

# List of Enclosures for Item 4



### List of Enclosures – Agenda Item 4

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## Falkirk Council

Abbotsford House Davids Loan Falkirk FK2 7YZ

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Fax: 01324 504747

Email: [planning.applications@falkirk.gov.uk](mailto:planning.applications@falkirk.gov.uk)

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000133779-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number on behalf of the applicant in connection with this application.

## Applicant or Agent Details

Are you an applicant, or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Distaff Design & Project Management
Ref. Number:	
First Name: *	Marjorie
Last Name: *	Delaney
Telephone Number: *	07712541069
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	distaffdesign@gmail.com

You must enter a Building Name or Number, or both:\*

Building Name:	The Hall
Building Number:	
Address 1 (Street): *	Castlerankine Road
Address 2:	Denny
Town/City: *	Stirlingshire
Country: *	UK
Postcode: *	FK6 5HH

Is the applicant an individual or an organisation/corporate entity? \*

☐ Individual ☒ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both:*	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Roughmute Transport Depot"/>
First Name:	<input type="text" value="Colin"/>	Building Number:	<input type="text" value="1"/>
Last Name:	<input type="text" value="Criag"/>	Address 1 (Street): *	<input type="text" value="Roughmute"/>
Company/Organisation: *	<input type="text" value="Ian Craig Haulage Ltd"/>	Address 2:	<input type="text"/>
Telephone Number:	<input type="text" value="01324 812250"/>	Town/City: *	<input type="text" value="Larbert"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="FK5 3NP"/>
Fax Number:	<input type="text"/>		
Email Address:	<input type="text" value="Colin@iancraighaulage.co.uk"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Falkirk Council"/>		
Full postal address of the site (including postcode where available):			
Address 1:	<input type="text" value="ROUGHMUTE TRANSPORT DEPOT"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="FALKIRK"/>	Town/City/Settlement:	<input type="text" value="LARBERT"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="FK5 3NP"/>
Address 4:	<input type="text"/>		
Please identify/describe the location of the site or sites.			
<input type="text"/>			
Northing	<input type="text" value="681490"/>	Easting	<input type="text" value="283611"/>

## Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*

(Max 500 characters)

The erection of 3 dwelling houses and an associated access road at Roughmute Transport Depot, Larbert.

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see the supporting documentation included within the Supporting Documents Section

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? \*

☐ Yes ☒ No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Production 2/1 Notice of Review Statement in support of our Application for Permission to Erect Three Dwelling Houses and Associated Access Road  
Production 3/1 Terrain map of site

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

P/15/0320/FUL

What date was the application submitted to the planning authority? \*

27/05/15

What date was the decision issued by the planning authority? \*

30/07/15

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure \*

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? \* (Max 500 characters)

An inspection of the land to which the application relates will make it apparent to the review body that our proposal is of practical benefit to the area by returning this isolated pocket of land back into an area with a useful purpose, that the proposal can be structured to enhance the visual appeal of the area, increase its biodiversity and also that it does not conflict with the mix uses of the surrounding area.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.



## **Declare - Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Marjorie Delaney

Declaration Date: 09/10/2015

Submission Date: 09/10/2015



**Planning reference: P/15/0320/FUL**

**Notice of Review Statement in support of our  
Application for Permission to Erect Three Dwelling houses  
and Associated Access Road**

**Dated 9<sup>th</sup> October 2015**

Agent; Marjorie Delaney, Distaff Design & Project Management Ltd.,  
[distaffdesign@gmail.com](mailto:distaffdesign@gmail.com) & Mob 07712541069

**Paragraphs 1-16**

**Statement Paragraph 1**

1. We wish to draw to the attention of the adjudicating body, Falkirk Council (FC) that there are inclusions that are set within the FALKIRK LOCAL DEVELOPMENT PLAN (FLDP) Action Programme dated and issued in July 2015, where there is a statement within Countryside CG01 advising that there is a directive to steer '*windfall development*' towards locations within urban and village limits or appropriate locations in the countryside.
  - a. We believe that this proposed residential development should be considered as a site that meets the criteria of a windfall development within an appropriate location in the countryside.

**Statement Paragraph 2**

2. Green Belt CG02 seeks to only accept proposals which do not undermine strategic purposes of the Green Belt, and it is the averment of the Applicants that this application does not undermine the strategic purposes of the Green Belt.
  - a. Please refer to the aerial map shown in Production Number 3/1
  - b. The Applicants affirm their wishes to actively collude with the aims of Falkirk Council to develop role of Green Belt within wider green network by seeking to further invest in the enhancement of the natural landscape in and around the site.

**Statement Paragraph 3**

3. In (Denny & Falkirk Path) Planning Application Reference P/15/0136/PPP, Falkirk Council Reference 'Opportunity GN28' it is stated that the aim of Falkirk Council is to '*Implement procedures for access improvements*' and the prescribed methodology is stated as '*Liaise with partners and landowners*'.
  - a. The Applicants are typically such of landowners who are being referred to within your directive. This perceives the need to enter into productive and effective two-way communication that is naturally the right and proper pre-requisite to making positive advancements towards your goal to establishing the pathway that may benefit walkers & cyclists.

- b. Effective liaison is necessary to ensure that the desired outcome should not impinge unfairly or unjustly on parties who hold valuable holdings adjacent to the public path.
- c. We note that the proposed route that is illustrated within Opportunity GN28 is not only proposed to be adjacent to my clients' holdings but it also shown being taken over and through their lands thus the applicants may not only face the potential loss of valuable land but disruptions that may impinge upon their land use and their adjacent commercial enterprise.
- d. The net result of the proposals outlined above contains the potential to diminish the value of the applicants' holdings at this location.
- e. We invite Falkirk Council to demonstrate to the Applicants, or to any other bodies with a justifiable interest in this matter, where and when any meaningful liaison has been entered into with the Applicants concerning this proposed development by Falkirk Council.

#### **Statement Paragraph 4**

- 4. FALKIRK LOCAL DEVELOPMENT PLAN EXAMINATION: The Directorate states in their Planning and Environmental Appeals in their REPORT TO FALKIRK COUNCIL on the inclusions within the FALKIRK LOCAL DEVELOPMENT PLAN EXAMINATION the following statement; *"As regards concerns over the ability of the housing land supply to maintain a 5-year effective land supply, the Council is confident that the phasing of existing supply sites and new allocations will allow this to be achieved. .... As noted previously, it is expected that there will be a PROPOSED FALKIRK LOCAL DEVELOPMENT PLAN 19 continuing supply of windfall sites coming forward over the period of the plan. Whilst no allowance has been made for these in the LDP's housing land calculations, these will nonetheless contribute to the 5-year supply over the period of the plan."*
  - a. The applicants are minded that this proposal to provide 3 dwellings provides is an example of such an opportunity.

#### **Statement Paragraph 5**

- 5. FALKIRK LOCAL DEVELOPMENT PLAN; Housing in the Countryside 04 3.1 recognises that there are circumstances where new houses in the countryside are necessary or appropriate. 3.2 Policy CG03 aims to ensure that new houses are located sympathetically and constructed to the highest standards of design and finish.
  - a. The applicants must reiterate that this aim also coincides with their intentions for this development. It states that there are circumstances where new housing is considered acceptable and we believe this site is acceptable due to its situation being located in an area of mixed usages.
  - b. The proposals put forward for approval provide a unique opportunity to improve this derelict sand quarry site and return it to a useful purpose that can also provide an opportunity to enhance the natural environment.

#### **Statement Paragraph 6**

- 6. Policy CG03 sets out the circumstances where housing in the countryside will be supported: Appropriate infill development; Whilst this proposal may not present itself as a typical infill development I must direct you to appraise the aerial map (Supplementary

Documentation Production 3/1 which we are submitting as part of this appeal.

- a. From these maps you can observe that the existing site was a former sand quarry, which is bounded on the west side by the A 8004 and the M876 motorway, the east side by the haulage yard, the south aspect is the proposed cycleway. The larger site including the haulage yard site was formerly the location of a high temperature toxic waste incinerator and the applicants have restored these lands to a clean, healthy & useful state, which is an extremely commendable action.
- b. Given the sites location is there any other fruitful use that this remnant of ground may be positively utilized for, other than housing? This is a logical use for the site.

#### **Statement Paragraph 7**

##### **7. 3.7 (1) Required to Support an Economic Activity**

- a. There is no need for a submission of a business plan to demonstrate that the haulage business which has been established by the applicants is economically viable as it has risen to become one of the largest employers in the area and the adjacent haulage site contains much expensive equipment, quantities of materials in transit and 100's of high value HGV vehicles.
- b. The provision of a dwellings for Directors of the company so close to the site will enhance the security of the site as there is the potential for the site to be overlooked, yet the dwellings will be recessed back towards the proposed footpath to nestle within the site.
- c. We note that 3.7 advise that the construction of dwellings will not be permitted in advance of the development of the business and the business is now progressing well and expanding.

#### **Statement Paragraph 8**

8. (3) Brownfield Land/Conversion of Rural Buildings states, *"there are significant environmental and/or community benefits to be gained as a consequence of the vacant site/buildings being re-developed. The scale of new development should be dictated by the available brownfield land, the needs of the business, and the capacity of the environment to accept it"*.

- a. Here we have a site that fits within these criteria.
- b. It also states that, *"The siting and scale of the proposal and associated infrastructure is appropriate, and the design is of a high standard, allowing the development to integrate well into the landscape"*.
- c. This is a statement that we aim to comply with in the creation of this development.
- d. It also states that, *"Proposals involving the re-use of industrial, commercial or institutional land or premises will require to meet all of the following criteria: (a) Brownfield Land The policy allows for business proposals which reuse vacant industrial / commercial / institutional land or premises (essentially brownfield land i.e. land that has been previously developed). Usually these sites have been significantly degraded by a former activity. When such sites fall into disuse or are abandoned they have the potential to detract seriously from the visual and environmental amenity of a rural area. This policy recognises*

*that their redevelopment could serve to enhance landscape quality by reducing the physical mass and presence of intrusive buildings within the countryside and simultaneously provide an opportunity to clean up contaminated land and assist environmental, social and economic regeneration. It could also make the best use of existing infrastructure and services and relieve the pressure to build on Greenfield land, thus helping to protect the character of the countryside."*

- e. **This statement epitomises many of the points being raised by the Applicants and embodies the premises of our argument for this development to be considered for approval.**

#### **Statement Paragraph 9**

- 9. *"Design Guidance 5.29 (a) Location; National planning policy and guidance emphasises the importance of fit and design of new development in the landscape. These considerations are key to making development acceptable. The general parameters as set out below are aimed at encouraging high quality, individual design that is sensitive both to its immediate setting but also defines the characteristics of the wider local area."*

- a. Our proposals are aimed to sit well with this requirement.

#### **Statement Paragraph 10**

- 10. *"5.30 Large new buildings, including those associated with agriculture and leisure should be sited to minimise visibility from public roads, popular walking routes and areas of informal and formal public recreation"*

- a. The proposals are purposefully not proposed as large buildings, the proposals have been sculpted to nestle within their space and not to protrude above the skyline.

#### **Statement Paragraph 11**

- 11. *"5.31 Wooded sites and trees can provide a pleasing backdrop to new developments in the countryside whilst effecting a level of amalgamation into the landscape at the same time."*

- a. We are proposing substantial planting and landscaping to enhance and nurture the biodiversity of the area as a whole.

#### **Statement Paragraph 12**

- 12. *"5.32 New development should integrate with and take advantage of existing features of the landscape or the site including topography, trees, woodlands, water features, existing buildings and boundary treatments. New development should 'nestle' within the landscape."*

- a. It is our goal to abide by this advice and ensure that the development is a positive enhancement to the area.

#### **Statement Paragraph 13**

- 13. *Design Guidance 34 5.33 (b) states that " Layout is a critical consideration which if handled effectively, can contribute to a successful design solution. The key factors to be considered are: Topography - development should take advantage of prevailing contours"*

- a. Our proposals seek to take advantage of the site topography and use it to best aesthetic advantage.
- b. *"Woodland and tree cover should be retained and maximised if available and views should be taken advantage of without compromising privacy."*

- c. We propose to increase the native broadleaf woodland around the site, which we can do without compromising privacy.
- d. *"Existing man made or natural features - care should be taken in relation to positioning of new buildings with respect to proximity to established and protected features in the landscape"*
- e. Please note that the redundant railway track/proposed cycleway and its associated stonework buttresses still in existence at the juncture with the A 8004 are positioned above and behind this area of land. We are happy to install trees to integrate the pathway within the landscape.

#### **Statement Paragraph 14**

14. *"Design Guidance 37 5.40 External Finishes - Traditionally, rural buildings were finished in stone, slate, timber, lime wash and lime harling. Locally sourced, natural materials should be applied to external walls and roofs of new development as much as is financially and practically possible to reflect local architectural traditions and to anchor the building into the landscape."*

- a. The proposal includes high quality slate, render and stone finishes.

#### **Statement Paragraph 15**

15. *"5. Design Guidance 40 5.43 Landscaping - Alterations to established landscape features and proposals for new landscaping associated with new development can have a major impact on both the immediate setting and the wider countryside area. Where a development site includes existing trees, hedgerows and other significant landscape features, they should be retained to restore and reinforce established rural character and appearance. Where existing landscape features are agreed to be removed, replacement with appropriate local species as advised by Falkirk Council's Landscape Officers should be agreed."*

- a. Our proposals abide by this guidance and would welcome the advice of Falkirk Council's Landscape Officers to further enhance the natural environment.

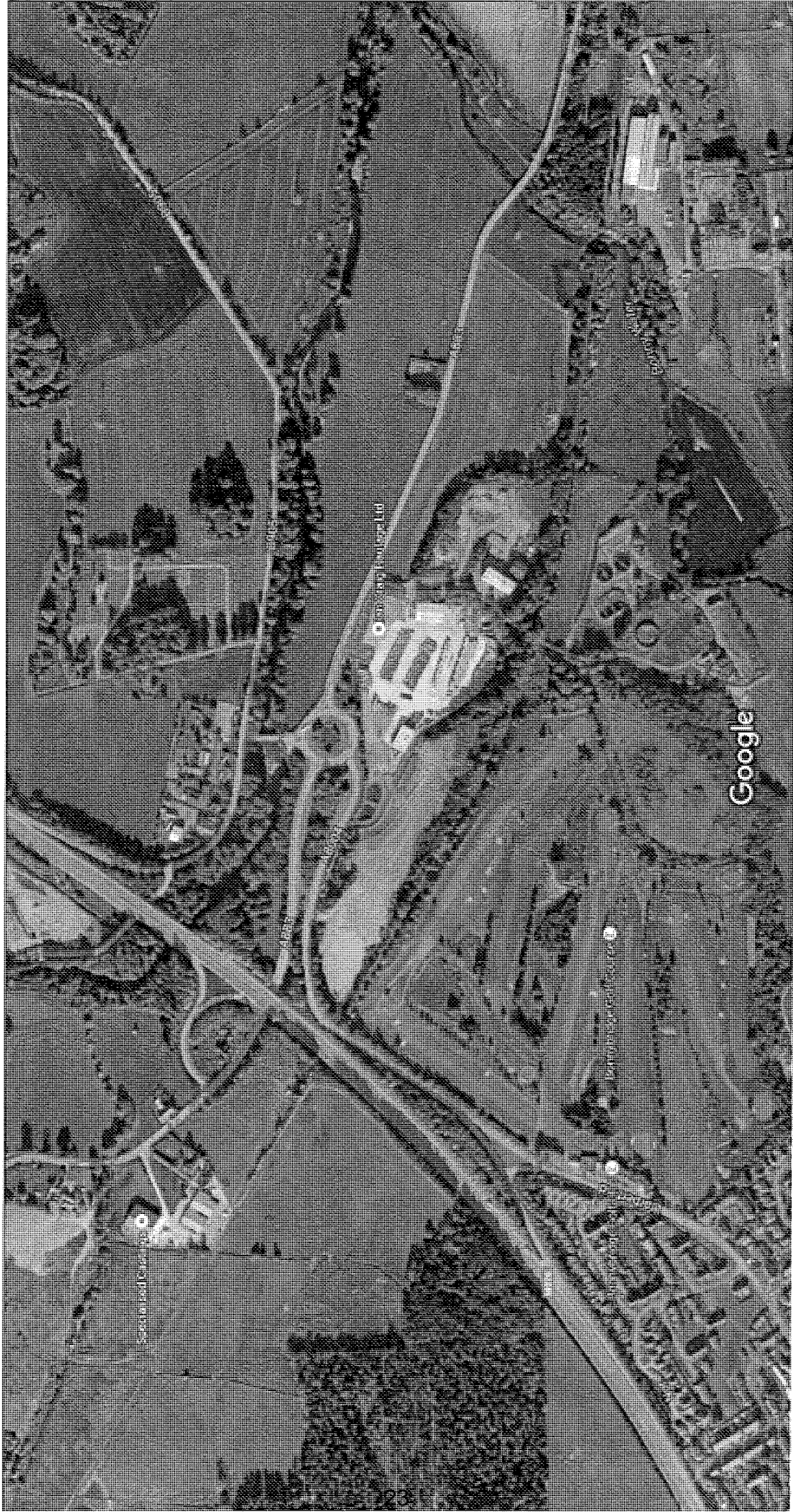
#### **Statement Paragraph 16**

16. *"5.44 New planting including hedgerows and trees can provide effective screening as well as shelter from the elements on exposed sites."*

- a. Our proposals abide by this guidance and would welcome the advice of Falkirk Council's Landscape Officers and the new landscaping features shall be designed accordingly to create a natural fit between new buildings and the rural setting.











**Falkirk Council**

Abbotsford House Davids Loan Falkirk FK2 7YZ

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Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE                      000120387-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

We strongly recommend that you refer to the help text before you complete this section.

- ☒ Application for Planning Permission (including changes of use and surface mineral working)
- ☐ Application for Planning Permission in Principle
- ☐ Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Change of use to residential use. Permission to construct 3 no detached homes and associated access road on land to west side of Haulage Depot site

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

☒ Yes ☐ No

Have the works already been started or completed? \*

☒ No ☐ Yes - Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant, or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Distaff Design & Project  
Management

Ref. Number:

First Name: \*

Marjorie

Last Name: \*

Delaney

Telephone Number: \*

07712541069

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

distaffdesign@gmail.com

You must enter a Building Name or Number, or both:\*

Building Name:

The Hall

Building Number:

Address 1 (Street): \*

Castlerankine Road

Address 2:

Denny

Town/City: \*

Stirlingshire

Country: \*

UK

Postcode: \*

FK6 5HH

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title: \*

Mr

Other Title:

First Name: \*

colin

Last Name: \*

craig

Company/Organisation:

Ian Craig Haulage

Telephone Number:

01324 812250

Extension Number:

Mobile Number:

Fax Number:

Email Address:

Colin@iancraighaulage.co.uk

You must enter a Building Name or Number, or both:\*

Building Name:

Ian Craig (Haulage) Ltd.

Building Number:

1

Address 1 (Street): \*

Roughmute Transport Depot

Address 2:

Roughmute

Town/City: \*

Larbert

Country: \*

Scotland

Postcode: \*

FK5 3NP

## Site Address Details

Planning Authority:

Falkirk Council

Full postal address of the site (including postcode where available):

Address 1:

ROUGHMUTE TRANSPORT  
DEPOT

Address 5:

Address 2:

FALKIRK

Town/City/Settlement:

LARBERT

Address 3:

Post Code:

FK5 3NP

Address 4:

Please identify/describe the location of the site or sites.

Northing

681490

Easting

283611

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

9498.20

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: (Max 500 characters)

The area is part of the grounds within the Haulage Depot. This area of the site has remained unused for any purpose for 30+ years

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? \*

☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *	<input style="width: 80%;" type="text" value="0"/>
How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *	<input style="width: 80%;" type="text" value="12"/>
Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
Will your proposal require new or altered water supply or drainage arrangements? * <span style="float: right;"> <input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No         </span>	
Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *	
<input type="checkbox"/> Yes – connecting to public drainage network <input checked="" type="checkbox"/> No – proposing to make private drainage arrangements <input type="checkbox"/> Not Applicable – only arrangements for water supply required	
What private arrangements are you proposing? *	
<input type="checkbox"/> New/Altered septic tank. <input checked="" type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed). <input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).	
Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: * (Max 500 characters)	
<div style="border: 1px solid black; min-height: 60px; padding: 5px;">         Sewage: We propose the construction of a Klargestar Biodisc unit with outflow to existing SUDS ponds       </div>	
Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) * <span style="float: right;"> <input checked="" type="checkbox"/> Yes   <input type="checkbox"/> No         </span>	
Note: - Please include details of SUDS arrangements on your plans Selecting 'No' to the above question means that you could be in breach of Environmental legislation.	
Are you proposing to connect to the public water supply network? *	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, using a private water supply <input type="checkbox"/> No connection required	
If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
Is the site within an area of known risk of flooding? * <span style="float: right;"> <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No   <input type="checkbox"/> Don't Know         </span>	
If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.	
Do you think your proposal may increase the flood risk elsewhere? * <span style="float: right;"> <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No   <input type="checkbox"/> Don't Know         </span>	

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☒ Yes ☐ No

If Yes or No, please provide further details:(Max 500 characters)

Bin stores shown on plan

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☒ Yes ☐ No

How many units do you propose in total? \*

3

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☐ Yes ☐ No ☒ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding.

Signed: Marjorie Delaney

On behalf of: Mr colin craig

Date: 16/05/2015

☒ Please tick here to certify this Certificate. \*

## Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application



Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNiRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☐ Cross sections.

☒ Roof plan.

☒ Master Plan/Framework Plan.

☐ Landscape plan.

☐ Photographs and/or photomontages.

☐ Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☐ Yes ☒ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☒ Yes ☐ N/A

A Transport Assessment or Travel Plan. \*

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☒ Yes ☐ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement \*

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

## Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Marjorie Delaney

Declaration Date: 16/05/2015

Submission Date: 16/05/2015

## Payment Details

Cheque: TBC, 000000

Created: 16/05/2015 23:58

## **Erection of 3 Dwellinghouses and Associated Access Road Roughmute Transport Depot, Larbert FK5 3NP**

### **Strategy Statement in support of our application P/15/0320/FUL**

The applicants wish to make a statement in support of their application and thus they wish to affirm to the following:

To date Ian Craig Haulage Ltd. has invested a great deal of time, effort and substantial financial private investment into restoring this whole site to the useful standard that it is in today. For many years no others would commit to the brave and strenuous effort necessary to accomplish this restoration. They have demonstrated their inherent ethos of hard work and illustrated their dedication to local investment in accomplishing this task. The applicants have also sought to further enhance the biodiversity of the local environment by the planting of over a hundred trees around the site, undertaken of their own free will.

The applicants have steadfastly continued to create much needed local employment and thus they have become one of the local areas' largest employers. Their intention is to continue to grow their business and thus continue to expand their workforce of local people. Their wish is to continue to invest in the local area by constructing these three dwellings, which are being constructed as the intended homes for the Directors of the company.

The section of the site to which this application pertains, which is the balance of the developed site, is still a distressed and derelict area of the brownfield site. The area is effectively divorced from any agricultural grounds nearby and the surrounding areas are occupied a variety of land uses including roads, leisure facilities, industrial usages, residential use and retail facilities and none of these uses are at odds with this proposed residential development.

Should the proposed access to the proposed dwellings require the removal of several mature pine trees at the boundary to ensure safe levels of vehicular visibility, the applicants offer to allay such concerns by offering to undertake the replacement of these trees on site & also to plant additional trees to further enhance the biodiversity of the environment, all to meet with the satisfaction of the planning authority. If necessary, we could seek to provide a dedicated crossing facility and street lighting at the area of this road crossing and we welcome the opportunity to enter into a dialogue on these issues, which has as yet to be afforded to us.

It is notable that there are other local industrial, retail and residential sites such as the nearby Dunipace Mill Nursery & Farm Shop and the Cemex Quarry on the B905 and also George Russell's Distribution depot facilities and S D S Logistics both located at the area of Leslie Park on the A883. These premises all take access and egress on to the nearby roads and their situations present greater hazards to road users than our site shall, as it has the benefit of a superior access configuration. It is noted too that none of these premises benefit from being served by street lighting.

To mitigate any flood risk we can assure you that the surface water drainage from the site will be directed into the existing SUDs ponds in addition to this there is the provision of permeable surfaces where possible.

We hope that the contents of this statement will offer the local authority the assurances that are necessary for it to be able to support our application and hopefully a recommendation for the Granting of Planning Consent may be forthcoming in this instance.

**Wednesday, July 1, 2015**





**Agent:** Distaff Design  
 Distaffdesign@gmail.com  
 tel : 0777 254 1069

**Client:** Colin Craig of Ian Craig (Haulage) Ltd.

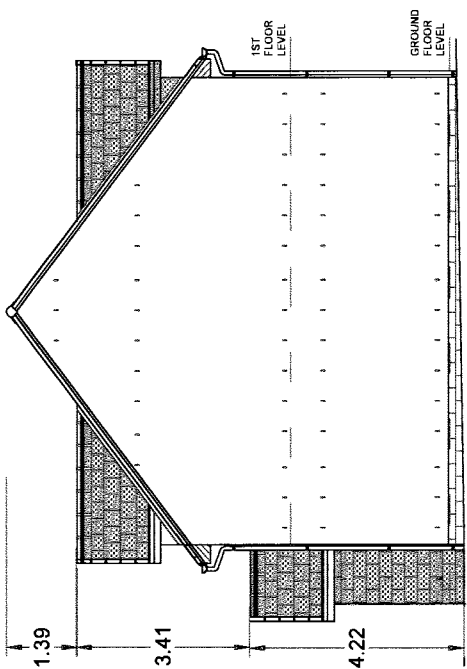
**Project:** Construct 3 No detached dwellings and associated access road adjacent Roughmote Transport Depot, Larbert, FK5 3NP

**Drawing:** Large Site Plan as Proposed

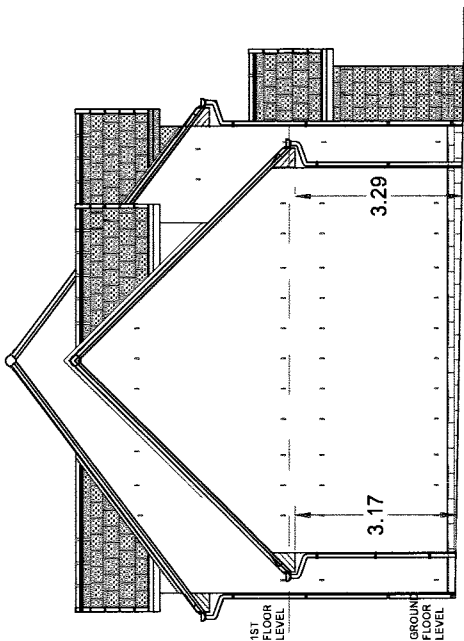
**Scale:** : 1: 2500    **Date:** 25 th May 2015

**Drg No** ICH/002    **REV A:**    **DRN :** MD

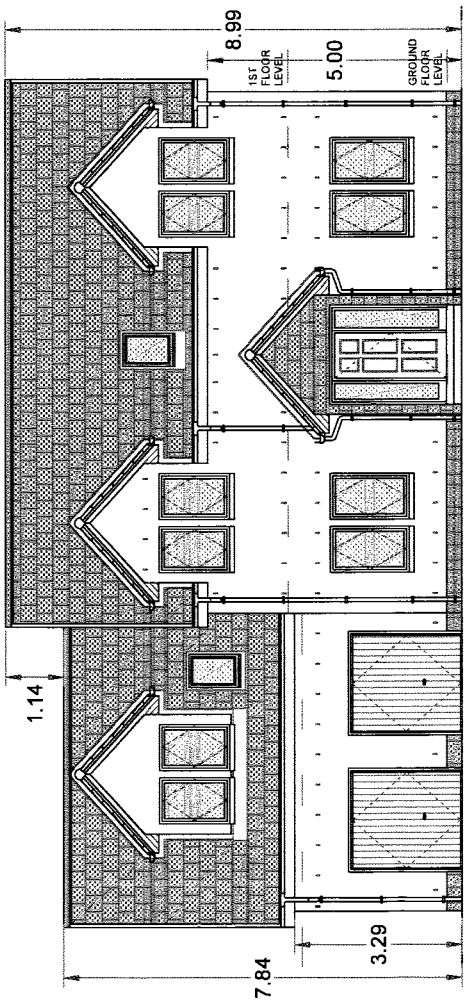




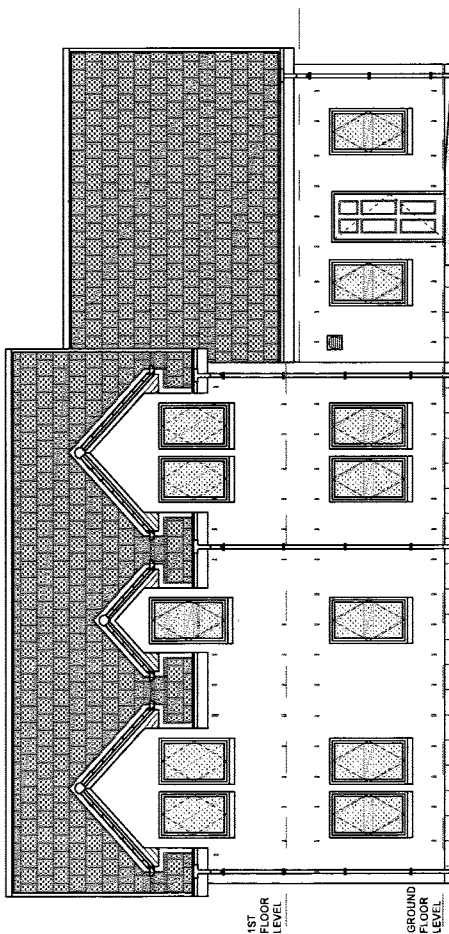
Side Elevation 1.100



Agent	Distaff Design Distaffdesign@gmail.com tel : 07712541069
Client	Colin Craig of Ian Craig (Haulage) Ltd.,
Project	Construct 3 No detached dwellings and access road @ Roughmote Transport Depot, Larbert, FK5 3NP
Drawing	House floor plans
Scale	1:100: @ A3
Date	25.05.15
Dwg No	ICH/005 Rev A
Drawn MD	



Front Elevation 1.100



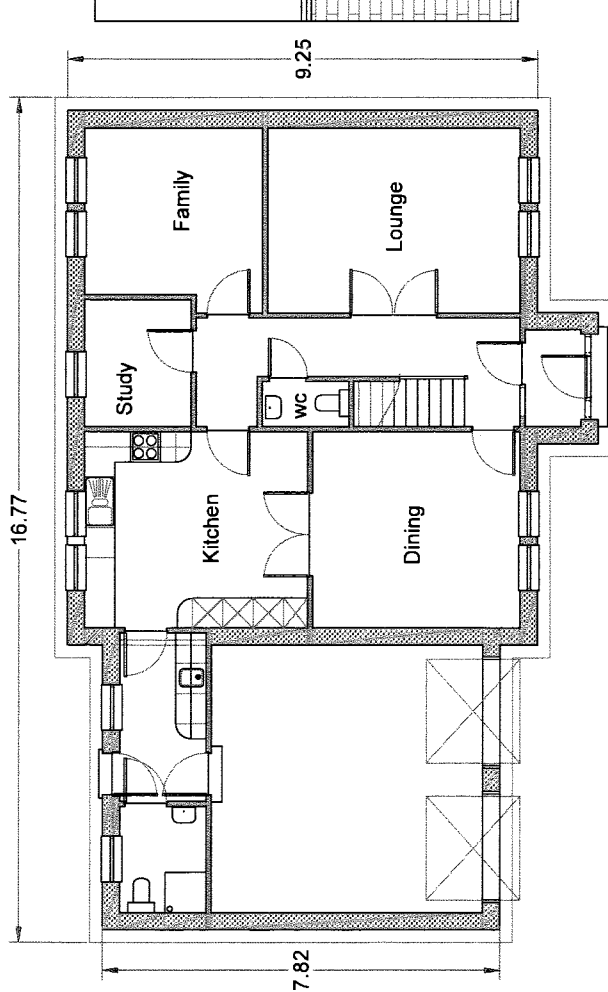
Rear Elevation 1.100



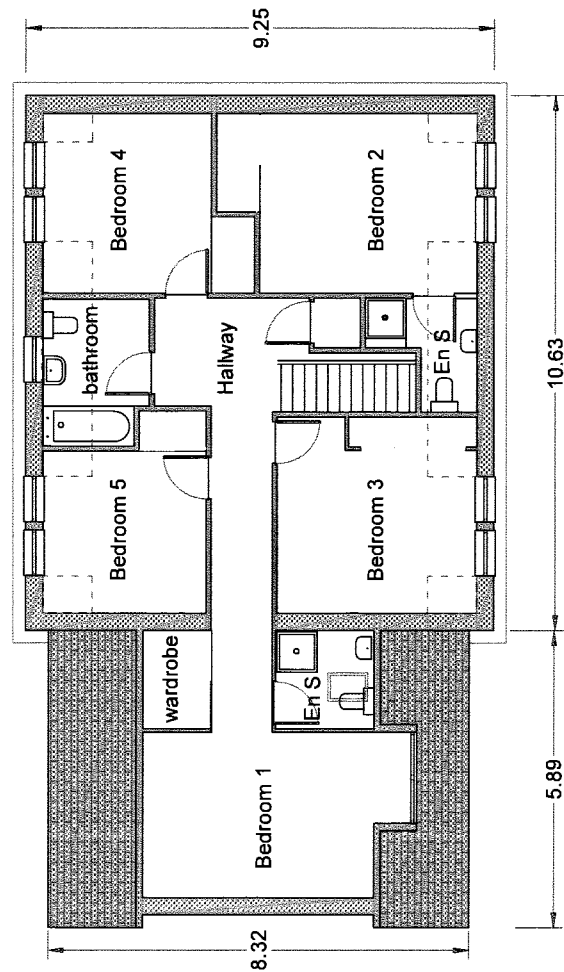




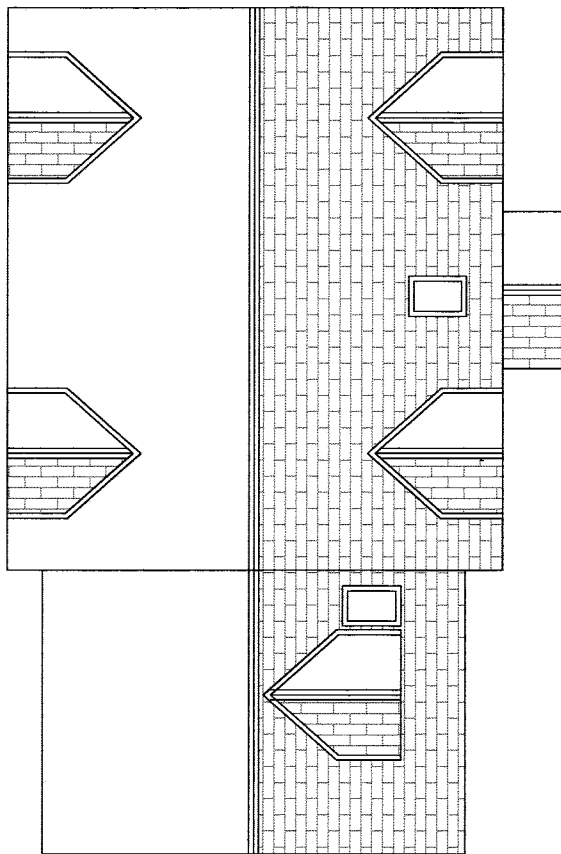




Ground Floor Plan 1.100



First Floor Plan 1.100



Roof Plan 1.100

## Finishes

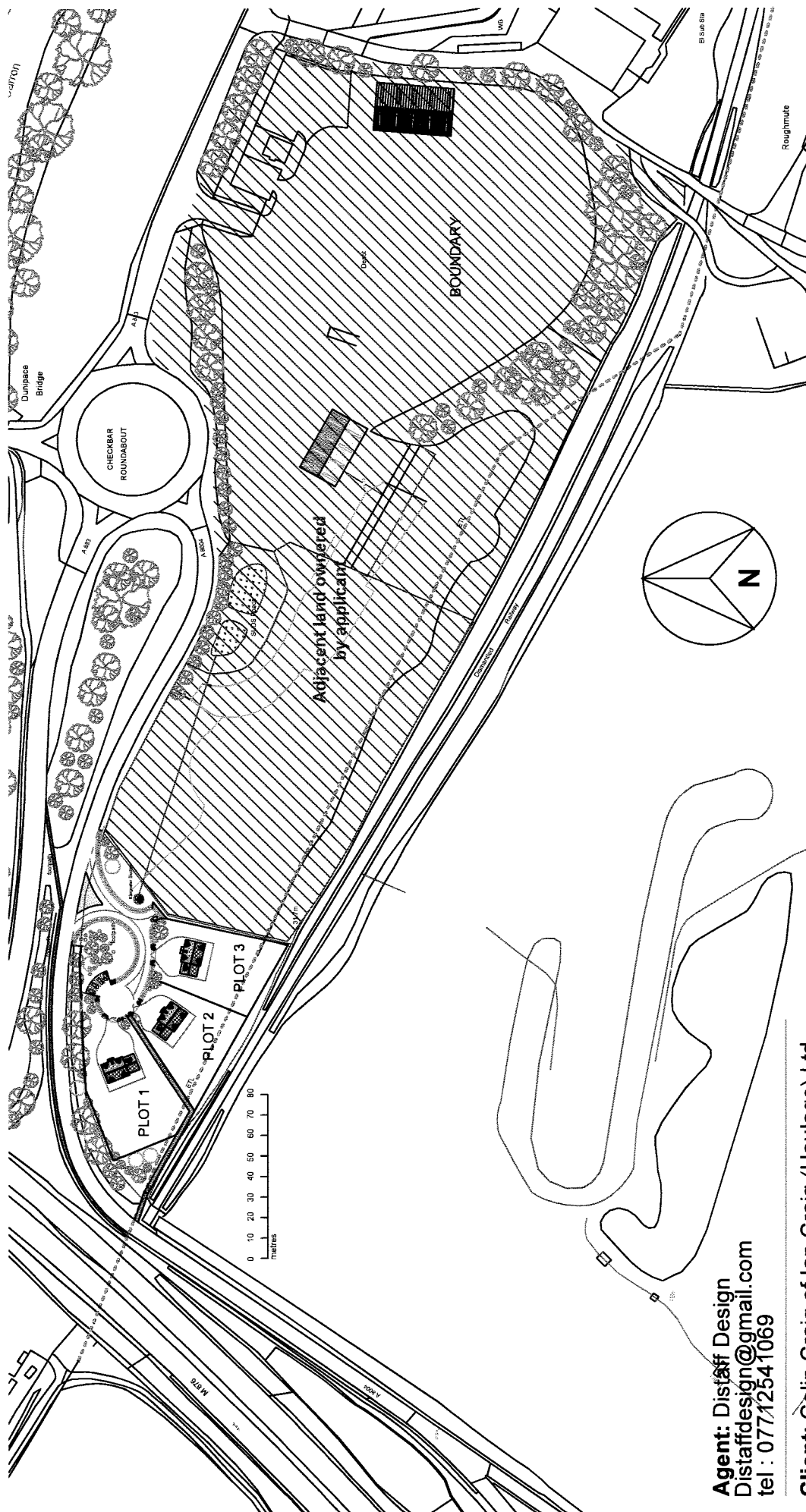
**Roof:** Ashmore Interlocking Double Plain Tile in Grey  
**Walls:** Polar Black and White Spar 3-8mm Pebbledashing of white marble and black basalt speckled pebble dash finish on a pure white pebble dash render.  
**Artificial stone cladding:** Marshall's Cromwell Pitched, Ash  
**Block paving:** Marshall's Drivesett Permeable Paving  
 Acoustic barrier fence to Plot 1 2 metres high  
 Perimeter fences to rear of dwellings 2 metres high.  
 Front garden fences 1 metre high.

Agent:	Distaff Design
	Distaffdesign@gmail.com
	tel : 07712541069
Client:	Colin Craig of Ian Craig (Haulage) Ltd.,
Project:	Construct 3 No detached dwellings and access road @ Roughmule Transport Depot, Larbert, FK5 3NP
Drawing	<b>House floor plans</b>
Scale	1:100: @ A3
Date	17.05.15
Dig No	<b>ICH/004</b>
Rev	Drawn MO









**Agent:** Distaff Design  
 Distaffdesign@gmail.com  
 tel : 07712541069

**Client:** Colin Craig of Ian Craig (Haulage) Ltd.

**Project:** Construct 3 No detached dwellings and associated access road adjacent Roughmude Transport Depot, Larbert, FK5 3NP

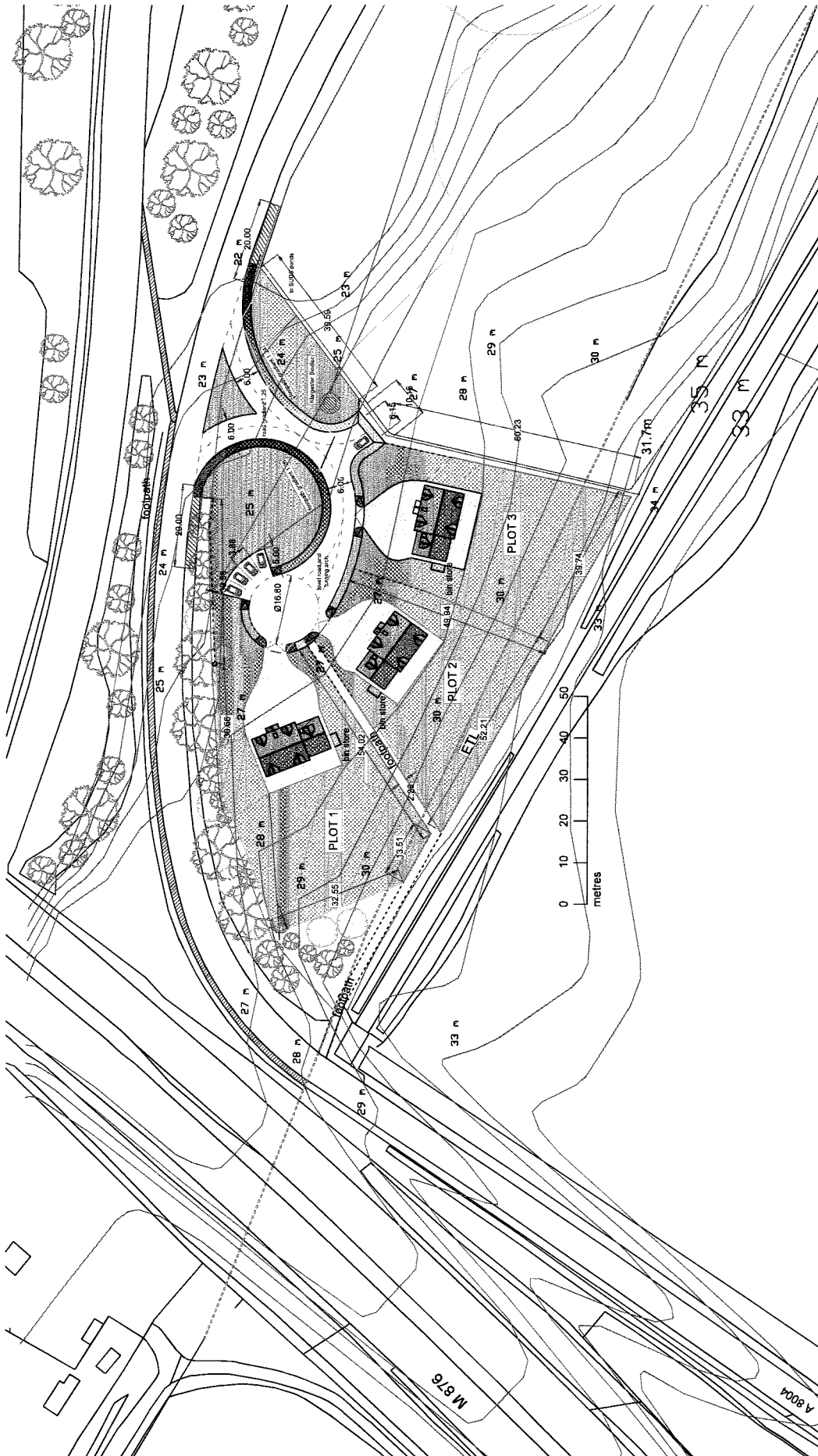
**Drawing:** Large Site Plan as Proposed

**Scale:** : 1: 2500    **Date:** 17th May 2015

**Drg No** ICH/002    **REV :**    **DRN :** MD







Agent: Dislaff Design  
 Dislaffdesign@gmail.com  
 tel : 07712541069

Client: Colin Craig of Ian Craig (Haulage) Ltd.

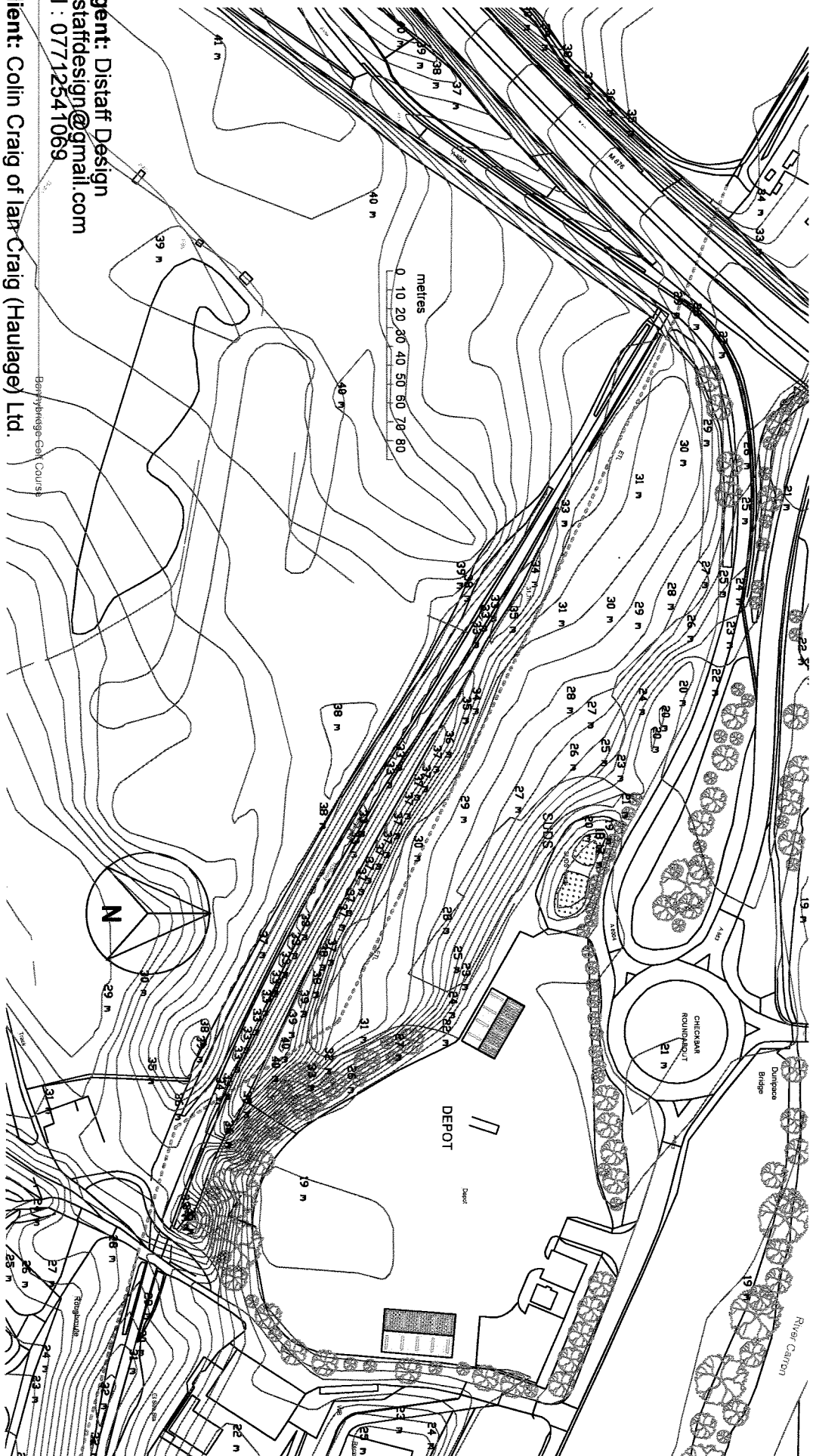
Project: Construct 3 No detached dwellings and associated access road adjacent Roughmule Transport Depot, Larbert, FK5 3NP

Drawing: Large Site Plan as Proposed

Scale: 1:1250 Date: 25th May 2015

Drg No ICH/006 REV : DRN : MD





**Agent:** Distaff Design  
 Distaffdesign@gmail.com  
 tel : 07712541069

**Client:** Colin Craig of Ian Craig (Haulage) Ltd.

**Project:** Construct 3 No detached dwellings and associated access road adjacent Roughmule Transport Depot, Larbert, FK5 3NP

**Drawing:** Large Site Plan as Existing

**Scale:** : 1: 2500    **Date:** 25th May 2015

**Drg No** ICH/001    **REV** :A    **DRN** : MD



Issued by:

The Coal Authority, Property Search Services, 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire, NG18 4RG  
Website: [www.groundstability.com](http://www.groundstability.com) Phone: 0345 762 6848 DX 716176 MANSFIELD 5

**07712451069**

**THE HALL**

**DENNY**

**STIRLINGSHERE**

**FK6 5HH**

Our reference:

**51000892112001**

Your reference:

**land to the west of ICH**

Date of your enquiry:

**04 June 2015**

Date we received your enquiry:

**04 June 2015**

Date of issue:

**05 June 2015**

This report is for the property described in the address below and the attached plan. The report is issued subject to the terms and conditions attached, which you are strongly advised to read.

### **Non-Residential Ground Stability Report - On Coalfield**

**IAN CRAIG HAULAGE LTD, CHECKBAR, LARBERT, FALKIRK, FK5 3NP**

This report is based on and limited to the records in the possession of the Coal Authority and the records and geological interpretation of The British Geological Survey (BGS) at the time the search is answered.

Coal mining	See comments below
Shrinkable clay	See comments below
Running sand	See comments below
Compressible deposits	See comments below
Collapsible deposits	No
Landslide potential	See comments below
Soluble rocks	No

#### **Information from the Coal Authority**

##### **Underground coal mining**

###### **Past**

The property is in the likely zone of influence from workings in 1 seam of coal at 360m to 520m depth, and last worked in 1938.

Any ground movement from these coal workings should have stopped by now.

In addition the property is in an area where the Coal Authority believe there is coal at or close to the surface. This coal may have been worked at some time in the past. The potential presence of coal workings at or close to the surface should be considered prior to any site works or future development activity. Your attention is drawn to the Comments on Coal Authority Information section of the report.

###### **Present**

The property is not in the likely zone of influence of any present underground coal workings.

### **Future**

The property is not in an area for which the Coal Authority is determining whether to grant a licence to remove coal using underground methods.

The property is not in an area for which a licence has been granted to remove or otherwise work coal using underground methods.

The property is not in an area that is likely to be affected at the surface from any planned future workings.

However, reserves of coal exist in the local area which could be worked at some time in the future.

No notice of the risk of the land being affected by subsidence has been given under section 46 of the Coal Mining Subsidence Act 1991.

### **Mine entries**

There are no known coal mine entries within, or within 20 metres of, the boundary of the property.

Records may be incomplete. Consequently, there may exist in the local area mine entries of which the Coal Authority has no knowledge.

### **Coal mining geology**

The Authority is not aware of any evidence of damage arising due to geological faults or other lines of weakness that have been affected by coal mining.

### **Opencast coal mining**

#### **Past**

The property is not within the boundary of an opencast site from which coal has been removed by opencast methods.

#### **Present**

The property does not lie within 200 metres of the boundary of an opencast site from which coal is being removed by opencast methods.

#### **Future**

The property is not within 800 metres of the boundary of an opencast site for which the Coal Authority is determining whether to grant a licence to remove coal by opencast methods.

The property is not within 800 metres of the boundary of an opencast site for which a licence to remove coal by opencast methods has been granted.

### **Coal mining subsidence**

The Coal Authority has not received a damage notice or claim for the subject property, or any property within 50 metres, since 31st October 1994.

There is no current Stop Notice delaying the start of remedial works or repairs to the property.

The Authority is not aware of any request having been made to carry out preventive works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991.

### **Mine gas**

There is no record of a mine gas emission requiring action by the Coal Authority within the boundary of the property.

### **Hazards related to coal mining**

The property has not been subject to remedial works, by or on behalf of the Authority, under its Emergency Surface Hazard Call Out procedures.

### **Withdrawal of support**

The property is in an area for which a notice of entitlement to withdraw support was published in 1946.

The property is not in an area for which a notice has been given under section 41 of the Coal Industry Act 1994, revoking the entitlement to withdraw support.

#### **Working facilities orders**

The property is not in an area for which an Order has been made under the provisions of the Mines (Working Facilities and Support) Acts 1923 and 1966 or any statutory modification or amendment thereof.

#### **Payments to owners of former copyhold land**

The property is not in an area for which a relevant notice has been published under the Coal Industry Act 1975/Coal Industry Act 1994.

#### **Comments on Coal Authority information**

In view of the mining circumstances a prudent developer would seek appropriate technical advice before any works are undertaken.

Therefore if development proposals are being considered, technical advice relating to both the investigation of coal and former coal mines and their treatment should be obtained before beginning work on site. All proposals should apply good engineering practice developed for mining areas. No development should be undertaken that intersects, disturbs or interferes with any coal or mines of coal without the permission of the Coal Authority. Developers should be aware that the investigation of coal seams/former mines of coal may have the potential to generate and/or displace underground gases and these risks both under and adjacent to the development should be fully considered in developing any proposals. The need for effective measures to prevent gases entering into public properties either during investigation or after development also needs to be assessed and properly addressed. This is necessary due to the public safety implications of any development in these circumstances.

#### ***Information from the British Geological Survey on potential for natural ground movement***

##### **Shrinkable clay**

The property is in an area underlain by clay. Clay can swell or shrink if the moisture content changes.

However, the clay deposits in this area are considered to be mainly of "low plasticity". This means it is unlikely that they will cause ground movement.

##### **Running sand**

The property is in an area underlain by sand. Some sands, if voids are present, may flow if they come into contact with water.

However, such movement is unlikely to occur unless substantial changes are made to the ground.

##### **Deposits which could compress**

The property is in an area underlain by natural compressible deposits. When this material is overloaded, or dries out, it can become unstable causing ground movement.

Because of these compressible deposits, ground movement could occur.

##### **Deposits which could collapse**

The property is not in an area underlain by deposits which could collapse and cause ground movement.

##### **Natural landslide activity**

The property is in an area where the local geology and steepness of slope could combine to create the likelihood of landslide activity.

Because of the nature of the geology in this area landslide activity could occur.

##### **Soluble rocks**

The property is not in an area underlain by soluble rocks.

#### **Comments on the British Geological Survey information**

These features should not necessarily give cause for concern.

Whether or not a property is affected by ground movement can depend on a number of factors such as its age, type of construction, and on its surroundings and such matters as drainage and nearby trees.

Since 1992 buildings should have been designed and constructed according to buildings regulations to ensure natural ground movement will not cause damage to a building.

However, you should consider the possible consequences before you:

- carry out any building or excavation work;
- alter the ground surface or drainage of surface or ground water; or
- plant or remove large shrubs or trees

Ground movement can cause uneven damage or subsidence to a property.

Developers should always carry out an appropriate risk assessment before starting any work on, or around, a property.

If you own the property and it is damaged by ground movement: You should contact your insurance company and anyone else who has an interest in the property, for example, the mortgage lender.

If you are considering buying the property and BGS has identified that ground movement could occur you should tell your professional advisers.

### ***Additional Remarks***

Information provided by the Coal Authority in this report is compiled in response to the Law Society's Con29M Coal Mining and Brine Subsidence Claim enquiries. The said enquiries are protected by copyright owned by the Law Society of 113 Chancery Lane, London WC2A 1PL. Please note that Brine Subsidence Claim enquiries are only relevant for England and Wales. This report is prepared in accordance with the Law Society's Guidance Notes 2006, the User Guide 2006 and the Coal Authority's and British Geological Survey Terms and Conditions applicable at the time the report was produced.

The Coal Authority and British Geological Survey owns the copyright in this report. The information we have used to write this report is protected by our database rights. All rights are reserved and unauthorised use is prohibited. If we provide a report for you, this does not mean that copyright and any other rights will pass to you. However, you can use the report for your own purposes.

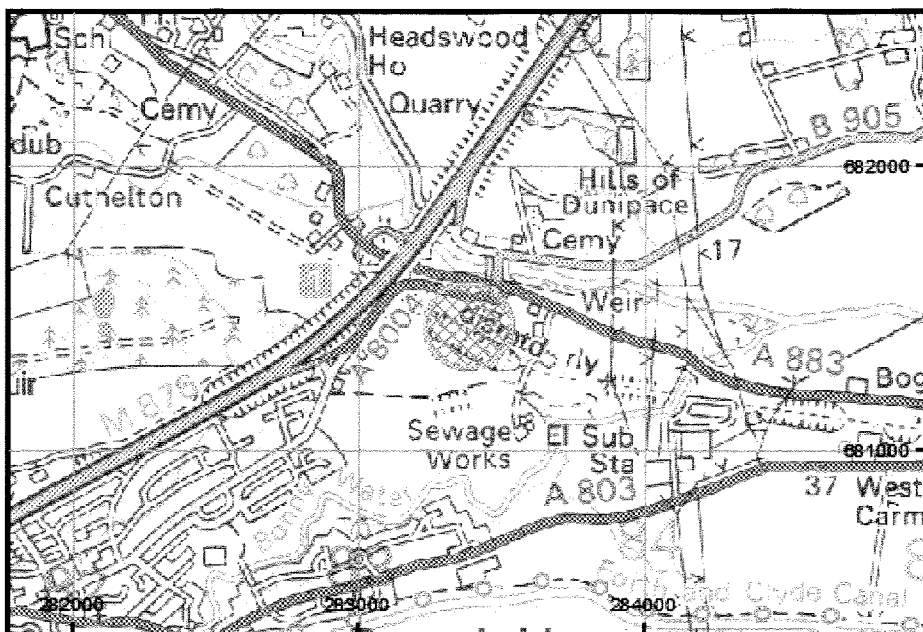


Issued by:	The Coal Authority, 200 Lichfield Lane, Mansfield, Nottinghamshire, NG18 4RG
Tax Point Date:	04 June 2015
Issued to:	07712451069 THE HALL DENNY STIRLINGSHIRE FK6 5HH
Property Search for:	IAN CRAIG HAULAGE LTD, CHECKBAR, LARBERT, FALKIRK, FK5 3NP
Reference Number:	51000892112001
Date of Issue:	05 June 2015
Cost:	£110.00
VAT @ 20%:	£22.00
Total Received:	£132.00
VAT Registration	598 5850 68

### ***Location map***



Approximate position  
of property

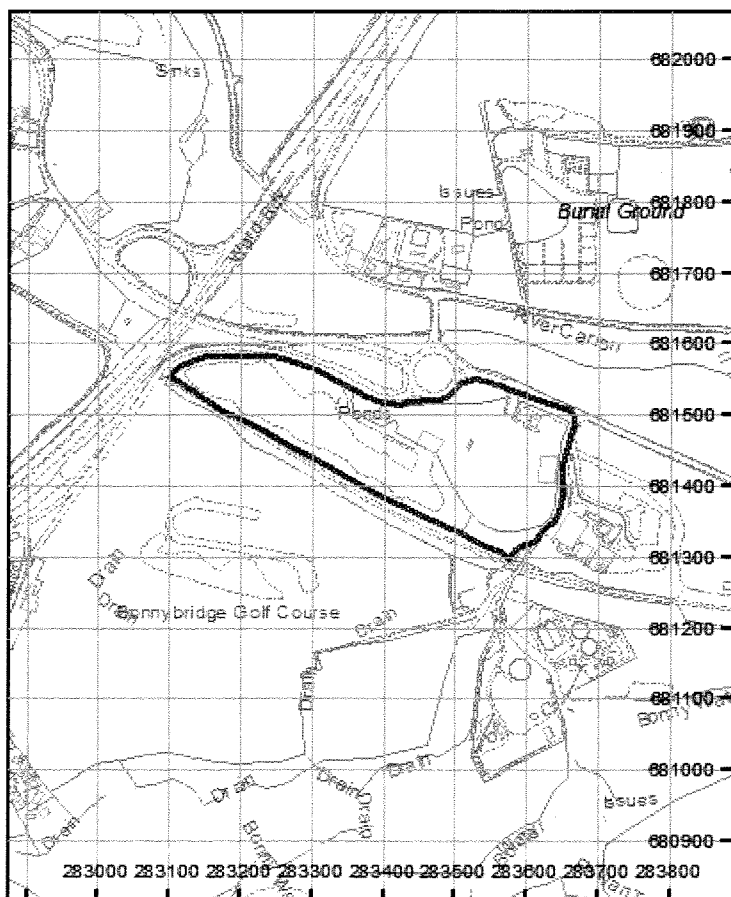


### **Enquiry boundary**

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Ordnance Survey Licence number: 100020315

## Key

Approximate position of enquiry boundary shown



# TERMS

## DEFINITIONS

In these Terms the following words have the following meanings:

"BGS" means the British Geological Survey of Kingsley Dunham Centre, Keyworth, Nottingham, NG12 5GG, a component organisation of the Natural Environment Research Council;

"CA" means the Coal Authority of 200 Lichfield Lane, Mansfield, Nottinghamshire, NG18 4RG;

"Cheshire Brine" means the Cheshire Brine Subsidence Compensation Board of Sir Henry Doulton House, Forge Lane, Etruria, Stoke on Trent, ST1 5BD;

"Customer" means the person, firm or company placing the Order, either on its own behalf as User or as agent for a User;

"Guidance" means the relevant current version of the Guidance Notes and User Guide for the Report, available on request and displayed on the Website;

"Order" means any request for a Report made by the Customer;

"Property" means the address or location specified by the Customer in the Order;

"Report" means a ground stability report (in printed, electronic or any other form) which combines information on coal mining, brine subsidence claims and natural ground movement which has been prepared by CA in respect of the Property using data from, amongst others, the Suppliers and to which these Terms apply;

"Supplier(s)" means all or any of CA, BGS and/or Cheshire Brine;

"these Terms" means these terms and conditions, incorporating the Guidance (if and to the extent of any conflict between these Terms and the Guidance, the provisions of these Terms will prevail);

"User(s)" means the person or persons so described in Clause 15; and

"Website" means CA's website for the provision of the Reports service (currently [www.groundstability.com](http://www.groundstability.com)).

## TERMS

1. These Terms apply to the provision of Reports by CA to the Customer and/or the User.
2. The Customer and the User agree that the placing of an Order indicates their acceptance of these Terms.
3. These Terms shall apply to the exclusion of all other terms and conditions.
4. CA reserves the right to change these Terms from time to time with immediate effect and without prior notice. Any changes to these Terms will be displayed on the Website. Placement of Orders after any such variation will be deemed to be an acceptance of these Terms as amended in respect of Reports which are provided in response to Orders placed after the variation is made.
5. Where the Customer is acting as an agent for a User, the Customer will provide a copy of the Report and these Terms to the User.

## LIMITATIONS OF THE REPORT

### General

6. The Report is prepared with due skill and care, but has a number of limitations which are set out in these Terms which the Customer and the User acknowledge and accept when relying on it.

### Sources of information

7. The Report has been prepared by CA using information held by CA, together with information supplied to it by BGS and Cheshire Brine. The Report is based on, and is limited to:

- a) the specific features identified in the Report, as more particularly described in the Guidance; and
- b) each Supplier's interpretation of the records it holds relating to the particular features for which the Report states that the Supplier is responsible (and, in the case of information from BGS and Cheshire Brine, as provided to CA) at the time the Report is prepared.

The Customer and the User therefore acknowledge and agree that the records used to prepare the Report do not represent an exhaustive or comprehensive list of all records that may exist or may be available for the Property (see further Clause 8). The Customer and the User also acknowledge that no physical inspection of the Property has or will be carried out in the preparation of the Report.

8. Without prejudice to the generality of Clause 7:

- a) information from CA is based on records in its possession relating to coal mining activity. There may be information held by others on historical coal mining, and information on other types of mining, which is not searched as part of the Report;
- b) information from BGS relates solely to the following six natural ground stability hazards: shrinkable clay; running sand; compressible deposits; collapsible deposits; landslide activity; and soluble rocks. It does not cover any other geological hazards, or man-made hazards (such as contaminated land). BGS may hold data on other geological hazards and features that may affect the Property which are not searched as part of the Report and consequently the Report should not be taken as a guarantee that there are no other geological hazards or other issues affecting the Property; and

- c) information from BGS is prepared using the BGS GeoSure database which is based on 1:10,000 scale geological mapping reduced to 1:50,000 scale. The Customer and the User therefore acknowledge that BGS may be able to provide a more specific and detailed interpretation relating to the geological conditions and ground stability at the Property than that which is included in the Report. A more detailed interpretation is available via the BGS GeoReports service on BGS's website [www.bgs.ac.uk](http://www.bgs.ac.uk).

9. The information from the Suppliers may be derived from records from a number of disparate sources which vary in age, quantity and quality. Such records may include material donated to the Suppliers by third parties, which may not have been subject to any verification or other quality control process.

10. Raw data used to prepare the Reports may have been transcribed from analogue to digital format, or may have been acquired by means of automated measuring techniques. Although such processes are subjected, where possible, to quality control to ensure reliability, some raw data may have been processed without human intervention and may in consequence contain undetected errors.

11. The records available to the Suppliers are constantly being updated. The Suppliers cannot be responsible to the Customer or Users for any changes in the information on which the Report is based which occur after the date on which the Report is prepared. Where this Report is for a residential property, insurance is included to cover loss in property value caused and arising from these circumstances. The Report includes a policy and key facts summary which outlines the significant features, benefits and limitations of the cover provided. The full terms, conditions and exclusions are shown in the policy document.

## Maps

12. The Customer and the User must take all reasonable steps to check that the details in the Order are correct and that the Report provided by CA has been prepared for the correct location and property type, and that the boundaries of the Property as shown in the Report's plan correspond with those of the Property. Any discrepancies between the Order and the Report must be notified to the CA within 28 days after the issue date of the Report and CA will, in the case of error by CA, issue a revised Report free of charge; otherwise a new Report should be ordered with payment of the appropriate fee.

13. The Property has been located using Ordnance Survey ("OS") mapping. The Suppliers do not warrant that the OS information is complete or accurate and accept no liability for the plotted position of the Property as shown on OS maps. Further, the relative position between surface features and coal mining and other geological features may differ between OS maps and the Suppliers' maps used to prepare the Report, depending upon when the Suppliers' maps were prepared.

14. The plan or plans accompanying the Report must not be enlarged otherwise the accuracy will be affected.

## RELIANCE ON THE REPORT

### Who may rely on the Report

15. Only the following persons ("Users") may rely on the Report:

- a) the owner of the Property at the time the Report is prepared;
- b) any purchaser of the whole of the Property from the owner described in a above; and
- c) any person who provides funding to the persons in a or b above which is secured on the whole of the Property.

Such reliance will be subject to the provisions of Clauses 17 and 24 to 28 (inclusive).

### Extent of Reliance

16. The Report has been prepared for use by the Users only and the Report should not be relied upon by any other third party.

17. Customers or Users may not act in reliance upon the Report (either by purchasing the Property, providing funding secured on the Property or carrying out any works on or affecting the Property) more than ninety (90) days after its date of issue.

18. The Report gives an indication of whether ground movement could occur at the Property. This does not necessarily mean that the Property is or will be affected by ground instability. Such an assessment can only be made by inspection of the Property by a qualified professional, such as a surveyor or engineer. The Report DOES NOT therefore:

- a) include any information or warranty relating to the actual state, or the structural or other condition, of the Property;
- b) determine the saleability or value, or the safety, of the Property;
- c) indicate the suitability of the Property for any particular purpose (including, without limitation, its suitability for development (within the meaning of section 55 of the Town and Country Planning Act 1990 as amended) or any building, excavation or landscaping work); or
- d) act as a substitute for any physical inspection, specialist interpretations and/or professional advice.

19. No representations, warranties or terms (whether express or implied by statute, common law, custom, trade usage, course of dealing or otherwise) are given in relation to the Report unless they are expressly set out in these Terms, save to the extent that such terms cannot be excluded by law.

## USE OF THE REPORT

20. The Customer and the User acknowledge that the Report is confidential and that it is intended for the purposes of the User only. Accordingly the Customer and the User agree that they are permitted to use and copy the Report for these purposes only.

21. The Customer and the User (or any person who is provided with a copy of the Report) will not:

- a) remove, obliterate or alter any trade mark or any copyright or other proprietary notice which is contained in the Report;
- b) reformat or otherwise change, add to or enhance the Report, or combine it with or incorporate it into any other information, data or materials; or
- c) create any product which is derived directly or indirectly from the data contained in the Report; or
- d) resell the Report (other than in the case of a bona fide legal adviser recharging the cost of the Report as a disbursement) unless this has been specifically authorised in writing by CA.

22. The copyright and all other intellectual property rights in the Report will remain the property of the Suppliers or other third parties (as appropriate). Neither the Customer nor the User will acquire any rights in respect of the Report other than as expressly provided in these Terms.

## EVENTS BEYOND THE SUPPLIERS' CONTROL

23. A Supplier will not be liable to the Customer or the User for any delay or failure in performance of its obligations which result from circumstances beyond its reasonable control (including, without limitation, fire, explosion, flood, tempest, unusually adverse weather conditions, war, hostilities, riot, acts of terrorism, failure or shortage of power supplies, telecommunications or processing failure or computer malfunction) or the acts or omissions of any person for which a Supplier is not legally responsible.

## LIABILITY

24. The Report has been prepared for the Property on the basis of information on the Property's location and type provided by the Customer and/or the User, and consequently the Suppliers exclude all liability which may arise from any errors or omissions in the information so provided or from any failure to check for discrepancies pursuant to Clause 12.

25. The Report has been prepared specifically for the Property, and on the basis of the property type specified in the Order. Under no circumstances will the Suppliers be liable if a Report is relied on for any other property, or if a Report on a residential property is used for a non-residential or commercial property or for the development of the Property, and vice versa.

26. Except in the circumstances described in Clause 28 the total liability of the Suppliers to the Customer and the User arising from an error in the Report caused by negligence, breach of contract or in any other way will be limited to:

- a) the reasonable costs of carrying out necessary remedial work on the Property reasonably promptly; or
- b) the difference between the true market value of the Property and the market value of the Property on the basis of the Report at the time of reliance on the Report in accordance with these Terms.

27. Except in the circumstances described in Clause 28 or to the extent that a Supplier is found to be liable for the losses described in Clause 26 (a) or (b) arising from an error in the Report, the Supplier will not be liable to the Customer or the User for: loss of business, goodwill, profits or savings, loss of use or opportunity, lost or wasted staff time or for any indirect or consequential loss (whether arising from negligence, breach of contract or in any other way) even if the Customer or User was advised of or knew of the likelihood of that loss or type of loss arising.

28. Nothing in these Terms excludes or limits the liability of the Suppliers for death or personal injury caused by their negligence, or for fraud.

## GENERAL

29. The headings in these Terms are for ease of reference only and do not affect their interpretation or construction.

30. Use of the singular includes the plural and vice versa, and use of any gender includes the other genders.

31. The benefit of these Terms cannot be assigned or transferred by the Customer or the User without the Suppliers' prior written consent. The Suppliers may assign any or all of their rights and obligations under these Terms without prior notice.

32. These Terms (together with the Order and the Guidance) represent the entire agreement relating to the supply of the Report and the relationship which that supply creates between the Suppliers and Customers and Users. No prior statement, representation or arrangement of any nature (whether written or oral) will add to, vary or waive terms of this agreement and the Customer and the User acknowledge that they have not relied on any statement or representation made by or on behalf of CA or any other Supplier in agreeing to enter into this agreement. Nothing in this Clause 32 will operate to limit or exclude liability for fraud.

33. The illegality or invalidity of any part of these Terms will not affect the legality or validity of the remainder of these Terms.

34. Except to the extent that these Terms confer benefits on the Suppliers and the Users, no third party is entitled to the benefit of these Terms under the Contracts (Rights of Third Parties) Act 1999.

35. These Terms are governed by English law. The English courts (where the Property is situated in England or Wales) and the Scottish courts (where the Property is situated in Scotland) have exclusive jurisdiction to deal with any dispute which may arise out of or in connection with them.

**THESE TERMS ARE AVAILABLE IN LARGER PRINT FOR THOSE WITH IMPAIRED VISION OR AT  
WWW.COAL.GOV.UK**



ICB/6138

30th July 2015

Mr Brent Vivian  
Falkirk Council  
Development Service  
Abbotsford House  
Davids Loan  
Falkirk  
FK2 7YZ

Dear Mr Vivian,

**Proposed 3 No Dwelling Houses Adjacent to Roughmote Transport Depot**

Further to recent correspondence regarding the proposed drainage system for the above 3 No dwelling houses please find below my comments and conclusions on the matter.

The existing site drainage for the transport depot occupied by Ian Craig (Haulage) Ltd was designed and detailed by Balfour Engineering Consultancy Ltd in November 2006. A full 3 level SUDS treatment system was installed for the surface water disposal. This included a perimeter swail, porous paving in car parking bays and a final collection pond prior to discharge to the River Carron.

Design calculations were carried out for the drainage scheme and were passed onto the Council for their approval. However, it is understood that these calculations are no longer contained within your records. Similarly, we appear not to have kept a copy of the calculations as we had employed a sub-contractor to carry out this work and he appears to be no longer trading.

The drainage system on site has worked well over the past 8 years with no on site flooding issues. The collection pond rarely has any significant levels of water retained within it which is an indication that surface water is being absorbed within the perimeter swails.

For the new dwelling houses, the proposal is to connect the foul and surface water discharges into the existing system and you have rightly requested some form of justification that the existing system is adequate for the increased load.

However, we would propose that each house has its own attenuation/infiltration system which would then overflow to the collection pond. This would significantly reduce the volume of water reaching the pond. If the ground conditions were suitable and we believe that sand underlies the site, then a complete soak-away may be designed which would eliminate any discharge to the existing system. This would obviously be dependent on site percolation tests which would be carried out as a matter of course.

Surface water run-off from the new access road would be collected by road gullies and then to an attenuation system adjacent to the road. The over-flow would then discharge to the collection pond. If desirable, a petrol interceptor could be installed prior to over-flow water reaching the pond.

**Balfour Engineering Consultancy Ltd**

Suite 2016, Mile End, Abbeymill Business Centre, 12 Seedhill Road, Paisley PA1 1JS  
Tel: 0141 848 9708 Fax: 0141 842 1098 E-mail: [info@balfourengineering.co.uk](mailto:info@balfourengineering.co.uk) Web: [www.balfourengineering.co.uk](http://www.balfourengineering.co.uk)

Iain Balfour, Director, B Eng (Hons.) C. Eng M.I Struct. E. Registered in Scotland No SC291795

Even if no attenuation/filtration could be achieved (not possible) within each of the 3 plots then I would have no doubts that the existing drainage system would cope with the additional volume of water.

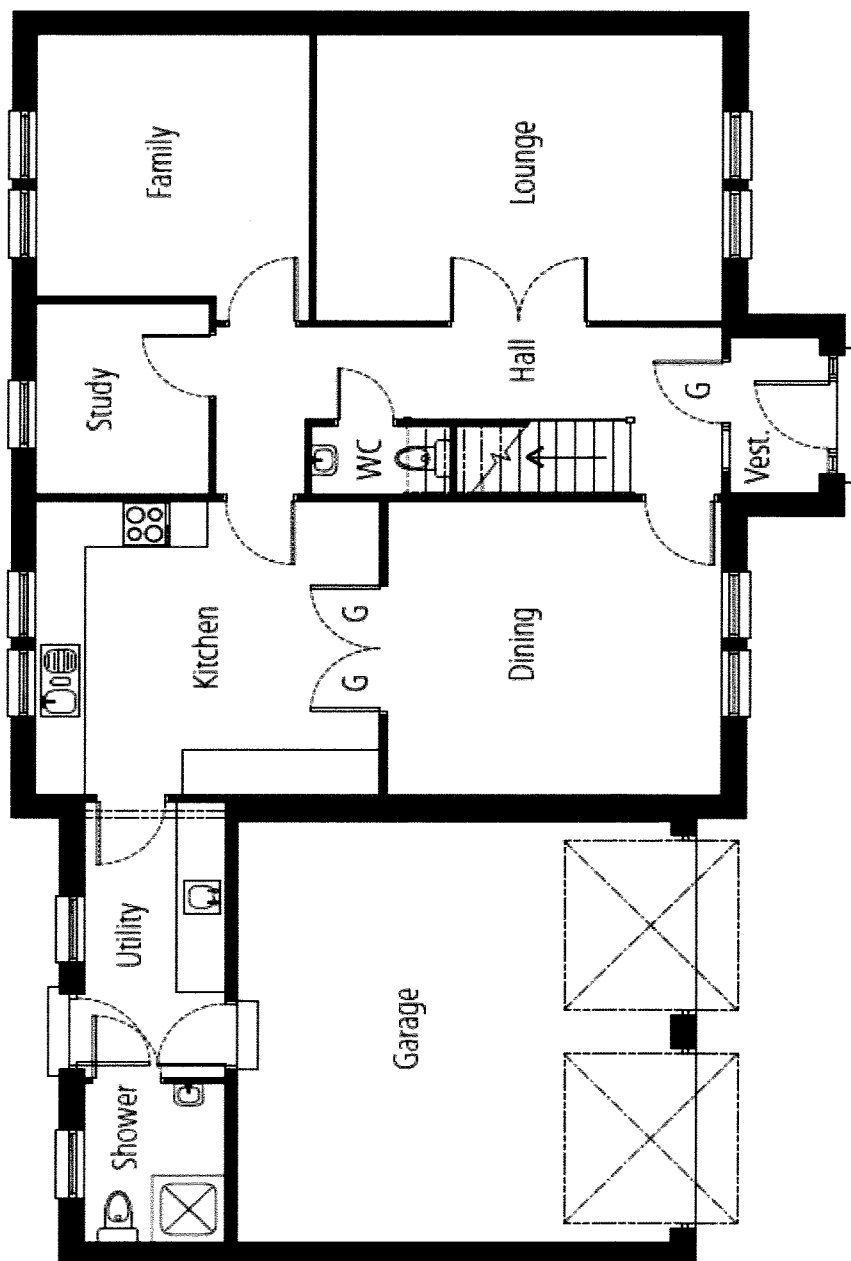
Given that, in practice, a significant amount of surface water from the new development will be dissipated through infiltration, I have no concerns over the capacity of the existing surface water drainage system.

I trust the foregoing to be self explanatory but please do not hesitate to contact me should you have any queries.

Yours Sincerely,

Iain Baitour





Lounge 4.970 x 3.810

Dining 4.080 x 3.900

Family 3.500 x 3.300

Kitchen 4.170 x 3.900

Study 2.530 x 2.100

Utility 3.680 x 1.700

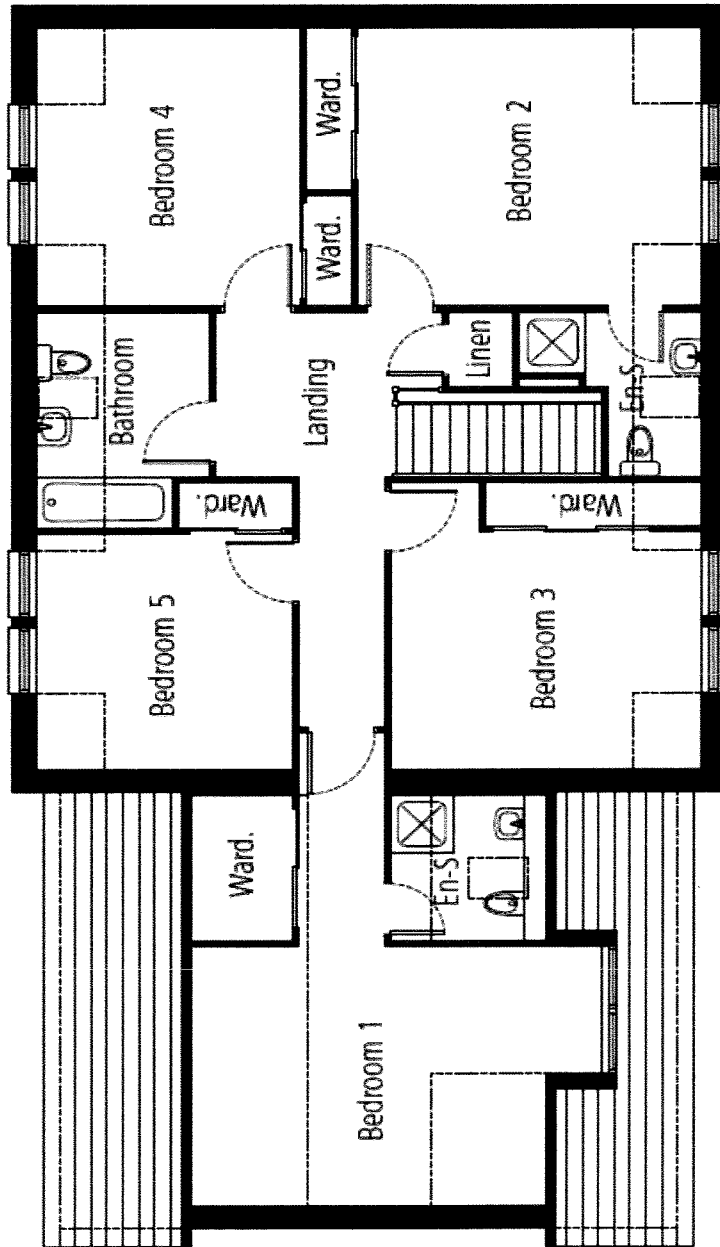
WC 1.700 x 0.905

Shower 2.100 x 1.700

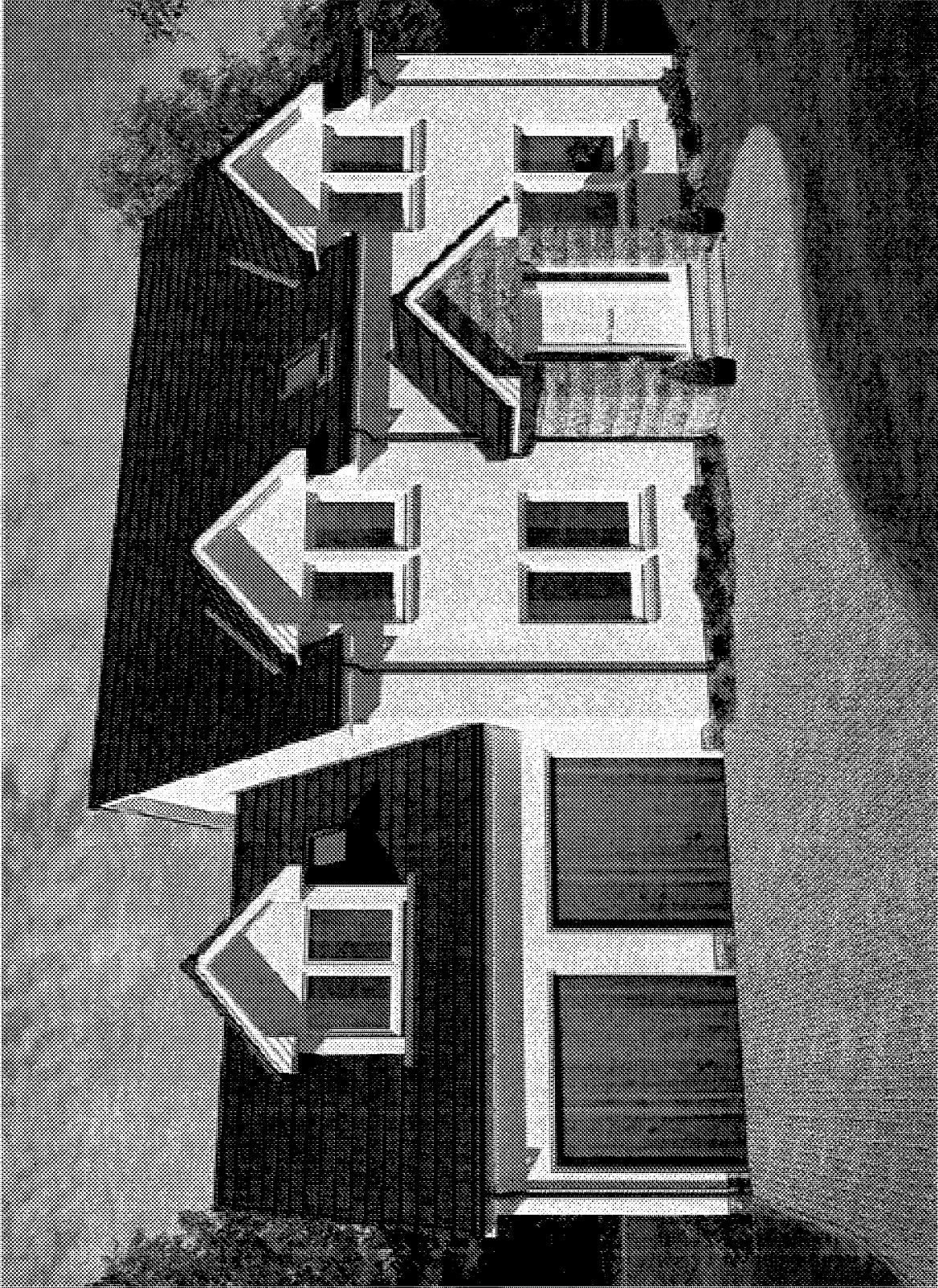
Bedroom 1 4.470 x 3.546

En-Suite 1 1.974 x 1.950

1 1/2 Storey with 5 Bedrooms  
 FLOOR AREA: (EXCL. GARAGE) 211.260m<sup>2</sup> (2274H2)  
 FRONTAGE: 16.800m (55'1")  
 RIDGE HEIGHT: 8.685m (28'6")

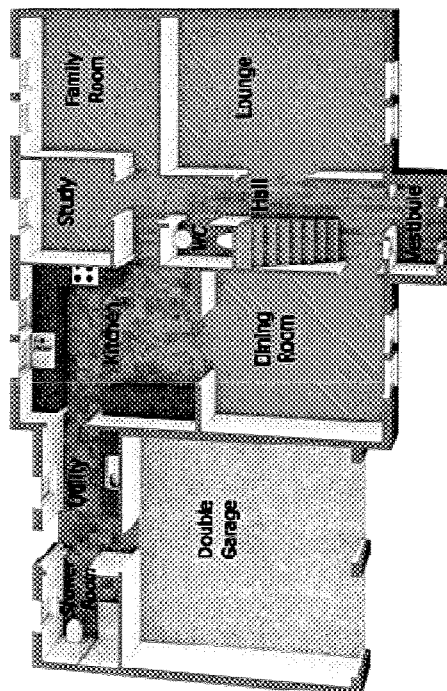


CHECK BAR COURT FK5 3NP

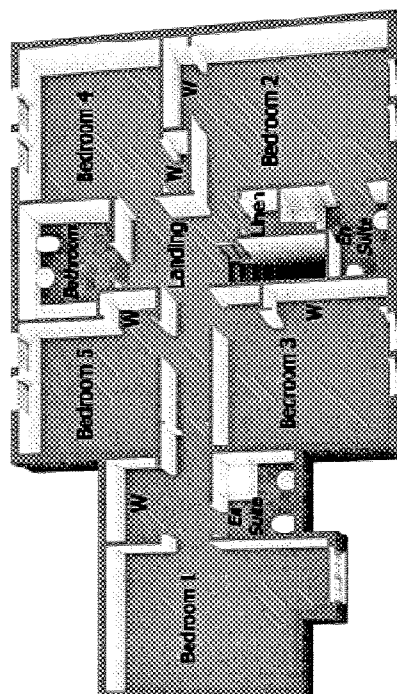


CHECK BAR COURT FK5 3NP

# CHECK BAR COURT FK5 3NP



GROUND FLOOR



FIRST FLOOR

## **PLANNING APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING**

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**PROPOSAL** : **Erection of 3 Dwellinghouses and Associated Access Road**  
**LOCATION** : **Roughmute Transport Depot, Larbert, FK5 3NP,**  
**APPLICANT** : **Ian Craig (Haulage) Ltd.**  
**APPN. NO.** : **P/15/0320/FUL**  
**REGISTRATION DATE** : **27 May 2015**

### **1. SITE LOCATION / DESCRIPTION OF PROPOSAL**

The application site lies to the west of an existing storage and distribution facility. It is bounded to the north by the A8004, west of Checkbar Roundabout, and to the south by the route of the proposed cycleway (along a former railway line). Beyond the former railway line is the Bonnybridge Golf Club.

The site itself is vacant, rough ground and overgrown. It would appear to contain historical deposits of material. There is mature tree planting along the road and southern boundaries.

The proposal is to erect three one and a half storey detached dwellinghouses with double integral garages. A shared vehicular access is proposed in the form of a split bellmouth (allowing west bound ingress and egress only).

The applicant has submitted the following information in support of the application:-

- The applicant has invested a great deal of time, effort and substantial financial investment to restore this site for the haulage business;
- They have enhanced the biodiversity of the local environment by planting over one hundred trees;
- They have created much need local employment;
- The proposed dwellinghouses would continue investment in the local area and are intended for the Directors of the company;
- The application site is the balance of the developed site and is derelict brownfield land;
- The area is divorced from any agricultural grounds nearby and the surrounding areas are occupied by a variety of land uses;
- Replacement tree planting could be carried out should any mature trees need to be removed to ensure safe levels of vehicular visibility;
- If necessary, a dedicated road crossing facility and street lighting could be provided;
- There are existing uses in the area that present greater hazards to road users than this proposal; and
- Surface water drainage from the site would be directed into an existing SUDS pond.

### **2. SITE HISTORY**

Planning application 06/0288/FUL for the formation of a haulage yard with ancillary office building and maintenance shed was granted on 10 November 2006. This facility lies to the east of the application site for the three dwellinghouses.

Planning application P/15/0136/PPP for a proposed cycleway between Denny and Falkirk was received on 11 March 2015 and is currently under consideration. The application subject to this report includes land which is also included in the application for the cycleway. The cycleway application originally also included proposed road realignment works but this has been removed from the application and may be pursued by the Council in the future.

### **3. CONSULTATIONS**

The following responses to consultation were received:

The Coal Authority	Application site falls within defined Development Low Risk Area
Roads Development Unit	Road safety concerns
Scottish Water	No response
Environmental Protection Unit	No objection subject to conditions

Where the local Community Council requested consultation, their comments appear above.

#### **4. PUBLIC REPRESENTATION**

In the course of the application, 1 contributor(s) submitted letter(s) to the Council. The salient issues are summarised below.

- The application is contrary to the local plan; and
- Due to the close proximity of the golf course boundaries and the nature of the game of golf, the proposed houses would need substantial protection from wayward golf balls.

#### **5. THE DEVELOPMENT PLAN**

The proposed development was assessed against the undernoted Development Plan(s):

##### **Falkirk Council Local Development Plan**

CG01 - Countryside

CG02 - Green Belt

CG03 - Housing in the Countryside

#### **5A. MATERIAL CONSIDERATIONS**

The following matters were considered to be material in the consideration of the application:

Consideration of the site in relation to coal mining legacy

Responses to Consultation

Assessment of Public Representations

#### **6. PLANNING ASSESSMENT**

##### **The Development Plan**

The Falkirk Local Development Plan was adopted on 16 July 2015, at which point it replaced the Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan Policy.

The application site lies within the countryside (outwith the urban limits) and a Green Belt under the Falkirk Local Development Plan. Housing development in the countryside is only permitted in certain circumstances such as where it is required to support the needs of businesses which have an essential

need of a countryside location. In this instance the development proposal does not satisfy any of these circumstances.

Adjoining the application site to the south is the route of a proposed cycleway identified in the Falkirk Local Development Plan as Opportunity GN28 (Denny to Falkirk Path). This proposal is subject to live planning application P/15/0136/PPP and the housing application is potentially in conflict with this application as it includes land which may be required for the cycleway project. As such the housing application is prejudicial to this strategically important project and has the potential to undermine the role of the Green Belt by compromising its future use for countryside recreation.

The scale, layout and design of new housing development in the countryside are required to be suitable to the intended location. In this instance there are some concerns with the proposed layout and design which would appear to be somewhat urban in nature. It is anticipated that these matters of detail could be resolvable.

The application is considered to be contrary to the Development Plan.

### **Responses to Consultation**

The Roads Development Unit have advised that the introduction of turning traffic onto a derestricted unlit semi-rural road (A8004) near the inside of a bend in the road would not be in the best interests of road safety. They are also concerned that the lack of a footway on the south side of the A8004, such that pedestrians would have to cross this road (without the benefit of dedicated crossing facilities or street lighting), would not be in the best interests of road safety. They request, at the very least, the submission of calculations to demonstrate the adequacy of the existing SUDS pond.

The Environmental Protection Unit have requested a noise impact assessment to determine the impact of transportation and commercial noise on the proposed development. They have also requested a contaminated land assessment due to the presence of landfill activity, a transport depot, infilled ground and other potential sources of contaminated land within 250 metres of the application site.

Scottish Water have not responded.

### **Assessment of Public Representations**

The concerns raised in the objection to the application are summarised in this report. In response to those concerns the following comments are considered to be relevant:-

- This report has assessed the application as contrary to the Development Plan; and
- The application for the proposed cycleway (P/15/0136/PPP) includes the provision of safety netting with the design and specification to be negotiated with the golf course owners.

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

The application site falls within or is partially within the Development Low Risk Area as defined by the Coal Authority. However, as coal mining activity was undertaken at depth, no recorded surface hazards currently exist which could pose a risk to new development. Unrecorded coal mining related hazards could still exist. It is not necessary to consult the Coal Authority on any planning applications which fall within the Development Low Risk Area.

Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

## **7. CONCLUSION**

The application is considered to be contrary to the Development Plan for the reasons detailed in this report. It is therefore recommended for refusal. The submissions by the applicant in support of the

application are noted but is it considered that they do not outweigh the terms of the Development Plan and other matters of concern, such as road safety, in this instance.

## 8. RECOMMENDATION

Refuse Planning Permission

Refusal is recommended for the following

Reason(s):

1. The application is considered to be contrary to Policies CG01 (Countryside), CG02 (Green Belt) and CG03 (Housing in the Countryside) of the Falkirk Local Development Plan. In particular, it has not been demonstrated that there is an essential need for the development proposal at this countryside location and the proposal has the potential to undermine the role of the Green Belt by compromising its future use for countryside recreation (see reason 3). The proposal therefore represents unjustifiable and inappropriate development in the countryside.
2. The development proposal would introduce turning traffic onto a derestricted, unlit, semi-rural road (the A8004) near the inside of a bend in the road. It would also introduce the potential for pedestrian traffic crossing the road to an existing footway. Due to the nature of the road environment at this location and the evident speed at which traffic travels, it is not considered that formation of an access at the location proposed would be in the best interests of road safety.
3. The application site adjoins the route of a proposed cycleway identified in the Falkirk Local Development Plan as Opportunity GN28 (Denny and Falkirk Path) and which is subject to planning application P/15/0136/PPP. The development proposal is in conflict with this application as it includes land which may be required for the cycleway project. As such the development proposal is prejudicial to this strategically important project and should therefore be resisted.

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, 02A, 03A, 04A, 05, 06, 07 and 08.

 **Director of Development Services**

28.7.15  
**Date**

**Contact Officer : Brent Vivian  
(Senior Planning Officer) 01324 504935**





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

**Falkirk Council**

**Refusal of Planning Permission**

**Agent**

Distaff Design & Project Management  
FAO Marjorie Delaney  
The Hall  
Castlerankine Road  
Denny  
FK6 5HH

**Applicant**

Ian Craig (Haulage) Ltd.  
FAO Mr Colin Craig  
1 Roughmute Transport Depot  
Roughmute  
Larbert  
FK5 3NP

This Notice refers to your application registered on 27 May 2015 for permission in respect of the following development:-

**Development**      Erection of 3 Dwellinghouses and Associated Access Road at  
**Location**          Roughmute Transport Depot, Larbert, FK5 3NP

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 application is considered to be contrary to Policies CG01 (Countryside), CG02 (Green Belt) and CG03 (Housing in the Countryside) of the Falkirk Local Development Plan. In particular, it has not been demonstrated that there is an essential need for the development proposal at this countryside location and the proposal has the potential to undermine the role of the Green Belt by compromising its future use for countryside recreation (see reason 3). The proposal therefore represents unjustifiable and inappropriate development in the countryside.
2. The development proposal would introduce turning traffic onto a derestricted, unlit, semi-rural road (the A8004) near the inside of a bend in the road. It would also introduce the potential for pedestrian traffic crossing the road to an existing footway. Due to the nature of the road environment at this location and the evident speed at which traffic travels, it is not considered that formation of an access at the location proposed would be in the best interests of road safety.
3. The application site adjoins the route of a proposed cycleway identified in the Falkirk Local Development Plan as Opportunity GN28 (Denny and Falkirk Path) and which is subject to planning application P/15/0136/PPP. The development proposal is in conflict with this application as it includes land which may be required for the cycleway project. As such the development proposal is prejudicial to this strategically important project and should therefore be resisted.

**Informatives:**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02A, 03A, 04A, 05, 06, 07 and 08.

30 July 2015

 Director of Development Services

FILE COPY

**Morris, John**

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**From:** Russell, Craig  
**Sent:** 11 June 2015 14:51  
**To:** adtm1dmbcorr  
**Cc:** Steedman, Russell; Walker, Michael  
**Subject:** P/15/0320/FUL

## Development Services

## Memo

**To:** Brent Vivian  
Planning & Transportation (Development Management)

**From:** Craig Russell  
Roads and Design (Roads Development & Flooding)

**Date:** 11 June 2015                      **Enquiries:** 4732                      **Fax:** 4850

**Our Ref:** 150611/CR                      **Your Ref:** P/15/0320/FUL

---

**Proposal** : Erection of 3 Dwellinghouses and Associated Access Road  
**Location** : Roughmute Transport Depot Larbert FK5 3NP

I refer to your consultation received on 29 May 2015 concerning the above application and would offer the following comment.

### Roads Comment

The application site is located on the south side of the A8004, approximately 250m west of Checkbar Roundabout. Access to the site is via a new split bellmouth to be formed on the A8004.

The A8004 is a derestricted semi rural road which provides westbound traffic access to Bonnybridge and the westbound M876, and provides eastbound traffic access to Falkirk, Larbert, Denny and the eastbound M876. There is footway provision on the north side of the A8004 for part of its length. The A8004 is unlit.

The proposed access will be located near to the inside of a bend. Formation of accesses on the inside of a bend is contrary to best practice on roads such as the A8004, principally due to difficulties associated with achieving the necessary stopping sight distance. Indeed, in order to achieve the required visibility at this location, it is likely that the removal of several mature trees would be required. In addition to concerns relating to visibility, the Design Manual for Roads and Bridges advises that the effects of providing vehicular access include giving rise to an increased accident risk.

This unit would contend then, that the introduction of turning traffic onto a derestricted, unlit, semi rural road, would not be in the best interests of road safety.

In addition to concerns associated with vehicular movement detailed above, the lack of footway on the south side of the A8004 requires that pedestrian traffic must cross the A8004, without the benefit of dedicated crossing facilities or street lighting. Clearly, this would not be in the best interests of road safety.

In summary, there are road safety concerns associated with the formation of an access at this location and the corresponding introduction of turning vehicular traffic and crossing pedestrian traffic. Consequently, this response could be used to support a recommendation for refusal of planning consent.

#### **Surface Water Drainage/Flooding Comment**

The Council's Flooding Officers have requested submission of a surface water drainage strategy for review.

Regards,  
Craig Russell.

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.  
.....

**Morris, John**

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**From:** Henderson, Stuart  
**Sent:** 24 June 2015 11:28  
**To:** adtm1dmbcorr  
**Subject:** P/15/0320/FUL

## **ENVIRONMENTAL HEALTH**

The applicant shall undertake a noise impact assessment to determine the impact of transport and commercial noise on the development. The assessment shall be conducted in terms of PAN 1/2011 and associated Technical Advice Note.

The assessment shall identify the magnitude of noise impact and level of significance on the proposed receptor(s). If the level of significance is moderate or greater, a scheme for protecting the proposed receptor(s) from transportation noise should be included as part of the noise impact assessment. The noise impact assessment shall be submitted to, and approved by, the Planning Authority. Construction works shall not commence until the aforementioned impact assessment has been approved by the Planning Authority.

## **CONTAMINATED LAND**

Conditioned due to the presence of landfill activity, transport depot, infilled 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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\*\*\*\*\*  
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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.  
.....

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 B Vivian  
Falkirk Council

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

17 June 2015

Dear Mr B Vivian

**PLANNING APPLICATION: INV - P/15/0320/FUL**

**Erection of 3 Dwellinghouses and Associated Access Road; ROUGHMUTE  
TRANSPORT DEPOT, LARBERT, FK5 3NP**

Thank you for your consultation notification of the 16 June 2015 seeking the views of The Coal Authority on the above planning application.

**The Coal Authority Response: Material Consideration**

I can confirm that the above planning application has been sent to us incorrectly for consultation.

The application site **does not** fall with the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

**The Coal Authority Recommendation to the LPA**

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Yours sincerely

**Rachael A. Bust** *B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MRTPI*  
**Chief Planner / Principal Manager**  
**Planning and Local Authority Liaison**





**Morris, John**

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**From:** Russell, Craig  
**Sent:** 30 October 2015 15:35  
**To:** adtm1dmbcorr  
**Subject:** FW: Notification of Request for Review on Application Ref P/15/0320/FUL  
**Attachments:** ufm10.rtf

No further comment from Roads.

Regards,  
Craig Russell.

-----Original Message-----

From: roadsdevelopment unit  
Sent: 28 October 2015 14:01  
To: Russell, Craig  
Subject: FW: Notification of Request for Review on Application Ref P/15/0320/FUL

Russell Steedman  
Network Co-ordinator  
Development Services  
Abbotsford House  
Davids Loan  
Falkirk FK2 7YZ  
01324 504830

-----Original Message-----

From: adtm1dmbcorr@falkirk.gov.uk [mailto:adtm1dmbcorr@falkirk.gov.uk]  
Sent: 28 October 2015 13:51  
To: roadsdevelopment unit  
Subject: Notification of Request for Review on Application Ref P/15/0320/FUL

Please See Attached

\*\*\*\*\*  
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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

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# **Comments for Planning Application P/15/0320/FUL**

## **Application Summary**

Application Number: P/15/0320/FUL

Address: Roughmute Transport Depot Larbert FK5 3NP

Proposal: Erection of 3 Dwellinghouses and Associated Access Road

Case Officer: Brent Vivian

## **Customer Details**

Name: Mr Alexander Morton

Address: Bonnybridge Golf Club Larbert Road Bonnybridge

## **Comment Details**

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Bonnybridge Golf Club will like to object to the above planning application on the following grounds listed below,

1 This application is contrary to the local plan.

2 Due to the close proximity of the golf course boundaries and, due to the nature of the game of golf, these houses would need substantial protection from wayward golf balls



## Countryside & Green Belt The Countryside

**3.18** Although perceived to be mainly urban in character, the Falkirk area has an extensive and varied countryside, whose open and relatively undeveloped nature contributes to its character and identity. It is also a place where people live and work, which has to adapt to economic change. High accessibility to the main employment centres of the central belt creates pressure for commuter housing in the countryside which will not necessarily benefit the rural economy.

**3.19** The countryside will continue to be defined by reference to a system of Urban and Village Limits. The strategy of the Local Development Plan will be to direct new housing development in the rural areas to the existing villages, in order to sustain their vitality and take advantage of village services and infrastructure. However, there will be circumstances where development in the countryside will be appropriate.

**3.20**

### Policy CG01 Countryside

The Urban and Village Limits defined on the Proposals Map represent the limit to the expansion of settlements. Land outwith these boundaries is designated as countryside, within which development will be assessed in the terms of the relevant supporting countryside policies (Policies CG03 and CG04), and Supplementary Guidance SG01 'Development in the Countryside'.

## Green Belt

**3.21** Green belt forms an important part of the spatial strategy for the area, its primary purpose in the Falkirk area, being to safeguard the identity of communities by preventing development which would reduce their visual separation. It provides a stronger presumption against development than the 'countryside' designation, and a more long term indication of the future shape of settlements than the Urban Limits. It forms a series of connected wedges or corridors between the main settlements. The protection of landscape setting and greenspace around towns are important related objectives.

**3.22**

### Policy CG02 Green Belt

1. The following areas, as indicated generally on Map 3.1 and detailed on the Proposals Map, are designated as Green Belt:

- Falkirk/Stenhousemuir/Grangemouth/Laurieston Corridor
- Polmont/Grangemouth/Bo'ness/Lirthgow Corridor
- Falkirk/Larbert/Benny/Bonnybridge Corridor
- Callendar Park/Woods

2. The purpose of the Green Belt is:

- To maintain the separate identity and visual separation of settlements
- To protect the landscape setting of settlements; and
- To protect and give access to greenspace for recreation

3. Within the Green Belt, development will not be permitted unless it can be demonstrated that the proposal satisfies the relevant countryside policies, and it can be demonstrated that it will not undermine any of the strategic purposes of the Green Belt as set out in sub-section (2) above.





## Countryside

### Development in the Countryside

**5.62** The countryside is defined as those areas outwith the Urban and Villages Limits, as set out in Policy CG01 of the Spatial Strategy. The criteria for assessing housing and business proposals in the countryside are set out in Policies CG03 and CG04. Detailed guidance on the interpretation and application of these policies is contained within Supplementary Guidance SG01 Development in the Countryside. It should be noted that proposals that lie in the Green Belt will additionally have to meet the terms of Policy CG02 contained within in the Spatial Strategy.

**5.63**

#### 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 HS008.

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.

**5.64**

#### Policy CG04 Business Development in the Countryside

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

1. Areas specifically identified for business development on the Proposals Map;
2. Business development, including appropriate leisure and tourism uses, where a need for a countryside location is demonstrated, or the development constitutes an appropriate form of farm diversification;
3. Proposals involving the re-use of industrial, commercial or institutional land or premises, or the conversion of farm buildings for business use; or
4. Limited extensions to existing established business in the countryside.

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.

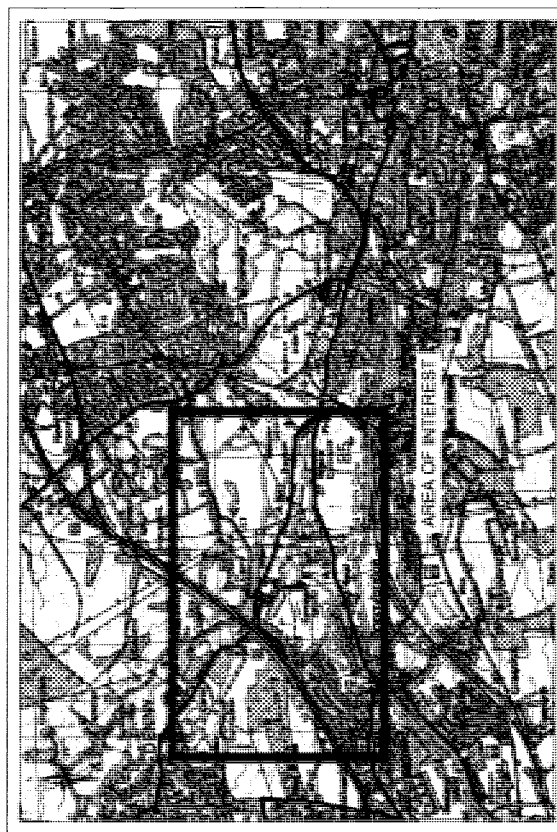
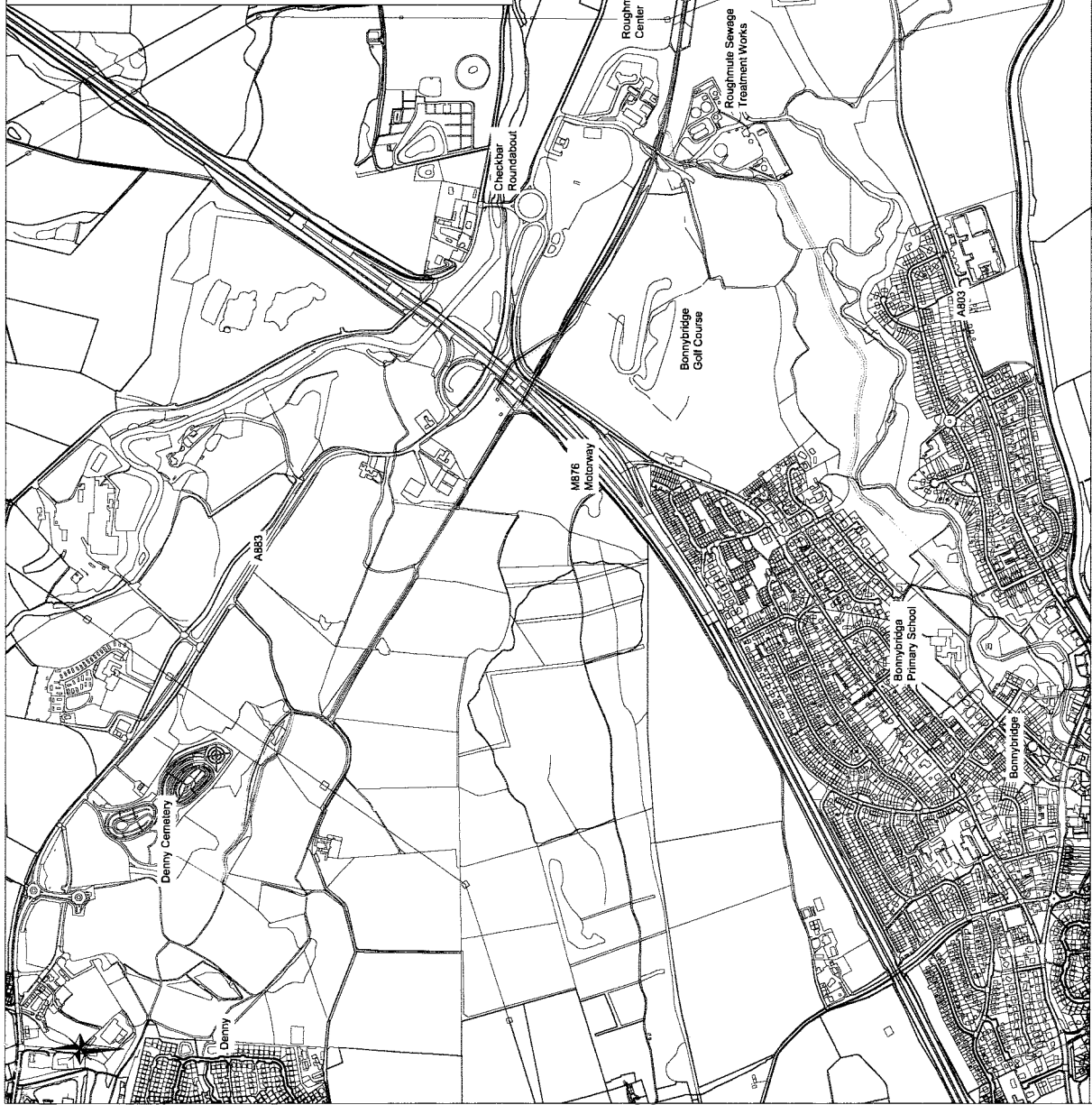






Ref No.	Opportunity	Opportunity Type	Description and Comments
<b>Denny</b>			
GN28	Denny-Falkirk Path	Strategic Route/Corridor	<ul style="list-style-type: none"> <li>• Opportunity to link Denny and Camelon/Falkirk utilising solum of disused railway line. Requires two new bridges to cross the Bonny Water and M876.</li> </ul>
<b>Bonny Water</b>			
GN29	Bonnywood to Denny-Falkirk Path	Strategic Route/Corridor	<ul style="list-style-type: none"> <li>• Opportunity to create a new path link between Bonnybridge and the proposed Denny-Falkirk Path (see GN28)</li> <li>• Opportunity comprises creation of new path from the edge of existing network at Bonnywood to the currently disused railway line, involving construction of new ramp to connect to disused railway line.</li> </ul>
GN30	Bonnyfield Expansion	Recreational Node	<ul style="list-style-type: none"> <li>• Opportunities exist to expand Bonnyfield Local Nature Reserve (LNR) to incorporate wetland habitat at Parkfoot Moss to west of bonded warehouse complex.</li> <li>• Further opportunities to improve access to LNR from Seabegs Road area via Seabegs Pend under Forth and Clyde Canal</li> <li>• Opportunities to enhance riparian habitat along the Bonny Water.</li> </ul>
<b>Canals</b>			
GN31	Portdownie/Falkirk Canal Corridor	Urban Corridor	<ul style="list-style-type: none"> <li>• Opportunity to improve the visual quality of the Forth and Clyde Canal corridor through Falkirk from Portdownie to the Helix.</li> <li>• Particular opportunities to create new access and public realm along canal through development opportunities at Portdownie, Rosebank, Merchiston Road, Gowan Avenue, Etna Road and the Falkirk Gateway.</li> </ul>
GN32	Bantaskine	Recreational Node	<ul style="list-style-type: none"> <li>• Opportunities for further enhancement of park including interpretation, path creation (as part of the John Muir Trail), canal moorings, tourist facilities and additional allotments.</li> </ul>





Legend

- Main Falkirk to Denny Cycleway Route
- Alternative Route
- Bonnybridge Link Route
- Site Boundary
- Land owned by Falkirk Council
- outwith site boundary

SCALE: 1:5000

SCALE BAR: 0 250 500m

CLIENT: FALKIRK COUNCIL

PROJECT TITLE: FALKIRK TO DENNY CYCLEWAY

ENGINEER: Glasgow

DRAWING ORIGINATOR:

REV	DESCRIPTION	DATE	APP'D	DATE	CHK'D	DATE	DESIGN BY	DATE	CHK'D BY	DATE	KOD
04	A804 slip road removed from site boundary.	21.07.15	RL		LW		RL	21.07.15			
03	A804 slip road removed from site boundary.	26.05.15	RL		LW		RL	26.05.15			
02	Site boundary for A804 slip road added. M876 bridge extended.	03.02.15	RL		LW		RL	03.02.15			
01	Site boundary extended to include free work area.	18.02.15	RL		LW		RL	18.02.15			
REV											

AMENDMENTS

REVISIONS

DATE

APP'D

CHK'D

DESIGN BY

DATE

CHK'D BY

DATE

KOD

PRELIMINARY

DRAFT

TENDER

CONTRACT

100023384

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FALKIRK COUNCIL

1084475/PAP/001

1:5000

SCALE: 1:5000

SCALE BAR: 0 250 500m

Legend

- Main Falkirk to Denny Cycleway Route
- Alternative Route
- Bonnybridge Link Route
- Site Boundary
- Land owned by Falkirk Council
- outwith site boundary

DRAWING TITLE: Falkirk to Denny Cycleway Planning Application Location Plan

SCALE: 1:5000

DRAWING NO: 1084475/PAP/001

REV: 04

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