



THE ROYAL BURGH OF ST ANDREWS COMMUNITY COUNCIL

2nd August 2013

Attention: Mr. Derek Simpson
Development Central
Enterprise, Planning and Protective Services
Fife Council
Kingdom House
Glenrothes KY7 5LY

Dear Mr. Simpson,

**13/02162/FULL and 13/02163/LBC - Erection of nursery school, associated landscaping and formation of new opening in boundary wall
44 South Street St Andrews Fife KY16 9JT**

Further to your letter of 24th July, The Royal Burgh of St. Andrews Community Council (hereinafter "StACC") wishes to register its interest as a Statutory Consultee on the above applications, and lodge an OBJECTION to these planning applications.

The StACC OBJECTS to the consideration of this application under Section 39, para. (1), (a), (b) and (c) of The Town and Country Planning Act 1997. This section of the Act was designed specifically to prevent residents and voluntary bodies from being overwhelmed by repeat planning applications, and we should be grateful if you would confirm that it was read and taken into account before the Council's decision to accept this new application.

As you will be aware, Section 39 says that:

1. local authorities may decline to accept an application if, within the previous two years, a Reporter has refused a similar application;
2. there has been no significant change since the refusal;
3. the development will be taken to be similar if the development and land are the same or substantially the same.

In the opinion of the StACC Planning Committee, these three caveats mean that the Council should have refused to accept the new application, before forcing residents and voluntary bodies to embark on another lengthy round of 'consultation' and the perusal of hundreds of documents.



The StACC Planning Committee is of the opinion that this application almost identical to the previous application and wishes to lodge an OBJECTION to it being considered by Fife Council.

If Fife Council persist in the consideration of this planning application, then we acknowledge your letter of the 25th July consulting the StACC, and we wish to OBJECT to this Planning Application on the following grounds:

1. Again, it is inappropriate to allow a new entrance to be built into one of the best examples of a category B Listed Stone Wall within the centre of St. Andrews.
2. Again, since there was no answer on the last planning application, the StACC also questions the full ownership of this wall. In relation to all the other Long Riggs in St. Andrews, it is the western wall of the long rigg that is owned by the house on South Street. In this situation, the wall that Mr. Tobert is proposing to make his new entrance would have been owned by 42 South Street, and now potentially the Byre Theatre and or Fife Council. We request that ownership of the wall must be established before any consideration of this planning application.
3. While we understand that Mr. Tobert and his family at 44 South Street have a right of way over the land of Greenside Cottage to enter the long rigg remaining in 44 South Street, we question the right of any staff for a commercial operation being able to park cars using the right of way available to Mr. Tobert. What guarantees does Mr. Tobert offer that will guarantee that the staff are not allowed to park there?
4. The StACC also objects to the statements regarding parking arrangements for parents at drop off and collection times. The proposed entrance, to which we object to above, is almost equidistant to Abbey Court as it is to South Street. Parents will park on the double yellow lines because it is convenient for them and it is only for "a few minutes". If they do not need to go onto South Street they will not. The StACC does not believe that the proposed entrance is far enough away from Abbey Court, Queens Terrace and Greenside Place.

It is particularly noted that the entrance that nothing is stated about the security of the entrance through Greenside Cottage. While the applicant notes that there will be a private entrance for his cars, unless the gates are locked at all times, parents will use them to access the nursery. This is unacceptable. Equally, unless these gates are locked it will be a security issue for anybody to enter the premises.

5. Given that the Church hall has parking, and has hosted the nursery for an extended time, there is absolutely no need to build this nursery, and destroy what remains of one of the last Long Riggs in



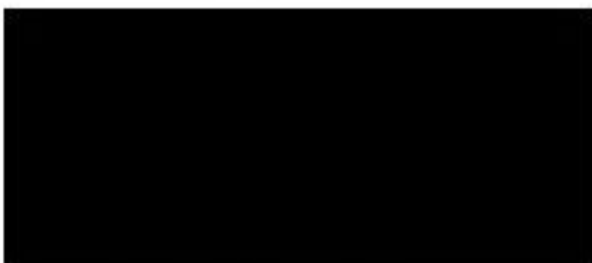
St. Andrews. We do not accept the premise of the Mr. Tobert that the Church Hall may not exist in the near term.

6. The StACC also objects to the fact that the no consideration has been made in these proposals for access to the site by emergency vehicles. In the event of a fire or medical emergency, there will be no access for a fire engine or ambulance to reach the site. Unless through the garden of Greenside Cottage, which we believe is unacceptable.
7. The StACC also wishes to object to the design of the building. While we appreciate everything is being done to avoid anyone having to look at the building, it is a very modern structure and not at all in keeping with the long rigg and the South Street house.
8. And finally, even if Planning Approval is granted, how will the builders access this site? It is completely unacceptable to the residents of Abbey Court and Greenside Place, that multiple builders lorries and vans are parked on the double yellow lines in Abbey Court, Greenside Place. It should be a condition of any approval that all access to the site should be through the house on 44 South Street.

For all of the above reason, the StACC, requests that the North East Fife Area Committee reject this and any other application for this long rigg within the town.

Please acknowledge safe receipt of this letter.

Yours sincerely,



Howard Greenwell
Convener - Planning Committee
St. Andrews Community Council

cc: St. Andrews Community Council Planning Committee