

Presentation on Planning Matters by Ms Uprichard to St Andrews Community Council on 5.1.09

1994 start of the St. Andrews Strategic Study under Fife Regional Council. An exemplar of good practice, published by Fife Council in 1998. The only document expressing the wishes of St. Andrews residents. Among its conclusions were:

St. Andrews is at its landscape capacity and no major expansion should take place The landscape setting of St. Andrews is crucial to its character and must be protected and enhanced

There is a need to contain the spread of the town and a Green Belt must be seriously considered

Major new housing development would result in an unacceptable impact on the quality of the town's environment Also

This Study will be treated by Fife Council as a material consideration in dealing with any planning application submitted in the St. Andrews area.

None of these conclusions has been implemented.

1996 - Local Plan (frequently referred to by developers - rightly - as out of date). New Local Plan not likely to be approved until 2011 - 15 years on. .

July 2002 - the Structure Plan was approved. This and the Local Plan together form the Development Plan. These are statutory documents with which compliance is required. Policies SS7 and SS8 (St. Andrews Green Belt) were included by the Scottish Executive against the wishes of Fife Council. SS7 says that the Green Belt is 'to encircle the town' - a phrase omitted from the Draft Structure Plan - an omission which I hope will be strongly criticised. SS8 says that development prior to the setting of the boundaries would be considered premature, confirmed subsequently by the Chief Executive and Head of Planning.

In responses to every comment about this Green Belt, Development Services said 'The Green Belt was never intended to be continuous', and later admitted this was an error.

2002 - Before the Structure Plan was approved, Fife Council had started a new 20 year Structure Plan. The then Head of Planning, Mr. Rae, said that a new Local Plan would be published in 2003.

Mr. Birrell subsequently wrote that ' .. preliminary work has already started on the designation of the green belt around St. Andrews ... ' There is still no such designation. Later Mr. Rae wrote ' ... Let there be no doubt, therefore, that this matter will be taken forward. Inaction is not an option. '

Sir Menzies Campbell, Provost Melville and others wrote to the Council requesting an alteration to the 1996 Local Plan to provide Green Belt boundaries. This was refused on the grounds of cost and delay.

In October 2002 a Scoping Brief for a huge housing development, golf courses, a relief road and a Science Park was lodged by planning consultants Montgomery Forgan. Partners in this project were the University and Headon Developments.

In January 2003 the Council's reply to the Scoping Brief was not particularly encouraging. On 31st January notices about the new 20 year Structure Plan were published in the local press. This was not expected and probably few people saw them ..

On 6 February a planning official wrote to Montgomery Forgan suggesting that the best way forward was through *'full participation in the Local Plan preparation process'*. After mid - February 2003 there is no further correspondence. Presumably the prospective developers were told that the western extension would be included, not in the Local Plan, but in the Structure Plan.

To clarify the roles of the respective Plans - the Structure Plan should set the strategy and the housing numbers, the Local Plans the sites. The current process has turned this on its head. It is clear where the St. Andrews western expansion - 1,000 houses and a distributor road - and the Cupar development of up to 1,400 houses and a bypass are intended to go. If approved in the Structure Plan, they will presumably pre-empt the Local Plan.

In March 2005 six Draft Plans were published - Structure, Local, Transportation and three others, totalling 650 pages. (The Transportation Plan was 'approved' 3 months later with no publication of objections.)

Subsequently there were 2,500 objections to the Structure Plan, representing thousands of people through Community Councils and environmental bodies. Statutory consultees Historic Scotland, Scottish Natural Heritage and the Scottish Environmental Protection Agency also objected, and have maintained those objections. Dundee and Edinburgh City Councils also objected.

When the second draft of the Structure Plan was published, it included without any consultation three SDAs - Strategic Development Areas of over 1,000 houses - in Cupar, Dunfermline and St Andrews. The Structure Plan language was increasingly dictatorial *'Dunfermline will be expanded. " Kirkcaldy will be expanded as the main centre at the heart of mid-Fife', - 'Expansion to the East (of Kirkcaldy) will commence early in the Plan ... with 2,500 new houses ..'*. The Plan supports *'revitalisation of Cupar'* by a new relief road and up to 1,400 houses. In St. Andrews the strategy is to realise its potential as *'an economic driver for the whole of Fife'*, with up to 1,100 houses, distributor road, a 10 hectare business park and a 10 hectare science park. In the present economic climate, this is unrealistic, but if the Plan is approved the sword of Damocles will remain suspended over our heads ..

In April 2006 the Environment and Development Committee in Glenrothes unexpectedly approved an amendment removing the three SDAs, reducing the Plan period from 20 to 12 years, reducing housing by one-third, and concentrating development in central Fife. This temporary setback was overturned in the full Fife Council the following month, with Labour Councillors under a three-line whip.

In July 2006 the Structure Plan went to Scottish Ministers. It was then returned for a Housing Land Reappraisal. There was a Council consultation on this at the end of 2007 and it was returned to Ministers, with a six-week consultation ending in March 2008. The Modifications and Strategic Environmental Assessment for the Modifications were published on 9th January 2008. In the Modifications to the 2002 Structure Plan, on a number of occasions the Reasons said *'and in response to objections'*. I cannot find those words in the present Modifications.

The Modifications do not seem to merit a further nine months delay. The main alteration is an addition of 3,000 houses in Central and West Fife. The requirement for affordable houses in St. Andrews remains at 30%. For every 3 affordable houses, St Andrews would have imposed on it 7 of the kind developers want. Only **one** affordable house was built in Fife in 2007/8.

It is understood that the legislation for **City Regions** will be published this month, dividing Fife between Dundee and Edinburgh. With the co-operation of Scottish

Ministers and the SEA Gateway Office, the Structure Plan may be able to squeak through in the nick of time, fulfilling the Council's aim. The Executive Summary to the Modifications states:

'Although the 20-year timescale covered by the Structure Plan may make it seem distant in most people's lives, the Plan will have a dramatic impact on the way Fife functions through to 2026.'

35,000 houses in Fife - 1,000 in St. Andrews and up to 1,400 in Cupar - with no clear plans for infrastructure - will certainly have a dramatic effect, **as will the increased urbanisation of Fife by 15%**. Is this really what people in Fife want? Will City Regions have strategic responsibility for Fife, or will the Structure Plan prevail? Nobody can say.

The University - in the past 30 years the University, as the town's main landowner, has put up many buildings in St. Andrews, not all of them in keeping with town's status as *'the most important small historic burgh in Scotland'* (according to Historic Scotland), and a number of them on greenfield sites. There are references to building in accordance with the masterplan, but there is no current masterplan, simply ad hoc development. Has any other university in Britain applied to build 1,000 houses, not for staff and students but for sale?

In a recent Courier article Principal Dr. Lang announced plans for two new research centres, and said that a recent presentation was *'an early warning to townspeople'* of what the University wanted to undertake in the future. He said that *'It will be our aim to progress them in a manner which respects the local townscape and benefits the town and the local economy wherever possible.'*

Dr. Lang's statement is similar to those in the Draft Plans, which announce huge development, and then refer to the need to protect the town's environment and landscape setting. The Local Plan also says that **'the environmental impact on St. Andrews could ... have a wider national and international significance'**. Enormous damage has been done to the town in the last decade, but the present plans are likely to destroy it. The need for 1,100 houses in St. Andrews (with hundreds more in the Local Plan) cannot be justified. On the Local Plan figures, they represent about 30% development, not the stated 5%.

Fife Council refers to the General Register Office figures, saying that they forecast an 11 % increase in population in Fife. But the GRO figures are *'predictions'*, based on past trends. If next year's figures, taking account of the credit crunch, are lower, will the 20-year Structure Plan be re-assessed?

The Council now intends to dismiss the Alison Grant Landscape Capacity Assessment and Green Belt Study of St. Andrews (a requirement in the 2002 Structure Plan) because current proposals represent far more development than in 2003, when her Study was published. Is that logical? Her clear and detailed reasons for stating that there is very little scope for development round St. Andrews are still valid.

Local Plan and SEA - The foreword of the Draft Local Plan by Councillor Rumney says that *'The finalised draft Local Plan has been shaped by the community following receipt of over 3,000 public comments .. , 'The Local Plan has been shaped by officials, who have largely disregarded local views .. The 3,500 objections to it have never been published, and it would be difficult to find evidence, at least in North East Fife, that they' have been taken into account'*.

It is also difficult to have confidence in a Strategic Environmental Assessment which says that *'the setting of St. Andrews from the north has been radically changed by new hotel and university developments'*. Do they mean 'from the west'? The Landscape Study, referring to the Castle Course in 'South St. Andrews', says *'The golf course development adjacent to the coast has altered the character of this area'*. Clearly the 'Change St. Andrews

Coalition' is on target.

The intention to *'provide a scale of development to deliver a development funded distributor road'* is also confusing - is the proposal to have a road, or to build the houses to fund the road? The intended removal, despite strenuous objections, of 20 Areas of Great Landscape Value round St. Andrews through the Fife Landscape Study can only be to assist development.

Fife Council is developer-led. Officials have ignored the requirement that development should be considered premature to Green Belt boundaries, and have failed to comply with the Development Plan. Planning reports for the last few years have frequently misled Councillors by misquoting policies, omitting relevant guidelines, and recommending approval for development in prospective Green Belt, outside the settlement, in AGL Vs, and in the Outstanding Conservation Area, etc. Summaries of comments from statutory consultees are selectively quoted, paper copies of planning papers are no longer available to the public except through Freedom of Information requests, and compliance with these requests is delayed as long as possible. The Outstanding Conservation Area has not been protected and is a mess.

The Council's references in the Local Plan SEA to *'the landscape setting of St. Andrews, which is internationally recognised as a historic town'* are cynical. So is its proposal to include the Links in Green Belt, 'but not subject to the constraints of Green Belt'.

GREEN BELT

Scottish Natural Heritage said in an objection that the Green Belt in the Draft Local Plan is inadequate to protect Green Belt areas, and encourages development. The policy should identify that no development is permitted, except in specified circumstances. SNH also urged Fife Council to *'actively demonstrate their commitment to retaining and enhancing AGLVs'*, and queried the 'white land' on the Local Plan map - the southern hillside, which should be Green Belt, instead of being earmarked for possible development.. In SNH's view the boundaries should be set BEFORE the sites for housing.

POPULATION FIGURES - the Local Plan says the St. Andrews population is 16,500, including students - said to be 7,000. This must be wrong - the residents in 1996 numbered 14,000. I believe the correct number of students is more likely to be 9,000 than 7,000.

HOSPITAL SITE - when the application for the hospital site came to North East Councillors in August 2006, it included provision for extension of an access road to the eastern boundary of the site. The existence of this access road became known to Community Council during a presentation on the hospital. In the strong objection submitted for Community Council by Dr Goudie, he stated that *'it seemed staggering that officials would slip through .. a clause opening the flood-gates to urban sprawl along the southern hillside without drawing it to anyone's attention'*.

In giving outline planning approval, Councillors decided to omit the reference to this access, and this was recorded in a report by Mr. Winter, Head of Development Services, to the October 2006 Committee.

At the November Committee, the Planning Report included the words ' *The location and standard of this access road is confirmed in the missives as agreed with the vendor, and the requirement has been incorporated in all of the bidders submissions* '. Councillors had no power to remove it. I have a copy from the Land Registry of a document which shows the sale to Scottish Ministers (on behalf of the N.H. S.) of land at Largo Road by Hermiston Securities, part of the Muir Group, and the University Court. (The Muir Group lodged a huge application to build on the southern hillside before the 1994 Local Plan Inquiry, but withdrew it before the Inquiry.)

A Councillor asked whether the access could be restricted to agricultural use. A planning official and a Law and Admin. official refuted that, saying that it was not a planning matter. Anyone coming up Largo Road who looks left at the roundabout before Morrisons will see the tarmacked access road., which it is believed it intended to facilitate further development.

In an exhibition about the Structure Plan Reappraisal of the Housing Land Requirement in 2007, a Council leaflet stated that:

'Fife Council does not propose development on the St. Andrews southern hillside.'

The Draft Local Plan includes a section headed 'Development Options Appraisal'. After providing inaccurate comments on the Strategic Study, this section states as follows:

'There will be an impact on the town's setting requiring landscape mitigation and careful design. Long standing community resistance to development at the southern edge of the town, but carefully designed development with advance planning and integrated green spaces is possible '.

This statement makes it clear that statements by Council officials are unreliable, and can be altered whenever convenient. It is also clear that the Council have no appreciation of the landscape setting of St. Andrews, and that, having failed to instal a Green Belt, they intend to continue circumventing it whenever possible.

'Mitigation' is described as *'a means of reducing the significance of adverse effects'*. In these Plans *'mitigation'* seems to imply that development can be made invisible. Where landscape is concerned, this is impossible. Nor is it true to say, as has been said on a number of occasions, that development *'enhances'* landscape.

Sir Humphrey used to say ominously, *'what a COURAGEOUS decision, Prime Minister!'* In this vein, Fife Council's decision to ignore all objections, to press ahead with Structure and Local Plans which are deeply flawed, and to risk a legal challenge, might be termed 'courageous'.

Legal challenge - as there is no third party right of appeal, residents have only one recourse, and that is Judicial Review. These Reviews consider the procedures involved, not the merits of the case. In other words, a legal challenge in connection with housing numbers would not consider whether or not the housing was a good idea, but would investigate the procedures involved.

In this case there are thousands of objectors instead of the six petitioners who brought a Review against Fife Council about St. Andrews Bay. I should just like to make one point at this stage, in case a Review should be contemplated. Anybody who wanted to support such an action and send a financial contribution would **only**

be liable for that contribution, whether £10 or £1,000, but not for any costs which might arise from the Review. In the same way contributors to a charity are not liable if that charity fails financially or is found guilty of irregularities.

In committees I have often had the impression that applications are given credibility simply because they are there. The Draft Structure and Local Plans brush aside the Tyldesley and Grant Landscape Assessment, the St. Andrews Green Belt, the Strategic Study, and thousands of objections. They predict huge economic growth, based on mythical house buyers. They treat Fife's towns and villages as disposable assets, and say that protection of historic landscape can be 'balanced' against development - an impossible equation. Fife appears to be a victim of the existing 'Concordat' whereby the Scottish Executive agrees not to interfere with local authorities provided Council Tax is frozen.

As Ministers appear to have overridden previous objections in issuing the Modifications, it is unlikely that this further consultation will result in much change. I hope though that every Community Council member will object to these Plans, even if only in the words 'I OBJECT to the imposition of over 1,000 houses and a distributor road on St. Andrews'.