

Reference No. P/16/0074/FUL



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

Falkirk Council

Refusal of Planning Permission**Agent**

John Watson Architectural Consultant Ltd
11 Market Street
Mid Calder
Livingston
EH53 0AL

Applicant

Now Holdings Ltd.
Beechwood Nurseries
17 Houston Mains Holdings
Uphall
EH52 6PA

This Notice refers to your application registered on 1 April 2016 for permission in respect of the following development:-

Development Erection of 3 No. Dwellinghouses at

Location Land To The South West Of Wester Bonhard, Bo'ness

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

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

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

Refuses Detailed Planning Permission

The Council has made this decision for the following

Reason(s):

1. The proposal would represent unacceptable development in the countryside and green belt which is contrary to Policy CG03 - Housing in the Countryside and CG02 - Green Belt of the Falkirk Local Development Plan, Supplementary Guidance SG01 - Development in the Countryside and Scottish Planning Policy (SPP).
2. The proposal fails to demonstrate that an adequate assessment has been carried out in relation to coal mining legacy risks and appropriate mitigation and/or remediation measures cannot therefore be identified to the potential detriment to the safety of future occupants of the proposed dwellings. The proposal is contrary to Policy RW10 - Vacant, Derelict, Unstable and Contaminated Land of the Falkirk Local Development Plan.
3. The proposal would result in the unacceptable permanent loss of prime quality agricultural land to the detriment of the farming industry and is contrary to the terms of Policy RW04 - Agricultural Land, Carbon Rich Soils and Rare Soils of the Falkirk Local Development Plan and Scottish Planning Policy (SPP).
4. The proposal has failed to demonstrate that a sufficient proportion of carbon reductions within the development will be secured by means of low and zero carbon generating technologies to the potential detriment of the environment. The proposal is contrary to the terms of Policy D04 - Low and Zero Carbon Development of the Falkirk Local Development Plan and Supplementary Guidance SG15 - Low and Zero Carbon Development.

5. The proposed accesses to the site do not meet visibility splay requirements and as a result would not be in the best interests of road safety. The proposal is contrary to the terms of Supplementary Guidance SG01 - Development in the Countryside.

Informatives:

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

17 May 2016


Director of Development Services

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