation can be at the same time as the general network peak. The estimated AM peak time period would be from 11 am to 12 noon with the estimated PM peak time period being from 5 pm to 6 pm. The TA, using the industry standard Trip Rate Information Computer System (TRICS) estimates that the proposed 75 holiday lodges would generate a total of 6 two-way movements (arrival and departure) during the Weekday AM and also during the Weekend AM time period, 15 two-way movements during the Weekday PM Time Period and 16 two-way movements during the Weekend PM period. The TA also predicts that the proposal would generate 153 two-way movements over the course of a typical weekday (24 hours) and 182 two-way movements over the course of a typical weekend day (24 hours). The TA considers that the assessment indicates that the A92/Eden Springs Fishery Priority Junction is predicted to operate satisfactorily during the weekday morning and evening peak periods under all future year scenarios, therefore, the proposal will have no significant impact on the safe operation of this junction and can be accommodated within the local road network with no detrimental impact on the operational capacity of the existing road network.

2.6.3 Objections state that the proposal would have a detrimental impact in terms of road safety and traffic impact. They consider that there are existing issues with the vehicular access onto the A92 and speeding and accidents occur on the A92 which this development will add to. They also consider that the development would result in congestion in surrounding towns and drivers not used to the junction will lead to accidents. They also state that the submitted transport plan and transport assessment is insufficient.

2.6.4 Transport Scotland have advised that they have no objections to the proposal in terms of its impact on the A92 Trunk Road and do not recommend any conditions. Fife Council's Transportation Development Management team (TDM) have objected to the proposal in terms of its location and sustainable transport, however, they agree with the methodology used and the findings contained within the submitted TA in relation to road safety matters. They acknowledge that this application may be recommended for approval and have, therefore, recommended conditions relating to off-street parking, pedestrian routes, public transport measures and the submission of a travel plan.

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 drawings demonstrate an acceptable layout in terms of access and the provision of off-street parking on site. There is also capacity to accommodate the traffic generated by the proposal on the local road network. Transport Scotland and TDM have raised no significant concerns with the methodology and

findings of the TA in terms of the operational impact on the local road network. Conditions, as suggested by TDM, are also recommended regarding off-street parking and a condition is recommended requiring that the recommended visibility splays at the junction onto the A92 are provided before the development is occupied. It is considered that a proposal could comply with these road safety conditions, therefore, there would be no detrimental impact on the site or surrounding area in terms of road safety.

2.6.6 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 comply with the Development Plan in this respect.

2.7 Sustainable Transport and the Location of the Development

2.7.1 Policies 1, 2, 13, 14 and 30 of NPF4, Policies 1 and 3 of the LDP and Making Fife's Places Supplementary Guidance apply.

2.7.2 The submitted TA has considered person trips, not car trips and covered access by all modes of transport - walking, cycling, public transport, and private cars, to show how the site is being developed to encourage the use of sustainable modes of transport. An accessibility review which assesses opportunities for travel to and from the development site by all relevant transport modes including a review of the surrounding walking, cycling and public transport provision has also been carried out. The TA does acknowledge that the proposal will generate car trips and states that while national and local transport policy seeks to reduce reliance on private car travel, it will remain an important mode of travel to and from the proposal given the need to transport a family and all the associated luggage, food and recreational equipment associated with this. It considers that this is therefore important to take into account when considering the accessibility of the development site.

2.7.3 The TA states that whilst there are no Core Paths in the immediate area it is possible to access the Core Path network using the internal pedestrian routes within the Eden Springs Country Park and the unclassified road, C28, which lies to the east of the site and connects with the village of Letham. The TA considers that while this route does require access across the edge of farmland it is possible to walk from the site and access Letham and the Core Path Network. It also advises that there are no dedicated off or on-road cycle facilities in the local area and therefore holidaymakers staying at the holiday site will use the network of paths on-site to cycle in the local area. The TA also sets out where the nearest bus stops are, and this includes a pair of bus stops on the A91 approximately 600 metres to the south of the site and to the east of Melville Lodges Roundabout and the Road End bus stops in Letham some 700 metres to the north of the site access. The TA sets out some upgrade works to encourage the use of the bus stops on the A91, and this includes the upgrading of an informal pedestrian route within the site and upgrading the existing bus stops replacement bus shelter (eastbound); provision of bus stop poles, flags and timetables. The TA also sets out an assessment against Policy 13 and 30 of NPF4. The TA considers that the proposals overall are generally in accordance with and are supported by the criteria contained within Policy 13 and 30 of NPF4.

2.7.4 Objections state that the proposal is not in a sustainable location or near bus stops whilst there are no nearby amenities and no safe active travel routes linking the site to other villages. The objections also state that the public transport information is inaccurate. The letters of support consider that the proposal would be in an accessible location.

2.7.5 Fife Council's TDM advise that the development of the site has challenges to ensure compliance with NPF4 Policy 13 due to the rural location of the site; its isolation from core paths

and cycle routes; and restricted access to public transport. TDM also state that the active travel element of the proposal is the provision of “a network of footpaths and cycle routes around the lochs and the forest areas”, therefore, active travel would only be encouraged within the site for leisure. They also state that the only measures proposed to encourage active travel to and from the site is the provision of a path to an existing pair of bus stops on the A91 served by a single bus service with no evening or Sunday service. TDM, therefore, object to the proposal as it would not comply with parts of Policy 13 of NPF4 as it would generate an increased reliance on the private car, taking into account the specific characteristics of the area and it is isolated from core paths and cycle routes. TDM acknowledge that this application may be recommended for approval and have, therefore, recommended conditions relating to, pedestrian routes, public transport measures and the submission of a travel plan.

2.7.6 It is relevant to note that a recent appeal decision (PPA-250-2392) dated 21st 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, Lathockar, St Andrews was 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 his 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. He 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, advised 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.

2.7.7 The application site is located within Eden Springs Park within the countryside and approximately 836 metres to the south of Letham, approximately 3 kilometres to the east of Collessie and approximately 924 metres to the west of Bow of Fife. Policy 13 of NPF4 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 of NPF4 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 (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, in this case, the development proposes some upgrade works to encourage the use of the bus stops on the A91 and this includes the upgrading of an informal pedestrian route within the site and upgrading the existing bus stops replacement bus shelter (eastbound) and provision of bus stop poles, flags and timetables. The

proposal has, therefore, investigated opportunities for sustainable travel. Guests may also not leave the site on certain days and could make use of the adjacent existing fishery, the proposed children's play area and crazy golf course, whilst they will also be able to go walking, cycling and wheeling with the Eden Springs Country Park which is all part of the attraction of holiday accommodation within a rural area. It is considered, therefore, that the proposal would comply with Policy 7 of the LDP and Policy 30 (Tourism) of NPF4 which supports the principle of the development at this location with more weight being afforded to Policy 30 of NPF4 than Policy 13 in this instance.

2.7.8 It is considered that the submitted evidence demonstrates that the developer behind the proposal has investigated opportunities for sustainable travel and that the proposal and the adjacent Fishery would provide leisure activities on or adjacent to the site, therefore, guests may on occasions not leave the site on certain days as they could utilise these leisure facilities such as cycling, going for walks, fishing and the play park and crazy golf activities. The proposal would also result in the upgrading of a footpath link to the A91 and the upgrading of the existing bus stops/shelters which could encourage the use of the existing bus stops at this location. The proposal does, therefore, have scope for sustaining public transport services in this rural area as it could increase the demand for these services which Policy 30 of NPF4 requires that tourism proposals take account of. It is therefore considered that the proposal at this countryside location would be acceptable as it is for tourism development which has taken into account opportunities for sustainable travel as required by Policy 30 of NPF4. Conditions are also recommended regarding the pedestrian route and the public transport measures as suggested by TDM, however, it is not considered necessary or reasonable in this instance to condition that a travel plan be submitted when the location of this tourism development has been accepted in principle. The proposal subject to conditions would, therefore, be acceptable in this instance.

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 The letters of support consider that the plans show commitment to sustainability through the use of new technology.

2.8.3 The submission includes a low carbon statement and energy statement of intention (ESI) which advises that low carbon embodiment of the overall site development will be explored through a range of sustainable design techniques and processes. It should also be noted that lodge style caravans would meet the definition of a caravan as contained within the Caravan Sites Act 1968 (as amended). Caravans are not considered to be buildings under planning law and are exempt from the building regulations through Regulation 3 (Schedule 1, Type 12) of the Building (Scotland) Regulations 2004 (as amended), meaning the proposed lodge style caravans would be exempt from the requirement to incorporate low carbon generating technologies. The ESI states that the proposed holiday lodge development will minimise building waste due to off-site fabrication and construction, utilise naturally ventilated spaces and the building fabric would adhere to the BRE Green guide A & A+. The ESI also advises that the associated holiday lodge pitches reception/office and maintenance facilities carbon footprint will be reduced by exploring passive, mechanical, and electrical specification measures at the detailed design stage. This would include LED lighting throughout, dual flush WCs to reduce water consumption and passive Solar Design - large windows and efficient circulation of daylighting and u-values to meet Building Standards regs. The proposal would also incorporate the use of air source heat pumps as the main source of heating throughout the site and solar

panels to be fitted on the roofs of buildings. 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. 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 Sufficient information has been submitted to demonstrate that the proposal could incorporate energy efficiency measures and energy generating technologies which would contribute towards the current carbon dioxide emissions reduction target. Conditions are also recommended requiring that full details of all proposed energy generating technologies and measures are submitted for approval before any works commence on site. The proposal subject to conditions would, therefore, be acceptable 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, Policies 1 and 3 of the LDP and Fife Council's Design Criteria Guidance on Flooding and Surface Water Management requirements apply.

2.9.2 A drainage report and surface water management plan (SWMP) have been submitted in support of this application. The submission provides information regarding the proposed surface water drainage/SUDS scheme and also information relating to the proposed foul water drainage and water supply. The report advises that there are no Scottish Water sewers in the vicinity of the development therefore a private foul drainage system is required. It states that the proposal is split into 5 areas with each area consisting of 15 lodges with each area being served by a private foul drainage network which will be taken to a private septic tank with a closed soakaway. The proposed maintenance unit will also be served by a new septic tank with a closed soakaway discharge, whilst the lodge/reception building will be served by an existing septic tank and soakaway. Drainage drawings have been submitted which show the proposed locations and layout of this drainage system. The submission also advises that the proposal would be connected to the public water supply network.

2.9.3 The drainage report also sets out the proposed SWMP and it advises that the most effective surface water drainage solution for the proposed lodges, driveways and roadways would be to allow surface water to soak away into the ground. The driveways adjacent to each lodge will be constructed in gravel with a stone subbase which the SWMP states will allow the driveways to drain at source. The roof-water runoff from the lodges will be collected and conveyed and discharged to the stone soakaway trench around the roadway through inspection chambers. The roadway within the site will be surfaced with tar and a crossfall provided to shed surface water to a roadside filtration/infiltration trench. There would be no direct discharge into the lochs or running watercourses. The SWMP also sets out that the stone driveway subbase and proposed stone filtration/infiltration trenches will provide sufficient treatment mitigation as required by the relevant SEPA regulations. The SWMP concludes that the proposed stone soakaways can store and manage the surface water runoff in all events up to and including a 1:200-year event including 39% climate change therefore, the proposed soakaways are an adequate surface water solution for the development.

2.9.4 Parts of the site are shown to be to be at risk of fluvial flooding based on the SEPA Future Flood Maps, therefore, an FRA was submitted in relation to the development. The FRA shows that an assessment was carried out with regards to Ballantagar Burn, culverts local to the site

and the adjacent lochs/lochans and the FRA concludes that the site would be outwith any flooding extents from all sources, therefore, it would be suitable for the proposed development.

2.9.5 Objections state that the proposal would add to existing flooding issues at the site, and it would not be acceptable in a flood risk area, whilst drainage to the burn would not be acceptable. The objections also state that there would be an impact on existing water quality due to the discharge into watercourses and that the sewage impact has not been taken into account which will result in pollution. They also consider that the water infrastructure within the area would not cope and the method of draining 75 hot tubs would have a detrimental impact.

2.9.6 Fife Council's Flooding, Shorelines and Harbours Team initially requested further information regarding the SWMP. This information was subsequently submitted, and they now advise that they have no objections to the surface water management or flooding proposals. Scottish Water also advises that it has no objections and has confirmed that the proposal would be fed from the Lomond Hills Water Treatment Works, however, the applicant will have to apply to Scottish Water separately to gain approval to connect to this system.

2.9.7 SEPA has advised that it has no objections to the proposal and agrees with the findings of the FRA. SEPA, therefore, considers that the site is not at risk of flooding and would comply with the relevant flood risk policies contained within NPF4.

2.9.8 A surface water management plan, flood risk assessment and drainage proposal have been submitted which demonstrate that an acceptable surface water management solution would be accommodated on the site and that the proposed development areas would not be located within a flood risk area. The surface water would also not discharge to any surrounding watercourses. The proposal would also be connected to the public water supply network, and it should be noted that the applicant would need to submit a formal application to Scottish Water before proceeding with the development. There would, therefore, be no significant detrimental impact on the site or the surrounding area in terms of drainage/flooding as the proposal would be served by an acceptable surface water management scheme and would connect into the existing public water supply and would utilise a private foul drainage solution. The proposal would therefore be acceptable and would comply with the Development Plan in this respect.

2.10 Contaminated Land and Air Quality

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

2.10.2 The site is located on land that is potentially contaminated due to the historic land use of the site. Fife Council's Land and Air Quality Team has no objections subject to suspensive conditions relating to contaminated land investigation. Conditions are recommended regarding this matter. The proposal, subject to these conditions would, therefore, have no significant impact on amenity in relation to contaminated land and would comply with the Development Plan in respect.

2.10.3 Objections state that the proposal would have a detrimental impact on air quality.

2.10.4 An air quality impact assessment (AQIA) has been submitted in support of this application. The AQIA states that based on the findings of the screening assessment carried out, it can be concluded that a detailed AQIA is not required, and that the proposal would have a negligible impact upon the local air quality during both the construction (road traffic) and operational phase, and the resulting effects are therefore predicted to be not significant. Fife

Council's Land and Air Quality Team were consulted regarding this matter and advise that they agree with the methodology and findings of the AQIA and, therefore, have no objections to the proposal. The proposal would, therefore, be acceptable with regards to air quality impact 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 A tree survey and arboricultural impact assessment report along with a landscaping plan was submitted in support of this application. The report states that the potential for amenity tree loss to accommodate the development is quite minor with only a small amount of woodland removal being required to facilitate this proposal. The trees removed will number approximately 20 stems and are listed as being 6 metres tall, and mostly young broadleaves, likely natural regeneration. Further, the tree's condition is category C2, and it has been addressed in the report that no trees are demonstrating features which could be classed as 'veteran'. The report advises that this small woodland removal should not pose a constraint to development. The submitted tree protection plan shows where protective fencing will be erected to create construction exclusion zones, the type of fencing to be used, and where protective fencing will be erected relative to tree root protection areas and the proposal. Fife Council's Tree Officer advised that the findings of this report were acceptable, however, further information was required on the number of stems to be planted and management of newly created woodland (for at least the next 5 years). The agent subsequently submitted details relating to this matter and this advises that a total of 1122 trees would be planted in and around the site and this would include a mixture of Alder, Oak, Birch, Willow and Bird Cherry. The information also sets out the shrub planting numbers in and around the site and this would total 15,386 stems and would include a mixture of Hawthorn, Bog Myrtle, Dog Rose and Bramble. A summer and wildflower mix totalling an area of approximately 2900 and 1110 square metres would also be planted. A landscape maintenance plan which sets out the maintenance regime over the next 5 years has also been included with the submission. Fife Council's Tree Officer was re-consulted regarding this matter and now advises that they have no objections to the proposal and they consider that the proposed significant number of newly planted trees of native broadleaf species will not only offset the initial environmental impact of the proposal but will create future woodlands which have been appropriately selected for the site and will increase local biodiversity.

2.11.2.2 The submitted layout shows that the development could be located on the site with no significant impact on existing trees. The majority of existing trees on site are to be retained and a landscape concept has been submitted which shows significant tree planting within the site. 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 also recommended with regards to the planting of the proposed tree protection measures and landscaping scheme. The proposal subject to this condition would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.11.3 Protected Species, Wildlife Habitats and Biodiversity Enhancement

2.11.3.1 An ecological appraisal report (EA) has been submitted in support of this application. The EA assesses the ecological value of the site and the potential of the site for protected habitats and species. It also provides a statement of biodiversity enhancement. The EA concludes that the proposal would have no detrimental impact on any designated sites, whilst the Eden Springs complex has very limited potential to support protected species and species of conservation concern. The findings of the EA show that the area has no suitable habitat for protected species including bats, red squirrels, badgers, water vole or breeding birds, however, given the Lodge Park site is part of a wider area of fishing lakes, associated burns and woodland, suitable habitat could be present there for protected species. The submitted survey states that the proposal would have no adverse impact on any protected species or habitats on the site or surrounding area. The statement of biodiversity enhancement includes the planting of native stocks of hardwood trees, areas of native scrub, wildflower areas, provision of bat boxes, hibernacula formed and hedgehog refuges. The EA considers that the proposed enhancements would increase biodiversity gain for breeding birds, invertebrates and mammals and would increase connectivity across the site. It also considers that this would be a positive gain to ongoing biodiversity initiatives that are already ongoing across the wider Eden Springs Fishery and Country Park. The previous section (2.11.2) of this report also sets out that significant planting would be carried out on site, and this would include significant tree and shrub planting and a summer and winter wildflower mix.

2.11.3.2 Objections state that the proposal takes no account of the impact on the environment and the development will have an ecological impact further than only the site area. They also state that the proposal does not enhance biodiversity, and it would have a detrimental impact on nature, wildlife, protected species, fauna and flora and will result in a loss of habitat, while the submitted ecological report is not of sufficient quality. They also consider that the lodge pitches are not situated away from all lochans and lochs as 10 metres is not a great enough distance. The objections have also stated that there is a Regionally Important Geological Site (RIGS) within the area and that the ecological appraisal report is not of sufficient quality. The matter relating to RIGS has been checked and there are no RIGS within the site or in the immediate surrounding area. The letters of support state that the proposal will have no significant impact on biodiversity.

2.11.3.3 Fife Councils' Natural Heritage Officer advises that they agree with the findings of the report in relation to protected species and wildlife habitats. They also advise that proposed biodiversity enhancements should be implemented as described, whilst they agree that overall habitat connectivity will be increased across the site through the proposed tree and wildflower meadow planting, whilst there will be a significant increase in the ecological value of this tract of made ground as result of the proposal. They, therefore, agree with the findings of the EA and have no objections to the proposal.

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 and the EA finding are accepted. The site is also considered to be of low ecological value and the proposal would result in a significant biodiversity enhancement at this location. Conditions are recommended requiring that the recommendations contained within the EA are carried out in full, whilst as a precautionary measure, no works should be carried out during the bird breeding season. The proposal subject to conditions would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.12 Community and Economic Benefits

2.12.1 Policies 25, 29 and 30 of NPF4 apply.

2.12.2 An economic impact analysis report has been submitted in support of this application. The report states that it aims to assess the anticipated economic impacts which would come about as a result of the proposed development of self-catering holiday lodges at Eden Springs Fishery and Country Park in North-East Fife. The report states that the economic impacts of a development such as this will almost all be positive – in other words, they will deliver considerable benefits to the local economy. However, the report also takes into account the less positive impacts which might occur, such as leakages from the Fife economy and displacement of trade from existing local businesses. The report considers that once fully up and running, the 75 holiday lodges at Eden Springs could generate £583,500 of on-site and £1,317,120 of off-site expenditure annually, i.e. £1,900,620 each year. It also states that once multiplier effects and factors such as displacement are taken into account the Eden Springs development could result in an additional £2,307,212 of income to Fife annually, 38.7 new full-time jobs created and sustained in Fife (likely to be around 55-60 actual jobs, once part-time/seasonal positions are taken into account) and a one-off boost of £22-35 million of economic value created by the capital expenditure on site during the construction phase (a large proportion of which would be retained within Fife). The submitted Planning Statement also advises that local people will be employed, where possible, during both construction and operation phases, whilst everyone will be able to enjoy the linked network of paths/access routes.

2.12.3 Objections state that the proposal would have no benefit for local communities and that the economic benefits are overly exaggerated. The letters of support advise that the proposed would be excellent for Fife Tourism and would create employment opportunities. They also state that the proposal would be beneficial as it would bring visitors and potential business and investment to the area. They also consider that the proposal would promote healthy lifestyle and that investment in leisure is crucial for the nation's wellbeing, whilst the proposal would attract families who would visit the deer centre and Fife Zoo rather than stag and hen parties.

2.12.4 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 to the surrounding area through the guests of the holiday accommodation making use of local services and through the creation of jobs. The provision of the upgraded bus stops, and path links would also represent a benefit to the community. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.13 Waste Management

2.13.1 Policy 12 of NPF4 and Policies 1 and 10 of the LDP apply.

2.13.2 A waste management plan (WMP) has been submitted which sets out how waste would be dealt with on the site. It states that in line with The Waste (Scotland) Regulations 2012, a bin store providing separate bins for paper, cardboard, plastic, metal and glass recycling alongside food waste is to be provided towards the entrance of the site. It further states that each phase of development will include an additional recycling facility, with each to be serviced on a regular basis with dry recyclable waste kept separate from other waste. Recycling is proposed to be collected regularly from the stores at both the entrance and each phase of the site and transferred into larger recycling containers provided next to the maintenance unit to the east of the lodge park. The WMP also advises that each lodge is to be provided with information on the recycling facilities on site with visitors encouraged to utilise the recycling facilities provided.

2.13.3 Objections state that the proposal would result in littering within the area.

2.13.4 The submitted information demonstrates that there is sufficient space within the curtilage of the proposed site to accommodate the required bin storage facilities and the residents of the holiday lodges would be expected to use these waste management facilities. It is considered, therefore, that the proposal would have no significant impact on the surrounding area in terms of littering. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

2.14 Archaeological Impact

2.14.1 Policy 7 of NPF4 and Policies 1 and 14 of the LDP apply.

2.14.2 Objections state that an archaeological report should be submitted.

2.14.3 Fife Council's Archaeologist was consulted and advises that mapping evidence indicates that the site has been extensively quarried for sand and gravel over a long period of time. They consider that the historic use of the site has rendered the footprint of the site archaeologically sterile. They, therefore, have no objections to the proposal. The proposal subject to this condition would, therefore, be acceptable and would comply with the Development Plan in this respect.

3.0 Consultation Summary

Scottish Environment Protection Agency	No objections
Historic Environment Scotland	No objections
Transport Scotland	No objections
Archaeology Team, Planning Services	No objections
Strategic Policy and Tourism	No objections
Natural Heritage, Planning Services	No objections
Land And Air Quality, Protective Services	No objections
Structural Services - Flooding, Shoreline and Harbours	No objections
TDM, Planning Services	Object as proposal cannot comply with Policy 13 of NPF4.
Transportation And Environmental Services - Operations Team	No response
Trees, Planning Services	No objections
Community Council	Object

4.0 Representation Summary

4.1 Seventy-four letters of objection and sixty-nine letters of support have been received. The Monimail Community Council who are a statutory consultee have also objected. The concerns raised including those from the Community Council include:

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Section
- No justification for project	2.2
- No evidence relating to demand for holiday site.	2.2
- Proposal does not comply with LDP and NPF4.	2.2
- Noise impact	2.5
- Damaging and detrimental impact on community of Letham	2.5
- Light pollution	2.5
- Littering	2.5
- Detrimental impact on existing fishery and wild swimming.	2.5
- Odour pollution	2.5
- Anti-social behaviour	2.5
- Dogs could worry sheep on surrounding agricultural land	2.5
- Will increase the number of people in the area by 300	2.5
- Green site should be protected	2.2
- Destruction of wildlife	2.11
- Loss of habitat	2.11
- Site was supposed to become a nature reserve	2.11
- Should have been an EIA (Environmental Impact Assessment).	1.4.4
- Detrimental ecological impact	2.11
- No ecological survey	2.11
- Detrimental impact on nature, protected species, fauna and flora	2.11.3
- Does not enhance biodiversity	2.11
- Lodge Pitches are not situated away from all lochans and loch as 10 metres is not a great enough distance.	2.11
- Takes no account of impact on environment	2.11
- There is a RIGS site within the site area which has been missed.	2.11
- Ecological appraisal report not of sufficient quality	2.11
- Development will have an ecological impact further than only the site area.	2.11
- Flooding issues with site which development will add to	2.9
- Issues in Letham with Drainage	2.9

Issue	Addressed in Section
- Drainage to burn will not be good.	2.9
- Flood risk area so not acceptable	2.9
- Impact on water quality due to discharge into watercourses	2.9
- Sewage impact not taken into account.	2.9
- Would worsen existing flooding in area.	2.9
- Not suitable in a flood risk area	2.9
- Surrounding water will be polluted.	2.9
- Draining 75 hot tubs would have detrimental impact as should be emptied changed after every guest and not put into septic tank.	2.9
- Water/electricity infrastructure in area cannot cope with increase in demand.	2.9
- Not in keeping with rural environment	2.4
- Overdevelopment	2.4
- Scale is excessive	2.4
- Scale and design not in keeping with natural context of area.	2.4
- Detrimental impact on neighbouring conservation areas.	2.4
- Not located and designed to protect the overall landscape and environmental quality of the area	2.4
- Not of a scale and nature compatible with surrounding uses	2.4
- Detrimental landscape impact	2.4
- Not in keeping with rural environment	2.4
- Detrimental impact on air quality	2.10
- No benefit to local communities	2.12
- Economic Benefits are overly exaggerated	2.12
- It is wrong to suggest that site is of no natural heritage value.	2.11
- Proposal will not aid in restoration of quarry.	2.11
- Development not in sustainable location	2.7
- Transport Assessment is inadequate.	2.6
- Pollution of site due to drainage.	2.9
- Light pollution	2.5.4
- Loss of prime agricultural land	2.3
- Noise report required	2.5
- Ecological report not of sufficient quality.	2.11
- Soil samples were only taken at one corner of the site	2.3
- Archaeology report should be submitted.	2.14

4.2.2 Support Comments

Issue	Addressed in Section
- Excellent for Fife Tourism and will create employment	2.12
- Great for local community as it will create new jobs and bring visitors and business to the area	2.12
- Turning disused quarry into holiday lodge park is great way to make use of facilities on site such as fishing, walking and wild water swimming.	2.2

Issue	Addressed in Section
- Will enhance natural beauty of the area	2.4
- Investment in leisure is crucial for the nation's wellbeing	2.12
- Accessible location	2.8
- Will provide amenity areas for local interest groups such as bird watchers, open water swimmers, cyclists and walkers.	2.12
- Plans show commitment to sustainability through the use of new technology	2.8
- Promotes healthy lifestyles	2.12
- Lodges will enhance the area and not detract from it.	2.4
- Noise from traffic etc will be minimal compared to the A92	2.5
- Will attract families who will go to other attractions such as Deer Centre, Fife Zoo rather than crowds of hens and stag dos who will look for other locations.	2.12
- Will be good to get people back outdoors in the fresh air.	2.12
- will have no significant impact on biodiversity	2.11
- will bring investment to area	2.12
- Development is sensitively designed	2.4
- Expansion of existing business will ensure a sustainable future for the business	2.2

4.2.3 Other Concerns Expressed

Issue	Comment
- Granting of this development could be seen as a green light for even larger future development.	Each case must be assessed on its own individual merits and the approval of this application does not necessarily set a precedent for future similar development in the area.
- Condition of previous planning for Eden Loch did not allow further development	There were no conditions on previous consent which restricted development on the site and the acceptability of this proposal is fully assessed throughout this report of handling.
- Tourism Response is inadequate	The tourism response is acceptable as it provides Fife Council's Tourism Team's professional opinion with regards to this tourism development.
- Should be refused due to lack of information	The assessment of this application is fully set out within this report of handling, and it is considered that sufficient information has been submitted to allow a full assessment of the proposal.
- Supporters do not even live in area.	The area where someone lives is not a material planning consideration when accepting representations to an application.

Issue	Comment
- No details as to whether lodges will be rented or privately owned.	This is not a material planning consideration, whilst the use of the lodges is controlled through a condition.
- Development could become permanent housing over time.	The proposal applied for is for a holiday use and a condition is also recommended regarding this matter.
- Compensation should be offered to locals.	This report of handling fully sets out the assessment of this proposal and it not considered that any compensation is required.
- Historic Development was carried out without consent on the surrounding areas.	This is not a material planning consideration as each case should be assessed on its own individual merits.
- Who is the actual applicant for this development.	This is not a material planning consideration as it is not relevant to the assessment of the application who the applicant is.

5.0 Conclusions

The proposal would be for a tourism development, therefore, the principle of this proposal within the countryside would be acceptable and would comply with the Development Plan. The proposal subject to conditions would also be compatible with its surrounds in terms of land use and would result in 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. The proposal would also bring about a biodiversity enhancement and economic and community benefits to the area. The proposal would not strictly comply with Policy 13 of NPF4 as it would result in a travel generating use which could increase reliance on the private car, however, it is considered that as the principle of this tourism development would be acceptable at this location as per Policy 7 of the LDP and Policy 30 of NPF4 and as there would be other benefits associated with the proposal such as significant biodiversity enhancement and economic benefits that Policy 13 is outweighed by these considerations. The proposal overall would, therefore, be acceptable in principle subject to conditions.

6.0 Recommendation

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

PRE-COMMENCEMENT CONDITIONS:

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

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

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

2. BEFORE ANY WORKS COMMENCE ON SITE; details shall be submitted of the package of public transport measures "public transport strategy" to be introduced within and outwith the site to encourage the use of public transport during the build-out of the site. The public transport measures shall then be provided in accordance with any approved details BEFORE THE DEVELOPMENT IS OCCUPIED unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In the interests of ensuring the use of sustainable transport at this location.

3. BEFORE ANY WORKS COMMENCE ON SITE; a Construction Method Statement and Management Plan, including an Environmental Protection Plan and a Scheme of Works to mitigate the effects on sensitive premises/areas from dust, noise and vibration relating to construction activities on site, shall be submitted to and approved in writing by Fife Council as Planning Authority. All construction works shall then be carried out in full accordance with any approved details.

Reason: In the interests of safeguarding amenity.

4. BEFORE ANY WORKS COMMENCE ON SITE; full details of the proposed energy generating technologies (including manufacturer's details) shall be submitted to and approved in writing by Fife Council as Planning Authority. Thereafter, the development shall be carried out in full accordance with these approved details.

Reason: In the interests of sustainability; to ensure the development complies with Policy 11 of the Adopted FIFEplan (2017) and Policies 1 and 2 of National Planning Framework 4 (2023).

5. The construction of the development shall be carried out fully in accordance with the recommendations contained within the submitted Arboricultural Impact Assessment Report (Plan Reference 47) and as per the tree protection plan contained within this document. This Planning Authority shall be formally notified in writing of the completion of the required tree protection measures and **NO WORKS SHALL COMMENCE ON SITE** until this Planning Authority has confirmed in writing that the measures as implemented are acceptable. The protective measures shall be retained in a sound and upright condition throughout the development operations and no building materials, soil or machinery shall be stored in or adjacent to the protected area, including the operation of machinery.

Reason: In the interests of safeguarding trees.

6. **BEFORE ANY WORKS COMMENCE ON SITE**; full details of the required bat roost boxes shall be submitted to and approved in writing by Fife Council as Planning Authority. These details shall include a site plan showing the location of each bat roost box and a manufacturer's brochure or drawing of each bat roost box. Thereafter, the development shall be carried out fully in accordance with these approved details and the bat roost boxes shall be provided **BEFORE THE DEVELOPMENT IS OCCUPIED** unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In the interests of ecological enhancements.

7. **BEFORE THE HOLIDAY ACCOMODATION UNITS ARE OCCUPIED**, the following shall be provided;

- A pedestrian route between the site and the existing Melville Lodges bus stops on the A91 with a new path on the north side of the A91 (within the adopted verge to a standard suitable for adoption) or through the woodland (not within red line boundary of the application), including the upgrading of the existing bus stops - replacement bus shelter (eastbound); provision of hard standing, pedestrian crossing point, bus stop poles, flags and timetables, **or**
- A pedestrian route between the site and a new pair of the existing bus stops on the A91 with a new path on the north side of the A91 where it meets the informal pedestrian route, including the provision of shelters, hard standing, pedestrian crossing point, flags, poles, and timetables.

A detailed design for the above chosen option shall be submitted for the prior written approval of Fife Council as Planning Authority **BEFORE ANY WORKS COMMENCE ON SITE**. These details shall also include a Stage 1 Road Safety Audit in support of this option. **FOR THE AVOIDANCE OF DOUBT**; the preferred option should be agreed with Fife Council's Roads and Transportation Services.

Reason: In the interests of sustainable travel.

CONDITIONS:

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

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

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

9. 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.

10. BEFORE THE DEVELOPMENT IS BROUGHT INTO USE; visibility splays 6 metres x 210 metres shall be provided and maintained clear of all obstructions exceeding 1.05 metres in height above the adjoining road channel level, at the junction of the vehicular access and the A92 Trunk Road. The visibility splays shall be retained through the lifetime of the development.

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

11. The biodiversity enhancement recommendations contained within the approved Ecological Appraisal report (Plan Reference 55) shall be carried out in full BEFORE THE DEVELOPMENT IS OCCUPIED.

Reason: In the interests of biodiversity enhancement

12. BEFORE THE DEVELOPMENT IS BROUGHT INTO USE; full details of any associated proposed lighting scheme shall be submitted to and approved in writing by Fife Council as

Planning Authority. 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 adjacent sensitive habitats with regards to light spillage and glare. The lighting scheme shall include lighting mitigation and shall utilise the methods recommended in the Institute of Lighting Professional's Bats and Artificial Lighting Guidance Note (ILP, 201833) or any subsequent revision. These methods shall include using directional and or baffled lighting, variable lighting regimes, avoidance of blue-white short wavelength lights and high UV content or creation of light barriers utilising hedgerows and tree planting. Thereafter, the lighting shall be installed and maintained in accordance with the manufacturer's specification and approved details.

Reason: In the interests of safeguarding the amenity of the surrounding area and species protection.

13. The approved landscaping scheme shall be implemented within the first planting season following the completion or occupation of the development, whichever is sooner and unless otherwise agreed in writing with Fife Council as Planning Authority.

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

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

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

15. No building demolition, tree works, or vegetation clearance shall be carried out during the bird breeding season which is March to August inclusive unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In the interests of species protection.

16. BEFORE THE OCCUPATION OF THE DEVELOPMENT: the off-street parking provision, including cycle, electric vehicle (EV) charging and visitor parking spaces, as shown on the approved site layout drawing (Plan Reference 02) shall be provided in accordance with the current Fife Council Parking Standards. A minimum of 5 of the visitor parking spaces shall be EV charging points and an EV charging point shall be available within the curtilage of each lodge unless otherwise agreed in writing by Fife Council as Planning Authority. The parking spaces shall be retained through the lifetime of the development.

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

17. 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.

7.0 Background Papers

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](#)

National Guidance and Legislation

PAN (Planning Advice Note) 1/2011

Development Plan

National Planning Framework 4 (2023)

Adopted FIFEplan (2017)

Low Carbon Supplementary Guidance (2019)

Making Fife's Places Supplementary Guidance (2018)

Planning Policy Guidance, Customer Guidelines and Other Guidance

Policy for Development and Noise (2021)

Planning Customer Guidelines on Daylight and Sunlight (2018)

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management requirements (2022)

Report prepared by Scott Simpson, Chartered Planner

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 5/8/24

Committee Date: 14/08/2024

Agenda Item No. 6

Application for Full Planning Permission

Ref: 24/00390/FULL

Site Address: Garden 1 Greyfriars Garden St Andrews

Proposal: Change of use from private garden ground (Class 9) to siting of coffee kiosk and outdoor seating area (Class 3)

Applicant: FT REPSF, St Mary's The Parade

Date Registered: 27 February 2024

Case Officer: Scott McInroy

Wards Affected: W5R18: St. Andrews

Reasons for Referral to Committee

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.

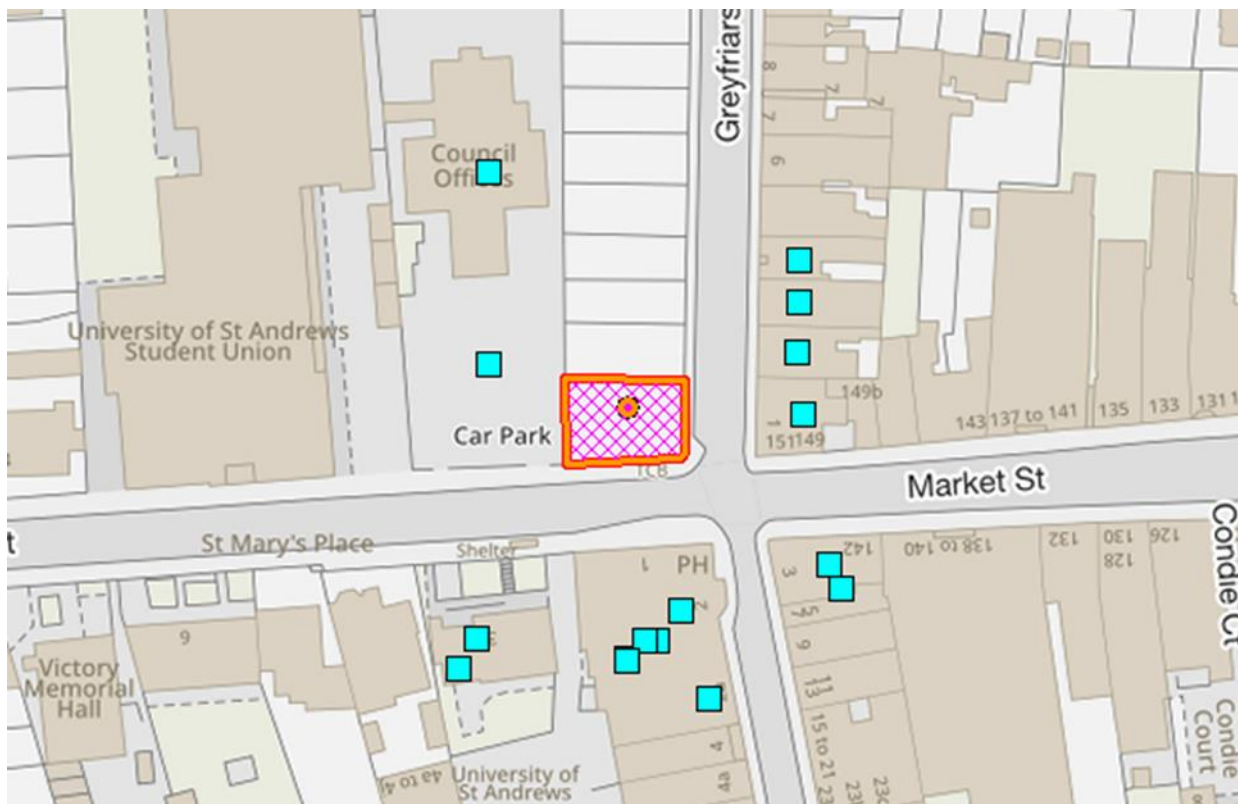
Summary Recommendation

The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

1.1.2 LOCATION PLAN



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

1.2 The Proposed Development

1.2.1 Planning permission is sought for the change of use from private garden ground (Class 9) to siting of coffee kiosk and outdoor seating area (Class 3). The coffee kiosk would be located in the central area of the site with 4 timber benches either side. The coffee kiosk would be a moveable converted horse box, with a footprint of 7.5m², be 4m in length, 2m in width and 3.1m in height and with a painted finish. The scheme also proposes to form a designated seating area and access path to the kiosk and seating area. This would be finished in permeable/porous ground cover to allow natural drainage. Bin and recycling facilities for customers would also be positioned within the seating area. No trees would be affected or removed.

1.3 Relevant Planning History

- 10/00444/FULL - Erection of fence and railings at garden ground - refused 16/06/2010.
- 11/05183/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall - approved 09/12/2011.
- 14/04244/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission 11/05183/FULL) - approved 09/02/2015.
- 17/04088/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission 14/04244/FULL) - approved 12.04.2018
- 21/01087/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission 17/04088/FULL) - approved 27.05.2021
- 22/00332/FULL - Change of use from private garden to outdoor seating area including siting of 2no. food shacks – refused 16.12.2022
- 23/01782/FULL - Alterations to boundary wall including erection of railings and gate – approved 16.11.2023.
- 24/01289/FULL - Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall (renewal of Planning Permission (21/01087/FULL) - approved – 04.07.2024

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 Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

1.4.2 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.

1.5 Relevant Policies

National Planning Framework 4 (2023)

Policy 6: Forestry, woodland and trees

To protect and expand forests, woodland and trees.

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 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 minutes 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.

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 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

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 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

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)

PAN 1/2011: Planning and Noise

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) Supplementary Guidance: Low Carbon Fife (2019)

Planning Policy Guidance

St Andrews Design Guidelines (2011)

This sets out a number of principles to ensure appropriate design and materials are incorporated into new development. The guidance advises that buildings should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate.

Other Relevant Guidance

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

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

2.1 Relevant Matters

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

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

2.2 Principle of Development

2.2.1 Concerns have been raised regarding the principle of development. In this instance, the application is for the change of use from private garden ground, to site a coffee kiosk and outdoor seating area (Class 3). Concerns have been raised regarding the principle of the proposed use in this location and that the area should exclusively be used as garden ground. In this instance, the application site itself is no longer associated with the dwellinghouse located on the opposite side of Greyfriars Garden and is in separate private ownership after being sold to the applicant. The application site sits adjacent to but not within the defined 'Core Retail' area of the St Andrews town centre but is located within the defined St Andrews Conservation Area. The surrounding area is made up of a mixture of land uses with private garden areas to the north of the site along Greyfriars Garden, while on the opposite side of this road (east side) there are a mix of uses predominantly residential at first floor with some ground floor commercial premises (bank and retail units) further along Greyfriars Garden heading northwards. To the west is a short stay car park and further west the Students Association of

the University of St Andrews building. To the south-west/south/south-east there are a further mix of land uses including a public house, commercial, retail premises, again with some residential properties located at first floor level. The proposed change of use from private garden ground (Class 9) to siting of coffee kiosk and outdoor seating area (Class 3) is considered a compatible small-scale non-residential land use within the context of the surrounding mix of commercial and residential land uses, which already successfully co-exist as appropriate uses in this central location. The proposal in terms of basic land use acceptability would not impact on the vitality or viability of the existing commercial uses locally and would be considered an acceptable small-scale use within the context of the uses listed above. Amenity and visual impact issues are addressed later in this report.

2.2.2 Concerns have been raised regarding potential future uses on site or future uses on neighbouring land, however these concerns are not a material planning consideration with regards this application as each site must be determined on its own merits and future uses on applicable land use cannot be prejudged. The most recent application relating to the change of use and alterations to form an area of public open space (application 24/01289/FULL) could still be implemented.

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

2.2.4 In light of the above, it is therefore considered that in principle in this instance the proposal complies with the provisions of NPF4 and the Adopted FIFEplan (2017) Policy 1, Part A (1a) and Policy 1 Part B criterion 6 and 10.

2.3 Residential Amenity

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

2.3.2 The power supply would be from a generator which would be sited to the rear of the kiosk and therefore could create some noise issues to the garden ground to the rear. The proposed generator would be over 6m away from the mutual boundary and there would also be mature tree planting here which would help mitigate against any potential noise issues. Also given the existing mix of commercial uses and general traffic noise in addition to the limited operating hours it is considered that any potential noise issues would be mitigated against. With regards to odour issues, a condition has been added limiting the range of food that can be sold on the premises, with no deep frying permitted. Concerns have been raised regarding potential littering which could result in an increase in unwanted wildlife/vermin. It is considered that given the small-scale nature of this proposal and given the surrounding area has a mix of commercial and residential uses that the proposal would not create a significant impact on the surrounding area in terms of littering. There are also a number of waste bins located in this area for use by the public. The applicants are also proposing to provide waste and recycling facilities on site near the access point. It should also be noted that Fife Council's Public Protection team can control noise and odours under their own legislative processes and through the use of appropriate enforcement measures if required should any complaints be received

2.3.3 Concerns have been raised by the public regarding potential antisocial behaviour area due to people congregating in the street. These concerns are noted; however, given that this proposal would be small-scale in nature with limited outdoor seating/gathering capacity and limited operating hours and products on offer in an area already operating with a mix of commercial and residential uses that already successfully co-exist with one another, the proposal is considered acceptable in this location. In any instance, it should also be noted that Fife Council's Public Protection team can control noise and odours under their own legislative processes and through the use of appropriate enforcement measures if required and should any complaints be received. If any of the potential customers were to litter or cause damage/anti-social behaviour outwith the site then this would be considered a matter which could also be dealt with under separate legislation or by separate authorities, outwith the control of the planning system. It is also relevant to consider that at present the site is maintained on an infrequent basis with limited upkeep and monitoring apart from monthly visits by a contractor employed by the site owner to remove accumulated rubbish and undertake general tidying.

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

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

2.4.1 Concerns have been raised regarding the impact on the character of the conservation area. The application site is accessed from Greyfriars Garden within the St Andrews Conservation Area. Members should note however that the garden itself is no longer associated with the dwellinghouse located on the opposite side of Greyfriars Garden and is in private ownership after being sold to the applicant. Concerns have been raised regarding the impact of

the proposed features on site. As part of the application the existing overgrown area would be cleared with existing trees retained. The coffee kiosk would be located in the central area of the site with 4 timber benches either side. The coffee kiosk would be a moveable converted horse box, and would have a footprint of 7.5m², be 4m in length, 2m in width and 3.1m in height and with a painted finish. The proposal would also include the siting of 4 timber temporary seating structures. The kiosk and seating structures will be temporary in nature in and can be moved from the site. The existing mature planting on site will assist to provide screening of the kiosk which has been located to provide limited visual impact. No works are proposed on any trees on site. Given the temporary/mobile nature of the kiosk and seated area proposed on site and in conjunction with the existing mature planting on site, it is considered that these structures would not significantly affect the setting of the adjacent listed buildings, or the character of the conservation area given their small size and set back from the public road/footway and use of natural screening/backdrops.

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

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

2.5 Road Safety

2.5.1 Concerns have been raised regarding potential impact arising from people queuing to get into the premises on other pedestrian users of the footpaths outside this application site, however, this is not a concern with regards this application given the small-scale nature of the proposed kiosk and the size of the off-street garden area; there will be ample room within the site to accommodate any likely queue that may arise. Fife Council's Transportation Development Management (TDM) team have been consulted and have advised that they have no objections to the proposed use as it is unlikely that the proposal will generate any additional vehicular traffic.

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

2.6 Archaeology

2.6.2 Concerns have been raised about impacts on an archaeological sensitive area. The site lies within the conservation area and within the area zoned by the Council as St Andrews Archaeological Area of Regional Importance. The site is considered to be extremely archaeologically sensitive and likely to contain buried archaeological deposits of early medieval

date. Including the possibility of burials. As the development will not involve significant sub-surface disturbance, there will be no impact on any archaeological deposits. The Council's Archaeologist has been consulted and raised no objections to the proposal given there would be no significant ground interventions.

2.7 Impact on Trees

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

3.0 Consultation Summary

Archaeology Team, Planning Services	No objection
TDM, Planning Services	No objection
Community Council	Object

4.0 Representation Summary

4.1 41 objections received were received.

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Principle of Development (proposed use)	2.2.1
b. Principle of Development (potential future uses)	2.2.2
c. Principle of Development (planning decisions on nearby sites)	2.2.3
d. Noise impact	2.3.1
e. Potential antisocial behaviour	2.3.3
f. Impact on Conservation area	2.4.1
g. Road safety	2.5.2
h. Impact on site of Archaeological Importance	2.6.2

4.2.2 Other Concerns Expressed

Issue	Comment
a. Existing planning consents on site	A number of comments have been raised regarding the existing planning consent on site and that this should be

Issue

Comment

allowed to be implemented. An application (11/05183/FULL) was approved on 09/12/2011 for the Formation of public garden including installation of information board, seating, statue and paved area and lowering of existing stone wall. This application was first approved 11 years ago and has had 4 further renewals (14/04244/FULL, 17/04088/FULL, 21/01087/FULL & 24/01289/FULL) and has not been implemented in this time. An existing consent on a site does not preclude other applications for the same site coming forward.

b. overprovision of hot food takeaways

Comments regarding the overprovision of hot food takeaways are noted, however these are not a material planning consideration and in the assessment of this application. Each application is assessed on its own merits against the relevant planning policy that covers the location of those uses.

c. lack of toilets, hygiene, title deeds, state of application site

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

5.0 Conclusions

The proposal is considered to be acceptable in meeting the terms of the Development Plan, relevant National Guidance and relevant Fife Council Customer Guidelines. The proposal is compatible with the area in terms of land use, road safety and has been designed, scaled and finished in such a way to respect the architectural and built heritage character of the area and is therefore considered to be acceptable.

6.0 Recommendation

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

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

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

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

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

4. BEFORE ANY WORKS START ON SITE, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

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

7.0 Background Papers

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](#)

National Policy and Guidance

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

Development Plan

NPF4 (2023)

Adopted FIFEplan - Fife Local Development Plan (2017)

Making Fife's Places Supplementary Guidance (2018)

Other Guidance

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

Fife Council St Andrews Design Guidelines (2011)

Report prepared by Scott McInroy, Planner Development Management

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 5/8/24.

Committee Date: 14/08/2024

Agenda Item No. 7

Application for Full Planning Permission

Ref: 24/00876/FULL

Site Address: Hawkswood Country Estate Peat Inn Falfield

Proposal: Siting of caravan for residential use (retrospective)

Applicant: Hawkswood Country Estate, Hawkswood Country Estate Peat Inn

Date Registered: 20 May 2024

Case Officer: Matthew Don

Wards Affected: W5R19: East Neuk And Landward

Reasons for Referral to Committee

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.

Summary Recommendation

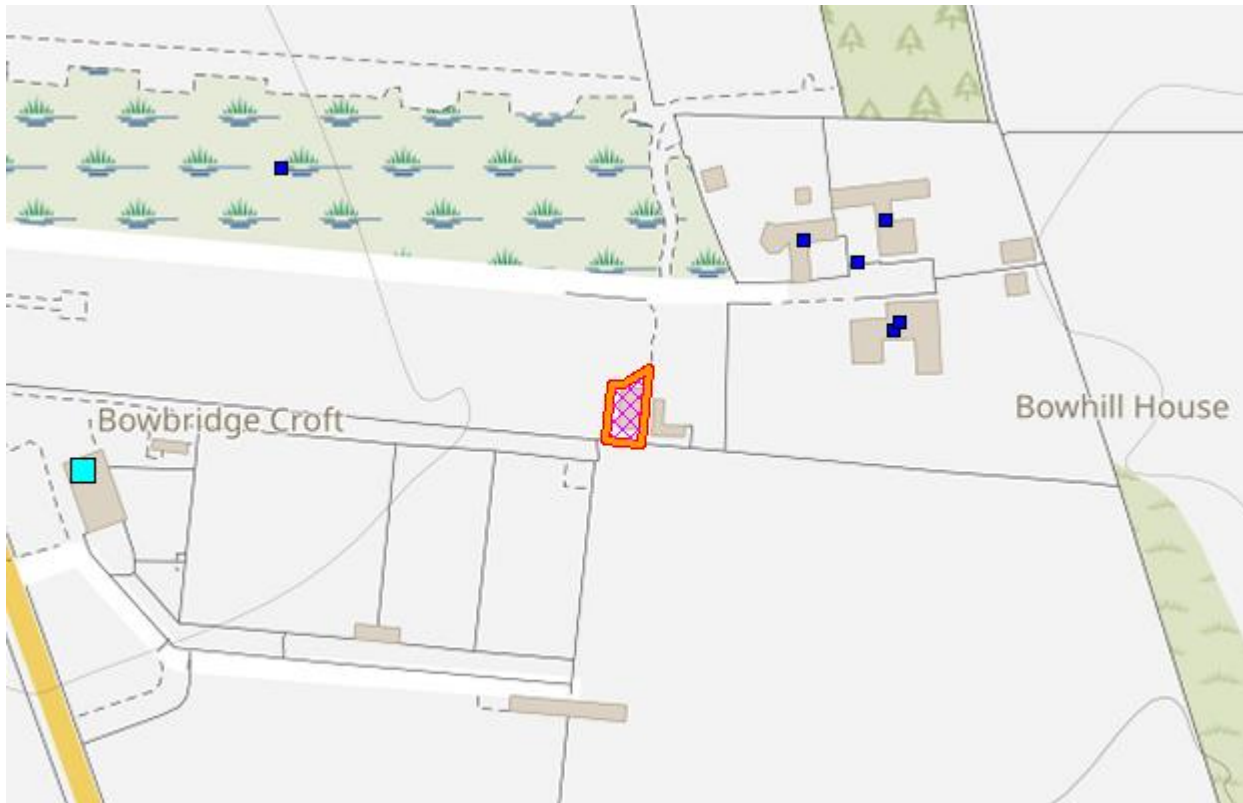
The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

This application relates to a parcel of land sited within the Hawkswood Country Estate, located 0.7 km to the South of Peat Inn and being outwith any settlement boundary is considered to be a countryside location as per Adopted FIFEplan (2017). The surrounding area comprises of a cluster of agricultural fields, a tree belt to the North; holiday home cottages within the Hawkswood Estate to the Northwest of the site and Bowbridge Croft 170.6 metres to the Southwest. Access to the site is via the B941 to the West.

1.1.2 LOCATION PLAN



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1.2 The Proposed Development

Siting of caravan for residential use (retrospective)

1.3 Relevant Planning History

- 19/01134/FULL - Erection of four holiday homes, visitor reception building, W.C. Block, helicopter landing facility and pump house building with associated parking and landscaping (amendment to planning permission Ref. 17/00531/FULL for the substitution of four holiday homes with four amended holiday homes (amended design and footprint)) - PERC - 05/08/19
- 20/01324/FULL - Change of use from agricultural land to golf driving range and formation of hardstanding (in retrospect) associated with Hawkswood Country Estate - PERC - 13/08/20
- 20/02272/FULL - 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. - PERC - 21/12/21
- 21/01593/FULL - Construction of temporary access road, delivery/storage compound, gate and access onto public road - PERC - 06/08/21
- 21/02159/FULL - Erection of Class 4 office building - PER - 17/11/21
- 22/00004/S50CER - Section 50 Planning Certificate - S50A - 07/02/22
- 22/03461/SCR - EIA Screening for planning permission in principle for mixed holiday tourism, holiday accommodation including tree house holiday houses, golf course, airstrip, wedding venue and chapel, play barn, indoor swimming pool, events marquee, manager/owner and staff accommodation and all related infrastructure. - EIANR - 02/11/22

- 22/03879/FULL - Erection of four holiday homes, visitor reception building, W.C. Block, helicopter landing facility and pump house building with associated parking and landscaping (Section 42 application to remove condition 2 of planning reference 19/01134/FULL) - PERC - 12/01/23
- 23/01121/PPP - 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 - PERC - 19/12/23

1.4 Application Procedures

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).

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

1.5 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 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 6: Forestry, woodland and trees

To protect and expand forests, woodland and trees.

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 17: Rural Homes

To encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.

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 20: Blue and green infrastructure

To protect and enhance blue and green infrastructure and their networks

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 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.

National Guidance and Legislation

PAN 1/2011: Planning and Noise

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; 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 Customer Guidelines

Minimum Distances between Window Openings (2011)

Daylight and Sunlight (2018)

2.0 Assessment

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
- Flooding and Drainage
- Natural Heritage and Trees
- Transportation/Road Safety
- Sustainability

2.2 Principle of Development

2.2.1 In this instance this caravan unit has been sited in the location of the building housing the swimming pool marked as 'security concierge' on the previously approved application 23/01121/PPP for the mixed holiday tourism development. Community concern has arisen through the submission of 7 objections alleging that there is deviation between planning applications, as to what has previously been considered acceptable and what is currently on-site. For example, in the previous planning application the use is for a Class 4 office building (21/02159/FULL). An objector has also mentioned that the caravan unit has been on site since April 2022 - which was prior to the approval of 23/01121/PPP for the mixed holiday tourism development and therefore, the need for the unit for accommodation purposes for workers does not exist. Further objections state that the owner occupier may be renting the accommodation on a short term let basis.

2.2.2 Largoward and District Community Council has objected to this application on the grounds that condition 1 of planning application 20/02272/FULL notes that accommodation is for holiday accommodation only; application 21/02159/FULL was for the approval of an open office plan with toilet facilities and no mention of accommodation; and 23/01121/PPP condition 5 states that dwellings approved in that consent shall be for holiday accommodation, as opposed to permanent dwellinghouses. They further re-iterate that the caravan has been in situ so for over 1 year. Considering grounds for objection, the point of concern relates to the potential of piecemeal development with each application being granted in isolation. Residential accommodation that was already on-site with power and water should have been included in the 23/01121/PPP application and residential accommodation should be properly declared and included in the detailed plan for the whole site to be approved by Planning Department.

2.2.3 In their supporting statement accompanying the planning application the applicant sets out that there are currently an ongoing programme of activities at the estate which need an on-site presence, “including management of lettings and security, The applicant also contents that there will be “an increased need” after the recent consents to develop the estate and while further work progresses to deliver the approved developments. The principle is supported as accommodation for staff that supports the approved tourism development. NPF4 (2023) Policy 17 (Rural homes) states that development will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area and the development is demonstrated to be necessary to support the sustainable management of a viable rural business and there is essential need for a worker to live permanently at or near their place of work.

2.2.4 Whilst considering the objectors’ and Community Council’s concerns, the proposal does support an existing rural business which is expanding at the site and does not impact on the surrounding properties and would not be contrary to policy for development in the countryside NPF4 Policy 29 (Rural development) and Adopted FIFEplan (2017) Policy 7 (Development in the countryside); as the mobile unit is temporary in nature and the site can readily be adapted back to original re-instatement of open land. This will be secured through condition of a temporary siting of the unit for a period of up to 5 years and that the caravan use is only for the purpose of worker accommodation. A new application would be required to seek planning consent for permanent residential use or indeed to consider whether it is appropriate to extend the consent for a further temporary period.

2.3 Design And Layout / Visual Impact

2.3.1 The proposal intends to site a structure 6 metres in width by 13.4 metres. The unit is of modular construction with two sections and is constructed with pitched roof with grey tiles, horizontal brown timber cladding; brown uPVC windows and doors; black uPVC gutters and downpipes; and fascias. The roofscape gently slopes on the Eastern plane, with a higher gradient of slope on the Western roofplane.

2.3.2 To evaluate the siting, design, form, scale and finishing materials of the caravan/mobile home unit are considered to be acceptable with no considerable detrimental impact onto the countryside setting. The caravan/mobile home unit is within a defined cluster and would not contribute towards the degradation/erosion of the countryside landscape.

2.3.3 The proposed caravan/mobile home unit is compliant with policies for development within countryside location in accordance with NPF4 (2023) and FIFEplan (2017) policies.

2.4 Residential Amenity

2.4.1 Amenity concerns in relation to the existing and proposed holiday homes are not relevant in this instance due to them being under ownership by the holiday park owner.

2.4.2 The nearest third-party residential property, Bowbridge Croft, is some 170.6 metres to the Southwest. Therefore, due to the suitably distant nature of the proposed siting of the caravan/mobile home unit in comparison to third party receptors there would be no increased detriment to privacy of the occupiers of Bowbridge Croft.

2.4.3 The isolated nature of the dwellinghouse would not cause overshadowing concerns with regards to Fife Council customer guidelines on Daylight and Sunlight (2018); and BRE Site layout planning for daylight and sunlight (2022).

2.4.4 The siting of caravan unit would not increase noise to detrimental levels of surrounding holiday homes or Bowbridge Croft.

2.4.5 Concern has been raised by an objector regarding increased light levels by a light that has appeared on the hedgerow line that occupies the South of the site. Adopted FIFEplan (2017) Policy 10 (Amenity) states that development proposals will not be supported should the development create nuisances regarding increased light levels. This issue has been raised with the agent as the light does not form part of this application. Concerns regarding alleged increased light levels arising from a domestic proposal albeit associated with a business which are considered to impact on residential amenity would be a concern to be raised with Environmental Health and Public Protection.

2.4.6 In relation to the siting of the proposed caravan, there would be no impact to surrounding residential properties (Bowbridge Croft) with regard to noise, light, overlooking or overshadowing; and would accord with NPF4 (2023) and Adopted FIFEplan (2017) policy criteria for amenity concerns.

2.5 Flooding and Drainage

2.5.1 The proposal would formalise permission for an impermeable area of 80.4 square metres; and therefore, a Surface Water Management Plan has been requested indicating the discharge of additional surface water would be attenuated. It indicates that surface water will be dealt with by way of (4.5m x 2m x 1m) soakaway to discharge to the North east of the caravan. Porosity tests indicate that the 1 metre cubed of water would discharge within 35 minutes and would be designed to handle surface water discharge in storm events.

2.5.2 The proposed siting of the temporary workers accommodation unit, does not fall within an area of increased surface water flooding throughout the year according to the SEPA flood mapping; as well as fluvial(river) flooding in a 1 in 10 year/1 in 200 year flood event.

2.5.3 Considering the treatment proposals for the discharge of the additional surface water being indicated, and in conjunction with the site area not being subject to flooding events; there would not be increased detriment to occupants on-site or further afield regarding flood risk. The proposal would therefore be considered acceptable in accordance with NPF4 (2023) and Adopted FIFEplan (2017) and Fife Council drainage guidance (2022).

2.6 Natural Heritage and Trees

2.6.2 Concerns have been raised regarding felling of trees within the nesting bird season by 4 objectors. There are no formally protected trees within the application site.

2.6.3 There are no works proposed to fell or lop any trees for this application and therefore, there are no further concerns regarding the impact of Natural Heritage with regard to the details

relating to this application. The applicant has obtained consent in the past for works to trees through planning consents, nevertheless. Works to unprotected trees undertaken outwith the planning process within the bird nesting season is a matter can be reported Police Scotland as a potential issue in breach of habitats and wildlife legislation.

2.6.4 The Tree Protection Officer has provided comment to state that there was likely damage inflicted upon the root protection area of an existing mature tree on-site due to the hardstanding being laid. The incursion into the root protection zones has been minimal and is likely below 20%, nevertheless, this has been impacted by the formation hardstanding previously and the mature tree should be monitored over the next 5 years for any significant and sudden changes in physiological condition that may be linked to the siting of the caravan/mobile home unit and thereafter potential compensatory planting.

2.6.5 The applicant has provided a statement to indicate that the caravan/mobile home unit is sited on a part gravel bed approximately 200 mm depth; without conventional foundations and therefore has not caused any damage to nearby tree.

2.6.6 The proposal would be considered acceptable when assessed against NPF4 (2023), Adopted FIFEplan (2017) for impact to natural heritage. While the formation of the hardstanding has encroached within the root protection area given the limited impact, it is not considered necessary or proportionate to impose a tree monitoring condition in this particular instance.

2.7 Transportation/Road Safety

2.7.1 There has been a letter of objection citing that the parking arrangement has not been demonstrated visually and that there would be a knock-on impact onto nearby property's parking provision.

2.7.3 Considering Making Fife's Places-Supplementary Guidance: Appendix G (2018) a two bedroom dwellinghouse (Class 9) is required to provide 2 off-street parking spaces.

2.7.4 Transportation Development Management (TDM) colleagues have been consulted on this application and have raised no concerns regarding increased road/pedestrian safety as a result of development.

2.7.5 In this instance the proposal would be considered acceptable as the site and the surrounding would provide ample parking provision; and therefore complies with NPF4 (2023), Adopted FIFEplan (2017) and Making Fife's Places-Supplementary Guidance: Appendix G (2018).

2.8 Sustainability

2.8.1 The procurement of the caravan unit is noted by the applicant to be from a sustainable manufacturer. The Low Carbon Checklist specifies that the proposed caravan/mobile home unit complies with current energy standards and U-values in accordance with regulations achieved through the use of requisite levels of insulation. The boiler to be used would be a high efficiency gas combi boiler. There would be suitable storage on-site for the provision dry waste materials that is proposed to be uplifted by a private contractor and disposed of accordingly.

2.8.2 The proposed use of the site for caravan to provide manager accommodation is considered to be acceptable in regard to compliance with Low Carbon policies due to the adaptability of the unit and the energy efficiency measures associated with the proposal.

3.0 Consultation Summary

Scottish Water	No comment.
Community Council	Objects – ‘piecemeal development’ and deviation from previous planning applications, where the caravan/mobile home has been applied for in isolation to main consent for tourism development.
TDM, Planning Services	No objections.
Transportation And Environmental Services - Operations Team	No comment.
Structural Services - Flooding, Shoreline And Harbours	No comment.
Trees, Planning Services	No objection. Potential damage already incurred due to formed hardstanding. Root protection zones are un-likely to be impacted as a result of the sited caravan. However, condition of tree must be monitored over 5 years.

4.0 Representation Summary

Issue	Addressed in Paragraph
a. Principle of Development (deviations from previous planning consents 21/02159/FULL, 19/01134/FULL, 20/02272/FULL and 23/01121/PPP)	2.2.4
b. Principle of Development (potential Short Term Let use)	2.2.4
c. Light disturbance	2.4.5.
d. Impact on Natural Heritage	2.6.3
e. Road safety	2.7.4 & 2.7.5

5.0 Conclusions

The proposal is considered to be acceptable in meeting terms of the Development Plan, relevant National Guidance and relevant Fife Council Customer Guidelines. The proposal is compatible with the area in terms of land use, and has been designed, scaled and finished in a form that respects the local landscape. The proposed caravan is clustered near existing structures. Further to this there are no residential amenity issues arising from the proposal, nor would it cause any road safety issues, or detrimental impact to natural heritage or flooding.

6.0 Recommendation

1. The caravan unit shall be used solely in relation to the existing business only and shall not be sold or let as a separate permanent domestic residence or for holiday letting. Should the requirement for its use as workers accommodation cease for a continuous period of 6 or more months then the units shall be removed and the land made good unless otherwise agreed in writing with this Planning Authority.

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

2. The caravan/mobile home unit shall be sited in its current location for a period of NO MORE THAN 5 years. Thereafter, the land must be re-instated to its original state unless otherwise agreed by this Local Authority.

Reason: In order to define the terms of this consent; the proposed use is only acceptable on the basis of temporary consent.

7.0 Background Papers

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 Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 5/8/24