

Bats Wood (SCIO)
Duncan Zuill
17 Stanley Park
Townsend Crescent
Kirkcaldy
Fife
KY1 1DP

Planning Services

Jamie Penman

development.central@fife.gov.uk

Your Ref:

Our Ref: 20/01366/PREAPP

Date 12th December 2020

Application No: 20/01366/PREAPP
Proposal: Pre-Application for change of use from woodland area to cycle track
Address: Land to the West of Levenmouth Academy, Methilhaven Road, Buckhaven, Fife, KY8 1EA
Address: Land To West Of Levenmouth Academy Methilhaven Road Buckhaven Fife

I refer to your enquiry which was registered on 7th August 2020. This letters seeks to provide informal comments on the main issues relating to the proposal as it would be considered against the current Local Development Plan of Fife Council (FIFEplan 2017), as well as relevant associated documents and guidance as material considerations.

I can confirm that full planning permission would be required for the change of use of the land, any significant engineering/land mounding works and for any fencing or lighting.

Principle of Development

Policy 1 applies in this instance. It notes that development proposals will be supported if they conform to relevant FIFEplan policies and proposals. The principle of development will be supported if it is either:

a) Within a defined settlement boundary and compliant with the policies for the location;

or

b) In a location where the proposed use is supported by the Local Development Plan.

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Fife House, North Street, Glenrothes, KY7 5LT

As the proposed site is located within the settlement boundary of Leven, Buckhaven, Methil & Methilhill, the principle of development is generally acceptable on this site, subject to further assessment against other policy criterion.

The application site is also part of the defined School or Further Education Campus area. However, given the existing use of the land as woodland, no significant concerns would be raised in this instance. The School Estate Team were consulted on this proposal however no response was received. Should the applicant wish to engage with the School Estate Team, they can be contacted at **Schoolestate.enquiries@fife.gov.uk**.

Design and visual impact

Policies 1 and 10 apply in this instance. These policies indicate development will only be supported if it does not have a significant impact on the amenity of existing or proposed land uses. These policies are applied to assess the visual impact of the proposed development on the surrounding area. Further detail on good design and how this should relate to its context is contained in the supplementary guidance Making Fife's Places (2018).

Given the location and nature of the proposal, no significant design/visual impact concerns would be raised in this instance. For any fencing/gates/lighting that may be required, full details of these should be submitted.

Full details of any signage should also be submitted. For any interpretation panels, an advertisement consent application will also be required.

Residential amenity

Policies 1 and 10 apply in this instance. These policies indicate development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. In this instance the policies will be applied to assess the impact the proposed development would have on noise and light pollution.

Given the location and nature of the development in relation to neighbouring residential properties, no significant residential amenity impacts would be raised in this instance. For any artificial lighting that may be required, full details should be submitted, including light spill diagrams.

Transportation

Policies 3 and 10 apply in this instance. These policies indicate development will only be supported where it has no road safety impacts. Making Fife's Places Transportation Development Guidelines (TDG) also apply.

Fife Council's Transportation Team was consulted on this proposal however no response was received.

It is understood that this development would not generate any significant vehicular traffic volumes and that most users would cycle to the site. No dedicated off-street parking is proposed however it is noted that parking is available in the nearby carparks of the community use school campus and could potentially be utilised if required. The use of residential streets for the purpose of on-street parking will be discouraged.

A supporting statement detailing how the applicant anticipates the proposal would operate, in terms of traffic impacts, should be submitted for consideration. Notwithstanding, it is considered that the proposal would be unlikely to raise any significant road safety impacts.

Land & Air Quality

FIFEplan policy 10 applies in this instance. It indicates that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. In this instance this policy will be applied to assess the impact the proposed development would have on contaminated land.

Fife Council's Land & Air Quality Team were consulted on this proposal and have advised that:

Our records indicate the southern section of the proposed development is on the site of former railway land, there is also the potential that the site may contain made ground. While the proposed use appears to be of low sensitivity it is advised that if any unexpected conditions are encountered during any subsequent development work at this site, e.g. made ground / gassing / odours / asbestos or hydrocarbon staining, the Planning Authority should be informed, as a Site Specific Risk Assessment may be required.

If Development Management are minded to approve the application, it is advised that a Land Quality suspensive condition, or advisory note be utilised to ensure any unforeseen contamination issues associated with the above site are suitably addressed.

In light of the above comments, no significant contaminated land impacts would be raised in this instance.

Land Stability

FIFEplan policies 1 and 10 apply in this instance. It indicates that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. In this instance this policy will be applied to ensure the safe development of potentially unstable land.

The site sits within a Coal Authority 'Development High Risk Area'. Normally, when an application site is located within a high-risk area, a coal mining risk assessment is required. Given the nature of this application however, that it consists of a change of use with no significant construction works, it is likely that a CMRA would not be required.

Given the proximity of existing mine shafts to the site however, the Coal Authority will be consulted on any future application. As such, further information may be required at that stage. Where any issues are identified, these will need to be mitigated.

Flooding and Drainage

FIFEplan policies 1 and 12 advise that developments should not place unacceptable demands on public infrastructure including drainage systems. Furthermore, development will not be supported if it increases flooding or flood risk from all sources on the site or elsewhere. Nor will they be supported if Sustainable Urban Drainage Systems (SUDS) or other similar appropriate measures are not undertaken.

Fife Council's Structural Services Team have been consulted in this instance and have advised that:

Fife Council have no records of incidents of flooding on this site but there are areas of the site where potential water flood risk is identified on the SEPA Flood Map. However, given the development is for outdoor amenity use, a Flood Risk Assessment will not be required with any future planning application.

We have no comment regarding surface water drainage

In light of the above comments, no significant flooding or drainage impacts would be raised in this instance.

Natural Heritage

FIFEplan (2017) Policies 1 and 13 (Natural Environment and Access) apply in this instance. In particular, these policies state that proposals will only be supported where they protect and enhance natural heritage assets and access, including protected species and habitats.

Fife Council's Natural Heritage Officer has been consulted on this application and have advised the following:

The site appears at present to be an area of new woodland planting called Bat's Wood which is being further developed for biodiversity. There seems to be some more mature planting along the north and west boundaries.

Making Fife's Places Supplementary Guidance provides information on the site assessment which must be submitted for natural heritage and biodiversity. Details should include what habitat exists on the site, what is proposed to be removed and the mitigation to be provided. Any Protected Species (European and UK) found to be present should be assessed with appropriate surveys undertaken and impacts and mitigation identified. Surveys should be carried out by suitably qualified professionals following recognised guidelines and methodologies. Surveys should be reported in full, with mapping provided as appropriate.

Documents and plans should clearly show existing natural heritage assets and how they are being retained and protected. From the indicative layout provided it appears that some of the woodland planting will need to be removed but it should be possible to retain the more mature vegetation along site boundaries and most of the woodland planting.

Biodiversity enhancement should be considered throughout the design process. Details of biodiversity enhancement must be provided with the application as required by policy. To maximise biodiversity native species of native origin should be specified for landscaping. It is unclear what the site boundaries are at present but species-rich, native hedgerows and tree planting would provide biodiversity enhancement and this is requested.

Wildflower meadow grassland would provide additional biodiversity benefits. Making Fife's Places Supplementary Guidance covers the integration of biodiversity enhancement into design.

The above comments should be taken into account for any future submission.

A tree impact assessment should also be prepared, this should show all trees on the site, indicate which trees are to be removed from site and identify areas for replacement planting, identify any construction impacts on existing trees and include tree protection measures which will be utilised during the construction phase.

Agricultural Land

FIFEplan (2017) Policies 1 and 7 apply in this instance and state that the development of prime agricultural land will not be supported except where it is essential as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available, is for small-scale development directly linked to a rural business or 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.

The site is categorised as prime agricultural land with moderate climate limitations however it is noted that the site is not currently being used for agricultural purposes. Furthermore, given the potentially reversible nature of the development, the area of prime agricultural land could be reinstated in the future.

No significant concerns would be raised in this instance.

Low Carbon Fife

All local developments are expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. In addition, applicants are expected to submit a completed sustainability checklist which can be downloaded by clicking [HERE](#).

This proposal would be exempt from having to provide any energy generating technologies however a Low Carbon Checklist will be required with any future application.

Application procedure

Below is a summary of the key matters you should be aware of prior to and during the submission of your application.

Application Submission Documents

Should you wish to proceed with the application, the following will be required as part of any submission as well as anything already outlined above:

Application Fees

In this case the fee would be **£401** for a full planning application and **£202** for an advertisement consent. Please be aware that a further fee may be payable if an advertisement requires to be placed in the area newspaper. This would be requested at the time of submission of the application.

How to Pay

Please be aware that Fife Council no longer accepts cash or cheque as payment methods. Your client can however pay the application fee and any applicable advert fees by the following methods:

- The Scottish Government e-planning portal
- Fife Council Online Payments
- Telephone payments
- Bank Transfer

Whichever payment method you choose please ensure that your payment reaches us within 5 days of submitting your application. For further guidance on how to pay, please visit www.fifedirect.org.uk/planning and select the “completing your application” tab from the left hand side of the webpage.

Ordnance Survey Licence

All plans that use the Ordnance Survey map as a base map must be appropriately licensed and details of the date and licence number added to each plan. Please ensure this is addressed in all your documents including any plans inserted within reports and other supporting documents.

Application form and Plans

It is expected that the application be accompanied by the appropriate application form and suite of drawings for the application type; including a site plan, location plan, block plans, existing/proposed cross sections etc, operational statement, ecology appraisal, tree survey.

Please refer to [Fife Council's Planning Application Validation Checklist](#) for further details on the information we require to validate your application.

Document size for scanning

All planning applications require to be uploaded to the Council's e-planning website. It is the Council's preference for applications to be submitted online to reduce the time taken for documents to be scanned and uploaded to the website. All documents submitted electronically either online, via email or by disk must be less than 10MB in size. Anything above this cannot be loaded to the online system. Should a document need to be divided into smaller pieces it is preferred that this would be done logically.

Application Process

Likely timescales & decision making

As the proposal falls within the category of Local developments, the Scottish Government advises that the Council should strive to determine the application within 2 months of its receipt. This may not always be achievable if there are matters of a complex nature to consider. This can be factored into a processing agreement however.

Administration of your application

When contacting the Council to submit correspondence or other documents you can use development.central@fife.gov.uk. This email address takes you direct to the Council's digital mail system. We now encourage all applicants to use this mailing address rather than any case officer's email address. You can still make your application by submitting the paper application forms and documents but the Council is able to accept online applications submitted through the planning portal at <https://www.eplanning.scot/ePlanningClient/>.

Closing Comments

The principle of development for this proposal is generally acceptable in this instance. It is likely that the proposal would have no significant visual, residential amenity or road safety impact. Further details with regard to how the development would operate should be submitted with any future application along with a robust natural heritage assessment of the site, in relation to habitat and trees.

Please note that this information is given at officer level only and is made strictly without prejudice to the eventual decision of Fife Council as Planning Authority. Please also note that this advice does not take into account land ownership and extra information may be required for any application. Please refer to our Validation Standards at www.fifedirect.org.uk/planning to confirm the exact details required

I trust this clarifies the position.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Penman', written in a cursive style.

Jamie Penman
Planning Assistant, Development Management