



Agenda Item 5

**ERECTION OF DWELLINGHOUSE
AT LAND TO THE WEST OF RUMAH,
SHIELDHILL ROAD,
REDDINGMUIRHEAD FOR
MR ASHLEY BEAUMONT
- P/18/0190/PPP**

FALKIRK COUNCIL

Subject: ERECTION OF DWELLINGHOUSE AT LAND TO THE WEST OF RUMAH, SHIELDHILL ROAD, REDDINGMUIRHEAD FOR MR ASHLEY BEAUMONT - P/18/0190/PPP
Meeting: PLANNING COMMITTEE
Date: 15 August 2018
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Lower Braes

Councillor Adanna McCue
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Reddingmuirhead and Wallacestone

Case Officer: Kevin Brown (Planning Officer), Ext. 4701

UPDATE REPORT

1. Members will recall that this application was originally considered by the Planning Committee on 19 June 2018 (copy of previous report appended), when it was agreed to continue the application for a site visit. This site visit took place on Monday 6 August 2018.
2. Following a summary of the proposal by the case officer, the applicant expressed their opinion that the site is appropriate for the development proposed and that development would include improvement of the site by way of tree planting and topsoil improvement to allow animals to be kept. The applicant advised that neighbours to the site, and the wider community, support the development.
3. A representative from Shieldhill Community Council spoke in objection to the application with the main concerns relating to the potential for coalescence of settlements. Reference was also made to recent planning approvals for residential development to the south west of the site.
4. Two individuals spoke in support of the proposal with points being raised in reference to the 'boundaries' of Reddingmuirhead. Emphasis was placed on the fact that this development is for a single dwellinghouse and how this is preferable to the potential for mass housebuilding on the site at some point in future.
5. Members of the Committee then requested clarification on a number of points from both Council officers and the applicants themselves. In response to questions relating to road safety, the Council Roads representative confirmed that the access proposed would meet current visibility requirements and that any potential future access proposals to the east of the site may prove difficult to achieve due to traffic speeds and visibility restrictions.

6. Questions were raised by members in relation to gap site definitions and the potential to restrict future development by way of planning conditions. Whilst it is not possible to prevent the submission of any future planning applications, it is possible to seek to control the positioning of any dwellinghouse on this site by way of planning conditions. The applicants have suggested positioning the dwellinghouse no closer than 80m from the gable end of Rumah to the east of the site. 80m is the maximum permitted gap site width as set out in Supplementary Guidance SG01 - 'Development in the Countryside'. A condition ensuring that any house on this site is positioned in excess of 80m from Rumah would therefore have the effect in relation to the guidance in SG01 of preventing the creation of a new gap site between Rumah and the development.
7. Clarification was sought from members on the history of the existing access road to this site. Members are advised that planning permission P/16/0453/FUL granted planning permission on 9 September 2016 for the formation of a field access in this location. Prior to this there is no planning history relating to an access in this location however anecdotal evidence suggests that a field access did exist in this location in the past.
8. It is considered that no new matters have emerged from this site visit that would alter the officer recommendation to refuse planning permission in principle. The previous recommendation is reiterated as follows:

9. RECOMMENDATION

9.1 It is therefore recommended that the Planning Committee refuse planning permission for the following reason(s):-

1. **The proposal would result in undesirable and unjustified housing growth within the countryside to the detriment of settlement separation and the rural character of the area. The proposal fails to accord with policies CG01 'Countryside' and CG03 'Housing in the Countryside' of the Falkirk Local Development Plan and Supplementary Guidance SG01 'Development in the Countryside'.**

Informative(s):-

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

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pp Director of Development Services

Date: 7 August 2018

LIST OF BACKGROUND PAPERS

1. The Falkirk Local Development Plan.
2. Supplementary Guidance SG01 - Development in the Countryside.
3. Objection received from Mr Hector Maxwell, Southview, Shieldhill Road, Reddingmuirhead, FK2 0DU on 16 April 2018.
4. Representation received from Shieldhill & California Community Council, jit.singh@blueyonder.co.uk on 23 April 2018
5. Objection received from Shieldhill & California Community Council, FAO Maria Montinaro, marmonti@blueyonder.co.uk on 10 May 2018.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

FALKIRK COUNCIL

Subject: ERECTION OF DWELLINGHOUSE AT LAND TO THE WEST
OF RUMAH, SHIELDHILL ROAD, REDDINGMUIRHEAD,
FOR MR ASHLEY BEAUMONT - P/18/0190/PPP

Meeting: Planning Committee

Date: 19 June 2018

Author: Director of Development Services

Local Members: Ward - Lower Braes

Councillor Adanna McCue

Councillor Malcolm Nicol

Councillor Alan Nimmo

Community Council: Reddingmuirhead and Wallacestone

Case Officer: Kevin Brown, (Planning Officer), Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1. This planning permission in principle application proposes the construction of a single dwellinghouse within the countryside between Reddingmuirhead and Shieldhill. The application site fronts onto the northern side of the B810 Shieldhill Road and proposes to utilise an existing field access to serve the site.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application was referred to Committee by Councillor Malcolm Nicol to allow the Planning Committee to consider if the proposal is contrary to Local Development Plan Policy CG03.

3. SITE HISTORY

- 3.1 P/16/0453/FUL - Detail - Granted 09/09/16 - Formation of Vehicular Field Access.

4. CONSULTATIONS

- 4.1 The Roads Development Unit have no objection.
- 4.2 Scottish Water have no objection

- 4.3 The Environmental Protection Unit have no objections. Conditions and informatives suggested.
- 4.4 The Coal Authority have no objections to this planning application subject to the imposition of a planning condition to ensure intrusive investigations to locate the mine shaft and to calculate its zone of influence, effectively to inform the development layout of the subsequent detailed application.

5. COMMUNITY COUNCIL

- 5.1 The Reddingmuirhead and Wallacestone Community Council have not made representations to this application.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, 3 contributor(s) submitted letter(s) were received. Of the three contributions received, two of these were received from the Shieldhill and California Community Council. The salient issues are summarised below.
- The application is contrary to the Local Development Plan.
 - The proposal constitutes ribbon strip development and would set precedence for similar future developments.
 - Adverse impact on the natural environment and the loss of green belt and agricultural land.
 - No justification for the development based on an argument that the stated shortfall in 5 year housing land supply is not accurate.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

- 7a.1 The Falkirk Local Development Plan was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development was assessed against the following policy or policies:

- 7a.2 Policy CG01 - Countryside states:-

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'.

7a.4 The application site is located outwith the urban and village limits and within an area of countryside as defined by the Falkirk Local Development Plan.

7a.5 Policy CG03 - Housing in the Countryside states:-

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

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

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

7a.6 The proposed dwellinghouse is not required for any form of agricultural, horticultural, forestry or business use for which a countryside location is essential. The proposal is not a restoration or replacement of an existing house or the conversion or restoration of redundant farm steadings. The proposal is not an infill site and does not constitute enabling development. The proposal is not a gypsy/traveller site. The proposed development is not therefore supported by policy CG03.

7a.7 The proposal is contrary to the terms of the Falkirk Local Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the Assessment of Public Representations and Supplementary Guidance forming part of Local Development Plan.

Assessment of Public Representations

7b.2 It is accepted that the application is contrary to the terms of the Falkirk Local Development Plan.

7b.3 It is accepted that the proposal would result in undesirable ribbon development and unacceptable loss of countryside.

- 7b.4 The site is not designated as greenbelt.
- 7b.5 Given the limited scale of the proposal, which is for a single dwellinghouse, the arguments made with regard to the shortfall in housing land supply are not considered to be determining factors in the assessment of this application.

Supplementary Guidance forming part of Local Development Plan

- 7b.6 Supplementary Guidance SG01 - Development in the Countryside sets out the circumstances in which new development in the countryside may be considered to be acceptable. The proposed development does not meet the terms of any of the required criteria and therefore the proposal is not supported by this guidance.

7c Conclusion

- 7c.1 The proposal is an unacceptable form of development within an area of countryside where no justification has been made to depart from established planning policy. As such, it is contrary to the terms of the Falkirk Local Development Plan. There are no material planning considerations that warrant a planning permission in this instance.

8. RECOMMENDATION

- 8.1 It is therefore recommended that the Planning Committee refuse planning permission for the following reason(s):-**

- 1. The proposal would result in undesirable and unjustified housing growth within the countryside to the detriment of settlement separation and the rural character of the area. The proposal fails to accord with policies CG01 'Countryside' and CG03 'Housing in the Countryside' of the Falkirk Local Development Plan and Supplementary Guidance SG01 'Development in the Countryside'.**

Informative(s):-

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

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pp Director of Development Services

Date: 11 June 2018

LIST OF BACKGROUND PAPERS

1. The Falkirk Local Development Plan.
2. Supplementary Guidance SG01 - Development in the Countryside.
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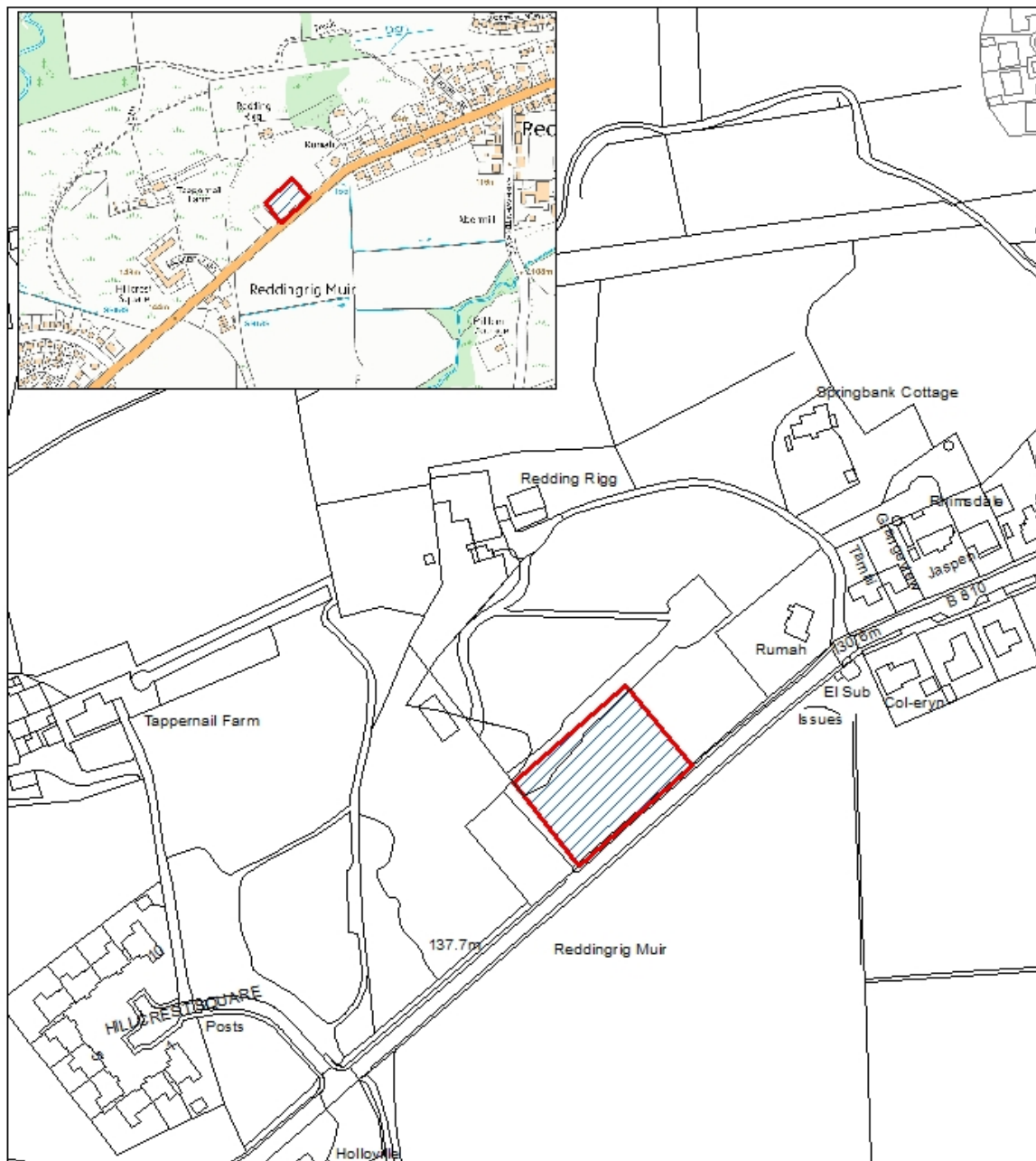
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

Planning Committee

Planning Application Location Plan

P/18/0190/PPP

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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