

# North East Planning Committee

JP Court Room, County Buildings, Cupar

Wednesday, 8 May 2024 - 1.00 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 10 April 2024. 3 – 5
4. **23/02229/FULL - LAND TO THE SOUTH OF TAILABOUT DRIVE, TAILABOUT CRESCENT, CUPAR** 6 – 23  

Erection of 49 affordable dwellings, open space and drainage infrastructure.
5. **23/02336/FULL - KINBURN CASTLE, DOUBLEDYKES ROAD, ST ANDREWS** 24 – 37  

Erection of four dwellinghouses including formation of access, car parking and associated drainage and landscape infrastructure.
6. **23/03303/FULL - 23 MARKET STREET, ST ANDREWS, FIFE** 38 – 54  

Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear.
7. **23/03302/LBC - 23 MARKET STREET, ST ANDREWS, FIFE** 55 – 68  

Listed building consent for alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear.
8. **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  
Glenrothes  
Fife, KY7 5LT

1 May 2024

If telephoning, please ask for:

Diane Barnet, Committee Officer, Fife House 06 ( Main Building )  
Telephone: 03451 555555, ext. 442334; email: Diane.Barnet@fife.gov.uk

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### **BLENDING MEETING NOTICE**

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

**THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – BLENDED MEETING**

**JP Court Room, County Buildings, Cupar**

**10 April 2024**

**1.00 pm – 1.55 pm**

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

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

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

**151. DECLARATIONS OF INTEREST**

Councillors MacDiarmid and Tepp declared an interest in Paragraph No. 154 - 23/01478/FULL - Land to South of 6 Balgove Road, Gauldry - as Councillor MacDiarmid knew the applicant well and had worked with the applicant on occasion over several years; and Councillor Tepp had discussed issues relating to the application.

Councillor Lawson declared an interest in Paragraph No. 156 - 24/00116/FULL – 64B Argyle Street, St. Andrews as he was a near neighbour of the application site.

**152. MINUTE**

The committee considered the minute of meeting of the North East Planning Committee of 13 March 2024.

**Decision**

The committee agreed to approve the minute.

**153. 22/02504/FULL - REEDIEHILL FARM, PITMEDDEN, AUCHTERMUCHTY**

The committee considered a report by the Head of Planning Services relating to an application for the erection of four dwellinghouses, communal facility and associated works.

**Decision**

The committee agreed to approve the application, subject to:-

- (1) conditions and reasons one to six as detailed in the report; and
- (2) an amended seventh condition with, attendant reason, to read:

## 2024 NEPC 69

'The permission hereby granted shall be used for the benefit of Ms Paula Cowie (Project Manager of the "Tiny House Project) or an agreed successor to act on behalf of the Project Manager, unless otherwise agreed in writing by Fife Council as Planning Authority. For the avoidance of doubt, should a successor Project manager be proposed, then the details of this shall be submitted to Fife Council in advance of the appointment being formalised.

Reason

The development is only considered to be acceptable on the basis of a personal permission as managed by the Project Manager or an agreed successor.'

*Having declared an interest in the following item, Councillors MacDiarmid and Tepp left the meeting at this point and the Depute Convener, Councillor Liston chaired the meeting for this item.*

### **154. 23/01478/FULL - LAND TO SOUTH OF 6 BALGOVE ROAD, GAULDRY**

The committee considered a report by the Head of Planning Services relating to an application for the approval of matters specified in conditions of planning consent ref. no. PPA-250-2272 for the erection of six dwellinghouses, upgrading of access and formation of car parking (Section 42 application to vary condition four of planning permission 20/00679/ARC to amend landscaping layout and implementation).

#### **Decision**

The committee agreed to approve the application subject to the six conditions and for the reasons detailed in the report, with varied condition four of planning permission 20/00679/ARC.

*Following consideration of the above item, Councillors MacDiarmid and Tepp returned to the meeting.*

### **155. 23/02355/FULL - 2 MURRAY ROW, BALMULLO, ST. ANDREWS**

The committee considered a report by the Head of Planning Services relating to an application for the erection of a dwellinghouse.

#### **Decision**

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

*Having declared an interest in the following item, Councillor Lawson left the meeting at this point.*

### **156. 24/00116/FULL - 64B ARGYLE STREET, ST. ANDREWS**

The committee considered a report by the Head of Planning Services relating to an application for a change of use from dog grooming (Class 1A) to flatted dwelling (Sui Generis) including installation of replacement windows and external alterations.

**Decision**

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

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

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

Committee Date: 08.05.2024

Agenda Item No. 4

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**Application for Full Planning Permission**

**Ref: 23/02229/FULL**

**Site Address:** Land To The South Of Tailabout Drive, Tailabout Crescent, Cupar

**Proposal:** Erection of 49 affordable dwellings, open space and drainage infrastructure

**Applicant:** Champion Homes Ltd And Kingdom Housing Association

**Date Registered:** 21 August 2023

**Case Officer:** Jamie Penman

**Wards Affected:** W5R20: Cupar

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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 Major Development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009

### **Summary Recommendation**

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The application is recommended for: Conditional Approval

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## **1.0 Background**

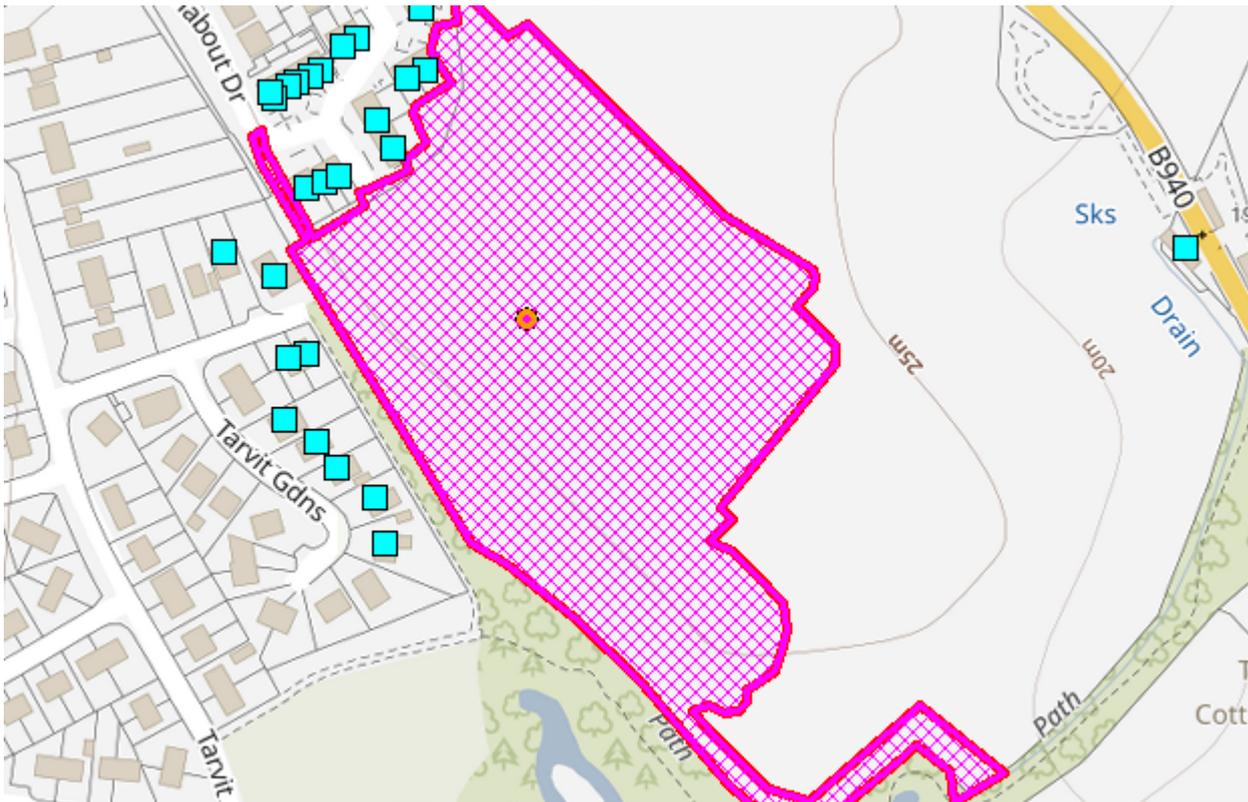
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### **1.1 The Site**

1.1.1 This full planning application relates to a 3Ha area of agricultural land, located outwith but adjacent to, the eastern boundary of the settlement of Cupar. The application site is directly to the south and east of residential properties located within Tailabout Drive and Tarvit Gardens. The remainder of the agricultural field is located to the east and south of the application site. The application site slopes downhill from its eastern boundary to its western boundary. There are no significant areas of vegetation within the application site, however, there is an area of open space which contains mature trees along the western boundary. There is currently no formal access into the site, however, a hammerhead to allow future expansion from Tailabout Drive is available for both pedestrian and vehicular use. Furthermore, there is an informal pedestrian access into the site from the area of open space to the west. The site is approximately 1km to the southeast of Cupar Town Centre. There are sustainable transport options available within the surrounding area which include a good public footpath network and bus services, with the nearest stop located approximately 500m away on Tarvit Avenue. A Core

Path (P104/02) passes the southern boundary of the site. The residential areas surrounding the site

1.1.2 The application site and surrounding area is shown in the image below.



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## 1.2 The Proposed Development

1.2.1 This application proposes the erection of 49 affordable dwellings, open space and drainage infrastructure. Proposed house types include a mix of single-storey bungalows (11) and two-storey houses (38). The proposed dwellings would either be in detached (3), semi-detached (24) or terraced (22) arrangements. Proposed finishing materials consist of a white rendered walls with areas of facing brick and grey weatherboard. Concrete roof tiles, UPVC windows and composite doors are also proposed. All dwellings would have a small front garden, with larger private gardens being provided to the rear. All dwellings would also have off-street parking which would either be provided in-curtilage or within a communal parking court. Landscaping is proposed across the site along with a mix of boundary treatments consisting of hedging and timber fencing. Open space has been provided along the western boundary of the site. A single point of access is proposed from Tailabout Drive which allows access onto Pitscottie Road (B940). Two pedestrian only access points would be provided along the western boundary.

## 1.3 Relevant Planning History

1.3.1 Planning history associated with the site is detailed below:

- 22/02067/PAN - Proposal of Application Notice for the erection of 49 No. affordable homes with associated infrastructure and landscaping – Proposal of Application Notice Agreed - 04/07/22
- 22/02263/PAN - Proposal of Application Notice for the erection of 49 No. affordable homes with associated infrastructure and landscaping (Amendment to 22/02067/PAN) - Proposal of Application Notice Agreed - 26/07/22

## 1.4 Application Procedures

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

1.4.2 The proposal falls within Class 2: Housing of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. As the site measures over 2Ha, the proposal is categorised as a Major development. The applicant has carried out the required Pre-Application Consultation (PAC) through holding public information events (Ref: 22/02263/PAN). A PAC report outlining comments made by the public and the consideration of these in the design process of the proposal has been submitted as part of this application. Overall, the manner of public consultation is acceptable.

1.4.3 As the application site exceeds 0.5ha, in accordance with the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, the proposed development is identified as a 'Schedule 2' development which requires to be screened for EIA. The proposed development was screened by the Planning Authority where it was concluded that an EIA was not required.

## 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 4: Natural places

To protect, restore and enhance natural assets making best use of nature-based solutions.

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 9: Brownfield, vacant and derelict land and empty buildings

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

Policy 11: Energy

To encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage (CCUS).

#### 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 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.

#### Policy 22: Flood risk and water management

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

### **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 2: Homes

Outcomes: An increase in the availability of homes of a good quality to meet local needs. The provision of a generous supply of land for each housing market area to provide development opportunities and achieve housing supply targets across all tenures. Maintaining a continuous five-year supply of effective housing land at all times.

#### 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 4: Planning Obligations

Outcomes: New development provides for additional capacity or improvements in existing infrastructure to avoid a net loss in infrastructure capacity.

#### Policy 7: Development in the Countryside

Outcome: A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

#### Policy 8: Houses in the Countryside

Outcome: A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

#### Policy 10: Amenity

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

#### Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

#### Policy 12: Flooding and the Water Environment

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved.

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

### **Supplementary Guidance**

Supplementary Guidance: Affordable Housing (2018)

Supplementary Planning Guidance on Affordable Housing sets out requirements for obligations towards affordable housing provision from housing development in Fife.

Supplementary Guidance: Low Carbon Fife (2019)

Supplementary Guidance: Making Fife's Places (2018)

### **Planning Policy Guidance**

Planning Policy Guidance: Development and Noise (2021)

Policy for Development and Noise looks at both noisy and noise sensitive land. Noise sensitive developments may need to incorporate mitigation measures through design, layout, construction or physical noise barriers to achieve acceptable acoustic conditions.

Planning Policy Guidance: Planning Obligations (2017)

Planning Obligations guidance seeks to ensure that new development addresses any impacts it creates on roads, schools and community facilities. It assists the development industry to better understand the costs and requirements that will be sought by Fife Council and provides certainty to communities and public bodies that new development will have no negative impact.

### **Planning Customer Guidelines**

Air Source Heat Pumps

Daylight and Sunlight

Garden Ground

Trees and Development

Minimum Distances between Window Openings

## Other Relevant Guidance

Fife Council's Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (May 2022)

## 2.0 Assessment

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### 2.1 Relevant Matters

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

- Principle of Development
- Design/Visual Impact
- Residential Amenity Impact
- Road Safety and Sustainable Travel
- Flooding and Drainage
- Land and Air Quality
- Natural Heritage/Trees
- Planning Obligations
- Archaeology
- Sustainable Development
- Loss of Agricultural Land

### 2.2 Principle of Development

2.2.1 The application site is located out with but adjacent to the settlement of Cupar and is therefore located within the countryside. NPF4 Policies 9 (Brownfield, Vacant and Derelict Land and Empty Buildings), Policy 16 (Quality Homes) and FIFEplan Policies 1 (Development Principles), 2 (Homes) 7 (Development in the Countryside) and 8 (Houses in the Countryside) apply. These policies lend support to affordable housing developments proposed in the countryside, where there is no other alternative site available within the settlement boundary, where they are part of the Local Authority's affordable housing plan, where there is an established local need for more affordable housing, where they are adjacent to an existing settlement boundary and where they are of an acceptable scale in relation to the adjacent settlement.

2.2.2 Concerns have been raised in submitted representations that the housing mix is not varied and that there are alternative sites within the existing settlement boundary. Comments also raise concerns regarding development in the countryside.

2.2.3 A supporting statement has been submitted with this application which considers what alternative sites are available within the settlement boundary. The statement notes the presence of allocated sites within Cupar (CUP001, CUP002, CUP003 and CUP004). CUP001 (Cupar North) is located to the north of Cupar and is a Strategic Development Area with an estimated capacity of around 1,400 units. The supporting statement acknowledges that whilst there has been some progress on this site, it is a longer-term development prospect which will require substantial private sector investment to realise. The supporting statement ultimately discounts this site as it would not be capable of delivering the affordable housing shortfall within the area within acceptable timescales. The supporting statement continues to discount allocated sites

CUP002 (St Columba's), CUP003 (Kirk Wynd) and CUP004 (Provost Wynd) given that they are all too small to accommodate the proposed development. The supporting statement also considers whether other brownfield sites are available within and adjacent to the settlement boundary, however, it concludes by noting that none were found.

2.2.4 It is accepted that whilst CUP001 is large enough to accommodate the proposed development, it is a strategic development area which will be developed over a number of years in phased and planned manner. This site would therefore not be suitable to facilitate this development. It is also accepted that CUP002, 003 and 004 are too small in size to host the proposed development. It is noted that there are other allocated sites within Cupar, namely CUP005 (Former Granary, Station Road), CUP006 (Former ATS Depot, St Catherine Street) CUP007 (Moathill Site) CUP008 (Bonnygate Gap Site) CUP009 (Prestonhall East) CUP010 (Ceres Road), however, these are either too small or are not allocated for residential development. Fife Council's Vacant and Derelict Land mapping has also been reviewed which shows no sites which are large enough to facilitate the development. In light of the forgoing, it is acceptable that there are no other allocated or brownfield sites within Cupar which could host the proposed development.

2.2.5 Fife Council's Affordable Housing Team has been consulted on this application and has advised that the application site is part of the Fife Council's Strategic Housing Investment Plan (SHIP) and the current Strategic Local Programme Agreement (SLPA) and that the mix presented reflects the needs of the area. The Affordable Housing Team has also confirmed that there is an established high need for more affordable housing within the settlement of Cupar and this is demonstrated through the 523 applicants who are on the Fife Housing Register who have specified Cupar as an area of choice. Need is further demonstrated by the fact that there are 838 existing social rented properties (667 Fife Council / 171 Housing Association) within Cupar, with only 8% of Fife Council properties being relet in the previous year.

2.2.6 Lastly, in terms of scale in relation to the adjacent settlement size, Cupar has over 1,000 households and in line with FIFEplan Policy 2, an affordable housing development of up to 49 dwellings adjacent to the settlement boundary is acceptable. As such, given there is no other alternative sites available within the settlement boundary, the application site is adjacent to an existing settlement boundary, it is part of Fife Council's affordable housing plan, there is an established high need and it is of an acceptable scale, the proposed affordable housing development within the countryside is acceptable, in principle and is in compliance with relevant NPF4 and FIFEplan policies. The ultimate acceptability of the proposal will be fully considered in the following sections of this report.

## **2.3 Design/Visual Impact**

2.3.1 NPF4 Policy 14 (Design, Quality and Place) and FIFEplan Policies 10 (Amenity) and 14 (Built and Historic Environment) support development proposals which have a positive visual impact on their surroundings.

2.3.2 Submitted representations raise concerns regarding the visual impact of the development. Specifically, regarding impact on the wider countryside and on the approach into Cupar.

2.3.3 Fife Council's Urban Design Officer has been consulted on this application and has raised some concerns regarding the piecemeal development which appears to be happening in this area. Concerns are also raised regarding the elevated nature of eastern boundary of the site and that development on this area should be avoided.

2.3.4 This application proposes the erection of 49 affordable dwellings, open space and drainage infrastructure. Proposed house types include a mix of single-storey bungalows (11) and two-storey houses (38). The proposed dwellings would either be in detached (3), semi-detached

(24) or terraced (22) arrangements. The proposed dwellings would be positioned to provide an active frontage onto the internal loop road within the site. Furthermore, active overlooking is provided along footways and over areas of open space. Proposed finishing materials consist of a white rendered walls with areas of facing brick and grey weatherboard. Concrete roof tiles, UPVC windows and composite doors are also proposed. Whilst there is not dominant vernacular around the site, the modern appearance of the proposal would fit in well with existing houses. All dwellings would have a small front garden, with larger private gardens being provided to the rear. All dwellings would also have off-street parking which would either be provided in-curtilage or within a communal parking court. Landscaping is proposed across the site along with a mix of boundary treatments consisting of hedging and timber fencing. Open space has been provided along the western boundary of the site. A single point of access is proposed from Tailabout Drive which allows access onto Pitscottie Road (B940) and two pedestrian only access points would be provided along the western boundary.

2.3.5 The application site would be visible from within the wider countryside and on the approach road into Cupar. A Landscape and Visual Appraisal has been submitted in support of the application which explores the development's potential visual impact on the wider environment. To assist, photomontages have been submitted which shows the development in situ. The appraisal details that the site is well defined and offers a distinct sense of place and maturity on account of its close physical, direct and visual relationship with the urban edge of Cupar. It continues to note that key landscape and woodland features combined with the rising valley topography create a tight visual envelope with limited opportunities to view the site from within the local and wider setting, which offers a good visual fit and logical extension to the southeast fringes of Cupar. The appraisal concludes by advising that the landscape has the capacity to absorb the proposed development.

2.3.6 Whilst the proposal will have a visual impact, it would be considered to complement its surrounding and as such, the proposal complies with relevant NPF4 and FIFEplan policies, along with Making Fife's Places Supplementary Planning Guidance.

## **2.4 Residential Amenity Impact**

2.4.1 NPF4 Policy 16 (Quality Homes) and FIFEplan Policy 10 (Amenity) support development proposals that have no significant detrimental impact on existing levels of residential amenity. These policies specifically relate to privacy, overshadowing, noise and odour impacts. Where potential impacts are identified, the proposal should be supported by appropriate studies.

2.4.2 Submitted representations raise concerns with regard to potential privacy and noise impacts from the development.

2.4.3 Within the site, proposed dwellings have been positioned to avoid any significant privacy impacts. Rear garden lengths of 9m have been provided along with minimum distances of 18m between windows which serve habitable rooms. Furthermore, proposed dwellings have been positioned to avoid any significant overshadowing impacts. Garden ground areas generally comply with Fife Council guidance of 100sqm per dwellinghouse and 50sqm per flat. It is noted that most of the terraced properties fall short of this 100sqm, however, it is recognised that it is often difficult to comply with the 100sqm guidelines, without have gardens that are unnecessarily long.

2.4.4 In terms of the development's relationship to existing dwellings located out with the site, given no development currently exists within the application site, the proposed development will have an impact on existing levels of amenity currently enjoyed by existing residents of Tailabout Drive/Crescent and Tarvit Gardens. Separation distances of at least 18m separate the proposed dwellings from existing dwellings on Tailabout Crescent/Drive. A separation of at least 25m separates the proposed dwellings from existing dwellings on Tarvit Gardens. These are in

excess of the Fife Council standard of 18m. An open space buffer of at least 12m is provided between the proposed garden grounds and those within Tarvit Gardens. Whilst the proposed properties will sit at an elevated position when compared to properties within Tarvit Gardens, given the chosen property type, chosen boundary treatments and the separation distances, submitted section drawings demonstrate that no significant privacy or overshadowing impacts would arise in this instance. Furthermore, no significant privacy concerns would arise in relation to the proximity of open space adjacent to neighbouring gardens of Tarvit Gardens.

2.4.5 Given the proposed use is for residential purposes, no significant concerns would be raised with regard to noise levels which may be generated by the development.

2.4.6 Whilst some temporary disruption is always likely during the construction period, a condition has been added requiring the submission of a Construction and Environmental Management Plan. Subject to the final detail being agreed, this should reduce the likelihood of significant impacts occurring.

2.4.7 The application proposal is therefore in compliance with NPF4 and FIFEplan policies in this regard.

## **2.5 Road Safety and Sustainable Travel**

2.5.1 NPF4 Policies 13 (Sustainable Transport), 15 (Local Living and 20 Minute Neighbourhoods) and FIFEplan Policy 3 (Infrastructure and Services) apply and support development that have no significant road safety impacts. Furthermore, these policies require developments to provide adequate infrastructure to mitigate their impact in terms of traffic movements and for developments to encourage sustainable modes of travel.

2.5.2 Submitted representations raise concerns with the access arrangements into the site from Pitscottie Road and through Tailabout Drive/Crescent. Concerns note the potential for increased traffic levels on an already busy road and the impact this could have on vehicular and pedestrian safety. Representations also note the lack of local amenities, and that the development will prioritise the use of the private car.

2.5.3 The application site would be accessed via a single point of vehicular access from Tailabout Drive/Crescent which would then lead to two points of access onto Pitscottie Road (B940). Whilst the single point of vehicular access is noted, "Making Fife's Places" advises that cul-de-sacs are acceptable for developments not exceeding 200 dwellings. Additional pedestrian only access points are provided along the western boundary of the site which provides access to the wider footpath network. The application site is located approximately 1km away from Cupar Town Centre and there are bus stops available on Pitscottie Road within 500m of the site.

2.5.4 A Transport Statement (TS) has been submitted with this application which details that the site would be expected to generate 62 two-way person trips during the AM peak and 32 two-way person trips during the PM peak. This would equate to 25 and 17 vehicle trips respectively. Whilst this will lead to an increase in traffic routing through Tailabout Drive/Crescent and onto Pitscottie Road, it is suggested that the estimated traffic flows would be insignificant in relation to surrounding traffic flows.

2.5.5 The submitted Transport Statement also considers public transport options and notes hourly bus and train services which serve the local area and throughout Fife and beyond.

2.5.6 Cupar Town Centre has a variety of local amenities which would facilitate day to day living. Whilst the site is out with the preferable 400m walking distance to the town centre, an

hourly local bus services is available on Tarvit Avenue, which serves the town centre. It is not considered that the development would prioritise the use of the private car.

2.5.7 Fife Council's Transportation Development Management Team (TDM) was consulted on this application and has raised no objections to the proposal, subject to conditions.

2.5.8 Whilst there are two proposed pedestrian connections along the western boundary of the site, due to an unresolved land ownership issue, the applicant is unable to confirm that the northernmost link can be connected into the adopted road network. As such, these works cannot be conditioned. Whilst the northernmost link is the applicant's preference to be delivered, given the unresolved land ownership issue, a fallback position has been agreed in that the proposed southernmost path, will connect into and upgrade the existing path network which links onto the existing adopted network on Tarvit Drive. This land is within Fife Council's ownership and can, therefore, be secured by condition. The applicant has agreed to this condition; however, they have intimated that should they be successful in reaching an agreement with the landowner to deliver the full northernmost link post-decision, this may lead to a further application to revise which adopted footpath connection will be delivered.

2.5.9 The proposal therefore complies with NPF4 and FIFEplan policies in this regard.

## **2.6 Flooding and Drainage**

2.6.1 NPF4 Policies 22 (Flood Risk and Water Management) and FIFEplan policies 3 (Infrastructure and Services) and 12 (flooding and the Water Environment) support development proposals which will not be impacted by flooding, nor increase flooding elsewhere out with the site. Furthermore, these policies support development which sustainably deals with surface water run-off.

2.6.2 Submitted representations raise concerns regarding existing flooding which occurs in the local area and how this development may make this worse.

2.6.3 The SEPA flood maps do not show any indication that the site is prone to any type of flooding. There are, however, areas of potential surface water flood risk around the site. A Flood Risk Assessment (FRA) along with full drainage details have been submitted by the applicant. The submitted FRA concludes by noting that the site is not shown to be at risk of all types of flooding. The submitted drainage details advise that surface water run-off would be collected and routed to a sustainable urban drainage basin located towards the southern boundary of the site. From here, stored water would be treated and discharged at a restricted rate, to a nearby watercourse. Foul water would discharge to existing Scottish Water Infrastructure.

2.6.4 Fife Council's Structural Services Team has been consulted and after some initial queries, which were responded to with further information from the applicant, advised that they had no objections on flooding or surface water drainage grounds.

2.6.5 Scottish Water has been consulted on this application and has advised that they have no objection with regard to the development's impact on capacity at the local water treatment works (Lomond Hills). Scottish Water were however unable to confirm capacity at the local wastewater treatment works (Cupar), however, the applicant will have to confirm this with Scottish Water, before they can connect to the network.

## **2.7 Land and Air Quality**

2.7.1 NPF4 Policies 9 (Brownfield, Vacant and Derelict Land and Empty Buildings) and 23 (Health and Safety) and FIFEplan Policy 10 (Amenity) support development which remediates

contaminated land, making it safe for future land uses. These policies also advise that development which would have a significant adverse impact on air quality will not be supported.

2.7.2 Fife Council's Land and Air Quality Team has been consulted on this proposal and has advised that the site appears to have been in long-term agricultural use and as such, raise no concerns regarding the need for further contaminated land studies. They do, however, recommend that a condition is attached which require any future unidentified contaminated to be reported and investigated.

2.7.3 An Air Quality Impact Assessment has been submitted in support of the application and notes that road traffic generated by the development is likely to be of negligible significance in terms of existing air quality levels. This report has been reviewed by Fife Council's Land and Air Quality Team and no concerns have been raised.

2.7.4 The application proposal therefore complies with NPF4 and FIFEplan policies in this regard.

## **2.8 Natural Heritage/Trees**

2.8.1 NPF4 Policies 1 (Tackling the Climate and Nature Crises), 3 (Biodiversity), 4 (Natural Places), 6 (Forestry, Woodland and Trees) and FIFEplan Policy 13 apply and support development which protects and enhances protected species/biodiversity in and around the site whilst also safeguarding protected trees and also non-protected trees which have amenity value.

2.8.2 The application site is currently in agricultural use and is therefore considered to have limited biodiversity value. Notwithstanding, a preliminary ecology appraisal has been submitted in support of the application. The appraisal details that both a desk and site survey has been undertaken which involved searching the site for signs of protected species, as well as assessing the likelihood of the site being used by such species. The appraisal notes that records of 9 protected species were identified within 1km of the site and that trees bordering the site are likely to be used by nesting birds. The appraisal ultimately concludes that it is not considered likely that there will be any significant long-term impacts on protected species as a result of the development and that no ecological constraints have been identified. The appraisal goes on to make recommendations which should be implemented to ensure no impacts on protected species during development. The appraisal also recommends biodiversity enhancement measures including bat and bird boxes, bee bricks and additional landscaping. No specific details of these have been submitted but this can be captured by condition.

2.8.3 There are no trees within the application site boundary, however, mature trees do exist in the open space area along the western boundary of the site. A Tree Impact Assessment has been submitted and whilst it does not record any notable specimens, it does show that the development would not impact on the root protect areas of these trees and as such, no negative impacts on the health of these trees would arise. The assessment does recommend and include details of tree protection measures which could be implemented during the construction period in order to protect the existing trees. A condition will be added to ensure that these measures are put in place before development commences and are retained throughout the construction period.

2.8.4 A detailed landscaping plan has been submitted with this application which shows tree and hedging planting throughout the site. Hedges have been used as front garden boundary treatments, which is welcomed.

2.8.5 Fife Council's Natural Heritage Officer has been consulted on this application and has advised that the impact assessment is deemed appropriate as are the mitigation and enhancement measures.

2.8.6 The proposal therefore complies with NPF4 and FIFEplan policies in this regard.

## **2.9 Planning Obligations**

2.9.1 NPF4 Policy 18 (Infrastructure First) and FIFEplan Policy 4 (Planning Obligations) support development where an infrastructure first approach has been applied. These policies advise that all development should mitigate their impact on infrastructure capacity and developer contributions will be sought where required.

2.9.2 Given that 100% affordable housing is proposed, the application site is exempt from all planning obligations, except where a critical capacity issue has been identified within schools in the local catchment area. Fife Council's Education Team were consulted on this application and has advised that the application site falls within the catchment areas for Castlehill Primary, St Columba's Roman Catholic Primary School, Bell Baxter High School, St Andrew's Roman Catholic High School and the Cupar Local Nursery Area. The consultation response advises that no capacity risks are expected at any of the schools within the catchment as a result of the development. There is however a capacity risk expected within the local nursery area, however, the Education Team has advised that due to the low number of units within this development, there may be some additional capacities in other areas, therefore planning obligations have not been requested in this instance.

2.9.3 Making Fife's Places advised that sites are expected to provide 60sqm of open space per dwelling within the site, unless there are existing areas of open space within 250m in the wider area which can be utilised. It is noted that at least 4,100sqm of usable open space would be provided within the site which exceeds the 60sqm per dwelling requirement.

## **2.10 Archaeology**

2.10.1 NPF4 Policy 7 (Historic Assets and Places) and FIFEplan Policy 14 (Built and Historic Environment) aim to protect historic assets and where there is potential for buried archaeological deposits to exist, an archaeological evaluation shall be undertaken at an early stage so that potential impacts can be assessed.

2.10.2 Fife Council's Archaeology Officer has been consulted on this application and has advised that whilst the site is not covered by any historic environment designations, surrounding fields are known to be rich in prehistoric archaeological deposits. The consultation response concludes that an archaeology investigation should take place before any development begins on site. This can be secured by condition.

2.10.3 The proposal therefore complies with NPF4 and FIFEplan policies in this regard.

## **2.11 Sustainable Development**

2.11.1 NPF4 Policies 1 (Tackling the Climate and Nature Crisis), 2 (Climate Mitigation and Adaptation), 12 (Zero Waste), 13 (Sustainable Transport) and FIFEplan Policy 11 (Low Carbon) support development that is compliant with sustainable development principles and take account of the climate and nature crises.

2.11.2 A Low Carbon Checklist (LCC) has been submitted with this application which advises that all dwellings within the site will achieve silver active standards and a fabric first approach

will be undertaken to reduce Co2 emissions. The LCC advises that a renewable energy strategy for the development will be implemented which will include a combination of solar panels and/or air source heat pumps. Furthermore, the properties will be constructed from local and/or sustainable sources. Surface water run-off will be dealt with sustainably and has been covered earlier in this report. Provision will also be made for kerbside recycling within each plot. The sustainable travel opportunities have also been covered earlier in this report.

2.11.3 The proposal therefore complies with NPF4 and FIFEplan policies in this regard.

## 2.12 Loss Agricultural Land

2.12.1 NPF4 Policy 5 (Soils) and FIFEplan Policy 7 (Development in the Countryside) advise that development on prime agricultural land will only be supported where it is for essential infrastructure where there is no other site available or where it is necessary to meet an established need.

2.12.2 Submitted representations raised concerns that the development would result in the loss of prime agricultural land.

2.12.3 The application site has a land capability code of 3.2 meaning that it is capable of average production though high yields of barley, oats and grass can be and that grass leys are common. The application site is agricultural land, however, it is not considered prime agricultural land by definition.

## 3.0 Consultation Summary

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|  |   |
|--|---|
| Community Council                                      | No response.  |
| NHS Fife   | No response.  |
| Scottish Water   | No objections.  |
| TDM, Planning Services                                 | No objections subject to conditions.                                    |
| Structural Services - Flooding, Shoreline And Harbours | No objections.  |
| Archaeology Team, Planning Services                    | No objections subject to conditions.                                    |
| Natural Heritage, Planning Services                    | Impact assessment, mitigation and enhancement measures are appropriate. |
| Urban Design, Planning Services                        | Some concerns raised regarding design and visual impact.                |
| Land And Air Quality, Protective Services              | No objections subject to conditions.                                    |
| Education (Directorate)                                | No capacity issues.   |
| Housing And Neighbourhood Services                     | High need for more affordable housing in Cupar.                         |

## 4.0 Representation Summary

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4.1 3 objections and 3 general comments have been submitted.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

| <b>Issue</b>   | <b>Addressed in Section</b> |
|--|-----------------------------|
| <b>Impact on existing levels of privacy.</b>                                     | <b>2.4</b>                  |
| <b>Increased traffic volumes via single point of access through phase 1.</b>     | <b>2.5</b>                  |
| <b>Narrow road widths will result in blocked roads.</b>                          | <b>2.5</b>                  |
| <b>General road safety impacts through Tailabout Drive/Crescent.</b>             | <b>2.5</b>                  |
| <b>Development may increase flooding in surrounding area.</b>                    | <b>2.6</b>                  |
| <b>Development is contrary to the Development Plan.</b>                          | <b>2.2</b>                  |
| <b>Site is Prime Agricultural Land.</b>  | <b>2.12</b>                 |
| <b>Development impacts on surrounding landscape and approach into Cupar</b>      | <b>2.3</b>                  |
| <b>Alternative sites exist to provide affordable housing.</b>                    | <b>2.2</b>                  |
| <b>No amenities nearby for residents.</b>  | <b>2.5</b>                  |
| <b>The use/tenure of houses is not mixed.</b>                                    | <b>2.2</b>                  |
| <b>Development will prioritise the use of private cars.</b>                      | <b>2.5</b>                  |
| <b>Development will lead to noise/nuisance issues.</b>                           | <b>2.4</b>                  |
| <b>The site does not mitigate against climate change.</b>                        | <b>2.11</b>                 |
| <b>Pitscottie Road not suitable for increase in traffic levels.</b>              | <b>2.5</b>                  |
| <b>Existing high speeds on Pitscottie Road and inadequate visibility splays.</b> | <b>2.5</b>                  |
| <b>Inadequate visibility splays at other junctions along Pitscottie Road.</b>    | <b>2.5</b>                  |

## 4.2.2 Other Concerns Expressed

| Issue   | Addressed in Section   |
|---|--|
| Loss of view.   | Not a material planning consideration.   |
| Maintenance arrangements for wall outwith site.   | Not a material planning consideration.   |
| Woodland path should be overlooked by new houses and more lighting and bins should be provided. | Proposed housing does overlook path. The proposal is not required to light the path. |
| Lack of winter maintenance on existing roads.   | Not a material planning consideration.   |
| Development will lead to security issues of surrounding houses.                                 | Not a material planning consideration.   |
| Development will lead to increase hygiene issues and increase in rats and gulls.                | Not a material planning consideration.   |
| Fife Council states this area was unsuitable for housing.                                       | Each application is assessed on its own merits.                                      |
| The area should be expanded for nature.   | Each application is assessed on its own merits.                                      |

## 5.0 Conclusions

The application proposal constitutes an attractive, modern development and whilst located within the countryside, it provides much needed affordable housing, in an area with an established high need, whilst having a limited visual impact on the surrounding countryside. The development as a whole, would read as a natural extension to the existing Cupar settlement boundary. The proposal would raise no significant detrimental impacts in terms of existing levels of residential amenity. Furthermore, no significant concerns have been raised with regard to road safety, sustainable travel, flooding and drainage, contaminated land, ecology, trees or archaeology. The proposal is therefore recommended for approval, subject to conditions.

## 6.0 Recommendation

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

### **PRE-COMMENCEMENT CONDITIONS:**

1. Before any works start on site, detailed archaeological investigations shall be undertaken on-site, in accordance with a Written Scheme of Investigation, which shall be submitted to and agreed by Fife Council as Planning Authority. Once agreed, the recommendations made within the agreed WSI shall be complied with in full.

Reason: To ensure that any below ground archaeological deposits are fully investigated and protected where required.

2. Before any development commences on site, a Construction and Environmental Management Plan (CEMP) shall be submitted to Fife Council as Planning Authority, for prior written approval. The approved measures shall then be followed in full on site during the construction period. For the avoidance of doubt, the CEMP shall full consider all potential impacts on surrounding residential properties and potential impacts on local ecology and how these impacts shall be mitigated.

Reason: In the interest of protecting residential amenity and ecology; to ensure adequate measures are put in place during the construction period to avoid any significant impacts.

3. Before any development begins on site, the tree protection measures as detailed in the agreed Tree Protection Plan (Document 34 - BNTW SCOTLAND – Appendix 2C 20/06/23) shall be installed on site in full and be retained in a sound, upright condition for the duration of the construction period.

Reason: To ensure that trees to be retained are protected during construction works.

### **CONDITIONS:**

4. 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.

5. All units hereby approved shall be provided as affordable housing as defined by Fife Council's Supplementary Planning Guidance on Affordable Housing (2018), or any future superseding version of this guidance, and shall be held as such in perpetuity unless otherwise agreed by the express prior consent in writing of Fife Council as Planning Authority.

Reason: In order to define the terms of the consent.

6. IN THE EVENT THAT CONTAMINATION NOT PREVIOUSLY IDENTIFIED by the developer prior to the grant of this planning permission is encountered during the development, all development works on site (save for site investigation works) shall cease immediately and the planning authority shall be notified in writing within 2 working days.

Unless otherwise agreed in writing with the local planning authority, development work on site shall not recommence until either (a) a Remedial Action Statement has been submitted by the developer to and approved in writing by the planning authority or (b) the planning authority has confirmed in writing that remedial measures are not required. The Remedial Action Statement shall include a timetable for the implementation and completion of the approved remedial measures. Thereafter remedial action at the site shall be completed in accordance with the approved Remedial Action Statement. Following completion of any measures identified in the approved Remedial Action Statement, a Verification Report shall be submitted to the local planning authority. Unless otherwise agreed in writing with the planning authority, no part of the site shall be brought into use until such time as the remedial measures for the whole site have been completed in accordance with the approved Remedial Action Statement and a Verification Report in respect of those remedial measures has been submitted by the developer to and approved in writing by the local planning authority.

Reason: To ensure all contamination within the site is dealt with.

7. No tree works or scrub clearance shall occur on site from 1st March through to 31st August each year unless otherwise agreed in writing with this Planning Authority prior to clearance works commencing. In the event that clearance is proposed between 1st March to 31st August, a suitable bird survey shall be carried out by a suitably qualified ecologist covering the proposed clearance area and shall be submitted to and approved in writing by this Planning Authority before those clearance works commence. Once written approval has been given the works themselves should be carried out within a specified and agreed timescale.

Reason: To ensure breeding birds are protected.

8. Before they are installed on site, full details of the ecological enhancement measures as detailed in the submitted Ecology Impact Assessment, along with any associated maps and product details, shall be submitted to Fife Council as Planning Authority for prior written approval. The approved ecological enhancement measures shall be installed on site prior to it being fully occupied.

Reason: To ensure the site contributes to biodiversity enhancement.

9. Prior to occupation of the first dwelling, the approved SUDs Scheme as specified and hereby approved shall be fully installed and commissioned. The scheme shall be signed off by a suitably qualified drainage engineer following installation and be retained and maintained in an operational manner for the lifetime of the development.

Reason: In the interests of securing an appropriate standard of drainage infrastructure and to mitigate flood risk arising from the development.

10. The total noise from all air source heat pumps shall be such that any associated noise complies with NR 25 in bedrooms, during the night; and NR 30 during the day in all habitable rooms, when measured within any relevant noise sensitive property, with windows open for ventilation.

For the avoidance of doubt, daytime shall be 0700-2300hrs and night time shall be 2300-0700hrs.

Reason: In the interest of residential amenity; to ensure noise levels generated by air source heat pumps causes no significant impact.

11. Before any unit is occupied, a detailed boundary treatment plan shall be submitted to Fife Council as Planning Authority for prior written approval. The agreed boundary treatments shall be installed prior to each unit being occupied.

Reason: In the interest of visual amenity; to ensure the full details of all boundary treatments are agreed.

12. Before any landscaping is planted on site, an amended landscaping plan shall be submitted for prior written approval which removes references to *Buddleia Davidii* and *Rosa Rugosa*. The approved landscaping plan shall then be planted on site during the first planting season following completion of the development.

Reason: In the interest of natural heritage; to ensure the landscaping proposals are appropriate and that invasive species are avoided.

13. All approved roads and associated works serving the proposed development shall be constructed in accordance with the current Fife Council Transportation Development Guidelines to a standard suitable for adoption. For the avoidance of doubt, work shall include:

- The provision of a prospectively adoptable active travel route between the site and Tarvit Drive (via the play area). This route shall be completed and open for public use prior to occupation of the 30th dwelling. Full construction details of this active travel route shall be submitted for the prior approval of Fife Council, before any works commence on the path.
- The provision of a raised table where the internal active travel route intersects the street fronting Plots 38 – 42.

Reason: In the interest of road safety; to ensure the provision of an adequate design layout and construction.

14. Prior to occupation of the first house, visibility splays 2.4 metres x 25 metres shall be provided and maintained clear of all obstructions exceeding 600mm in height above the adjoining road channel level, at all internal junctions of access roads, in accordance with the current Fife Council Transportation Development Guidelines. The visibility splays shall be retained through the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at the junctions of the vehicular access with the public road.

15. Prior to occupation of the first house, all roadside boundary markers being maintained at a height not exceeding 600mm above the adjacent road channel level through the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate visibility at road junctions etc.

16. Prior to the occupation of each house, the off-street parking provision as shown on document 03A shall be provided in accordance with the current Fife Council Parking Standards. The parking spaces shall be retained through the lifetime of the development.

Reason: In the interest of road safety; to ensure the provision of adequate off-street parking facilities.

## 7.0 Background Papers

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

[National Planning Framework 4 \(2023\)](#)  
[FIFEplan Local Development Plan \(2017\)](#)  
[Planning Guidance](#)

Report prepared by Jamie Penman – Chartered Planner 12.04.2024

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 25/4/24.

Committee Date: 08/05/2024

Agenda Item No. 5

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**Application for Full Planning Permission**

**Ref: 23/02336/FULL**

**Site Address:**

**Kinburn Castle Doubledykes Road St Andrews**

**Proposal:**

**Erection of 4 dwellinghouses including formation of access, car parking and associated drainage and landscape infrastructure**

**Applicant:**

**CAF Properties No 1 Ltd, c/o Fitzgerald Associates Ltd 53 Albert Street**

**Date Registered:**

**7 September 2023**

**Case Officer:**

**Scott McInroy**

**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

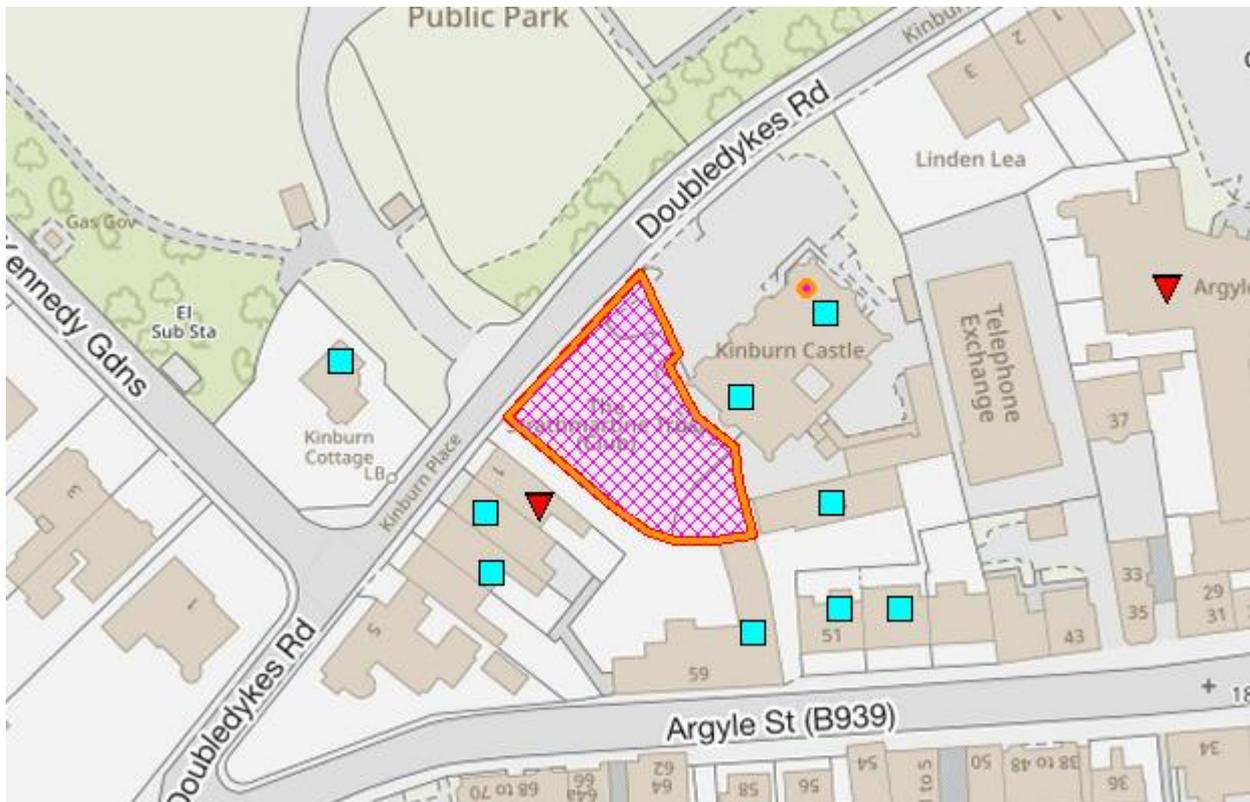
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## **1.0 Background**

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### **1.1 The Site**

## 1.1.2 LOCATION PLAN



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**1.1.2** This application relates to an area of land within the grounds of the Category C Listed Kinburn Hotel (known locally as 'Kinburn Castle') located within the St Andrews Central Conservation Area and settlement boundary of St Andrews (FIFEplan Local Development Plan, 2017). The two storey Kinburn Hotel (as it is referenced in the statutory list description) has a castellated appearance with its central and corner towers/turrets featuring battlements, as well as its 4-bay window frontage. A number of outbuildings have been sited to the rear of the Kinburn Hotel building - out with public view. Located to the west of Kinburn Hotel, the application site is currently a well-maintained garden area, predominately comprising of a grass lawn and a variety of low planting/hedges and trees, with the listed stone wall bounding the north and west of the site. A three-storey terrace building (containing a number of flatted dwellings) is sited to the west of the application site. Parking for the Kinburn Hotel takes place at the front of the building, with access taken via an originally designed opening in the stone wall directly from Doubledykes Road. Currently, the Kinburn Hotel is used as (Class 4) offices for two businesses.

## 1.2 The Proposed Development

**1.2.1** This application seeks planning permission for the erection of 4 contemporary style dwellinghouses including formation of access, car parking and associated drainage and landscape infrastructure. The proposal would be accommodated within one linked structure and would consist of a 2-storey building with a single storey ground floor element projecting out from the central two storey section with flat roof that would house four 2-bedroom dwellings. The first storey element would not encompass the whole footprint of the building just the central area. The front elevation would be finished in sandstone with grey aluminium windows and doors at ground floor level floor level and glass corner windows at first floor level. Grey cladding breaks up the sandstone in the central area of the building and black aluminium overhang breaks up ground and first floor levels. The side and rear elevations are finished in sandstone and white render with grey aluminium windows and doors and black aluminium overhang breaking up ground floor and first floor levels. The roof proposed would cover the single storey ground floor

elements to the rear and east and west wings and would be a sedum roof type. Access would be taken from the existing access to Doubledykes road.

### **1.3 Relevant Planning History**

The previous planning history for this site is as follows:

- 20/00901/FULL - Erection of six flatted dwellings with associated access, parking and landscaping works - Refused by Members of the North East Planning Committee in line with the Service recommendation in January 2021. The 4-storey (attic) proposal was refused on the grounds of design, scale, mass, external finishes and its subsequent impacts on the setting of the adjacent Listed Building and wider Conservation Area. Further to this, the proposal was also refused on the grounds of lack of justification to the boundary wall of the Listed Building as well as the number of off-street car parking spaces being significantly below the required number (12 required and 6 proposed).
- Subsequent appeal to the DPEA (Appeal Ref. PPA-250-2355) dismissed in July 2021 on the grounds that whilst the scale would be appropriate alongside the existing buildings within the Conservation Area the introduction of a substantial building within the curtilage of Kinburn Castle and resulting loss of open space would have an adverse impact on the Conservation Area. Further to that the proposed vehicular access would result in a removal of a section of boundary wall, the realignment of the existing entrance and a reduction in the height of the remaining section to facilitate visibility splays, which would damage the special character and appearance of the Conservation Area. Further to that, the Reporter also considered that the proposed position of the building within the substantial grounds of Kinburn Castle would result in the loss of an important formal garden area and lead to an imbalance in the setting of the Listed Building and overall would not fully respect the sensitive context of the site. The Reporter also agreed that off-street parking provision would not meet required standards.
- 20/00899/LBC - Listed building consent for alterations to boundary wall including reduction of height and widening of access – The related LBC application was also refused in January 2021 in line with the officer recommendation and Members also agreed there was no justification to support the proposed works to the boundary wall of the adjacent Listed Building.
- Subsequent appeal to the DPEA (Appeal Ref. LBA-250-2040) also dismissed in July 2021 on the grounds that the Reporter was not satisfied that the special character of the Listed Building or the setting of the Conservation Area would be preserved and that no evidence was provided to justify the works etc.

### **1.4 Application Procedures**

1.4.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

1.4.2 The Scottish Government voted to approve National Planning Framework 4 on January 11, 2023, with it being formally adopted on February 13, 2023. NPF4 is now part of the statutory Development Plan and provides the national planning policy context and agenda for the assessment of all planning applications. NPF4 has six overarching spatial principles to deliver sustainable places, liveable places and productive places. The policy context of NPF4 is set at a high level to provide directive but indicative policy context to be taken forward in further detail at a later date. The Adopted FIFEplan LDP (2017) and associated Supplementary Guidance provides the most up to date expression of planning policy for Fife and continues to be part of the Development Plan until it is replaced. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them no longer form part of the Development Plan. Having assessed the current application against the policy provisions of

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

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

## **1.5 Relevant Policies**

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

#### **Policy 1 & 2: Tackling the climate and nature crises.**

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

#### **Policy 6: Forestry, woodland and trees**

To protect and expand forests, woodland and trees.

#### **Policy 7: Historic assets and places**

NPF4 Policy 7 stipulates development proposals in conservation areas will ensure that existing natural and built features which contribute to the character of the conservation area and its setting, including structures, boundary walls, railings, trees and hedges, are retained and mitigation.

#### **Policy 11: Energy**

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

#### **Policy 12: Zero Waste**

To encourage, promote and facilitate development that is consistent with the waste hierarchy.

#### **Policy 13: Sustainable transport**

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

#### **Policy 14: Design, quality and place**

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

#### **Policy 15: Local Living and 20 minute neighbourhoods**

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

### **Policy 16: Quality Homes**

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

### **Policy 19: Heat and cooling**

To encourage, promote and facilitate development that supports decarbonised solutions to heat and cooling demand and ensure adaptation to more extreme temperatures.

### **Policy 22: Flood risk and water management**

To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.

## **Adopted FIFEplan (2017)**

### **Policy 1: Development Principles**

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

### **Policy 2: Homes**

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

### **Policy 3: Infrastructure and Services**

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

### **Policy 10: Amenity**

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

### **Policy 11: Low Carbon Fife**

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

## **Policy 12: Flooding and the Water Environment**

Outcome: Flood risk and surface drainage is managed to avoid or reduce the potential for surface water flooding. The functional floodplain is safeguarded. The quality of the water environment is improved.

## **Policy 14: Built and Historic Environment**

FIFEplan Policy 14 Built and Historic Environment states that development which protects or enhances buildings or other built heritage of special architectural or historic interest will be supported. Proposals will not be supported where it is considered they will harm or damage listed buildings or their setting, including structures or features of special architectural or historic interest and sites recorded in the Inventory Historic Gardens and Designed Landscapes. For all historic buildings and archaeological sites, whether statutorily protected or not, support will only be given if, allowing for any possible mitigating works, there is no adverse impact on the special architectural or historic interest of the building or character or appearance of the conservation area.

## **National Guidance and Legislation**

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

Historic Environment Scotland Policy Statement (June 2016)

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

PAN 1/2011: Planning and Noise

## **Supplementary Guidance**

### **Making Fife's Places Supplementary Planning Guidance (2018)**

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

### **Supplementary Guidance: Low Carbon Fife (2019)**

Low Carbon Fife Supplementary Planning 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.

## **Planning Policy Guidance**

### **St Andrews Design Guidelines (2011)**

This sets out a number of principles to ensure appropriate design and materials are incorporated into new development. The guidance advises that buildings should respect the historic townscape but ensure the continued economic vibrancy of the town centre and embrace the opportunities for high quality design solutions, including contemporary design where appropriate.

## **Planning Customer Guidelines**

Fife Council Planning Customer Guidelines: Garden Ground (2016)

Fife Council Planning Customer Guidelines: Daylight/Sunlight (2022)

## **Other Relevant Guidance**

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

## 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/Visual Impact on Conservation Area and Setting of Listed Building
- Residential Amenity
- Garden Ground
- Transportation/Road Safety
- Flooding and Drainage
- Trees
- Archaeology
- Low Carbon
- HMO

### 2.2 Principle of Development

**2.2.3** Concerns have been raised regarding the principle of development. The application site is located within the settlement boundary of St Andrews (FIFEplan, 2017), in an area which is largely characterised by residential properties. Given the residential nature of the proposal and the character of the surrounding area, the development is deemed to be acceptable in general land use terms. The proposal is therefore considered to meet the requirements of the policies outlined above and is thus deemed to be acceptable in principle, complying with the location requirements of Policy 1. The overall acceptability of any such development with regard to Policy 1 must however also satisfy other relevant Development Plan policy criteria as identified in Section 2.1 of this report.

### 2.3 Design/Visual Impact on Conservation Area and Setting of Listed Building

**2.3.1** Concerns have been raised by objectors with regards the impact on the conservation area and design and scale of the proposal. Concerns were also raised by officers with regards the original design of the proposed new dwellings in relation to footprint; building mass/scale; visual relationship to Kinburn Castle; and flat roofline. The applicant took on board these comments and introduced a number of changes to address these concerns which include a reduction in the footprint and the introduction of different finishing materials to the proposal amongst other changes.

**2.3.2** The rear elevation of the proposed building has been moved 5m to the north increasing the area of garden ground to the rear, whilst also moving 4m to the east. The changes to the footprint provide a larger offset to Kinburn Castle, which would further protect the visual relationship of the proposed dwelling to Kinburn Castle. This proposed dwelling is now considered to be visually subservient to Kinburn Castle and will not significantly impact on the setting of this listed building. The proposal is for a 2-storey building with a single storey ground floor element projecting out from the central two storey section with flat roof that would house four two-bedroom dwellings. The first storey element would not encompass the whole footprint of the building just the central area. The front elevation would be finished in sandstone with grey aluminium windows and doors at ground floor level floor level and glass corner windows at first floor level. The inclusion of grey cladding would also visually break up the massing of the sandstone element in the central area of the building and the black aluminium overhang feature would also assist in visually breaking up the ground and first floor levels.

**2.3.3** The side and rear elevations would be finished in sandstone and white render with grey aluminium windows and doors and black aluminium overhang breaking up ground floor and first floor levels. The roof area which covers the single storey ground floor elements to the rear and east and west wings would be a sedum roof. In broad design terms, the fenestration is generally vertically orientated across the building, which provides an appropriate visual relationship of the new building to the existing Kinburn Castle and adjacent building to the west. The projecting window features to the front elevation create an element of distinctiveness and modernity while retaining a vertical orientation to provide a visual connection to the adjacent buildings. The roof profile has been amended to a more balanced form, which does not jar with, or significantly compete with, the adjacent principal building. The rear elevation of the proposed building has been moved 5m to the north increasing the area of garden ground to the rear, whilst also moving 4m to the east.

**2.3.4** The changes to the footprint provide a larger offset to Kinburn Castle, which enhances the visual relationship of the proposed dwelling to Kinburn Castle. This proposed dwelling is subservient to Kinburn Castle and will not significantly impact on the setting of this listed building. The introduction of the vertical grey cladding and black aluminium overhang breaks up the massing on the public elevation to the front whilst the introduction of white render helps break up the massing to the rear and sides. Given that only the first-floor element of the front elevation would be visible to the public street scene the additional of the grey cladding and black overhang helps reduce the building massing on this elevation. The addition of the black aluminium edging to the roof provides a distinctive edge to the profile of the building. The proposed changes introduced by the applicant have addressed initial concerns raised by officers in terms of visual impact. Overall, the proposal would introduce a new building with contemporary features that draws its design from its surrounding context while remaining generally subservient in scale to the adjacent building, and with the potential to make a positive contribution to the character of the urban area within the context of the site.

**2.3.5** The refused application 20/00901/FULL only provided 170sqm , which was to be provided to the front with a large area of paving/driveway and parking to the rear. This application provides double the amount of garden area (all to the rear) with only a small-scale driveway/parking to the north east corner of the site. This proposal with more garden area to the rear and less area of hardstanding would respect the sensitive context of the site and setting of the listed building. This addresses the concerns raised by the reporter with regards the lack of open space/garden area remaining. The reporter also raised concerns regarding the impact on the boundary wall as a new access was proposed through application 20/00901/FULL which would have altered the boundary wall. This application proposes access through the existing access onto Doubledykes road, therefore the boundary wall will not be altered.

**2.3.6** Concerns have been raised regarding the proposal not complying the St Andrews Design Guidelines, in terms of developing on garden area within the town centre. In this instance whilst the site itself lies outwith the designated 'town centre' boundary of St Andrews, it is considered that the proposal respects the character, appearance, and prevailing pattern of the area in terms of density, scale, design, and external finishes and therefore complies with the relevant Development Plan policies and guidelines relating to design and visual impact. Further to that it would respect the character of the wider conservation area.

## **2.4 Residential Amenity**

**2.4.1** Given the residential nature of the proposed development, it is considered that the proposed dwellinghouses would not give rise to any detrimental impacts on terms of light, odour and noise pollution for neighbouring properties, nor would future residents of the proposed dwellings be subjected to such concerns themselves. It should be noted however that should any statutory amenity complaints be received regarding construction works; Fife Council Environmental Health Officers would be able to take action under Section 60 of the Control of Pollution Act 1974. Additionally, it is considered that on the basis of the scale of development

proposed then works would not be significant enough to warrant the submission of a Scheme of Works report as construction works should already comply with the relevant Building Standards.

**2.4.2** With regard to loss of daylight concerns, relevant assessments have been undertaken by the Planning Authority which confirm that the proposed development would not result in an adverse significant loss of daylight for neighbouring properties. Whilst there are windows located within the eastern gable of the neighbouring flatted dwellings to the west of the site, it has been confirmed that these windows serve non-habitable rooms and it thus considered that no material loss of daylight would occur. Similarly, with regard to loss of sunlight, as the proposed development would not be due south of the garden areas of neighbouring properties, it is determined that the proposed development would not lead to a detrimental loss in the amount of sunlight received by the main amenity spaces of neighbouring properties. A dedicated bin storage area is proposed which would be large enough to accommodate the refuse of the four dwellings. Overall, the proposed development would not raise any adverse loss of daylight or sunlight concerns.

**2.4.3** Regarding the potential for loss of privacy or overlooking as a consequence of the proposed development, it is considered that the proposed flatted dwellings would not raise any significant concerns, with windows of the proposed development primarily overlooking the associated rear garden area (to the south) and the public road to the north. Whilst it would be possible to see into the rear amenity spaces of the neighbouring flatted dwellings to the west, this is not considered to be of concern given as these spaces are already overlooked by other flatted dwellings within the terrace. Additionally, it has been calculated that the eastern most windows within the proposed development would be sufficiently distant/angled to avoid any adverse loss of privacy concerns for users of the offices within the Kinburn Hotel building.

**2.4.4** In conclusion, the proposed development is not considered to raise any adverse residential amenity concerns and is thus deemed to be acceptable, complying with the requirements of FIFEplan (2017).

## **2.5 Garden Ground**

**2.5.1** In terms of providing sufficient outdoor private useable amenity/garden ground, the proposed development would fall short of the recommended garden ground provisions required for four dwellings (335sqm is provided). It is however noted that the application site is located within the Outer Core of St Andrews which is characterised by high density accommodation with limited outdoor amenity space for flatted properties. It is additionally recognised that the proposed dwellings are well located with regard to safe and easy access to public greenspace locally. It is therefore considered that higher density smaller garden areas are already a typical characteristic of the area and given the availability of easy to reach amenity areas accessible by all the garden ground requirements could be relaxed on this occasion.

## **2.6 Transportation/Road Safety**

**2.6.1** The proposed development would consist of the erection of four two-bedroom dwellings, with 7 off-street parking spaces located to the north west of the building. Vehicular access to the site is proposed to be taken via the existing access to Kinburn House, then through the removal of two parking spaces of the existing car park. These two parking spaces will be replaced within the existing car park area of Kinburn Castle. Cycle storage will also be available to the front of the application site.

**2.6.2** Concerns have been raised regarding the existing access into Kinburn Castle. The Transportation Development Management Team (TDM) was consulted and raised initial concerns regarding visibility splays, parking and bin location, however these have since been addressed by the applicant in terms of amended parking layout and bin location. The existing visibility at the junction between Kinburn /Castle and Doubledykes Road is currently

substandard. Given as this access serves two business and can accommodate upwards of 23 vehicles, it is considered that an additional 7 vehicles would not exacerbate the road safety of the existing junction.

**2.6.3** With regard to off-street parking, the 7 off-street parking spaces proposed would accord with the current Transportation Development Guidelines. NPF4 (Policy 13) seeks to support and promote active travel, with wheeling, walking and cycling within and between towns and other communities linked to strategic routes for residents and visitors and no longer recommends national maximum car parking standards, but places the emphasis more on ensuring that opportunities for walking, cycling and wheeling are promoted, for example by ensuring that cycle parking is more convenient than car parking is. Given the proximity to transport links (bus station 240m away, town centre and primary and secondary schools and the University, the application site is in a sustainable location and complies with the 20-minute neighbourhood as supported in NPF4 (Policy 15). Given that the site is located less than 230m from the town centre area of St Andrews and 240m away the St Andrews bus station the site is located in a sustainable location in terms of the 20-minute neighbourhood as set out in NPF4 policy 15. The proposal does provide sufficient parking and accords with policy 13 of NPF4 as this policy supports proposals which are ambitious in terms of low/no car parking in locations well served by sustainable transport. Due to the edge of town centre location, adjacent the bus station, it is considered that this location is well served by sustainable transport modes, so the proposal therefore complies with policy 13 of NPF4. As stated above it is considered that the proposal complies with the provisions of NPF4 in terms of a sustainable location. The proposal would also meet the requirements of FIFEplan (2017) and would also address the Reporters previous concerns with off-street parking numbers per dwelling unit.

**2.6.4** Concerns have been raised regarding changes to the carriageway on Doubledykes Road however in this instance no changes to the carriageway are proposed.

**2.6.5** With regards to bin provision, the bins would be located adjacent to the car parking area and on collection day the bins would be take out onto Doubledykes Road for collection negating the need for refuse lorries to enter the Kinburn Castle car park. The bin storage area would also be separate from the above designated garden ground areas.

## **2.7 Flooding And Drainage**

**2.7.1** Fife Council has no recorded incidents of flooding on this site whilst the SEPA map shows that the proposed location is not susceptible to flood risk. A flood risk assessment was therefore not required. The development is of a size that will require to be served by a SuDS scheme.

**2.7.2** Drainage information has been submitted in support of the application which the applicant has stated fully addresses the relevant guidance. The proposed development, therefore, incorporates sufficient measures to ensure that it is served by adequate infrastructure and services relating to surface water management. Fife Councils Structural Services have been consulted on this application and have raised no concerns. The proposal would, therefore, be acceptable and would comply with the Development Plan in this respect.

## **2.8 Trees**

**2.8.1** Concerns have been raised regarding the impact on trees. Eleven trees are proposed to be removed as part of this process. The trees in question have been evaluated as 9 category C tree (trees of low quality), 1 Category B tree and 1 category A trees. For any trees removed it will be expected that trees will be replanted in at least a 2:1 ratio since mature extant trees lost will not have the same environmental value as newly planted whips may for 30+ years. This ratio will also be expected to be higher if high quality tree removals are proposed (for example, 5:1 for A category trees, 4:1 for B category). Compensatory planting is proposed by the

applicant, with 34 trees proposed to mitigate this. This mitigation is considered acceptable in this instance and would comply with the above policy requirements.

## **2.9 Archaeology**

**2.9.1** The site lies out with the core of the medieval burgh of St Andrews, but it was still considered likely that significant archaeological deposits of medieval date could exist on this site. Specifically, the proposed development site is on land that made up part of the medieval 'Argyle' of St Andrews. Fife Council's Archaeology Officer was consulted on the application to assess the impact the proposed development would have on any archaeological or heritage issues within the application site. Following an assessment of the proposals, the consultation response highlighted that previous development works in the surrounding area have shown that an abundance of archaeological deposits exist this area. As such, it is deemed that the works proposed could have the potential to disturb in situ medieval archaeological deposits. A condition is therefore recommended, if the application was to be approved, for archaeological works to be undertaken.

**2.9.2** In conclusion, the proposed development has the potential to impact on archaeological deposits. A condition is therefore included in the recommendation to ensure a scheme of archaeological works be undertaken prior to the commencement of development.

## **2.10 Low Carbon**

**2.10.1** Applicants are expected to submit a Low Carbon Sustainability Checklist in support. The applicant has submitted a low carbon statement which states that the new build would have a fabric first approach to building design that will reduce CO<sup>2</sup> emissions and a renewable energy strategy for the development will be implemented with the use of low and zero carbon generating technologies including a combination of solar photovoltaics and high efficiency LED lighting and lighting controls.

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

## **2.11 Houses in Multiple Occupation**

**2.11.1** The proposal is not intended for HMO use at this time and a suitable condition is recommended to ensure that the property will not be used as an HMO in the future unless a further application for that use is submitted for consideration.

## **3.0 Consultation Summary**

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|  |                                       |
|--|---------------------------------------|
| Archaeology Team, Planning Services                    | No objections subject to condition    |
| Land And Air Quality, Protective Services              | No comment                            |
| Structural Services - Flooding, Shoreline And Harbours | No objection                          |
| TDM, Planning Services                                 | Original concerns have been addressed |
| Urban Design, Planning Services                        | No objections                         |
| Trees, Planning Services                               | No objection subject to condition     |
| Scottish Water   | No objection                          |

## 4.0 Representation Summary

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4.1 8 letters of objections were received, including one from the Community Council as a statutory consultee.

### 4.2 Material Planning Considerations

#### 4.2.1 Objection Comments:

| Issue   | Addressed in Paragraph |
|---|------------------------|
| a. Principle of Development                     | 2.2                    |
| b. Design/Visual Impact on Historic Environment | 2.3                    |
| c. Transportation                               | 2.6                    |
| d. Trees  | 2.8                    |

#### 4.2.3 Other Concerns Expressed

| Issue                             | Comment  |
|-----------------------------------|--|
| a. Potential buyers of properties | Comments regarding what demographic the proposed development is aimed at are noted, however these are not a material planning consideration in the assessment of this planning applications. |

## 5.0 Conclusions

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This full planning application for the erection of a 4 dwellinghouses is deemed acceptable in terms of both scale and design. Furthermore, the design of the dwellinghouse is considered to represent the use of high-quality contemporary architecture which would create a welcomed separation between the old and new. Additionally, there would be no significant impact on existing levels of residential amenity. In light of the above, the proposal would be deemed to preserve the character of the adjacent listed buildings and the surrounding St Andrews Conservation Area, and as such, comply with FIFEplan 2017 policies and other related guidance. The application is therefore recommended for conditional approval.

## 6.0 Recommendation

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

### **RE COMMENCEMENT CONDITIONS:**

1. 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 an adequate opportunity to investigate, record and rescue archaeological remains on the site, which lies within an area of archaeological importance.

2. BEFORE ANY WORKS START ON SITE, details of the future management and aftercare of the proposed landscaping and planting shall be submitted for approval in writing by this Planning Authority. Thereafter the management and aftercare of the landscaping and planting shall be carried out in accordance with these approved details.

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

## **CONDITIONS**

3. 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.

4. The residential units provided on site shall be used solely as residences 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, none of the residential units hereby approved shall be used for Housing in Multiple Occupation.

Reason: In the interests of maintaining a mixed and balanced housing stock as required by Adopted FIFEplan - Fife Local Development Plan Policy 2 (Homes) or any subsequent revision or amendment of this document.

5. Prior to the occupation of the proposed dwellinghouse, there shall be 7 No. off street parking spaces provided for that dwellinghouse within the curtilage of the site in accordance with the current Appendix G (Transportation Development Guidelines) of Making Fife's Places. The parking spaces shall be retained throughout the lifetime of the development for the purposes of off street parking.

Reason: To ensure adequate provision of off-street car parking.

## **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](#)

### **National Guidance**

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

Historic Environment Scotland Policy Statement (June 2016)

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

PAN 1/2011: Planning and Noise

**Development Plan:**

NPF4 (2023)  
FIFEplan Local Development Plan (2017)  
Making Fife's Places Supplementary Guidance (2018)

**Other Guidance:**

Fife Council Planning Customer Guidelines - Garden Ground (2016)  
Fife Council Planning Customer Guidelines - Daylight and Sunlight (2022)  
Fife Council Planning Customer Guidelines - Minimum Distances between Window Openings (2011)

St Andrews Conservation Area and Management Plan (2013)  
St Andrews Design Guidelines (2007)

Report prepared by Scott McInroy, Planner Development Management  
Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 25/4/24.

**Committee Date: 08/05/2024**

**Agenda Item No. 6**

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**Application for Full Planning Permission**

**Ref: 23/03303/FULL**

**Site Address: 23 Market Street St Andrews Fife**

**Proposal: Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear**

**Applicant: Mr Timothy Hay, 23 Market Street St Andrews**

**Date Registered: 24 November 2023**

**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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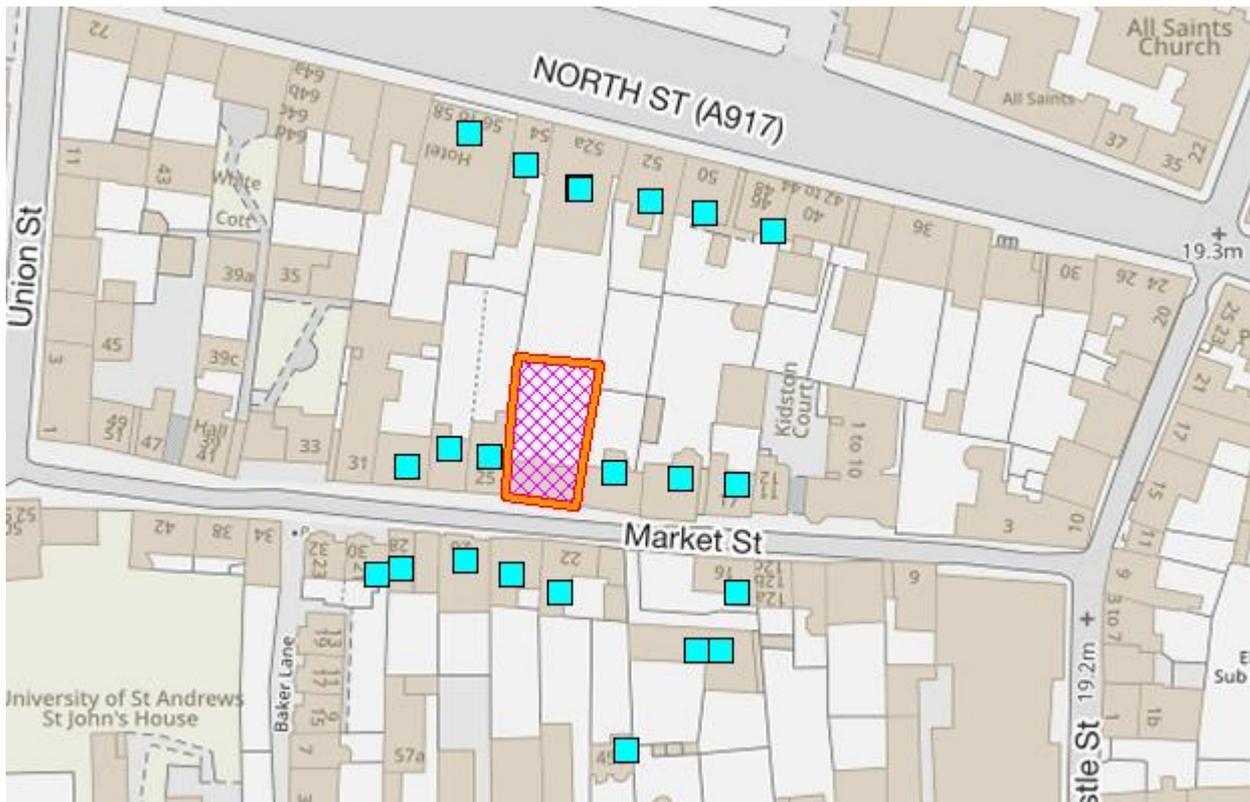
### **1.1 The Site**

1.1.1 This application relates to a traditional 18th century Category B listed dwellinghouse situated within the town centre of St. Andrews. The dwellinghouse aligns the north side of Market Street (east end) and is also located within the St. Andrews Conservation Area. Market Street is a narrow-cobbled street with a width of only 6.0 metres (at its eastern end) and is one of the oldest streets in St. Andrews. It is characterised by 2-3 storey historic buildings dating from the 17th - 19th century. The dwellinghouse is attached to two taller 2.5 storey 19th century buildings, 21 Market Street which is B listed, and 25 Market Street which is C listed. North of the site, approximately 18 metres beyond the site boundary, there is another Category C listed building, 52A North Street. This 4-storey building was a former church which has been altered and converted into residential use (flats).

1.1.2 The front elevation of the dwellinghouse is little altered, apart from a ground floor window (east side) which was a former door. External finishes include a traditional pantile roof with a slate easing course, cast iron water goods, and to the front, coursed droved rubble walls and timber 6 over 6 sash and case windows. To the rear the dwellinghouse has been greatly altered. Changes include the addition of an external stair turret, modern rooflights, and original window and door proportions have been lost and replaced with modern timber casement windows with painted concrete lintels, cills, and surrounds. Four French doors, one of which is on the first floor and includes a juliet balcony, have also been added. The uncoursed random rubble stonework on the rear elevation has also been painted. Internally there have been other alterations, both physically and structurally. Some of this work appears to have taken place prior to the dwelling's listing in 1971 and some works have clearly taken place after its listing, probably during the 80's and 90's. The dwellinghouse has four bedrooms and no off-street parking. The rear garden is a good size, is enclosed by high natural stone boundary walls and includes several mature trees.

1.1.3 The dwellinghouse has a long-established history as a holiday let. Under its Use Class 9 (Houses), 5 unrelated residents could also share the house under permitted development without the need for a change of use (i.e. to an HMO - House in Multiple Occupancy). Whilst the dwellinghouse has 4 bedrooms which the owner can use, as one of the bedrooms can only be accessed via a spiral staircase which does not comply with current Building Standards, only 3 bedrooms can currently be used if the dwellinghouse is rented out for commercial purposes.

#### 1.1.4 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 Planning consent is now sought for the following proposed works,

- To extend the existing roof and ridge (without altering the front roof pitch) and raise the rear eaves height to give increased headroom to the second floor.
- To add a rear stairwell turret, dormer windows (to front and rear), and to add a contemporary single storey rear extension. The rear extension would provide for an open plan kitchen, dining, and living area.
- Other proposed works would include, the removal of obscure glazing and an extract fan to a front window and the relocation of all existing service flues and vents on the front roof plane to the rear. Some garden vegetation would also be removed to facilitate the build, but all existing large trees would be retained and would be unaffected by the proposed works.

1.2.2 This application is a revised submission following the withdrawal of an earlier planning application 22/04289/FULL, submitted in December 2022. This application has also been revised post submission and includes an updated Condition Survey and Design Statement and a suite of updated drawings, including existing and proposed photomontages, which aim to address those material concerns received from Historic Environment Scotland, this Planning Service, and objectors.

1.2.3 In addition to the dwelling's historic alterations noted above in paragraph 1.1.2, the supporting Condition Survey and Design Statement highlights that some of the alterations which have taken place appear to have no recorded Building Warrants. These works are summarised as follows,

- The roof is missing essential structural ceiling joists, ceiling ties to the rafters and hangers and the roof is now showing evidence of movement with plasterwork cracking. There is also a visible separation from the ridge. The roof survey highlights that the roof urgently requires a total refurbishment to safeguard its structural integrity. Water ingress on a gable wall has been identified and polystyrene insulation and plasterboard have been fitted to the roof sarking preventing natural ventilation and this is causing moisture build up. The proposed roof alteration and refurbishment works, it is stated, would also future proof the building by using current standards of energy performance and appropriate materials to prevent further deterioration of the building fabric.
- The spiral staircase on the first floor is not compliant with Building Standards. The survey notes that the existing narrow floor plan would make installing a compliant staircase within the existing building footprint too difficult as this would compromise too greatly the habitability and use of the dwellinghouse.
- The second-floor windows do not comply with escape window standards and there is a lack of head room.

1.2.4 There have been other insensitive external additions and repair work on the building using inappropriate materials e.g. the roof ridge and the lowest roof tiles have been embedded in a cement mortar and there is also a concrete left jamb to the front east ground floor timber sash and case window.

1.2.5 The design statement highlights that the dwellinghouse, given its long and narrow proportions, is '**difficult to inhabit and organise**'. The proposals aim '**to create a more efficient, liveable space on all three floors**' by enhancing the useability of all floors, by addressing Building Standard requirements, as well as providing accessible bathrooms on all floors to address modern day needs. This revised design approach following the withdrawal of planning application 22/04289/FULL is further summarised as follows,

1. The building's existing 45-degree roof pitch would be maintained in the re-construction of the roof and the existing clay ridge, roof pantiles, and slates would be re-used where possible with any shortfall to be reclaimed materials to match existing.
2. The number, design, and location of the front dormers has been changed. Five different dormer designs were considered as illustrated on document 14A, pages 32 – 38 of the Condition Survey and Design Statement. The original front dormer proposals – three 19<sup>th</sup> century hipped roof dormers with 1 over 1 double sash and case windows sitting lower on the roof have now been changed to two higher more appropriately aligned 18<sup>th</sup> century catslide dormers with lead haffits and side opening multi-pane casements (like those catslide dormers found on North Street (East End), St. Andrews). The supporting statement highlights that the catslide dormer design would be more in keeping with the age of the dwellinghouse and with their reduced height, smaller haffits, and horizontal alignment, would not interfere with the dwelling's street elevation roofscape or with the character of the Conservation Area which displays a variety of roof dormers of various sizes, shapes, and materials.
3. The dormers on the rear elevation have also been changed from modern boxed dormers as per the earlier withdrawn 22/04289/FULL submission to traditionally styled pitch-roofed dormers with timber sash and case windows (see document 14A pages 40 and 41 of the Condition Survey and Design Statement). The rear dormers are larger than the front dormers to improve the internal roof space and to give more light. These traditionally detailed dormers, along with the replacement of the existing unsympathetic modern windows below with traditionally portioned slimline timber sash and case windows would restore the traditional character of the rear elevation.
4. The proposed single storey extension has been changed from a contemporary broad horizontal build which took up the whole width of the rear elevation and included a highly modern stairwell, to a contemporary extension which has been re-aligned 90 degrees to the elevation and has more vertical glazed and wall elements and a traditional Scottish historic tenement styled stairwell. External finishes would include a low angled flat roof rising from 2.8 metres to a maximum height of 3.4 metres which would be finished in VM Anthra Zinc, walls would include a glass link and coursed rubble masonry with lime mortar pointing, and glazed elements would comprise of Maxlight Alu-clad glazing coloured to RAL 9016 (dark grey). The design statement also highlights that the natural sandstone to the walls would offer a contemporary approach to the dwelling's traditional random rubble walls, and the large areas of glazing serve to keep the extension light to ensure it would not unduly block the existing rear elevation. The design statement highlights that the rear extension footprint is not considered substantial given that historic maps from 1912 to 1965 show that three and then two earlier extensions/outbuildings were present on the site which had originally covered more than 50% of what is currently now proposed. In addition, it is highlighted that there would still be more than 150 m<sup>2</sup> of useable garden ground left following the build.
5. Other external details and finishes would include mechanical extract vents to walls, a flush fitted black coloured conservation rooflight, reclaimed uncoursed random rubble natural sandstone to the raised rear eaves, cast iron gutters and down pipes and cast-iron soil vent pipes to the rear.

6. The existing paint finish on the rear elevation is to be further assessed, (possibly applied sometime after 1965 and at the same time as the brick turret stair was added). If this paint is found to be non-breathable, the agent has confirmed that the proposed method for its removal and replacement with a microporous paint can be covered by condition.
7. All the existing original windows to the south facing street elevation are to be retained.
8. All the existing internal timber panelled doors would be retained and re-used, and new doors would be timber 4 panelled doors to match existing.
9. The 3 original fireplace openings and the original timber panelled window shutters to the first-floor bedroom window are retained.
10. The modern non-compliant metal spiral staircase to the second floor would be replaced with a new compliant traditional Scottish historic tenement styled stairwell which would sit within the footprint of the existing stair turret.

1.2.6 In concluding, the Condition Survey and Design Statement highlights that this revised submission has taken on board the comments received from Historic Environment Scotland, and Fife Council and the submission as revised aims to both **'enhance the character of the existing house and celebrate it with a contemporary extension.'** As the dwellinghouse has been much altered over the years with some interventions now impacting upon its structural integrity, the report states that the proposals aim to rectify some of these errors of the past whilst ensuring a sustainable future for the dwellinghouse. Attention is also drawn to St. Andrews having a history of successful contemporary design approaches to listed and historic buildings, and the statement highlights that materials, proportions and layout have been carefully considered and that the proposals would **'respect the traditional grain and appearance of the street and conservation area to allow for a bolder intervention at the back'** whilst still **'complementing the qualities of a historical house'** and stating that the proposed extension would remain subservient to the existing dwellinghouse and the **'materials selected for the proposed extension celebrate the heritage of the historical property'** whilst also highlighting that the **'transparency of the extension offers a clear reading of the existing rear elevation'.**

### 1.3 Relevant Planning History

02/02377/EFULL - Install flue vent on front elevation of dwellinghouse - WDN - 28/08/02

02/02378/ELBC - Install flue vent on front elevation of dwellinghouse - WDN - 28/08/02

02/02660/EFULL - Install flue vent to rear of dwellinghouse (amended scheme) - PER - 27/09/02

02/02661/ELBC - Install flue vent to rear of dwellinghouse (amended scheme) - PER - 15/10/02

14/02053/TCA - Reduce crown of Walnut tree - PER - 30/06/14

22/03890/TCA - Crown Reduction of T1 Pear tree and Crown Lifting of T2 Walnut tree. - PER - 22/12/22

22/04289/FULL - Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear - WDN - 09/03/23

22/04290/LBC - Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear - WDN - 09/03/23

23/03302/LBC - Listed building consent for alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear - PCO - This application is also included on this agenda for Members consideration.

## **1.4 Application Procedures**

Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area.

## **1.5 Relevant Policies**

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

Policy 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.

### **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

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

### **National Guidance and Legislation**

Historic Environment Policy Scotland (HEPS) (April 2019)

Sets out a series of policies and core principles to take into account to enable good decision making, particularly where there are conflicting needs, to enable the sustainable and successful management of the Historic Environment.

Historic Environment Scotland (HES) Managing Change Series – Setting, Roofs, Interiors, Extensions, Windows, External Fixtures,

Sets out the general principles that should apply when proposing new work to historic buildings to ensure that alterations and additions are sympathetic to the character of the building and do not impact on the setting of listed buildings and other historic buildings.

## **Planning Policy Guidance**

### St. Andrews Design Guidelines

This document provides design principles for buildings, streets, and shop fronts in the St. Andrews Conservation Area and for the main approaches into the town.

## **Planning Customer Guidelines**

### Home Extensions

### Dormer Extensions

### Windows in Listed Buildings and Conservation Area Guidance

### Daylight and Sunlight

### Garden Ground

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 (2010)

This describes the significance of St. Andrews 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**

As the application relates to an existing residential property located within the settlement of St. Andrews the proposal is deemed acceptable in principle but should still meet other related policy and guidance criteria relevant to a development of this nature.

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

- Design and Visual Impact on the Conservation Area and on the Setting of nearby Listed Buildings
- Residential Amenity
- Transportation / Road Safety
- Archaeology

### **2.2 Design and Visual Impact on the Conservation Area and on the Setting of nearby Listed Buildings**

2.2.1 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. Design and materials which will affect a conservation area shall be appropriate to both the character and appearance of the building and its setting.

2.2.2 Historic Environment Policy Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change in the Historic Environment – Setting, Roofs, Extensions, Windows, Interiors, External Fixtures, National Planning Framework 4 (NPF4) policies 1, 7 and 14, Annex

D – Six Qualities of Successful Places, FIFEplan Local Development Plan (2017) policies 1, 10, and 14, Fife Council’s Planning Customer Guidelines on Home Extensions, Dormer Extensions, and Windows in Listed Buildings and Conservation Area Guidance, the St. Andrews Design Guidelines, and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant to this application. These documents set out the general principles that should be considered when proposing to alter and extend a listed building located within the Conservation Area. All proposed alterations and extensions must protect the character of the existing listed building and the Conservation Area, must not visually impact on the setting of nearby listed buildings and must not overdevelop existing garden areas.

2.2.3 Historic Environment Scotland (HES) advises that where the age, external form and finish of a roof is considered significant to the character of a building, or where internal details or decorations have historic interest any alteration to a roof which would impact on these features to a significant degree would not be considered appropriate or acceptable. HES also generally advises against support for the addition of new features to principal or prominent roof slopes, however, confirms that in circumstances where a street is narrow with tall buildings and where work is set well back from the wall head alterations to a roof in this circumstance would likely be visually less impactful. HES guidance also advises that new dormers and rooflights should be located with care and detailed appropriately to avoid interfering with the shape, pitch, and profile of a roof.

2.2.4 St. Andrews Design Guidelines 64 and 65 are also relevant. Guideline 64 says *‘Encourage good quality design innovation where it is appropriate and to strict constraints on height, footprint, massing, proportion, and materials.’* Guideline 65 highlights that *‘where traditional design is adopted it is based on a scholarly knowledge and execution of design, detailing and choice of materials, that reflects local architecture, but avoids mixing different styles and periods.’*

2.2.5 HES guidance on Setting is also relevant and highlights that setting often extends beyond a property boundary and there is a need to consider the potential and extent of impact design proposals could have on other adjacent/adjoining listed buildings and whether design changes to mitigate such impacts are considered required or justified.

2.2.6 Proposed additions to a listed building must protect the building’s character. Extensions should be subservient in form and not dominate the original listed building in terms of location, style, scale, or finishes, and have an appropriate, clear, and sympathetic design philosophy whether it is a restoration, a replication, a complimentary addition, or a deferential or assertive contrast.

2.2.7 NPF4 Policy 7 and Local Plan policies 1 and 14 support development where it will take account the local context, will not harm important historic or architectural fabric or impact adversely upon the character and appearance of a Conservation Area or on the setting of listed buildings. NPF4 policy 14 and Annex D, in particular the qualities ‘distinctive’ and ‘sustainable’, supports development which gives attention to local architectural styles and built forms which reinforce identity to retain a sense of place whilst supporting development which invests in providing flexible accommodation to satisfy changing needs and different uses over time, as well as planning for and investing in a building’s longevity and resilience. St. Andrews Design Guidelines (p.45) highlights that development within garden riggs “must be lower than the street frontage”, “must not exceed 2 and a half storeys in height,” and should not extend more than  $\frac{3}{4}$  of the feu width.

2.2.8 Historic Environment Scotland (HES) has provided comments on the related 23/03302/LBC Listed Building Consent application, and whilst they do not object, they do expect their comments and recommendations to be considered in the decision-making process. It is also important to note that the comments received from HES relate to the application as first submitted, and not to the now revised application which proposes catslide slide dormers.

2.2.9 HES give their support to extend the existing roof and ridge as they consider that this alteration would not be visually impactful, that adequate justification has been provided, and the works would improve the structural stability of the roof, as well as allow for poor quality insulation to be removed and for the roof to be made watertight. HES also advise that any replacement of damaged roof elements should be replaced with reclaimed ones. HES welcomes the proposed traditionally detailed dormers on the rear elevation, however, also advise against placing dormers on the principal street facing elevation so to protect the dwelling's surviving prominent roof form which they consider significant to the building's character. HES maintains that the other dormers on nearby properties are on buildings of different/later periods and their dormers could predate their listing or may have been installed without consent and therefore the presence of these other dormers do not give justification for dormers on this building. HES is supportive of the replacement stair turret and agrees that a new stair within the existing footprint of the listed building would not be practical. Whilst HES acknowledges the reduction in the width of the rear extension, they are of the view that the rear extension should be made smaller to allow more of the historic rear elevation to remain visible.

2.2.10 Built Heritage were formally consulted on the earlier related withdrawn 22/04290/LBC application. They objected to the quantity of development, its form and the materials proposed and recommended that the level of development proposed should place Built Heritage NPF4 policy 7 at its heart. They emphasised that a large part of the architectural and historic interest of 23 Market Street is drawn from its age i.e. dating back to the 18<sup>th</sup> century and the building's contribution to the setting of the neighbouring buildings, both in the street elevation and in the rear garden. They confirmed that whilst there would be scope for alterations to be made, these should not be to the extent sought under the 22/04290/LBC submission. They were also not supportive of 3 large dormers to the front of the dwellinghouse and confirmed that the rear extension should not be full width as this would severely impact on the building's heritage assets.

2.2.11 This application has received 12 objections. The comments received state that the proposals represent an overdevelopment of the listed building, that the addition of 3 dormers to the front elevation would be intrusive, would detract from the character of the building and would disrupt the streetscape and the dwelling's historic roofline. The rear extension is also considered too large and too high and would, they say, impact upon a historic feu rigg garden and wall. The objectors contend that no case has been made for raising the roof ridge or adding dormers to the front. They say, if supported, this would set a precedent for the overdevelopment and detrimental changes to other Category B listed buildings making it difficult to object. Comments received also contend that the proposals violate the St. Andrews Conservation Area Article 4 Directions, which aim to protect the special character and layout of an historic building from enlargement and alteration and prevent inappropriate alteration or new build within garden ground boundaries, including within Rigg Gardens.

2.2.12 HES are supportive of extending the existing roof and ridge as they consider that this alteration would not be visually impactful to the building's historic roofline or street and are satisfied that adequate justification for this change to the roof has been provided. Whilst both HES and the objectors have expressed concern with placing dormers on the front principal elevation, this position has been based on an assessment of the 3 much taller 19<sup>th</sup> century hipped roof dormers which were proposed. The applicant has since taken on board the concerns expressed and now proposes 2 smaller catslide dormer designs with side opening multi-pane casements which would sit higher up on the roof and be centrally aligned above existing windows. HES guidance highlights that where a street is narrow with tall buildings and where work is set well back from the wall head that alterations to a roof would likely be less impactful. By adopting an older and smaller catslide dormer design detail which would be more in keeping with the age of the building and setting them higher up on the roof (see document 14A, page 37, photomontage 70, of the Condition Survey and Design Statement), it is considered that this approach would not unduly disrupt the dwelling's historic roofline. In

addition, by adopting an older 18<sup>th</sup> century dormer design similar to other older dormers found in St. Andrews that this approach would comply with St. Andrews Guideline 65 as noted above in paragraph 2.2.4.

2.2.13 The concerns raised by objectors that by supporting this proposal would put other Category B listed buildings at risk is not shared given the unique circumstances of this dwellinghouse. In this case it has been identified that the structural integrity of this roof is at risk, the internal details of the roof have little significant interest e.g. the ceiling joists are later decorative additions which have been artificially aged and in-appropriate insulation materials have been added which are impacting upon the breathability of the roof structure. In addition, the attic has already been historically developed and a 4<sup>th</sup> bedroom already exists, and for Health and Safety reasons the internal roof space should be re-configured so that it can comply with current Building Standards. The proposed roof alterations would ensure the historic roof line, i.e. the existing roof pitch on the principal front elevation would be maintained in the reconstruction of the roof and HES are supportive of this. The existing roof pantiles and slate and salvaged matching tiles where required would also be used to maintain the character of the roof.

2.2.14 To address previous concerns raised by HES and Fife Council, the proposed rear extension has been turned 90 degrees and its footprint is now slightly less. The extension's height is not excessive, extending from 2.8 to 3.4 metres high which is standard for a single storey rear extension and its footprint satisfies the provisions set down by Fife Council's Planning Customer Guidelines on Garden Ground in terms of site coverage. Whilst HES have highlighted that they would prefer to see a further reduction in the width of the rear extension so to reveal more of the building's original rear elevation, given that the rear elevation has already been historically and un-sympathetically altered and the design changes now proposed include rectifying much of this in-appropriate past work, the revised submission is on balance considered reasonable and measured, as document 14A, page 47 (drawing 84) of the Condition Survey and Design Statement aims to illustrate. It is therefore the view that width of the rear extension is acceptable.

2.2.15 It is not the view that the rear extension's size would materially impact upon the historic feu rigg garden and rigg wall. The single storey rear extension would be compliant with the recommendations set by St. Andrews Design Guidelines in terms of rear extensions in garden riggs as described above in paragraph 2.2.7. Furthermore, the proposed rear extension does not exceed the 25% provision in terms of site coverage set down by Fife Council's Planning Customer Guidelines on Garden Ground and therefore would not be considered an overdevelopment of the rigg garden. The rear extension would extend along the rear gable wall and 2-storey rear extension belonging to 25 Market Street and would therefore would not impact unduly on the rigg wall as this part of the wall has already been built upon.

2.2.16 The proposals to the front elevation as now revised would not, it is the view, impact negatively upon the character and appearance of the adjoining listed buildings. The proposed rear extension is similar in design to other extensions which have been approved across Fife, as illustrated on document 14A, pages 48 – 49 of the Condition Survey and Design Statement. Furthermore, St. Andrews Design Guideline 64 supports good quality design innovation where it is appropriate. Given the location and limited height of the rear extension in relation to the existing high garden boundary walls, no. 25's 2-storey rear extension, and existing trees which filter views, the impact of the proposed rear extension on other adjacent/adjoining listed buildings would not be such as to materially impact on their special character.

2.17 Following consideration of all the above, and subject to appropriate conditions relating to the external details and finishes, the proposals, have taken cognisance of the dwelling's special interest, its location within the Conservation Area and its contribution to the setting of other listed buildings and would be developed in a sustainable manner using appropriate finishes and details all of which would be compliant with meeting the terms of National Guidance, NPF4

(2023), the FIFEplan Local Development Plan (2017) and all related guidance in respect of Design and Visual Impact on the Conservation Area and Setting of Listed Buildings.

## 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, Home Extensions, Dormer Extensions and Garden Ground apply to this application.

2.3.2 NPF4 Policy 14 and Appendix D – particularly, 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 have highlighted that the proposed works would overlook a window and garden and would impact on neighbour's privacy, the proposals would block sunlight, would impact on the natural drainage capacity of the site, would bring increased light pollution and noise to a private rear garden and the increase in the number of bathrooms would place a further strain on sewerage disposal which current infrastructure is already finding difficult to cope with.

2.3.4 The issue concerning potential window to window infringements the front dormers would have on a second-floor window serving 22 Market Street have been adequately addressed. The dormer serving the second-floor bedroom (east side) has now been removed, and the closest dormer to 22 Market Street would now serve a bathroom. In terms of a potential loss of privacy to a rear garden, the rear dormer (east side) would sit above an existing first floor bedroom window and an existing first floor glazed door with a Juliet balcony – both of which have a similar degree of overlook to the neighbour's rear garden. As the design proposals also include for the first-floor glazed door and Juliet balcony to be replaced with a timber sash and case window and there are existing mature trees within the rear garden which filter views across the garden, the addition of the rear dormers are considered acceptable and would have no additional material impact on privacy other than what already currently exists.

2.3.5 The existing dwellinghouse would still be lower than the adjoining dwellinghouses following its ridge height increase by approximately 400 mm. The proposed single storey rear extension would be set back from the rear east boundary wall by 4.0 metres and its flat roof would range in height between 2.8 and 3.4 metres. The agent has advised that the east rear boundary wall ranges in height from 1.9 metres and 2.650 metres (the latter height being taken at the dwelling's rear building line) along the length of the proposed extension. The rear garden also includes several existing mature trees. Given the site context, and the building heights proposed it is considered that there would be no material impact to adjoining property in terms of daylight, sunlight, or overshadowing from these proposals. The rear extension would be compliant with Fife Council's Planning Customer Guidelines on Garden Ground in terms of site coverage, and with 66% of the extension footprint located on the existing paved terrace it is

considered the proposal satisfies the requirements in terms of natural drainage, as more than 150 m<sup>2</sup> of garden ground of good quality would remain.

2.3.6 Height lines have been added to the east rear garden boundary wall on drawing 09B to show the boundary height in relation to the proposed rear extension glazing. The proposed extension is similar in design to other extensions which have been approved across Fife, as illustrated on pages 48 – 49 of the Condition Survey and Design Statement. It is the view given the site context in terms of the high boundary wall, including the intervening trees, that the build would not generate a material amount of light pollution, or increased noise to a degree that would justify a refusal.

2.3.7 Whilst the works propose to increase the number of bedrooms from 4 to 5 and the number of bathrooms from 2 to 5, the overall increase in the habitable accommodations by one bedroom would not fundamentally change the occupancy of the house or add significant more strain on sewage disposal arrangements, and for this reason the proposals are considered acceptable in this respect.

2.3.8 Following consideration of all the above, the proposals as revised are considered compliant with Development Plan policy and all related guidance in respect of Residential Amenity issues.

## **2.4 Transportation / Road 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 have highlighted that the dwellinghouse has no garage and there is no provision for off-street parking on the one-way cobbled street which is primarily used by pedestrians. They contend that increasing the occupancy to 5 bedrooms violates the St. Andrews Design Guidelines where Guideline 2 states 'Safeguard the environmental qualities which contribute to the amenity of the residential community by resolving vehicular access and parking issues.'

2.4.4 The dwelling's existing attic space has been in place for a considerable length of time and could at any time be used by the property owner as a 4<sup>th</sup> bedroom. Transportation Development Management (TDM) were consulted and acknowledge that the existing 4 bedroomed dwellinghouse currently has no off-street parking and that the submission proposes to add a fifth bedroom. They have advised that whilst Fife Council's Appendix G (Transportation Development Guidelines) requires a dwelling that consists of four or more bedrooms to have 3 No. off street parking spaces, they also highlight that the parking requirement for a 5 bedroomed dwellinghouse would be the same as that for a 4 bedroomed dwellinghouse. Therefore, as the off-street parking requirement for the existing dwellinghouse and this proposed development remains the same, TDM advise that there would be no requirement for any additional off-street parking in this instance and so they do not object. As the dwellinghouse is located within the town centre of St. Andrews the site is well served by public transport and public car parks. Furthermore, as there is also now legislation in place making parking on

pavements illegal, this should address any unauthorised parking on this section of Market Street.

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

## 2.5 Archaeology

2.5.1 Policy 7 of NPF4 and policies 1 and 14 of the FIFEplan Local development Plan apply. The building is situated within the Conservation Area and is within an area zoned as an Archaeological Area of Regional Importance as defined within the Adopted FIFEplan Local Development Plan (2017).

2.5.2 Fife Council's archivist has confirmed that the site is deeply archaeologically sensitive and the ground to be developed is highly likely to contain buried archaeological deposits of medieval date. The archivist has advised that as the proposed development will involve sub-surface disturbance to the rear of the property and Policy 14 states that '*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*', he sees no good reason for an exemption from Policy 14 and advises 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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|                                     |  |
|-------------------------------------|--|
| Community Council                   | No comments  |
| Archaeology Team, Planning Services | The developer shall secure the implementation of a programme of archaeological work in accordance with a detailed written scheme of investigation. |
| TDM, Planning Services              | No Objections  |
| Scottish Water                      | No Objections  |

## 4.0 Representation Summary

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4.1 12 objection letters have been received. The issues of concern are summarised as follows,

a. The proposals represent an overdevelopment of the listed building. The addition of 3 dormers to the front elevation would be intrusive, would detract from the character of the building and would disrupt the streetscape and the dwelling's historic roofline and would violate the St. Andrews Conservation Area Article 4 Directions 1.1, 1.2 and 2.7. The mock-up photographs of the proposed front elevation do not show their full effect. The property is lower than the other buildings and the dormers will be more visible than that shown.

Addressed in paragraphs 1.2.5 - (2.), 2.2.3, 2.2.4, and 2.2.12

b. The Design Statement tries to make a case for the dormers, stating that other dormers on the street have set the precedent however no front dormers have been added to any other Category B listed building located on the narrow end of Market Street since 1971 since the date of listing. The front south elevation of 23 Market Street is essentially the same as it was in 1967. The front dormers on the other neighbouring properties are on buildings of different periods and these dormers may also predate their listing.

Acknowledged in paragraph 2.2.9, and addressed in paragraph 2.2.13

c. The need for roof repair and adding insulation does not justify raising the roof ridge and rear eaves height by over a metre, adding dormers, and converting the property into a 5 bed roomed 4.5 bath property to become another short term let or AirBnB for a non-resident owner. If supported this would create a precedent for the overdevelopment and detrimental changes of other Category B listed buildings making it difficult to object to similar proposals within the area.

Addressed in paragraph 2.2.13

d. This is one of the oldest streets in St. Andrews, dating from the 12th century, and one of the primary routes for tourists and visitors exploring the town and the character of the area is under threat with creeping overdevelopment.

Addressed in paragraph 2.3.5

e. The Design Statement highlights that very little to none of the house's original features remain however an advert promoting the house for rental describes the property 'boasting a wealth of charming traditional features.'

Addressed in related Listed Building Consent application.

f. The rear extension is not proportionate to the size of the building in either floor area or height.

Addressed in paragraph 2.3.5

g. The rear extension would be placed on one of the historic feu riggs. The build shall also cover over about half of the western stone boundary wall. This violates St. Andrews Design Guideline 13 where it states that the future development of the remaining riggs should be restricted, and their walls should be protected. The St. Andrews Conservation Area Appraisal and Management Plan page 31, paragraph 3.8 highlights that these rigg gardens and ancient rigg walls are under threat from redevelopment and they should be protected as a reminder of the medieval street plan which in turn provides a natural environment for wildlife.

Addressed in paragraph 2.2.15

h. The proposed front dormers shall look directly into a second-floor window serving 22 Market Street and a rear dormer, (in addition to an existing first floor window directly below it) shall look directly into the rear garden of 21 Market Street thus impacting on neighbours' privacy. The owners of 21 Market Street have stated that the existing rear rooflight currently minimises this impact and that rooflights could be added to the rear elevation without the need for dormers.

Addressed in paragraph 2.3.4

- i. The raised roof and the large rear extension would block sunlight to other property.

Addressed in paragraph 2.3.5

- j. The submitted plans give insufficient information to determine the height of the north end of the rear extension and there are concerns that the build would extend much higher than the existing rear boundary wall (east side) and that the extent of glazing, including the sliding glass doors, would be visible from 21 Market Street and that this would bring increased light pollution, and increased noise which would affect the enjoyment of the neighbour's private rear garden.

Addressed in paragraph 2.3.6

- k. There are significant concerns with the proposed increase in the number of bedrooms from 4 to 5. Objectors state that this is consistent with using the property for rental rather than as a family home, and as the dwellinghouse is already a popular rental property are of the view that the Design Statement does not present a compelling case for these proposed increases. The view is that these increases shall further unbalance the local residents and community by increasing the density of commercial premises for letting at the expense of family homes and this would not alleviate the need for affordable accommodation in St. Andrews. They cite that a survey carried out by the St. Andrews Community Council in 2023 highlighted that residents are frustrated with the number of short-term accommodation options for residents in the local housing market.

Addressed in paragraphs 1.1.3, 2.2.13 and 2.3.7

- l. The increase in the number of bathrooms to 5 would place a further strain on drainage and sewerage disposal which current infrastructure is already finding it difficult to cope with e.g. another property at 12 Market Street when extended to form 3 flats caused a significant flood.

Addressed in paragraph 2.3.7

- m. The property has no garage and there is no provision for off-street parking on the one-way cobbled street which is primarily used by pedestrians. Increasing the occupancy to 5 bedrooms violates the St. Andrews Design Guidelines where Guideline 2 states 'Safeguard the environmental qualities which contribute to the amenity of the residential community by resolving vehicular access and parking issues.' Current occupiers of the house regularly park on the pavement obstructing the pavement.

Addressed in paragraph 2.4.4

#### Other Issues Raised

- a. The owners of 21 Market Street, another B listed dwellinghouse, have stated that they believe their property to be at least 100 years older than what is stated in the listing and are concerned that their property shall be more vulnerable to structural damage from the development proposals given that they share a party wall with the site.

The Structural Design of the development proposals would be covered by different legislation through the associated Building Warrant which would be determined by Building Standards and Safety.

- b. There has been no prior contact with neighbours to discuss what steps would be taken to mitigate the disruption, including dust, such a big project would cause to residents and visitors who use Market Street to walk to the Cathedral.

The building works would only be temporary and whilst some disruption would be inevitable, every effort would be made to keep this down to a minimum.

c. Impact on worn out street cobbles.

Market Street is a public road and can be accessed by a wide range of vehicles that are/would not necessarily be connected to the site and is not a reason to refuse the application.

## 5.0 Conclusions

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The proposals are considered acceptable in meeting the terms set out in National Guidance, NPF4 (2023), the Adopted FIFEplan Local Development Plan (2017), and all other relevant guidance in relation to Design and Visual Impact on the Conservation Area and the Setting of nearby Listed Buildings, Residential Amenity, Road and Pedestrian Safety 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:

### **PRE-COMMENCEMENT CONDITIONS:**

1. 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 an adequate opportunity to investigate, record and rescue archaeological remains on the site, which lies within an Archaeological Area of Regional Importance.

2. BEFORE ANY WORKS START ON SITE, a detailed method statement which provides standards of workmanship and full material specifications in the stripping, repair and alteration of the roof, its ridge and the rear eaves shall be submitted for prior approval in writing by this Planning Authority under the related Listed Building Application, 23/03302/LBC. FOR THE AVOIDANCE OF DOUBT, the existing clay ridge tiles, clay pantiles and natural slate shall be re-purposed where possible in the reconstruction of the roof and dormers and all roof works, including the replacement of the lime mortar skewers, shall be carried out using traditional construction techniques to match the existing roof. Any shortfall of ridge tiles, pantiles or slate shall use reclaimed ridge tiles, clay pantiles and slate which shall match existing in size, type, thickness, profile, colour, and patina, unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the external finishing materials and details do not detract from the character and appearance of this Category B Listed Building, and the St. Andrews Conservation Area within which the site is located.

3. BEFORE ANY WORKS START ON SITE, details of the following external finishes and details shall be submitted for approval in writing by this Planning Authority under the related Listed Building Application, 23/03302/LBC,

- VM Anthra Zinc - full roof specification details to rear extension
- Coursed Rubble Sandstone to rear extension - stone type, colour, and coursing

- Window Joinery abutment details to existing masonry, including wall infills, lintels, cills, and reveals
- Paint finish to rear elevation - full paint specification and colour
- Landscape Paving - full material specification and colour

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

Reason: In the interests of visual amenity; to ensure that the external finishing materials do not detract from the character and appearance of this Category B Listed Building, and the St. Andrews Conservation Area within which the site is located.

4. BEFORE ANY EXTERNAL PAINT IS REMOVED FROM THE REAR ELEVATION, the technique proposed for its removal by a suitably qualified specialist, including a proposed methodology for wall repair, shall be submitted for prior approval in writing by this Planning Authority under the related Listed Building Application, 23/03302/LBC. Following this approval, a small section of wall shall be stripped and made available for inspection by this Planning Authority and following further approval in writing the paint removal shall be progressed and completed in accordance with the methodology as approved unless changes are subsequently agreed in writing with this Planning Authority.

Reason: To reserve the rights of the Planning Authority with respect to the methods of wall repair employed.

### **CONDITIONS:**

5. 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.

6. FOR THE AVOIDANCE OF DOUBT, mechanical extract vents shall be attached to masonry using non-ferrous fixings and shall be painted to match the wall colour.

Reason: In the interests of visual amenity; to ensure that the external finishing details do not detract from the character and appearance of this Category B Listed Building.

7. FOR THE AVOIDANCE OF DOUBT, all new/replacement water goods to the main building and the new stair turret shall be in cast iron to match existing (including colour) unless changes are subsequently agreed in writing by this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the external finishing materials and details do not detract from the character and appearance of this Category B Listed Building, and the St. Andrews Conservation Area within which the site is located.

## **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) 29/4/24.

**Committee Date: 08/05/2024**

**Agenda Item No. 7**

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**Application for Listed Building Consent** **Ref: 23/03302/LBC**

**Site Address:** **23 Market Street St Andrews Fife**

**Proposal:** **Listed building consent for alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear**

**Applicant:** **Mr Timothy Hay, 23 Market Street St Andrews**

**Date Registered:** **24 November 2023**

**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**

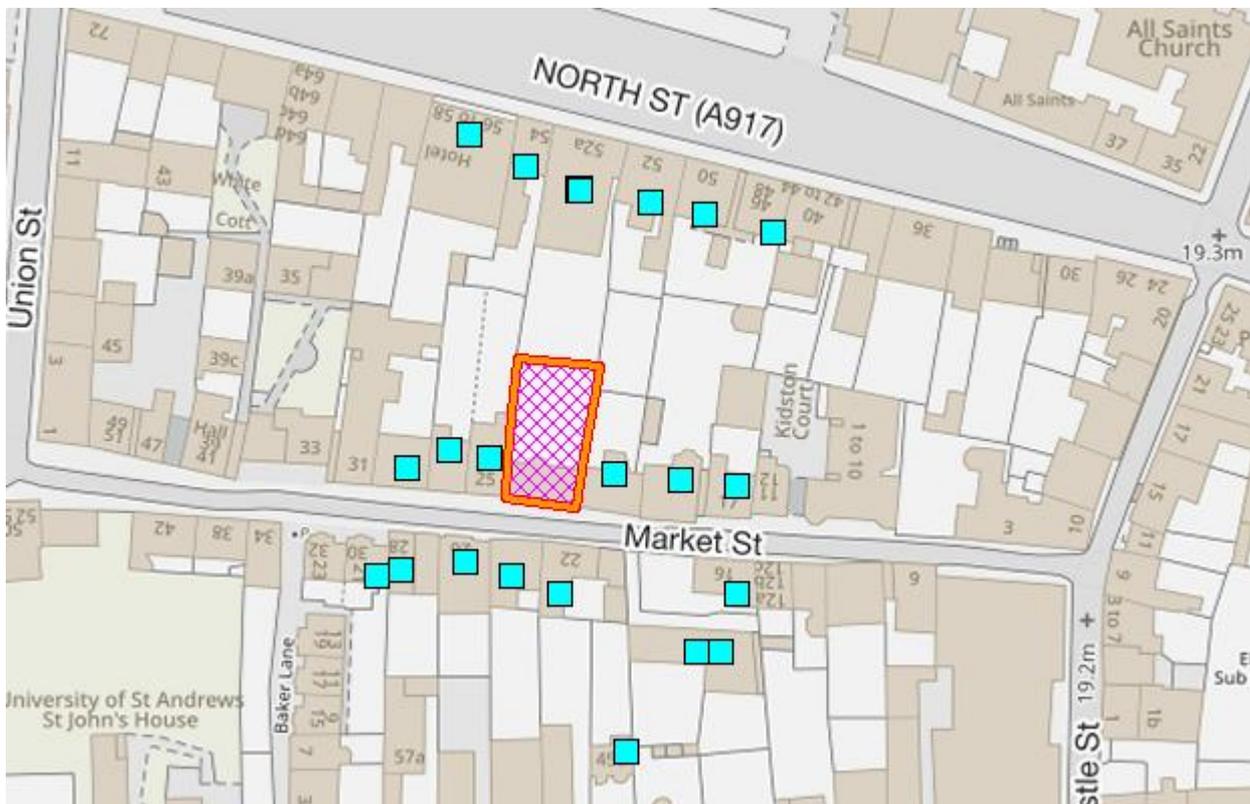
1.1.1 This application relates to a traditional 18<sup>th</sup> century Category B listed dwellinghouse situated within the town centre of St. Andrews. The dwellinghouse aligns the north side of Market Street (east end) and is also located within the St. Andrews Conservation Area. Market Street is a narrow-cobbled street with a width of only 6.0 metres (at its eastern end) and is one of the oldest streets in St. Andrews. It is characterised by 2-3 storey historic buildings dating from the 17<sup>th</sup> – 19<sup>th</sup> century. The dwellinghouse is attached to two taller 2.5 storey 19<sup>th</sup> century buildings, 21 Market Street which is B listed, and 25 Market Street which is C listed. North of the site, approximately 18 metres beyond the site boundary, there is another Category C listed building, 52A North Street. This 4-storey building was a former church which has been altered and converted into residential use (flats).

1.1.2 The front elevation of the dwellinghouse is little altered, apart from a ground floor window (east side) which was a former door. External finishes include a traditional pantile roof with a slate easing course, cast iron water goods, and to the front, coursed droved rubble walls and timber 6 over 6 sash and case windows. To the rear the dwellinghouse has been greatly

altered. Changes include the addition of an external stair turret, modern rooflights, and original window and door proportions have been lost and replaced with modern timber casement windows with painted concrete lintels, cills, and surrounds. Four French doors, one of which is on the first floor and includes a juliet balcony, have also been added. The uncoursed random rubble stonework on the rear elevation has also been painted. Internally there have been other alterations, both physically and structurally. Some of this work appears to have taken place prior to the dwelling's listing in 1971 and some works have clearly taken place after its listing, probably during the 80's and 90's. The dwellinghouse has four bedrooms and no off-street parking. The rear garden is a good size, is enclosed by high natural stone boundary walls and includes several mature trees.

1.1.3 The dwellinghouse has a long-established history as a holiday let. Under its Use Class 9 (Houses), 5 unrelated residents could also share the house under permitted development without the need for a change of use (i.e. to an HMO - House in Multiple Occupancy). Whilst the dwellinghouse has 4 bedrooms which the owner can use, as one of the bedrooms can only be accessed via a spiral staircase which does not comply with current Building Standards, only 3 bedrooms can currently be used if the dwellinghouse is rented out for commercial purposes.

#### 1.1.4 LOCATION PLAN



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## 1.2 The Proposed Development

1.2.1 Listed Building Consent is now sought for the following proposed works,

- To extend the existing roof and ridge (without altering the front roof pitch) and raise the rear eaves height to give increased headroom to the second floor.

- To add a rear stairwell turret, dormer windows (to front and rear), and to add a contemporary single storey rear extension. The rear extension would provide for an open plan kitchen, dining, and living area.
- Other proposed works would include room layout changes, the enlargement of the front vestibule, the creation of a fifth bedroom, the addition of 3 accessible bathrooms, the lowering of the second-floor ceiling to create increased headroom on the second floor, the removal of obscure glazing and an extract fan to a front window and the relocation of all existing service flues and vents on the front roof plane to the rear.

1.2.2 This application is a revised submission following the withdrawal of an earlier application, 22/04290/LBC, submitted in December 2022. This application has also been revised post submission and includes an updated Condition Survey and Design Statement and a suite of updated drawings, including existing and proposed photomontages, which aim to address those material concerns received from Historic Environment Scotland, this Planning Service, and objectors.

1.2.3 In addition to the dwelling's historic alterations noted above in paragraph 1.1.2, the supporting Condition Survey and Design Statement submitted by the applicant highlights that some of the alterations which have taken place appear to have no recorded Building Warrants. These works are summarised as follows,

- The roof is missing essential structural ceiling joists, ceiling ties to the rafters and hangers and the roof is now showing evidence of movement with plasterwork cracking. There is also a visible separation from the ridge. The roof survey highlights that the roof urgently requires a total refurbishment to safeguard its structural integrity. Water ingress on a gable wall has been identified and polystyrene insulation and plasterboard have been fitted to the roof sarking preventing natural ventilation and this is causing moisture build up. The proposed roof alteration and refurbishment works, it is stated, would also future proof the building by using current standards of energy performance and appropriate materials to prevent further deterioration of the building fabric.
- The spiral staircase on the first floor is not compliant with Building Standards. The survey notes that the existing narrow floor plan would make installing a compliant staircase within the existing building footprint too difficult as this would compromise too greatly the habitability and use of the dwellinghouse.
- The second-floor windows do not comply with escape window standards and there is a lack of head room.

1.2.4 There have been other insensitive additions and repair work on the building using inappropriate materials e.g. the roof ridge and the lowest roof tiles have been embedded in a cement mortar and there is also a concrete left jamb to the front east ground floor timber sash and case window. Internally, the original floors have gone, and there are no cornices to the rooms. Whilst some of the internal timber panelled doors appear to be original, these doors have already been adapted as fire doors and other doors that exist are modern flush doors. The remains of three original fireplaces, and a set of original timber panelled window shutters to a first-floor bedroom window however do still exist.

1.2.5 The design statement highlights that the dwellinghouse, given its long and narrow proportions, is '**difficult to inhabit and organise**'. The proposals aim '**to create a more efficient, liveable space on all three floors**' by enhancing the useability of all floors, by addressing Building Standard requirements, as well as providing accessible bathrooms on all floors to address modern day needs. Given the active street frontage location, the statement also highlights that '**the new partitioning of the ground floor will give the property more**

**privacy**'. This revised design approach following the withdrawal of planning application 22/04290/FULL is further summarised as follows,

1. The building's existing 45-degree roof pitch would be maintained in the re-construction of the roof and the existing clay ridge, roof pantiles, and slates would be re-used where possible with any shortfall to be reclaimed materials to match existing.
2. The number, design, and location of the front dormers has been changed. Five different dormer designs were considered as illustrated on document 14A, pages 32 – 38 of the Condition Survey and Design Statement. The original front dormer proposals – three 19<sup>th</sup> century hipped roof dormers with 1 over 1 double sash and case windows sitting lower on the roof have now been changed to two higher more appropriately aligned 18<sup>th</sup> century catslide dormers with lead haffits and side opening multi-pane casements (like those catslide dormers found on North Street (East End), St. Andrews). The supporting statement highlights that the catslide dormer design would be more in keeping with the age of the dwellinghouse and with their reduced height, smaller haffits, and horizontal alignment, would not interfere with the dwelling's street elevation roofscape.
3. The dormers on the rear elevation have also been changed from modern boxed dormers as per the earlier withdrawn 22/04290/LBC submission to traditionally styled pitch-roofed dormers with timber sash and case windows (see document 14A, pages 40 and 41 of the Condition Survey and Design Statement). The rear dormers are larger than the front dormers to improve the internal roof space and to give more light. These traditionally detailed dormers, along with the replacement of the existing unsympathetic modern windows below with traditionally portioned slimline timber sash and case windows would restore the traditional character of the rear elevation.
4. The proposed single storey extension has been changed from a contemporary broad horizontal build which took up the whole width of the rear elevation and included a highly modern stairwell, to a contemporary extension which has been re-aligned 90 degrees to the elevation and has more vertical glazed and wall elements and a traditional Scottish historic tenement styled stairwell. External finishes would include a low angled flat roof rising from 2.8 metres to a maximum height of 3.4 metres which would be finished in VM Anthra Zinc, walls would include a glass link and coursed rubble masonry with lime mortar pointing, and glazed elements would comprise of Maxlight Alu-clad glazing coloured to RAL 9016 (dark grey). The design statement highlights that the natural sandstone to the walls would offer a contemporary approach to the dwelling's traditional random rubble walls, and the large areas of glazing serve to keep the extension light to ensure it would not unduly block the existing rear elevation. The design statement also highlights that the rear extension footprint is not considered substantial given that historic maps from 1912 to 1965 show that three and then two earlier extensions/outbuildings were present on the site which had originally covered more than 50% of what is currently now proposed.
5. Other external details and finishes would include mechanical extract vents to walls, a flush fitted black coloured conservation rooflight, reclaimed uncoursed random rubble natural sandstone to the raised rear eaves, cast iron gutters and down pipes and cast-iron soil vent pipes to the rear.
6. The existing paint finish on the rear elevation is to be further assessed, (possibly applied sometime after 1965 and at the same time as the brick turret stair was added). If this paint is found to be non-breathable, the agent has confirmed that the proposed method for its removal and replacement with a microporous paint can be covered by condition.
7. All the existing original windows to the south facing street elevation are to be retained.

8. All the existing internal timber panelled doors would be retained and re-used, and new doors would be timber 4 panelled doors to match existing.
9. The 3 original fireplace openings and the original timber panelled window shutters to the first-floor bedroom window are retained.
10. The modern non-compliant metal spiral staircase to the second floor would be replaced with a new compliant traditional Scottish historic tenement styled stairwell which would sit within the footprint of the existing stair turret.

1.2.6 In concluding, the Condition Survey and Design Statement highlights that this revised submission has taken on board the comments received from Historic Environment Scotland, and Fife Council and the submission as revised aims to both ***‘enhance the character of the existing house and celebrate it with a contemporary extension.’*** As the dwellinghouse has been much altered over the years with some interventions now impacting upon its structural integrity, the report states that the proposals aim to rectify some of these errors of the past whilst ensuring a sustainable future for the dwellinghouse. Attention is also drawn to St. Andrews having a history of successful contemporary design approaches to listed and historic buildings, and the statement highlights that materials, proportions and layout have been carefully considered and that the proposals would ***‘respect the traditional grain and appearance of the street and conservation area to allow for a bolder intervention at the back’*** whilst still ***‘complementing the qualities of a historical house’*** and stating that the proposed extension would remain subservient to the existing dwellinghouse and the ***‘materials selected for the proposed extension celebrate the heritage of the historical property’*** whilst also highlighting that the ***‘transparency of the extension offers a clear reading of the existing rear elevation’***.

### 1.3 Relevant Planning History

02/02377/EFULL - Install flue vent on front elevation of dwellinghouse - WDN - 28/08/02  
 02/02378/ELBC - Install flue vent on front elevation of dwellinghouse - WDN - 28/08/02  
 02/02660/EFULL - Install flue vent to rear of dwellinghouse (amended scheme) - PER - 27/09/02  
 02/02661/ELBC - Install flue vent to rear of dwellinghouse (amended scheme) - PER - 15/10/02  
 14/02053/TCA - Reduce crown of Walnut tree - PER - 30/06/14  
 22/03890/TCA - Crown Reduction of T1 Pear tree and Crown Lifting of T2 Walnut tree. - PER - 22/12/22  
 22/04289/FULL - Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear - WDN - 09/03/23  
 22/04290/LBC - Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear - WDN - 09/03/23  
 23/03303/FULL - Alterations and extensions to dwellinghouse including single storey extension to rear and installation of dormer extensions to front and rear - PDE - This application is also included on this Agenda for Members 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. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). 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.

## 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 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)

Sets out a series of policies and core principles to take into account to enable good decision making, particularly where there are conflicting needs, to enable the sustainable and successful management of the Historic Environment.

Historic Environment Scotland (HES) Managing Change Series – Setting, Roofs, Interiors, Extensions, Windows, External Fixtures,

Sets out the general principles that should apply when proposing new work to historic buildings to ensure that alterations and additions are sympathetic to the character of the building and do not impact on the setting of listed buildings and other historic buildings.

### **Planning Policy Guidance**

St. Andrews Design Guidelines

This document provides design principles for buildings, streets, and shop fronts in the St. Andrews Conservation Area and for the main approaches into the town.

### **Planning Customer Guidelines**

Home Extensions

Dormer Extensions

Windows in Listed Buildings and Conservation Area Guidance

Daylight and Sunlight

Garden Ground

These documents set out the design criteria and expectations in greater detail under specific headings which Fife Council would consider 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 (2010)

This describes the significance of St. Andrews 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 / Layout and Visual Impact on the Listed Building

### 2.2 Design / Layout and Visual Impact on the 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 (including listed walls) should be sensitively managed to ensure that important historical and/or architectural significance is safeguarded against insensitive change or damage and that special characteristics are protected, conserved, or enhanced.

2.2.2 Historic Environment Policy Scotland (HEPS) (April 2019), Historic Environment Scotland (HES) Managing Change in the Historic Environment – Setting, Roofs, Extensions, Windows, Interiors, External Fixtures, National Planning Framework 4 (NPF4) policies 1, 7 and 14, Annex D – Six Qualities of Successful Places, FIFEplan Local Development Plan (2017) policies 1, 10, and 14, Fife Council’s Planning Customer Guidelines on Home Extensions, Dormer Extensions, and Windows in Listed Buildings and Conservation Area Guidance, the St. Andrews Design Guidelines, and the St. Andrews Conservation Area Appraisal and Management Plan (2010) are relevant to this application. These documents set out the general principles that should be considered when proposing to alter and extend a listed building. All proposed alterations and extensions must protect the character of the existing listed building.

2.2.3 Historic Environment Scotland (HES) advises that where the age, external form and finish of a roof is considered significant to the character of a building, or where internal details or decorations have historic interest any alteration to a roof which would impact on these features to a significant degree would not be considered appropriate or acceptable. HES also generally advises against support for the addition of new features to principal or prominent roof slopes, however, confirms that in circumstances where a street is narrow with tall buildings and where work is set well back from the wall head alterations to a roof in this circumstance would likely be visually less impactful. HES guidance also advises that new dormers and rooflights should be located with care and detailed appropriately to avoid interfering with the shape, pitch, and profile of a roof.

2.2.4 St. Andrews Design Guidelines 64 and 65 are also relevant. Guideline 64 says *‘Encourage good quality design innovation where it is appropriate and to strict constraints on height, footprint, massing, proportion, and materials.’* Guideline 65 highlights that *‘where traditional design is adopted it is based on a scholarly knowledge and execution of design, detailing and choice of materials, that reflects local architecture, but avoids mixing different styles and periods.’*

2.2.5 HES guidance on Setting is also relevant and highlights that setting often extends beyond a property boundary and there is a need to consider the potential and extent of impact design proposals could have on other adjacent/adjoining listed buildings and whether design changes to mitigate such impacts are considered required or justified.

2.2.6 Proposed additions to a listed building must protect the building’s character. Extensions should be subservient in form and not dominate the original listed building in terms of location, style, scale, or finishes, and have an appropriate, clear and sympathetic design philosophy

whether it is a restoration, a replication, a complimentary addition, or a deferential or assertive contrast.

2.2.7 Design proposals should satisfy the principles for change as set down by HES and this includes consideration of a proposal in light of its historical significance, setting, and key details. NPF4 Policy 7 and Local Plan policies 1 and 14 supports development where it will not harm but will safeguard important historic or architectural fabric relating to listed buildings. NPF policy 14 and Annex D – in particular the qualities ‘distinctive’ and ‘sustainable’ supports development which gives attention to local architectural styles and built forms which reinforce identity to retain a sense of place whilst supporting development which invests in providing flexible accommodation to satisfy changing needs and different uses over time, as well as planning for and investing in a building’s longevity and resilience. St. Andrews Design Guidelines (p.45) highlights that development in garden riggs “must be lower than the street frontage”, “must not exceed 2 and a half storeys in height, “and should not extend more than  $\frac{3}{4}$  of the feu width.

2.2.8 Historic Environment Scotland (HES) has commented on this application, and whilst they do not object, they do expect their comments and recommendations to be considered in the decision-making process. It is also important to note that the comments received from HES relate to the application as first submitted, and not to the now revised application which proposes catslide slide dormers.

2.2.9 HES give their support to extend the existing roof and ridge as they consider that this alteration would not be visually impactful, that adequate justification has been provided, and the works would improve the structural stability of the roof, as well as allow for poor quality insulation to be removed and for the roof to be made watertight. HES also advise that any replacement of damaged roof elements should be replaced with reclaimed ones. HES welcomes the proposed traditionally detailed dormers on the rear elevation, however, also advise against placing dormers on the principal street facing elevation so to protect the dwelling’s surviving prominent roof form which they consider significant to the building’s character. HES maintains that the other dormers on nearby properties are on buildings of different/later periods and their dormers could predate their listing or may have been installed without consent and therefore the presence of these other dormers do not give justification for dormers on this building. HES is supportive of the replacement stair turret and agrees that a new stair within the existing footprint of the listed building would not be practical. Whilst HES acknowledges the reduction in the width of the rear extension, they are of the view that the rear extension should be made smaller to allow more of the historic rear elevation to remain visible.

2.2.10 Built Heritage were formally consulted on the earlier withdrawn 22/04290/LBC application. They objected to the quantity of development, its form and the materials proposed and recommended that the level of development proposed should place Built Heritage NPF4 policy 7 at its heart. They emphasised that a large part of the architectural and historic interest of 23 Market Street is drawn from its age i.e. dating back to the 18<sup>th</sup> century and the building’s contribution to the setting of the neighbouring buildings, both in the street elevation and in the rear garden. They confirmed that whilst there would be scope for alterations to be made, these should not be to the extent sought under the 22/04290/LBC submission. They were also not supportive of 3 large dormers to the front of the dwellinghouse and confirmed that the rear extension should not be full width as this would severely impact on the building’s heritage assets.

2.2.11 This application has received 7 objections. The comments received state that the proposals represent an overdevelopment of the listed building, that the addition of 3 dormers to the front elevation would be intrusive, would detract from the character of the building and would disrupt the streetscape and the dwelling’s historic roofline. The rear extension is also considered too large and too high and would, they say, impact upon a historic feu rigg garden and wall. The objectors contend that no case has been made for raising the roof ridge or adding dormers to the front. They say, if supported, this would set a precedent for the overdevelopment

and detrimental changes to other Category B listed buildings making it difficult to object. Comments received also contend that the proposals violate the St. Andrews Conservation Area Article 4 Directions, which aim to protect the special character and layout of an historic building from enlargement and alteration and prevent inappropriate alteration or new build within garden ground boundaries, including within Rigg Gardens. A smaller rear extension which reflects the building's existing design aesthetic, and materials and smaller rear dormers would, an objector contends, be a much more sensitive approach.

2.2.12 HES are supportive of extending the existing roof and ridge as they consider that this alteration would not be visually impactful to the building's historic roofline or street and are satisfied that adequate justification for this change to the roof has been provided. Whilst both HES and the objectors have expressed concern with placing dormers on the front principal elevation, this position has been based on an assessment of the 3 much taller 19<sup>th</sup> century hipped roof dormers which were proposed. The applicant has since taken on board the concerns expressed and now proposes 2 smaller catslide dormer designs with side opening multi-pane casements which would sit higher up on the roof and be centrally aligned above existing windows. HES guidance highlights that where a street is narrow with tall buildings and where work is set well back from the wall head that alterations to a roof would likely be less impactful. By adopting an older and smaller catslide dormer design detail which would be more in keeping with the age of the building and setting them higher up on the roof (see document 14A, page 37, photomontage 70, of the Condition Survey and Design Statement), it is considered that this approach would not unduly disrupt the dwelling's historic roofline. In addition, by adopting an older 18<sup>th</sup> century dormer design similar to other older dormers found in St. Andrews that this approach would comply with St. Andrews Guideline 65 as noted above in paragraph 2.2.4.

2.2.13 The concerns raised by objectors that by supporting this proposal would put other Category B listed buildings at risk is not shared given the unique circumstances of this dwellinghouse. In this case it has been identified that the structural integrity of this roof is at risk, the internal details of the roof have little significant interest e.g. the ceiling joists are later decorative additions which have been artificially aged and in-appropriate insulation materials have been added which are impacting upon the breathability of the roof structure. In addition, the attic has already been historically developed and a 4<sup>th</sup> bedroom already exists, and for Health and Safety reasons the internal roof space should be re-configured so that it can comply with current Building Standards. The proposed roof alterations would ensure the historic roof line, i.e. the existing roof pitch on the principal front elevation would be maintained in the re-construction of the roof and HES are supportive of this. The existing roof pantiles and slate and salvaged matching tiles where required would also be used to maintain the character of the roof.

2.2.14 To address previous concerns raised by HES and Fife Council, the proposed rear extension has been turned 90 degrees and its footprint is now slightly less. The extension's height is not excessive, extending from 2.8 to 3.4 metres high which is standard for a single storey rear extension and its footprint satisfies the provisions set down by Fife Council's Planning Customer Guidelines on Garden Ground in terms of site coverage. Whilst HES have highlighted that they would prefer to see a further reduction in the width of the rear extension so to reveal more of the building's original rear elevation, given that the rear elevation has already been historically and un-sympathetically altered and the design changes now proposed include rectifying much of this in-appropriate past work, the revised submission is on balance considered reasonable and measured, as document 14A, page 47 (drawing 84) of the Condition Survey and Design Statement aims to illustrate. It is therefore the view that width of the rear extension is acceptable.

2.2.15 It is not the view that the rear extension's size would materially impact upon the historic feu rigg garden and rigg wall. The single storey rear extension would be compliant with the recommendations set by St. Andrews Design Guidelines in terms of rear extensions in garden

riggs as described above in paragraph 2.2.7. Furthermore, the proposed rear extension does not exceed the 25% provision in terms of site coverage set down by Fife Council's Planning Customer Guidelines on Garden Ground and therefore would not be considered an overdevelopment of the rigg garden. The rear extension would extend along the rear gable wall and 2-storey rear extension belonging to 25 Market Street and would therefore would not impact unduly on the rigg wall as this part of the wall has already been built upon.

2.2.16 The proposals to the front elevation as now revised would not, it is the view, impact negatively upon the character and appearance of the adjoining listed buildings. The proposed rear extension is similar in design to other extensions which have been approved across Fife, as illustrated on document 14A, pages 48 – 49 of the Condition Survey and Design Statement. Furthermore St. Andrews Design Guideline 64 supports good quality design innovation where it is appropriate. Given the location and limited height of the rear extension in relation to the existing high garden boundary walls, no. 25's 2-storey rear extension, and existing trees which filter views, the impact of the proposed rear extension on other adjacent/adjoining listed buildings would not be such as to materially impact on their special character.

2.2.17 Following consideration of all the above, and subject to appropriate conditions relating to details and finishes, the proposals have taken cognisance of the dwelling's special interest, its location and its contribution to the setting of other listed buildings and would be developed in a sustainable manner using appropriate finishes and details all of which would be compliant with meeting the terms of National Guidance, NPF4 (2023), the FIFEplan Local Development Plan (2017) and all related guidance in respect of Design / Layout and Visual Impact on the Listed Building.

### 3.0 Consultation Summary

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Historic Environment Scotland

Support raising of roof, the rear dormers, the stair turret and internals, but are of the view that dormers to the front should be avoided and that at the rear extension should allow more of the rear elevation to remain visible.

Built Heritage

Emphasised the need to reduce the quantity of development and change the design approach and materials proposed under the withdrawn 22/04290/LBC application. Also were not supportive of 3 large dormers to the front, or a full-width rear extension.

## 4.0 Representation Summary

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4.1 7 objection letters have been received. The concerns raised are summarised as follows.

a. The proposals represent an overdevelopment of the listed building. The addition of 3 dormers to the front elevation would be intrusive, would detract from the character of the building and would disrupt the streetscape and the dwelling's historic roofline and would violate the St. Andrews Conservation Area Article 4 Directions 1.1, 1.2 and 2.7. A smaller rear extension which reflects the buildings existing design aesthetic, and materials and smaller rear dormers would be a much more sensitive approach.

Addressed in paragraphs 1.2.5 - (2.), 2.2.3, and 2.2.12

b. The Design Statement tries to make a case for the dormers, stating that other dormers on the street have set the precedent however no front dormers have been added to any other Category B listed building located on the narrow end of Market Street since 1971 since the date of listing. The front south elevation of 23 Market Street is essentially the same as it was in 1967. The front dormers on the other neighbouring properties are on buildings of different periods and these dormers may also predate their listing.

Acknowledged in paragraph 2.2.9, and addressed in paragraph 2.2.13

c. The need for roof repair and adding insulation does not justify raising the roof ridge and rear eaves height by over a metre, adding dormers, and converting the property into a 5 bed roomed 4.5 bath property to become another short term let or AirBnB for a non-resident owner. If supported this would create a precedent for the overdevelopment and detrimental changes of other Category B listed buildings making it difficult to object to similar proposals within the area.

Addressed in paragraph 2.2.13

d. This is one of the oldest streets in St. Andrews, dating from the 12th century, and one of the primary routes for tourists and visitors exploring the town and the character of the area is under threat with creeping overdevelopment.

Addressed in paragraph 2.2.12 and 2.2.16

e. The Design Statement highlights that very little to none of the house's original features remain however an advert promoting the house for rental describes the property 'boasting a wealth of charming traditional features.'

Acknowledged in paragraph 1.2.4 and addressed in paragraph 1.2.5 - (1), (7), (8), and (9)

f. The rear extension would be placed on one of the historic feu riggs. The build shall also cover over about half of the western stone boundary wall. This violates St. Andrews Design Guideline 13 where it states that the future development of the remaining riggs should be restricted, and their walls should be protected. The St. Andrews Conservation Area Appraisal and Management Plan page 31, paragraph 3.8 highlights that these rigg gardens and ancient rigg walls are under threat from redevelopment and they should be protected as a reminder of the medieval street plan which in turn provides a natural environment for wildlife.

Addressed in paragraph 2.2.15

g. The proposed front dormers shall look directly into a second-floor window serving 22 Market Street and a rear dormer, (in addition to an existing first floor window directly below it) shall look directly into the rear garden of 21 Market Street thus impacting on neighbours' privacy. The owners of 21 Market Street have stated that the existing rear rooflight currently minimises this impact and that rooflights could be added to the rear elevation without the need for dormers.

Addressed in related planning application report.

h. The raised roof and the large rear extension would block sunlight to other property.

Addressed in related planning application report.

i. The submitted plans give insufficient information to determine the height of the north end of the rear extension and there are concerns that the build would extend much higher than the existing rear boundary wall (east side) and that the extent of glazing, including the sliding glass doors, would be visible from 21 Market Street and that this would bring increased light pollution, and increased noise which would affect the enjoyment of the neighbour's private rear garden.

Addressed in related planning application report.

j. There are significant concerns with the proposed increase in the number of bedrooms from 4 to 5. Objectors state that this is consistent with using the property for rental rather than as a family home, and as the dwellinghouse is already a popular rental property are of the view that the Design Statement does not present a compelling case for these proposed increases. The view is that these increases shall further unbalance the local residents and community by increasing the density of commercial premises for letting at the expense of family homes and this would not alleviate the need for affordable accommodation in St. Andrews. They cite that a survey carried out by the St. Andrews Community Council in 2023 highlighted that residents are frustrated with the number of short-term accommodation options for residents in the local housing market.

Addressed in related planning application report.

k. The increase in the number of bathrooms to 5 would place a further strain on drainage and sewerage disposal which current infrastructure is already finding it difficult to cope with e.g. another property at 12 Market Street when extended to form 3 flats caused a significant flood.

Addressed in related planning application report.

l. The property has no garage and there is no provision for off-street parking on the one-way cobbled street which is primarily used by pedestrians. Increasing the occupancy to 5 bedrooms violates the St. Andrews Design Guidelines where Guideline 2 states 'Safeguard the environmental qualities which contribute to the amenity of the residential community by resolving vehicular access and parking issues.' Current occupiers of the house regularly park on the pavement obstructing the pavement.

Addressed in related planning application report.

### **Other Issues Raised**

a. The owners of 21 Market Street, another B listed dwellinghouse, have stated that they believe their property to be at least 100 years older than what is stated in the listing and are concerned that their property shall be more vulnerable to structural damage from the development proposals given that they share a party wall with the site.

The Structural Design of the development proposals would be covered by different legislation through the associated Building Warrant which would be determined by Building Standards and Safety.

b. There has been no prior contact with neighbours to discuss what steps would be taken to mitigate the disruption, including dust, such a big project would cause to residents and visitors who use Market Street to walk to the Cathedral.

The building works would only be temporary and whilst some disruption would be inevitable, every effort would be made to keep this down to a minimum.

## 5.0 Conclusions

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The proposals as amended and subject to the imposition of appropriate conditions as noted below are considered acceptable in meeting the terms set out in National Guidance, NPF4 (2023), the FIFEplan Local Development Plan (2017), and all other relevant guidance in relation to Design and Visual Impact on the Listed Building.

## 6.0 Recommendation

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

### **PRE- COMMENCEMENT CONDITIONS:**

1. BEFORE ANY WORKS START ON SITE, a detailed method statement which provides standards of workmanship and full material specifications in the stripping, repair and alteration of the roof, its ridge and the rear eaves shall be submitted for prior approval in writing by this Planning Authority. FOR THE AVOIDANCE OF DOUBT, the existing clay ridge tiles, clay pantiles and natural slate shall be re-purposed where possible in the reconstruction of the roof and dormers and all roof works, including the replacement of the lime mortar skewes, shall be carried out using traditional construction techniques to match the existing roof. Any shortfall of ridge tiles, pantiles or slate shall use reclaimed ridge tiles, clay pantiles and slate which shall match existing in size, type, thickness, profile, colour, and patina, unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the external finishing materials and details do not detract from the character and appearance of this Category B Listed Building.

2. BEFORE ANY WORKS START ON SITE, the following details and external finishes shall be submitted for approval in writing by this Planning Authority,

- VM Anthra Zinc – full roof specification details to rear extension
- Coursed Rubble Sandstone to rear extension – stone type, finish, colour, and coursing
- Window Joinery abutment details to existing masonry, including wall infills, lintels, cills, and reveals
- Balustrade to 2<sup>nd</sup> floor void
- Paint finish to rear elevation – paint specification and colour
- Landscape Paving – material specification and colour

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

Reason: In the interests of visual amenity; to ensure that the external details and finishing materials do not detract from the character and appearance of this Category B Listed Building.

3. BEFORE ANY EXTERNAL PAINT IS REMOVED FROM THE REAR ELEVATION, the technique proposed for its removal by a suitably qualified specialist, including a proposed methodology for wall repair, shall be submitted for prior approval in writing by this Planning Authority. Following this approval, a small section of wall shall be stripped and made available for inspection by this Planning Authority and following further approval in writing the paint removal shall be progressed and completed in accordance with the methodology as approved unless changes are subsequently agreed in writing with this Planning Authority.

Reason: To reserve the rights of the Planning Authority with respect to the methods of paint removal and wall repair employed.

### **CONDITIONS:**

4. FOR THE AVOIDANCE OF DOUBT, mechanical extract vents shall be attached to masonry using non-ferrous fixings and shall be painted to match the wall colour.

Reason: In the interests of visual amenity; to ensure that the external finishing details do not detract from the character and appearance of this Category B Listed Building.

5. FOR THE AVOIDANCE OF DOUBT, all new/replacement water goods to the listed building and the new stair turret shall be in cast iron to match existing (including colour) unless changes are subsequently agreed in writing by this Planning Authority.

Reason: In the interests of visual amenity; to ensure that the external finishing materials and details do not detract from the character and appearance of this Category B Listed Building.

6. Within the listed building, all existing panelled doors, skirtings and surrounds as identified on approved drawings 07A and 08B shall be retained and continued around the new partitions and door openings.

Reason: To protect the internal character and appearance of this Category B 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) 15/04/2024  
Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 29/4/24.