

# North East Planning Committee

County Hall, County Buildings, Cupar

Wednesday, 6 November 2024 - 1.30 p.m.

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## 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 11 September 2024. 5 – 7
4. **24/00680/FULL - 5 QUEENS GARDENS, ST ANDREWS, FIFE** 8 – 25  

Alterations and extension to dwellinghouse, erection of pergola and ancillary accommodation within garden ground and alterations and restoration of rigg walls and potting shed.
5. **24/00668/LBC - 5 QUEENS GARDENS, ST ANDREWS, FIFE** 26 – 36  

Listed Building Consent for alterations and extension to dwellinghouse and alterations and restoration of rigg walls and potting shed.
6. **24/01990/LBC - 5 QUEENS GARDENS, ST ANDREWS, FIFE** 37 – 44  

Listed Building Consent for internal alterations to dwellinghouse (retrospective).
7. **24/01369/FULL - 9 WEST STREET, ST MONANS, ANSTRUTHER** 45 – 54  

Change of use from shop (Class 1A) to flatted dwelling (Sui Generis) including installation of replacement windows and rooflights.
8. **24/01351/LBC - 9 WEST STREET, ST MONANS, ANSTRUTHER** 55 – 59  

Listed Building Consent for internal and external alterations to include installation of replacement windows and opening, rooflights and reconfiguration and removal of internal partitions.
9. **24/01731/FULL - SEAFORTH, LINKS PLACE, ELIE** 60 – 70  

Installation of dormer extensions and erection of outbuilding and formation of access and driveway.

**10. 24/01730/LBC - SEAFORTH, LINKS PLACE, ELIE**

71 – 77

Listed Building Consent for installation of dormer extensions and erection of outbuilding and formation of access and driveway.

**11. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**

<https://www.fife.gov.uk/kb/docs/articles/planning-and-building2/planning/planning-applications/weekly-update-of-applications2>

**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  
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30 October 2024

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## **BLENDED 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**

County Hall, County Buildings, Cupar

11 September 2024

1.30 pm – 4.00 pm

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

**ATTENDING:** Alastair Hamilton, Service Manager and Scott Simpson, Planner, Development Management; Steven Paterson, Solicitor, Planning and Environment, Diane Barnet, Committee Officer and Kerry Elliott, Committee Officer, Legal and Democratic Services.

**APOLOGIES FOR ABSENCE:** Councillors Fiona Corps, Gary Holt, Margaret Kennedy and Allan Knox.

**176. DECLARATIONS OF INTEREST**

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

**177. MINUTE**

The committee considered the minute of meeting of the North East Planning Committee of 14 August 2024.

**Decision**

The committee approved the minute.

**178. 23/02309/PPP - CRAIL AIRFIELD, BALCOMIE ROAD, CRAIL**

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 holiday accommodation site (91 self-build holiday units), craft workshops/light industrial (Class 4) and storage buildings (Class 6) and associated infrastructure including footpaths, cycle paths, roads and parking areas (demolition of existing buildings).

**Motion**

Councillor Tepp, seconded by Councillor Clark, moved to approve the application subject to the 19 conditions and for the reasons detailed in the report and following the conclusion of an agreement to secure the necessary planning obligations as outlined in the report.

**Amendment**

Councillor Dillon, seconded by Councillor Hayes, moved to refuse the application on the grounds that the proposed development did not comply with: policies 13, 14, 15 and 30 of the adopted National Planning Framework 4 (2023); policies 1 and 3 of the adopted FIFEplan Local Development Plan (2017); Local

## 2024 NEPC 80

Development Plan allocation LDW022; and the adopted Making Fife's Places Supplementary Guidance (2018) – on the basis that the proposed development would have a detrimental impact on road safety due to its location, form and scale resulting in an unacceptable impact on the capacity of the existing roads infrastructure due to additional vehicular movements; the lack of provision or improvement to pedestrian and other sustainable linkages or safer routes between the application site and the town of Crail; and the lack of an alternative access which would mitigate impacts on access routes to Crail Airfield and golf courses.

### **Roll Call Vote**

**For the Motion** – two votes.

Councillors Clark and Tepp.

**For the Amendment** – eight votes.

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

### **Decision**

The committee:-

- (1) refused the application on the grounds that the proposed development did not comply with: policies 13, 14, 15 and 30 of the adopted National Planning Framework 4 (2023); policies 1 and 3 of the adopted FIFEplan Local Development Plan (2017); Local Development Plan allocation LDW022; and the adopted Making Fife's Places Supplementary Guidance (2018) – on the basis that the proposed development would have a detrimental impact on road safety due to its location, form and scale resulting in an unacceptable impact on the capacity of the existing roads infrastructure due to additional vehicular movements; the lack of provision or improvement to pedestrian and other sustainable linkages or safer routes between the application site and the town of Crail; and the lack of an alternative access which would mitigate impacts on access routes to Crail Airfield and golf courses.
- (2) agreed 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.

### **179. 23/02628/FULL - LAND TO THE NORTH OF ABBEY COTTAGE, ABBEY WALK, ST ANDREWS**

The committee considered a report by the Head of Planning Services relating to an application for the erection of five dwellinghouses on the land of the former gas holder site, Balfour Place, St Andrews.

### **Decision**

The committee agreed to approve the application subject to the 11 conditions and for the reasons detailed in the report.

**180. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**

**Decision**

The committee noted the list of applications dealt with under delegated powers since the previous meeting.

Committee Date: 06/11/2024

Agenda Item No. 4

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**Application for Full Planning Permission**

**Ref: 24/00680/FULL**

**Site Address:** 5 Queens Gardens St Andrews Fife

**Proposal:** Alterations and extension to dwellinghouse, erection of pergola and ancillary accommodation within garden ground and alterations and restoration of rigg walls and potting shed

**Applicant:** Mr & Ms Andrew & Margaret Knight, 5 Queens Gardens St Andrews

**Date Registered:** 29 March 2024

**Case Officer:** Kirsten Morsley

**Wards Affected:** W5R18: St. Andrews

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### **Reasons for Referral to Committee**

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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**

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The application is recommended for: Conditional Approval

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## **1.0 Background**

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### **1.1 The Site**

1.1.1 This application relates to a traditional townhouse situated within the town centre of St. Andrews. The townhouse forms part of 4-21 Queens Gardens, a Category C listed mid-19<sup>th</sup> century Victorian terrace comprising of 18 dwellings. The site also includes 2 rigg gardens and a potting shed which are Category B listed. The rigg gardens and the potting shed originally formed part of the curtilage for 68-78 South Street situated to the north. The townhouse is also located within the St. Andrews Archaeological Area of Regional Importance and the St. Andrews Conservation Area.

1.1.2 External finishes include a slate roof, natural ashlar sandstone walls with a pedimented door piece (front) and single glazed timber sash and case windows, some of which are multi-pane. The property has been previously altered and extended. External historic works include a two storey (brick clad) rear extension and a single storey (timber framed) rear extension. There are also box dormers on the front and rear elevations.

1.1.3 The townhouse fronts the street and has no off-street parking. The back garden is enclosed and overlooked from the north, south and west by other private dwellings and gardens. East of its rigg gardens there is another historic rigg owned by St. Andrews University, and beyond, there is the Long Walk and the Category A listed St. Andrews University St. Mary's Quadrangle.

1.1.4 The site curtilage is unique and is unusually large – the equivalent width of 5 gardens. It is not known when the rigg gardens transferred to the ownership of 5 Queens Gardens. Prior to this change, it is likely the curtilage of 5 Queens Gardens included one of the gardens across the street to the west. Historic town plans show that the Category B listed potting shed was likely erected sometime between 1820 and 1855 and was built to serve both rigg gardens to the east and those rigg gardens south of the site. The traditional random rubble rigg walls and the potting shed are in a perilous state having been neglected for a long time and require substantial repair, including full re-construction in places.

1.1.5 The rigg gardens include trees which have protection under the site's Conservation Area status, but none have Tree Preservation Orders. Submitted details indicate that one dead pear tree was removed and an application to remove a Dichotomanthes tree under application 23/02519/TCA was approved by Fife Council in October 2023. This tree was found to be diseased and was in danger of collapsing close to the potting shed. Four apple trees, a birch tree, an Indian Bay tree as well as a few other small trees and shrubs also remain within the rigg gardens.

#### 1.1.6 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 This planning application has been revised post submission in response to objections received from third parties and following comments/concerns raised by Planning Services. The application has also been re-advertised and all neighbours and representees who commented on the original application were re-notified of the changes and given the opportunity to comment on the revised submission.

1.2.2 The application includes a Design and Access Statement, a Heritage and Archaeology Report, a Tree Report and now seeks planning consent for the following revised proposals,

- the basement would be converted into a one bedroomed self-contained ancillary living space which would be accessed from within the house
- a single storey rear extension would be erected to replace the existing single storey garden room
- an external door and steps would replace a bedroom window in the basement
- a cast iron balcony with balustrade would be added to the ground floor rear bedroom
- the existing slate roof would be overhauled with traditional reclaimed scotch slate, and 5 slate vents, 2 new rooflights, a boiler flue and traditional lead watergates to skews would be added
- external alterations to the existing front and rear dormers, including replacing the dormer windows
- to add a separate ancillary bedroom annex and a garden pergola within the rigg gardens
- the existing rigg boundary walls and the potting shed would be repaired, restored, and re-constructed in places

1.2.3 The Design and Access Statement includes details and photographs of the site, its history, a heritage analysis, the initial design concept and outlines proposed restoration works to the rigg walls and the potting shed. The statement highlights that the proposed works would better connect the house with the rigg gardens and includes comprehensive proposals to repair and restore the potting shed and the rigg walls, as well as re-join the middle rigg wall to the potting shed as it did historically. The submission as now revised shows the glass link and the living room extension in the easternmost rigg garden removed, the kitchen extension enlarged, and a timber garden pergola has been added to the easternmost rigg garden. Other changes include revisions to details and external finishes as summarised below.

- the front living room on the ground floor would be used as a study and would not now be converted into a 1 bedroomed self-contained ancillary space with kitchen as previously proposed.
- the windows to the dormers and to the first-floor bathroom window (proposed library) would be replaced with hardwood 4:8:4 double glazed sliding timber sash and case windows. All other existing sash and case windows, except for the bedroom window in the basement, which would be changed into a door, would be retained and restored.
- both rooflights on the rear elevation would now be replaced with traditional black flush fitted conservation rooflights.
- 150 -200 mm of insulation would be added to both dormer roofs and their existing timber fascias would be replaced with new white painted timber fascias.
- existing UPVC downpipes would be replaced with cast iron down pipes
- the house extension has been revised to include additional living space. Its footprint would measure approximately 109m<sup>2</sup>, 88.5 m<sup>2</sup> of which would occupy the westernmost rigg garden. Its sedum roof has been lowered to a height of 3.3 metres and the external flue has been removed. The original solid black stained cladding with regular vertical battens fixed proud of the timber cladding have also now been replaced with softer grained flat tongue and groove vertical Burnt Cedar Cladding with PPC (polyester powder coated) aluminium trims. Its glazed doors and windows would also match the colour of the timber cladding.
- The timber framed pergola would have a height of 2.6 m and a footprint of 27.5 m<sup>2</sup>. The pergola would be stained a charcoal colour and planting (including climbers) with paving would be used to integrate this structure into the garden.

- the ancillary 1 bed roomed annex has been reduced to a height of 3.3 metres, it would have a building footprint of 49 m<sup>2</sup> with finishing materials to match those for the house extension.
- 9 no external downlighters are proposed to the rear of the existing townhouse, the extension, and the ancillary annex. The submission confirms that the downlighters would have a minimal light intensity.
- a detailed site plan has been submitted to show the proposed works to the rigg walls. The agent has advised that the principal surveyor for the rigg walls is RICS qualified with over 35 years of experience in the Built Heritage sector.
- the potting shed doors are to be faithfully reconstructed. The potting shed window would be retained and restored and its roof repaired.
- the issue of privacy by the lowered wall forming the rear east boundary serving 6 Queens Gardens would be addressed by erecting a timber privacy screen.
- the submission highlights that the pergola within the easternmost rigg would provide privacy for the applicants for socialising, as well as provide privacy to the ancillary master bedroom.
- the agent has acknowledged that an archaeologist would be commissioned to ensure that all requirements required under FIFEplan policy 14 would be met in terms of safeguarding archaeological deposits should these be found during the execution of the works.

1.2.4 The applicants have stated that the setting of the rigg walls and the potting shed have been central to their design process throughout and that the design proposals have been revised to address the concerns first raised and that the design proposals would guarantee that the rigg walls and the potting would be restored and maintained which would secure their long-term future.

1.2.5 The Heritage and Archaeology Report (HAR) commissioned by the applicants covers the historical development and setting of the site, and includes an assessment of the significance of designated and non-designated site assets. The report considers the site's 'Setting' by looking at a 150-metre radius of the site's red line boundary and outlines what is of significance and what impact the design submission, as first proposed, would have had on the significance of the site, nearby listed buildings, and on the Conservation Area.

1.2.6 The Tree Report assessed and categorised thirteen trees and one hedge, and notes that six trees are situated within the site and two trees, and one hedge are situated out with the site but are close to the site boundary. See drawing number 43. The report includes an Arboriculture Impact Assessment, a Constraints Plan and a Tree Protection Plan.

### **1.3 Relevant Planning History**

23/02519/TCA – Removal of 25ft high Dichotomanthes tree - PERMITTED 16/10/23

24/00668/LBC - Listed Building Consent for alterations and extension to dwellinghouse, and alterations and restoration of rigg walls and potting shed – Pending Decision

24/01990/LBC - Listed building consent for internal alterations to dwellinghouse (retrospective) – Pending Decision

## 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). Section 59(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that special regard shall be given to the listed building, or its setting and change shall have a special regard to preserving the building or its setting or any features of special architectural or historic which it possesses. 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 1: Tackling the climate and nature crises

Gives significant weight to supporting the sustainable management of the historic environment with the emphasis on preserving/protecting valued historic assets and promoting restoration wherever possible which in turn supports planning policies on the transition to net zero

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.

Policy 16: Quality Homes

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 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

### 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 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

Policy 10: Amenity

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

## Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

## Policy 14: Built and Historic Environment

Outcomes: Better quality places across Fife from new, good quality development and in which environmental assets are maintain, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

### **Supplementary Planning Guidance**

#### **Making Fife's Places (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.

#### **Low Carbon Fife (2019)**

This guidance provides guidance on assessing low carbon energy applications; demonstrating compliance with CO2 emissions reduction targets and district heating requirements; and requirements for air quality assessments.

### **National Guidance and Legislation**

Historic Environment Policy Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series – Setting, Boundaries, Roofs, Extensions and Windows

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.

### **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**

Home Extensions

Windows in Listed Buildings and Conservation Areas

Daylight and Sunlight

Garden Ground

Trees and Development

These documents set out the design criteria and expectations in greater detail under specific headings which Fife Council would consider in order to ensure a high quality build which would maintain a good standard of design and which would satisfy residential amenity requirements.

## Other Relevant Guidance

St Andrews Conservation Area Appraisal and Management Plan

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

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### 2.1 Relevant Matters

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

- Design and Visual Impact on the Setting of the historic Rigg Gardens and other nearby Listed Buildings and on the St Andrews Conservation Area Residential Amenity
- Road and Pedestrian Safety
- Trees
- Archaeology

### 2.2 Design and Visual Impact on the on the Setting of the listed building, historic Rigg Gardens and other nearby Listed Buildings and on the St Andrews Conservation Area

2.2.1 Historic Environment Policy Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change in the Historic Environment – Setting, Boundaries, Roofs, Extensions and Windows, National Planning Framework 4 (NPF4) policies 7, 14, 16, Annex D -Six Qualities of Successful Places - Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable where relevant, FIFEplan Local Development Plan (2017) policies 1, 10, and 14, Making Fife's Places – Supplementary Guidance (2018), Fife Councils Planning Customer Guidelines on Home Extensions, Windows in Listed Buildings and Conservation Area Guidance, Trees and Development, the St. Andrews Design Guidelines (2011), and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant to this application.

2.2.2 Historic Environment Policy Scotland HEPS 1 states that change in the historic environment should be based on the careful consideration of the cultural significance of a site. Cultural significance is ascertained from an understanding of a site's physical and material elements, and by how much of those elements have survived and how much have changed over time, and from an understanding of the site's wider context and setting. HEPS also highlights that decision making within the historic environment must be '*sufficiently flexible and adaptable*' to be able to manage wide ranging changes which happen over time and to ensure that, when making decisions, an understanding on the level of likely impact is understood and that change is proportionate to the cultural significance of the site. Policy HEPS 4 states that where detrimental impact is likely to specific heritage assets and their context, impact should be avoided or minimised.

2.2.3 Historic Environment Scotland (HES) guidance on Setting highlights that the setting of a historic asset covers a wide range of visual and non-visual factors and assessment requires to be considered on a case-by-case basis. Key to this submission is whether the development proposals within the rigg gardens would over dominate and detract from the rigg garden's existing character, or impact upon the setting of the Category C listed Queens Gardens Terrace or affect the appreciation of other nearby listed buildings from other viewpoints, and whether mitigation measures to remove, reduce or manage the proposals would be considered necessary.

2.2.4 The St. Andrews Conservation Area Appraisal and Management Plan (STACAMP), and St. Andrews Design Guidelines 12, 13 and 14 highlight that the rigg gardens are an important feature of the medieval street pattern and that they need to be protected. The guidance highlights that this should be managed by protecting walls and historic features, by placing strict constraints on development footprint and building height, and by controlling build direction so that development respects the riggs orientation, pattern and rhythm. FIFEplan highlights the need to limit future development on rigg gardens to '*safeguard the remaining riggs, so that they are expressed by space rather than built development*' and the St. Andrews Design Guidelines state that development within riggs should not exceed three quarters of feu width.

2.2.5 It is likely that the medieval urban layout was developed between 1144 and 1153, and that North Street and South Street were established around this time. Early maps, Geddy Map (1580), and Ainslie Map of Scotland (1775)), show burgage plots running to the south of South Street. New building towards the end of the 18<sup>th</sup> century took over the former plot of 78 South Street and produced the New Town Hall (built between 1858 and 1861) on South Street and the laying out of Queen Street (now Queens Gardens) between 1859 and 1869. Whilst there has been some historical sub-division and infill development behind South Street since, original burgage plots (or riggs as they are now known) have been largely preserved due to the lack of easy access to them, and they still bear a comparison to the 16th century Geddy map. Historical map evidence also indicates that the potting shed dates from between 1820 and 1855 and therefore predates the construction of both the New Town hall and Queens Gardens and is therefore the oldest building on the site.

2.2.6 STACAMP highlights that a large proportion of the St. Andrews University Campus lies within the Conservation Area and forms a vital part of St. Andrews built heritage. The Category A listed St. Mary's Quadrangle is situated near the application site to the east. Stone boundary walls, particularly high boundary walls and rigg boundary walls are also noted as important features of the Conservation Area, as is Queens Gardens, which is described as a key listed group of buildings.

2.2.7 National Planning Framework 4 policy 1 encourages and promotes developments which minimise emissions and adapt to the current and future impacts of climate change. NPF4 policy 7 and FIFEplan policy 14 supports development where important historic or architectural fabric is not harmed and where development does not impact adversely upon the character and appearance of a Conservation Area or on the setting of important historic assets or other listed buildings. FIFEplan policies 1, 10 and 14 supports development where it will take account of local context, is well located and is of a scale and nature to ensure that the overall landscape and environmental quality of the surrounding area is protected. Historic Environment Scotland's Managing Change series, Making Fife's Places (2018), and Fife Council's Customer Guidance, set out the general principles and expectations for good design in more detail to ensure that the relationship between new development and the historic environment is harmonious.

2.2.8 Historic Environment Scotland and Fife Council's Built Heritage were consulted on the related listed building application and have made no comment.

2.2.9 The original application received 51 objections, 1 general comment, and 36 letters of support. This revised application has received 29 objections, and those concerns raised are summarised below and mirror earlier objections received,

- the design proposals are still an overdevelopment of the site, are different in magnitude to any other development built in Queens Gardens, would be contrary to the spatial and structural pattern of the historic rigg gardens and would fail to preserve or enhance the character or appearance of the Conservation Area. Should support be given this would set a wholly undesirable and catastrophic precedent which would contravene the Adopted FIFEplan policies and the St. Andrews Design Guidelines which highlight that

the protected medieval rigg walls are a unique feature and should not be built upon or altered.

- the proposals are inappropriate in terms of scale, character and materials to surrounding houses, gardens, and green spaces. The reduction in height and material changes do not make the build better and the extension proposals are larger than the footprint of the existing house. The house extension has been increased by 60% (increasing from 27 feet to 43 feet) and the pergola is substantial and is the same size as the former living room. The materials used are considered inappropriate and out of keeping with the Conservation Area.

2.2.10 The HAR report commissioned by the applicant, concluded that the initial design would have resulted in negligible harm to the physical fabric of the house, and whilst the widening of the partially collapsed central rigg wall would have had an impact on the wall's historical special interest to a small degree, the restoration and re-instatement works to the rigg walls and the potting shed would result in an overall enhancement. The HAR report scoped out the designated site assets within a 150-metre radius of the site, including the Category A listed St. Mary's Quad, and the Category B listed 68-78 South Street, stating that these assets were found to be screened by trees and/or by intervening buildings. Furthermore, the non-designated assets were also scoped out as setting was considered to not primarily contribute to the significance of these assets and it was considered that the proposed development would not have physically impact on them. The report then goes on to state that whilst affecting the setting of the Conservation Area, the setting of 4-21 Queens Gardens and impacting upon the green undeveloped character of the rigg gardens, the proposed development would not be perceivable to most people who experience the Conservation Area and would still satisfy the requirements of NPF4 policy 7 and FIFEplan policy 14. However, the report also took the view that the initial design concept was still at odds with the recommendations provided by the St. Andrews Conservation Area Appraisal and Management Plan (STACAMP) and the St. Andrews Design Guidelines 13 and 17 which state that rigg gardens and areas of open space in the town centre should be protected from development.

2.2.11 Following a review of the HAR report and its conclusions, significant design changes were sought which included for the connecting glass link and the dining room extension to be removed from easternmost rigg garden. This design change would ensure that the legibility of the medieval burgage plots in respect of their rhythm/linearity and pattern as seen on the 16<sup>th</sup> century Geddy Map and for the un-developed character of the rigg gardens to largely remain intact. In addition, given the screening of the site from existing high walls and trees, the revised proposal would not impact upon the Category A listed St Mary's Quad or on the Category B listed 68-78 South Street.

2.2.12 Whilst the proposals would have some impact on the current undeveloped nature of the rigg gardens and are different in magnitude to other development in Queens Gardens, this view requires to be countered by the site itself, which is unusually large, and by Fife Council's Garden Ground guidance relating to site coverage for a domestic property. The proposals are fully compliant with Fife Council's guidance on Garden Ground. The proposals would not take up more than 25% of the rigg gardens, would cover no more than three quarters of the feu widths and more than 80% of the rigg gardens would remain undeveloped following the implementation of the proposals. To ensure that the character and extent of remaining green space remains as green space, a condition could also be added to manage the extent of hard landscaping within the rigg gardens.

2.2.13 Objectors consider the house extension to be too large. The applicants have highlighted that the basement kitchen is light deprived and no rooms within the house have any meaningful connection with the rigg gardens. They state that the design proposals would better connect the house with the rigg gardens and would guarantee the maintenance and future of the rigg walls and the potting shed by allowing 'living' to take place within the rigg gardens. The site visit confirmed that the basement kitchen is small and dark and that there is a significant dis-connect both physically and visually between both the living spaces and the kitchen and with the rear

rigg gardens. The development proposals would resolve these issues and provide direct access to the rear garden from the proposed kitchen/dining/living extension. National Guidance and Development plan policies state that design proposals do not need to look old in order to fit harmoniously into a historic setting and give support to good quality contemporary designs within the historic environment where appropriate appraisals of the site and its setting have taken place and a proposal's form, layout, material's etc respond well to that setting. Whilst the house extension has been lengthened by approximately 5 metres, the extension would align part of the site where there are other high walls and other neighbours' extensions which vary in material and quality. The house extension and annex positioning, their sub-ordinate low building height, simplicity of design, limited palette of materials and colour, and the use of green roof infrastructure and the planting of 3 new trees at the northern end of the westernmost rigg would ensure the proposed development would not over-dominate but would be in harmony with the surrounding historic setting and gardens. Similarly, the low pergola with its open structure and dark timber finish would also integrate well into the garden. The much-needed extensive restoration works to the listed rigg walls and the potting shed would also preserve these important historic structures for their long-term future.

2.2.14 The northern end of the rigg gardens include an historic brick infill where they have previously been historically sub-divided. The creation of the proposed 3.5-metre-wide opening in the rigg wall, which includes an existing opening and a large section of already collapsed wall, the filling in of other wall openings, including the re-joining of the middle rigg wall to the potting shed to restore an important former historic connection, would result in no net loss of rigg wall. This approach, combined with the proposals for significant repair of the 1.8 metre high rigg walls and the potting shed using appropriate traditional materials are considered reasonable and proportionate, given the domestic use of the site.

2.2.15 A detailed methodology and specification for the restoration of the rigg walls and the potting shed and the potting shed to ensure a faithful restoration can be addressed under the related 24/00668/LBC application. With the inclusion of appropriately worded conditions in respect of external finishes, and landscape details it is considered that the proposals as revised would satisfactorily protect the character and appearance of the Conservation Area and would satisfy the requirements of National Guidance, NPF4 (2023), FIFEplan Local Development Plan (2017), and all related guidance in relation to Design and Visual Impact on the Setting of the historic Rigg Gardens and other nearby Listed Buildings and on the St Andrews Conservation Area. .

## **2.3 Residential Amenity**

2.3.1 National Planning Framework 4 (NPF4) policy 14 and Annex D – Six Qualities of Successful Places, FIFEplan Local Development Plan (2017) policies 1, 10 and Fife Council's Planning Customer Guidelines on Daylight and Sunlight (2018), Home Extensions (2016) and Garden Ground (2016) apply to this application.

2.3.2 NPF4 Policy 14 and Appendix D – in particular Healthy and Pleasant places highlight that development proposals should be environmentally positive, should adequately protect areas from undesirable development and not be detrimental to the amenity of surrounding areas. Policy 1 of the Adopted FIFEplan (2017) advise that a development proposal will be supported if it is set in a location where the proposed use is supported by the Local Development Plan, and proposals address their individual and cumulative impacts. Policy 10 advises that development is required to be implemented in a manner that ensures that existing uses and the quality of life of those in the immediate area are not significantly adversely affected by factors such as, (but not limited to) noise, overlooking, potential losses of privacy, sunlight, or daylight, overshadowing etc. Fife Council's Planning Customer Guidelines expand on those policies highlighted above and outline in more detail what the design expectations should be. Should there be potential amenity issues arising from a development proposal, mitigation measures to

address those amenity impacts may be required and this would be established on a site-by-site basis.

2.3.3 Objectors contend that the extra accommodations would create a large dis-proportionate dwellinghouse likely for use for as an HMO or short-term let for commercial interest rather than for use as a family home, which could then be later sub-divided. The addition of the garden bedroom annex has also been described as a 4 bedroomed house and objectors are also concerned that the pergola could also become an additional separate planning unit on the site. The issue of access has also been raised. The potential increase in the number of people staying in the property, it is argued, would lead to increased noise, and light pollution, especially if catering for short term lets.

2.3.4 This application relates to a private domestic townhouse which, unlike most properties on Queens Gardens, has not had a change of use or has been sub-divided. The applicants have stated that it is not their intention to sub-divide the property but will be using the townhouse exclusively for use as their family home. The proposals do not increase the number of available bedrooms within the house which would remain at 5. Notwithstanding this, Use Class 9 (Houses) also allows for up to 5 unrelated people living as a family within the house or for the use of up to 2 bedrooms at any one time to be used as a Bed and Breakfast. For these reasons, there is already limited commercial potential under Use Class 9 (Houses) which the applicants are fully entitled to implement, if they so wish. The pergola is a typical open garden structure and is not habitable accommodation. The bedroom annex would remain fully ancillary to the main townhouse and any approval would be conditioned accordingly to ensure this. The garden is enclosed by gardens owned by others and by listed boundary walls and there is no other access to the bedroom annex, other than through the main house. The expected level of noise and light would be no different than that expected for a house, however it is also highlighted that the principal garden areas for outdoor use would be east of the house extension and where the pergola is proposed. Both these areas are the furthest from neighbours and are intended to minimise any impact.

2.3.5 Objectors contend that the proximity and the overlapping of the proposed house extension across the rear garden boundaries of 4 and 6 Queens Gardens would create loss of light, overshadowing, light pollution and loss of privacy -particularly to 6 Queens Gardens rear courtyard garden and kitchen/dining room extension window. The site's western rigg boundary wall bounding these properties has already been built up by a flat roofed rear brick extension at 4 Queens Gardens and a lean-to at 6 Queens Gardens which is finished in stone and render. Furthermore, both these extensions are similar in height to the applicant's proposed house extension. A Daylight and Sunlight exercise was carried out by the agent (see document 47) which demonstrates that there would be no material loss of light, light pollution, or overshadowing to these properties or gardens from the proposed house extension. As daylight and sunlight concerns were raised in respect of the proposed hedge by the lowered wall to 6 Queens Gardens to address privacy concerns, this hedge has now been replaced with a 1.6 m high by 2.4 m long timber privacy fence.

2.3.6 FIFEplan policy 14, St. Andrews Design Guidelines 13 and 14 as well as STACAMP draw attention to the significance of the rigg gardens within St. Andrews, and notes that whether they are publicly or privately owned, are natural Green Spaces which are important both to the character of the Conservation Area, and for the natural environment for wildlife and trees. Objectors contend that the development would result in the loss of important Open Space and Greenspace which would have adverse effects on wildlife, including birds, and would impact on climate change targets. This issue is addressed in paragraphs 2.2.12, 2.2.13 and 2.5.3. Furthermore, the implementation of green roof infrastructure to the house extension and the annex would address surface water run-off from these buildings in a sustainable, environmentally positive way.

2.3.7 In light of the above, and with the inclusion of appropriately worded conditions in respect of the use of the ancillary bedroom annex, a privacy fence, and new tree planting, the proposed works are considered acceptable and would be compliant with meeting the requirements of

NPF4 and the FIFEplan Local Development Plan and all related guidance in relation to Residential Amenity.

## **2.4 Road and Pedestrian Safety**

2.4.1 National Planning Framework 4 (NPF4) policies 18 and Annex D - Six Qualities of Successful Places, policies 1, 3 and 10 of the Adopted Fifeplan Local Development Plan (2017) and Making Fife's Places - Supplementary Guidance (2018) - Appendix G: Fife Council Transportation Development Guidelines apply to this application.

2.4.2 NPF4 policy 18 highlights that development will only be supported where it can be demonstrated that where there would be any material impact on infrastructure that this would be appropriately mitigated. Policies 1, 3 and 10 of the Adopted FIFEplan advise that development must be designed in a manner that ensures that the capacity and safety of infrastructure is not compromised. Support shall be given where development will not have a significant detrimental impact on the amenity of existing or proposed land uses in relation to traffic movements and which do not exacerbate road safety. Making Fife's Places associated transportation guidelines provide further advice in this regard.

2.4.3 Objectors highlight that there is no designated off-street parking and multiple occupancy will increase parking on the street and put an added strain on the street where there is already considerable pressure.

2.4.4 The townhouse is not being sub-divided. Whilst the existing property has no off-street parking, the number of available bedrooms following development would not change. Transportation Development Management have been consulted and have advised that as the development proposals (within the rigg garden) would be ancillary to the main dwellinghouse they have confirmed that there are no conditions that they wish to apply. Furthermore, as the townhouse is located within the town centre of St. Andrews the site is well served by public transport and public car parks.

2.4.5 In light of the above, the proposals are considered compliant with meeting the requirements of NPF4 and the FIFEplan Local Development Plan and all related guidance in respect of Road and Pedestrian Safety.

## **2.5 Trees**

2.5.1 National Planning Framework 4 (NPF4) policies 7, 14, 16, Annex D -Six Qualities of Successful Places, FIFEplan Local Development Plan (2017) policies 1, 10, 13, Fife Council's Making Places Supplementary Guidance, Fife Council's Planning Customer Guidelines on Trees and Development and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant.

2.5.2 These policies and guidelines ensure that in Conservation Areas existing trees which contribute to the character of the Conservation Area and its setting shall be retained and be protected from development. Any potential loss of such trees which are over a certain size require consent from the Local Planning Authority so that the amenity and the natural heritage of the Conservation Area can be safeguarded.

2.5.3 The tree report commissioned by the applicant confirms the following,

- that no significant trees within or out with the site would be significantly affected by the proposals and that the site plans also show that all existing trees within the site shall be retained.

- trees T1, T2 and T4 would require appropriate ground protection measures within part of their RPA's (Root Protection Areas) and Construction Exclusion Zones (CEZ's) to enable access through the site during construction works. These measures have been shown on the proposed Tree Protection Plan – drawing number 42,

- tree A (a Category A sycamore tree) which is located out with the site in a private garden just north of the easternmost rigg garden has a 2-metre crown clearance above ground at its lowest point and would require a crown lift to enable access and construction of the garden annex as it has a height of 3.3 metres. The report also recommends tree protection measures are implemented (refer to Appendix 3a, 3b, and 4 in the Tree Report) This conclusion has been reached as the garden annex would occupy less than 12% of the RPA of this tree and the existence of the modern brick wall boundary between both gardens would have acted as a partial but significant barrier to root growth.

- that the tree work would require to be carried out by a suitably experienced tree surgeon and comply with BS 3998: 2010 – Recommendations for Tree Work. In addition, prior to undertaking any of this work tree A should be inspected for the presence of any bat roosts before works commence. The report also confirms that guidelines set out in the National Joint Utilities Group Publication Volume 4, Guidelines for the Planning, Installation and Maintenance of Utility apparatus in Proximity to Trees would be adhered to during excavation works close to or partially within the RPA's.

2.5.4 Fife Council's Tree Officer has reviewed the Tree Report and Recommendations and has confirmed that the Arboricultural Impact Assessment has identified all potential impacts to the existing trees on and off site, and is content that the proposed required tree works, the protective measures - including the fencing, are all in line with BS5837:2012 and that the impact would be minimal.

2.5.5 In light of the above, and with the inclusion of appropriately worded conditions in respect of the tree works and protection measures the proposals are considered acceptable and would be compliant with meeting the requirements of NPF4 and the FIFEplan Local Development Plan and all related guidance in relation to Trees.

## 2.6 Archaeology

2.6.1 National Planning Framework 4 (NPF4) policy 7 and FIFEplan Local Development Plan (2017) policies 1 and 14 apply. The site lies within St. Andrews Conservation Area and is situated within an area zoned as an Archaeological Area of Regional Importance.

2.6.2 Fife Council's archivist has confirmed that both the footprint of 5 Queens Gardens and the garden ground to be developed formed part of the inland of a medieval domestic rigg that fronted on to South Street. The site falls within the earliest phase of the development of the episcopal burgh of St Andrews and the footprint of ground to be developed, including the rigg wall that separates the proposed development site, preserve plot boundaries laid out in c.1140. As such as the site proposed for development is near certain to contain buried archaeological deposits of medieval date, the archivist sees no reason for an exemption from Policy 14 which states, '*The archaeological investigation of all buried sites and standing historic buildings within an Archaeological Area of Regional Importance will be required in advance of development unless good reason for an exemption can be shown*', and confirms that development on this site should be accompanied by an archaeological mitigation strategy, in order to assess the archaeological potential of the site prior to development. This requirement can be addressed by condition, so to comply with the Development Plan policies in this respect.

## 3.0 Consultation Summary

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Trees, Planning Services

All information provided is in line with BS5837:2012 and no further requirements are required in terms of arborical impact or protection.

Archaeology Team, Planning Services

A condition should be applied to any consent whereby the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation for approval in writing by this Planning Authority.

TDM, Planning Services

TDM have assessed the proposal and can confirm that there are no conditions which we would apply. The notional off street parking requirement for this site, post development would remain at 3 spaces and it is considered that the proposals are ancillary to the main dwelling.

Scottish Water

No objections

## 4.0 Representation Summary

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4.1 This revised submission has received 29 objections which are summarised below and are similar to those received previously.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

- a. The plan shows the partial destruction of the medieval rigg wall. The protected medieval rigg walls are a unique feature which are hundreds of years old and should not be altered.

**Addressed in paragraphs 2.2.11, 2.2.14, 2.2.15, 2.2.15**

- b. The proposals are different in magnitude to any other development built in Queens Gardens, are contrary to the spatial and structural pattern of the historic rigg gardens, and should the gardens be built upon this would set a wholly undesirable and catastrophic precedent which would contravene the Adopted FIFEplan policies and the St. Andrews Design Guidelines, and would set a precedent for future development within the front gardens along Queens Gardens. The St. Andrews Design Guidelines state that

building on the Rigg Gardens should be restricted so to preserve their layout and characteristics of the medieval riggs.

**Addressed in paragraph 2.2.11, 2.2.12**

- c. The proposals are contrary to the Development Plan and would fail to preserve or enhance the character or appearance of the Conservation Area and should be refused. The revised proposals are still an overdevelopment and are inappropriate in terms of scale, character and materials to surrounding houses, gardens, and green spaces. The reduction in height and material changes do not make the build better. The extension proposals are larger than the footprint of the existing house. The revised house extension has been increased by 60% (increasing from 27 to 43 feet) and the pergola is a substantial structure on a greenspace and is the same size as the former living room and is out of character with the rest of the area. Interventions require to be compatible with the historic context and not be overwhelming or imposing.

**Addressed in paragraph 2.2.11, 2.2.12, 2.2.13**

- d. Three buildings with flat roofs and timber cladding are inappropriate and out of keeping with the Conservation Area.

**Addressed in paragraph 2.2.13**

- e. Access is required to enable an archaeological investigation of the site.

**Addressed in paragraph 2.6.2**

- f. There should be scrutiny on whether the proposed development is for a family or for commercial reasons. The property could also be further sub-divided. The proposals still attempt to build a 4 roomed house in the garden and the extra accommodations would turn the dwelling into a dis-proportionate large dwelling likely for use for commercial interest e.g. a multiple occupancy by an absentee owner or short term let which is not in line with Planning policy. The bedroom annex also raises future issues regarding access and the pergola could also become an additional separate planning unit.

**Addressed in paragraph 2.3.4**

- g. Loss of important Open Space and Greenspace which are the lungs of St. Andrews, which would result in the loss of amenity, privacy and would have adverse effects on wildlife, including birds, and would impact on climate change targets.

**Addressed in paragraphs 2.2.12 and 2.3.6**

- h. Unreasonable potential increase in the number of people staying in the property which would lead to increased noise, and light pollution, especially if catering for short term lets.

**Addressed in paragraph 2.3.4**

- i. This would be the first time a house extension in Queens Gardens would be built directly behind and overlap neighbour's gardens. The house extension would sit too close to and overlap the rear garden boundaries of 4 and 6 Queens Gardens and would impact on these properties in terms of loss of light, overshadowing, noise, light pollution and loss of privacy, particularly to 6 Queens Gardens rear courtyard garden and kitchen/dining room extension window. The proposed hedging to No. 6, to address overlooking, would block winter daylight and morning sunlight to their outdoor courtyard, making the courtyard unusable and this loss would also impact their living spaces. Furthermore, no daylight/sunlight assessment has been provided. The upper bedroom window of No.6 would also be able to look directly into the kitchen/dining room extension.

**Addressed in paragraph 2.3.5** and due to the oblique angle of the rooflights the neighbours would not be able to look into the kitchen extension.

j. Why are there multiple kitchens?

**Addressed in paragraphs 1.2.3, 2.2.13**

k. There is no designated off-street parking. Multiple occupancy will increase parking on the street and put an added strain where there is already considerable pressure due to short supply. Construction traffic and upheaval with trade vans all day. The one-way street exacerbates the volume of traffic and would disrupt people's lives.

**Addressed in paragraph 2.3.4, 2.4.4**

#### **4.2.3 Other Concerns Expressed**

a. The removal of the dumb waiter and the forming of the 1.0 metre opening in a structural wall are not acceptable. The dumb waiter was magnificent and still in working order at the end of the 80's.

**This is addressed in the related 24/01990/LBC.**

b. There is a need for proper scrutiny of all applications for 5 Queens Gardens. Given their previous experience in developing properties, the applicants must have realised that the removal of the dumb waiter was a criminal offence, and its removal shows a lack of respect for the Planning System. The applicants should at least put back the dumb waiter and repair the basement wall.

**This is addressed in the related 24/01990/LBC.**

c. Compromised views from St. Mary Quad buildings and from multiple properties on South Street and Queens Gardens.

**This is addressed in paragraph 2.2.10, 2.2.11**

d. Impact on residents during construction

**This would be for a limited time only and is not a material planning consideration.**

e. The house extension proposal shall cut views from 6 Queens Gardens

**Loss of view is not a material planning consideration.**

f. Concerns that the pergola and the outdoor spaces would be overly lit creating light pollution.

**Placing strict planning controls on the lighting of a domestic back garden would not be reasonable**

## **5.0 Conclusions**

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The proposals as revised are considered acceptable in meeting the terms set out in National Guidance, National Planning Framework 4 (2023), the FIFEplan Local Development Plan (2017) and all other relevant guidance in relation to Design and Visual Impact on the Setting of the historic Rigg Gardens and other nearby Listed Buildings and St Andrews Conservation Area, Residential Amenity, Road and Pedestrian safety, Trees, and Archaeology and are recommended for approval.

## 6.0 Recommendation

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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 LANDSCAPE WORKS COMMENCE ON SITE, full details of the specification and extent of hard landscaping within the Rigg gardens shall be submitted for approval in writing by the Planning Authority. Thereafter the landscape proposals shall be carried out in accordance with the details approved, unless changes are subsequently agreed in writing with this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the proposed details do not detract from the character and appearance of the Rigg Gardens, the Open Green Space and the Conservation Area within which the site is located.

3. BEFORE ANY WORKS COMMENCE ON SITE, details indicating the siting, species and heights (at time of planting) of the 3 trees as shown on approved drawing 02B shall be submitted for approval in writing by this Planning Authority. The planting as approved shall be implemented within 2 months of the first planting season following the completion or occupation of the development, whichever is the sooner.

Reason: In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

4. All tree works shall be carried out as per the recommendations set out in the Tree Report (approved document 41) and BEFORE ANY WORKS START ON SITE, this Planning Authority shall be notified in writing of the completion of the protective measures to the existing trees and no work on site shall commence until the Planning Authority has confirmed in writing that the measures as implemented are acceptable. The measures shall be retained in a sound and upright condition throughout the demolition/construction operations and no building materials, soil or machinery shall be stored in or adjacent to the protected areas, including the operation of machinery.

Reason: In order to ensure that no damage is caused to existing trees during demolition and construction operations.

5. The new trees shall be maintained in accordance with good horticultural practice for a period of 5 years from the date of planting. Within this period any trees which are dead, damaged, missing, diseased or fail to establish shall be replaced annually.

Reason: In the interests of visual amenity and effective landscape management; to ensure that adequate measures are put in place to protect the landscaping and planting in the long term.

6. BEFORE ANY WORKS START ON SITE, the developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation which has been submitted by the developer and approved in writing by this Planning Authority.

Reason: In order to safeguard the archaeological heritage of the site and to ensure that the developer provides for the investigation, recording and rescue archaeological excavation of remains on the site, which lies within an area of archaeological importance.

7. BEFORE ANY WORKS COMMENCE ON SITE, the following material sample shall be submitted for approval in writing by the Planning Authority,

- Timber cladding panels for house extension and bedroom annex

Thereafter the development shall be carried out in accordance with the material approved, unless changes are subsequently agreed in writing with this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the proposed external finishes do not detract from the character and appearance of this Category C Listed Building and the Conservation Area within which the site is located.

8. FOR THE AVOIDANCE OF DOUBT, the ancillary bedroom annex shown on approved drawings 22A and 24A shall at all times remain as an ancillary domestic bedroom annex to 5 Queens Gardens and shall not be altered at a later date to become a self-contained residential unit or be sold or otherwise disposed of other than as part of 5 Queens Gardens unless otherwise agreed in writing with this Planning Authority.

Reason: In order to retain full control over the development and to avoid the creation of an additional permanent dwellinghouse.

9. BEFORE THE EXTENSION IS BROUGHT INTO USE, a 1.6 metre high and 2.4-metre-long timber privacy screen shall be placed along the east facing lowered boundary wall shared with 6 Queens Gardens as shown on approved drawings 45 and 46 and shall thereafter be permanently maintained.

Reason: In the interests of safeguarding the residential amenity of neighbouring property.

## **7.0 Background Papers**

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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 Kirsten Morsley, Planning Assistant and Case Officer

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 28.10.24

Committee Date: 06/11/2024

Agenda Item No. 5

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**Application for Listed Building Consent**

**Ref: 24/00668/LBC**

**Site Address:** 5 Queens Gardens St Andrews Fife

**Proposal:** Listed Building Consent for alterations and extension to dwellinghouse, and alterations and restoration of rigg walls and potting shed

**Applicant:** Mr & Ms Andy & Margaret Knight, 5 Queens Gardens St Andrews

**Date Registered:** 29 March 2024

**Case Officer:** Kirsten Morsley

**Wards Affected:** W5R18: St. Andrews

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### Reasons for Referral to Committee

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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

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The application is recommended for: Conditional Approval

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## 1.0 Background

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### 1.1 The Site

1.1.1 This application relates to a traditional townhouse situated within the town centre of St. Andrews. The townhouse forms part of 4-21 Queens Gardens, a Category C listed mid-19<sup>th</sup> century Victorian terrace comprising of 18 dwellings. The dwelling's site curtilage includes 2 rigg gardens and a potting shed - the rigg boundary walls and the potting shed are Category B listed. The rigg gardens and the potting shed originally formed part of the curtilage for 68-78 South Street situated north of the site. The townhouse site is also located in the St. Andrews Archaeological Area of Regional Importance and the St. Andrews Conservation Area.

1.1.2 External finishes include a slate roof, natural ashlar sandstone walls with a front pedimented door piece and single glazed timber sash and case windows, some of which are multi-pane. The property has been previously altered internally and extended. Historic works include a two storey (brick clad) rear extension and a single storey (timber framed) rear extension. There are also box dormers on the front and rear elevations. The dwelling retains

original features, including most of its original configuration on the first and second floors, decorative cornicing, picture rails, dado rails, an original fireplace, timber panelled doors and an internal staircase with a Victorian wrought iron balustrade. The dwelling also includes a dumb waiter, the history and details of which are covered in the related listed building consent application 24/01990/LBC which seeks retrospective consent for works already carried out, and which are summarised in paragraph 1.1.5 below.

1.1.3 The site is enclosed to the north, south and west by other private dwellings and gardens. To the east there is a historic rigg garden owned by St. Andrews University, and beyond, there is the Long Walk and the Category A listed St. Andrews University St. Mary's Quadrangle.

1.1.4 The site curtilage is unique and is unusually large – the equivalent width of 5 gardens. It is not known when the rigg gardens transferred to the ownership of 5 Queens Gardens. Prior to this change, it is likely the curtilage of 5 Queens Gardens included one of the gardens across the street to the west. Historic town plans show that the Category B listed potting shed was likely erected sometime between 1820 and 1855 and was built to serve both rigg gardens to the east and those rigg gardens south of the site. The traditional random rubble rigg walls and the potting shed are in a perilous state having been neglected for a long time and require substantial repair, including full re-construction in places.

1.1.5 This submission also includes works which are being sought for separate approval under the related 24/00680/FULL and 24/01990/LBC submissions which are also on this Agenda. These retrospective and proposed works are summarised as follows,

- the removal of a 1.0 metre section of structural wall, and partition walls (re. a utility room and cupboards) within the kitchen basement
- internal works and alterations including the re-instatement of a dumb waiter within the kitchen basement which operated between the kitchen and the first-floor lounge.
- other internal and external works as well as an extension / curtilage development.

All of which are detailed in section 1.2.2 of this report.

### 1.1.6 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 This application for listed building consent has been revised post submission in response to objections received and comments/concerns raised by this Planning Service. The application has also been re-advertised and all neighbours and representees who commented on the original application were re-notified of the changes and given the opportunity to comment on the revised submission.

1.2.2 The submission includes a Design and Access Statement and a Heritage and Archaeology Report and seeks listed building consent for the following proposed works,

- to convert the basement into a one bedroomed self-contained ancillary living space with the existing store converted into an en-suite bathroom and the kitchen altered to include a living room.
- to add an en-suite to a bedroom on the ground floor (former office)
- to form a 1.8-metre-wide opening between the drawing room and the existing bedroom on the first floor to form an extended drawing room
- to convert the first-floor mid-landing rear bathroom into a library
- to re-instate the second-floor bedroom (currently a bathroom) back into a bedroom and add an en-suite
- to replace the existing single storey garden room with a larger single storey extension. The floor level to the new extension would be higher than existing garden room floor level and would extend into the hall where a section of intervening wall would be removed to widen the hallway, and an additional set of steps would be added to access the basement stair.
- to replace a window in the basement with a multi-pane timber door and add a set of steps to access the rear courtyard garden
- to add a cast iron balcony with balustrade to the ground floor rear bedroom
- to overhaul the existing slate roof with traditional reclaimed scotch slate, and add 5 slate vents, 2 new rooflights, a boiler flue and traditional lead watergates to skewers
- to carry out external alterations to the existing front and rear dormers and replace the dormer windows
- to remove existing surface run pipes and repair walls
- to install plaster cornices in the top bedrooms where none currently exist.
- to repair, restore and re-construct in places the existing rigg boundary walls and the potting shed

1.2.3 The Design and Access Statement includes details and photographs of the site, its history, a heritage analysis, the initial design concept and outlines proposed restoration works to the rigg walls and the potting shed. The statement highlights that the house underwent extensive renovation in 1937, when it is believed that all the original fireplaces were removed except for the mantel surround which remains within the first-floor drawing room. The statement also highlights the following,

- that the proposed works would not materially change the dwelling's front elevation
- that internally there would be only minor internal layout changes and that the building's special historic character would be enhanced
- that the works would better connect the house with the garden

- that the submission includes comprehensive proposals to repair and restore the potting shed and the rigg walls, including re-joining a 2.36 metre length of the middle rigg wall to the potting shed as it did originally.

1.2.4 The glass link and the living room extension in the easternmost rigg garden as first proposed have since been removed and would now be replaced with a larger kitchen/dining room extension and a timber garden pergola. Additional changes have also been made to the proposed internal works, and to details and external finishes as summarised below,

- the proposed opening in the ground floor living room has been removed and it shall not now be converted into a 1 bedroomed self-contained ancillary space with a kitchen but shall remain un-altered and shall be used as a study
- details have been provided to show that alterations to and replacement of existing internal doors has now been minimised, including the retention of the
- hall vestibule doors and the first-floor mid-landing door to the proposed library.
- drawing 02A clarifies that 3 fireplaces, the fireplace in the proposed basement bedroom, and both fireplaces in the second-floor bedrooms, are to be removed. All 3 fireplaces are non-original.
- the windows to the dormers and to the first-floor bathroom window (proposed library) would be replaced with hardwood 4:8:4 double glazed sliding sash and case windows. All other existing sash and case windows, except for the bedroom window in the basement which would be changed into a door, would be retained and restored.
- both rooflights on the rear elevation would now be replaced with traditional black flush fitted conservation rooflights.
- 150 -200 mm of insulation would be added to both dormer roofs and the existing timber fascias would be replaced with new white painted timber fascias.
- existing UPVC downpipes would be replaced with cast iron down pipes
- the house extension has been revised to include additional living space. Its footprint would measure approximately 109m<sup>2</sup>, 88.5 m<sup>2</sup> of which would occupy the westernmost rigg garden. Its sedum roof has been lowered to a height of 3.3 metres and the external flue has been removed. The original solid black stained cladding with regular vertical battens fixed of the timber cladding have also now been replaced with softer grained flat tongue and groove vertical Burnt Cedar Cladding with PPC (polyester powder coated) aluminium trims. Its glazed doors and windows would also match the colour of the timber cladding.
- 6.no. external downlighters are proposed to the rear of the existing townhouse, and the house extension. The agent has advised that the lighting would have a minimal light intensity.
- a detailed site plan has been submitted to show the proposed works to the rigg walls. The agent has advised that the principal surveyor for the rigg walls is RICS qualified with over 35 years of experience in the Built Heritage sector.
- the potting shed doors are to be faithfully reconstructed by a suitably qualified joiner. The potting shed window would be retained and restored.
-

1.2.5 The applicants have stated that the setting of the rigg walls and the potting shed have been central to their design process throughout and that the design proposals have been revised to address the concerns first raised and that the design proposals would guarantee that the rigg walls and the potting would be restored and maintained which would secure their long-term future.

1.2.6 The Heritage and Archaeology Report (HAR) commissioned by the applicants concludes that the changes carried out and the proposed works to the house interior would result in negligible harm and would not alter the building's special architectural and historic interest. The report also contends that the removal of the modern rear extension and its replacement with a new addition would result in negligible harm to the physical fabric of the house and that provided heritage guidance is followed the window restorations, window replacements and the restoration of the rigg walls and potting shed would result in an enhancement. The report however also notes that the proposed widening of the partially collapsed part of the central rigg boundary wall is at odds with the St. Andrews Conservation Area Appraisal and Management Plan (STACAMP) and the St. Andrews Design Guidelines which promote the restoration of the rigg walls, and highlights that this approach would harm the historical special interest of the rigg wall to a small degree and suggests re-instating the wall rather than removing 3.7 metres of it, as this would recreate the appearance of the wall in the 1855 historic map.

### **1.3 Relevant Planning History**

23/02519/TCA – Removal of a 25ft high Dichotomanthes tree - PERMITTED - 16/10/23

24/00680/FULL - Alterations and extension to dwellinghouse, erection of pergola and ancillary accommodation within garden ground and alterations and restoration of rigg walls and potting shed – Pending consideration

24/01990/LBC - Listed building consent for internal alterations to dwellinghouse (retrospective) – Pending Consideration

### **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 1: Tackling the climate and nature crises

Gives significant weight to supporting the sustainable management of the historic environment with the emphasis on preserving/protecting valued historic assets and promoting restoration wherever possible which in turn supports planning policies on the transition to net zero

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.

#### Policy 16: Quality Homes

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

### **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 maintain, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

### **Supplementary Planning Guidance**

#### Making Fife's Places (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.

#### Low Carbon Fife (2019)

This guidance provides guidance on assessing low carbon energy applications; demonstrating compliance with CO2 emissions reduction targets and district heating requirements; and requirements for air quality assessments.

### **National Guidance and Legislation**

Historic Environment Policy Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series – Interiors, Boundaries, Roofs, Extensions and Windows

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.

### **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**

Home Extensions

Windows in Listed Buildings and Conservation Areas

These documents set out the design criteria and expectations in greater detail under specific headings which Fife Council would consider in order to ensure a high quality build which would maintain a good standard of design and which would satisfy residential amenity requirements.

### **Other Relevant Guidance**

St Andrews Conservation Area Appraisal and Management Plan

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**

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### **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 Building, Historic Rigg Walls and Potting Shed

### **2.2 Design and Visual Impact on the Listed Building, Historic Rigg Walls and Potting Shed**

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 should be sensitively managed ensure that its historical and/or architectural significance is safeguarded against insensitive change or damage and that its special characteristics are protected, conserved or enhanced.

2.2.2 Historic Environment Policy Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change in the Historic Environment – Interiors, Boundaries, Roofs, Extensions and Windows, National Planning Framework 4 (NPF4) policies 1, 7, 14, 16, Annex D -Six Qualities of Successful Places. FIFEplan Local Development Plan (2017) policies 1, 10, and 14, , Making Fifes Places – Supplementary Guidance (2018), Fife Councils Planning Customer Guidelines on Home Extensions, Windows in Listed Buildings and Conservation Area Guidance, Trees and Development, the St. Andrews Design Guidelines (2011), and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant to this application.

2.2.3 Historic Environment Policy Scotland HEPS 1 state that change in the historic environment should be based on the careful consideration of the cultural significance of a site. Cultural significance is ascertained from an understanding of a site's physical and material elements, and by how much of those elements have survived and how much have changed over time, and from an understanding of the site's wider context and setting. HEPS also highlights that decision making within the historic environment must be '*sufficiently flexible and*

*adaptable* to be able to manage wide ranging changes which happen over time and to ensure that, when making decisions, an understanding on the level of likely impact is understood and that change is proportionate to the cultural significance of the site. Policy HEPS 4 states that where detrimental impact is likely to specific heritage assets and their context, impact should be avoided or minimised.

2.2.4 Historic Environment Scotland (HES) guidance highlights that boundaries and their associated historic structures can contribute substantially to the setting and sense of place and can give an understanding of a historical landscape. The guidance also highlights that proposals should consider the material characteristics of important boundary walls and that where the formation of a new opening is proposed, this should be consistent with the existing wall design, and that the loss of historic fabric should be kept to a minimum. The guidance also states that proposals to rebuild should normally be supported by a structural report, photographs and detailed survey drawings, particularly where faithful reconstruction is required.

2.2.5 The St. Andrews Conservation Area Appraisal and Management Plan (STACAMP) states that it is presumed that St. Andrews medieval urban layout was developed between 1144 and 1153 and that it is likely that the two main streets of North Street and South Street were established around this time. Early maps, Geddy Map (1580), and Ainslie Map of Scotland (1775), show burgage plots running to the south of South Street. A surge in new building towards the end of the 18<sup>th</sup> century produced the New Town Hall (built between 1858 and 1861) on South Street and thereafter the laying out of Queens Street (now Queens Gardens) between 1859 and 1869. Both these developments took over the former plot of 78 South Street. Whilst there has been other historical sub-division and infill development behind South Street, original burgage plots (or riggs as they are now known) have been largely preserved due to the lack of easy access to them, and they still bear a comparison to the 16th century Geddy map and are considered an important feature of the medieval street pattern of St. Andrews. Historical map evidence also indicates that the potting shed dates from between 1820 and 1855 and therefore predates the construction of the New Town hall and Queens Gardens and is therefore the oldest building on the site.

2.2.6 The St. Andrews Conservation Area Appraisal and Management Plan (STACAMP), and St. Andrews Design Guidelines 12, 13 and 14 highlight that the rigg gardens are an important feature of the medieval street pattern and that they need to be protected. The guidance highlights that this should be managed by protecting walls and historic features, by placing strict constraints on development footprint and building height, and by controlling build direction so that development respects the riggs orientation, pattern and rhythm. FIFEplan highlights the need to limit future development on rigg gardens to *'safeguard the remaining riggs, so that they are expressed by space rather than built development'* and the St. Andrews Design Guidelines state that development within riggs should not exceed three quarters of feu width. NPF4 policy 7 and FIFEplan policies 1 and 14 support development where it will not harm but will safeguard/preserve the character and special architectural or historic interest of listed buildings and their settings. Historic Environment Scotland's Managing Change series, and Fife Council's Customer Guidance, set out the general principles that should apply when proposing new work to a Listed Building to ensure that its character and appearance is safeguarded and/or enhanced.

2.2.7 The original application received 18 objections. This revised submission has received 2 objections. The concerns raised are summarised below and mirror earlier objections received. .

- the works in terms of their scale, design and setting are insensitive, inappropriate and unsympathetic to the character of the house and are contrary to national and local plan policies including NPF4, Fifeplan policy 14 and the St. Andrews Design Guidelines.

- once lost listed buildings cannot be replaced and although the restoration of the rigg walls is supported this should not be at the expense of inappropriate alteration by demolition which shall disrupt their unique medieval pattern and is contrary to NPF4, Fifeplan policy 14 and the St. Andrews Design Guidelines 12,13,14 and 62.

2.2.8 Historic Environment Scotland and Built Heritage were consulted and have no comments to make on the application. .

2.2.9 Following a review of the HAR report and its conclusions, significant design changes were sought which included for the connecting glass link and the dining room extension to be removed from easternmost rigg garden. This design change would ensure that the legibility of the medieval burgage plots in respect of their rhythm/linearity and pattern as seen on the 16<sup>th</sup> century Geddy Map to largely remain intact. Other design changes have been made to this listed building submission. The internal layout changes to the house have been scaled back, and features of important historic fabric would now be retained. The applicants highlighted that the basement kitchen is light deprived and no rooms within the house have any meaningful connection with the rigg gardens. They state that the design proposals would better connect the house with the rigg gardens and would guarantee the maintenance and future of the rigg walls and the potting shed by allowing 'living' to take place within the rigg gardens. The site visit confirmed that the basement kitchen is small and dark and that there is a significant dis-connect both physically and visually between both the living spaces and the kitchen and with the rear rigg gardens. The development proposals would resolve these issues and provide direct access to the rear garden from the proposed kitchen/dining/living extension. National Guidance and Development plan policies state that design proposals do not need to look old in order to fit harmoniously into a historic setting and give support to good quality contemporary designs within the historic environment where appropriate appraisals of the site and its setting have taken place and a proposal's form, layout, material's etc respond well to that setting. It is considered that the proposed works would enhance the building's special historic character and the use of low buildings, which have a simplicity of design, a limited palette of materials and colour, and include green roof infrastructure would ensure the proposed development would not over-dominate but would be in harmony with the existing listed building, its historic setting and gardens. The proposed 3.5-metre-wide opening in the existing middle rigg wall includes a 1.145 metres section which is already an opening and also includes a large section of already collapsed wall. The filling in of other openings and the re-joining of the middle rigg wall to the potting shed to restore an important former historic connection with the Potting Shed, would mean that there would be no net loss of rigg wall. This approach, combined with the proposals for significant repair of the rigg walls and the potting shed, is considered on balance reasonable and proportionate to the domestic use and cultural significance of the site. 2.2.10 In light of the above, and with the inclusion of appropriately worded conditions in respect of internal detailing, external finishes, and a detailed methodology and specification for the restoration of the rigg walls and the potting shed to ensure a faithful restoration, it is considered that the proposals as revised would satisfactorily protect the special architectural and historic character, fabric and layout of the existing listed building, the rigg walls and the potting shed and would satisfy the requirements of National Guidance, NPF4 (2023), FIFEplan Local Development Plan (2017), and all related guidance in relation to Design and Visual Impact on the Listed Building, Historic Rigg Walls and Potting Shed.

### 3.0 Consultation Summary

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Historic Environment Scotland

No Comments

Built Heritage, Planning Services

No Comments

## 4.0 Representation Summary

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4.1 The original application received 18 objections. This revised submission has received 2 objections which are summarised below and are similar to those received previously.

- a. the works in terms of their scale, design and setting are insensitive, inappropriate and unsympathetic to the character of the house and are contrary to national and local plan policies including NPF4, Fifeplan policy 14 and the St. Andrews Design Guidelines.

**Addressed in paragraph 2.2.4, 2.2.9, 2.2.10**

- b. -once lost listed buildings cannot be replaced and although the restoration of the rigg walls is supported this should not be at the expense of inappropriate alteration by demolition which shall disrupt their unique medieval pattern and is contrary to NPF4, Fifeplan policy 14 and the St. Andrews Design Guidelines 12,13,14 and 62.

**Addressed in paragraph 1.2.4, 2.2.9**

## 5.0 Conclusions

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The proposals as revised are considered acceptable in meeting the terms set out in National Guidance, National Planning Framework 4 (2023), the FIFEplan Local Development Plan (2017) and all other relevant guidance in relation to Design and Visual Impact on a Listed Building, Historic Rigg Walls and Potting Shed and are recommended for approval.

## 6.0 Recommendation

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

### **CONDITIONS:**

1. BEFORE ANY WORKS COMMENCE ON SITE, a detailed methodology, photographs, and full material specifications and details using the original salvaged stones where possible and matching new stone to ensure a faithful restoration of the rigg boundary wall(s) shall be submitted for prior approval in writing by this Planning Authority.

Thereafter the development shall be carried out in accordance with the details approved, by a suitably qualified conservation professional.

Reason: In the interests of visual amenity; to ensure a faithful reconstruction of the rigg wall(s) that do not detract from the character and appearance of the Category B listed boundary wall(s).

2. BEFORE ANY WORKS COMMENCE ON SITE, the following material sample shall be submitted to the corresponding 24/00680/FULL application for approval in writing by the Planning Authority

- Timber cladding panels for house extension

Thereafter the development shall be carried out in accordance with the material approved, unless changes are subsequently agreed in writing with this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the proposed external finishes do not detract from the character and appearance of this Category C Listed Building and the Conservation Area within which the site is located.

3. All existing skirtings and dado rails shall be retained and continued around wall alterations and new wall openings.

Reason: To protect the internal character and appearance of this statutory listed building.

4. FOR THE AVOIDANCE OF DOUBT, reclaimed pantiles for the potting shed shall be used which shall closely match the existing clay pantiles in size, shape, thickness, colour and material patina. Exact details of any newly sourced clay pantiles shall be submitted for the prior approval of Fife Council as Planning Authority before works to the roof of the potting shed commence.

Reason: To protect the external character and appearance of this statutory listed building.

## 7.0 Background Papers

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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 Kirsten Morsley, Planning Assistant and Case Officer

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 28/10/24

Committee Date: 06/11/2024

Agenda Item No. 6

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<b>Application for Listed Building Consent</b>	<b>Ref: 24/01990/LBC</b>
<b>Site Address:</b>	<b>5 Queens Gardens St Andrews Fife</b>
<b>Proposal:</b>	<b>Listed building consent for internal alterations to dwellinghouse (retrospective)</b>
<b>Applicant:</b>	<b>Mr Andrew Knight, 5 Queen's Gardens St. Andrews</b>
<b>Date Registered:</b>	<b>2 August 2024</b>
<b>Case Officer:</b>	<b>Kirsten Morsley</b>
<b>Wards Affected:</b>	<b>W5R18: St. Andrews</b>

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### **Reasons for Referral to Committee**

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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**

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The application is recommended for: Conditional Approval

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## **1.0 Background**

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### **1.1 The Site**

1.1.1 This application relates to a traditional townhouse situated within the town centre of St. Andrews. The townhouse forms part of 4-21 Queens Gardens, a Category C listed mid-19<sup>th</sup> century Victorian terrace comprising of 18 dwellings. The dwelling's site curtilage includes 2 rigg gardens and a potting shed - the rigg boundary walls and the potting shed are Category B listed. The townhouse is also located within the St. Andrews Archaeological Area of Regional Importance and the St. Andrews Conservation Area.

1.1.2 The site is enclosed to the north, south and west by other private dwellings and gardens. To the east there is a historic rigg garden owned by the St. Andrews University and beyond there is the Long Walk and the Category A listed St. Andrews University's St. Mary's Quadrangle.

1.1.3 The townhouse has been previously altered and extended. There is a two-storey brick extension and a single-storey timber framed extension on the rear elevation, and there are box dormer extensions on the front and rear elevations. The townhouse was extensively renovated in 1937 and the current 1980's single storey rear extension appears to have replaced an earlier rear extension which can be seen on a map dated 1895. The property retains some of its

original internal decorative features, and the ground and first floor layouts are also largely unaltered.

1.1.4 This application also relates to other applications, 24/00668/LBC and 24/00680/FULL which are on this agenda, and seeks listed building consent for unauthorised internal works which have recently taken place. The other applications are for internal and external proposals to the townhouse and garden which include, a replacement extension, the erection of a pergola and an ancillary bedroom annex within the garden, and for the restoration and alteration of the rigg boundary walls and potting shed.

### 1.1.5 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 Listed Building consent is sought for internal un-authorized works as follows,

- for the removal of a 1.0 metre section of structural wall and the down taking of partition walls (utility room and cupboards) within the basement kitchen.
- for the temporary removal and reinstatement of a dumb waiter. The dumb waiter operated between the basement kitchen and the ground floor living room. Drawing 08 shows that the dumb waiter is to be re-instated in its original position.
- as the temporary fit of the bathroom within a second-floor bedroom did not result in the loss of any significant architectural or historic fabric or structural work these works do not require listed building consent. Application 24/00668/LBC shows proposals to re-instate this room as a bedroom with an en-suite bathroom.

1.2.2 A Design and Access Statement has been included with this submission. It advises that the dumb waiter was temporarily removed to address a damp problem within the basement kitchen and that the dumb waiter was protected and safely kept aside and is to be re-instated in its original position. A set of photographs of the dumb waiter have been provided by the applicants. The dumb waiter was designed by lift makers John Bryden and Sons. Also included with the submission is set of before and after photographs of both the basement and the second-floor bedroom following its conversion into a bathroom.

### **1.3 Relevant Planning History**

23/02519/TCA - Tree removal of a 25ft high Dichotomanthes - PERMITTED - 16/10/23

24/00668/LBC - Listed Building Consent for alterations and extension to dwellinghouse, and alterations and restoration of rigg walls and potting shed – Pending Consideration -

24/00680/FULL - Alterations and extension to dwellinghouse, erection of pergola and ancillary accommodation within garden ground and alterations and restoration of rigg walls and potting shed – Pending Consideration

### **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 maintain, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

## **National Guidance and Legislation**

Historic Environment Policy Scotland (HEPS) (April 2019)

Historic Environment Scotland (HES) Managing Change Series – Interiors

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.

## **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.

## **Other Relevant Guidance**

St Andrews Conservation Area Appraisal and Management Plan

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**

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## **2.1 Relevant Matters**

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

- Design and Visual Impact on a Listed Building

## **2.2 Design and Visual Impact on a Listed Building**

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 should be sensitively managed ensure that its historical and/or architectural significance is safeguarded against insensitive change or damage and that its special characteristics are protected, conserved or enhanced.

2.2.2 Historic Environment Policy Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change in the Historic Environment - Interiors, National Planning Framework 4 (NPF4) policies 7 and 14, FIFEplan Local Development Plan (2017) policies 1, 10, and 14, St. Andrews Design Guidelines, and the St. Andrews Conservation Area Appraisal and Management Plan (2011) apply to this application.

2.2.3 Historic Environment Policy for Scotland (HEPS) states that decisions which affect any part of the historic environment must identify and understand the place first, its physical and material elements and consider how much of those have survived and how much have changed, to understand a site fully. The policy also highlights that when making decisions on

impact to ensure that changes are '*proportionate to the building and/or the site's cultural significance* and for decision making within the historic environment to be '*sufficiently flexible and adaptable*' to be able to manage wide ranging changes which will happen over time within the historic environment.

2.2.4 Historic Environment Scotland (HES) guidance on Interiors highlights that proposals should always seek to protect the significance of a historic interior. Understanding the significance of an interior can be derived from factors including, plan form, decorative features, materials and craftsmanship, fixtures and fittings, archaeological potential and historical and cultural associations. Basements can be sensitive to change if they have been unaltered and are particularly noteworthy, e.g. if they include significant detailing, showcase a particular historic function and reflect a particular period. The association between design and current function can also contribute to the perceived value/significance, e.g. should the original function of a basement change overtime, this can also reduce/diminish its significance.

2.2.5 NPF4 Policy 7 and FIFEplan policy 14 supports development where it will not harm or damage important historic or architectural fabric or impact adversely upon the character or appearance of a Listed Building. FIFEplan policies 1 (Development Principles), 10 (Amenity), and 14 (Built and Historic Environment) require alterations to a listed building to be in line with national policy and be sympathetic to the existing scale and character of the listed building.

2.2.6 This application is retrospective and seeks listed building consent for works already completed/started. It is a criminal offence to materially alter a listed building without listed building consent and un-consented works can be subject to enforcement action or prosecution at any time. Following the receipt of a complaint following the removal of the 'Dumb Waiter' the Council's Planning Enforcement officers investigated (as per enforcement reference 23/00329/ENF), and the owners of the property were duly advised that the 'Dumb Waiter' should not have been removed without the necessary consents and certainly should not be removed from the premises.

2.2.7 Retrospective applications for listed building consent shall be considered/judged on their own merits. The primary consideration is whether the un-authorized works have affected the special architectural or historical interest of the building. Fife Council has a statutory duty to have special regard to the desirability of preserving the building, its setting, and its features of special architectural or historic interest.

2.2.8 Fife Council's Built Heritage officer was consulted and made no comment.

2.2.9 This application has received 14 objections which contend that the structural works to form the opening in the kitchen basement wall and the removal of the dumb waiter should be fully rectified and that appropriate penalties should ensue.

2.2.10 Early maps show that the laying out of Queens Street (now Queens Gardens) took place between 1859 and 1869. The applicants have submitted a set of historic house plans dated 1937. These plans do not show the dumb waiter in the basement, which would suggest that the current dumb waiter is not original to the house. The applicants believe that it was probably added in the 1940's, but maybe later. Further evidence, i.e. the dumb waiter interrupts the original floor plan of the ground floor and the original boxed skirting and sections of decorative architrave were removed to facilitate its installation, would also support this theory. Photographs show the dumb waiter is late Victorian and was made by John Bryden and Sons, a company which was founded in 1809, and sold onto J Sibbald and Sons Ironmongers in 1915. When the house was recently sold, the dumb waiter appeared to be in good working order. Since its removal the photographs show that the dumb waiter is of a very basic timber construction and does not display the high level of craftsmanship which can be seen on another dumb waiter produced by John Bryden and Sons, (see photograph in file). The full mechanism to work the wheel is also now missing and it is unclear whether the original mechanism was still in place at the point of its removal or whether it had also been at some point replaced. Other photographs also show that the top of the dumb waiter in the former dining room was clearly not original, and was a later replacement.

2.2.11 The townhouse was listed in 1971. The listing covers all structures that have been in place within the building before 1 July 1948. Historic Environment Scotland advise that the present condition of surviving fabric is not a factor when deciding whether it is of special architectural or historic interest. The condition is only a factor if a feature has been devalued in a way that its historic interest is '*no longer special*'.

2.2.12 Photographs of the basement before alteration show that apart from the 'dumb waiter', a range cooker, and a set of timber panelled doors, there are no other internal architectural or historic features present in the basement that relate to its former historic function as a kitchen and a maid's room. The formation of the structural opening and the removal of the utility partition walls have not resulted in any loss of significant architectural or historic fabric. There has also been no significant impact on the basement's plan form given the opening formed within the basement wall is only 1.0 metre wide. Following an assessment of the dumb waiter, the issue of a penalty is not considered appropriate in this case. Whilst historic, the dumb waiter appears to not be an original feature of the building but is a later addition. It is also not an exemplary dumb waiter feature as it is of a very basic construction and has clearly been historically changed/alterer/adapted overtime which has impaired its significance. The proposals do also show that the dumb waiter would be re-instated in its original position to operate between the basement kitchen and the first floor living room which is supported, and this can be conditioned accordingly. 2.2.13 In light of the above, and with the inclusion of an appropriately worded condition concerning the dumb waiter, it is considered that the works are acceptable and would be in compliance with the requirements of National Guidance, NPF4 (2023), the FIFEplan Local Development Plan (2017) and all related guidance in relation to Design and Visual Impact on a Listed Building.

### 3.0 Consultation Summary

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Built Heritage, Planning Services –

No Comment

### 4.0 Representation Summary

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4.1 This application has received 14 letters of objection highlighting the following,

#### 4.2 Material Planning Considerations

##### 4.2.1 Objection Comments:

###### Issue

a. The dumb waiter was constructed in Dundee and installed when the house was built in the early 1860's. It is not just an antique but also it tells us about how the house was used. It was last seen dismantled on the pavement outside, despite a warning from Fife Council's Enforcement Officer that it should be retained within the property.

###### Addressed in paragraphs 2.2.10, 2.2.12, and 2.2.13

b. Allowing un-authorised works without punishment sets a dreadful precedent. Historic Environment Scotland's guidance could not be clearer. Given the size and excessive impact of the other proposed works, and the experience of the applicants who must have been aware that starting works

without the relevant consents in place was a criminal offence, enforcement action rather than retrospective approval of this application would be appropriate, and penalties should be enforced. The Council should deny this application and the applicants should be instructed to re-instate the dumb waiter and the basement wall and wait for the Planning Committee to determine the outcome of the other applications, 24/00668/LBC and 24/00680/FULL. By allowing a feature of historical importance (the dumb waiter) to be removed without Fife Council's agreement for its removal would set a dangerous precedent making it harder to preserve our historic buildings and heritage.

**Addressed in paragraphs 2.2.6, 2.2.7, 2.2.10, 2.2.11, 2.2.12 and 2.2.13**

#### **4.2.2 Other Concerns Expressed**

a. This is a retrospective application which has not been noted on the application description

**The term 'retrospective' has now been added to the application description**

b. Surprised that the legal responsibility for such radical changes to a listed building, i.e. knocking down partition walls and the removal of a dumb waiter without permission were not picked up by the agent, especially given that the basement alterations might include work to a structural wall. An explanation as to why this happened might help to curb concerns with the competence of the current application.

**The applicants have confirmed that the agent was not told that retrospective works had already taken place within the building by others until much later when concerns were raised by objectors.**

c. No Building Warrant has been lodged for the works already undertaken and the alterations might include work to a structural wall which includes 3 storeys above. There are immediate concerns that this work may have impacted upon the structural integrity of the adjoining 6 Queens Gardens, and it is distressing that the applicants did not think to inform the owners of 6 Queens Gardens of their extensive plans and give assurances that an expert building survey had been conducted, and that the work is safe.

The structural integrity of the wall opening within the basement is to be assessed by Building Standards and Public Safety under Building Warrant application reference 24/03221/CC. A support letter from the applicant's Consulting Civil and Structural Engineers was also received on the related 24/00680/FULL application which advises that they had visited the property and vetted the architect's drawings and confirmed that the construction is suitable

## **5.0 Conclusions**

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The completed works and proposals are considered acceptable in meeting the terms set out in National Guidance, National Planning Framework 4 (2023), the FIFEplan Local Development Plan (2017) and all other relevant guidance in relation to Design and Visual Impact on a Listed Building and are recommended for approval.

## 6.0 Recommendation

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

### **CONDITIONS:**

1. BEFORE ANY WORKS COMMENCE TO REINSTATE THE DUMB WAITER IN ITS ORIGINAL POSITION, detailed drawings of the dumb waiter, mechanism and housing shall be submitted for approval in writing by this Planning Authority.

Thereafter the development shall be carried out in accordance with the details approved, unless changes are subsequently agreed in writing with this Planning Authority.

Reason: To reserve the rights of the Planning Authority with respect to these details.

## 7.0 Background Papers

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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 Kirsten Morsley, Planning Assistant and Case Officer

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 28/10/24

Committee Date: 06/11/24

Agenda Item No. 7

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**Application for Full Planning Permission**

**Ref: 24/01369/FULL**

**Site Address: 9 West Street St Monans Anstruther**

**Proposal: Change of use from shop (Class 1A) to flatted dwelling (Sui Generis) including installation of replacement windows and rooflights**

**Applicant: Mr Philip Dawes, 9 West Street St Monans**

**Date Registered: 12 July 2024**

**Case Officer: Matthew Don**

**Wards Affected: W5R19: East Neuk And Landward**

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### **Reasons for Referral to Committee**

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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**

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The application is recommended for: Conditional Approval

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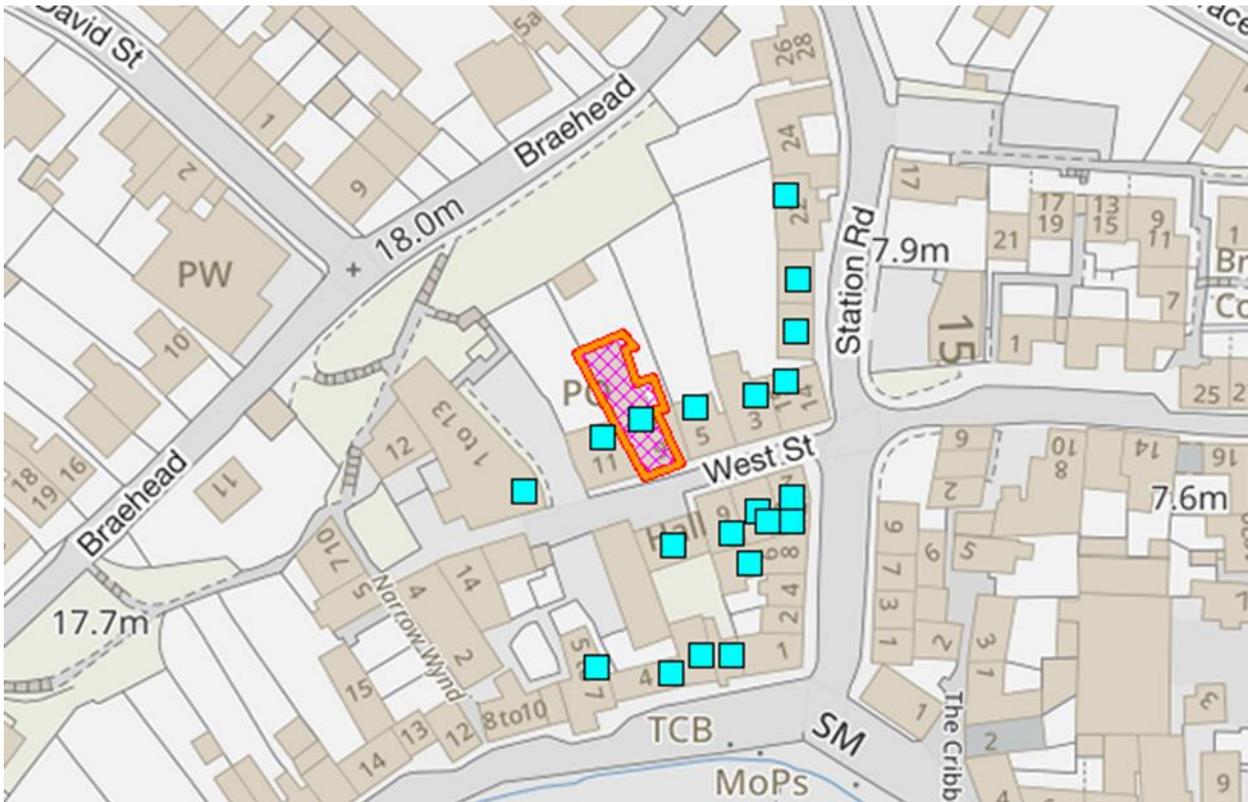
## **1.0 Background**

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### **1.1 The Site**

This application relates to a ground floor Category 'C(S)' listed vacant retail unit (Class 1A) located within the settlement boundary and Conservation Area of St Monans according to Adopted FIFEplan (2017). The property is terraced, two-storey, with an attic and canted dormers. The surrounding area comprises of East Neuk vernacular external finishes of pantile roofs, different limewash renders, varying roofscapes; and comprises of predominantly residential units and some commercial premises.

## 1.1.2 LOCATION PLAN



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## 1.2 The Proposed Development

The proposal seeks Full Planning Permission for the change of use from shop (Class 1A) to flatted dwelling (Sui Generis) including installation of replacement windows and rooflights.

## 1.3 Relevant Planning History

00/00127/EADV - Display non-illuminated fascia sign – unconditional approval (Permitted 18/02/00)

00/00128/ELBC - Display non-illuminated fascia sign - unconditional approval (Permitted 18/02/00)

24/01351/LBC - Listed building consent for internal and external alterations to include installation of replacement windows and opening, rooflights and reconfiguration and removal of internal partitions – Listed Building Consent in conjunction with FULL planning permission (Pending Decision).

## 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. Under Section 59(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 in considering whether to grant permission for development which affects a listed building or its setting, a 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.

## **1.5 Relevant Policies**

### **National Planning Framework 4 (2023)**

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

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 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

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.

Policy 15: Local Living and 20 minute

neighbourhoods

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.

Policy 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

Policy 28: Retail

To encourage, promote and facilitate development in our city and town centres, recognising they are a national asset. This will be achieved by applying the Town Centre First approach to help centres adapt positively to long-term economic,

environmental and societal changes, and by encouraging town centre living.

Policy 27: City, town, local and commercial

centres

To encourage, promote and facilitate development in our city and town centres, recognising they are a national asset. This will be achieved by applying the Town Centre First approach to help centres adapt positively to long-term economic, environmental and societal changes, and by encouraging town centre living.

## **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 3: Infrastructure and Services**

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

### **Policy 6: Town Centres First**

Outcome: Thriving town centres in Fife which are hubs of activity in the local community and act as a focus for commercial, leisure, and cultural services.

## **National Guidance and Legislation**

The Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997

National PLanning Framework 4 (NPF4) (2023)

Adopted FIFEplan (2017)

## **Supplementary Guidance**

Making Fife's Places – Supplementary Guidance (2018)

Fife Council Low Carbon Fife Supplementary Guidance (2019)

## **Planning Policy Guidance**

PAN 1/2011:Planning and Noise

## **Planning Customer Guidelines**

Garden Ground (2016)

Daylight and Sunlight (2018)

## **Other Relevant Guidance**

St Monans Conservation Area Appraisal and Management Plan (2013)

# **2.0 Assessment**

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## **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

- Garden Ground
- Transportation/Road Safety
- Sustainability
- Houses in Multiple Occupancy (HMOs)

## 2.2 Principle of Development

2.2.1 The application site falls within the settlement boundary of St Monans where there is a presumption in favour of supporting development subject to meeting other relevant policies and material considerations. The proposal would meet Adopted FIFEplan (2017) Policy 1 (Development Principles); and would be in accordance with Policy 16 (Quality homes) (f)(iii) as a small scale housing opportunity within a settlement boundary. However, due consideration must be given to the loss of a small retail unit (Class 1A) within St Monans that could have an adverse impact on the vitality and vibrancy of the settlement. In that regard Adopted FIFEplan Policy 6 (Town Centres First) requires that the property should be actively marketed as a retail use for a period of at least 2 years and that evidence is provided to demonstrate this what reasonable offers were made or indeed not. Although the site is not located within an identified town centre/core retail area according to the Adopted FIFEplan (2017) spatial mapping, NPF4 (2023) Policy 27 (City, town, local and commercial centres) is still applicable. Policy 27 (City, town, local and commercial centres) (f)(ii)(iii) will not accept changes of use to residential at ground floor that result in an adverse impact onto the vitality or viability of a shopping area or the wider centre; and, not result in a undesirable concentration of uses, or 'dead frontages'. Therefore, justification and marketing evidence has been requested in this instance from the agent/applicant to demonstrate that the proposed change of use to a flatted dwelling (Sui Generis) would not have an adverse impact on the St Monans settlement.

2.2.2 11 letters of objections have been received regarding the loss of a retail unit within the St Monans settlement boundary and the implications that would have on the settlement's vibrancy and vitality as well as the potential future economic implications. Concerns were also expressed considering that the change of use of the property would encourage Short Term Let uses and would be unable to revert back to the retail use (Class 1A).

2.2.3 A Supporting Statement has been prepared by the applicant advising that the site falls outwith the defined town centre and that the proposal is therefore compliant with town centre first principles of NPF4 (2023) and Adopted FIFEplan (2017), and the renovations will rejuvenate the Listed building. The property was advertised at £1100 per calendar month (pcm) on the open market in 20<sup>th</sup> of October 2022 and this was later reduced to £900 pcm and offered a courtesy 3 month period in order to attract interest. The report states that there was potential interest from two possible tenants, however, a rental agreement was not agreed upon and no offers were formally received. A poster was placed in the window from October 2022-September 2023; and the property was marketed online for a period of 7 months. The agent stated that the post office service that the premises served, terminated in January 2023. The Postal service for the area is now served by the Pittenweem Hub which handles the Anstruther and St Monans catchments.

2.2.4 In this instance it is considered that the change of use would be acceptable as it has been actively marketed for a reasonable period using a range of appropriate marketing techniques for a reasonable rental rate but with limited interest. It is therefore considered that there are limited alternative appropriate uses for this property in this location other than those of a residential nature and therefore the principle could be supported and is therefore in accordance with NPF4 (2023) and the policies of the Adopted FIFEplan (2017). Furthermore it should also be considered that this is not the last remaining retail premises within St Monans. In terms of the proposal resulting in the creation of a visually dead frontage, this is not considered likely given

that there are other densely clustered residential properties within the immediate vicinity (as well as various commercial premises nearby) and West Street is also a thoroughfare that is off of a main carriageway and set back from the main commercial trading area of West Shore. Equally the loss of the shop unit is not considered to reduce the vitality or vibrancy of St Monans in this regard.

### **2.3 Design And Layout / Visual Impact on the Listed Building Conservation Area**

2.3.1 External alterations for the Category 'C(S)' listed property include the replacement of two large single pane windows on the front (South) elevation to be replaced with timber framed 3 over 3 style sash and case windows; the installation of 9 rooflights throughout the property's three bedrooms and hallway for internal illumination; and a 2 over 2 sash and case timber window on the side (West) elevation.

2.3.2 St Monans Conservation Area Appraisal and Conservation Area Management Plan (2013) states that whenever possible, the opportunity should be taken to re-instate appropriate windows and doors, using well-designed traditional timber sash and case windows.

2.3.3. One letter of objection has been received regarding design and visual impact on the Category 'C(S)' listed building and surrounding area.

2.3.4 It is considered that the new window opening on the side (West) elevation is in a concealed location, obliquely visible from Johnston's Close; while the window openings on the front (South) elevation are highly visible from West Street. The proposals, are considered acceptable as the proposed replacement windows utilise quality timber framed sliding sash and case designs; and therefore, comply with NPF4 (2023) Policy 7 (Historic assets and places) (d)(iii), Policy 14 (Design, quality and place), St Monans Conservation Area Appraisal and Conservation Area Management Plan (2013), Adopted FIFEplan (2017) Policy 14 (Built and Historic Environment) and other relevant guidance considering the design and visual impact on the St Monans Conservation Area.

### **2.4 Residential Amenity**

2.4.1 Impact of overshadowing, overlooking and increased noise, have been considered in full accordance with NPF4 (2023) Policy 14 (Design, quality and place) part (c), Policy 16 (Quality homes) (g)(ii); Adopted FIFEplan Policy 10 (Amenity); and PAN 1/2011:Planning and Noise.

2.4.2 Impact of overlooking has been assessed and the proposed flatted dwelling would not pose any amenity harm in the whole although a window opening proposed on the side (West) elevation (that serves as a bathroom) is within close proximity to the neighbouring property's (11 West Street) rear windows and therefore a condition has been attached to ensure this window opening is frosted/obscure glazing and the privacy of 11 West Street and 9 West Street is protected.

2.4.3 Impact of overshadowing has been considered; as there are no structural extensions or alterations that would further impede sunlight/daylight onto the curtilages of neighbouring properties or habitable rooms the proposal would be considered acceptable in this regard.

2.4.4 Impact of noise has been considered and the change of use to a flatted dwelling would not be considered to increase noise disturbance to the neighbouring properties within the immediate vicinity - along West Street/Johnston's Close/Station Road and Braehead.

2.4.5 The proposal would therefore be considered acceptable in planning terms when considering the impact/harm of residential amenity of surrounding residence when assessed against NPF4 (2023) Adopted FIFEplan (2017) and other relevant guidance.

## **2.5 Garden Ground**

2.5.1 Fife Council customer guidelines on Garden Ground (2016) states that new flatted dwellings should benefit from 50 square metres of private garden ground, and have a back garden of at least 9 metres in depth, in the interest of privacy, and where two gardens back onto one another there should be a distance of at least 18 metres between the buildings.

2.5.2 In this instance the proposal is within an established historic conservation area however there is a rear curtilage equating to approximately 180 square metres, which is divided between 7 and 9 West Street (approximately 90 square metres each). Therefore, there is more than adequate garden ground between both properties and appropriate separation distances.

## **2.6 Transportation/Road Safety**

2.6.1 Impact of parking provision has been considered in full accordance with NPF4 (2023) Policy 13 (Sustainable transport) and Policy 18 (Infrastructure first); Adopted FIFEplan (2017) Policy 1 (Development Principles), Policy 3 (Infrastructure and Services) and Making Fife's Places – Supplementary Guidance : Appendix G (2018). Transportation Development Management colleagues have not been consulted on this application.

2.6.2 Considering Making Fife's Places – Supplementary Guidance : Appendix G (2018). The existing use is as a shop (Class 1A) – referred to as 'Class 1:Shops' in section 3.7 of Fife Council Parking Standards for Use Classes. Whereby, a shop requires one space per 20 square metres of Gross Floor Area (GFA). In this instance the GFA equates to approximately 154 square metres and 7-8 spaces would be required. This section of the guidance also stipulates that a 3 bedroom dwelling (flatted dwelling included) requires equivalent to 2 spaces.

2.6.3 Two letters of objection have been received regarding the increased impact on the on-street parking provision.

2.6.4 As there is a reduction in demand/requirement for parking provision - as the proposal relates to a change of use from a retail unit (Class 1A) to a dwellinghouse (Class 9) within an urban environment, it is considered there would be a reduction in demand for on-street parking. The proposed change of use would not further increase the impact of road safety on the surrounding road network and therefore the proposal complies with NPF4 (2023) Adopted FIFEplan (2017) and other relevant guidance.

## **2.7 Sustainability**

2.7.1 The majority of the building envelope will be retained, and the materials required for alteration (i.e.. windows) will be sourced from local suppliers; the thermal envelope will be improved with new insulation and window improvements. Within the property there is provision for cycle storage, and dry waste/refuse. The site is within a settlement with established public transport links.

2.7.2 As regards the impact on Low Carbon the proposed change of use would be considered to be acceptable in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

## 2.8 Houses in Multiple Occupancy (HMOs)

2.8.1 Adopted FIFEplan (2017) Policy 2 (Homes) states that Houses in Multiple Occupancy (HMOs) will not be supported if it is a new dwelling, unless purpose built for HMO use; or it is the conversion of an existing building in an area where restrictions on HMOs are in place. In this instance a condition has been attached to ensure that stating that the proposed flatted dwelling (Sui Generis) will not be occupied as a HMO.

## 3.0 Consultation Summary

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None

## 4.0 Representation Summary

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11 letters of objection have been received which cite the loss of a commercial unit, use as a short term let, design and visual impact and parking implications as areas of concern.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Principle of Development. The loss of the shopfront premises would have adverse implications on the vibrancy and vitality of the St Monans settlement. With economic implications as a result, and consensus that the proposed dwelling would not be eligible for change of use back to a shopfront (Class 1A).	2.2.4
b. Design and Visual Impact. The alterations on the Category 'C' listed building would not enhance the Conservation Area.	2.3.4
c. Road Safety. The knock-on impact on the on-street parking.	2.6.2 and 2.6.4

#### 4.2.2 Other Concerns Expressed

Issue	Comment
a. Increase in commercial rental values because of the loss of shopfront premises.	Changes to rental values are not a planning consideration when determining planning applications.
b. The rooflights providing illuminance to the bedrooms would be un-desirable for future prospective tenants.	How a property achieves acceptable illuminance is not a material planning consideration.
c. A doorway proposed into the neighbouring property hallway.	This new door opening is for the access to the outdoor curtilage concealed by an existing outdoor

- timber structure where an existing roller shutter door is in-situ. This would be considered to be a private legal matter between the applicant and neighbours.
- d. The proposed layout does not comply with affordable housing layout in accordance with Policy 17.
- NPF4 (2023) Policy 16 (Quality homes) part (c) (iv) states that development proposals for new homes that improve the affordability and choice by being adaptable to changing and diverse needs, and which address identifiable gaps in provision, will be supported. NPF4 (2023) Policies support development that is adaptable and the proposal would provide a small-scale housing opportunity within the settlement envelope while considering there is scope for changing the use back to shopfront (Class 1A).
- e. Property could become a Short Term Let (STL)
- Under current regulations if the change of use to residential were to be approved and implemented on site and in the future it was proposed to be used for STL purposes then it would be considered under the relevant Regulations for STLs applicable at that time. Residential flats with their own access do not currently require planning for STLs and there are no STL Control Zones currently in place in Fife.

## 5.0 Conclusions

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This application is hereby recommended for conditional approval; the principle of change of use has been considered acceptable within the settlement boundary and the loss of the existing retail unit justified through active marketing of the unit for a suitable time frame without commercial interest. All other relevant material planning considerations (design, amenity, road safety) have been addressed within the report of handling and are considered to be acceptable when assessed against NPF4 (2023) and Adopted FIFEplan (2017).

## 6.0 Recommendation

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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. PRIOR TO OCCUPATION of the flatted dwelling the proposed window on the side (West) elevation shall be glazed with obscure glazing; the details of which shall be submitted for the prior written approval of this Planning Authority and thereafter the agreed glazing shall remain in place in perpetuity unless otherwise agreed by this Local Authority.

Reason: In the interest of preserving residential amenity.

3. The residential unit provided on 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; or, (c) not more than 2 unrelated residents living together in a flat. For the avoidance of doubt, the residential unit 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 Adopted FIFEplan - Fife Local Development Plan Policy 2 (Homes) or any subsequent revision or amendment of this document.

## 7.0 Background Papers

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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 Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead)  
28/10/24.

Committee Date: 06/11/24

Agenda Item No. 8

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**Application for Listed Building Consent**

**Ref: 24/01351/LBC**

**Site Address: 9 West Street St Monans Anstruther**

**Proposal: Listed building consent for internal and external alterations to include installation of replacement windows and opening, rooflights and reconfiguration and removal of internal partitions**

**Applicant: Mr Philip Dawes, 9 West Street St. Monan's**

**Date Registered: 1 August 2024**

**Case Officer: Matthew Don**

**Wards Affected: W5R19: East Neuk And Landward**

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### **Reasons for Referral to Committee**

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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 to afford the same route of appeal following determination.

### **Summary Recommendation**

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The application is recommended for: Conditional Approval

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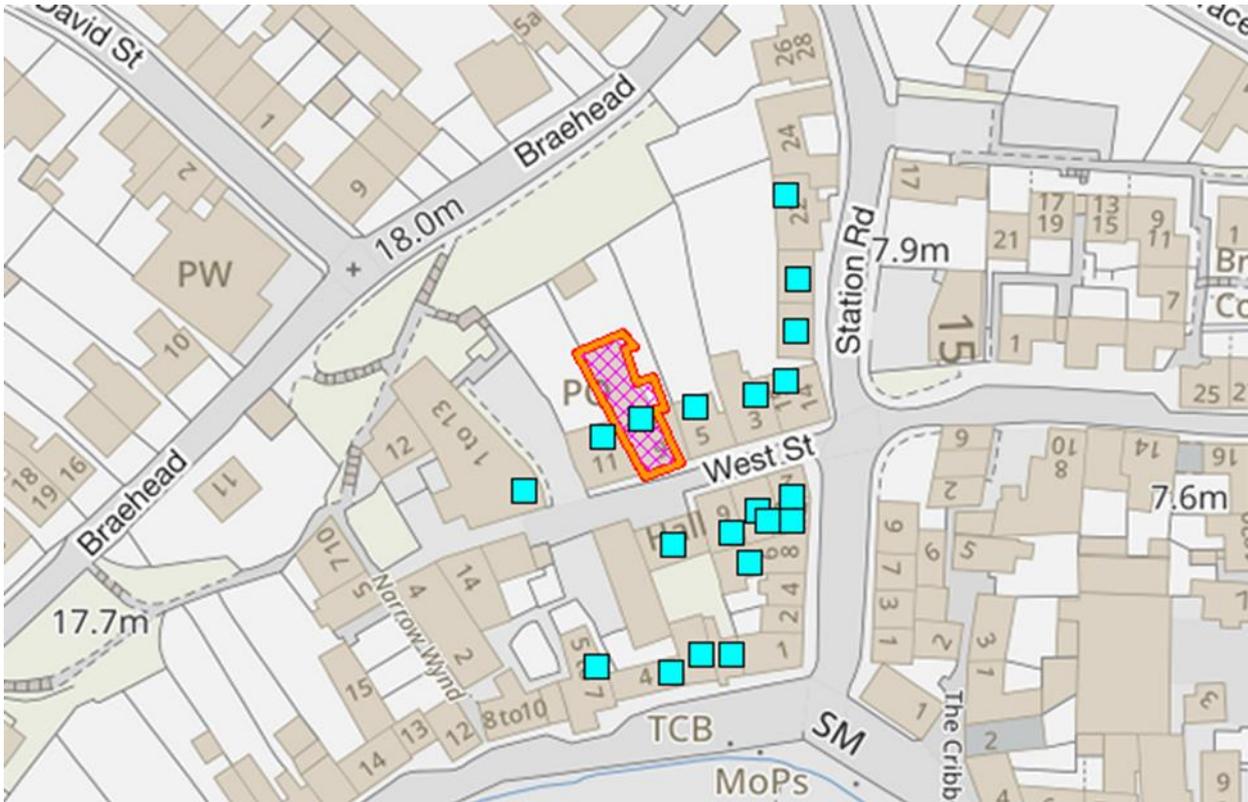
## **1.0 Background**

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### **1.1 The Site**

This application relates to a Category 'C(S)' listed vacant retail unit (Class 1A) located within settlement boundary and Conservation Area of St Monans as defined in the Adopted FIFEplan (2017). The traditional style property is terraced, two-storey with further attic accommodation with dormers. The property also has later extensions to the rear (North). The external finishes include a mix of stone rubble/brick built walls as well as white coloured render, pitched and lean-to roofs of differing materials including red pantiles and corrugated metal. The surrounding area comprises of typical traditional East Neuk style properties with varying roofscapes including pantile roofs, mix of rendered walls as well as stone-built properties.

## 1.1.2 LOCATION PLAN



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## 1.2 The Proposed Development

The proposal is for listed building consent for internal and external alterations including the installation of replacement windows, rooflights and the reconfiguration and removal of internal partitions.

## 1.3 Relevant Planning History

00/00127/EADV - Display non-illuminated fascia sign - unconditional approval (Permitted 18/02/00)

00/00128/ELBC - Display non-illuminated fascia sign - unconditional approval (Permitted 18/02/00)

24/01369/FULL - Change of use from shop (Class 1A) to flatted dwelling (Sui Generis) including installation of replacement windows and rooflights – FULL planning permission submitted conjunction with Listed Building Consent (Pending Decision).

## 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. Under Section 59(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 in considering whether to grant permission for development which affects a listed building or its setting, a 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.

## **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: 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.

### **National Guidance and Legislation**

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

### **Supplementary Guidance**

Supplementary Guidance: Making Fife's Places (2018)

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

### **Planning Policy Guidance**

National Planning Framework 4 (NPF4) (2023)

Adopted FIFEplan (2017)

### **Planning Customer Guidelines**

N/A

### **Other Relevant Guidance**

St Monans Conservation Area Appraisal and Management Plan (2013)

Managing Change in the Historic Environment – Windows (2018)

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- Design and Layout/Visual Impact on a Category 'C(S)' Listed Building

### 2.2 Design And Layout / Visual Impact on a Category 'C(S)' Listed Building

2.2.1 Due consideration has been given to the alterations of the property in accordance with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and NPF4 (2023) Policy 7 (Historic places and assets) part (c), and Adopted FIFEplan (2017) Policy 14 (Built and Historic Environment) - where this planning authority has special regard in considering whether permission is appropriate for context of development that is considered to affect the listed building, its setting, or any features of character, special architectural or historic interest which it possesses.

2.2.2 The proposal is for internal and external changes to this Category 'C(S)' listed property that would allow for the conversion to a three-bedroom property which would also have two bathrooms, dining/lounge/kitchen area, and a study. The key changes include: -

#### Internal Alterations

Internal alterations include the removal of non-original features such as doorway and access ramps within the existing retail area, and installation of partition walls, and access steps to accommodate a bathroom, bedrooms 1 and 2; and the installation of partition walls within the existing retail area to accommodate the study room. The third bedroom and en-suite would be formed from the removal or partitions in an area at the rear of the existing unit.

#### External Alterations

External alterations include the replacement of the two large shopfront single pane windows on the front (South) elevation with timber framed 3 over 3 style sash and case window units; the installation of 9 rooflights throughout the property's three bedrooms and hallway for additional natural lighting; and on the side (West) elevation a new window opening consisting of a 2 over 2 sliding sash and case timber window is also proposed. There is also the proposed installation of a solid panel replacement door in place of the current commercial roller shutter door alongside a new side glazed panel next to the door (East) elevation.

2.2.3 Managing Change in the Historic Environment - Interiors (2016) states the importance of 'plan form' which is the arrangement and division of internal spaces into rooms and circulation of spaces such as halls, stairs and corridors. The interrelationship of rooms and circulation space is a reflection of the building's design, function, status and period. Internal historic fabric or 'special interest' to which remains should be retained as to not disrupt the original plan form, and it is advisable that to avoid the amalgamation of rooms, or creation of open plan layout that would disrupt the cellular plan layout. Managing Change in the Historic Environment - Windows (2018) states that new window openings should seek to replicate the original windows in style, astragal detail, finishing materials, method of opening.

2.2.4 In this instance the proposal is considered acceptable as it would see traditional materials, glazing and features being installed/replaced and the internal works would not impact on any features of historic or architectural importance. Although the proposed new rooflights are not of a conservation style, they would be hidden from wider public view and set on the rear roof of a later extension to the Listed Building which therefore would not affect the original property as such. Overall it is considered that the key frontage would be retained and would respect current shop openings without undermining the qualities of the Listed Building nor the wider streetscene and setting of the Listed Building. Given the above it is considered that these works are acceptable and would be in accordance with NPF4 (2023), the Adopted FIFEplan (2017) and related advice and guidance when considering the merit of the Category 'C(S)' Listed Building. The works would have a neutral to positive impact on the building.

### **3.0 Consultation Summary**

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None

### **4.0 Representation Summary**

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None

### **5.0 Conclusions**

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This application is considered acceptable as it would use traditional design and materials on the key aspects of the listed building. Further to that it would not impact on any internal features of architectural or historic note and would respect the key public frontage and thus would protect and enhance this listed asset as well as its setting. The proposal would therefor comply with the relevant policies of NPF4 (2023), Adopted FIFEplan (2017) and other related guidance.

### **6.0 Recommendation**

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It is accordingly recommended that the application be unconditionally approved.

### **7.0 Background Papers**

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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 Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 28.10.24

Committee Date: 06/11/24

Agenda Item No. 9

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**Application for Full Planning Permission**

**Ref: 24/01731/FULL**

**Site Address: Seaforth Links Place Elie**

**Proposal: Installation of dormer extensions and erection of outbuilding and formation of access and driveway.**

**Applicant: Mr and Mrs Paul Dickson, Seaforth Links Place**

**Date Registered: 30 July 2024**

**Case Officer: Matthew Don**

**Wards Affected: W5R19: East Neuk And Landward**

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### **Reasons for Referral to Committee**

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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**

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The application is recommended for: Conditional Approval

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## **1.0 Background**

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### **1.1 The Site**

This application relates to a Category 'B' detached Listed Building within the settlement and Conservation Area of Elie & Earlsferry. The property is a two-storey (and attic) property finished in coursed sandstone rubble walls with droved dressings around the window openings, quoins and traditional windows and doors and dormer features. The property has been extended a number of times with various modern extensions and is enclosed by stone boundary walls/timber fencing. The property has a large garden with well-established trees throughout the site. There are similarly constructed traditional stone properties within the area along with various other architectural styles and scales.

## 1.1.2 LOCATION PLAN



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## 1.2 The Proposed Development

The proposal includes the installation of dormer extensions, the erection of outbuildings and the formation of a pedestrian and vehicular access and installation of gate.

## 1.3 Relevant Planning History

03/00189/EFULL - Alterations to dwellinghouse (including external doors in existing window openings and partial demolition) - conditional approval (Permitted 27/02/03)

03/00192/ELBC - Alterations to dwellinghouse (including external doors in existing window openings and partial demolition) - conditional approval (Permitted 24/03/03)

06/01201/EFULL - Installation of patio doors - unconditional approval (Permitted 23/05/06)

06/01213/ELBC - Internal alterations including installation of patio doors - unconditional approval (Permitted 04/07/06)

15/01376/LBC - Listed building for demolition of single storey extension, internal alterations, two storey extension to side and alterations to roof – unconditional approval/referral to Historic Environment Scotland condition (Permitted 11/08/15)

15/01377/FULL - Two storey extension to side of dwellinghouse and alterations to roof - unconditional approval (Permitted 17/07/15)

16/04171/TCA - Request to carry out work to protected trees Elie Conservation Area Height reduction to 9 sycamore - unconditional approval (Permitted 11/01/17)

21/03352/TCA - Request to carry out work to 14 trees in Elie Conservation Area Works - unconditional approval (Permitted 13/12/21)

24/01730/LBC - Listed Building Consent for installation of dormer extensions and erection of outbuilding and formation of access and driveway – Listed Building Consent submitted in conjunction with this application – both to be determined by committee

## **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. Under Section 59(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 in considering whether to grant permission for development which affects a listed building or its setting, a 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.

## **1.5 Relevant Policies**

### **National Planning Framework 4 (2023)**

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 3: Biodiversity

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy 6: Forestry, woodland and trees

To protect and expand forests, woodland and trees.

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 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

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.

### Policy 16: Quality Homes

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 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

## **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 maintain, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

## **National Guidance and Legislation**

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

National Planning Framework 4 (NPF4) (2023)

## **Supplementary Guidance**

Supplementary Guidance: Making Fife's Places (2018)

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

## **Planning Policy Guidance**

Adopted FIFEPlan (2017)

## **Planning Customer Guidelines**

Daylight and Sunlight

Trees and Development

Garden Ground

## **Other Relevant Guidance**

Elie & Earlsferry Conservation Area Appraisal and Management Plan (2012)

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- Design and Layout/Visual Impact on the Category 'B' Listed Building and Elie & Earlsferry Conservation Area
- Residential Amenity
- Transportation/Road Safety
- Natural Heritage and Trees

### 2.2 Design and Layout/Visual Impact on the Category 'B' Listed Building and Elie & Earlsferry Conservation Area

2.2.1 Due consideration has been given to the alterations of the property in accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and NPF4 (2023) Policy 7 (Historic places and assets) part (d), and Adopted FIFEplan (2017) Policy 14 (Built and Historic Environment) – where special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

2.2.2 The proposal includes a number of internal alterations to the building layout to accommodate improved bedroom layouts as well as external alterations including the proposed installation of replacement dormer extensions on the northern and southern roof plane, a new pedestrian access, an amended vehicular access, enlarged window openings on the two-storey extension, the erection of an outbuilding (to be used as accommodation ancillary to the main dwellinghouse), and the re-building of the boat house structure within the curtilage. Extended elevated decorative paving is also proposed at the eastern end of the rear of the dwellinghouse. The key aspects for the proposal include:

#### Outbuilding

Within the curtilage, an existing outbuilding is proposed to be removed and to be replaced by a 1.5 storey building occupying a footprint area of approximately 54 square metres (10 metres by 5.4 metres) with 2.9 metres in height to the eaves and 5.85 metres to the roof ridge level. The material palette proposed comprises of vertical timber cladding, zinc, and various aluminium framed window openings and rooflights (full height glazing on the Southern elevation). Amendments to the scheme have seen an upper-level rooflight opening be omitted on the side (East) elevation.

#### Boat House

The boathouse structure would be redeveloped with an increase in roof ridge from approximately 2.2 metres in height to 3.64 metres. The structure would have a similar material palette to the outbuilding consisting of vertical timber cladding, zinc, and rooflights.

#### Access

An existing traditional stone pedestrian access was proposed to be demolished, and a vehicular access opening and new pedestrian access opening created on the North frontage at Links Place, and the existing vehicular access at Telfer Wynd in-filled. However, amendments to the scheme have seen the traditional pedestrian access to Links Place retained, and the new

pedestrian entrance proposed in a traditional stone cope and the new vehicular access re-positioned 3.5 metres South from the existing access at Telfer Wynd.

### Window and Door Openings

The sliding doors at ground floor and first floor windows on the front (South) elevation of the two-storey extension are proposed to be replaced with aluminium framed window and door framed windows; 12 timber sash and case windows are proposed to be replaced with like-for-like windows of the same proportion, frames and astragals; and, the existing French door opening on the rear (North) elevation of the two-storey extension is proposed to be replaced with a single pane window opening.

### Dormers

Initial traditional slated dormers were proposed to be replaced with enlarged zinc clad dormers with aluminium framed windows with a disproportionate astragal detailing of larger upper panes and a lower set glazing bar. Subsequent amendments to the scheme has seen the dormer extensions material palette altered for slated dormers with traditional sash subdivisions and astragals.

2.2.3 Seven letters of objection, and a comment from the Community Council have been lodged for this application referencing the design and visual impact of the proposed development. These parties considered that the scale design and finishing materials of the dormers are not in-keeping with the context of the building and surrounding area; the outbuilding is too overbearing and would resemble overdevelopment; similarly, the increased roof ridge height of the boat house is said to be overbearing.

2.2.4 Historic Environment Scotland (HES) have been consulted on the accompanied Listed Building Consent (24/01730/LBC), however, aspects of the consultee response are relevant for planning consideration. Concerns relate to the demolition of the traditional stone pedestrian access; and the scale and finishing materials of the dormers.

2.2.5 The proposal is considered to be acceptable in respect of the design as well as the impact on the character of the Conservation Area and setting of the Category 'B' Listed Building considering the amendments to the original scheme. Thereby, retaining the existing traditional pedestrian access, and incorporating quality design and finishing materials for the proposed new pedestrian access opening on Links Place. The outbuilding would be set back from the main dwellinghouse and incorporate quality contemporary materials, and appropriate design, scale and massing. While the enlarged boathouse would re-use an existing structure and re-vitalise it. Therefore, the alterations/extensions would not detract from the character of the area and the Category 'B' Listed Building and are considered in compliance with NPF4 (2023), Adopted FIFEplan (2017). With regards to the extension of the elevated decorative paving, it is virtually at ground level and would not visually affect the Listed status of the building or its setting and would be hidden from public view so would not be visually detrimental to the wider Conservation Area.

## **2.3 Residential Amenity**

2.3.1 Impact of daylighting, overshadowing, overlooking and increased noise, has been considered in full accordance with NPF4 (2023) Policy 14 (Design, quality and place) part ((c), Policy 16 (Quality homes) (g)(ii); Adopted FIFEplan Policy 10 (Amenity).

2.3.2 Four letters of objection have been received regarding the potential overlooking impact of the window of the proposed outbuilding specifically on neighbouring properties to the East and West. Further concerns mention the potential overlooking of the enlarged dormers and the privacy impact on a residential property to the West.

2.3.3 Overlooking impacts have been assessed and are not considered to be an issue subject to the omission of a rooflight on the side (East) elevation roofscape as this could have undermined the amenity of neighbouring properties (7-9 Sahara Park). Subsequently this rooflight has been removed from the proposal. Although the proposed outbuilding's southern elevation would comprise of full height gazing, it would not impact on the residential amenity of the habitable rooms and amenity spaces of the terraced row of housing at Sahara Park, to the East, due to the building's orientation and there being sufficient screening through the boundary treatments. In consideration of the objectors concerns regarding overlooking from the dormers, this is not a material issue as there are already established views from these dormers and moreover third-party properties are also suitably distant.

2.3.4 Overshadowing impact has been considered and the outbuilding is suitably distant not to result in significant reductions in sunlight/daylight levels currently enjoyed by occupiers of Sahara Park and Sahara Place.

2.3.5 Overall the proposal would therefore be considered acceptable in planning terms when considering the impact/harm of residential amenity of surrounding residential properties when assessed against NPF4 (2023) Adopted FIFEplan (2017) and other relevant guidance.

## **2.4 Transportation/Road Safety**

2.4.1 Road safety has been considered in full accordance with NPF4 (2023) Policy 13 (Sustainable transport) and Policy 18 (Infrastructure first); Adopted FIFEplan (2017) Policy 1 (Development Principles), Policy 3 (Infrastructure and Services) and Making Fife's Places – Supplementary Guidance: Appendix G (2018). Transportation Development Management colleagues have not been consulted on this application because there is no increased reliance on parking provision within the curtilage of the site from changes in bedrooms and the access proposed has not significantly been altered as a result of discussion.

2.4.2 Nine letters of objection and an objection from the Community Council have been received relating to the original proposed vehicular access opening, where the existing access at Telfer Wynd is adequate, and the increase in number of bedrooms would result in increased road and pedestrian safety from increased parking demand and loss of on-street parking.

2.4.3 Making Fife's Places – Supplementary Guidance: Appendix G (2018) requires 4 or more bedrooms to demonstrate 3 off street vehicular parking spaces. There are 6 bedrooms in the existing dwellinghouse, and 5 bedrooms proposed. Therefore, the same parking standards would apply. The applicant's agent was advised that the proposed new vehicular access would have increased road safety concerns especially due to substandard visibility therefore the retention of the existing vehicular access would not worsen current road safety concerns and should be retained.

2.4.4 Given the above concerns amendments were made by the applicant to relocate the existing vehicular access 3.5 metres further to the South of the existing access and the wall opening material would be reused to infill the current opening. A new timber gate would also be installed in the repositioned access of which the proposed repositioned vehicular access opening is considered to be acceptable as it would result in safer access to the dwellinghouse from Telfer Wynd as opposed to originally proposed access from Links Place. Therefore,

considering the property would benefit from ample parking in accordance with guidance, and an access that would not increase road safety issues; the proposal is considered acceptable when assessed against NPF4 (2023) and Adopted FIFEPlan (2017).

## 2.5 Natural Heritage And Trees

2.5.1 Due consideration to the impact to the trees on-site has been considered in accordance with NPF4 (2023) Policy 6 (Forestry, woodland and trees); Adopted FIFEplan (2017) Policy 13 (Natural Environment and Access) to consider that the loss of the trees on-site do not hinder the wider natural environment, by loss of trees that are not fully compensated for. In this instance the proposed development would have an impact on trees by either removal or potential damage to root protection areas. The Fife Council Tree Protection Officer has been consulted on this application and has requested a tree planting schedule, and further information on consideration of the root protection areas of T12 and T13. Initial concerns arose regarding the root protection areas of these trees and the works to the driveway, nevertheless, considering alterations to the scheme, the tree removal of T6 and T7 are what is assessed under the amended scheme.

2.5.2 The proposed outbuilding would require trees T7 and T6 to be removed. These are both, Category 'B', early mature life-stage 13-metre-tall Sycamore trees. Removal of these trees would require re-planting of 6 native species to compensate for their loss. Further comments from the Tree Protection Officer indicate that the planting should potentially be greater given that an established Sycamore leaf area may be much greater than a newly planted whip, has more bio-diversity benefit; and the removal of 2 early-mature trees from a linear row may serve to disrupt habitat connectivity so replanting plans should reflect this in terms of location and height of planting.

2.5.3 Three letters of objection have been received regarding the removal of the trees and the impact on the Natural Heritage of the area.

2.5.4 The agent/applicant has proposed 6 new trees on a planting schedule which respect the linear row of the existing trees, to which a condition has been attached to provide a list of species, and to ensure that should one of these trees dieback within the initial stages of growth then they will require re-planted. Consideration must also be given to the amended scheme during construction of the re-located vehicular access gate, and T11 Sycamore, in accordance with tree protection measures of the arboricultural assessment. However, subject to compliance with the conditions for the compensatory planting, the proposal would sufficiently off-set the impact of the loss of natural heritage in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

## 3.0 Consultation Summary

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Scottish Water

No objection.

Trees, Planning Services

Clarity on impact of Root Protection Area of T12 and T13. Replanting would also be required for the loss of T6 and T7 for a minimum of 3:1 native species in a linear row for optimum bio-diversity enhancement

## 4.0 Representation Summary

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8 letters of objection (and 1 late letter of representation) have been received regarding impact on trees, parking/road safety at Telfer Wynd, the dormer's scale/design, wall stability from the trees onto Sahara Park; the scale of the boat house, amenity concerns from the guest house; and, increasing the number of bedrooms within the main house and potential knock-on effects.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

<b>Issue</b>	<b>Addressed in Paragraph</b>
a. Road Safety (Parking, Access). The increased number of bedrooms and the newly formed access (initially proposed) would result in a knock-on impact of on-street parking provision and road user safety.	2.4.4
b. Design and Visual Impact. The impact of the dormer extension on the roofscape of the Listed Building, the outbuilding; and the boathouse overdeveloped scale.	2.2.6
c. Residential Amenity (Overlooking). The outbuilding window openings and the enlarged dormer overlooking impact onto neighbouring properties.	2.3.3 2.5.4
d. Natural Heritage (Loss of Trees) The loss of 2 Sycamore Trees and the detrimental impact on the visual amenity and biodiversity.	

#### 4.2.2 Other Concerns Expressed

<b>Issue</b>	<b>Comment</b>
a. Signage removed in front of pedestrian access to be removed	A condition has been attached to ensure that the signage is reverted back to its original state prior to construction.
b. The intention of the perceived overdeveloped boathouse is to eventually split the land 'feu' of the property.	A condition has been attached to ensure the accommodation /outbuilding is ancillary to the main dwellinghouse. However, a condition has been attached for comfort.
c. T13 Sycamore is causing the wall between Sahara Park and the property's land to bulge.	This is not a material planning consideration, and the owner of the land should seek to address this directly with the neighbour as a private legal matter.

## 5.0 Conclusions

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This application is hereby recommended for conditional approval given acceptable amendments have been made to address concerns relating to the access and some minor design and amenity protection requirements. Compensatory tree planting is also proposed. Overall, the design, scale, external finishes are considered acceptable and suitable for this Listed Building located within the Elie & Earlsferry Conservation Area. Further to that the proposal would protect and enhance the natural heritage as well as protect road safety and residential amenity. Therefore, considering the development in-context, it is considered to be acceptable in planning terms and in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

## 6.0 Recommendation

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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. The outbuilding and boathouse hereby approved shall only be used as ancillary domestic accommodation to the main dwellinghouse and not as permanent separate dwellings.  
Reason: In order to retain full control over the development and to avoid the creation of an additional permanent dwellinghouse.
3. PRIOR TO CONSTRUCTION OF THE OUTBUILDING, the applicant shall submit details of the proposed compensatory tree planting scheme which shall include details relating to species type and numbers and layout for the prior written approval of this Local Planning Authority. Thereafter the agreed compensatory tree planting shall be carried out in full and within the next available growing season unless otherwise agreed in writing with this Planning Authority. Thereafter, should the agreed replanted trees die within the first 5 years of planting, they should be replanted at the expense of the landowner.  
Reason: To protect Natural Heritage and ensure there is no net-loss of biodiversity or green infrastructure on-site.
4. AFTER CONSTRUCTION OF THE HEREBY APPROVED PEDESTRIAN ACCESS the signage that would be removed to accommodate this access must be brought back into its original state prior to construction.  
Reason: To retain Road Safety.
5. PRIOR TO THE CONSTRUCTION OF THE NEW PEDESTRIAN ACCESS, details of the formation and finishing of the opening (including details of the natural stone, colour, texture, coursing and stone edging cut/finish) shall be submitted for the prior written approval of this Planning Authority and thereafter the works shall be carried out in accordance with the agreed scheme unless otherwise agreed in writing.

Reason: In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the 'B' Listed Building, the Conservation Area and the character of the area and wider streetscene.

## 7.0 Background Papers

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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 Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead)  
28/10/24.

Committee Date: 06/11/24

Agenda Item No. 10

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**Application for Listed Building Consent**

**Ref: 24/01730/LBC**

**Site Address: Seaforth Links Place Elie**

**Proposal: Listed Building Consent for installation of dormer extensions and erection of outbuilding and formation of access and driveway.**

**Applicant: Mr and Mrs Paul Dickson, Seaforth Links Place**

**Date Registered: 30 July 2024**

**Case Officer: Matthew Don**

**Wards Affected: W5R19: East Neuk And Landward**

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### **Reasons for Referral to Committee**

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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**

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The application is recommended for: Conditional Approval.

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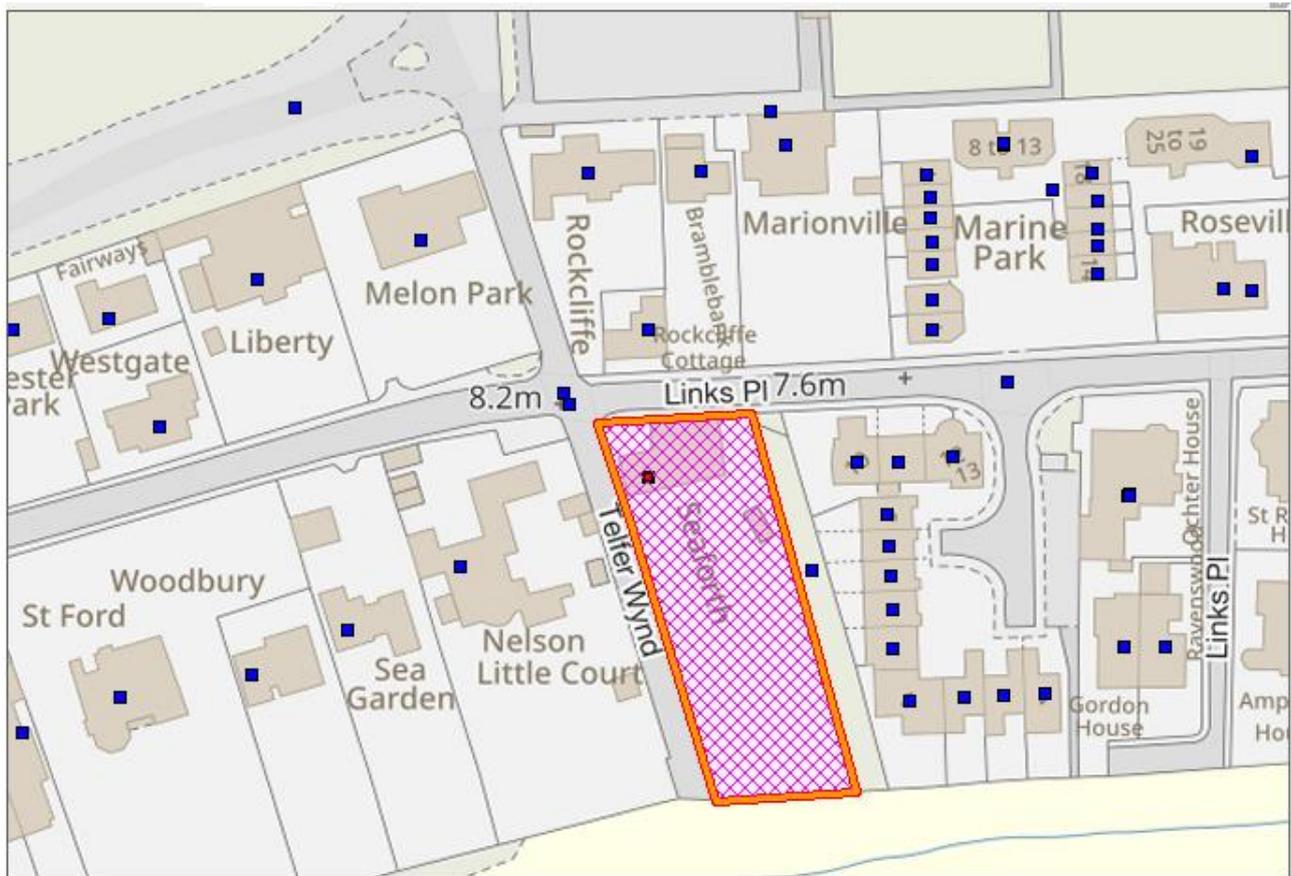
## **1.0 Background**

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### **1.1 The Site**

This application relates to a Category 'B' detached Listed Building within the settlement and Conservation Area of Elie & Earlsferry. The property is a two-storey (and attic) property finished in coursed sandstone rubble walls with droved dressings around the window openings, quoins and traditional windows and doors and dormer features. The property has been extended a number of times with various modern extensions and is enclosed by stone boundary walls/timber fencing. The property has a large garden with well-established trees throughout the site. There are similar constructed traditional stone properties within the area along with various other architectural styles and scales.

## 1.1.2 LOCATION PLAN



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## 1.2 The Proposed Development

This proposal seeks Listed Building Consent for the installation of dormer extensions, the erection of an outbuilding and the formation of a pedestrian access and driveway.

## 1.3 Relevant Planning History

03/00189/EFULL - Alterations to dwellinghouse (including external doors in existing window openings and partial demolition) - conditional approval (Permitted 27/02/03)

03/00192/ELBC - Alterations to dwellinghouse (including external doors in existing window openings and partial demolition) - conditional approval (Permitted 24/03/03)

06/01201/EFULL - Installation of patio doors - unconditional approval (Permitted 23/05/06)

06/01213/ELBC - Internal alterations including installation of patio doors - unconditional approval (Permitted 04/07/06)

15/01376/LBC - Listed building for demolition of single storey extension, internal alterations, two storey extension to side and alterations to roof – unconditional approval /referral Historic Environment Scotland conditions (Permitted 11/08/15)

15/01377/FULL - Two storey extension to side of dwellinghouse and alterations to roof - conditional approval (Permitted 17/07/15)

16/04171/TCA - Request to carry out work to protected trees Elie Conservation Area Height reduction to 9 sycamore - (Permitted 11/01/17)

21/03352/TCA - Request to carry out work to 14 trees in Elie Conservation Area Works - (Permitted 13/12/21)

24/01731/FULL - Installation of dormer extensions and erection of outbuilding and formation of access and driveway. - FULL planning permission submitted in conjunction – to be determined by committee

## **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. Under Section 59(1) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 in considering whether to grant permission for development which affects a listed building or its setting, a 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.

## **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 maintain, and Fife's built and cultural heritage contributes to the environment enjoyed by residents and visitors.

## **National Guidance and Legislation**

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

National Planning Framework 4 (NPF4) (2023)

### **Planning Policy Guidance**

Adopted FIFEPlan (2017)

## Supplementary Guidance

Supplementary Guidance: Making Fife's Places (2018)

Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

## Planning Customer Guidelines

Dormer Extensions

## Other Relevant Guidance

Elie & Earlsferry Conservation Area Appraisal and Management Plan (2012)

Managing Change in the Historic Environment – Windows (2018), Interiors (2016), Roofs (2010) and Boundaries (2010)

Historic Environment Scotland New Design in Historic Settings (2010)

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- Design and Layout/Visual Impact on the category 'B' Listed Building

### 2.2 Design and Layout/Visual Impact on the Category 'B' Listed Building

2.2.1 Due consideration has been given to the alterations of the property in accordance with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and NPF4 (2023) Policy 7 (Historic places and assets) part (c), and Adopted FIFEplan (2017) Policy 14 (Built and Historic Environment) - where this planning authority has special regard in considering whether permission is appropriate for context of development that is considered to affect the listed building, its setting, or any features of character, special architectural or historic interest which it possesses.

2.2.2 The proposal includes a number of alterations to the Category 'B' Listed dwellinghouse, including internal alterations within the main building and external alterations including the installation of replacement dormer extensions on the Northern and Southern roof plane to help improve attic bedroom space availability. The proposal also includes a new additional pedestrian access point as well as the relocation of the existing vehicular access further south; enlarged window openings on the two-storey extension; the erection of an outbuilding (to be used as an accommodation ancillary to the main dwellinghouse); the re-building of the boat house structure within the curtilage of the property and the extension to the existing elevated decorative paved area to the rear eastern end of the property. The key elements proposed include:

#### Outbuilding

Within the curtilage, an existing outbuilding is proposed to be removed and to be replaced by a 1.5 storey building occupying a footprint area of approximately 54 square metres (10 metres by 5.4 metres) with 2.9 metres in height to the eaves and 5.85 metres to the roof pitch. The external materials proposed comprise of vertical timber cladding, zinc roof, aluminium framed windows with different style of openings and slim rooflights (full height glazing on the Southern

elevation). Amendments to the scheme consider that the outbuilding's rooflight be omitted from the side (East) elevation.

### Boat House

The boathouse structure would be redeveloped and the work proposed also includes an increase in roof ridge from approximately 2.2 metres to 3.64 metres. The structure would be constructed with vertical timber and zinc cladding with the installation of rooflights.

### Access

An existing traditional stone pedestrian access was proposed to be demolished and a vehicular access opening, and a new pedestrian access opening, created on the North frontage at Links Place and the existing vehicular access at Telfer Wynd infilled. However, amendments to the scheme have seen the traditional pedestrian access to Links Place retained, the new pedestrian entrance proposed in a traditional stone cope and the new vehicular access re-positioned 3.5 metres South from the existing access at Telfer Wynd with an in-fill timber panel gate.

### Window and Door Openings

The sliding doors at ground floor and first floor windows on the front (South) elevation of the two-storey extension are proposed to be replaced with aluminium framed window and door openings; 12 timber sash and case windows are proposed to be replaced with like-for-like windows of the same proportion, frames and astragals; and the existing French door opening on the rear (North) elevation of the two-storey extension is proposed to be replaced with a single pane window opening.

### Dormers

Initial traditional slated dormers were proposed to be replaced with enlarged zinc clad dormers with aluminium framed windows with a disproportionate astragal detailing of larger upper panes and a lower set glazing bar. Subsequent amendments to the scheme has seen the dormer extensions material palette altered for slated dormers with traditional sash subdivisions and astragals.

### Internal Alterations

At ground floor level, the 'family area' proposes an infill partition wall with sliding doors, and an in-fill wall between the shower room, to accommodate a storage room. Between the kitchen and the family room a portion of original stone wall is proposed to be removed to create an opening. Between the kitchen and a hallway an opening is proposed, and an opening is proposed to be in-filled with partition wall. Within the existing 'boot room' and 'utility room' a partition wall is proposed to be removed and two additional walls added to create two storerooms.

At first floor level, between the existing 'Bedroom 3' and 'Hall' a partition wall is proposed to be removed to accommodate a 'Break Out Area', and between 'Bedroom 4' and 'Bedroom 5' internal re-configuration is proposed with a new doorway opening proposed at Bedroom 4.

Between the first-floor level and the attic space/second floor, a stairwell is proposed to be removed and replaced and the attic walls removed and re-located closer to the eaves to accommodate more floor space.

2.2.3 Historic Environment Scotland (HES) have raised concerns regarding the proposed demolition of the traditional stone pedestrian access; the scale and finishing materials of the dormers. Further concerns regarding internal alterations such as the new stairwell and they are seeking the retention of panelled doors and decorative architraves and the wall with corncicing and plastering between Bedroom 4 and 5.

2.2.4 The proposed development has been assessed in conjunction with Managing Change in the Historic Environment – Windows (2018), Interiors (2016), Roofs (2010) and Boundaries (2010); Historic Environment Scotland New Design in Historic Settings (2010) and Making Fife's Places - Supplementary Guidance (2018).

2.2.5 In this instance the amended proposal is considered acceptable as the proposed outbuilding and boathouse would be suitably scaled, located, would incorporate high quality modern finishing materials that would harmonise well with the existing dwelling house and attain high standards in design and construction and would be located to the rear of the property with limited public views. With regards to the proposed formation of the second pedestrian access, this would be finished using high quality traditional stone and would be dressed and detailed to match the existing pedestrian access to the east of the property and as such is considered to complement the character of the Listed Building and its setting. The proposed repositioned vehicular opening and gate on Telfer Wynd would reuse downtakings and would be of a design and scale consistent with the existing opening which would be infilled.

2.2.6 With regards to the proposed enlarged dormer extensions, these have been amended to now include a traditional slate exterior finish and the glazed openings would use proportional astragal detailing and glazed proportions and would overcome earlier HES's comments and thus would ensure that aspect of the proposal respects the character of the historic building. While the window openings proposed would be for like-for-like timber on the main massing of the Listed Building, and contemporary replacement window openings on the modern extension – which would be considered acceptable in this instance.

2.2.7 The proposed removal of some original joinery and some decorative plaster features can be damaging to the historic/architectural interest of a building's interior, therefore the photographic evidence provided has helped ensure that the cornicing and plastering of Bedrooms 4 and 5 would now replicate the traditional styles in these enlarged rooms and this is now considered acceptable and can be supported. Further to that it has also been confirmed that the traditional panelled doors and decorative architraves would also be re-used to ensure the potential loss of historic fabric and special architectural features is kept to an acceptable minimum and where some loss may occur it would be replaced with appropriate replicas such as the cornicing.

2.2.8 Overall, whilst this Category 'B' Listed Building has been altered through modern additions and extensions over time the proposed development and amendments to the design would be considered to be acceptable when assessed against NPF4 (2023), Adopted FIFEplan (2017) and other related guidance considering the impact of the Listed Building and its setting.

## 3.0 Consultation Summary

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Historic Environment Scotland

The dormers are over-scaled; original cornicing in bedroom 4 and 5 may be lost as a result of development; the stone pediment pedestrian access has architectural merit and should be retained; to doorways should retain the decorative architrave re-used.(original submission)

## 4.0 Representation Summary

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None.

## 5.0 Conclusions

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This application is hereby recommended for approval before North East Planning Committee. The impact on the Listed Building and its setting has been considered and the amended details, designs and external finishes along with special features being retained and reused as well as replicated in some proposed amended rooms would meet relevant policies and guidance in place to protect and enhance built heritage assets such as this 'B' Listed Building and therefore it is considered that all aspects of the amended scheme would now be acceptable and would now comply with the relevant policies of NPF4 (2023) and Adopted FIFEplan (2017) as well as other supplementary guidance.

## 6.0 Recommendation

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1. PRIOR TO THE CONSTRUCTION OF THE NEW PEDESTRIAN ACCESS, details of the formation and finishing of the opening (including details of the natural stone, colour, texture, coursing and stone edging cut/finish) shall be submitted for the prior written approval of this Planning Authority and thereafter the works shall be carried out in accordance with the agreed scheme unless otherwise agreed in writing.

Reason: In the interests of visual amenity; to ensure that the external finishing materials are appropriate to the 'B' Listed Building, the Conservation Area and the character of the area and wider streetscene.

## 7.0 Background Papers

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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 Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager(Committee Lead) 28.10.24