

the applicant it is considered that they could be secured by way of a suitably worded condition attached to any consent given.

Whilst the principle of residential development on this site is accepted, the form of development proposed is not considered to respect the character or density pattern of development in the area. The properties adjacent are both set within large open plots and are restricted to single storey in height whilst the proposed dwellinghouses would be taller and restricted to much smaller overall plot sizes. The proposed density, design and finishing materials, including boundary treatments would result in an unnecessarily urban appearance within this rural setting.

The proposal fails to accord with the terms of the Falkirk Council Local Plan.

### **Responses to Consultation**

The Roads Development Unit has assessed the submitted Flood Risk Assessment (FRA) and is satisfied that the can be developed without unacceptable risk to the proposed units or to surrounding land. The roads unit has however highlighted some concerns in relation to the development of houses in this location as, in their view, this may lead to further development in this rural location and could lead to additional vehicular and pedestrian traffic to the possible detriment of road safety. It is however considered that as the site was previously used as a builders yard, the development of two dwellinghouses would not represent a significant increase in traffic at the site. The site also benefits from reasonable visibility levels at its access onto Slamannan Road at a stretch of road with street lighting and a 40 mph speed restriction in place. No specific road safety concerns have been highlighted.

### **Assessment of Public Representations**

Concerns in respect of potential overdevelopment of the plot are noted. Whilst each proposed house would benefit from adequate privacy, parking provision and garden ground to serve the size of properties proposed, the proposed density of development is considered to be out of character with the surrounding area.

Concern over structural impact on boundary wall and impact on property value are not material planning considerations.

The proposed vehicular accesses to each plot are located centrally on the site frontage in a similar position to the existing access. The proximity of vehicular entrance to neighbouring entrances will therefore be broadly similar to the existing arrangement at the site with albeit a wider access to the proposed houses. This raises no specific road safety concerns.

### **Falkirk Council Supplementary Guidance**

Finalised Supplementary Guidance SG01 (Development in the Countryside) has been approved by the Council and will form part of the LDP when adopted. SG01 is therefore a material consideration. Its purpose is to encourage high quality, contemporary design which reflects local character. Section 5 (Design Guidance) deals extensively with landscape and design matters. The guidance contained in Finalised SG01 (Development in the Countryside) emphasises the need to encourage high quality development which reflects the wider rural area where fit in terms of context, materials and design is of paramount importance. In this particular circumstance, the proposed layout and density of development fails to respect the character of the surrounding area. The design and materials are considered too urban in nature and are not considered appropriate for this countryside setting.

The proposal fails to accord with the terms of Supplementary Guidance SG01 (Development in the Countryside).

### **Falkirk Local Development Plan (Proposed Plan)**

The Proposed Falkirk Local Development Plan is expected to be adopted in 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan Policy and constitutes a material consideration in the determination of planning applications.



Whilst the relevant policies of the emerging local plan reflect the main policy wording contained within the current adopted plan, the emerging plan does now place greater weight upon compliance with supplementary guidance. In this instance, in respect of design and layout considerations, Policy CG03 makes reference to Supplementary Guidance SG01 (Development in the Countryside). Finalised SG01 has been approved by the Council and will form part of the LDP when adopted. SG01 is therefore a material consideration. Its purpose is to encourage high quality, contemporary design which reflects local character. Section 5 (Design Guidance) deals extensively with landscape and design matters. The form of development proposed does not respect the character of the surrounding area and would result in an unnecessarily urban design within a rural context. The proposal fails to accord with the guidance set out in this document and is contrary to the terms of the emerging Falkirk Local Development Plan.

### **Consideration of the Site in relation to Coal Mining Legacy**

The application site falls within or is partially within the Development High Risk Area as defined by the Coal Authority. Any development proposal not exempt on grounds of type or nature, which would intersect with the ground requires the submission of a desk based Coal Mining Risk Assessment and Consultation with the Coal Authority.

The views of the Coal Authority are summarised within the consultation responses above and appropriate conditions and/or informatives have been applied.

## **7. CONCLUSION**

The proposal represents an unacceptable form of development which is contrary to the terms of the Development Plan. There are no material planning considerations that warrant an approval of planning permission in this instance.

## **8. RECOMMENDATION**

Refuse Planning Permission

Refusal is recommended for the following

Reason(s):

1. The proposal fails to respect the density and character of the surrounding area due to the size and layout of each plot and does not represent an appropriate development within the countryside due to the design, scale and materials proposed. The proposal is therefore contrary to the terms of Policies SC03 - Housing Development in the Countryside, EQ19 - Countryside and SC08 - Infill Development and Subdivision of Plots of the Falkirk Council Local Plan and Policies CG03 - Housing in the Countryside and HSG05 - Infill Development and Subdivision of Plots of the Falkirk Local Development Plan - Proposed Plan. The proposal is also contrary to the terms of Finalised Supplementary Guidance SG01 (Development in the Countryside).

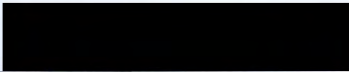
The recommendation is based on the following reason(s):-

The proposals do not accord with the provisions of the Development Plan and there are no material considerations which would warrant approval of the application.

Informatives:



1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 06 inclusive \*\*\*\*

  
Director of Development Services

22.6.15  
Date

Contact Officer : Kevin Brown  
(Planning Officer) 01324 504701





Reference No. P/15/0238/FUL



**Town and Country Planning (Scotland) Act 1997 as Amended  
Issued under a Statutory Scheme of Delegation.**

Falkirk Council

### Refusal of Planning Permission

Agent  
Greig Strang  
1 Coats Crescent  
Alloa  
Clackmannan  
FK10 2AQ

Applicant  
Lindsay Construction  
F.A.O Mr Stuart Lindsay  
65 Pitfairn Road  
Fishcross  
Clackmannan  
FK10 3HU

This Notice refers to your application registered on 21 April 2015 for permission in respect of the following development:-

Development      Erection of 2 Dwellinghouses at

Location           Braeside Yard, Slamannan Road, Limerigg, Falkirk, FK1 3BJ

The application was determined under Delegated Powers. Please see the attached guidance notes for further information, including how to request a review of the decision.

In respect of applications submitted on or after 1 January 2010, Falkirk Council does not issue paper plans. Plans referred to in the informatives below can be viewed online by inserting your application number at <http://eplanning.falkirk.gov.uk/online/>

In accordance with the plans docquetted or itemised in the attached informatives as relative hereto, Falkirk Council, in exercise of its powers under the above legislation, hereby

### Refuses Detailed Planning Permission

The Council has made this decision for the following


Reason(s):

1. The proposal fails to respect the density and character of the surrounding area due to the size and layout of each plot and does not represent an appropriate development within the countryside due to the design, scale and materials proposed. The proposal is therefore contrary to the terms of Policies SC03 - Housing Development in the Countryside, EQ19 - Countryside and SC08 - Infill Development and Subdivision of Plots of the Falkirk Council Local Plan and Policies CG03 - Housing in the Countryside and HSG05 - Infill Development and Subdivision of Plots of the Falkirk Local Development Plan - Proposed Plan. The proposal is also contrary to the terms of Finalised Supplementary Guidance SG01 (Development in the Countryside).

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 06 inclusive.

16 July 2015

 Director of Development Services





The Coal  
Authority

200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

Tel: 0345 762 6848

Web:

<https://www.gov.uk/government/organisations/the-coal-authority>

## **ASSESSMENT OF THE DEVELOPMENT IN RELATION TO COAL MINING LEGACY**

### **Development High Risk Area**

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. A Coal Mining Risk Assessment has been carried out and subsequently reviewed by the Coal Authority.

Where appropriate, conditions have been imposed in accordance with the recommendations of the Coal Authority and Coal Mining Risk Assessment. The Council will consult the Coal Authority on your application for the discharge of these conditions prior to authorising commencement of development.

**Morris, John**

**From:** MacKenzie, Roddy  
**Sent:** 27 April 2015 11:09  
**To:** adm1dmbcorr  
**Cc:** Steedman, Russell  
**Subject:** P-15-0238-FUL Braeside Yard, Limerigg  
**Attachments:** Turning area dimensions - private.pdf

## Development Services

## Memo

**To:** **Kevin Brown, Planning Officer**  
 Planning and Transportation (Development Control)

**From:** Roddy Mackenzie, Roads Development

**Date:** 27 Apr 2015

**Enquiries:** 4908

**Our Ref:** RMK/

**Your Ref:** P/15/0238/FUL

**Proposal :** Erection of 2 Dwellinghouses

**Location :** Braeside Yard, Slamannan Road, Limerigg, Falkirk, FK1 3BJ

**Application :** P/15/0238/FUL

I refer to your consultation notice received on 24 Apr 2015, regarding the above application. The site has been subject to a previous application (P/14/0295/FUL) and I would respond in a similar way.

The application site is in a rural location to the north of Limerigg and will take access off the B8022 Slamannan Road, which is a classified rural road, running from Limerigg to Slamannan. It is a typical rural road of restricted width and alignment that has street lighting provision but no footways, and at this section of the road there is a 40mph speed limit in place.

The site is immediately adjacent to the Culloch Burn, a flood sensitive water course which responds quickly to rainfall events. Although Falkirk Council have no record of flooding at the site, the burn itself has a history of flooding downstream of the site within the village of Slamannan. The FRA provided has been sent off to Halcrow for assessment.

TPU have advised that because there is no continuous public footway from the site to Shieldhill, school transport will require to be provided by the Council for resident children.

I would not wish to encourage any further development at this section of rural road which could lead to additional vehicular and pedestrian traffic to the possible detriment of road safety. I would also contend that the granting of this consent may lead to further development at this rural location. Therefore, in view of the aforementioned, I would advise that this section of the B8022 Slamannan Road is not a road suitable to serve any additional dwellings and could, therefore, be used to support a recommendation of refusal.

However, if you are minded to grant consent in this case, I would comment as follows:-

1. The two units are shown with individual driveways but we would favour both plots being served by one 3m wide shared access on to the B8022.
2. A visibility splay is stated as 2.5m x 90m but is not shown. At this location the splay should be shown as 2.5m x 101m with no obstruction above verge level within the splay and shown on a suitably scaled drawing.
3. A suitably sized internal turning area conforming to Falkirk Council Guidelines should be provided (see attachment).
4. Three internal parking spaces should be provided for each dwelling and should be a minimum of 2.5m wide & 5m long. These parking spaces should be shown on a scaled drawing with adequate room to turn in the turning area to allow vehicles to enter and exit in a forward gear. The drawing provided does not satisfy this.

If you are minded to grant consent, I would be obliged if you could ask the applicant to provide amended drawings reflecting the above points. When this is provided I will then be able to offer further comment.

Regards

RMK

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**Morris, John**

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**From:** Henderson, Stuart  
**Sent:** 05 May 2015 16:50  
**To:** adtm1dmbscorr  
**Subject:** P/15/0238/FUL

**ENVIRONMENTAL HEALTH**

Noise need not be considered as a determining factor in considering this application.

Informative - The builder shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:

Monday to Friday 08:00 - 18:00 Hours  
 Saturday 09:00 - 17:00 Hours  
 Sunday / Bank Holidays 10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Unit.

**CONTAMINATED LAND**

Conditioned due to the presence of mining under site, a yard and buildings on site, agricultural land use, numerous quarries, made ground and potentially other contaminative activities within 250m of the site.

1. Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites .
2. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
3. Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.
4. In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.

Stuart Henderson  
 Environmental Health Officer  
 Falkirk Council  
 01324 504771

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**Morris, John**

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**From:** MacKenzie, Roddy  
**Sent:** 14 May 2015 10:35  
**To:** brown, kevin  
**Cc:** Agnew, Sharon  
**Subject:** FW: P-15-0238-FUL Braeside yard, Limerigg  
**Attachments:** Mannings\_Calc.pdf; Braeside Yard\_v1.pdf

Kevin,

Although the FRA is generally acceptable, there is a slight anomaly about discharge rates in point 3.2 of Halcrow's report. Thus we are keen that the applicant can show that the discharge rate is restricted to a maximum flow of 4l/s in accordance with FC guidelines. This could be achieved with the introduction of a hydrobrake manhole and some sort of attenuation.

Can you please ask the applicant to provide a drainage drawing showing how they intend to limit the site discharge to 4l/s.

Regards  
 Roddy

---

**From:** Michael.McLoughlin [REDACTED]  
**Sent:** 13 May 2015 18:21  
**To:** MacKenzie, Roddy  
**Cc:** brown, kevin  
**Subject:** RE: P-15-0238-FUL Braeside yard, Limerigg

Roddy,

Please find our response attached.

The FRA provided by the developer is a little sparse on detail in places for the purposes of checking. However, given it's a small burn and the height difference of the existing ground relative to the water levels, I've taken a relaxed approach to this review. Hopefully you are in agreement, but if you want me to tighten it up in places just let me know.

For the purposes of checking the water level at the 1 in 200 year return period I've carried out a very simple manning's channel calculation (attached), as this has not been provided in the FRA. By converting the AoD level of the kerb at the site entrance (section 3.16) to the top of bank shown at section B-B on "Existing Site Plan" and tracing over the section B-B in Autocad on "Sections Through Burn" and assuming a 1 in 500 river slope, results are:

- At the 1 in 200 year flow supplied, I've added 20% for CC =  $6.2 \times 1.2 = 7.44\text{m}^3/\text{s}$
- A maximum water level of 175.451mAOD is calculated. This would only provide a freeboard of 1.689m based on a FFL of 177.14mAoD.

All points addressed, this concludes our review.

I hope this is all self-explanatory, please feel free to call if you wish to discuss.

Kind Regards

Michael

**Michael McLoughlin**  
 Senior Engineer  
 Water – Europe  
 T + 44(0)141 552 2000

CH2M

---

**From:** MacKenzie, Roddy [<mailto:rodgy.mackenzie@falkirk.gov.uk>]  
**Sent:** 27 April 2015 09:47  
**To:** McLoughlin, Michael/GLA  
**Cc:** brown, kevin  
**Subject:** P-15-0238-FUL Braeside yard, Limerigg

Michael,

Please see the FRA for the above proposed development and can you provide comments in due course.

Roddy

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\*\*\*\*\*  
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Falkirk Council

<b>Subject:</b>	Braeside Yard, Limerigg Comments on flood risk assessment				<b>Planning reference:</b>	P/15/0238/FUL	
					<b>Planning officer:</b>	Roddy Mackenzie	
<b>Issue</b>	1	<b>Date:</b>	13/05/15	<b>Author:</b>	M McLoughlin	<b>Approver:</b>	M McLoughlin

Summary	
Assesses all sources of flood risk	Yes
Accurate hydrology	Yes
Accurate hydraulics	Yes
Compliant freeboard	Yes
Design floor level protection standard	Yes
Access during design event	Yes
No detrimental impact to existing properties	N/A

Issue	Incoming documents
1	▪ Flood Risk Assessment, LN/5386/150107/FRA, February 2015, ECUS Ltd

Key	Commonly used abbreviations
<i>Text</i> – Previous Comments/Actions	DIA – Drainage Impact Assessment
<b>Text</b> – Action Required	FC – Falkirk Council
	FRA – Flood Risk Assessment
	SFS2 – Sewers for Scotland 2
	SuDS – Sustainable Urban Drainage Systems
	SW – Scottish Water

Issue	Comment	Action	Status
1	<b>1.0 Location/catchment details</b>		
	1.1. Proposed development is for two domestic dwellings located off Slamannan Road, Limerigg, Falkirk. The site is approximately 0.16Ha at NGR 285526,671655.		For Information
1	1.2. A watercourse known as the Culloch Burn flows adjacent the site.		For Information
1	<b>2.0 Hydrology assessment</b>		
	2.1. The method of establishing the peak flow has not been stated, nor has any supporting calculations. Peak flow is broadly in line with what would be expected for this size of catchment for this area, however no allowance for climate change has been provided.		For Information
1	2.2. A check of the FEH CD-ROM confirms the catchment area of 3.4km2 stated within the FRA		For Information
1	<b>3.0 Hydraulic and flood risk assessment</b>		
	3.1. No hydraulic analysis has been presented. CH2M has carried out a simple manning's calculation and factored the peak flow supplied by the developer as an allowance for climate change to calculate a water level based on section B-B supplied. A freeboard of approximately 1.7m is provided based on a FFL of 177.14mAoD.		For Information

Issue	Comment	Action	Status
1	3.2. In section 6.1.8 it is stated that “flows of less than 5l/s are not practicable”. Whilst this was certainly true in the past, advancements in recent years allow tighter restrictions without impractical aperture sizes in flow control devices. We would advise trying to achieve closer to the calculated greenfield runoff during the detailed design.		FC to Note
1	3.3. It is assumed emergency access would be available from the properties onto the roadway to the east.		For Information

*In preparing this document, CH2M HILL has relied, in whole or in part, on data and information provided by Falkirk Council (the “Client”) and third parties, which information has not been independently verified by CH2M HILL and which CH2M HILL has assumed to be accurate, complete, reliable, and current. Therefore, while CH2M HILL has utilized its best efforts in preparing this Report, CH2M HILL does not warrant or guarantee the conclusions set forth in this Report which are dependent or based upon data, information, or statements supplied by third parties or the client. This Report is intended for the Client’s sole and exclusive use and is not for the benefit of any third party and may not be used by, or relied upon by, any third party without prior written consent of CH2M HILL, which consent may be withheld in its sole discretion. Use of this Report or any information contained herein, if by any party other than the Client, shall be at the sole risk of such party and shall constitute a release and agreement by such party to defend and indemnify CH2M HILL and its affiliates, officers, employees and subcontractors from and against any liability for direct, indirect, incidental, consequential or special loss or damage or other liability of any nature arising from its use of the Report or reliance upon any of its content. To the maximum extent permitted by law, such release from and indemnification against liability shall apply in contract, tort (including negligence), strict liability, or any other theory of liability.*

# Channel Report

## Section B-B

### User-defined

Invert Elev (m) = 173.3540  
Slope (%) = 0.2000  
N-Value = 0.030

### Calculations

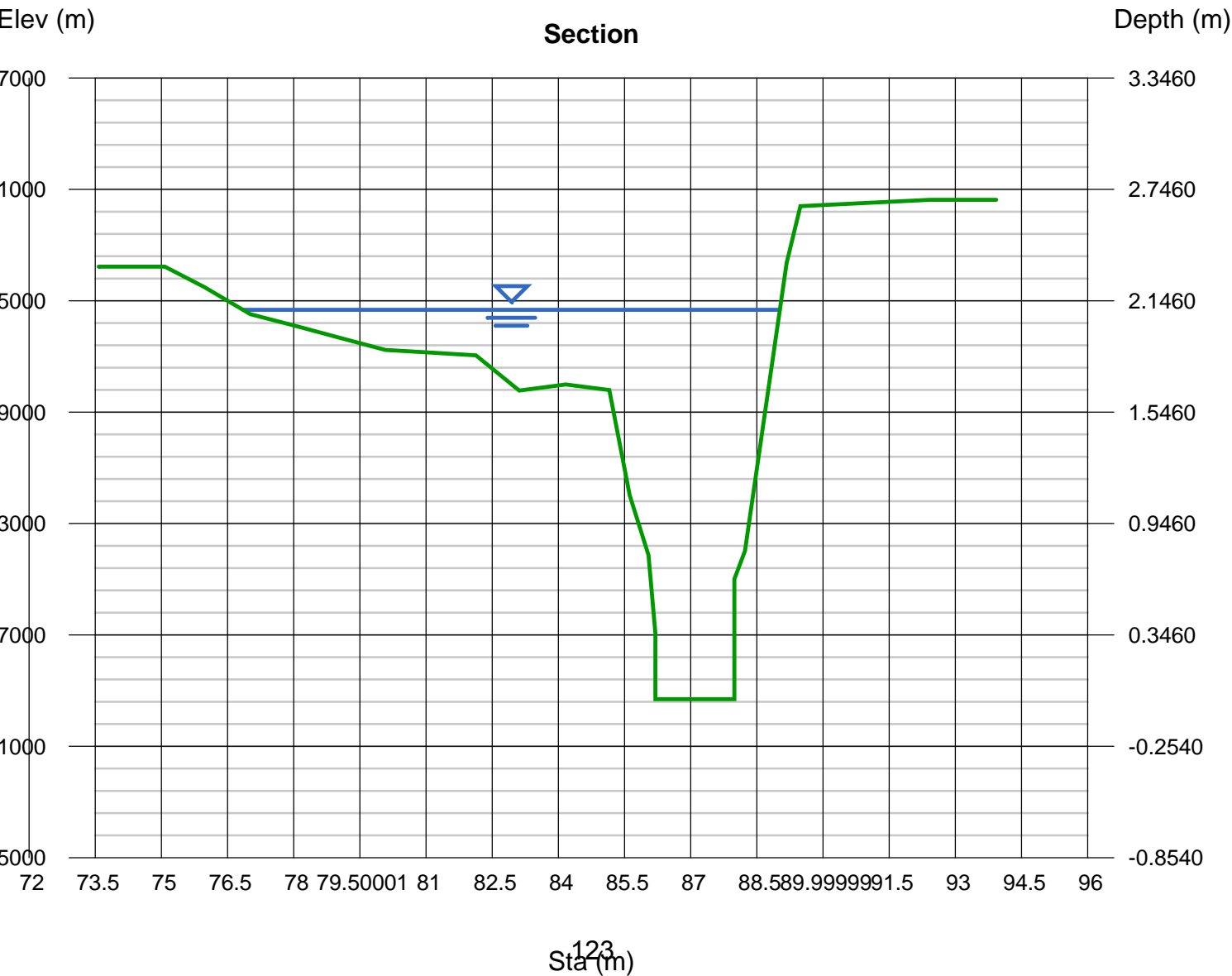
Compute by: Known Q  
Known Q (cms) = 7.4400

### Highlighted

Depth (m) = 2.0970  
Q (cms) = 7.4400  
Area (sqm) = 7.6902  
Velocity (m/s) = 0.9675  
Wetted Perim (m) = 14.6411  
Crit Depth, Yc (m) = 1.2101  
Top Width (m) = 12.1690  
EGL (m) = 2.1448

### (Sta, El, n)-(Sta, El, n)...

( 75.0780, 175.6840)-(75.9790, 175.5730, 0.030)-(77.0180, 175.4280, 0.030)-(78.0570, 175.3640, 0.030)-(79.0520, 175.3000, 0.030)-(80.0780, 175.2350, 0.030)-  
-(82.1310, 175.2060, 0.030)-(83.1120, 175.0160, 0.030)-(84.1680, 175.0490, 0.030)-(85.1550, 175.0190, 0.030)-(85.6180, 174.4520, 0.030)-(86.0420, 174.1300, 0.030)-  
-(86.1990, 173.3540, 0.030)-(87.9910, 173.3540, 0.030)-(87.9910, 174.0010, 0.030)-(88.2300, 174.1520, 0.030)-(89.1760, 175.7040, 0.030)-(89.4860, 176.0100, 0.030)







**The Coal  
Authority**



INVESTOR IN PEOPLE

**200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG**

**Tel: 01623 637 119 (Planning Enquiries)**

**Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)**

**Web: [www.coal.gov.uk/services/planning](http://www.coal.gov.uk/services/planning)**

For the Attention of: Mr K Brown – Case Officer  
Falkirk Council

**[By Email: [dc@falkirk.gov.uk](mailto:dc@falkirk.gov.uk)]**

5 June 2015

Dear Mr Brown

**PLANNING APPLICATION: P/15/0238/FUL**

**Erection of 2 dwelling houses - Braeside Yard, Slamannan Road, Limerigg, FK1 3BJ**

Thank you for your notification of 25 May 2015 seeking the views of The Coal Authority on the above planning application.

The Coal Authority is a non-departmental public body sponsored by the Department of Energy and Climate Change. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

**The Coal Authority Response: Material Consideration**

I have reviewed the proposals and confirm that the application site falls within the defined Development High Risk Area; therefore within the application site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this planning application.

The Coal Authority records indicate that the site is in an area of likely historic unrecorded underground coal mine workings at shallow depth.

The planning application is supported by a Mining Stability Report, dated 27 January 2015 and prepared by W Simpson, Chartered Civil and Mining Engineers. The report has been informed by an appropriate range of sources of information including; geological maps, geology of Scotland and mine abandonment plans.

Having reviewed the available coal mining and geological information the Mining Stability Report concludes that due to the depth of coal seams beneath the site it is considered to

**Protecting the public and the environment in coal mining areas**

be stable from a coal mining viewpoint and states that no precautions are required in respect of foundation design.

#### The Coal Authority Recommendation to the LPA

The Coal Authority considers that the content and conclusions of the Mining stability Report are sufficient for the purposes of the planning system. The Coal Authority therefore has **no objection** to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent building warrant application.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely



**Melanie Lindsley** BA (Hons), DipEH, DipURP, MA, PGCertUD, MRTPI  
**Planning Liaison Manager**

#### Disclaimer

The above consultation response is provided by The Coal Authority as a Statutory Consultee and is based upon the latest available coal mining data on the date of the response, and electronic consultation records held by The Coal Authority since 1 April 2013. The comments made are also based upon only the information provided to The Coal Authority by the Local Planning Authority and/or has been published on the Council's website for consultation purposes in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by The Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the Applicant for consultation purposes.

*In formulating this response The Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development The Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisers for this development in relation to ground conditions and the acceptability of development.*

## Development Services

# Memo

**To:** Development Management (Kevin Brown)

**From:** Planning and Environment

**Date:** 8 June 2015

**Enquiries:** Joyce Hartley (4946)

**Fax:** 504709

**Our Ref:** DC/RUR/JH

**Your Ref:** P/15/0238/FUL

**Proposal:** Erection of 2 dwelling houses

**Location:** Braeside Yard, Slamannan Road, Limerigg, FK1 3BJ

**Applicant:** Lindsay Construction

**Reference:** P/15/0238/FUL

I refer to the above application, and set out below comments from the Planning & Environment Unit as these relate to development plan policy, landscape and visual impact and design.

### Development Plan and Material Considerations:

1. The strategic context for this proposal is outlined in the Falkirk Council Structure Plan 2007, Policy ENV.1 (Countryside and Protected Areas). This notes a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential.
2. The Falkirk Council Local Plan policies EQ19 (Countryside) and SC3 (Housing Development in the Countryside) are relevant.
3. Policy EQ19 (Countryside) reiterates Structure Plan policy insofar as the principles of development in the countryside are concerned, and goes on to list the circumstances in which the general presumption against development in the countryside can be set aside. This includes appropriate infill development. Sub paragraph (2) lists detailed measures which should be considered including unobtrusive siting, integrating development into the landform, building design, sympathy with vernacular building styles and boundary treatments, all of which are intended to ensure there is no adverse impact on the countryside. Comments from the Senior Planning Officer - Landscape and the Planning Officer (Urban Design) as detailed below, address these matters.

4. Policy SC3 (Housing Development in the Countryside) refers specifically to housing development in the countryside and again includes a reference to appropriate infill opportunities.
5. The Proposed Falkirk Local Development Plan (LDP) is a material consideration and is expected to be adopted in summer 2015. In referring to housing in the countryside, Policy CG03 (Housing in the Countryside) outlines the circumstances in which proposals will be supported. These largely reflect the provisions of Local Plan Policy EQ19.
6. Policy CG03 makes reference to Supplementary Guidance SG01 (Development in the Countryside). Finalised SG01 has been approved by the Council and will form part of the LDP when adopted. SG01 is therefore a material consideration. Its purpose is to encourage high quality, contemporary design which reflects local character. Section 5 (Design Guidance) deals extensively with landscape and design matters.

#### **Comment on Development Plan Considerations**

7. The application site has been considered to be an appropriate gap site in terms of adopted Local Plan policy. This has been reflected in a previous consent for the site (05/0778/FUL) and subsequent planning applications.
8. LDP policy (CG03 Housing in the Countryside) largely reflects Local Plan policy EQ19. However, the guidance contained in Finalised SG01 (Development in the Countryside) places a strong emphasis on encouraging high quality development which reflects the wider rural area where fit in terms of context, materials and design is of paramount importance. The following comments on landscape and design demonstrate that the proposal as it stands, fails to meet the standards required by policies EQ19, CG03 and the guidance in SG01.
9. It should also be noted that the criteria relating to appropriate infill development as set out in paragraph 3.10 of SG01 are not strictly met in that the distance between the two adjacent residential properties is greater than 80 metres. In this case, it is recognised that there has been a previous planning consent for this former yard, located between two residential properties.

#### **Landscape Comments – Senior Planning Officer (Landscape)**

- (i) The site appears tight for two dwellings, particularly given the open character / large gardens of the adjacent dwelling plots and the location outside the settlement boundary.
- (ii) Road frontage treatment is important; the vertical slat fence is not ideal and it would be preferable, given the rural setting, that the frontage treatment is either a natural stone wall or a hedge.
- (iii) Also, given the local wooded rural character, a small group of (small final size) trees at the frontage would enhance the setting and mitigate the visual effect (a full specification would be required).
- (iv) Clearly, a more sympathetic design of dwellings would be appropriate for the site to avoid the appearance of 'urban' dwellings in a rural setting.



### **Urban Design Comments - Planning Officer (Urban Design)**

- (i) The proposal does not meet the requirements set out in SG01 as the proposed development is squeezed into the site and does not meet policy in terms of complementing the scale and density of the context.
- (ii) The scale and massing of the development in relation to the surrounding building is not appropriate. The surrounding buildings are 1 storey height with slightly shallow roof planes. The proposed development would be taller in height than the surrounding dwellings. However, the development is acceptable in terms of its footprint as it is of a similar size to the surrounding buildings.
- (iii) The proposed development is of an urban style and is not in keeping with traditional countryside dwellings and design guidance as set out in SG01. Materials such as concrete tiles, pre-cast concrete, UPVC, Roughcast and Anstone have an urban quality and are not encouraged in the countryside. Traditional materials such as natural slate tiles would be preferred for the roof, natural stone is preferred for the walls, timber is preferred for windows and doors and cast iron or equivalent is preferred for any rainwater goods
- (iv) The surrounds to the front elevation windows are acceptable as they are a common feature in traditional countryside buildings. These should be in sandstone rather than concrete and should be replicated to other windows in the dwellings. Roof aligned windows are generally not in keeping with traditional countryside design. Small dormer windows are encouraged to enhance the design of the proposals. The inclusion of dormer windows provides the interior rooms with a slightly larger floor space.

### **Conclusions**

- 10. Although the proposal could be considered to meet the policy requirements for a house in the countryside, it fails to meet the design standards set out in Local Plan policy EQ19, LDP policy CG03 and the guidance set out in Finalised SG01. The proposal is therefore considered to be unacceptable.

Please contact me if you would like to discuss further.

Joyce Hartley



## Comments for Planning Application P/15/0238/FUL

### Application Summary

Application Number: P/15/0238/FUL

Address: Braeside Yard Slamannan Road Limerigg Falkirk FK1 3BJ

Proposal: Erection of 2 Dwellinghouses

Case Officer: Kevin Brown

### Customer Details

Name: Mr Kevin Lafferty

Address: tigh-an-uillt station road slamnnann

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to know how close the entrance is to my entrance and also the dividing wall which looks to be retained is in a poor state and should be replaced.

I feel putting two houses in this space would be tight and make this space more crowded however I am willing to discuss as this plan would also tidy the place up.

Concerns as well over how this would affect my property value .

Once concerns addressed I could support this.





# Development in the Countryside

## Finalised Supplementary Guidance SG01

August 2014



**Falkirk Council**  
*Development Services*

# Supplementary Guidance

A suite of supplementary guidance (SGs) is currently being produced by the Council. Most of these SGs are updated versions of previous Supplementary Planning Guidance (SPG) whilst others cover new topic areas (\*denotes new SGs). There are 16 SGs in the series, all of which seek to provide more detailed guidance on how particular local development plan policies should be applied in practice.

These SGs form a statutory supplement to the Local Development Plan, and are intended to expand upon planning policies and proposals contained in the proposed plan.

A full list of the supplementary guidance available in this series is found below.

SG01

**Development in the Countryside \***

SG02

**Neighbourhood Design**

SG03

**House Extensions and Alterations**

SG04

**Shopfronts**

SG05

**Biodiversity and Development**

SG06

**Trees and Development**

SG07

**Frontiers of the Roman Empire (Antonine Wall) World Heritage Site**

SG08

**Local Nature Conservation and Geodiversity Sites \***

SG09

**Landscape Character Assessment and Landscape Designations \***

SG10

**Education and New Housing Development**

SG11

**Healthcare and New Housing Development \***

SG12

**Affordable Housing**

SG13

**Open Space and New Development**

SG14

**Spatial Framework and Guidance for Wind Energy Development**







SG15

**Low and Zero Carbon Development \***

SG16

**Design Guidance for Buildings in Conservation Areas \***

# Development in the Countryside

1. Introduction	
2. Planning Policy Context	
3. Housing in the Countryside	
4. Business Development in the Countryside	
5. Design Guidance	
6. Appendices	

# 1. Introduction

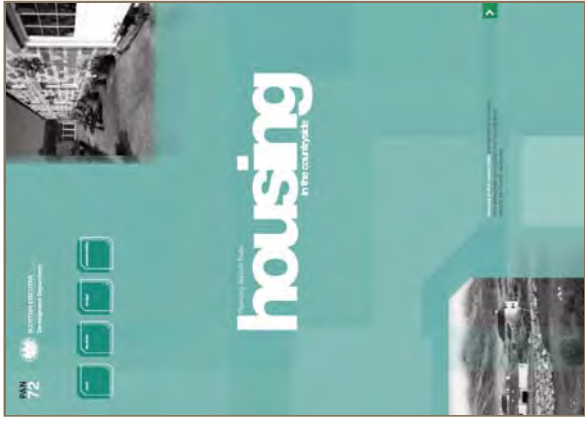
- 1.1 This supplementary guidance has been produced by Falkirk Council to elaborate on key countryside policies contained in the Local Development Plan. It provides more detailed guidance to developers and others on matters to take into account when approaching the Council with proposals for development in the countryside, in particular:
- (a) the circumstances in which development in the countryside will be permitted (Sections 3 and 4); and
  - (b) design guidance on new development in the countryside (Section 5).
- 1.2 In all cases it is recommended that pre-application advice is sought from the planning authority. Pre-application advice can be particularly useful in helping identify the issues to be covered and information that will be needed to support a planning application, which in turn can help accelerate the process. It is also advised that applicants seek appropriate professional advice (architect, structural engineer, landscape architect, ecologist etc), particularly where conversion, restoration or replacement of existing buildings in the countryside is involved.



2. Planning Policy Context

National Policy

- 2.1 The national policy framework for rural development is set out in the Scottish Planning Policy (SPP), with additional guidance provided by Planning Advice Note (PAN72): Housing in the Countryside.
- 2.2 The SPP adopts a positive approach to rural areas, with the overarching aim of enabling development which supports prosperous and sustainable communities, whilst protecting and enhancing environmental quality. New development should respond to the specific local circumstances and character of an area.
- 2.3 The focus of PAN72 is set out in key design principles, with the purpose of creating more opportunities for good quality rural housing which respects Scottish landscapes and building traditions. It emphasises the importance of landscape setting and context. If a proper fit in the landscape is not achieved, then even a well designed building can fail. High quality design is seen as integral to new development.



Falkirk Local Development Plan

- 2.4 The Council's objective through the Local Development Plan is to protect the character and environmental quality of Falkirk's countryside whilst facilitating well designed development, in the right places, where it is justified and necessary.
- 2.5 The key Local Development Plan policies to guide new development in the countryside are provided by :  

Policy CG01

Countryside

Policy CG02

Green Belt

Policy CG03

Housing in the Countryside

Policy CG04

Business Development in the Countryside

**Policy CG01** is a keynote policy which defines 'countryside' as those areas outwith the Urban and Village Limits. The Urban/Village Limits are identified on the Proposals Map of the LDP.

**Policy CG02** applies within areas which, as well as being countryside, are also designated as green belt. Within the green belt there is a stronger presumption against development, and more stringent criteria to meet.

This Supplementary Guidance focuses on **Policies CG03** and **CG04** which deal with housing and business. Other types of development commonly promoted in the countryside are covered by other specific topic policies, e.g.

Policy RW01

Renewable Energy

Policy RW02/03

Minerals

Policy RW08

Waste Management Facilities

Policy INF13

Telecommunications

These key policies are supported by a number of general environmental policies which may also apply depending on the individual nature and location of the development proposal (a list of these policies is provided in Appendix 1).
- 2.6

# 3. Housing in the Countryside

## Introduction

**3.1** The general strategy of the LDP is to direct new housing development in rural areas to the existing villages, in order to sustain their vitality and take advantage of village services and infrastructure. However, it is recognised that there are circumstances where new houses in the countryside are necessary or appropriate.

**3.2** **Policy CG03** aims both to encourage the sympathetic use of existing traditional buildings of character, as well as ensuring that new houses are located sympathetically and constructed to the highest standards of design and finish. Central to achieving this is harnessing the potential of redundant traditional rural buildings which contribute to the character and quality of the countryside. These buildings represent a significant resource both architecturally and from a sustainability point of view and have the potential to be reused and adapted to help meet present and future rural development needs. However there will be circumstances where new housing is considered acceptable.

## 3.3

**Policy CG03** sets out the circumstances where housing in the countryside will be supported :

### Policy CG03 Housing in the Countryside

Proposals for housing development in the countryside of a scale, layout and design suitable for its intended location will be supported in the following circumstances:

1. Housing required for the pursuance of agriculture, horticulture, or forestry, or the management of a business for which a countryside location is essential;
2. Restoration or replacement of houses which are still substantially intact, provided the restored/replacement house is of a comparable size to the original;
3. Conversion or restoration of non-domestic farm buildings to residential use, including the sensitive redevelopment of redundant farm steadings;
4. Appropriate infill development;
5. Limited enabling development to secure the restoration of historic buildings or structures; or
6. Small, privately owned gypsy/traveller sites which comply with Policy HSG08.

Detailed guidance on the application of these criteria will be contained in Supplementary Guidance SG01 'Development in the Countryside'. Proposals will be subject to a rigorous assessment of their impact on the rural environment, having particular regard to policies protecting natural heritage and the historic environment.



Finalised SG01 Development in the Countryside

## 3. Housing in the Countryside

### Access and Servicing

- 3.4** All proposals will be required to meet the Council's standards for access and servicing. New developments are likely to have an impact on the local and strategic road network through the introduction of new journeys. In some circumstances where there are significant concerns the Council will request a transport assessment to ensure that any impacts on the transport network are identified at an early stage, and appropriate mitigation measures are introduced. Please refer to the Council's 'Design Guidelines & Construction Standards for Roads in the Falkirk Council Area' which can be found on the Councils website ([www.falkirk.gov.uk](http://www.falkirk.gov.uk))

### Protected Species

- 3.5** Bats and birds can be encountered when redeveloping existing buildings. Some species are protected by law and to disturb them can constitute an offence. It is therefore recommended that an initial check is undertaken to identify if there are any issues which require further investigation. The presence of bats or birds is unlikely to mean that works cannot go ahead but does mean that their presence must be accommodated both during and after works. In these circumstances consultation within the Council or Scottish Natural Heritage (SNH) is essential.

- 3.6** The following supporting information gives further explanation to aid the interpretation of sub sections 1-6 of **Policy CG03**.

### 3.7

#### (1) Required to Support an Economic Activity

The Council recognises that the nature of a rural business may mean that managers or employees need to live on site. If a house is required on site for an economic activity all of the following criteria must be met:

- The submission of a business plan to demonstrate that the business has been planned on a sound financial basis and the business is economically viable.
- The submission of a supporting statement to demonstrate that the operational need for the additional house in association with the business.
- Evidence that no existing dwelling which might have served that need has been sold or otherwise alienated from the holding.
- Evidence that there are no reasonable opportunities for reusing or converting redundant buildings rather than building a new dwelling.
- If the above criteria are met, the proposed house will then be assessed in terms of its location, siting and design.

It should be noted that where a house is to be associated with a proposed economic activity, construction of the house will not be permitted in advance of the development of the business. In these circumstances, it is usual for the Council to grant a temporary permission for a non-permanent form of housing pending the establishment of the business.

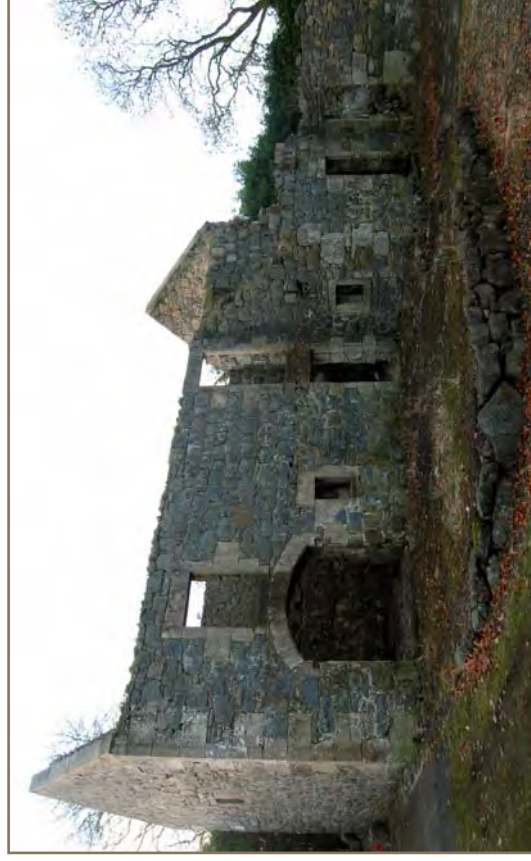
### 3. Housing in the Countryside

#### 3.8 (2) Restoration or Replacement of a House

##### (a) Restoration

The Council wants to encourage the restoration and re-use of worthwhile buildings in the countryside. Restoration rather than replacement will be favoured where the building is of traditional form and construction, is otherwise of architectural or historic merit, makes a positive contribution to the landscape or contributes to local character. The emphasis is on utilising the historic building fabric which already exists in the countryside. In these circumstances all of the following criteria must be met:

- The building, by virtue of its existing character, makes a positive contribution to the rural landscape.
- The building is substantially intact and is capable of beneficial restoration without substantial rebuilding. (Refer to Note 1 on Page 7).
- The restored or converted building is of comparable scale and character to the original building, and utilises natural materials which are locally sourced where possible.



Existing Building Contributes to Local Character



Elevations as Existing



Elevations as Proposed

Case Study : Bulliondale House, Avonbridge

Copyright and Credits : The Pollock Hammond Partnership Architects and Conservation Consultants

**Finalised SG01 Development in the Countryside**