

28 Cedar Road
Banknock
Falkirk
FK4 1JQ

3 September 2009

Subject: Planning Application

Your Ref: ENF/2009/0082/RM

Dear Mr McCall

Please find enclosed planning application for the use of common ground to the east of my home address as above and a cheque for £290.

The application is for permission to erect a wooden fence, approximately 1.8 metres high, effectively enclosing the area and to use the ground as a garden allotment of sorts.

Please excuse my ignorance with regards to Falkirk Council's planning application requirements, but my lead was taken from other residents on the estate who have undertaken similar projects to me and have advised that they had not found it necessary to contact the council and make a planning application, nor had they since been contacted by the council in pursuit of same.

I have enclosed two photographs, one of the fence, which as you are aware has already been erected. The other is of the boundary fences of those neighbouring properties at 2 Hazel Road, Banknock (residents [REDACTED]) and 26 Cedar Road, Banknock (residents [REDACTED]) to which access is restricted. You may note that one fence is in a poor state of repair and would be on view but for the presence of the fence I have erected.

Viewing photograph 1 from left to right, you will see that the fence commences just to the right of the No Ball Games sign where it meets with a fence of almost identical construction to the boundary of the property at 2 Hazel Road, Banknock. From this point, the fence extends northward for 11 metres and then west for 11.30 metres to the red marker located on the fence to the extreme right of the picture. At this point, the fence meets with the boundary fence of my property at 28 Cedar Road, Banknock, which is identical in appearance, made with the same materials etc. The fence will be painted to match the colour of the existing fences. I do not consider that the height of the fence is too obtrusive and is no higher than those that border many other properties on the estate. Furthermore, in pursuit of my objective, it would be my intention to erect a small greenhouse within the site and I consider that the fence height as at

present, would act as a deterrent to opportunist vandals. The trees captured in the images are contained within existing garden boundaries.

In effect the presence of this fence restricts access to no more than 121 Sq metres of common ground, which until now has been used as nothing more than an ad hoc car park (which I understand has previously attracted complaints) or an area for dog owners to allow their dogs to foul on.

Otherwise, the only other restriction is to the entire boundary fence of 26 Cedar Road and approximately 9 metres of the boundary fence at 2 Hazel Road.

I have already spoken with both neighbouring parties, with whom I enjoy an amicable relationship, and assured them that access to their boundaries will be made available at all times. Indeed since the erection of this fence, the [REDACTED] have undertaken landscaping work at their property, which included repainting of the boundary fence. No problems were encountered. Alternative, I would be prepared to erect further fencing to run adjacent to both properties to allow unrestricted access.

I have provided copies of two letters addressed to Persimmon Homes, dated 20 September 2006 and 3 September 2009. Their contents are self-explanatory.

In response to the letter dated 20 September 2006, a subsequent telephone conversation with their Mr David Workman revealed that they had no objection to local residents utilising the land for purposes similar to those now proposed by myself.

Hopefully the enclosed planning application is suitably completed with sufficient detail.

I trust this is of assistance to you.

Yours Sincerely

[REDACTED]

John Curson

Chq No: 000129.



APPLICATION FOR PLANNING PERMISSION (NON HOUSEHOLDER)

Town & Country Planning (Scotland) Act 1997

Falkirk Council
Development Services

Please read the notes before completing this form. If you have any doubts about how to complete any part of the form, please contact Development Services and ask to speak with the Development Management Duty Officer. The telephone number is (01324) 504748. ONE copy of the completed form, TWO copies of the plans, the appropriate fee and other documents should be returned to:

The Director of Development Services
Abbotsford House, David's Loan,
Falkirk FK2 7YZ

REG
C1208-09-2009 (TUE) 14:50
MC#01 036586
CT 1

1 PLANNING APP.	£290.00
TOTAL	£290.00
CHEQUE	£290.00
CHANGE	£0.00

P/09/0638/FUL

Falkirk Council is the Data Controller under the Data Protection Act 1998. Information submitted in this form and associated documents will be processed in accordance with the Act.

1 DESCRIPTION OF PROPOSED DEVELOPMENT

ERECTION OF GARDEN FENCE MADE OF WOOD MATERIALS
TO A HEIGHT OF 180 CM TO ENCLOSE GARDEN ALLOTMENT

2 ADDRESS OR LOCATION OF PROPOSED DEVELOPMENT

Address: COMMON GROUND TO THE EAST OF 28 CEDAR RD
BANKNOCK Postcode: FK4 1TQ

3 AGENTS NAME AND ADDRESS

Name: JOHN CURSON
Address: 28 CEDAR ROAD, BANKNOCK
Postcode: FK4 1TQ E-mail: _____
Telephone: _____ Fax: _____

4 DETAILS OF PROPOSALS

a Land Use/Use of Building(s)

Present: COMMON GROUND
Proposed: GARDEN ALLOTMENT.
Last known use of land/buildings (if unoccupied/vacant or derelict): _____

b Site Area Gross: _____ hectares Net of buildings to be retained: _____ hectares

c Are any trees to be felled/lopped? Yes ☐ No ☒
If yes, existing trees and those proposed to be felled/lopped should be clearly shown on the submitted plans.

d Are any buildings/structures to be demolished? Yes ☐ No ☒
If yes, provide details of the floorspace, present use and condition: _____

e Is the construction of a new, or alteration of an existing access to a public road involved?

Yes ☐ Name of road to which access is required: _____
No ☒

f Car Parking Number of spaces available now: N/A Proposed: _____

g Provision for Cyclists

Number of spaces available now on racks outside of building: N/A
Number of spaces available on completion of development on racks outside of building: _____

h Materials

External Walls: WOODEN FENCE TO 180 CM HEIGHT.
Roofs: _____
Parking Area/Driveway: _____
Windows/Doors: _____
Boundary Walls/Fences: _____

5 TYPE OF APPLICATION

- Planning Permission (FUL): ☒ Planning Permission in Principle (PPP) ☐
 Further Application (extension of time on development not started): ☐
 Further Application (removal of conditions on a previous application): ☐
 Application for Approval of Matters Specified in Conditions (MSC) ☐ *

*Date and reference number of previous decisions (if known and applicable):

6 HAVE THERE BEEN ANY PRE-APPLICATION DISCUSSIONS WITH THE PLANNING DEPARTMENT?

- Yes: ☐ No: ☒
 If yes: By Telephone: ☐ Meeting: ☐ Date: _____
 By Letter: ☐ Officers Name: _____

7 SITE INFORMATION/PROPOSED FLOOR AREAS**a Residential Development**

- i Does conversion of existing building to new units form part of this application?

Yes ☐ No ☒

- ii Total number of dwellings formed:

Detached: _____ Semi: _____ Terrace: _____
 Flats: _____ Other: _____ Grand Total: _____

b Non Residential Development

	Proposed	Existing
i Recreation and Leisure	121 m ²	_____ m ²
ii Manufacturing/Production	_____ m ²	_____ m ²
iii Storage/Distribution	_____ m ²	_____ m ²
iv Office Area	_____ m ²	_____ m ²
v Retail	_____ m ²	_____ m ²

8 DRAINAGE AND CONTAMINATION

Surface Water Drainage: it is intended to use:

- Connection to a public drain: ☐ N/A Separate soakaway or watercourse: ☐ N/A
 Sustainable Urban Drainage System: ☐ N/A

Foul Drainage: it is intended to use:

- Connection to a public sewer: ☐ N/A An existing septic tank: ☐ N/A
 A new septic tank: ☐ N/A Another tank method: ☐ N/A

For Septic Tank Drainage Systems: please specify whether the septic tank will drain to:

- A watercourse: ☐ N/A A soakaway pit/perforated pipe system: ☐ N/A
 Estuary: ☐ N/A

Flooding: is the area susceptible to flooding? Yes ☐ No ☒

If yes, please supply any known details of previous floods including dates, area affected, etc:

Contamination:

- To the best of your knowledge has the application site, in view of it's present or a previous use been subject to ground contamination? Yes ☐ No ☒

If yes, please supply details: _____

9 FEE

I enclose a fee to the value of: £ 290.

Please state which fee group your application falls under. Group: PLANNING PERMISSION IN PRINCIPLE.

If the fee is based on floorspace please state the floor areas using external dimensions for all floors (Notes for Guidance in relation to the Scale of Fees currently in force is contained in the application pack):

10 LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2009
Regulation 15

If you do not own all of the land or property to which this relates, you must notify all the owners at the same time as submitting this form. You must complete either certificates A or B below as applicable by inserting the date and details as appropriate. . ANYONE WHO KNOWINGLY OR RECKLESSLY MAKES A FALSE OR MISLEADING DECLARATION IS LIABLE, ON CONVICTION, TO A FINE OF CURRENTLY UP TO £2,000

Certificate A (Note A)

I hereby certify that:

- 1 no person other than *myself/the applicant was an owner (Note B) 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 this application; and
- 2 none of the land to which this application relates constitutes or forms part of an agricultural holding.

Insert date if this certificate applies

Date: _____

Certificate B (Note A)

I hereby certify that:

Tick 1 box only

- 1 no person other than *myself/the applicant was an owner 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; ☐

OR

*I have/the applicant has served notice on every person other than *myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner (Note B) of any part of the land to which the application relates. ☒

These persons are (continue on a separate sheet if necessary):

Name	Address	Date Notice Served
PERSIMMON	PER DAVID WORKMAN	3/9/09.
HOMES	UNIT 1 WESTERINCH BUS PARK	
	OLD HILL COURT	
	BATHGATE EH48 2TG	

Tick 1 box only

- 2 none of the land to which this application relates constitutes or forms part of an agricultural holding ☒

OR

the land or part of the land to which the application relates constitutes or forms part of an agricultural holding and *I have/the applicant has served notice on every person other than *myself/himself who at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. ☐

These persons are (continue on a separate sheet if necessary):

Name of Tenant (Note C)	Address	Date Notice Served

Insert date if this certificate applies

Date: _____

3/9/09

Note A: Certificate A to be completed where the applicant is the only owner and the land is not an agricultural holding. Certificate B to be completed where Certificate A does not apply but where it has been possible to notify all the owners and agricultural tenants.

Note B: Any person who in respect of any part of the land, is the proprietor of the "dominium utile" or is the lessee under a lease thereof of which not less than 7 years remain unexpired.

Note C: If you are the sole agricultural tenant enter "None".

*Delete as appropriate

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11 APPLICANTS DETAILS

Name: JOHN CURSON
 Address: 28 CEDAR ROAD
BANKNOCK
FALKIRK
 Postcode: FK4 1TD E-mail: _____
 Telephone: _____ Fax: _____

9 DATA PROTECTION ACT**YOUR PERSONAL DATA**

Falkirk Council respects your personal information and undertakes to comply with the Data Protection Act 1998.

The personal data you provide in making an application under the Planning Acts and related legislation will be used for the following purpose:

to enable the Council to undertake its statutory planning responsibilities under the above legislation.

Your data may be disclosed to the following parties in connection with the aforesaid purposes:

Parts I and II of the Statutory Planning Register - the entire application in paper form will be made available to all members of the public in order that:

officers and Members of the Council can discharge their statutory responsibilities; and

consultees and the general public may provide an input to the planning process.

The Council's Website - personal data contained within the application form will not be uploaded to the Council's Website.

Falkirk is the registered Data controller. Any queries regarding the processing of your personal data by Falkirk Council should be directed to the Director of Law and Administration, Municipal Buildings, Falkirk FK1 5RS

Signature of Applicant OR
Agent: _____

Date

13/9/09

10 PUBLIC ACCESS TO PLANNING INFORMATION

From 29 April 2009, Falkirk Council will provide the facility to view and comment on planning applications online. **AS A RESULT OF ADVICE GIVEN TO COUNCILS BY THE INFORMATION COMMISSIONER ONLY SECTIONS 1-7 OF THIS FORM WILL BE MADE AVAILABLE TO VIEW BY THE PUBLIC ON-LINE.** The full submission will, however, be placed on the statutory Planning Register which is accessible by the public at Abbotsford House, Davids Loan Falkirk FK2 7YZ during normal working hours Monday to Friday.

11 NOTES/ADDITIONAL INFORMATION

TO AVOID INADVERTANT DAMAGE TO UNDERGROUND PLANT WHICH MAY RESULT FROM YOUR PROPOSALS, YOUR AGENT OR BUILDER IS ADVISED TO USE THE NATIONAL FREEPHONE MOLESEYE ON 0800 800 333.

Checklist - Application for Non-Householder Application

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

Failure to submit all this information may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

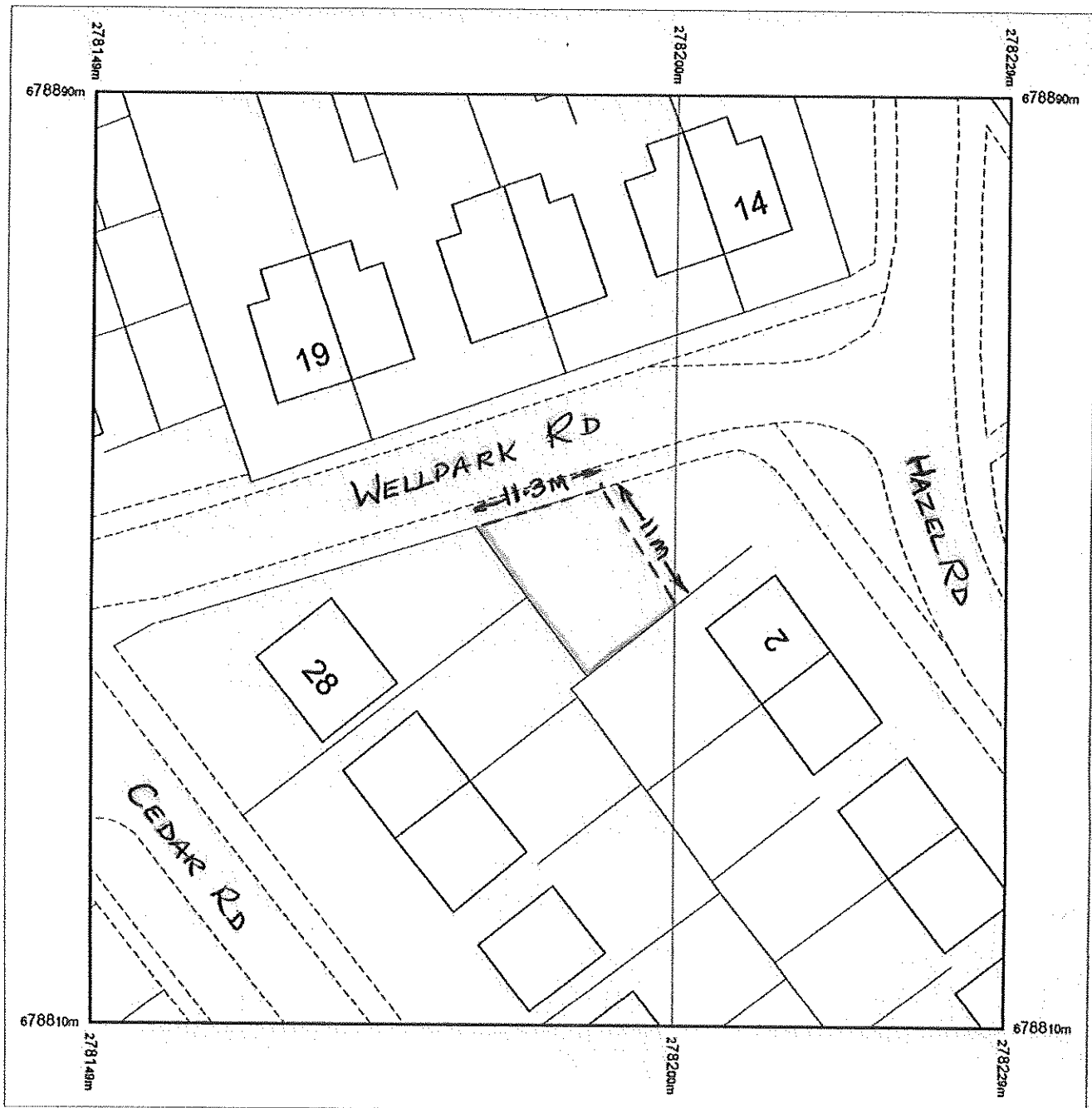
	YES	NO
A copy of a location plan which identifies the land to which the application relates. This should have a north point and be drawn to an identified scale.	<input type="checkbox"/>	<input type="checkbox"/>
A copy of other plans and drawings or information necessary to describe the proposals (two must be selected).		
Existing and proposed elevations.	<input type="checkbox"/>	<input type="checkbox"/>
Existing and Proposed floor plans.	<input type="checkbox"/>	<input type="checkbox"/>
Cross sections	<input type="checkbox"/>	<input type="checkbox"/>
Site layout plan/Block plans (including access).	<input type="checkbox"/>	<input type="checkbox"/>
Roof plan.	<input type="checkbox"/>	<input type="checkbox"/>
Master Plan/Framework Plan		
Landscape plan		
Photographs and/or photomontages	<input type="checkbox"/>	<input type="checkbox"/>
Additional Surveys*	<input type="checkbox"/>	<input type="checkbox"/>
A Supporting Statement**	<input type="checkbox"/>	<input type="checkbox"/>
Copy of an Environmental Statement	<input type="checkbox"/>	<input type="checkbox"/>
Design statement, and/or access statement.	<input type="checkbox"/>	<input type="checkbox"/>
Flood Risk Assessment	<input type="checkbox"/>	<input type="checkbox"/>
Drainage Impact Assessment (including proposals for Sustainable Drainage Systems)	<input type="checkbox"/>	<input type="checkbox"/>
Drainage/SUDS layout	<input type="checkbox"/>	<input type="checkbox"/>
Transport Assessment or Travel Plan	<input type="checkbox"/>	<input type="checkbox"/>
Contaminated Land Assessment	<input type="checkbox"/>	<input type="checkbox"/>
Habitat Survey	<input type="checkbox"/>	<input type="checkbox"/>
Other Statements (please specify). (Max 500 characters)	<input type="checkbox"/>	<input type="checkbox"/>
Application Fee unless exempt	<input type="checkbox"/>	<input type="checkbox"/>

Other

* for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.

**you may wish to provide additional background information or justification for your proposals. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required.

Please note that, unless exempt, you must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been received by the planning authority.



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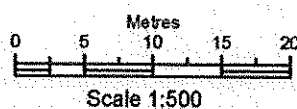
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**FALKIRK COUNCIL
DEVELOPMENT
SERVICES**

RECEIVED

- 8 SEP 2009

APPLICATION NUMBER

P/09/0635/PUL

FALKIRK COUNCIL
DEVELOPMENT
SERVICES

RECEIVED

02

- 8 SEP 2009

APPLICATION NUMBER

P/09/0635 / FUL





FALKIRK COUNCIL DEVELOPMENT SERVICES	
RECEIVED	03
- 8 SEP 2009	
APPLICATION NUMBER P/09/0633 / ML	

