

**THIS PAPER RELATES TO
ITEM 3 (b)
ON THE AGENDA**

Notice of Review Statement

**Balquharn Stables, Back Road,
Alva, FK12 5LH**

Planning Reference: 15/00159/FULL

NOTICE OF REVIEW STATEMENT

Proposed Demolition of Existing Stables and
Erection of New Build Dwelling House at
Balquharn Stables, Back Road, Alva

ALLY CROLL FOR
BOBBY HALLIDAY ARCHITECTS
OCTOBER 2015

NOTICE OF REVIEW STATEMENT
PROPOSED NEW BUILD DWELLING, BALQUHARN STABLES, BACK ROAD, ALVA

APPLICANT: Mr J. Marshall
AGENT: Ally Croll, for Bobby Halliday Architects
REFERENCE OF APPLICATION: 15/00159/FULL
DATE OF PLANNING APPLICATION REFUSAL: 21st September 2015.

Statement and reasons for Requesting a Review.

We would like to request a review of the above application. The application has a number of unique characteristics which we feel are material in determining the application. As outlined in our Planning statement submitted as part of the Planning application and enclosed with this application; Alva as a town has been growing over the years. In the last 40 years or so, the town has been allowed to expand towards the east and the west; both north and south of the main high street; the A91.

The diagram of the town as it currently stands can be described as having a main street running through the centre of the town on an east to west axis. Alongside this there is a 'Back Road' that runs parallel with the main street running along the foot of the Ochil hills. There are houses along the north side of the Back Road at the foot of the slope of the hills. The first building on the Back Road at the west side of Alva is the Balquharn Stables; the building we propose to demolish and replace with our proposed house. Some of these houses are historic and have been in existence since the early planning of the town. Others are more modern and have been developed as the town has expanded. This is consistent along the entire length of the town. There are also a few areas where there are breaks with no houses; but this is due to difficult topography such as sloping gradients or existing rocks and trees. The newly adopted Local Development Plan identifies an area to the west side of Alva for further expansion; leading to the development of the existing fields between the extent of the towns' existing boundary and the farm road to the west. These fields sit in front of the proposed site for the new house- *see attached diagram/ location plan*. In front of the proposed new house site, there is also a large industrial building which is surrounded by a heavily planted verge of trees. This also screens our site from the main A91 road and approach from the west.

The Local Development Plan designates areas of Greenbelt to separate the Hillfoot's towns and villages to prevent them from merging with one another. It is important this break is made and retained. During the Council's development of the new Local Development Plan it was stated (within 4.6.10 of the proposed local development plan 2013 document) that '*care is needed to protect landscape character and setting of settlements.*' The proposed new house will not alter this condition as it will be located just behind (to the north) of the proposed new boundary of the western edge of the town and it will replace an existing building.

We can respond to items identified in the Planning Department's Report of Handling in determining the application as follows:

Development Plan Position

Planning state '*the site lies within an area of Countryside and of Greenbelt*. Planning also state that '*the site lies within an SLA (Special Landscape Area).*'

We acknowledge the site is within the areas designated as Countryside and Greenbelt, however if you refer again to the enclosed diagram; the town boundary has been moved further west resulting in the town extending in front of the site to the south. Therefore the narrow area of Greenbelt remaining seems to be left over by default between the new town boundary and the foot of the hill. We note on the Local Development Plan map that a dark area representing trees has been shown over the site; there are no trees on this specific area, although the applicant in the past has planted trees between the proposed house site and the existing farm to the east. As part of proposals we have shown new tree planting running behind the house.

Planning also state that '*the site lies within an area designated as an SLA (special Landscape Area)*, On site there is a fence running along the back of existing properties and along past the north and west of our site- this is shown on our survey. This fence marks the boundary between the hillside and the stables area. It could be presumed this also represents the boundary of the SLA and hillside area and that the map has been coloured showing the SLA

area meeting the town boundary and not specifically because this fenced off paddock and stables area actually form part of the SLA.

Following comments received from the Roads Department Planning confirmed *'The site and adjacent house to the east both take access onto this private section of Back Road, owned by the applicant. The road enters the urban area and adopted road network at the western edge of Alva, approximately 100m from the site. No other development currently takes access off this section of road which is gated just to the west of the proposed new site access. Therefore the development would result in only two houses served off a private section of road, but which is linked to the adopted road network in Alva. As such these concerns alone are unlikely to warrant refusal of the application.'*

. - We agree with this response

A neighbour notification advert was placed in the local newspaper- no objections from consultants or any of the neighbours/ general public were received.

Policies:

Policy EA4

As mentioned above, although it seems the proposed site lies within the SLA area as designated on the adopted Designated Sites map within the Local Development Plan; there is a fence separating the paddock and stables area from the remainder of the hillside. This would suggest the SLA runs behind the site. Nonetheless the SLA was taken into account during development of proposals and as such the character of the SLA will not be affected by proposals. The Ochil Hills form the most prominent feature in the landscape. The proposed new build house respects this prominence and sits low in elevation and section; creating a single storey cottage in place of the existing stables. The existing stables are located in a slightly elevated location at the foot of the hill and are bound by existing stone walls between the plot and the back road area. The stables act as a full stop to the back road area and the new house will also. The stables are located to the west of the garden to the last house on the back road. We will retain the existing setting and an open space will be retained between the existing house and proposed house. The new house will therefore not change the character of the 'Special Landscape Area'.

Policy SC24

Although the development of the house is by default within the Countryside; we have not promoted its location and design requiring a Countryside location, however we have explained the reasoning behind our clients desire and need for a new house in this location within our design statement- Outlined as follows; our Client currently lives in the property to the east of the site; 'The Arms'. This property sits at the foot of the hillside, in an elevated position (as do all of the houses on the Back Road). The existing house is accessed via a steeply sloping driveway and numerous steps. Once inside the property, there are various changing levels and more steps to contend with. Our Clients have lived in this area of Alva all of their lives, running various local enterprises; including the nearby farm and holiday cottages to the west. Due to developing circumstances our clients require to relocate into a level access property and to down size. 'The Arms' is no longer fit for their living requirements.

Planning advise that *'where proposals cannot demonstrate a requirement for a rural location, they will not normally be supported.'* In response this proposal by virtue of its location is not 'normal'; there is an opportunity to build a house here without affecting the integrity or perception of the Countryside area or Greenbelt. Planning advise that *'such proposals will be directed to existing communities to make efficient use of existing infrastructure, and protect the Countryside from sporadic suburban development'*. In response to this- we would advise that our proposals do intend to make use of the existing Back Road linking into nearby Alva. The house will not affect the well being or perception of the Countryside due to the town's proximity and the proposed new townscape in front of it to the south. Our proposal will make efficient use of existing infrastructure and will not detract from the character of the area. The proposal will not appear sporadic due to the existing pattern of the town; it simply repeats the

pattern already existing. The new development proposed to the south (in front) of the site will result in it lying within the apparent town boundary in any case.

Planning state that *'no evidence has been presented to demonstrate that a house in this countryside location is necessary for the running of the applicants nearby enterprises'*. As previously stated we have explained the history behind the application and our clients' needs- we feel due to the special nature of the location of the proposed new house, that there is sufficient merit to set aside/ be flexible with the policy in this instance. In doing so the designated Greenbelt, Countryside, SLA areas and Policy will be maintained and will not be diluted. We feel that in applying the Policy to this application that Planning have not fully considered or interpreted the special individual merits of the location of the proposed house and its design.

Policy EA8

Planning state that *'this policy indicates development will not normally be permitted in the Greenbelt, other than exceptional circumstances, none of which would apply to proposals. Even if it were deemed that the proposal involved the clearance or re-development of vacant land and buildings, the application still does not comply with Policy SC23, in the respect of the need for a Countryside location.'*

We would reiterate that the location of the proposed house is on a section of Greenbelt designated as such by default- bearing in mind the current town plan and pattern; the extension of the Back Road area in line with the approved extension of the town boundary to the west would have no noticeable effect and would not be detrimental to the integrity of the Greenbelt, Countryside or delineation of the town boundary, due to the site being tucked behind the extension of the town boundary. The town boundary as it stands simply follows the line of the fence of the garden of the Arns and along the Back Road where they meet. Allowing a little flexibility to wrap the town boundary around the fence behind the existing stables would go unnoticed in terms of the scale of the built environment and surrounding countryside. Again please refer to the supplementary diagram provided to help illustrate in simple terms what we describe in this statement.

Planning go on to state *'Policies SC23, EA4 and EA8 all include criteria regarding the scale, nature and design, of developments and their impact on landscape character of the countryside, SLA and Greenbelt. The house would sit in a slightly elevated position above the adjacent road and whilst of single storey design would have an overall floor to ridge height of over 6.5m, and a footprint of approx 430m². This is not therefore a modest scale of house, and would clearly be visible, both from the Back Road, and also the A91 road to the south. The house would appear as a form of linear development west of the existing settlement boundary of Alva, and which would alter the rural character of the area.'*

We disagree with this; all of the houses along the Back Road sit in an elevated position; although our proposals are on the edge of the town they will soon be encompassed visually by the townscape. However in the interim the design has been considered from a rural point of view taking precedent of the nearby rural building architecture and spatial context. In the long term it will also be capable of merging with the townscape and language of the Back Road developments as part of the future town expansion. We feel it is important both settings/ circumstances are considered to take into account the planned changes to the area. In essence the design will not look out of place or appear as linear development in the interim and in the longer term will be read as part of the main town when the fields in front are developed. The new house will replace an existing building and its design will be in keeping with nearby precedents; seeking to be environmentally friendly at all stages.

In relation to specific comments Planning have made on the size of the proposal; the design of the house is no larger than many of the existing large Back Road properties in footprint. In terms of ridge height the proposed house sits lower than many of the existing Back Road houses, both in terms of elevation and actual form. As an example, the nearby Arns property has a ridge height of around 1.7m higher than our proposed ridge height. Our proposed house has an approx footprint of 381m² (not 420m² as stated by Planning), whereas the Arns has an approx footprint of around 420m² and is over 2 levels, therefore the proposed house is smaller than the existing house to the east and most definitely smaller to the main Balquharn Farm to the west. The house would not form linear development as there are

already stables present here. Furthermore the extensive shed development in front of the site forms another visual barrier and perception of the built environment. There are also numerous developments of cottages and the existing main farm to the west. In order to retain the existing character of the area a gap between the existing Arns house and the new proposed house will be maintained in line with the existing nature of the site.

Planning go on to state correctly that: *The proposed house has been carefully designed to respond to its setting. Over time, the land immediately in front of it, now allocated in the LDP for housing may be developed. The large shed to the south west of the site, and its associated bund and screen planting, also provide a degree of visual screening to the site when viewed from the main road.* This is correct; if you refer to the attached photographs within the design statement it can be seen that the shed and planting on the surrounding large bund already screens the site from the main A91 road.

Planning go on to state that *'In summary, the proposals would impact on the landscape character of the site and wider hillside it sits within, and appear as an additional element of linear development to the west of Alva, which would change the rural character of the area. The application would therefore have a negative impact on the landscape character of this area of Greenbelt and SLA'*

Planning complete their analysis by stating that *'Having failed to comply with these key policies, the proposal is deemed not to accord with the Development Plan. In these circumstances, there is no requirement to examine other policy areas on infrastructure, services, environment etc.'*

This summary is at odds with the previous paragraph Planning write in support of proposals. Our proposals will have little impact on the character of the area and certainly will not have a negative impact on the area. The design has been developed to both react to the current character of the edge of the town and Back Road and also the future expansion of the town. It will utilise existing infrastructure and respects the surrounding environment through its architecture, scale and proposed planting.

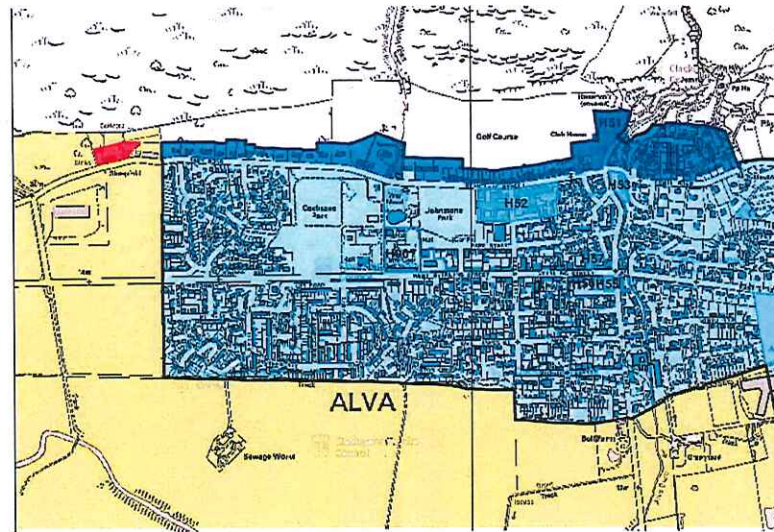
- 1. We therefore request the application be reconsidered by the Local Review Body.**
- 2. We would request a Site Visit** takes place as we feel the special nature/ location of the application site cannot be fully appreciated unless it is visited and viewed first hand. We would add that the diagram submitted with this statement along with the Planning application drawings and supplementary Planning Design statement and Planning Statement are also carefully considered when looking at the site. When visiting the site it should be appreciated that approval has been given for the boundary of the town to fill the fields to the south directly in front of the site, if the members of the Review Body take in the existing townscape to the east and imagine similar in front of the site they will appreciate the development of the site will have no impact on the area and we feel by visiting the site it will also become obvious that the site has been allocated Greenbelt, Countryside and SLA status due to its existing designation by default. The designation does not take cognisance of the decision to extend the town boundary to the south, nor does it appreciate the specific characteristics of the plot of land and existing boundaries delineated on site.
- 3. Following the Site Visit we would request a Hearing takes place,** to allow us to present our scheme, taking into account all of the special material considerations unique to this site. We feel in the application of the local Planning Policy, the individual merits of the proposal and specific site justify a little flexibility and interpretation of the local Policy and that in doing so should allow the approval of our proposal.

We look forward to hearing from you.

KEY

- LOCATION OF PROPOSED SITE
- EXTENT OF TOWN BOUNDARY AS IT HAS EVOLVED
- EXTENT OF PROPOSED NEW HOUSING AREA IN ADOPTED LOCAL PLAN
- EXTENT OF GREENBELT AS THE TOWN BOUNDARY HAS EVOLVED
- 'BACK ROAD' HOUSES WITHIN TOWN BOUNDARY

TOWN BOUNDARY BEFORE

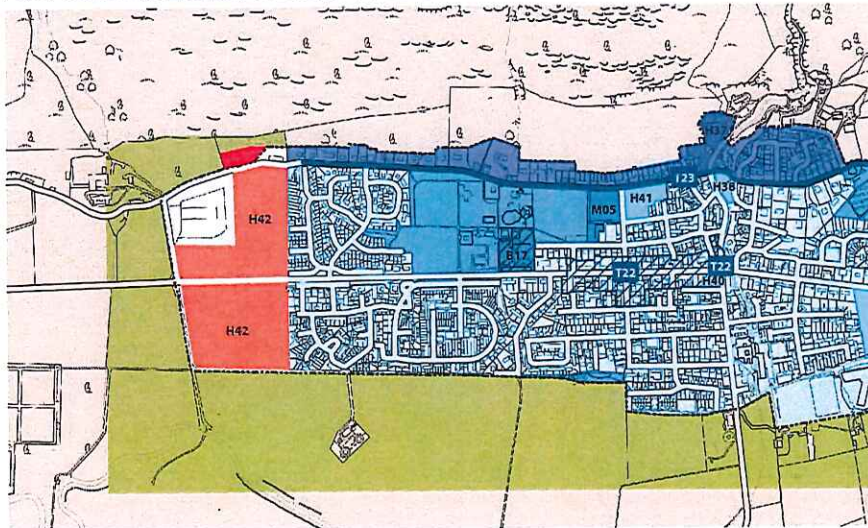


ALVA PRIOR TO ADOPTION OF NEW LOCAL DEVELOPMENT PLAN

TO BE READ IN CONJUNCTION WITH NOTICE OF REVIEW STATEMENT

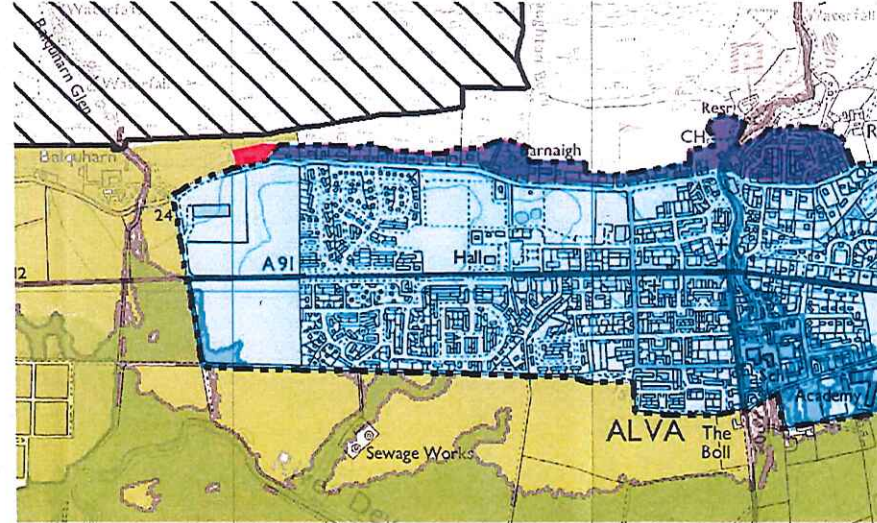
DIAGRAM MAPS SHOWING HOW THE TOWN BOUNDARY HAS EVOLVED- LEAVING BEHIND THE AREA OUR SITE IS LOCATED ON

PROPOSED EXTENSION OF TOWN TO WEST



ALVA SHOWING PROPOSED FIELDS TO WEST APPROVED FOR DEVELOPMENT

TOWN BOUNDARY AFTER



ALVA WITH ADOPTED NEW TOWN BOUNDARY TAKING IN THE NEW PROPOSED HOUSING AREAS

SITE SHOWN RED IN ALL TRANSITION MAPS FOR COMPARISON