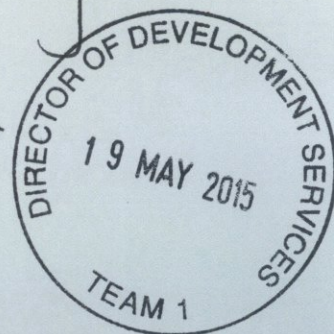


LOWLAND PLANNING ASSOCIATES

Chartered Town and Country Planners

17th May 2015.

FALKIRK COUNCIL
DEVELOPMENT MANAGEMENT
ABBOTSFORD HOUSE,
FALKIRK.



Dear Sirs

LRB Appeal.

Please register the enclosed for
the attention of the Local Review Body
to determine this planning application.

Yours Faithfully

[Redacted signature]

ANNE CUNNINGHAM.

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	JOHN	Forename	ANNE
Surname	MCGYNN	Surname	CUNNINGHAM
Company Name		Company Name	LOWLAND PLANNING
Building No./Name		Building No./Name	5
Address Line 1	118 MAIN ST	Address Line 1	WEST TERRACE,
Address Line 2	PLAINS	Address Line 2	BLACKNESS
Town/City	AIRDRIE	Town/City	LINLITHGOW
Postcode	ML6 7JQ	Postcode	EH49 7NN
Telephone		Telephone	01506 884435
Mobile		Mobile	0771 8061501
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority		FALKIRK COUNCIL	
Planning authority's application reference number		P/15/0072/FUL	
Site address			
		LAND TO THE EAST OF AVONHILL LODGE, nr. AVONBRIDGE, FALKIRK	
Description of proposed development			
		ERECTION of a HOUSE	

Date of application

12 Feb 2015

Date of decision (if any)

24 April 2015

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

6. 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.

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

Further written submissions

☐

One or more hearing sessions

☒

Site inspection

☒

Assessment of review documents only, with no further procedure

☐

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

To give the applicant - agent opportunity to answer Council's queries.

7. Site inspection

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

Can the site be viewed entirely from public land?

☒

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

☒

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

This site and identical proposal has been granted planning permission in the past (lapsed Sept 2014). There are no changes to the situation that Councillors felt enabled to grant the previous permission. I submit that this is in fact a renewal of a previous permission.
There is a supporting statement attached explaining this rationale.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

- ALL PLANNING APPLICATION PANS
- SUPPORTING STATEMENT
- COAL AUTHORITY REPORT
- PREVIOUS LETTER CONFIRMING PLANNING PERMISSION GRANTED BY LRB 11 May 2011
- REFUSAL OF PLANNING PERMISSION

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form



Statement of your reasons for requesting a review



All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:

Name:

JOANE CUNNINGHAM

Date:

17/5/2015

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

SUPPORTING STATEMENT, LAND TO THE EAST OF AVONMILL LODGE, AVONBRIDGE.

APPLICANT: MR JOHN McGLYNN

AGENTS: LOWLAND PLANNING ASSOCIATES

SITE HISTORY

This application seeks to renew the previously granted planning permission P/10/0335/FUL . The permission unfortunately lapsed because of reasons beyond the applicants control, however this was less than 1 year ago and circumstances relating to the site and indeed the whole proposal are identical to that previously granted in 2010.

Falkirk Councils Planning Review Committee were minded to approve the application, following a site visit to the land concerned and to another site that the applicant developed. The latter was to view the exact same house in situ, giving Members an exact visual realisation of the house proposed for the Avonbridge site.

The reasons Committee gave for them wishing to depart from the Development Management Managers' recommendation of refusal were solid and well defined. The reasons were that the site, albeit in a rural area, had been previously housed a cottage(Badcur Cottage), outbuildings and garden ground; the boundaries are well defined; there was a history of fly-tipping which development would discourage and that access and servicing of the site was readily achievable without burden on public services. Again, it must be emphasised, these reasons are still valid as the proposal and the site have not altered in the

THE HOUSE

The house proposed is a simple 1.5 storey detached house with a reduced

L-shaped footprint. Following the formula for non-suburban housing, there is a strong vertical emphasis on the windows and a steep pitch on the roof. It will be finished in roughcast, grey tiles and have timber finishes to windows and doors. The upper level is lit by a traditional dormer and velux windows.

THE BOUNDARIES and LAND WITHIN THE CURTILAGE

To the east, west and northern boundaries a 1.6 metre high, close-boarded, timber fence shall be erected. This will be stained in a dark brown shade. There will be a 1 metre high stone or harled brick wall to the roadside, with a generous gap to allow safe access and egress of cars from the driveway.

All the driveways surfaces will be SUDS compliant.

The substantial garden grounds will be laid to grass, shrubs and trees. Additional planting as prescribed by the planning authority through planning conditions is welcome, as is specification of materials should this be considered beneficial to the overall development.

CONCLUSION

This site, in its present condition is not adding to the amenity of the area. Development will allow this brownfield land to contribute, rather than detract from the dispersed settlement pattern common to this part of the County, encourage perhaps a rural business to be accommodated or provide a cost-effective house in the Avon valley.

An identical application was approved before and a renewal of the same is now commended to Falkirk Council.

Lowland Planning Associates

February 2015

