

## 2022 NEPC 20

### THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – REMOTE MEETING

7th December, 2022

1.30 p.m. - 5.20 p.m.

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

**ATTENDING:** Alastair Hamilton, Service Manager, Development Management, Bryan Reid, Lead Professional, Development Management, Declan Semple, Lead Officer, Development Management, Mark Barrett, Lead Officer, Transportation Development Management, Economy, Planning & Employment Services; Steven Paterson, Solicitor and Diane Barnett, Committee Officer, Legal & Democratic Services.

**APOLOGY FOR ABSENCE:** Councillor Margaret Kennedy.

#### 43. DECLARATIONS OF INTEREST

Councillor Lawson declared an interest in Para. No. 48 - '22/01366/FULL - Abbotsford Cottage, Abbotsford Place, St. Andrews' and Para No. 49 - '22/01365/CAC - Abbotsford Cottage, Abbotsford Place, St. Andrews' - as he knew the applicant and the immediate neighbours.

#### 44. MINUTE

The Committee considered the minute of the North East Planning Committee of 9th November, 2022.

##### Decision

The Committee agreed to approve the minute.

#### 45. 21/02819/EIA - LAND AT NORTHBANK FARM, CAMERON, LATHOCKAR

The Committee considered a report by the Head of Planning Services relating to an application for an extension to tourist, commercial and leisure development including 131 lodge style static caravan pitches and associated infrastructure.

##### Motion

Councillor Liston, seconded by Councillor Hayes, moved to refuse the application on the grounds that the proposed development did not comply with:-

- (1) Scottish Planning Policy (2014), Policies 1, 3, 7 and 11 of the Adopted FIFEplan Local Development Plan (2017), Fife Council Low Carbon Fife Supplementary/

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Supplementary Guidance (2019) and Making Fife's Places Supplementary Guidance (2018) - on the basis of road safety and sustainable travel in that access routes to local amenities and to sustainable modes of transport from the site of the development would not be readily and safely available;

- (2) Scottish Planning Policy (2014), Policies 1, 7, 8 and 10 of the Adopted FIFEplan Local Development Plan (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 and character of the countryside location due to its form, scale and layout which it was considered would result in overdevelopment and intensification of use of the site, not in keeping with the character of the countryside location; and
- (3) Scottish Planning Policy (2014), Policies 1, 7, 12 and 13 of the Adopted FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018) - on the basis that the development would have a detrimental impact on the natural environment and biodiversity due to its scale, layout, design and proposed use which was not considered sufficiently justified.

### **Amendment**

Councillor Lothian, seconded by Councillor Holt, moved as an amendment to approve the application, subject to:-

- (1) the 26 conditions and for the reasons detailed in the report; and
- (2) an additional condition relating to the maintenance of the proposed reed bed-willow bed soakaway system.

### **Roll Call Vote**

**For the motion** - 10 votes

Councillors Clark, Corps, Dillon, Hayes, Hoggan-Radu, Lawson, Liston, MacDiarmid, Tepp and Verner.

**For the Amendment** - 3 votes

Councillors Holt, Knox and Lothian.

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

### **Decision**

The Committee agreed:-

- (1) to refuse the application on the grounds that the proposed development did not comply with:-
  - (a) Scottish Planning Policy (2014), Policies 1, 3, 7 and 11 of the Adopted FIFEplan Local Development Plan (2017), Fife Council Low/

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Low Carbon Fife Supplementary Guidance (2019) and Making Fife's Places Supplementary Guidance (2018) - on the basis of road safety and sustainable travel in that access routes to local amenities and to sustainable modes of transport from the site of the development would not be readily and safely available;

- (b) Scottish Planning Policy (2014), Policies 1, 7, 8 and 10 of the Adopted FIFEplan Local Development Plan (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 and character of the countryside location due to its form, scale and layout which it was considered would result in overdevelopment and intensification of use of the site, not in keeping with the character of the countryside location; and
- (c) Scottish Planning Policy (2014), Policies 1, 7, 12 and 13 of the Adopted FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018) - on the basis that the development would have a detrimental impact on the natural environment and biodiversity due to its scale, layout, design and proposed use which was not considered sufficiently justified; and

- (2) to delegate to the Head of Planning, 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.

### 46. 22/00332/FULL - GARDEN 1, GREYFRIARS GARDEN, ST. ANDREWS

The Committee considered a report by the Head of Planning Services relating to an application for the change of use from private garden to outdoor seating area including siting of 2 no. food shacks.

#### **Motion**

Councillor Liston, seconded by Councillor Lawson, moved to refuse the application on the grounds that the proposed development did not comply with:-

- (1) Section 64 (1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014), Historic Environment Scotland's Historic Environment Policy for Scotland (2019), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), the St. Andrews Conservation Area Appraisal and Management Plan (2010) and guidelines 17 and 18 of the St. Andrews Design Guidelines (2011) - on the basis that the proposed development, due to its proposed form, layout and use, would have a detrimental impact on the character and appearance of the Conservation Area and historic environment; and
- (2) Scottish Planning Policy (2014), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017) and Making Fife's Places Supplementary Guidance (2018) - on the basis that the proposed development/

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development, due to its prominent location, design, form, layout and proposed use, would have a detrimental visual impact on the character and appearance of the surrounding area, streetscape, immediate environment and built environmental quality.

### **Amendment**

Councillor Lothian, seconded by Councillor Knox, moved as an amendment to approve the application subject to the 4 conditions and for the reasons detailed in the report.

### **Roll Call Vote**

**For the motion - 9 votes**

Councillors Clark, Corps, Hayes, Hoggan-Radu, Lawson, Liston, MacDiarmid, Tepp and Verner.

**For the amendment - 4 votes**

Councillors Dillon, Holt, Knox and Lothian.

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

### **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, Scottish Planning Policy (2014), Historic Environment Scotland's Historic Environment Policy for Scotland (2019), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018), the St. Andrews Conservation Area Appraisal and Management Plan (2010) and guidelines 17 and 18 of the St. Andrews Design Guidelines (2011) - on the basis that the proposed development, due to its proposed form, layout and use, would have a detrimental impact on the character and appearance of the Conservation Area and historic environment; and
  - (b) Scottish Planning Policy (2014), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), and Making Fife's Places Supplementary Guidance (2018) - on the basis that the proposed development, due to its prominent location, design, form, layout and proposed use, would have a detrimental visual impact on the character and appearance of the surrounding area, streetscape, immediate environment and built environmental quality; and
- (2) to delegate to the Head of Planning, 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.

*The Committee adjourned at 3.35 p.m. and re-convened at 3.45 p.m..*

*Councillor Kennedy-Dalby joined the meeting partway through the Planning Officer's detailed presentation of the following planning application and, having not had the benefit of the full presentation, was not entitled to participate in the debate or vote on the item.*

**47. 22/000990/PPP - MADRAS COLLEGE, KILRYMONT ROAD, ST. ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for planning permission in principle for: a mixed use development comprising residential (Class 9 and Sui Generis); student accommodation (Class 8); delicatessen and restaurant (Class 3); local convenience (Class 1); assembly and leisure (Class 11); urban park; landscaping; and all associated infrastructure including SUDS basin, roads, accesses and footways.

**Decision**

The Committee agreed:-

- (1) to approve the application subject to the 21 conditions and for the reasons detailed in the report and following the conclusion of an agreement to secure the necessary planning obligations, namely:
  - (a) the provision of affordable housing comprising 30% of all residential units approved on the site; and
  - (b) a contribution towards education infrastructure at Madras College in accordance with the Adopted FIFEplan Local Development Plan (2017) and draft Planning Obligations Supplementary Guidance; and
- (2) to delegate 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.

*Councillor Hayes left the meeting during consideration of the above item.*

*Prior to consideration of the following 2 items, Councillor Lawson, having declared an interest, left the meeting.*

**48. 22/01366/FULL - ABBOTSFORD COTTAGE, ABBOTSFORD PLACE, ST. ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for the erection of a dwellinghouse and associated works (including demolition of an existing dwellinghouse).

**Motion**

Councillor Liston, seconded by Councillor Clark, moved to refuse the application on the grounds that the proposed development did not comply with:-

- (1) Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment)/

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Environment, Historic Environment Scotland (HES) Policy Statement (2016), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018) and the St. Andrews Conservation Area Appraisal and Management Plan (2010) - on the basis that the proposed development would have a detrimental visual impact on the Conservation Area and surrounding historic environment due to its location, design, form and layout; and

- (2) Scottish Planning Policy (2014), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (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 Conservation Area, surrounding townscape, immediate environment and built environmental quality due to its location, design, form and layout.

### **Amendment**

Councillor Knox, seconded by Councillor Lothian, moved as an amendment to approve the application subject to the 5 conditions and for the reasons detailed in the report.

### **Roll Call Vote**

**For the motion** - 7 votes

Councillors Clark, Corps, Hoggan-Radu, Liston, MacDiarmid, Tepp and Verner.

**For the amendment** - 4 votes

Councillors Dillon, Holt, Knox and Lothian.

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

### **Decision**

The Committee agreed:-

- (1) to refuse the application on the grounds that the proposed development did not comply with:-
  - (a) Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Scottish Planning Policy (2014) (Valuing the Historic Environment), Historic Environment Scotland (HES) Policy Statement (2016), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017), Making Fife's Places Supplementary Guidance (2018) and the St. Andrews Conservation Area Appraisal and Management Plan (2010) - on the basis that the proposed development would have a detrimental visual impact on the Conservation Area and surrounding historic environment due to its location, design, form and layout; and
  - (b) Scottish Planning Policy (2014), Policies 1, 10 and 14 of the Adopted FIFEplan Local Development Plan (2017) and Making Fife's/

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Fife's Places Supplementary Guidance (2018) - on the basis that the proposed development would have a detrimental impact on the visual amenity of the Conservation Area, surrounding townscape, immediate environment and built environmental quality due to its location, design, form and layout; and

- (2) to delegate to the Head of Planning, 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.

*Councillor Kennedy-Dalby left the meeting during consideration of the above item, prior to the roll call vote.*

### **49. 22/01365/CAC - ABBOTSFORD COTTAGE, ABBOTSFORD PLACE, ST. ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for Conservation Area Consent for the complete demolition of a dwellinghouse.

#### **Decision**

The Committee, having refused the associated planning application - '22/01366/FULL' at Para. No. 48 above - agreed:-

- (1) to refuse the application on the grounds that as an appropriate replacement development had not been agreed, demolition was no longer justified;
- (2) approval of this application for Conservation Area Consent would be contrary to Planning (Listed Building and Conservation Areas) (Scotland) Act 1997, Historic Environment Policy for Scotland and the Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (2019); and
- (3) to delegate to the Head of Planning, 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.

*Following consideration of the above 2 items, Councillor Lawson re-joined the meeting.*

*Councillor Corps left the meeting during consideration of the following item.*

### **50. 22/01675/FULL - RUSSELL HOTEL, 26 THE SCORES, ST. ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for alterations and extension to allow for the change of use from hotel (Class 7) to 6 flatted dwellings and associated works (including partial demolition of an existing building).

#### **Decision/**

**Decision**

The Committee agreed to approve the application subject to the 4 conditions and for the reasons detailed in the report.

**51. 22/01674/CAC - RUSSELL HOTEL, 26 THE SCORES, ST. ANDREWS**

The Committee considered a report by the Head of Planning Services relating to an application for the substantial demolition of a building in a conservation area.

**Decision**

The Committee agreed to approve the application subject to the 2 conditions and for the reasons detailed in the report.

**52. 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 31st October to 27th November, 2022.

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