

North East Planning Committee

JP Court Room, County Buildings, Cupar

Wednesday, 18 October 2023 - 1.00 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 23 August 2023. 3 – 6
4. **22/04050/FULL - CRAIGTOUN COUNTRY PARK, CRAIGTOUN, FIFE** 7 – 15
Refurbishment and change of use of existing mixed-use building (Classes 4 and 6) to form café with outdoor seating and educational training facility (Classes 3 and 10) (including demolition of glasshouse and existing extension).
5. **23/01476/FULL - 9 HOPE STREET, ST ANDREWS, FIFE** 16 – 25
Formation of garden gate in rear boundary wall.
6. **23/01477/LBC - 9 HOPE STREET, ST ANDREWS, FIFE** 26 – 33
Listed building consent for proposed garden gate in boundary wall.
7. **23/00491/FULL - 28 CITY ROAD, ST ANDREWS, FIFE** 34 – 45
Change of use of dwellinghouse (Class 9) to form 5 flatted dwelling units (Sui Generis) including installation of replacement windows and door and dormer extension.
8. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**
List of applications dealt with under delegated powers for the period 10 July to 6 August, 7 August to 3 September and 4 September to 1 October 2023.

Note - these lists are available to view with the committee papers on the Fife.gov.uk website.

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

Lindsay Thomson
Head of Legal and Democratic Services
Finance and Corporate Services

Fife House
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11 October 2023

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BLENDING 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

23 August 2023

1.00 pm – 4.40 pm

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

ATTENDING: Alastair Hamilton, Service Manager Development Management, Lauren McNeil, Graduate Planner, Jamie Penman, Planner, Development Management; Steven Paterson, Solicitor, Planning & Environment and Diane Barnett, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors John Caffrey, Gary Holt, Margaret Kennedy and Allan Knox.

95. DECLARATIONS OF INTEREST

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

96. MINUTE

The committee considered the minute of the North East Planning Committee of 31 May 2023.

Decision

The committee agreed to approve the minute.

97. 22/03401/FULL - ELIE HOUSE GROUNDS, THE GRANARY, ELIE

The committee considered a report by the Head of Planning Services relating to an application for the change of use from agricultural land/walled garden to eco cemetery and formation of a parking area.

Motion

Councillor Tepp, seconded by Councillor Hoggan-Radu moved to refuse the application for the two reasons set out in the report.

Amendment

Councillor Liston, seconded by Councillor MacDiarmid moved as an amendment to approve the application, subject to any necessary conditions relevant to the particular development proposal - including a condition to mitigate road and pedestrian safety concerns relating to increased vehicular trips over a substandard private access.

Roll Call Vote

For the Motion – 10 votes

Councillors Clark, Corps, Dillon, Hayes, Hoggan-Radu, Kennedy-Dalby, Lawson, Lothian, Tepp and Verner.

For the Amendment – 2 votes

Councillors Liston and MacDiarmid.

Having received a majority of votes, the motion to refuse the application was carried.

Decision

The committee agreed to refuse the application for the two reasons set out in the report.

98. 22/04249/PPP - LAND ADJACENT TO BALMASHIE HOLIDAY HOMES, KENLY, BOARHILLS

The committee considered a report by the Head of Planning Services relating to an application for planning permission in principle for the erection of additional holiday cottages and an extension of tourism development (renewal of planning permission in principle 19/00883/PPP).

Decision

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

99. 23/00848/ARC - LAND ADJACENT TO BALMASHIE HOLIDAY HOMES, KENLY, BOARHILLS

The committee considered a report by the Head of Planning Services relating to an application for the approval of matters required by Conditions 1, 2, 4 and 8 of planning permission in principle 19/00883/PPP for the erection of 11 holiday cottages, manager's accommodation and associated parking, landscaping and SUDS.

Decision

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

Councillor Dillon left the meeting during consideration of the above item.

The committee adjourned at 2.50 pm and reconvened at 3.00 pm.

100. 23/00849/FULL - LAND ADJACENT TO BALMASHIE HOLIDAY HOMES, KENLY, BOARHILLS

The committee considered a report by the Head of Planning Services relating to an application for the installation of a surface water drainage outfall pipe to serve SUDS associated with application 23/00848/ARC and formation of parking.

Decision

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

101. 23/00643/PPP - LAND ADJACENT TO 65-67 MAIN STREET, LEUCHARS

The committee considered a report by the Head of Planning Services relating to an application for planning permission in principle for the erection of two flatted dwellings and associated vehicle access (renewal of 18/02540/PPP).

Decision

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

102. 23/00644/PPP - LAND ADJACENT TO 65-67 MAIN STREET, LEUCHARS

The committee considered a report by the Head of Planning Services relating to an application for planning permission in principle for the erection of three dwellinghouses (renewal of 18/02542/PPP).

Decision

The committee agreed to approve the application subject to the 10 conditions and for the reasons detailed in the report.

Councillor Kennedy-Dalby left the meeting prior to consideration of the following item.

103. 22/04135/FULL - OLD HOSPITAL, CRAIGTOUN, ST ANDREWS

The committee considered a report by the Head of Planning Services relating to an application for the change of use from a former hospital (Class 8) to 27 flatted dwellinghouses (sui generis) and erection of 18 townhouses (Class 9) (Enabling Development), formation of access, hardstanding and associated landscaping.

Decision

The committee agreed:-

- (1) to approve the application subject to the 23 conditions and for the reasons detailed in the report and following the conclusion of an agreement to secure the necessary planning obligations, namely:
 - (a) payment of £145,345 towards addressing critical capacity issue at Madras College;
 - (b) secure land rights for surface water drainage route; and

2023 NEPC 50

- (c) secure the cross-funding from the enabling development towards the restoration of the listed building;
- (2) that authority was delegated to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to negotiate and conclude the legal agreement necessary to secure the planning obligations; and
- (3) agreed that, should no agreement be reached within six months of the committee's decision, authority was delegated to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to refuse the application.

Councillor Clark left the meeting during consideration of the above report and rejoined the meeting prior to consideration of the following item.

104. 22/04134/LBC - OLD HOSPITAL, CRAIGTOUN, ST ANDREWS

The committee considered a report by the Head of Planning Services relating to an application for listed building consent for internal and external alterations to the former hospital building to facilitate the conversion to 27 flats (sui generis) and demolition of the existing outbuildings within the curtilage.

Decision

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

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

Decision

The committee noted the lists of applications dealt with under delegated powers for the periods 15 May to 11 June; 12 June to 9 July; and 10 July to 6 August 2023.

Committee Date: 18/10/2023

Agenda Item No. 4

Application for Full Planning Permission

Ref: 22/04050/FULL

Site Address:

Craigtoun Country Park Craigtoun Fife

Proposal:

Refurbishment and change of use of existing mixed-use building (Classes 4 and 6) to form café with outdoor seating and educational training facility (Classes 3 and 10) (including demolition of glasshouse and existing extension)

Applicant:

Mr Henry Paul, Craigtoun Country Park Mount Melville

Date Registered:

28 April 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



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1.1 This planning application relates to existing mixed use single storey building which sits to the north of the walled garden within Craigtoun Country Park. The application site is zoned as part of a development opportunity site (Hotel/Leisure/Tourism) (ref LWD021) and is within the St Andrews Greenbelt as defined in the Adopted FIFEplan – Fife Local Development Plan (2017). The application site also falls within the Craigtoun garden and designed landscape. Directly to the south of the application site is the category C Craigtoun Park Walled Garden. Public access is taken from the southwest of the park while there is also access to a private car park to the north of the application site.

1.2 The Proposed Development

1.2.1 This applicant seeks planning permission for the refurbishment and change of use of existing mixed-use building (Classes 4 and 6) to form café with outdoor seating and educational training facility (Classes 3 and 10). The proposal would also include the demolition of the glasshouse and existing extension. External alterations proposed to the north elevation include all external doors to be replaced/removed. The existing door on the eastern end of the north elevation would be replaced with a new timber door. Moving westwards the next door would be altered to align with the new finished floor level, while the next again door would be replaced with a new sash and case window to match the existing windows. In the central section of the north elevation, a new entrance is proposed with a staff counter hatch. At the western end of the north elevation the two existing doors are to be replaced by a vertical window and new sash and case window. On the south elevation the existing glass house has been demolished due to safety concerns. Alterations to the south elevation include 3 new proposed arched doors with surrounding planting as well as the proposed alteration to the existing door to align with the new floor level. A new rooflight is proposed to the southern section of the roof. Internally the building would be reconfigured to provide an education room in the western end, with a café and staff counter in the central section with kitchen and recycling area in the eastern section. A new sloping access route is proposed which would lead to the garden seating area and access to the southern access doors. All new door and window frames to be a green/blue colour to match

the colour used across the Country Park. The proposed café opening hours would be 9am-9pm. The café and kitchen area would take up roughly half the footprint of the building.

1.3 Relevant Planning History

- 15/03313/LBC - Listed building consent application for internal and external alterations to boathouse, including reharling, and repair to existing windows, replacement roof tiles and rainwater goods - approved 31.01.2015

- 22/02960/LBC - Listed Building Consent for the removal of the greenhouse - approved 28.10.2023

- 22/04049/LBC - Listed building consent for installation of 3 doors in Craigtoun Park Wall - approved 10.02.2023

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

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 8: Green belts

NPF4 Policy 8 states that Development proposals within a green belt designated within the LDP will only be supported if it's an intensification of an established use.

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 16: Quality Homes

NPF4 Policy 16 Part (g) whilst predominantly for householder development proposals advises that support will generally be given where proposals - (i) do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and (ii) do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking. In this instance whilst the policy criteria relate to householder developments, these requirements are also considered materially relevant to new residential units and the need to protect amenity standards for both existing as well as new occupants.

Policy 29: Rural development

NPF4 Policy 29 states development proposals that contribute to the viability, sustainability and diversity of rural communities and local rural economy 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. In the instance of development in the countryside, the proposed development must be appropriate for the location through compliance with the relevant policies; in this instance, Policies 7.

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 7: Development in the Countryside

FIFEplan Policy 7 Development in the Countryside states that development will only be supported in certain instances. Such circumstance includes facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location.

However, it further sets out that all development must be of a scale and nature that is compatible with surrounding uses; be well-located in respect of available infrastructure; and be located and designed to protect the overall landscape and environmental quality of the area. Moreover, in occurrences where development is proposed on prime agricultural land, Policy 7 states that development will not be supported unless it is essential.

Policy 9: Green Belt

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

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.

Supplementary Guidance

Making Fifes 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.

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
- Transportation/Road Safety

2.2 Principle of Development

2.2.1 The application site is zoned as part of a development opportunity site (Hotel/Leisure/Tourism) (ref LWD021) and is within the St Andrews Greenbelt as defined in the Adopted FIFEplan (2017). The application site is also a designed landscape. The development requirements for Proposal LWD 021 states - Further explore options for the long-term sustainable management and operation of Craigtoun Country Park, both through a continuing partnership with the Friends of Craigtoun Country Park and/or complementary tourism-related

projects linked to the upgrading of the park (including sensitive, small scale, commercial leisure, or hotel development).

2.2.2 There would be no visual impact on the greenbelt and landscape/designed landscape designation as the proposal would involve minor matters with limited external impacts and would not involve any extensions either at ground level or upwards. Given that the proposal would help enhance an established tourism related business, such developments are generally considered as acceptable in terms of Policies 1, 7 & 9 and Proposal LWD021, then the principle of the proposal is considered acceptable subject to a further technical assessment of specific aspects as noted below in this report.

2.3 Design / Visual Impact

2.3.1 The external alteration proposed as set out in full in paragraph 1.2.1. The main changes include new doors. The door would be traditional and finished in acceptable materials (timber); while the realignment of the doors to take into account the finished floor levels would also be acceptable and would not undermine the character and appearance of the property. The proposed new windows (sash and case) would be traditional in appearance and use of materials. The loss of the glass house while regrettable is on health and safety grounds. These proposed changes would provide a visual enhancement to a building of limited architectural value within the designed landscape, whilst also bringing the full building back into use.

2.3.2 The proposal therefore meets the terms of the development plan with respect to design and visual impact.

2.4 Residential Amenity

2.4.1 Given the nearest third-party property is some 125m to the northwest of the proposed site there will be no materially detrimental impacts on other residential property.

2.4.2 The application is therefore capable of meeting the requirements of national guidance, the Development Plan and supplementary guidance relating to residential amenity and its protection for all amenity sensitive parties.

2.5 Transportation/Road Safety

2.5.1 Concerns have been raised regarding the impact on road safety of the Lumbo to Mount Melville road to the north of the application site which is the access route to the private car park associated with the application site. There are currently two car parks located within Craigtoun Country Park. One is private, located to the east of the application site with approximately 25 car spaces and is accessed through Mount Melville to the north. The other car park is public with approximately 15 bus spaces and approximately 160 car spaces available, which is accessed from the southwest. The proposed construction works for the café are relatively minor in nature (e.g., consisting of an internal fit out plus new roof coverings and new doors/windows). The proposal does not consist of any elements involving large component parts, large volumes of materials or indeed any bulk/heavy aspects that would necessitate the need for any large vehicles to access the site. Instead, the majority of the works traffic would be facilitated using much smaller commercial works van size vehicles. The proposed development site area is smaller than the existing footprint and the proposal does not require any additional car parking. All servicing, deliveries and waste collection would be dealt with via the existing easterly car park and road access as per the current operation for the existing cafe. There would also be no additional anticipated traffic levels once the café becomes operational again

given that it is within an existing country park and the fact the users of the public car park do not use the Lumbo to Mount Melville road.

2.5.2 In assessing this proposal, Fife Council's Transport Development Management team (TDMT) have raised no objections to this proposal as they consider it to be a refurbishment of an existing facility with no likely increase in vehicle traffic numbers anticipated given the size would be no larger. Further to that TDMT officers note that the access route would remain as existing as visitors would continue to use the public car park facility. It is therefore considered that the proposed development complies with the relevant Development Plan policies relating to transportation as well as Fife Council Transportation Development Guidelines, subject to compliance with the attached conditions.

3.0 Consultation Summary

Scottish Water	No objection
Community Council	No comment
TDM, Planning Services	No objection
Transportation And Environmental Services - Operations Team	No response
Natural Heritage, Planning Services	No comment

4.0 Representation Summary

4.1

9 objections received.

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Impact on road safety	2.5

4.2.2 Support Comments

None

4.2.3 Other Concerns Expressed

Issue	Comment
a. Adoption of the Lumbo to Mount Melville Road	Comments regarding the adoption of the Lumbo to Mount Melville Road are noted; Transportation Development

	Management do not consider there would be any significant increase in impacts on this road, so adoption not considered necessary, although such considerations are separate from the planning system.
b. Impact on existing properties in Mount Melville	Comments relating to the impact on existing properties in Mount Melville by vehicles are noted, however these are not a material planning consideration in the assessment of this planning applications.
c. Prohibition of heavy goods vehicles at the entrance to the Mount Melville road	Comments regarding the prohibition of heavy goods vehicles at the entrance to the Mount Melville road are noted. Transportation Development Management consider that the entrance is of sufficient quality and construction that it could withstand construction vehicles of the sizes proposed (i.e., not HGVs) using the entrance. Thereafter the road route would also be of sufficient quality and standards to be able to withstand the construction/contractor/visitor vehicle types, numbers and frequencies anticipated to not necessitate a prohibition.

5.0 Conclusions

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

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.

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 Scott McInroy, Planner Development Management

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 26/9/23.

Committee Date: 18/10/2023

Agenda Item No. 5

Application for Full Planning Permission

Ref: 23/01476/FULL

Site Address: 9 Hope Street St Andrews Fife

Proposal: Formation of garden gate in rear boundary wall

Applicant: Mr & Mrs Jacks, 9 Hope Street St Andrews

Date Registered: 2 June 2023

Case Officer: Kirsten Morsley

Wards Affected: W5R18: St. Andrews

Reasons for Referral to Committee

This application requires to be considered by the Committee because the application is for a Local Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and is associated with another form of consent for consideration by the Committee and it is expedient for both applications to be considered by Committee.

Summary Recommendation

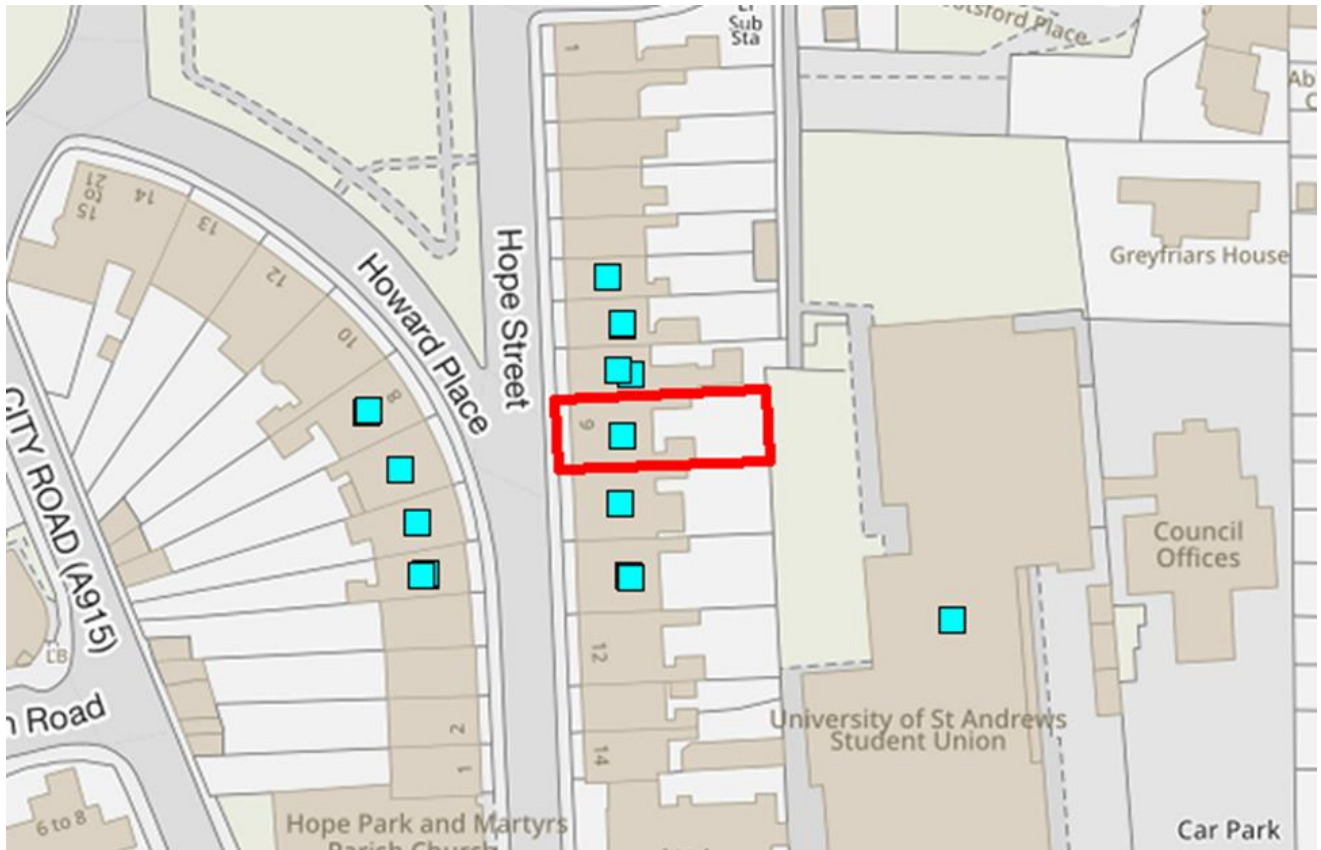
The application is recommended for: Refusal

1.0 Background

1.1 The Site

This application relates to a historic rear garden boundary wall associated with interlinked ground floor and basement flats 9 and 9A Hope Street, which occupy a Category B listed Georgian mid-terraced property situated within the St. Andrews Conservation Area. The upper first floor flat and the attic flat are in separate ownership. The site beyond the rear boundary wall (to the east) belongs to the University of St. Andrews University and includes the Students Association of St. Andrews student union building, an outdoor courtyard area, bicycle storage, a private vehicular/service area accessed from St. Mary's Place and to the north, a separate pedestrian footpath which leads to Abbotsford Crescent where it terminates with a lockable gate. There is another footpath situated to the west side of the University path (set behind a high boundary wall). This footpath cannot be accessed from the application site but does provide pedestrian access to and from the rear gardens serving neighbouring properties 1-8 Hope Street to Abbotsford Crescent.

1.1.2 LOCATION PLAN



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1.2 The Proposed Development

Planning consent is sought to create an opening within the rear east garden boundary wall and install a gate. The applicants have advised that the new access is sought to aid in removing garden waste and to also provide for a fire escape route should a house fire occur. The applicants highlight that maintaining the rear garden (which is split into 2 levels) and taking the garden waste through their property is 'extremely difficult' and is impacting on their enjoyment of their garden and that they are also concerned about fire safety as there is currently no alternative access out from the rear garden other than through their property. The proposed 0.9-metre-wide access (with stone platform and steps - garden side) would include retaining the existing stone coping, installing natural stone rybats around the new gate opening (formed from the salvaged stone down takings), applying a dry lime hydrate mortar and installing a vertically lined oak gate.

A corresponding application for listed building consent for the proposed access, reference 23/01477/LBC, is also on the agenda.

1.3 Relevant Planning History

There is no planning history available for the property or its associated boundary wall.

The agent has stated that historically a property south of the application site once had access to the east, however no additional supporting information has been submitted by the applicant to substantiate or confirm this. Submitted title deed papers confirm that the applicants have exclusive use of and sole responsibility for the front and rear garden areas, including boundary

walls and railings. They also have sole ownership of cellar numbers 3 and 4 (i.e., 3rd and 4th north cellars) which are situated under the public footpath to the front of the property. The applicants have also highlighted that the rear garden can only be accessed/maintained via basement flat 9A as this is the only property which has both access to the rear garden and a through access to the front courtyard area.

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). 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.

1.5 Relevant Policies

National Planning Framework 4 (2023)

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 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.

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 10: Amenity

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

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

Historic Environment Policy for Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series - Setting 2016 (updated 2020), Boundaries 2010 (updated 2020)

HES sets out the general principles that should apply when proposing new work to ensure that the character and appearance of Conservation Areas are maintained and/or enhanced. Design proposals should satisfy the principles for change as set down by HES.

Supplementary Guidance

Planning Policy Guidance

St Andrews Design Guidelines

The St Andrews Design Guidelines provide design principles for buildings, streets, and shop fronts in St Andrews Conservation Area and on the main approaches to the town.

Planning Customer Guidelines

Other Relevant Guidance

St. Andrews Conservation Area Appraisal and Management Plan (2010)

The Conservation Area Appraisal and Management Plan describes the significance of the area in terms of townscape, architecture, and history and provides a framework for conservation area management.

2.0 Assessment

2.1 Relevant Matters

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

- Design and Visual Impact on the Conservation Area
- Impacts upon the Amenity and existing use of land associated with the adjacent University Site

2.2 Design and Visual Impact on the Conservation Area

2.2.1 Section 64 (1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that special regard shall be given to Conservation Areas to ensure that the character and appearance of such areas are preserved or enhanced. Design and materials shall be appropriate to the character and appearance of the Conservation Area.

2.2.2 Historic Environment Policy for Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change Series - Setting 2016 (updated 2020), Boundaries 2010 (updated 2020), National Planning Framework 4 (NPF4) policies 7 and 14, Annex D - Six Qualities of Successful Places, FIFEplan Local Development Plan (2017) policies 1, 10, and 14, St. Andrews Design Guidelines (2011), and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant in this case.

2.2.3 Historic Environment Scotland's Managing Change series (HES), St. Andrews Design Guidelines (2011) and the St. Andrews Conservation Area Appraisal and Management Plan (2010) set out the general principles that should apply when proposing new work to ensure that the character and appearance of Conservation Areas are maintained and/or enhanced. Design proposals should satisfy the principles for change as set down by HES (and St. Andrews Design

Guidelines) and this includes consideration of a proposal in light of its historical significance, setting, and key details. NPF4 Policy 7 and Local Plan policies 1 and 14 supports development where it will not harm but will safeguard important historic or architectural fabric relating to Conservation Areas. NPF4 policy 14 and Annex D - in particular the quality 'distinctive', advises that development proposals shall be supported where they reinforce identity and sense of place.

2.2.4 The applicants recently purchased both flats and currently use them as one home. They have confirmed that they occasionally Airbnb the front bedroom in the basement flat, where access is taken from the 9A entrance and where no access to the rest of the house or the garden is provided. The continuation of this arrangement, the applicants advise, will be dependent on whether they secure a Short Term Let licence for the property. There are multiple HMO's (houses in multiple occupation) situated within this residential terrace however the applicants have stated that the property does not have an HMO licence and that they do not intend to let the property out to students. They have also highlighted that only limited work on the rear garden has been carried out so far as all rubbish and leaf debris must be taken through the basement flat (9A) and then taken directly to the recycling centre as there is no garden waste collection on Hope Street. They highlight that this arrangement has resulted in their internal doors and walls getting scratched and as removing garden waste would likely be required 2-3 times each month during the summer months and with additional, albeit fewer trips in the colder months, they are looking for a better garden maintenance arrangement. The applicants contend that if a new garden gate could be installed at the end of their rear garden that this would allow them to wheelbarrow what they advise 'shouldn't really be mountains of debris' along the footpath which transverses the University site and load the garden bags into their car at the other end. They also intend to occasionally wheel in compost in the early spring. Finally, the applicants have also stated that they are of the understanding that rights of access are a private legal matter between themselves and the University and as such they consider that Fife Council should only consider the physical alterations to the wall and not title/ownership access issues.

2.2.5 This application has received one letter of objection from St. Andrews University who own the adjacent site to the east. The University has raised concerns regarding the potential amenity impacts on current site uses this proposal would potentially cause and these issues are discussed in detail under Section 2.3 below.

2.2.6 The submitted drawings indicate that the existing east rear garden boundary wall has a height (from the garden side) of approximately 2.8 metres. The site visit photographs also show that the wall forms part of a much longer wall which at its southern end extends to a far greater height. The photographs also show evidence of historic repair, including in-appropriate repairs, however the wall still retains its solidness from St. Mary's Place to Abbotsford Crescent.

2.2.7 Fife Council's Built Heritage officer has advised under the related listed building application that by virtue of the wall's association with the listed terrace, the wall is considered as curtilage to the Category B listed terrace. The officer has also highlighted that John Geddy's historical map of St Andrews 'S. Andre sive Andreapolis Scotiae Universitas Metropolitana' of 1571-94 is relevant as it shows a substantial boundary wall to the west of a former Franciscan Monastery which appears to have functioned as the western boundary wall to the early settlement of St Andrews. Furthermore, on another Ordnance Survey six-inch map published 1855, this same wall appears to be contiguous, and appears to function as the western boundary enclosing the gardens of a former property known as West Park, (later West Park Hotel), which was situated east of this application site. This wall is also identifiable on an extract

from an OS map dated 1914 - see Figure 35, Page 19, of the St. Andrews Design Guidelines. Built Heritage have advised that this mapping evidence, including the scale of the wall, its lack of wall openings and the substantial wall construction would indicate that the application property's east rear garden boundary wall likely predates the Hope Street terrace and is likely to have originally formed part of the west boundary wall to the Monastery, (and the western boundary to what is now the University of St Andrews student union building). In light of this, Built Heritage considers the wall to have significant archaeological and historic interest and advises that the wall contributes much to the special interest of both the B listed terrace and the Conservation Area and confirm that they are not supportive of the creation of a new opening through this monolith wall as it is considered the opening would fail under NPF4 policy 7 (c), (d) and (e) and would not preserve the setting, special interest, or views towards this historic wall. Furthermore, Built Heritage highlight that supporting the creation of a new opening would also leave potential for future additional openings by other residential owners to the further detriment of the historic wall.

2.2.8 The applicants have expressed their difficulty in disposing of garden debris, but also highlight that the quantity of the garden waste generated would not be large. Presently bagged garden waste is taken through the basement flat to the front of the property however this current arrangement would not be possible if basement flat 6A is rented out as an Airbnb (see property sales floor plans in file). The proposed new gate would allow the bagged material to be wheelbarrowed approximately 80 metres along the St. Andrews University's footpath to Abbotsford Crescent to then be picked up by car. (a pick-up from St. Mary's Place would be difficult as it includes double yellow lines preventing parking, unless crossing to the other side of the road).

2.2.9 Following consideration of the above, given the property already possesses adequate access to the front to dispose of garden waste, this justification for a gate is not considered a sufficient argument to merit the creation of a new opening in the historic stone wall. Regarding fire safety, there are other measures that could be implemented by the applicants both within the property and within the garden that could improve fire safety. Again, it is considered that the fire safety argument is not one which is of significant enough weight to outweigh the detriment to the historic wall by forming a new opening.

2.2.10 The St. Andrews Conservation Area Appraisal and Management Plan highlights that the oldest walls in St. Andrews are constructed out of random rubble (as in this case), rather than coursed rubble and are an important feature of St. Andrews. HES's guidance on boundary walls also advises that a new opening proposal within a historic wall requires to be evaluated against the wall's historical significance, its composition, and its setting to ascertain whether an opening would be consistent with the wall's design and historic character. HES also highlights that 'Setting' is important to the way in which historic structures or places can be understood, appreciated, and experienced and that planning authorities must consider the setting, history, and prominence of an historic asset and consider its contribution to its setting. St. Andrews Design Guideline 12 also sets out to protect the layout and characteristics of the St. Andrews medieval town plan as illustrated in Figure 35, page 19.

2.2.11 Fife Council's Built Heritage officer has provided historical mapping evidence which appears to substantiate that the boundary wall is related to the former 16th century Franciscan Monastery and states that the wall is of significant archaeological and historic interest. Long uninterrupted views of this solid historic wall can also be gained from the University grounds. It is considered that the justifications for creating a gate access through this wall have not been adequately justified by the applicants and forming an opening in this solid historic wall would have an adverse impact on the wall's character. Crucially, should one pedestrian gate opening

be supported in principle this would set an undesirable design precedent, making it difficult to refuse future gate openings along this wall, and this would cumulatively have a significant impact the wall's monolithic character and on the character of the Conservation Area, which would not accord with National guidance and the Development plan policies and guidelines relating to design and visual impact on the Conservation Area.

2.3 Impacts upon the Amenity and existing use of land associated with the adjacent University Site

2.3.1 National Planning Framework 4 (NPF4) policies 14, 16 and Annex D - Six Qualities of Successful Places and FIFEplan Local Development Plan (2017) policies 1, 10 apply to this application.

2.3.2 NPF4 policy 14 supports development proposals which shall improve the quality of an area and shall not be detrimental to the amenity of the surrounding area or be inconsistent with the six qualities of successful places. Those qualities, Connected, Sustainability, and Adaptability are relevant in this case and support proposals which promote convenient and safe pedestrian connections for different access needs for both the community and local living and aim to support changing needs overtime. Policy 16 supports development which does not have a detrimental effect on neighbouring properties in terms of physical impact. Policy 10 advises that development is required to be implemented in a manner that ensures the existing uses and the quality of life to those in the immediate area are not adversely affected by proposals.

2.3.3 St. Andrews University objects to the formation of the access, stating that the access would open directly onto their land which has another land-use with separate ownership and associated rights. They also state that there has been in-sufficient justification on the need for the gate, or adequate information on how the access is anticipated to work or be constructed. St. Andrews University have also stated that the application has been progressed without any prior dialogue with them or the University of St Andrews Student's Association and they highlight that the access could have implications on site operations and site security of the union building premises and the surrounding grounds. A further statement was submitted by the applicants which provided additional details on the need for the proposal and anticipated use of the gate which are summarised in paragraph 2.2.4 above. St. Andrews University were made aware of this additional information but have confirmed that their objection still stands.

2.3.4 The applicants have stated that they are of the understanding that rights of access are a private legal matter between themselves and the University. Their agent has also advised that contact was made to the University Estates following the submission of both the LBC and FULL applications and they were advised that the University were not supportive of the proposals and to date have not received further correspondence from them.

2.3.5 Planning permissions can be sought on any piece of land and applicants do not have to own the land they seek planning permission for. The applicants have indicated on the Site Ownership Certificate that they own all the land associated with the site, including the boundary walls surrounding the rear garden. However the wording on their title deeds is not expressively clear on the matter of site ownership and does not confirm whether the applicants own both sides of the east rear boundary wall, or just one side of the boundary wall. Whilst planning decisions do not seek to protect the interests of one person or business against the activities of another, the acceptability of a planning proposal must ensure that it is in the long-term public interest and that it would not unacceptably affect the amenity and existing land use of other land and buildings which are in the public interest and ought to be protected.

2.3.6 It is considered that the creation of the access through the wall and the use of the University's footpath to service and maintain the applicant's rear garden throughout the year would present various challenges, including, the University having to re-locate an existing bicycle stand, burdening the University with additional maintenance costs through increased wear and tear of the gravel footpath, the introduction of an obligation for the University to not lock the gate at the northern end of the footpath which would impact on the security of their site, as well as introducing further legal implications and limitations on how the University may wish to use this part of their site now or in the future. Ultimately this impact is a private legal matter were one party to have demonstrated their legal rights, however that is not a planning matter which has bearing on the assessment of this proposal. The day-to-day operational issues impacting on an adjacent landowner are not matters material to the consideration of the merits of the planning application.

3.0 Consultation Summary

None

4.0 Representation Summary

4.1 One representation has been received from the University of St. Andrews

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. there has been insufficient justification for the need for the gate or on how the access is anticipated to work or be constructed	1.3, 2.2.4, 2.2.8, and 2.2.9
b. there are concerns that the proposal could present security issues for the students union premises	2.2.4, 2.3.3, 2.3.6.
c. there are concerns with the potential impact the proposal could have on the ongoing and established use of the site	2.2.4, 2.3.3, 2.3.6
d. St. Andrews University have requested that access rights are clarified	2.3.5

4.2.2 Other Concerns Expressed

Issue	Comment
a. St. Andrew's University state that they were not approached prior to this application being submitted	See paragraph 2.3.4

5.0 Conclusions

The proposal does not provide adequate justification for the creation of a new wall opening and gate to facilitate access onto the University's footpath for use to service and maintain the applicant's rear garden throughout the year, the creation of which would not preserve the setting, special historic interest, or views towards this historic listed wall located within the Conservation Area. Furthermore, if supported would set an undesirable design precedent for other future gate openings within the wall to its further detriment and to the detriment of the University Site.

6.0 Recommendation

It is accordingly recommended that:

The application be refused for the following reason(s)

1. In the interests of safeguarding the character and appearance of the Conservation Area the proposal does not provide adequate justification for the creation of a new wall opening and gate, the creation of which would be detrimental to the setting, special historic interest, or views towards this historic wall, and if supported would set an undesirable design precedent for accepting future gate openings within this wall to its further detriment, and erode its overall integrity. The proposal therefore is considered to be incompatible with the relevant policies and guidelines relating to National Planning Framework 4 (NPF4) policies 7, 14, and Annex D, FIFEplan LDP (2017) policies 1, 10, and 14, Historic Environment Scotland (HES) Managing Change Series - Setting and Boundaries, St. Andrews Design Guidelines (2011), and the St. Andrews Conservation Area Appraisal and Management Plan (2010).

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

Historic Environment Policy for Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series - Setting (updated 2020), Boundaries (updated 2020)

Development Plan

National Planning Framework 4 (NPF4)

FIFEplan Local Development Plan (2017)

Other Guidance

St. Andrews Design Guidelines (2011)

St. Andrews Conservation Area Appraisal and Management Plan (2010)

Report prepared by Kirsten Morsley, Planning Assistant and Case Officer

Report agreed and signed off by Alastair Hamilton, Service Manager(Committee Lead)5/10/23

Committee Date: 18/10/2023

Agenda Item No. 6

Application for Listed Building Consent

Ref: 23/01477/LBC

Site Address: 9 Hope Street St Andrews Fife

Proposal: Listed building consent for proposed garden gate in boundary wall

Applicant: Mr & Mrs Jacks, 9 Hope Street St Andrews

Date Registered: 2 June 2023

Case Officer: Kirsten Morsley

Wards Affected: W5R18: St. Andrews

Reasons for Referral to Committee

This application requires to be considered by the Committee because the application is for a Local Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 and is associated with another form of consent for consideration by the Committee and It is expedient for both applications to be considered by Committee.

Summary Recommendation

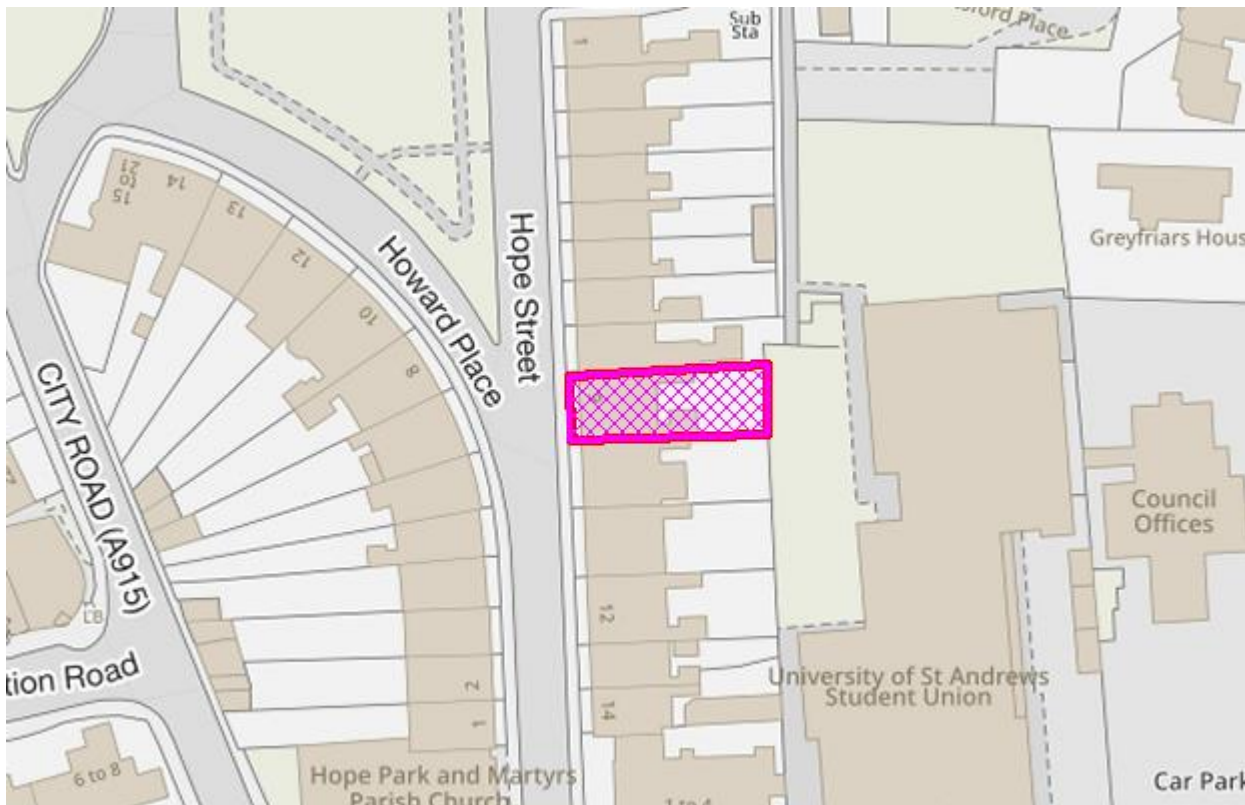
The application is recommended for: Refusal

1.0 Background

1.1 The Site

This application relates to a historic rear garden boundary wall associated with interlinked ground floor and basement flats 9 and 9A Hope Street, which occupy a Category B listed Georgian mid-terraced property situated within the St. Andrews Conservation Area. The upper first floor flat and the attic flat are in separate ownership. The site beyond the rear boundary wall (to the east) belongs to St. Andrews University and includes the University of St Andrews Students' Association student Union building, an outdoor courtyard area, bicycle storage, a private vehicular/service area accessed from St. Mary's Place and to the north, a separate pedestrian footpath which leads to Abbotsford Crescent where it terminates with a lockable gate. There is another footpath situated to the west side of the University path (set behind a high boundary wall). This footpath cannot be accessed from the application site but does provide pedestrian access to and from the rear gardens serving neighbouring properties 1-8 Hope Street to Abbotsford Crescent.

1.1.2 LOCATION PLAN



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1.2 The Proposed Development

Listed Building Consent is sought to create an opening within the rear east garden boundary wall and install a gate. The applicants have advised that the new access is sought to aid in removing garden waste and to also provide for a fire escape route should a house fire occur. The applicants highlight that maintaining the rear garden (which is split into 2 levels) and taking the garden waste through their property is 'extremely difficult' and is impacting on their enjoyment of their garden and that they are also concerned about fire safety as there is currently no alternative access out from the rear garden other than through their property. The proposed 0.9-metre-wide access (with stone platform and steps - garden side) would include retaining the existing stone coping, installing natural stone rybats around the new gate opening (formed from the salvaged stone down takings), applying a dry lime hydrate mortar and installing a vertically lined oak gate.

A corresponding planning application for the proposed access, reference 23/01476/FULL, is also on the agenda.

1.3 Relevant Planning History

There is no planning history available for the property or its associated boundary wall.

The agent has stated that historically a property south of the application site once had access to the east, however no additional supporting information has been submitted by the applicant to substantiate or confirm this. Submitted title deed papers confirm that the applicants have exclusive use of and sole responsibility for the front and rear garden areas, including boundary

walls and railings. They also have sole ownership of cellar numbers 3 and 4 (i.e., 3rd and 4th north cellars) which are situated under the public footpath to the front of the property. The applicants have also highlighted that the rear garden can only be accessed/maintained via basement flat 9A as this is the only property which has both access to the rear garden and a through access to the front courtyard area.

1.4 Application Procedures

Under Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses.

1.5 Relevant Policies

National Planning Framework 4 (2023)

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 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.

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 10: Amenity

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

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

Historic Environment Policy for Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series - Setting 2016 (updated 2020), Boundaries 2010 (updated 2020)

HES sets out the general principles that should apply when proposing new work to ensure that a Listed Building or its setting or any features of special architectural or historic interest are safeguarded from harm or inappropriate change. Design proposals should satisfy the principles for change as set down by HES.

Supplementary Guidance

Planning Policy Guidance

St Andrews Design Guidelines

The St Andrews Design Guidelines provide design principles for buildings, streets, and shop fronts in St Andrews Conservation Area and on the main approaches to the town.

Planning Customer Guidelines

Other Relevant Guidance

St. Andrews Conservation Area Appraisal and Management Plan (2010)

The Conservation Area Appraisal and Management Plan describes the significance of the area in terms of townscape, architecture, and history and provides a framework for conservation area management.

2.0 Assessment

2.1 Relevant Matters

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

- Design and Visual Impact on the Listed Boundary Wall

2.2 Design and Visual Impact on the Listed Boundary Wall

2.2.1 Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that special regard shall be given to the building, or its setting and change shall be managed to protect its special interest. All proposed alterations to a listed building (including listed walls) should be sensitively managed to ensure that important historical and/or architectural significance is safeguarded against insensitive change or damage and that special characteristics are protected, conserved, or enhanced.

2.2.2 Historic Environment Policy for Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change Series - Setting 2016 (updated 2020), Boundaries 2010 (updated 2020), National Planning Framework 4 (NPF4) policies 7 and 14, Annex D - Six Qualities of Successful Places, FIFEplan Local Development Plan (2017) policies 1, 10, and 14, St. Andrews Design Guidelines (2011), and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant in this case.

2.2.3 Historic Environment Scotland's Managing Change series (HES), St. Andrews Design Guidelines (2011) and the St. Andrews Conservation Area Appraisal and Management Plan (2010) set out the general principles that should apply when proposing new work to ensure that the character and appearance of listed historic structures are maintained and/or enhanced. Design proposals should satisfy the principles for change as set down by HES (and St. Andrews

Design Guidelines) and this includes consideration of a proposal in light of its historical significance, setting, and key details. NPF4 Policy 7 and Local Plan policies 1 and 14 supports development where it will not harm but will safeguard important historic or architectural fabric relating to listed buildings/structures. NPF4 policy 14 and Annex D - in particular the quality 'distinctive' advise that development proposals shall be supported where they reinforce identity and sense of place.

2.2.4 The applicants recently purchased both flats and currently use them as one home. They have confirmed that they occasionally Airbnb the front bedroom in the basement flat, where access is taken from the 9A entrance and where no access to the rest of the house or the garden is provided. The continuation of this arrangement, the applicants advise, will be dependent on whether they secure a Short Term Let licence for the property. There are multiple HMO's (houses in multiple occupation) situated within this residential terrace however the applicants have stated that the property does not have an HMO licence and that they do not intend to let the property out. They have also highlighted that only limited work on the rear garden has been carried out so far as all rubbish and leaf debris must be taken through the basement flat (9A) and then taken directly to the recycling centre as there is no garden waste collection on Hope Street. They highlight that this arrangement has resulted in their internal doors and walls getting scratched and that as removing garden waste would likely be required 2-3 times each month during the summer months and with additional, albeit fewer trips in the colder months, they are looking for a better garden maintenance arrangement. They anticipate that if a new garden gate could be installed at the end of their rear garden that this would allow them to wheelbarrow what they advise 'shouldn't really be mountains of debris' along the footpath which transverses the University site and load the garden bags into their car at the other end. They also intend to occasionally wheel in compost in the early spring. Finally, the applicants have also stated that they are of the understanding that rights of access are a private legal matter between themselves and the University and as such they consider that Fife Council should only consider the physical alterations to the wall and not title/ownership access issues.

2.2.5 Historic Environment of Scotland (HES) have been consulted and have no comments to make on this application however they also highlight that this decision does not imply that they support the proposal and emphasise that the application should be determined in accordance with related national and local plan policy and guidance.

2.2.6 The submitted drawings indicate that the existing east rear garden boundary wall has a height (from the garden side) of approximately 2.8 metres. The site visit photographs also show that the wall forms part of a much longer wall which at its southern end extends to a far greater height. The photographs also show evidence of historic repair, including in-appropriate repairs, however the wall still retains its solidness from St. Mary's Place to Abbotsford Crescent.

2.2.7 Fife Council's Built Heritage officer has advised that by virtue of the wall's association with the listed terrace, the wall is considered as curtilage to the Category B listed terrace. The officer has also highlighted that John Geddy's historical map of St Andrews 'S. Andre sive Andreapolis Scotiae Universitas Metropolitana' of 1571-94 is relevant as it shows a substantial boundary wall to the west of a former Franciscan Monastery which appears to have functioned as the western boundary wall to the early settlement of St Andrews. Furthermore, on another Ordnance Survey six-inch map published 1855, this same wall appears to be contiguous, and appears to function as the western boundary enclosing the gardens of a former property known as West Park, (later West Park Hotel), which was situated east of this application site. This wall is also identifiable on an extract from an OS map dated 1914 - see Figure 35, Page 19, of the St. Andrews Design Guidelines. Built Heritage have advised that this mapping evidence, including the scale of the wall, its lack of wall openings and the substantial wall construction

would indicate that the application property's east rear garden boundary wall likely predates the Hope Street terrace and is likely to have originally formed part of the west boundary wall to the Monastery, (and the western boundary to what is now the University of St Andrews Student Union). In light of this, Built Heritage considers the wall to have significant archaeological and historic interest and advises that the wall contributes much to the special interest of both the B listed terrace and the Conservation Area and confirm that they are not supportive of the creation of a new opening through this monolith wall as it is considered the opening would fail under NPF4 policy 7 (c), (d) and (e) and would not preserve the setting, special interest, or views towards this historic wall. Furthermore, Built Heritage highlight that supporting the creation of a new opening would also leave potential for future additional openings by other residential owners to the further detriment of this historic wall.

2.2.8 The applicants have expressed their difficulty in disposing of garden debris, but also highlight that the quantity of the garden waste generated would not be large. Presently bagged garden waste is taken through the basement flat to the front of the property however this current arrangement would not be possible if basement flat 6A is rented out as an Airbnb (see property sales floor plans in file). The proposed new gate would allow the bagged material to be wheelbarrowed approximately 80 metres along the University of St. Andrews' footpath to Abbotsford Crescent to then be picked up by car. (a pick-up from St. Mary's Place would be difficult as it includes double yellow lines preventing parking, unless crossing to the other side of the road).

2.2.9 Following consideration of the above, given the property already possesses adequate access to the front to dispose of garden waste, justification for the gate is not considered to be fully justifiable. Additionally, damage to the interior décor of the property whilst transferring bagged waste could also be satisfactorily mitigated by using a garden shredder or chipper before bagging the material. Regarding fire safety, there are other measures that could be implemented by the applicants both within the property and within the garden that could improve fire safety.

2.2.10 The St. Andrews Conservation Area Appraisal and Management Plan highlights that the oldest walls in St. Andrews are constructed out of random rubble (as in this case), rather than coursed rubble and are an important feature of St. Andrews. HES's guidance on boundary walls also advises that a new opening proposal within a historic wall requires to be evaluated against the wall's historical significance, its composition, and its setting to ascertain whether an opening would be consistent with the wall's design and historic character. HES also highlights that 'Setting' is important to the way in which historic structures or places can be understood, appreciated, and experienced and that planning authorities must consider the setting, history, and prominence of an historic asset and consider its contribution to its setting. St. Andrews Design Guideline 12 also sets out to protect the layout and characteristics of the St. Andrews medieval town plan as illustrated in Figure 35, page 19.

2.2.11 Fife Council's Built Heritage officer has provided historical mapping evidence which appears to substantiate that the boundary wall is related to the former 16th century Franciscan Monastery and states that the wall is of significant archaeological and historic interest. Long uninterrupted views of this solid historic wall can also be gained from the University grounds. It is considered that the justifications for creating a gate access through this wall have not been adequately justified by the applicants and forming an opening in this solid historic wall would have an adverse impact on the wall's character. Crucially, should one pedestrian gate opening be supported in principle this would set an undesirable design precedent, making it difficult to refuse future gate openings along this wall, and this would cumulatively have a significant impact on this listed wall's monolithic character, and which would not accord with National

guidance and the Development plan policies and guidelines relating to design and visual impact on a listed boundary wall.

3.0 Consultation Summary

Historic Environment Scotland	No comments
Built Heritage, Planning Services	Object

4.0 Representation Summary

4.1 There are no representations.

5.0 Conclusions

The proposal does not provide adequate justification for the creation of a new wall opening and gate, the creation of which would not preserve the setting, special historic interest, or views towards this historic wall, and if supported would set an undesirable design precedent for other additional gate openings within the wall to its further detriment.

6.0 Recommendation

It is accordingly recommended that:

The application be refused for the following reason(s)

1. In the interests of safeguarding the character and appearance of the listed boundary wall, the proposal does not provide adequate justification for the creation of a new wall opening and gate, the creation of which would be detrimental to the setting, special historic interest, or views towards this historic wall, and if supported would set an undesirable design precedent for accepting future gate openings within this wall to its further detriment, all of which would be considered incompatible with the relevant policies and guidelines relating to National Planning Framework 4 (NPF4) policies 7, 14, and Annex D, FIFEplan LDP (2017) policies 1, 10, and 14, Historic Environment Scotland (HES) Managing Change Series - Setting and Boundaries, St. Andrews Design Guidelines (2011), and the St. Andrews Conservation Area Appraisal and Management Plan (2010).

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

Historic Environment Policy for Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series - Setting (updated 2020), Boundaries (updated 2020)

Development Plan

National Planning Framework 4 (NPF4)

FIFEplan Local Development Plan (2017)

Other Guidance

St. Andrews Design Guidelines (2011)

St. Andrews Conservation Area Appraisal and Management Plan (2010)

Report prepared by Kirsten Morsley, Planning Assistant and Case Officer

Report reviewed and agreed by Alastair Hamilton (Service Manager) Committee Lead 5/10/23.

Committee Date: 18/10/2023

Agenda Item No. 7

Application for Full Planning Permission

Ref: 23/00491/FULL

Site Address: 28 City Road St Andrews Fife

Proposal: Change of use of dwellinghouse (Class 9) to form 5 flatted dwelling units (Sui Generis) including installation of replacement windows and door and dormer extension

Applicant: Mr Andrew Knight, 18 The Scores St Andrews

Date Registered: 6 March 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 an objection from a statutory consultee, whilst the officer's recommendation is for approval.

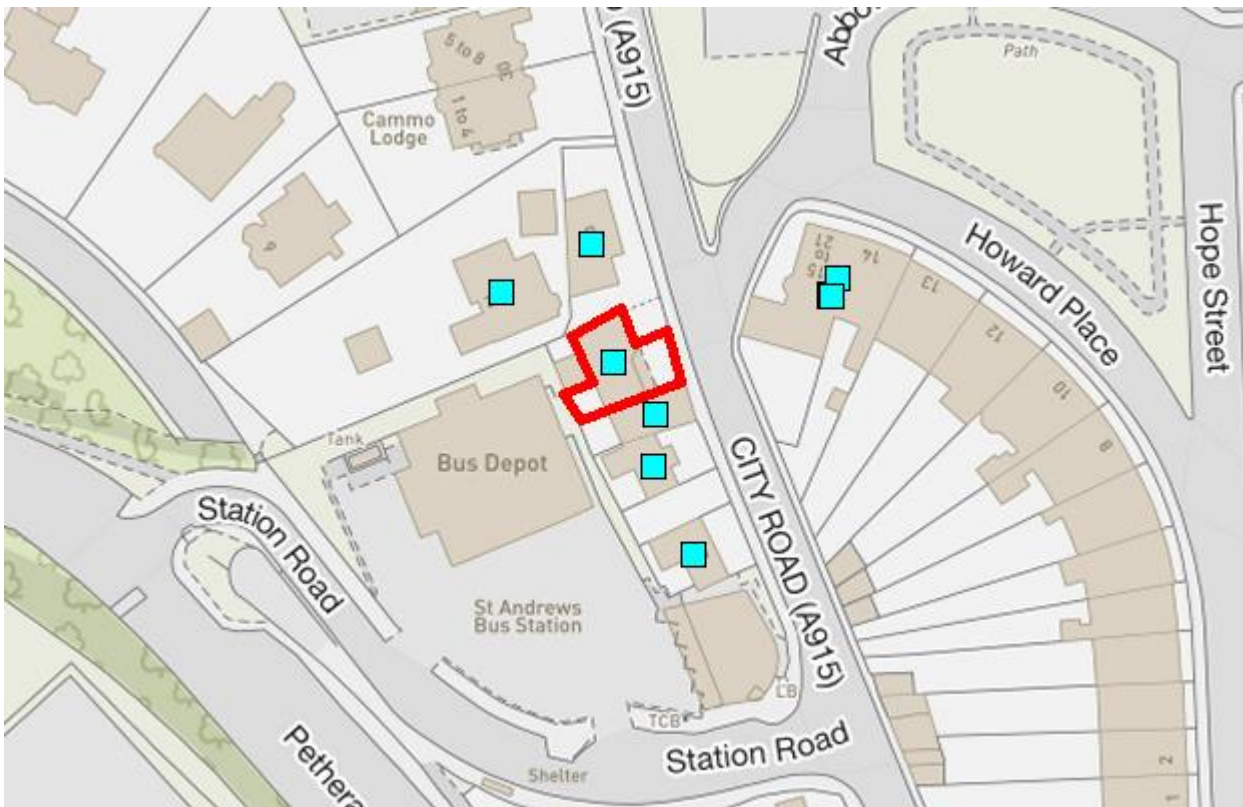
Summary Recommendation

The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

1.1.1 LOCATION PLAN



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1.1.2 This planning application relates to an existing two and a half storey dwelling which currently occupies the ground floor, first and second floor at 28 City Road, St. Andrews. At ground floor level the garage is accessed via an industrial style metal garage door and the property is accessed via a recessed composite door. The front elevation is finished in sandstone with slate roof and two rooflights. All windows on the front elevation are double glazed UPVC windows. The rear elevation is finished in sandstone with slate roof and two timber clad dormers with UPVC casement windows. All windows to the rear are also double glazed UPVC windows. The property itself is set back from City Road with an area of hardstanding to the front and a patio area to the rear. The application site is located within the conservation area and settlement boundary of St Andrews as designated in the adopted FIFEplan (2017). Access is taken from City Road to the front.

1.2 The Proposed Development

1.2.1 This applicant seeks full planning permission to change the use of the dwellinghouse (Class 9) to form 5 flatted dwelling units (Sui Generis). Also included in the proposal is the installation of replacement windows and door and a dormer extension. External alterations also include the existing dormers to the rear of the property being replaced with larger dormers along with one additional new dormer being proposed. Three traditional style slated dormers are proposed to the front of the property and the ground floor garage door would be removed and replaced with a sandstone external wall and timber sash & case windows to form the ground floor apartment. The first and second floor levels would be subdivided to form the remaining 4 flats. All UPVC windows are proposed to be replaced with traditional timber sliding sash & case windows and all existing stonework and cast-iron rainwater goods are to be repaired. A balcony with glass balustrade is also proposed to the rear at first floor level. Internally the proposal seeks to alter the layout to form five flatted dwellings, one flat at ground floor level and 4 flats split across the first and second floors. All apartments are to be accessed via the proposed new communal entrance at ground floor level and central stairwell.

1.3 Relevant Planning History

06/00360/EFULL - Replacement windows to dwellinghouse - PER - 03/07/06

07/00519/EFULL - Installation of 2 no. rooflights - PERC - 06/04/07

22/03584/FULL - Change of use of dwellinghouse (Class 9) to form 5 flatted dwellinghouses (Sui Generis) including installation of replacement windows and door and dormer extension. - WDN - 31/01/23

1.4 Application Procedures

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

1.4.3 A site visit was undertaken on 05.04.2023.

1.5 Relevant Policies

National Planning Framework 4 (2023)

Policy 1: Tackling the climate and nature crises

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

Policy 7: Historic assets and places

NPF4 Policy 7 stipulates development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its

setting, including structures, boundary walls, railings, trees and hedges, are retained and mitigation.

Policy 11: Energy

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

Policy 12: Zero Waste

NPF Policy 12 (Zero Waste) also aims to encourage, promote and facilitate development that is consistent with the waste hierarchy and as such development proposals should seek to reduce, reuse or recycle materials and amongst others reuse existing buildings; reduce/minimise waste; use materials with the lowest forms of embodied emissions such as recycled and natural construction materials.

Policy 13: Sustainable transport

NPF4 Policy 13 states that development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and where appropriate they will be accessible by public transport.

Policy 14: Design, quality and place

NPF4 Policy 14 states development proposals should be designed to improve the quality of an area whether in urban or rural locations and regardless of scale. NPF Policy 14 also stipulates development proposals will be supported where they are consistent with the six qualities of successful places: healthy, pleasant, connected, distinctive, sustainable, and adaptable.

Policy 15: Local Living and 20 minute neighbourhoods

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

Policy 16: Quality Homes

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

Policy 19: Heat and cooling

NPF4 Policy 19 (Heat and Cooling) part (f) advises that development proposals for buildings that will be occupied by people will be supported where they are designed to promote sustainable temperature management, for example by prioritising natural or passive solutions such as siting, orientation, and materials.

Adopted FIFEplan (2017)

Policy 1: Development Principles

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

Policy 2: Homes

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

Policy 3: Infrastructure and Services

FIFEplan Policy 3 states where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10: Amenity

Policy 10: Amenity

FIFEplan Policy 10 Amenity states that development will only be supported if it does not have a significant detrimental impact on the amenity of existing or proposed land uses. Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to air quality, contaminated and unstable land, noise/light/odour pollution, traffic movements, privacy, loss of sunlight/daylight, visual appeal of surrounding area or the operation of existing or proposed businesses. Policy 10 also states development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

Policy 11: Low Carbon Fife

FIFEplan Policy 11 Low Carbon Fife states that planning permission will only be granted for new development where it has been demonstrated that the proposal meets the current carbon dioxide emissions reduction target (as set out by Scottish Building Standards), and that low and zero carbon generating technologies will contribute at least 20% of these savings from 2020. It states that construction materials should come from local or sustainable sources, water conservation measures should be put in place, SUDS should be utilised, was recycling facilities should be provided. Policy 11 advises that all development should encourage and facilitate the use of sustainable transport appropriate to the development, promoting in the following order of priority: walking, cycling, public transport, cars.

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)

Supplementary Guidance

Making Fifes Places Supplementary Planning Guidance (2018)

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

Supplementary Guidance: Low Carbon Fife (2019)

Low Carbon Fife (2019)

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

Planning 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.

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/Impact on Conservation Area

- Residential Amenity
- Transportation/Road Safety
- Garden Ground
- Low Carbon
- House in Multiple Occupation

2.2 Principle of Development

2.2.1 Concerns have been raised regarding the principle of this development, whilst supporting comments have also been received regarding the different types of residential development proposed. In simple land use terms, the principle of the residential development clearly meets the requirements of the Development Plan and national guidance by virtue of the site being situated within a defined settlement; within an established residential area of St Andrews all as defined in the Adopted FIFEplan (2017). Notwithstanding this, the overall acceptability of the application is subject to the development satisfying other policy criteria such as design, amenity, road safety and other matters all of which are considered in detail below.

2.3 Design/Visual Impact/Impact on Conservation Area

2.3.1 Concerns and supporting comments have been received regarding the proposed external alterations. External alterations to the front elevation include three timber faced slate roofed dormers with timber sash and case windows, which would replace the existing roof lights. The existing 5 UPVc windows at first floor level would be replaced by 5 double glazed timber sash and case windows while the existing garage door at ground floor level would be replaced with two timber sash and case windows and timber entrance door and sandstone infill. Alterations proposed to the rear elevation include the existing dormers being replaced by slated dormers with double glazed sliding screens and an additional slated dormer with casement windows. The 5 UPVc windows at first floor level would be replaced by 5 double glazed timber sash and case windows, while an aluminium double glazed sliding screen is proposed at ground floor level which would provide access to the rear patio area. These proposed alterations would provide a visual improvement in terms of materials and design by removing discordant windows and doors uncharacteristic of the St Andrews conservation area and replacing them with traditional materials and of a design in keeping with the wider conservation area. The proposed changes to the front elevation in particular which looks onto the public streetscene, would provide a positive impact to the conservation area by removing the metal garage opening and UPVc windows and replacing them with traditional materials. These proposed changes would provide a visual enhancement to a building of limited architectural value within the St Andrews conservation area to the overall benefit of the architectural quality of the conservation area.

2.3.2 The proposal therefore meets the terms of the development plan with respect to design and visual impact and would not detrimentally affect the building, its setting nor the wider Conservation Area.

2.4 Residential Amenity

2.4.1 Given that the footprint of the building isn't changing, there would be no impact on the amount of sunlight and daylight neighbouring properties receive, nor would there be any additional overshadowing issues. External alterations include the addition of three dormers to the front. In amenity protection terms, these dormers would be over 18m distant from the nearest dwelling on the opposite side of City Road so therefore would not create any impact on the privacy of these third-party dwellings. An additional dormer is proposed to the rear. The rear

of the application site looks onto the St Andrews bus depot building so that additional dormer would not create any impact on the residential amenity of the surrounding area. It is considered that this proposal would not create any significant impact on the residential amenity of the surrounding dwellings.

2.4.2 Concerns have been raised regarding lack of space for bin provision. Although no specific bin provision is shown on the submitted plans, there is sufficient space to the front of the property for bins to be located. Given the number of bins that would be required for a proposal of this size, a condition has been added to this recommendation to secure the provision of off street bin storage.

2.4.3 The proposal therefore meets the terms of the development plan with respect to residential amenity.

2.5 Transportation/Road Safety

2.5.1 Fife Council's Transport Development Management team (TDMT) has assessed the application and have objected to this proposal. The proposed five flatted dwellings are made of 3 x 2-bedroom dwellings and 2 x 1-bedroom dwellings. This proposal would require a total of 8 No. off street parking spaces plus 2 No. visitor parking spaces, a total of 10 No. off street parking spaces. The proposed development removes two of the existing available off-street parking spaces through the change of the garage to a flatted dwelling. There may be one space still available to the front of the garage. This now leaves the proposal with a shortfall of 9 No. off street parking spaces. The proposal would result in the existing 5-bedroom dwellinghouse with adequate off-street parking, being replaced with 5 flats with a shortfall of 9 off street parking spaces. The site lies within the outer core of St Andrews, therefore a 25% reduction in required off-street car parking would be appropriate. Therefore, the proposal would require 7.5 rounded up to 8 making the development 7 off street car parking spaces short. There is no on street parking on City Road. Within the accompanying Transportation Statement there is reference to National Planning Framework 4, the close proximity of the development site to the bus station and that there is the facility of the shortfall of parking for the development to be provided through the purchase of parking permits for the Argyle Street Car Park, available via the Council's Season Ticket Scheme for long stay car park. TDM have advised there is no competent or enforceable method to ensure prospective residents purchase parking permits and utilise the public car park. TDM acknowledge that the site is located in a sustainable location within a 20 minute walk distance of the bus station and local facilities and also note that cycle parking spaces are being provided, albeit uncovered and not secure. However, no competent and enforceable mitigation measures are proposed that would ensure the shortfall in 7 off-street car parking spaces would not result in an increase in demand for limited on-street car parking spaces. Given the parking shortfall and impact the development would have on the parking provision in the surrounding area, TDM have objected to this proposal in terms of road safety.

2.5.2 Concerns have been raised regarding the impact on parking provision in the area, whilst supporting comments have also been received regarding this. The applicant has submitted a Transport Statement alongside this application. The transport Statement concludes that that NPF4 (Policy 13) seeks to support and promote active travel, with wheeling, walking and cycling within and between towns and other communities linked to strategic routes for residents and visitors and no longer recommends national maximum car parking standards, but places the emphasis more on ensuring that opportunities for walking, cycling and wheeling are promoted, for example by ensuring that cycle parking is more convenient than car parking is. Given the proximity to transport links (bus station adjacent, town centre and primary and secondary schools and the University, the applications site is in a sustainable location and complies with

the 20-minute neighbourhood as supported in NPF4 (Policy 15). Finally, the statement acknowledges the parking shortfall but proposes that the "shortfall" of parking for the development can be provided through the purchase of parking permits for the Argyle Street car park, available via the Council's Season Ticket Scheme for long stay car parks. Transportation Development Management acknowledge that the site is located in a sustainable location within a 20-minute walk distance of the bus station and local facilities, however they recommended refusal of this application on the lack of off-street parking. Given that the site is located less than 150m from the town centre area of St Andrews and adjacent the St Andrews bus station the site is located in a sustainable location in terms of the 20 minute neighbourhood as set out in NPF4 policy 15. Although the proposal does not provide sufficient parking, policy 13 of NPF4 supports proposals which are ambitious in in terms of low/no car parking in locations well served by sustainable transport. Due to the edge of town centre location, adjacent the bus station, it is considered that this location is well served by sustainable transport modes so the proposal therefore complies with policy 13 of NPF4. As stated above it is considered that the proposal complies with the provisions of NPF4 in terms of a sustainable location and therefore in this instance the lack of parking provision is acceptable.

2.5.3 As discussed in section 2.3, the proposal would provide architectural improvements to a building which in its current altered form is detrimental to the overall quality of the St Andrews Conservation area, providing a positive visual impact. It is considered that this, alongside the sustainable edge of town centre site location, adjacent the bus station and close to alternative off street parking provides, positive benefits that outweigh the lack of parking proposed. Therefore, the proposal is acceptable in terms of road safety.

2.6 Garden Ground

2.6.1 The proposal itself would not meet the existing garden ground guidance given the small garden area associated with the existing dwelling. However, the adjacent properties on City Road have very small garden areas which would do not meet the existing garden ground guidance. The properties on the west side of City Road are characterised by small garden areas. Therefore, although the proposal does not meet the garden ground guidelines, given the character of the surrounding area it is considered that the lack of garden ground is acceptable in this location and there is suitable publicly accessible outdoor amenity space for future occupiers to enjoy.

2.7 Low Carbon

2.7.1 The Council's Low Carbon Fife Supplementary Guidance (2019) notes that small and local applications will be expected to provide information on the energy efficiency measures and energy generating technologies which will be incorporated into their proposal. Applicants are expected to submit a Low Carbon Sustainability Checklist in support. The applicant has submitted a design statement which states that the development would use modern insulants and increased wall mass would provide high performing u-values while large windows to the south would maximise solar gain.

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

2.8 House in Multiple Occupation

2.8.1 Policy 2 of the Adopted FIFEplan prohibits the use of new houses and flats as HMOs and seeks to control the changes in use of existing property for use as HMOs unless the development is purpose built for that use.

2.8.2 The proposal is not intended for HMO use at this time.

3.0 Consultation Summary

Community Council	Object
Scottish Water	No objection
Built Heritage, Planning Services	No response
Transportation And Environmental Services - Operations Team	No response
TDM, Planning Services	Object

4.0 Representation Summary

4.1

4 objections including St Andrews Community Council as a statutory consultee received. 9 Supporting comments also received

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Principle of development	2.2.1
b. Road safety	2.5.1
c. Lack of bin storage	2.4.2

4.2.2 Support Comments

Issue	
a. Improved visual/amenity	2.3.1
b. Encouraging the use of public transport	2.5.1
c. Different types of residential offering	2.8

4.2.3 Other Concerns Expressed

Issue	Comment
a. Demographic the proposed development is aimed at.	Comments regarding what demographic the proposed development is aimed at are noted, however these are not a material planning consideration in the assessment of this planning applications.
b. Land ownership.	Comments relating to land ownership are noted, however these are not a material planning consideration in the assessment of this planning applications.
c. Council tax.	Comments regarding council tax and rental properties are noted, however these are not a material planning consideration in the assessment of this planning applications.

5.0 Conclusions

This full planning application for the alterations and change of use from a dwellinghouse to 5 flatted dwellings is deemed acceptable in terms of both scale and design. The proposed external alteration would be provide a visual enhancement to a building of limited architectural significance within the St Andrews Conservation area. Additionally, there would be no significant impact on existing levels of residential amenity. Given the sustainable location in terms of transport links and amenities and 20 minute neighbourhood, the proposed parking shortfall is acceptable in this location. In light of the above, the proposal would be deemed to preserve the character of the adjacent listed buildings and 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 CONSTRUCTION WORK STARTS ON SITE, details of the bin storage areas shall be submitted for the prior written agreement of the local planning authority. Thereafter the bin storage areas shall be constructed in accordance with the agreed details and retained as such for the lifetime of the development.

Reason: In the interests of visual amenity and residential amenity of the area.

3. Each residential unit provided on the site shall be used solely as a residence for (a) a single person or by people living together as a family; or, (b) not more than 5 unrelated residents living together in a dwellinghouse. For the avoidance of doubt 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 Policy 2 of the Adopted FIFEplan 2017.

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)

Other Guidance:

St Andrews Conservation Area and Management Plan (2013)

St Andrews Design Guidelines (2007)

Report prepared by Scott McInroy, Planner Development Management

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 5/10/23