

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

5 DECEMBER 2016

APPLICATION FOR PLANNING PERMISSION

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| ITEM: | REFERENCE NUMBER: 16/01090/FUL |
| OFFICER: | Dorothy Amyes |
| WARD: | Tweeddale West |
| PROPOSAL: | Erection of dwellinghouse |
| SITE: | Land East of Fordings, Lower Green, West Linton |
| APPLICANT: | Mr Roger Brown |
| AGENT: | Jefcoate Anderson Architects Ltd |

SITE DESCRIPTION

The site is located at the northern edge of the Lower Green adjacent to the public toilets. It is within the West Linton Conservation Area. The “new” Church Hall lies to the east, originally built as a church school and listed category C since 2010.

There is currently a single storey lean-to storage building on the site of the proposed redevelopment which is subject to a separate application for its demolition. The remainder of the site is a gravelled driveway leading to the existing timber gates and an area of lawn. There is currently no fencing between the site and the remaining area of lawn belonging to the property known as Fordings.

PROPOSED DEVELOPMENT

It is proposed to demolish the existing building and erect a dwellinghouse in the same location within the site.

The building will be two storeys with a pitched roof, stepped with two ridge heights, and the gable end facing towards the Lower Green. The lower storey will be finished in stone with the upper storey finished in timber cladding. There will be a wide valley gutter running along the boundary with the public toilets and the wall of the church hall. On the front elevation facing into the garden the upper storey will also be stepped with the narrower section towards the entrance. Both sections will overhang the lower storey. There will be windows at first floor level on the gable end, rooflights and windows facing towards the gardens. On the northern gable there will be a stone chimney.

The external finishes will be natural slate on the roof, Siberian larch left untreated for the upper floor and natural stonework on the ground floor. The windows will be aluminium clad triple glazed units with dark coloured outer finish and the guttering will be aluminium.

Access to the property will be through the existing gateway and parking and turning for two cars will be provided within the site, in addition to a small area of garden ground. The existing stone wall and a new horizontal timber fence will form the boundary of the property.

PLANNING HISTORY

In 2011 planning permission in principle was sought for the erection of a dwellinghouse on the site. This application was withdrawn because of a request from SEPA for additional information to be submitted in relation to potential flood risk and because the planning authority required detailed plans to be submitted as the site is located within the conservation area (ref 11/00247/PPP).

There is a current application for Conservation Area Consent for the demolition of the existing building on the site (16/01236/CON).

REPRESENTATION SUMMARY

A total of 32 representations have been received made up of 21 objections from 17 different households/organisations and 11 letters of support from 10 different households.

The objections can be summarised as follows:

- Inappropriate modern design which does not fit into the conservation area
- If approved, it would change the character of the area and set a precedent for other developments in the conservation area
- Road safety issues with access
- Over development of site – a large building on a small site
- Proposal is for a two storey house not one and a half
- Insufficient distance between facing windows
- Overshadowing of neighbouring properties
- Loss of privacy due to overlooking of garden ground
- Impact on existing views
- Design not sympathetic with surrounding buildings
- Impact on wildlife
- Impact on users of New Church Hall and on existing building

Whether or not this is a development for personal gain is not a material planning consideration.

The support comments can be summarised as follows:

- the design is sympathetic to the immediate surroundings, and will be a valuable addition to the architecture of West Linton.
- the proposal maintains and enhances the views northwards from the Lower Green, through to the Old Schoolhouse
- the use of sustainable materials is something that should be encouraged
- the design neither overlooks, nor greatly overshadows surrounding properties, and roof lines are in keeping with those adjacent,
- the mixture of buildings in West Linton centre reflect its growth and change over nearly 200 years.
- the design reflects two building types seen in the village which reduces the visual impact of the new building.
- some of the most attractive and exciting places in Europe are as a result of the marriage of new and old architecture.
- design is bold, contemporary and challenging.

APPLICANTS' SUPPORTING INFORMATION

The applicant has submitted a design statement, shadow study and 3D images of the proposed design in support of the application. In addition, the architect has submitted a response to comments made in relation to the design of the dwellinghouse.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees Roads Planning Services

No objections in principle to the above proposal, the parking and turning provision for the proposed dwelling is fundamental to gaining my support for this proposal.

The access is located on the corner of a very constrained public road network; therefore it is crucial that vehicles exit the proposed plot in forward gear. Due to its position on the outside of the bend and the low speed of traffic at this location, adequate visibility can be achieved.

With regards to the internal parking and turning layout, the lack of depth within the site means my normal requirements of 2.5 by 5.0 metre parking bays with a clear 6.0 metres, between the bays and the building, to allow satisfactory access/egress, can't be achieved. In order to combat this, the parking area has been amended to show a parking area of 6 metres wide and 5 metres deep, with a clear minimum distance of 5 metres between the bays and the building, therefore I am content that the widened bays will allow two vehicles to park and turn within the curtilage of the plot and re-join the public road in a forward gear.

Construction details for the parking and turning area must be submitted for approval. Thereafter the approved scheme of details must be fully implemented prior to occupation of the dwelling.

Heritage and Design

The applicant has submitted a Design Statement in support of the proposals and provided photomontages of the proposed new building. I have given consideration to whether the proposals will preserve or enhance the special character and appearance of the conservation area.

The local context to the redevelopment site is that this part of West Linton is characterised by being a mixture of building types, including scale rather than being a regular terrace, for example. There is an informal juxtaposition of buildings with the majority of building being 1 and a half or two stories in height, with some more significant buildings being higher such as the adjacent church hall and the church house to the north.

I consider that the site is suitable for redevelopment for residential use. I have reviewed the proposals with reference to our Placemaking + Design SPG.

The council encourages the use of contemporary design where appropriate and this summer ran its biennial "Scottish Borders Design Awards" competition which aims to encourage such an approach. West Linton has developed organically over many years with a range of building styles and materials being used although the key elements of the building forms are broadly similar, in particular scale, massing and roof pitch. This site presents an opportunity to develop a more contemporary design.

I consider that the proposed design respects the massing and scale of adjacent buildings and by being broken into two "blocks" provides a variety of ridge heights and mass. A key view from the Lower Green to Church House is maintained and the new building helps to mask the adjacent flat roofed public toilets from this view as well. The use of pitched roofs with slates provides a unifying features as virtually all roofs in the conservation area are natural slates. Generally the walls of buildings in the area are painted render (usually white) and natural sandstone (which is generally a buff colour). Whilst the development uses sandstone for the boundary wall and elements of the ground floor (and chimney), the upper floors are clad with Siberian larch. There is very little timber cladding used in West Linton although it would have been used in the past for ancillary buildings in rear gardens etc., larch

will naturally turn to a silvery grey in a short time and this colour / hue will tie in well with the local grey / buff sandstone walling. The use of modern materials for the window openings is acceptable in this instance.

I am content that the proposals are well considered and will make a positive contribution to the West Linton conservation area.

Education and Lifelong Learning

The proposed development is located within the catchment area for West Linton Primary School and Peebles High School and developer contributions of £8514 are required.

Archaeology

There are potential implications for this proposal.

The site in question is within the historic core of West Linton. West Linton is first mentioned in the 12th century as the site of a church (further to the south of the present application) connected with Kelso Abbey. It is unknown to what extent there was a village in West Linton prior to the 16th century, but it appears as a settlement by the latter part of that century on historic maps. The approximate layout of the village is shown on Roy's map of the mid 18th century as corresponding to the present high street, though the current site is not clear on that map. The site is clearly shown on later 18th and 19th century maps as being to the rear of a cottage fronting the fording to the west.

It is unknown to what extent the medieval village extended towards the application area. Assuming the current High Street loosely corresponds to an earlier layout then it is possible that the application area formed part of the medieval backlands of the village. Such areas can contain significant archaeology pertaining to the life and development of the settlement over time. While I judge the potential here to be low to moderate, mitigation in the form of an archaeological watching brief is required in order to identify and record any potentially significant deposits or features.

Given the potential for buried archaeology in the development area I recommend the following condition: Archaeology: Developer Funded Watching Brief.

Statutory Consultees

SEPA

No objection to the proposed development on flood risk grounds. Notwithstanding this we would expect Scottish Borders Council to undertake their responsibilities as the Flood Prevention Authority.

We would strongly recommend that the council consider conditioning the finished floor levels to be a minimum of 235.1 mAOD as noted in the architect's report supporting the planning application.

We have reviewed the information provided in this consultation and it is noted that, the application site (or parts thereof) lies adjacent to the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding.

We are not aware of any flooding records within or adjacent to the site. Groundwater is mentioned in the FRA and we are aware of potential groundwater issues further downstream in Romano Bridge.

The flow estimation technique applied and peak flows derived from the methodology appear reasonable. An allowance of 20% to incorporate climate change has been applied.

There is a footbridge over the Lyne Water immediately adjacent to the site which could pose a blockage risk. Blockage scenarios between 10% and 50% were also examined. It was found that a blockage of 40% or more will result in water on the development site. As such, the FRA recommends that a minimum freeboard of 600mm above existing ground level which results in a minimum finished floor level of 235.1mAOD. We would strongly recommend that this is conditioned as part of the planning determination. In addition, to mitigate the residual risk to the development from bridge blockage, flood resistant and resilient materials should be considered during the design and construction of the dwelling. We base our advice on the assumption that the ford was included within the model as that would appear to be the low-point along the left bank. Although the topographic information suggests the top of the ford is above 234mAOD and therefore not overtopped during a 1:200 year flood event.

Community Council

West Linton Community Council (WLCC) is Not Supportive, by a majority of 4:3, of the above application which came before it at a recent meeting.

The Community Council feels this development does not comply with policy HD3.b.ii of the Scottish Borders Council Local Development Plan 2016 in that the design of the dwelling is out of character with the surrounding properties and there would be an associated detrimental visual impact in this part of the conservation area.

Other Consultees

None

DEVELOPMENT PLAN POLICIES:

Scottish Borders Local Development Plan 2016

PMD1 – Sustainability
PMD2 - Quality Standards for New Development
PMD5 – Infill Development
HD3 - Protection of Residential Amenity
EP7 – Listed Buildings
EP8 – Archaeology
EP9 – Conservation Areas
IS2 – Developer Contributions
IS7 - Parking Provision and Standards
IS8 - Flooding

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance
Placemaking and Design
Privacy and Sunlight Guide

Historic Environment Scotland

Managing Change in the Historic Environment - Setting

KEY PLANNING ISSUES:

The key planning issues are whether the proposal complies with the relevant Local Development Plan policies, in particular PMD5 - Infill Development, EP9 – Conservation Areas and HD3 – Residential Amenity.

ASSESSMENT OF APPLICATION:

The site is currently garden ground with an outbuilding and it is useful to note that, at the present time, the site does not appear to be subdivided with an area of lawn stretching from Leven Bank towards the gravel driveway and the single storey outbuilding which is currently used for storage. However, it is understood that the application site as noted on the red line boundary and the remaining garden grounds are under separate ownerships.

The neighbourhood is a mixture of residential properties and community facilities such as the church hall, Graham Institute and public toilets. Although the site is visible from the public realm, including obliquely from the Green, it is not an especially prominent site in the wider village context. A new dwellinghouse on this site would not conflict with the established land use.

In an older settlement such as West Linton where properties are varied in age and design it is not unusual for there to be a variety of sizes of house plots and garden ground. The size of the application site is not unusually small nor the proposed dwellinghouse particularly large. It can be accommodated within the site with adequate garden ground and the required parking and turning.

Due to the land ownership noted above, this does mean that the garden ground between Leven Bank and the proposed new fence is at a minimum only 6.5 metres to the boundary of the site and the proposed new boundary fence. As is common elsewhere in the older parts of West Linton, the garden grounds of adjoining properties have been subdivided somewhat haphazardly and occasionally gardens of individual properties are remote from the properties and adjoin other properties, as is the case with Fordings and Leven Bank. It would be possible to erect a fence around the land owned by the applicant (with any required planning permission) regardless of whether or not a dwellinghouse was proposed on the site.

The key issue is whether or not adequate privacy can be obtained by the proposed development. The guidelines state that there should be a least 18m between facing windows and that this distance should be increased with the height of the windows and reduced depending on the angle.

There are no issues in relation to the ground floor windows as adequate screening will be put in place. However, should Members be minded to approve the application, it is suggested that a fence height exceeding 1.8m should be considered taking into account the required finished floor level of the new dwellinghouse.

At first floor level there are windows in two of the bedrooms which face towards Leven Bank, Fordings and Burnside. The key window is that of the kitchen window in Fordings. There are no proposed first floor windows directly opposite this window except for two bathroom windows which will have obscure glazing. It is considered that adequate separation between windows can be achieved to ensure that privacy is not unacceptably compromised. The garden ground of the properties is already to a certain degree as would be expected in a village situation with houses in close proximity to one another. The additional dwelling will not significantly impact in existing lack of privacy within the garden grounds.

Detailed Shadow analysis has been submitted with the application and this clearly demonstrates that there will be no loss of sunlight or significant over shadowing of any residential properties by the new dwellinghouse. With regards to the garden ground of the new church hall, the existing buildings and walls overshadow this area of land to a certain degree and any additional overshadowing due to the new house will only take place in the late afternoon, particularly during the winter months. It is understood that the use of the building and ground by the early learning club mainly takes place in the morning with only one of two afternoon sessions. The new dwelling will not have a significant adverse impact on the surrounding buildings due to overshadowing or loss of sunlight.

The application site is located in the northern corner of the Lower Green adjacent to a variety of buildings of different designs, ridge heights and uses. The new dwellinghouse has been designed to incorporate existing design elements seen elsewhere in the conservation area such as the pitched slate roof, gable end onto the street and use of stone at the lower levels to help the building blend into the surroundings. The proposed ridge height of just over 7.2m is not excessive with a number of other residential properties nearby having ridge heights in excess of this. The site analysis and design statement submitted with the application demonstrate the design process and the use of certain features such as the timber cladding, stepped roof and overhanging first floor which make this a unique dwellinghouse of a contemporary design. The key view from the Lower Green to Church House is maintained and the new building helps to reduce the visual impact of the adjacent flat roofed public toilets from this view as well.

As with any new building of a non-traditional design there are widely differing views expressed on the design and the impact that the new building will have on the surroundings. In this instance, it is considered that this is a well thought through design which will enhance rather than detract from the character and appearance of the conservation area. The wide variety of properties which give West Linton its unique historic character have evolved over hundreds of years yet, as with any other conservation area, there is a place for appropriate modern designs. It is considered there this site provides a suitable location for a dwellinghouse with a contemporary design such as the one proposed.

Given the historic nature of the area the roads in the vicinity of the Lower Green and towards Main Street are narrow and the existing traffic tends to move at low speeds. There is an existing gate and access into the property which is currently in use. Although the new dwellinghouse may result in an increase in use, Roads Planning Officers are satisfied that satisfactory lines of sight can be achieved and are able to support the project subject to satisfactory parking and turning being provided within the site to enable any vehicles to leave the site in a forward direction. Adequate access can therefore be achieved.

As with any site located within a relatively confined locality, careful planning will need to be undertaken during the construction phase to ensure that the surrounding roads are not blocked and that adequate access to surrounding properties is maintained.

Matters relating to potential flooding and archaeology can be dealt with by appropriately worded conditions if Members are minded to approve the applications.

The applicant has agreed to enter into a section 75 Legal Agreement to secure the payment of the developer contributions towards Education and Lifelong Learning.

CONCLUSION

It is considered that the proposal complies with the Local Development Plan policies for Infill Development (PMD5), Protection of Residential Amenity (HD3) and Conservation Areas (EP9) in that it has been demonstrated that the dwellinghouse can be adequately

accommodated on the site, it will not conflict with existing uses in the area and that it will not result in any significant loss of residential amenity or raise unacceptable issues in relation to road safety. Given the spatial character of the surrounding area it is not considered to be overdevelopment of the site.

The proposed design of the house is acceptable and it is considered that it will enhance rather than detract from the character or appearance of the conservation area.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

I recommend the application is approved subject to the completion of a Section 75 legal agreement and the following conditions:

1. The development hereby approved shall be carried out wholly in accordance with the amended site plan ref BROW01PL003 dated 24 October 2016.
Reason: To ensure that the development is carried out as approved by the Local Planning Authority.
2. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
3. Before any development commences on site details of the construction of the proposed parking and turning areas shall be submitted to and approved by the planning authority.
The two parking spaces and turning areas shall to be retained in perpetuity.
Reason: To ensure that there is adequate off road parking and turning area within the site in the interests of road safety.
4. The minimum finished floor level of the ground floor of the dwellinghouse shall be 235.1mAOD.
Reason: To protect the property from any potential flooding
5. No development shall take place until the applicant has secured a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Watching Brief. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority
Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

6. Before any development commences on site details of height of proposed boundary fencing shall be agreed with the local planning authority and the fence shall be erected prior to any demolition or construction work taking place on the site.

Reason: to protect the residential amenity of nearby residents.

7. Before any development commences on site precise details of valley gutter shall be submitted to and approved by the local planning authority.

Reason: To ensure that the new dwellinghouse does not affect the fabric of existing adjacent properties.

DRAWING NUMBERS

Location Plan

Existing Site Analysis – BROW 01PL001

Proposed Site Plan – BROW 01PL002

Proposed Elevations – BROW01PL006

Proposed Elevations – BROW01 PL005

Proposed Floor Plans BROW 01PL003 (revised)

Shadow Study

3D Images – BROW PL007

Photomontage –BROW01 PL004

Design Statement

Approved by

| Name | Designation | Signature |
|------------|------------------------|-----------|
| Ian Aikman | Chief Planning Officer | |

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

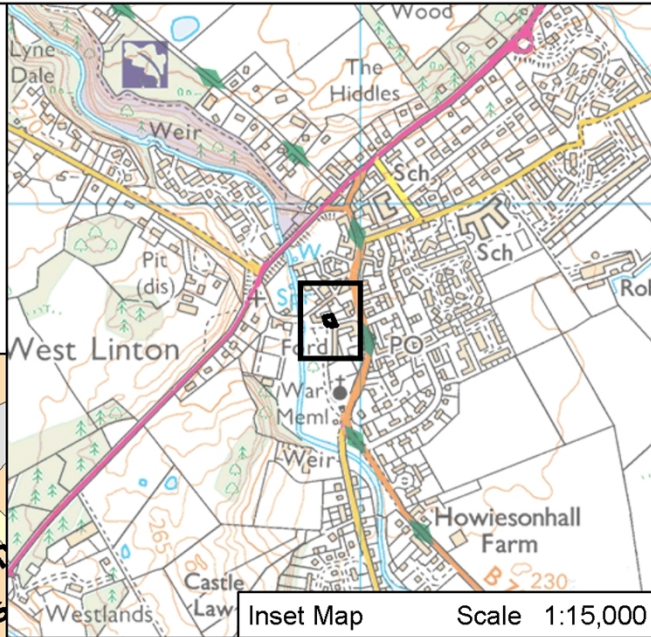
Author(s)

| Name | Designation |
|---------------|------------------|
| Dorothy Amyes | Planning Officer |



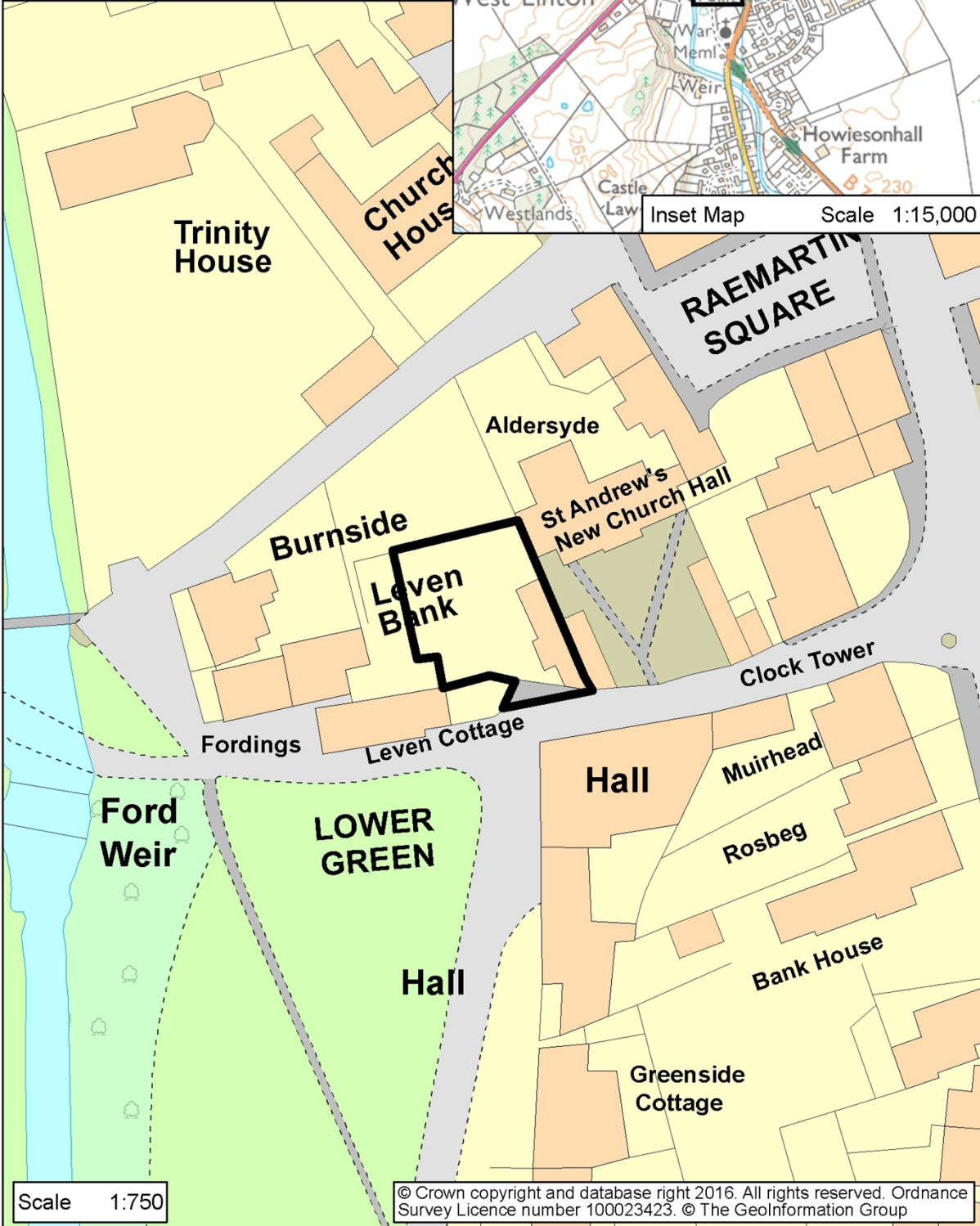
16/01090/FUL

Land East Of Fordings
 Lower Green
 West Linton



Inset Map

Scale 1:15,000



Scale 1:750

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