

North East Planning Committee

Please note, this meeting will be held remotely.



Wednesday, 5th April, 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 8th March, 2023. 3 – 5
4. **22/00145/FULL - 5 ALEXANDRA PLACE, MARKET STREET, ST ANDREWS** 6 – 14
External works, including installation of new door and retaining wall.
5. **22/00144/LBC - 5 ALEXANDRA PLACE, MARKET STREET, ST ANDREWS** 15 – 21
Listed Building Consent for external alterations, including installation of new door and retaining wall.
6. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**
List of applications dealt with under delegated powers for the period 20th February to 19th March, 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
North Street
Glenrothes
Fife, KY7 5LT

29th March, 2023

If telephoning, please ask for:
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THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – BLENDED MEETING

JP Court Room (CCB01.001), County Buildings, Cupar

8th March, 2023

1.00 p.m. – 2.30 p.m.

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

ATTENDING: Mary J Stewart, Service Manager - Major Business & Customer Service, Development Management; Steven Paterson, Solicitor, Planning & Environment; and Diane Barnet, Committee Officer, Legal & Democratic Services.

APOLOGIES FOR ABSENCE: Councillors Al Clark, Margaret Kennedy, Louise Kennedy-Dalby and Allan Knox.

67. DECLARATIONS OF INTEREST

Councillor Verner declared an interest in Para. 72. - 22/03281/FULL - 150 North Street, St. Andrews - as she had a non-financial family connection with the applicant.

68. MINUTE

The Committee considered the minute of the North East Planning Committee of 8th February, 2023.

Decision

The Committee agreed to approve the minute.

69. 22/00145/FULL - 5 ALEXANDRA PLACE, MARKET STREET, ST. ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for external works, including installation of a new door and retaining wall.

Motion

Councillor Lawson, seconded by Councillor Holt, moved to continue consideration of the application to a future meeting - to allow Officers to present further information on any potential detrimental impact on pedestrian and road safety arising from the proposed relocation of the barrel chute.

Amendment

Councillor Lothian, seconded by Councillor Liston, moved as an amendment to approve the application subject to the two conditions and for the reasons detailed in the report.

Roll/

Roll Call Vote

For the Motion - 8 votes

Councillors Corps, Dillon, Hayes, Hoggan-Radu, Holt, Lawson, MacDiarmid and Verner.

For the Amendment - 3 votes

Councillors Liston, Lothian and Tepp.

Having received a majority of votes, the motion to continue consideration of the application to a future meeting, was carried.

Decision

The Committee agreed to continue consideration of the application to a future meeting - to allow Officers to present further information on any potential detrimental impact on pedestrian and road safety arising from the proposed relocation of the barrel chute.

70. 22/00144/LBC - 5 ALEXANDRA PLACE, MARKET STREET, ST. ANDREWS

Decision

As the Committee had agreed to continue the associated application - 22/00145/FULL - pending further information, the Committee agreed to also continue this application so that they might be considered together at a future meeting.

71. 22/02806/FULL - 23 MELBOURNE PLACE, BRIDGE STREET, ST. ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for the sub-division of a flatted dwellinghouse (sui generis) to form two flatted dwellinghouses (sui generis).

Decision

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

Prior to consideration of the following item, Councillor Verner, having declared an interest, left the meeting at this point.

72. 22/03281/FULL - 150 NORTH STREET, ST. ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for change of use from private garden to outdoor seating area, including siting of a coffee kiosk and installation of a replacement gate.

Decision/

Decision

The Committee agreed:-

- (1) to refuse the application on the grounds that the proposed development did not comply with:
 - (a) Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997; Historic Environment Scotland's Historic Environment Policy for Scotland (2019); Policies 7 and 14 of the National Planning Framework 4 (2023) (NPF 4); Policies 1, 10 and 14 of the Adopted FIFEplan (2017); Making Fife's Places Supplementary Guidance (2018); St. Andrews Conservation Area Appraisal and Management Plan (2010); and St. Andrews Design Guidelines (2011) - on the basis that the proposed development, due to its design, would have a detrimental visual impact on the character and appearance of the conservation area and surrounding historic environment;
 - (b) Policy 14 of NPF 4; Policies 1, 10 and 14 of the Adopted FIFEplan (2017); and Making Fife's Places Supplementary Guidance (2018) - on the basis that the proposed development would have a detrimental impact on the visual amenity of the surrounding area; and
- (2) to delegate to the Head of Planning Services, in consultation with the Head of Legal and Democratic Services, to finalise the full reasons for refusal in order to ensure that a decision on the application was not unduly delayed.

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

Decision

The Committee noted the lists of applications dealt with under delegated powers for the period 30th January to 26th February, 2023.

ITEM NO: 4

APPLICATION FOR FULL PLANNING PERMISSION REF: 22/00145/FULL

SITE ADDRESS: 5 ALEXANDRA PLACE MARKET STREET ST ANDREWS

PROPOSAL: EXTERNAL WORKS INCLUDING INSTALLATION OF NEW DOOR AND RETAINING WALL

**APPLICANT: GREENE KING
WESTGATE BREWERY BURY ST EDMUNDS UNITED KINGDOM**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Scott McInroy

DATE REGISTERED: 01/02/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

more than 5 representations were received which are contrary to officer's recommendation

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

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. 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.

The Scottish Government voted to approve National Planning Framework 4 on January 11, 2023, with it being formally adopted on February 13, 2023. NPF4 is now part of the statutory Development Plan and provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 has six overarching spatial principles to deliver sustainable places, liveable places and productive places.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The Adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them no longer form part of the Development Plan.

Having assessed the current application against the policy provisions of the Adopted NPF4 and the Adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 The application relates to the basement/ground floor of a three storey Category 'B' Listed Building situated within the St Andrews town centre, St Andrews Conservation Area and the settlement boundary as designated in the Adopted FIFEplan (2017). The application site operates as a pub and is located on a prominent position on the western end of Market Street and sits within an area that has a mixture of commercial uses at ground floor with residential above. The property is stone built with ashlar, bay windows, circled corner with slated spirelet and pedimented dormers and a slated roof.

1.2 This application is for external alterations including the installation of a new door, erection of a canopy and a retaining wall. Externally, a stonework retaining wall (600mm in height) is proposed that would sit 0.55m below and 0.5m away from the existing boundary wall. Planting would also be introduced in the space between the existing wall and proposed new retaining wall. Seven new low level warm white downlighting units would be added to the new retaining wall (0.45m from the finished floor level). The existing fire door that sits adjacent to the bay windows would be modified to include glazed panels and decorative ironmongery. The existing barrel delivery chute and drop area is proposed to be moved from the north side to the western side of the application site where the existing yard area is.

1.3 The proposed development would involve external structures being located in the outside terrace area associated with the public house. Third parties have raised concerns that this would constitute a change of use of the outside area associated with the public house to become a beer garden. Whilst these concerns are duly noted, Members should note that the outside area associated with the public house is included in their related approved licence and therefore the outdoor area has the benefit of being permitted for public house patrons to sit and consume food and alcoholic drinks under licence. On that basis, the outdoor use / beer garden aspect does not require the benefit of planning permission for a change of use. Therefore, the assessment of the planning application before Members does not require to consider the appropriateness of the use of the outdoor area but instead consider the acceptability or otherwise of the proposed structures in the outside terrace area in terms of design; impact on the built heritage and amenity matters etc. as outlined later in this report.

1.4 Planning history on this site is as follows;

- 00/00011/EFULL, Planning consent to repaint external doors, window frames and checks (excluding signage). Approved 2000.
- 00/00012/ELBC, Listed building consent to repaint external doors, window frames and checks and alter all existing signage. Approved 2000.
- 00/00082/EADV, Advertisement consent to alter existing externally illuminated fascia sign and 2 post signs. Approved 2000.
- 00/01400/ELBC, Listed building consent for internal alterations. Approved 2000.
- 00/02823/EFULL, Install external flue to rear elevation. Refused 2001.
- 00/02824/ELBC, Install external flue to rear elevation. Refused 2001.
- 02/01937/EADV, Display externally illuminated pole and fascia signs. Approved 2002.
- 02/01938/ELBC, Internal and external alterations to listed building (including illuminated signage). Approved 2003.
- 04/03635/EFULL, Form access ramp at entrance to building. Refused 2005.
- 04/03636/ELBC, Form access ramp at entrance to building. Refused 2005.
- 18/01665/LBC, Listed Building Consent for the display of two freestanding signs (one externally illuminated), two fascia signs (one externally illuminated) and one wall plaque. Approved 2018.
- 18/01666/ADV, Display of two freestanding signs (one externally illuminated), two fascia signs (one externally illuminated) and one wall plaque. Approved 2018.
- 18/02660/LBC, Listed Building Consent for internal alterations to public house. Approved 2018.

1.5 An associated application for listed building consent (Ref: 22/00144/LBC) is also on this committee agenda for determination,

1.6 Application Process

1.6.1 The application, due to the size of the site and the overall scale of proposals, constitutes a "Local" application as defined by the Hierarchy of Developments Regulations and as such did not require to be subject of a Proposal of Application Notice.

1.6.2 A physical site visit was undertaken on 02.03.2022.

1.7 This application was continued from North East Planning Committee on 08/03/2023 at the request of Members so more information could be provided with regards to the location of the proposed new barrel chute and delivery procedures. These concerns have been addressed in section 2.3.6.

2.0 ASSESSMENT

2.1 The issues to be assessed against the Development Plan and other guidance are as follows:

- Design/Visual Impact on Historic Environment
- Residential Amenity

2.2 DESIGN/VISUAL IMPACT ON HISTORIC ENVIRONMENT

2.2.1 Policy 7 of NPF4 states Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest and proposals affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced. NPF4 Policy 7 also 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. Policy 14 of NPF 4 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. Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), St. Andrews Design Guidelines (2011), Making Fife's Places Supplementary Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2014) and Historic Environment Scotland (HES) Historic Environment Policy for Scotland (May 2019) and Managing Change in the Historic Environment (2010) also apply with regard to this proposal.

2.2.2 Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that in considering whether to grant listed building consent for any work, the planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

2.2.3 Policy 14 of the Adopted FIFEplan (2017) promotes the care and protection of the historic environment and highlights the importance of supporting positive and sensitive change which minimises any adverse impact on Listed Buildings or Conservation Areas. Historic Environment Scotland's Managing Change series, Making Fife's Places - Supplementary Guidance and Fife Council guidance set out the general principles that should apply when proposing new work related to Listed Buildings and Conservation Areas to ensure that their special characteristics are maintained and/or enhanced. Policies 1 and 10 advise that if a development proposal is in a location where the proposed use is supported by the Local Development Plan, and it is well located and designed to protect the overall landscape and environmental quality of the surrounding area it will be supported. Policy 10 advises that a development proposal must demonstrate that it will not cause significant detrimental visual or amenity impact to the surrounding area.

2.2.4 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regard to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. It additionally sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how development proposals can be evaluated to ensure compliance

with the six qualities of successful places. Lastly, the Supplementary Guidance recognises that the built environment has been adapted over time to meet changing needs, stating that protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

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

2.2.6 HES Historic Environment Policy for Scotland (May 2019) advises that new work, including alterations to historic buildings shall enhance its surroundings. This document, in essence, is a good practice guide for developments involving the historic environment, including conservation areas.

2.2.7 As stated in Section 1.2, this application proposes a number of external changes. Externally, a stonework retaining wall (0.6m in height) is proposed that would sit 0.5m below and 0.5m away from the existing boundary wall and over 1m below the railings that sit on top of the existing retaining wall. Planting would be introduced in the space between the existing wall and proposed new retaining wall. This new retaining wall would not be visible to the public from the street level and therefore there would not have a significant visual impact on the setting of the listed building. Seven, new low-level warm white downlighters would be added to the new retaining wall. As with the new retaining wall, these downlights would not be visible from the public street, so therefore would not impact on the setting of the listed building. The units themselves are also considered acceptable for such a setting/location. The Blue Stane which sits within the forecourt of the application site will remain in the same location and will be protected accordingly during the proposed works. Originally, a canopy was proposed as part of this application but through discussions with the planning authority and taking account of concerns raised by third parties, the canopy was removed from this proposal. The existing fire door that sits adjacent the bay windows is to be modified to include glazed panels and decorative ironmongery. Concerns have been raised regarding the gate at the existing barrel chute area. The applicant has confirmed that this will be replaced by railings matching the existing. The proposed gate at the new location for the barrel chute would also match the existing railings. Fife Councils Built Heritage Officers were consulted and have raised no concerns with this proposal.

2.2.8 In conclusion, the proposed external alterations are not considered to have an adverse impact on the design/ character or setting of the listed building. In addition, there would be no significant impact on the Conservation Area. It is also considered that the proposed development is an acceptable alteration and would not have an adverse impact on the character and appearance of the Category B listed building or St Andrews Conservation Area, complying with the above noted legislation, development plan policies and national guidance.

2.3 Residential Amenity

2.3.1 Policies 1 and 10 of Adopted FIFEplan Local Development Plan (2017), Planning Advice Note (PAN) 1/2011: Planning and Noise, Fife Council Customer Guidelines on Daylight and Sunlight (2018) apply in terms of residential amenity.

2.3.2 The above FIFEplan policies and guidance set out the importance of encouraging appropriate forms of development in the interests of residential amenity. They generally advise that development proposals should be compatible with their surroundings in terms of their relationship to existing properties, and that they should not adversely affect the privacy and amenity of neighbours with regard to the loss of privacy; sunlight and daylight; and noise, light and odour pollution.

2.3.3 PAN 1/2011 promotes the principle of how noise issues should be taken into consideration with determining an application. The PAN promotes the principles of good acoustic design and a sensitive approach to the location of new development. It is recommended that Environmental Health Officers and/or professional acousticians should be involved in development proposals which are likely to have significant adverse noise impacts or be affected by existing noisy developments.

2.3.4 As the outside area of the public house is covered by the liquor licence for the whole site this area could be used as a beer garden with moveable structures therefore this proposal does not constitute a change of use and does not require the benefit of planning permission. Notwithstanding this, the applicant has provided a noise management plan to address any potential issues arising from the proposed intensification of use in the outdoor area. Concerns have been raised by the public regarding noise from patrons using this outdoor area. However given that planning permission is not required for the use of the outdoor space complaints regarding noise can be addressed directly to the licensing board.

2.3.5 In addition, Fife Council's Public Protection Team can control noise under their own legislative processes and through the use of appropriate enforcement measures if required should any complaints be received. If any noise complaints were to be received, Fife Council's Public Protection team would investigate these and thereafter take appropriate action if deemed to be a statutory noise nuisance in the context of the activity involved and the location taking into account the relevant background noise levels. If any of the potential customers were to cause damage/anti-social behaviour outwith the site then this would be considered a matter which could also be dealt with under separate legislation or by separate authorities, outwith the control of the planning system.

2.3.6 Concerns have been raised regarding the relocation of the barrel chute in that it would cause road safety issues. Although the barrel chute is proposed to be relocated to the western side of the premises, the drop off and delivery process will remain the same. The deliveries are currently twice weekly (Tuesday and Friday) and occur between 7-11am. Each delivery usually takes between 45-60 minutes and consists of 12-15 barrels being delivered. The delivery vehicles would still park on St Marys Place and the barrels would then be rolled round to the new barrel chute location. If any issues become a road safety issue, then Police Scotland and the Council's Roads Network officers could investigate and take whatever action is deemed appropriate. That aside it is not anticipated that approving the relocated chute would cause such an issue. Given that there are a number of commercial/licenced premises within the vicinity where deliveries take place on the public road and that it would not be worse than the current

situation in terms of road safety impacts, it is considered that the relocation of the barrel chute is acceptable.

2.3.7 In conclusion, there would be no adverse residential amenity concerns arising from the proposed development. The proposal is therefore considered to comply with the above mentioned FIFEplan policies, PAN and local guidance documents.

CONSULTATIONS

Community Council	Object
Environmental Health (Public Protection)	No objection

REPRESENTATIONS

19 objections have been received. The material planning considerations relating to these concerns have been addressed under sections 1.3 (Background) 2.2 (Design/Visual Impact on Historic Environment), 2.3 (Residential Amenity) of this report of handling.

Comments regarding pub management insurance, property value, title deeds, disturbance, suds and equalities act are all noted but are not a material planning consideration in the assessment of this planning application.

Comments regarding health and safety, pub management, foot traffic, congestion and loitering are noted, however they are not material planning considerations in the assessment of this planning application as this application is for external works including installation of new door and retaining wall. Fife Council's Public Protection team can control noise under their own legislative processes and through the use of appropriate enforcement measures if required and should any complaints be received. If any of the potential customers were to cause damage/anti-social behaviour outwith the site then this would be considered a matter which could also be dealt with under separate legislation or by separate authorities, outwith the control of the planning system.

Comments regarding previous application decisions and planning process are noted, however each application must be assessed on its own merits.

CONCLUSIONS

The proposal is considered acceptable in meeting the terms of the Development Plan and National Guidance. The proposal is considered to be compatible with its surrounds in terms of land use; would not cause any significant detrimental impacts on the amenity of the surrounding area and will not cause any detrimental impact to the listed building. The proposed development is therefore considered to be acceptable, complying with Policies 1, 10 and 14 of FIFEplan Local Development (2017).

RECOMMENDATION

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

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.

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

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

National Guidance

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

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

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

The Development Plan

National Planning Framework4 (2023)

FIFEplan (2017)

Making Fife's Places - Supplementary Guidance (2018)

Other Guidance

St. Andrew's Conservation Area Appraisal and Management Plan (2010)

St. Andrew's Design Guidelines (2011)

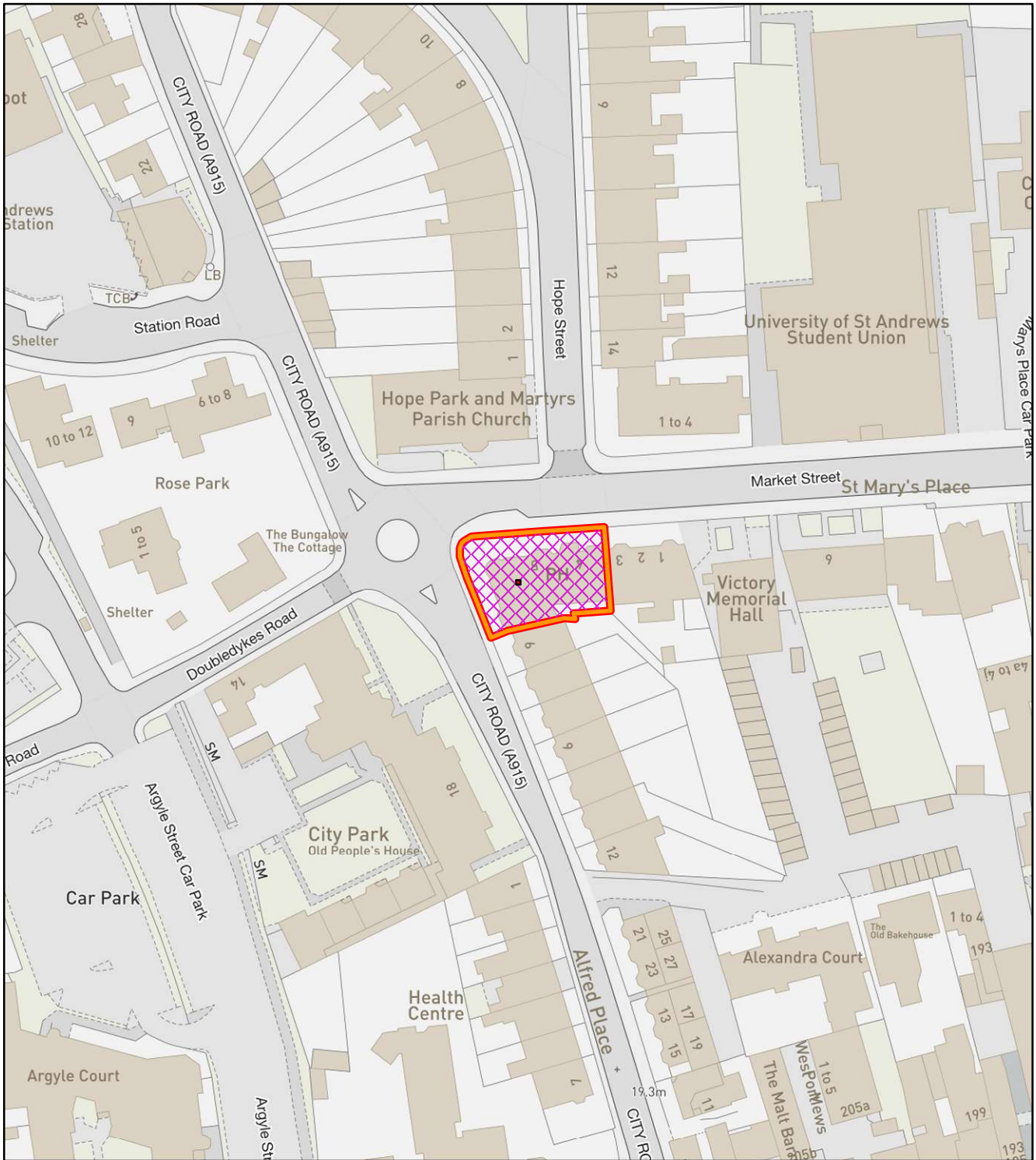
Report prepared by Scott McInroy, Planner Development Management

Report reviewed and agreed by Alastair Hamilton, Service Manager, Committee Lead 13/3/23.

Date Printed 09/02/2023

22/00145/FULL

5 Alexandra Place Market Street St Andrews



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Legend	
 Application Boundary	
	
 Economy, Planning & Employability Services	

ITEM NO: 5

APPLICATION FOR LISTED BUILDING CONSENT REF: 22/00144/LBC

SITE ADDRESS: 5 ALEXANDRA PLACE MARKET STREET ST ANDREWS

PROPOSAL: LISTED BUILDING CONSENT FOR EXTERNAL ALTERATIONS INCLUDING INSTALLATION OF NEW DOOR AND RETAINING WALL

**APPLICANT: GREENE KING
WESTGATE BREWERY WESTGATE BREWERY BURY ST EDMUNDS**

**WARD NO: W5R18
St. Andrews**

CASE OFFICER: Scott McInroy

DATE REGISTERED: 14/02/2022

REASONS FOR REFERRAL TO COMMITTEE

This application requires to be considered by the Committee because:

This application could be determined at officer level but the associated application for full planning permission would be subject to a different appeal route unless both the applications are determined together by Committee.

SUMMARY RECOMMENDATION

The application is recommended for:

Conditional Approval

ASSESSMENT AGAINST THE DEVELOPMENT PLAN AND OTHER MATERIAL CONSIDERATIONS

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.

The Scottish Government voted to approve National Planning Framework 4 on January 11, 2023, with it being formally adopted on February 13, 2023. NPF4 is now part of the statutory Development Plan and provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 has six overarching spatial principles to deliver sustainable places, liveable places and productive places.

The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The Adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them no longer form part of the Development Plan.

Having assessed the current application against the policy provisions of the Adopted NPF4 and the Adopted FIFEplan LDP 2017 there are no policy conflicts which would prevent the determination of the application when assessed against the policy provisions of FIFEplan.

1.0 BACKGROUND

1.1 This listed building application relates to the basement/ground floor of a three and a half storey Category 'B' Listed Building situated within the St Andrews Conservation Area. The application site operates as a pub and is located on a prominent position on the western end of Market Street and sits within an area that has a mixture of commercial uses at ground floor with residential above. The property is stone built with ashlar, bay windows, circled corner with slated spirelet and pedimented dormers and a slated roof.

1.2 This application seeks listed building consent for external alterations including the proposed installation of a new door, erection of canopy and retaining wall. Externally, a stonework retaining wall (600mm in height) is proposed that would sit 0.55m below and 0.5m away from the existing boundary wall. Planting would also be introduced in the space between the existing wall and proposed new retaining wall. Seven new low level warm white downlighting units would be added to the new retaining wall (0.45m from the finished floor level). The existing fire door that sits adjacent to the bay windows would be modified to include glazed panels and decorative ironmongery. The existing barrel delivery chute and drop area is proposed to be moved from the north side to the western side of the application site where the existing yard area is.

1.3 Planning history on this site is as follows

- 00/00011/EFULL, Planning consent to repaint external doors, window frames and checks (excluding signage). Approved 2000.
- 00/00012/ELBC, Listed building consent to repaint external doors, window frames and checks and alter all existing signage. Approved 2000.
- 00/00082/EADV, Advertisement consent to alter existing externally illuminated fascia sign and 2 post signs. Approved 2000.
- 00/01400/ELBC, Listed building consent for internal alterations. Approved 2000.
- 00/02823/EFULL, Install external flue to rear elevation. Refused 2001.

- 00/02824/ELBC, Install external flue to rear elevation. Refused 2001.
- 02/01937/EADV, Display externally illuminated pole and fascia signs. Approved 2002.
- 02/01938/ELBC, Internal and external alterations to listed building (including illuminated signage). Approved 2003.
- 04/03635/EFULL, Form access ramp at entrance to building. Refused 2005.
- 04/03636/ELBC, Form access ramp at entrance to building. Refused 2005.
- 18/01665/LBC, Listed Building Consent for the display of two freestanding signs (one externally illuminated), two fascia signs (one externally illuminated) and one wall plaque. Approved 2018.
- 18/01666/ADV, Display of two freestanding signs (one externally illuminated), two fascia signs (one externally illuminated) and one wall plaque. Approved 2018.
- 18/02660/LBC, Listed Building Consent for internal alterations to public house. Approved 2018.

1.4 An associated application for planning permission (Ref: 22/00145/FULL) is also on this committee agenda for determination,

1.5 Application Process

1.5.1 The application, due to the size of the site and the overall scale of proposals, constitutes a "Local" application as defined by the Hierarchy of Developments Regulations and as such did not require to be subject of a Proposal of Application Notice.

1.5.2 A physical site visit was undertaken on 02.03.2022.

1.6 This application was continued from North East Planning Committee on 08/03/2023 at the request of Members so more information could be provided with regards the location of the proposed new barrel chute and delivery procedures.

2.0 ASSESSMENT

2.1 The issues to be assessed against the Development Plan and other guidance are as follows:

- Design and Visual Impact on a Listed Building

2.2 Design and Visual Impact on a Listed Building

2.2.1 Policy 7 of NPF4 states Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest and proposals affecting conservation areas will only be supported where the character and appearance of the conservation area is preserved or enhanced. NPF Policy 7 also 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. Policy 14 of NPF 4 states development proposals will 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. Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Policies 1, 10 and 14 of the FIFEplan Local Development Plan (2017), St. Andrews Design Guidelines (2011), Making Fife's Places Supplementary Guidance (2018), the St Andrews Conservation Area Appraisal and Management Plan (2010), Fife Council's Planning Customer Guidelines on Windows in Listed Buildings and Conservation Areas (2014) and Historic Environment Scotland (HES) Historic Environment Policy for Scotland (May 2019) and Managing Change in the Historic Environment (2010) also apply with regard to this proposal.

2.2.2 Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out that in considering whether to grant listed building consent for any work, the planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

2.2.3 Policy 14 of the Adopted FIFEplan (2017) promotes the care and protection of the historic environment and highlights the importance of supporting positive and sensitive change which minimises any adverse impact on Listed Buildings or Conservation Areas. Historic Environment Scotland's Managing Change series, Making Fife's Places - Supplementary Guidance and Fife Council guidance set out the general principles that should apply when proposing new work related to Listed Buildings and Conservation Areas to ensure that their special characteristics are maintained and/or enhanced. Policies 1 and 10 advise that if a development proposal is in a location where the proposed use is supported by the Local Development Plan, and it is well located and designed to protect the overall landscape and environmental quality of the surrounding area it will be supported. Policy 10 advises that a development proposal must demonstrate that it will not cause significant detrimental visual or amenity impact to the surrounding area.

2.2.4 Making Fife's Places Supplementary Guidance (2018) sets out the expectation for developments with regard to design. This document encourages a design-led approach to development proposals through placing the focus on achieving high quality design. It additionally sets out that design issues should be considered from the neighbourhood or block scale. This document also illustrates how development proposals can be evaluated to ensure compliance with the six qualities of successful places. Lastly, the Supplementary Guidance recognises that the built environment has been adapted over time to meet changing needs, stating that protecting the historic environment is not about preventing change but ensuring that changes are appropriate to their location. Sustainable management of the historic environment should be based on a Conservation Area appraisal.

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

2.2.6 HES Historic Environment Policy for Scotland (May 2019) advises that new work, including alterations to historic buildings shall enhance its surroundings. This document, in essence, is a good practice guide for developments involving the historic environment, including conservation areas.

2.2.7 As stated in Section 1.2, this application proposes a number of external changes. Externally, a stonework retaining wall (0.6m in height) is proposed that would sit 0.5m below and 0.5m away from the existing boundary wall and over 1m below the railings that sit on top of the existing retaining wall. Planting would be introduced in the space between the existing wall and proposed new retaining wall. This new retaining wall would not be visible to the public from the street level and therefore there would not have a significant visual impact on the setting of the listed building. Seven, new low level warm white downlighters would be added to the new retaining wall. As with the new retaining wall, these downlights would not be visible from the public street, so therefore would not impact on the setting of the listed building. The units themselves are also considered acceptable for such a setting/location. Originally, a canopy was proposed as part of this application but through discussions with the planning authority and taking account of concerns raised by third parties, the canopy was removed from this proposal. The existing fire door that sits adjacent the bay windows is to be modified to include glazed panels and decorative ironmongery. Concerns have been raised regarding the gate at the existing barrel chute area. The applicant has confirmed that this will be replaced by railings matching the existing. The proposed gate at the new location for the barrel chute would also match the existing railings. Fife Councils Built Heritage Officers were consulted and have raised no concerns with this proposal.

2.2.8 In conclusion, the proposed external alterations are not considered to have an adverse impact on the design/ character or setting of the listed building. Therefore, it is determined that the proposed development would not have an adverse impact on the character and appearance of the Category B listed building, complying with the above noted legislation, development plan policies and national guidance.

CONSULTATIONS

Historic Environment Scotland	No objection
Built Heritage, Planning Services	No objection

REPRESENTATIONS

3 objections were received. The material planning considerations relating to these concerns have been addressed under section 2.2 (Design and Visual Impact on a Listed Building)

This application is for listed building consent regarding the proposed external alterations. Comments regarding planning history, claimed use of the application site, principle of development are not part of the assessment of this listed building application, those comments will be assessed as part of the associated FULL application (ref 22/00145/FULL).

Comments regarding previous application decisions and planning process are noted, however each application is assessed on its own merits.

CONCLUSIONS

The proposal is considered to be acceptable in meeting the terms of the National Guidance, Development Plan and relevant other guidance. The proposal is compatible with and will not cause any detrimental impact to the listed building. The proposed development is therefore considered to be acceptable, complying with Policies 1, 10 and 14 of FIFEplan Local Development (2017).

RECOMMENDATION

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

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 Section 16 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

STATUTORY POLICIES, GUIDANCE & BACKGROUND PAPERS

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

National Guidance

Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
Historic Environment Scotland's Historic Environment Policy for Scotland (May 2019)
Historic Environment Scotland's Managing Change in the Historic Environment (2010)

The Development Plan

National Planning Framework4 (2023)
FIFEplan (2017)
Making Fife's Places - Supplementary Guidance (2018)

Other Guidance

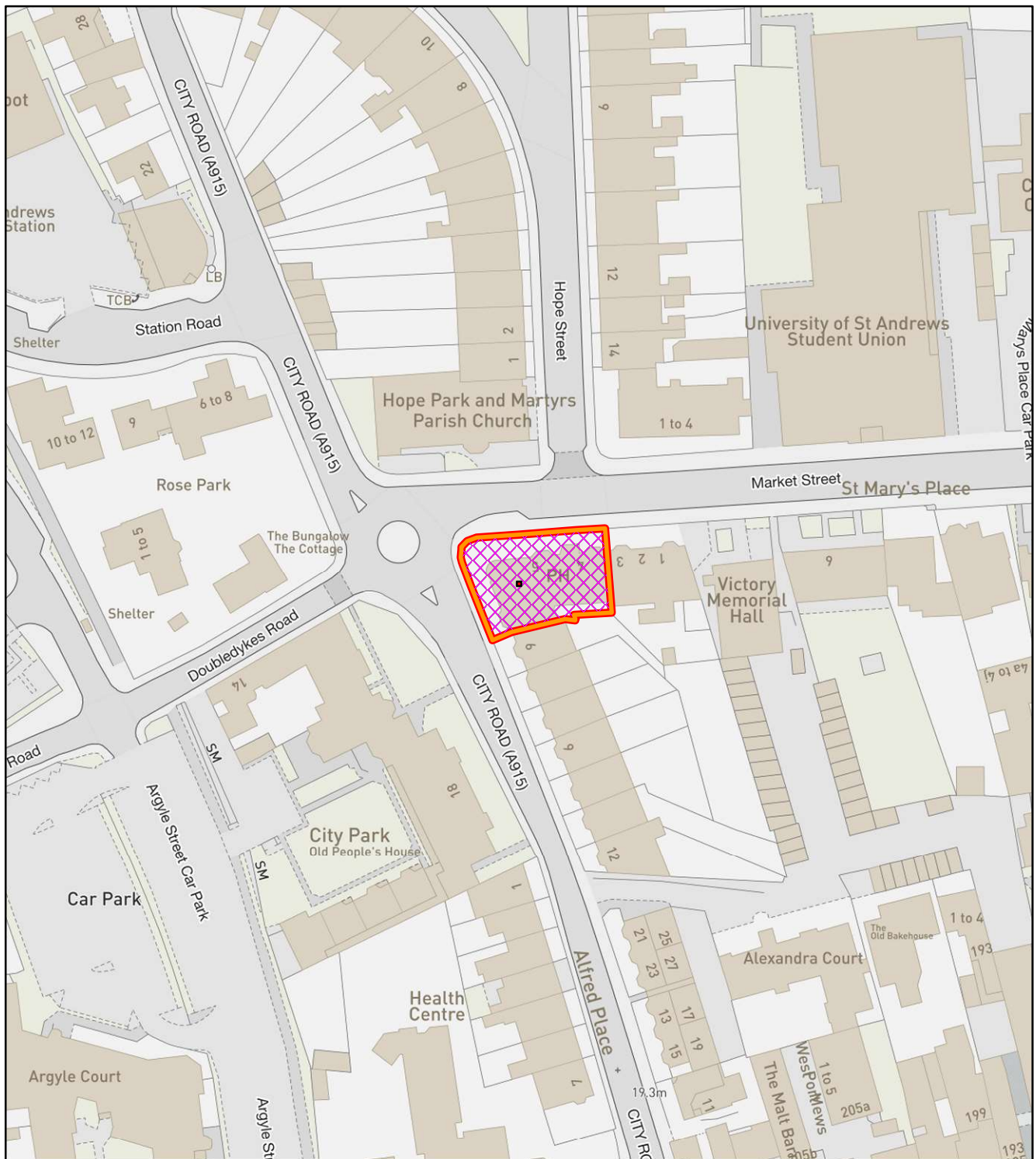
St. Andrew's Conservation Area Appraisal and Management Plan (2010)
St. Andrew's Design Guidelines (2011)

Report prepared by Scott McInroy, Planner Development Management
Report reviewed and agreed by Alastair Hamilton, Service Manager and Committee Lead
13/3/23.

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Legend	
 Application Boundary	
	
 Economy, Planning & Employability Services	