

Kiloran, Upper Hillfoot Road, Dollar, Clackmannanshire FK14 7PL

[REDACTED]

The Clerk to the Local Review Body,
Clackmannanshire Council,
Kilncraigs,
Greenside Street,
Alloa,
FK10 1EB

**THIS PAPER RELATES TO
ITEM 3g
ON THE AGENDA**

Friday, 12 July 2019

Dear Mr Robertson,

19/00052/PPP

We are writing to confirm that we maintain our objections made in our letter submitted 10/03/2019 in relation to the application 19/00052/PPP.

Our principal points remain the same:

- The application is contrary to the LDP policy to afford special protection to the Ochils Special Landscape Area
- The application is contrary to the Local Development Plan, LDP (Policies 23 and 24, EA Statement of the East Ochils Area, SAN 2 in Infill Development) to permit development in the countryside

We are content with the reasons given for refusal by Clackmannanshire Planning Authority. The applicant's appeal of that decision, if upheld, would potentially be contrary to Clackmannanshire Council's planning policy and guidance and the Local Development Plan (LDP).

We take the opportunity to address the points made in Appendix A by the applicant in questioning the reasons for refusal as follows and where those comments are erroneous we refute them:

Reason 1 (that the development would fail to contribute positively to the setting and character of the surrounding landscape etc)(SC5 and EA4)

Contrary to the applicant's arguments:

The site is un-developed, there are no buildings or other structures on it and there is no record of any. (Kiloran was built on the site of a previously isolated 19th century cottage in the countryside, but there is no record of any previous building on this site.)

While site mitigation is proposed, it is not the design and detail of the proposal that is at issue but the principle of developing and urbanising an area of designated countryside outside the settlement boundary and the consequent loss of amenity and habitat.

The development proposals would not enhance traffic and access, nor enhance ecology and would in general not be welcomed by residents (as evidenced by the number of objections) or by Transportation. There is no street lighting or underground utilities along this narrow section of tarmac road at present, only limited surface water drainage.

Reason 2 (that the proposed development would adversely affect the character and visual amenity of the Special Landscape Area)(Contrary to policy EA4)

Contrary to the applicant's arguments:

The argument provided suggesting that infill development would be justified because the site is a separate entity is inaccurate. It is part of a large field mainly grazed by sheep and occasionally cattle across which there have never been any barriers since we moved her over twenty years ago. The site is sub-divided from the field to the north only by an un-made farm track across which animals and people can freely move.

Thus the site connects seamlessly with the Special Ochils Landscape Area of which it is part, but is clearly separated from the roads and properties. The site is separated from existing settlement by agricultural fencing to the south, west and east. It is also separated to the south by a line of trees with a natural stone dyke (which follow a historic route), to the west by vegetation and an old stone gateway with iron railings (part of the former West access to Hillfoot house) and to the east by garden hedging.

For information, the rear and north boundary of our property is an overgrown beech hedge (planted by the previous owners) that has limited biodiversity value. By comparison, the trees to the south of the site form a historic feature and a green corridor rich in habitat value, including oak trees. Planting of the former in mitigation (as proposed by the applicant) and the partial loss of the latter (as proposed) would detrimentally affect the distinctive character of the area and its biodiversity value.

Reason 3 The justification for countryside development has not been provided and would fail to respect the distinctive rural character etc (contrary to SC23)

Contrary to the applicant's arguments:

The assertions that this is a separate area and a gap site are patently mis-representing the facts. The site is outside the settlement boundary and lies in the countryside as defined by Clackmannanshire Council. Our house (Kiloran) dates from around 1961 but replaces an older cottage (Burngrange Cottage) which is shown on the 1861 six inch OS map with a bench mark indicating height above sea level, a feature generally carved into stone and so suggesting it was a stone building that may have stood even longer, possibly a toll house. Kiloran is therefore clearly not a development nor an exception to policy restricting development in the countryside that would justify yet more.

As previously mentioned, the access road to the north is merely a rough track. There is no fence or other barrier as perhaps inferred by the applicant. The properties to the north are far away and

Kiloran, Upper Hillfoot Road, Dollar, Clackmannanshire FK14 7PL

outwith the neighbour notification requirements. The tree belt to the south and vegetation to the West form a valuable green corridor connecting to the SSSI in the quarry, the Ochils and woodland in the Kelly Burn (Grange Wood on the 1861 map) and at Hillfoot House. The grass verge to the South of the road is an informal public space used for access.

The application submission refers to the area as being "an underused site with no agricultural value". We would like to point out that at the time of writing the grass is long and untidy and for the first time since we have lived here (over twenty years) has not been either cut for hay or silage or grazed. We have also observed that management of thistles, nettles and rank grass has not been carried out in recent times. The Land Utilisation Map Sheet 67 - Stirling & Dunfermline (Printed) Surveyed: 1931-1933 Published: 1948 shows the entire site to be classed as meadowland and permanent grass. No building since then would suggest the capability is still the same.

Reason 4 The proposed house is not required in relation to any existing or proposed countryside business or replacement of an existing house (contrary to SC24)

We have no further comment to make except that Clackmannanshire Council's LDP policies (2015) should be upheld.

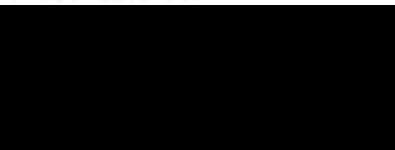
Reason 5 The proposed development would set an unwelcome precedent for development in the countryside.

Contrary to the applicant's arguments:

The applicant's assertions that the site is "surrounded on all sides by residential use" are wholly inaccurate. It is part of a field and in the countryside and there are clear physical and historic boundaries separating it from settlement while there are none with the countryside to the North. Our house (Kiloran) is surrounded on three sides by scenic countryside, which was part a former Area of Great Landscape Value and now part of the Ochils Special Landscape Area and is home to abundant wildlife, including increasing numbers of red squirrels (a protected species).

We trust that the Local Review Body will consider all relevant concerns and objections made to the application and the review which include comments from Transportation, from neighbours and from Dollar Community Council. We hope that the Local Review Body will dismiss the appeal made by the applicant and that it will support and uphold the decision made by the experienced Chartered Planner on behalf of Clackmannanshire Planning Authority.

Yours sincerely,



pp Fiona and William Fisher

