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# NOTICE OF REVIEW



**Falkirk Council**

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY 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 2008

**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 that the guidance notes are issued by the Scottish Government. They apply to planning authorities generally and not specifically to Falkirk Council**

In terms of the Act and regulations referred to above, Falkirk Council's Planning Review Committee sits as the "local review body".

Please use **BLOCK CAPITALS** if completing by hand.

## Applicant(s)

Name	WESTQUARTER & REDDING CRICKET CLUB
Address	c/o JAMES SHARP 8 PARK AVENUE BRIGHTONS Postcode: FK2 0JA
Tel	[REDACTED]
Mobile	[REDACTED]
Fax	[REDACTED]
e-mail *	[REDACTED]

## Agent

Name	
Address	
Postcode:	
Tel	
Mobile	
Fax	
e-mail *	

Mark this box to confirm all contact should be through your agent or representative: ☒

\* Do you agree to correspondence regarding your review being sent by e-mail? Yes ☒ No ☐

Planning authority's application reference number

P/12/0033/FUL

Site address

Description of proposed development

ROUGH HAUGH FARM, SUNNYSIDE ROAD, BRIGHTONS

Demolition of a single storey extension, construction of a single storey extension and change of use from Dwellinghouse to Childrens Nursery

Date planning application declared  
valid by Planning Authority

8 February 2012

Date of Decision (Leave blank if  
appeal against non-determination

12 October 2012

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

## Nature of application

1. Application for planning permission (including householder application) ☒
2. Application for planning permission in principle ☐
3. 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) ☐
4. Application for approval of matters specified in conditions ☐

## Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐

## 3. Conditions imposed on consent by appointed officer

☐**Review procedure**

The Planning Review Committee 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 consider that the review should be conducted by a combination of procedures. Please note, however, that the final decision as to procedure will rest with the Planning Review Committee.

1. Further written submissions
2. One or more hearing sessions
3. Site inspection
4. Assessment of review documents only, with no further procedure

☐  
☐  
☒  
☐

If you have marked box 1 or 2, 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 are necessary:

**Site inspection**

In the event that the Planning Review Committee decides to inspect the review site, in your opinion:

1. Can the site be viewed entirely from public land?
2. Is it possible for the site to be accessed safely, and without barriers to entry?

Yes	No
<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

There are locked gates for security, which while the site could be viewed without these being open I consider it would be beneficial. It would be easy to arrange to have the gates opened up at the time of the site inspection.

**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. 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 Planning Review Committee to consider as part of your review.

If the Planning Review Committee issues a notice requesting further information from any other person or body, copies of any such information received will be sent to you and 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 in the space provided 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.

Are you submitting a statement of reasons for review in a separate document?

Yes



No



#### Reasons for Notice of Review

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

Yes



No



Are you submitting additional documentation?



If you answer yes to either or both of the above questions, you should explain in the box below, why you are raising new material and/or introducing additional documentation, why it was not raised with or made available to the appointed officer before your application was determined and why you think it should now be considered in your review. Please note that it will be for the Planning Review Committee to decide whether or not all or any of the new material/additional documentation will be considered in the review.

#### 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 and intend to rely on in support of your review.

1.	Drg N0 11001/01RevA Proposed Ground Floor Plan
2.	Drg No 11001/02 Existing & Proposed Elevations
3.	Drg No 11001/02RevC Proposed Site Plan
4.	Reasons For Review Document
5.	
6.	
7.	
8.	

9.	
10.	

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.

#### Checklist

Please mark the appropriate boxes to confirm 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 requiring 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~~ [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

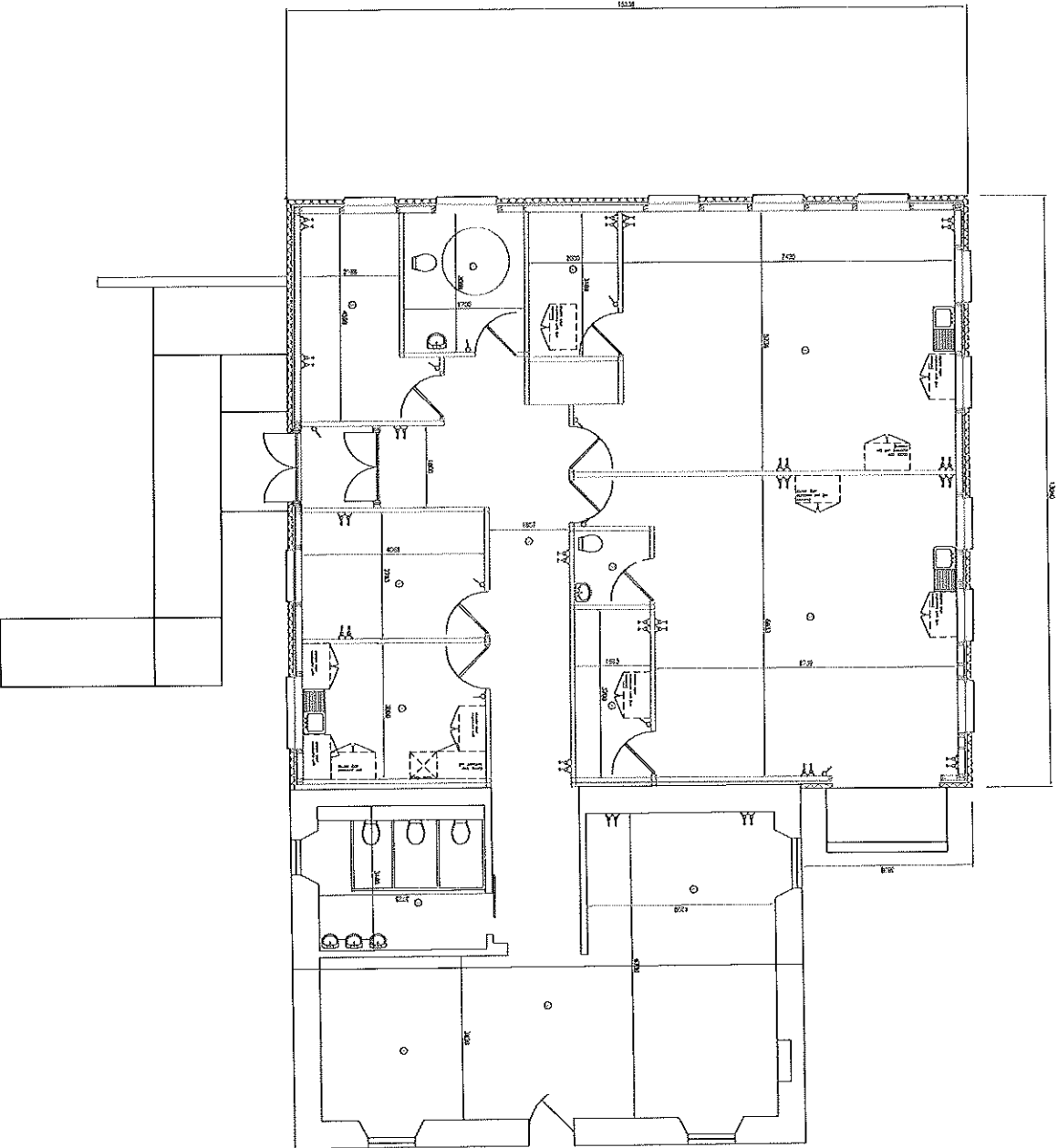


Date

17 January 2013

This form and other documents should be returned to:

The Development Manager,  
 Development Services,  
 Abbotsford House,  
 Davids Loan,  
 Falkirk FK2 7V7



THIS DRAWING MAY BE USED ONLY FOR THE PURPOSE INTENDED AND ONLY WITHIN THE BOUNDARIES SHOWN ON THIS DRAWING.

#### NOTES

1. THIS DRAWING IS TO BE USED IN CONNECTION WITH THE PROPOSED ARCHITECTURAL, STRUCTURAL, MECHANICAL, ELECTRICAL, AND PLUMBING WORK. ANY CHANGES TO THIS DRAWING OR ANY PART OF THE WORK SHALL BE THE RESPONSIBILITY OF THE ARCHITECT AND/OR ENGINEER FOR CLARIFICATION.
2. ALL DIMENSIONS ARE IN MILLIMETERS. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

### PROPOSED GROUND FLOOR PLAN

750

PROPOSED NURSERY  
ROUGH-HAUCH  
BRIGHTONS

Station	Sheet	By	Date	Rev
10	1001/01	A		

#### JAS CONSULTING

CONSULTING CIVIL & STRUCTURAL ENGINEERS  
8 PARK AVENUE, BRIGHTON, VICTORIA  
TEL: 0934 715500  
Email: jas@jasconsulting.com.au

Drawing No. 11001/01  
Revision A

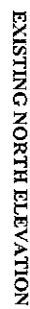
Drawn	AS NOTED	Checked	By	Date





1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL RELEVANT ARCHITECTURAL, STRUCTURAL, SERVICES & SPECIALIST DRAWINGS, ANY DISCREPANCIES IN DIMENSIONS OR DETAILS ON OR BETWEEN THESE DRAWINGS SHOULD BE DRAWN TO THE ATTENTION OF THE ARCHITECT AND/OR ENGINEER FOR CLARIFICATION.

2. ALL DIMENSIONS ARE IN MILLIMETERS, ALL LEVELS, CHANGES & CO-ORDINATES ARE IN METRES A.O.D., UNLESS OTHERWISE STATED.



Effective period	2014.11	
Dates	by	to
Proposed	2014.11	
PROPOSED NURSERY ROUGH-HAUGH BRIGHTONS		
Title		
EXISTING & PROPOSED ELEVATIONS		
JAS CONSULTING		
CONSULTING CIVIL & STRUCTURAL ENGINEERS		
2 PEARL AVENUE, HENDON, BUCKINGHAMSHIRE		
TEL: 0494 674100		
Email: <a href="mailto:James.V@jasconsulting.co.uk">James.V@jasconsulting.co.uk</a>		
Drawing No.	Revision	
11001/02	A	
Issue	11/100	
Drawn	Checked	Approved
Classed	by	2014.11
001	001	001







## Reasons For Review

We consider that the reasons for refusal, namely road safety issues, are unreasonable and unsubstantiated by any factual evidence. From the outset of the planning procedure we have tried to address the road department's concerns, albeit we did not consider them appropriate.

Our understanding of the roads issues for refusal are as follows:

1. Parents parking on Sunnyside Road to drop off their children.
2. The junction of Sunnyside Road with Maddiston Road is substandard.

With regards to point 1, if a parent did manage to park on Sunnyside Road they would have to walk a minimum of 140m to the door of the Nursery as opposed to 30m if they park in the allocated parking in the car park. There are invariably cars parked outside the houses on the north side of Sunnyside Road and there is also a bus stop on the south side of Sunnyside Road. We therefore consider it unlikely that even if parents wished to park on Sunnyside Road it would be impracticable without them blocking the road to through traffic.

With regards to point 2, in the absence of any accident statistics provided by the roads department, many of our members have lived in Brightons all their lives ( over 50 years in some cases) and as far as they, and others in the community that we have spoken to, are concerned, while the junction in question is not of a standard geometrical layout it is not a cause of accidents any more than any other junction in the area. If our development is being refused due to this junction being substandard, does this mean that every development in Brightons, Rumford, Maddiston and surrounding villages which would increase the traffic on this junction would be refused. This is obviously not the case when you look at the local plan and the requirement for more housing in the Braes area.

In addition we redesigned the layout of the building to move the main access from the west elevation ( the most appropriate location) to the south (rear) elevation, we also introduced a boundary wall to prevent any access from the vehicle and pedestrian access off Sunnyside Road to the main door Nursery access. These alterations being carried out after a joint meeting on site with the Planner, Roads Engineer, Office Bearers of the Cricket Club and operators of the prospective Nursery

We therefore consider that Planning Refusal is unjustified based on the concerns of the Roads department.

## Background

The Cricket Club has a long history in Falkirk it has been running well over 100 years, and we are keen for the club to last another 100 years into the future. To enable us to fund the club going forward, the committee pulled together a number of proposals to generate sustainable funding. The main motivation for this being our youth team who are improving each year and we want to give these local kids a stable and sustainable club. We know the importance sport has in a community, the recent Olympics highlighted the need and the demand for good sports facilities.

One of our proposals is to convert the farmhouse into a Private Children's nursery. The rental income from this development will then secure the club for the next 25 years perhaps even longer. With so many new housing developments in the Redding and Brightons area, we could see the ideas potential but thought best to ask the local people if they were keen for us to develop this idea.

From a short survey we have had parents asking if they can put their children's names down to join already! We had established there most certainly is a demand. Hence we took the next step and spoke with local nurseries in the Falkirk area to see if the experts would see this as a feasible possibility or just a non starter, to our shock the feedback was very positive.

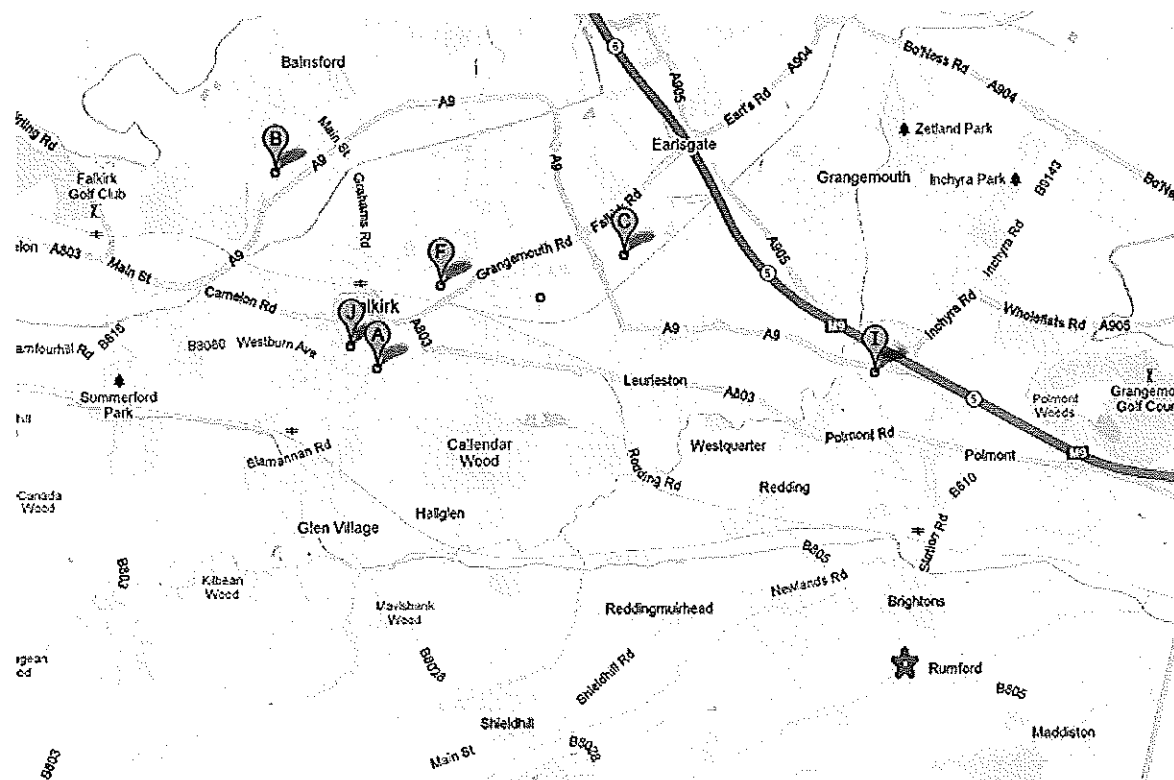
## Glenbervie Kindergarten

Glenburvie Nurseries were one of many nurseries to respond, they already have two very successful nurseries in Larbert and Stenhousemuir. Their high quality standards, being family owned and their policy to employ local people made them a company we would wish the clubs name to be linked to.

They were delighted we got in touch and have been key in ensuring the design of the grounds and building met the highest safety standards. The cricket and Glenbervie have worked closely together throughout the planning application, a process Glenbervie had been through before, and we are both convinced that the nursery is a great idea and something that is much needed in the area.

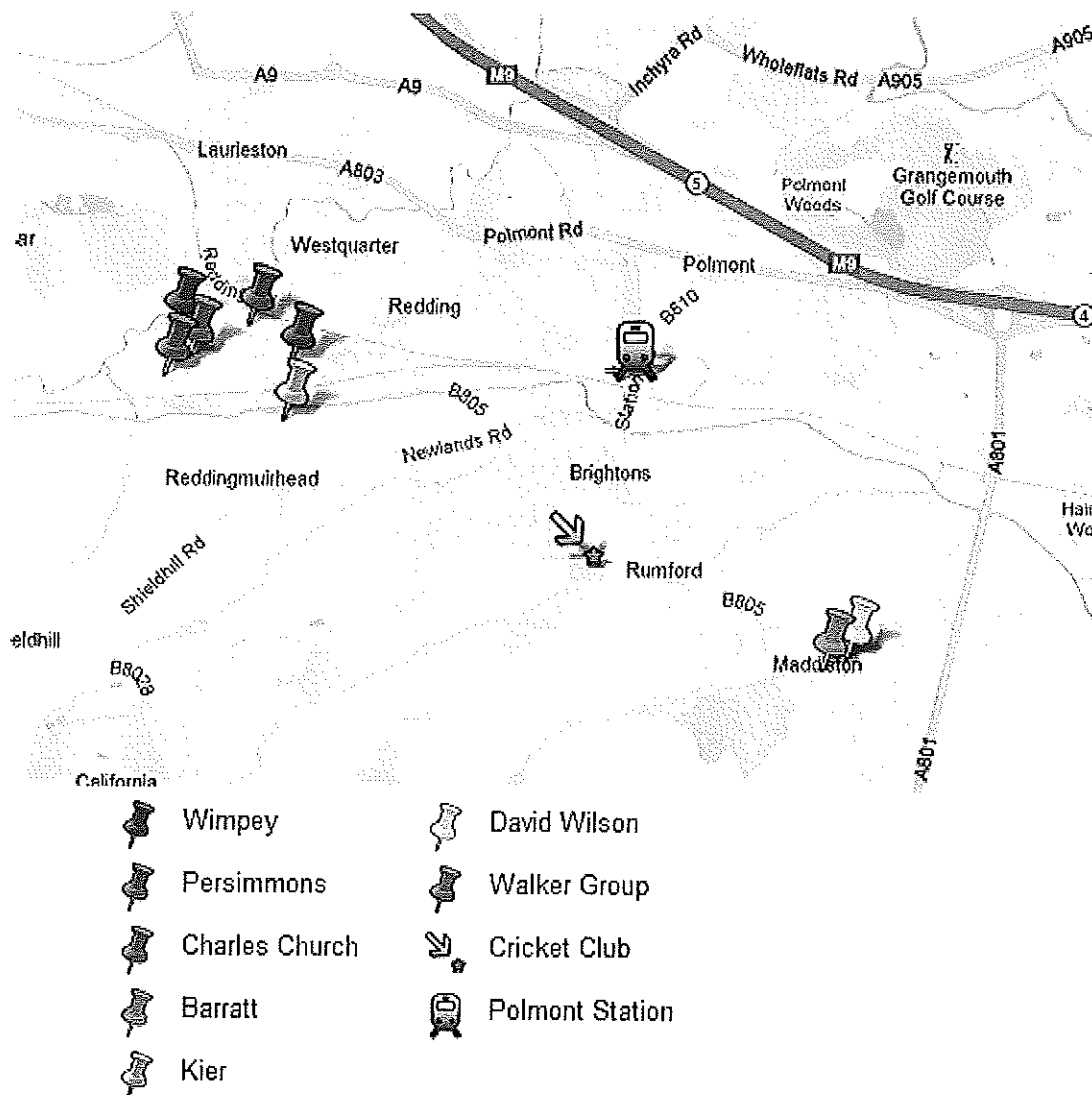
## The Need for a Nursery

During our communication with Glenbervie Kindergarten it came to light that they had been actively looking for a suitable property to develop for about 10 years in this area. There is a definite lack of private nurseries in the area as illustrated by the map below. On this map the cricket club is marked with a green star. This shows that there are not many private nurseries serving the Polmont/Brightons area despite its large number of existing and planned housing estates.



The area continues to grow with mostly 3/4/5 bedroom family houses being built by Persimmon (89 houses), Barratt (94 houses with 2 more phases planned), Taylor Wimpey (94 houses with 3 more phases), David Wilson Homes (56 houses), Kier Homes (96 houses with 2 more phases planned), Walker Group (86 houses) and Charles Church (21 houses) all within a 2 mile radius of the club.

The map below shows the current development activity in the area and its proximity to the cricket ground.



The cricket club is ideally suited for a nursery as it is a 2 minute drive/15 minute walk to Polmont train station, which has 174 free car park spaces. This station provides direct trains to Glasgow, Edinburgh, Dunblane, Edinburgh Park and Stirling. There is a bus stop at the cricket club which provides transport links to Falkirk town centre.

## Planning

We are fortunate in the club to have a number of qualified professionals in civil/structural engineering, architectural design, planning and construction in addition we have sought advice from the care commission. Hence we drew up plans and submitted them to Falkirk Council for approval in February 2012. We amended the plans in June for additional parking and again in October to accommodate the concerns of the road department as stated in our request for review document.

The Cricket club has over 50 parking spaces at the ground for the sole use of the club. This number of spaces is more than adequate to accommodate the Nursery. The nursery would have a capacity of about 50 children and the drop off unlike a school, ranges from 7:15 to 9:15. Hence approximately a car every 2 minutes, we have allocated 9 quick drop off spaces as requested by Planning and the staff and any overflow would use the rest of the car park.

We have also stated a warden could be in place from the nursery to prevent parents from parking on the road, if this proved to be an actual problem, but if a parent is seen to do so, they would be reprimanded and if their actions were repeated then their child would be excluded from the Nursery.

We do and will do going forward always ensure the safety of children, it is our youth team that keeps our club alive and as our Cricket club has such a long history we would not wish our reputation to be damaged.



## Benefits

In addition to improving the look of the area it would bring life back to the old farmhouse and provide a much better outlook for the residents of Sunnyside Road. The nursery would also bring about 20 jobs to the area and provide a much needed service to the ever expanding population of families in the area.

The times the nursery would be functioning works in well with the cricket club as they do not overlap. The nursery would be there Monday to Friday during the day with the cricket using the facilities on Tuesday and Thursday nights after 6:30pm and on the weekends. A perfect fit we thought.

It would also secure the future of the cricket club which has been in existence for over 100 years and provides an opportunity for all ages and abilities to take part in sport. During the summer the clubs qualified coaches give up 2 hours every Sunday morning to provide free coaching to about 30 children aged between 6 and 11. They also give up their own time to take the children to play in Kwik Cricket competitions in the local area.

The club also has 3 youth players who attend the Forth Valley Cricket Academy who have been a product of the junior system.

As a few years ago the housing estate further up Sunnyside Road was given the go ahead with a much bigger impact on the road we are at a loss to understand why the planning application was refused with all the benefits it will bring to the surrounding area.

## Summary

The nursery development would:

- Provide a much needed nursery to the ever expanding population in the area
- Bring about 20 jobs to the local area
- Secure the future for the cricket club to continue its youth development
- Improve the frontage of the cricket club and outlook on Sunnyside Road

4

5



## Falkirk Council

Abbotsford House Davids Loan Falkirk FK2 7YZ

Tel: 01324 504748

Fax: 01324 504747

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

Planning Department

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 000033499-001

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)

DEMOLITION OF A SINGLE STOREY EXTENSION TO A STOREY AND A HALF DWELLING HOUSE AND CONSTRUCTION OF A SINGLE STOREY EXTENSION. CHANGE OF USE FROM DWELLING HOUSE TO CHILDRENS NURSERY

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

## Applicant Details

Please enter Applicant details

Title: \*

Other Title:

First Name: \*

Last Name: \*

Company/Organisation:

Telephone Number: \*

Extension Number:

Mobile Number:

Fax Number:

Email Address: \*

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

Building Name:

Building Number:

Address 1 (Street): \*

Address 2:

Town/City: \*

Country: \*

Postcode: \*

## Site Address Details

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

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

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

Northing

Easting

## Pre-Application Discussion

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

☒ Yes ☐ No

## Pre-Application Discussion Details

In what format was the feedback given? \*

☒ Meeting ☐ Telephone ☐ Letter ☐ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (Max 500 characters)

POSITIVE FEEDBACK, IF POSSIBLE REDUCE KEEP THE RIDGE OF THE EXTENSION BELOW THE RIDGE OF THE ORIGINAL HOUSE

Title:	<input type="text" value="Please Select One"/>	Other title:	<input type="text"/>
First Name:	<input type="text"/>	Last Name:	<input type="text"/>
Correspondence Reference Number:	<input type="text"/>	Date (dd/mm/yyyy):	<input type="text"/>

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

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)

DWELLING HOUSE

## 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? \*

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)? \*

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).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \* ☐ Yes ☒ No

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) \*

☐ Yes ☒ No

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? \*

☒ Yes

☐ No, using a private water supply

☐ 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).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

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? \*

☐ Yes ☒ No ☐ Don't Know

## 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)

BINS WILL BE STORED IN THE AREA DENOTED ON THE PLANS AND TAKEN TO THE FOOTPATH FOR EMPTYING

## Residential Units Including Conversion

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

☐ Yes ☒ No

## 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 2008) \*

☐ 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 8 – Town and Country Planning (General Development Management Procedure) (Scotland) Order 1992 (GDPO 1992) Regulations 2008

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 2008

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: Mr JAMES SHARP

On behalf of:

Date: 19/01/2012

☒ 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 2008

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, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments, have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

c) 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 2008, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

d) 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 2008) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) 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

f) 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: Mr JAMES SHARP

Declaration Date: 20/01/2012

Submission Date: 20/01/2012

## Payment Details

Cheque: J & L Sharp, 100069

Created: 20/01/2012 20:46





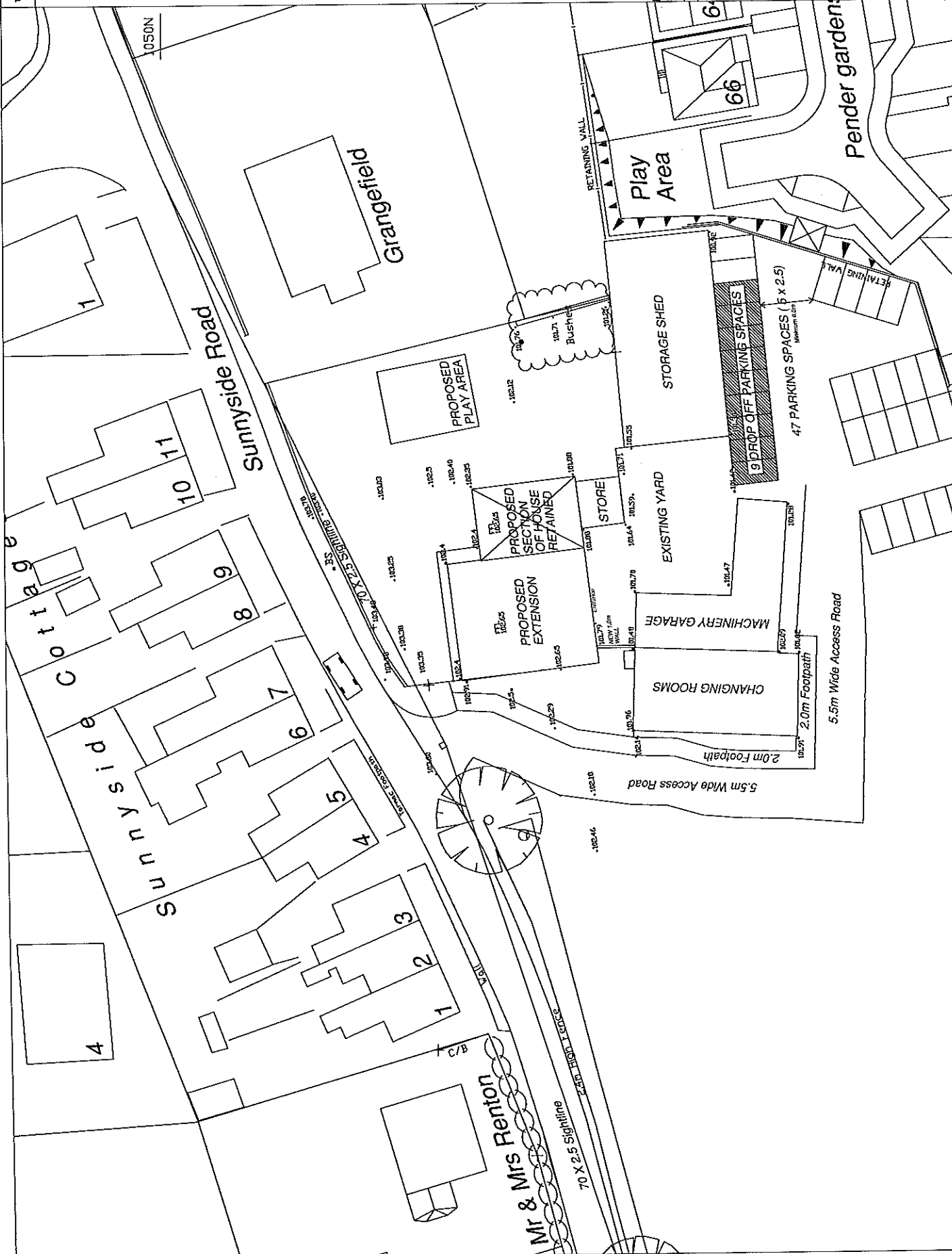






— 331 —

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3. VISIBILITY SCHEDULING - NO OBSTRUCTION ABOVE PAYMENT LEVEL IS TO BE WITHIN THE VISIBILITY SCHEDULE.



	Dy	Date	No.
Debit			
Transfer from Bank of India			
To Cash at hand			
To Balance b/d			
Total			

**PROPOSED NURSERY  
ROUGH-HAUGH  
BRIGHTONS**

PROPOSED SITE  
PLAN

**JAS CONSULTING**

1 PARK AVENUE, HINGTONTOWN, VALENCIA  
TEL. 01374 716630  
Email: [business@bbservodsz.org.uk](mailto:business@bbservodsz.org.uk)

Don Mc	Don Mc
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11001/02

20/10011

AS NOTED

in	Detained	Approved
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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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30.05.11		
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 Project: [blank]

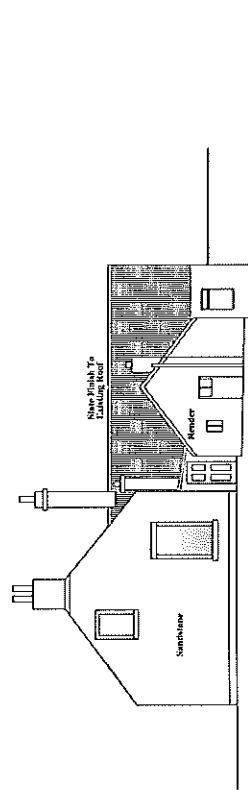
PROPOSED NURSERY  
 ROUGH-TRAUGH  
 BRIGHTONS

EXISTING & PROPOSED  
 ELEVATIONS

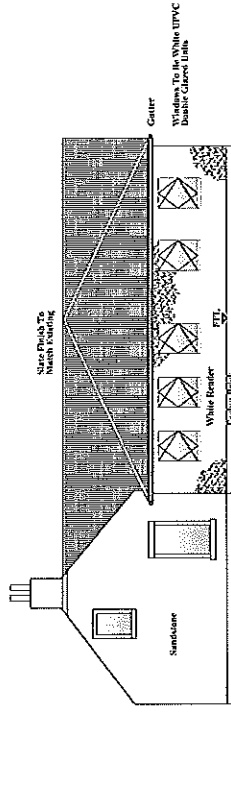
JAS CONSULTING  
 CONSULTING CIVIL & STRUCTURAL ENGINEERS  
 8 PARK AVENUE, BRIGHTONS, PALMER  
 TEL: 0204 710000  
 Email: jas@jasconsulting.co.uk

Drawing No: 11001/02  
 Revision: A

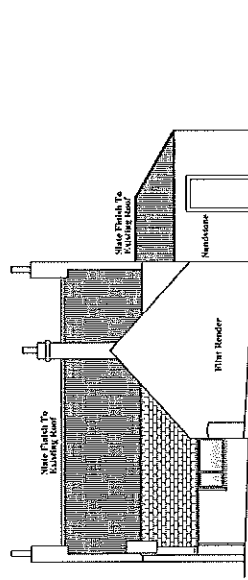
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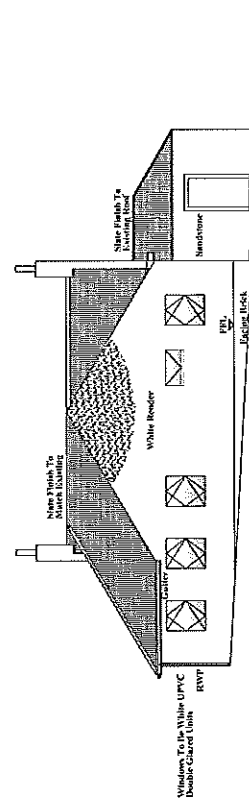
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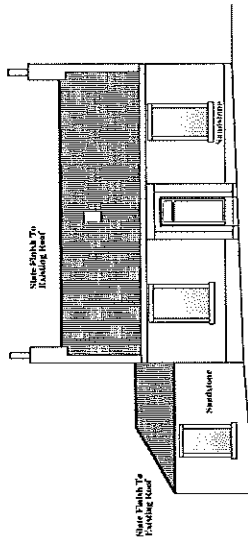
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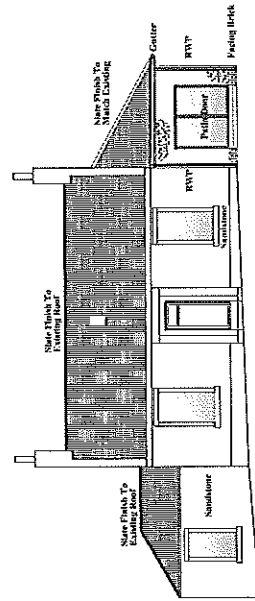
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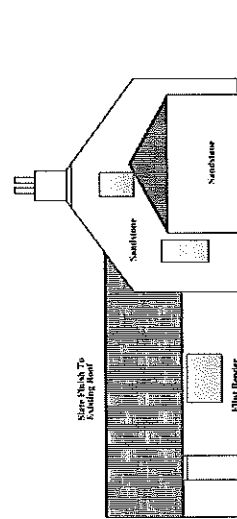
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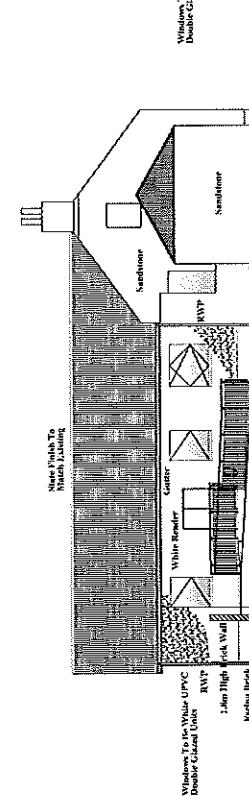
EXISTING EAST ELEVATION



PROPOSED EAST ELEVATION



EXISTING SOUTH ELEVATION



PROPOSED SOUTH ELEVATION



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Columns: Date Revisited: 15/04/2012 A

Project: PROPOSED NURSERY

Client: ROUGH-HAUGH

Location: BRIGHTONS

Title: PROPOSED GROUND FLOOR PLAN

Scale: 1:100

Author: JAS

Checked: JAS

Approved: JAS

Date: 15/04/12

Version: 1.1

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

Revision: A

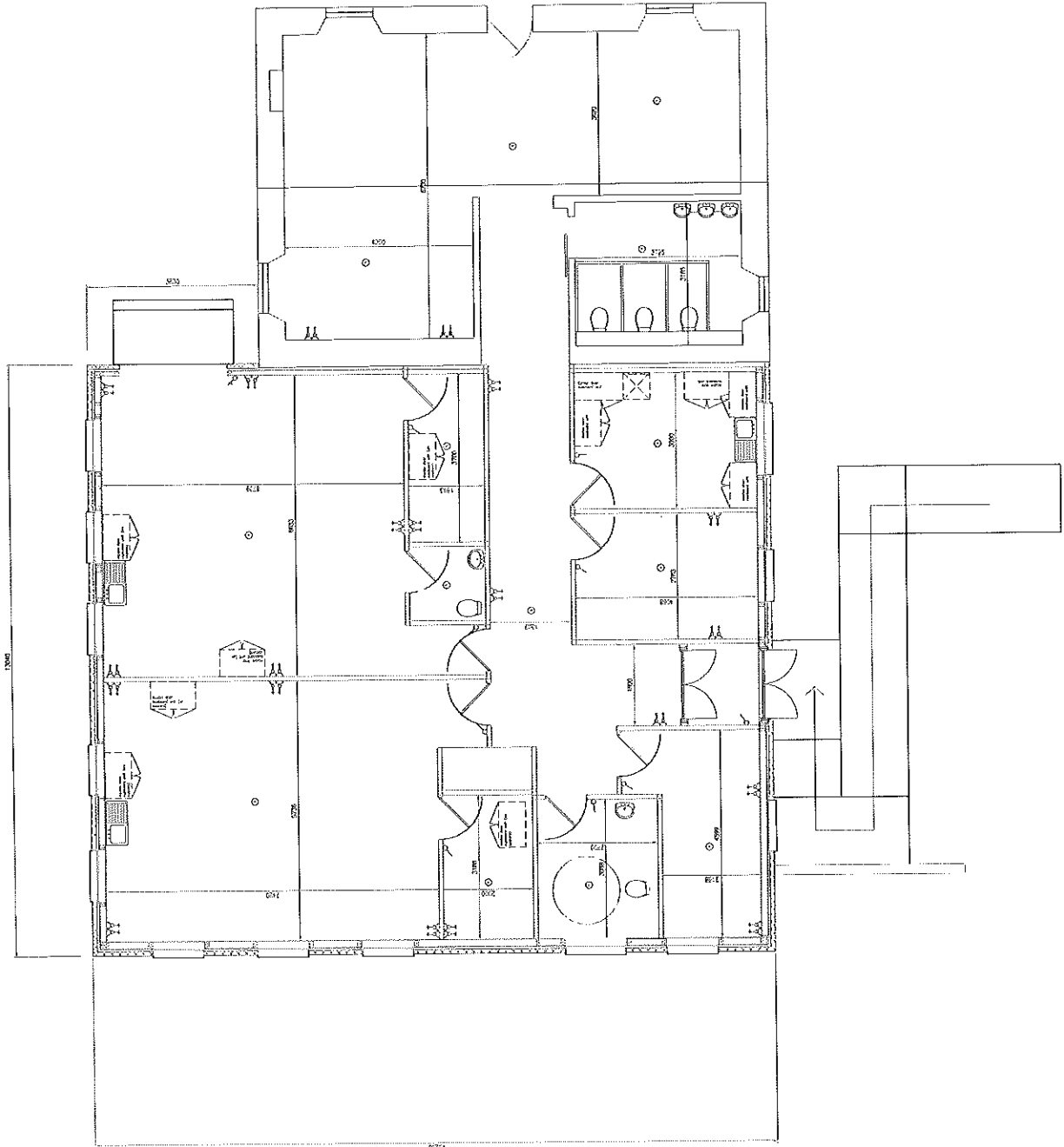
Revision: A

Revision: A

Revision: A

Revision: A

Revision: A



01/25/12

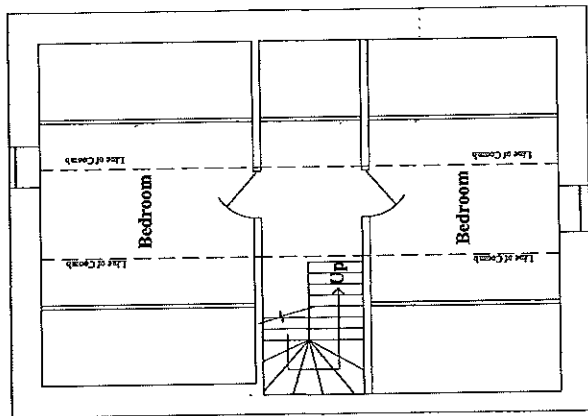


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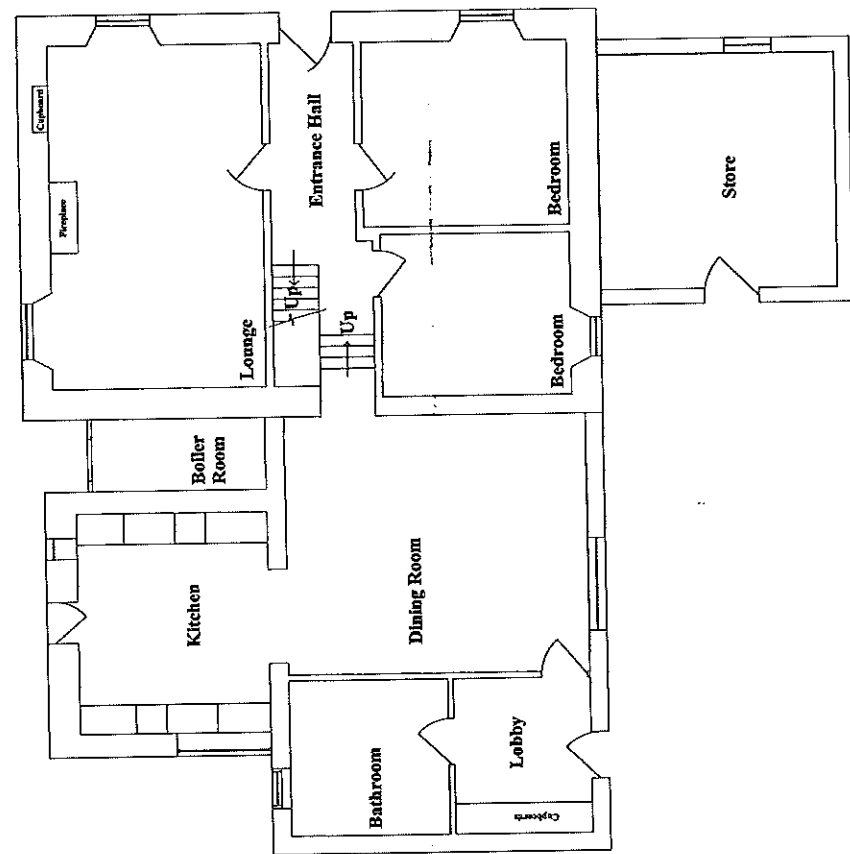
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EXISTING FIRST FLOOR PLAN



EXISTING GROUND FLOOR PLAN

Detail	By	Date	Rev
Project			
PROPOSED NURSERY ROUGH-HAUGH BRIGHTONS			
The			
EXISTING FLOOR PLANS			
JAS CONSULTING			
8 PARK AVENUE, BRIGHTON, EAST SUSSEX BN1 3DA TEL: 01273 715500 Email: jas@jasconsulting.co.uk			
Drawing No.	Revision		
11001/04			
Scale	1:50	Drawn	1:50
Checked	1:50	Approved	1:50
Checked	1:50	Checked	1:50
11/03/11			



**WESTQUARTER & REDDING CRICKET CLUB****Proposed Nursery Rough-Haugh, Brighton****Additional Information**

The proposed Children's Nursery will operate Monday to Friday from 7.30am to 6pm and employ 11 staff and accommodate 56 children, when at capacity. The cricket club play games at the weekend and during the week the ground is not used during the day by the club and on weeknights it is used 1 night a week for practice and the occasional 20 over game which commence after 6.30pm.

The cricket season runs from the end of April until mid September with the ground not being used outwith these times.





PARENT DROP OFF TIMES				
ARRIVED	KIDS	CAR	WALKED	LEFT
07:33	1	1		07:40
07:36	1	1		07:41
07:38	2	1		07:43
07:45	1	1		07:48
07:50	1	1		07:52
07:54	2	1		08:00
07:56	1		1	07:59
07:56	1	1		07:59
07:59	1		1	08:05
08:02	1	1		08:05
08:04	1	1		08:08
08:08	2	1		08:11
08:11	1	1		08:20
08:12	1	1		08:16
08:15	1	1		08:19
08:20	1	1		08:25
08:23	1	1		08:30
08:25	2	1		08:28
08:28	1		1	08:33
08:29	2	1		08:33
08:33	1	1		08:36
08:36	1	1		08:40
08:37	1		1	08:42
08:39	1	1		08:43
08:44	1	1		08:48
08:44	1	1		08:55
08:47	1	1		08:51
08:50	1	1		08:54
08:54	1		1	08:59
08:55	1	1		08:59
08:59	1	1		09:05
09:05	1	1		09:09
09:07	2	1		09:10
09:10	1	1		09:15
09:13	1	1		09:17
09:20	1	1		09:24
09:27	1	1		09:35
09:40	1	1		09:44
09:51	1		1	09:56
10:01	1	1		10:06
10:25	1	1		10:31
10:45	1	1		10:52
total	48	36	6	

kids cars walked

STAFF ARRIVE			
	CAR	WALKED	HOW MANY STAFF i.e. car share
07:20	1		1
07:23		1	1
07:38	1		1
07:50	1		2
07:51	1		1
07:53	1		1
08:05		1	1
08:20	1		2
08:28	1		1
08:35		1	1
08:43	1		1
total	8	3	13



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

---

**PROPOSAL** : Demolition of Extension, Change of Use and Extension to Dwellinghouse (Class 9) to Form Childrens Nursery (Class 10)  
**LOCATION** : Rough Haugh Farm, Sunnyside Road, Brightons, Falkirk, FK2 0RN  
**APPLICANT** : Westquarter and Redding Cricket Club  
**APPN. NO.** : P/12/0033/FUL  
**REGISTRATION DATE** : 8 February 2012

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

This detailed application proposes the erection of a single storey side extension to a vacant detached dwellinghouse and the change of use of the premises to form a childrens nursery. Access is proposed to be taken via the existing access to the site from Sunnyside Road which is shared with Redding and Westquarter Cricket Club. Parking and drop off spaces are proposed to be located to the rear of the premises.

The site is located on the southern side of Sunnyside Road, Brightons in a predominantly residential area.

### **2. SITE HISTORY**

None relevant to this application.

### **3. CONSULTATIONS**

The following responses to consultation were received:

Roads Development Unit	Concerns raised in regard to road safety with pedestrian and vehicular traffic that will be generated on Sunnyside Road.
Environmental Protection Unit	No objections however a request has been made for a contaminated land survey to be carried out.
Community Council	Concerns raised relating to the potential road safety implications of the development.

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

### **4. PUBLIC REPRESENTATION**

In the course of the application, 3 contributor(s) submitted letter(s) to the Council. The salient issues are summarised below.

Of the three representations recieved, one was from the local community council and raised concerns relating to potential road safety issues. Of the other two representations, one expressed a neutral stance towards the proposal but requested traffic calming and a pavement be provided on Sunnyside Road whilst the other raised concerns regarding potential noise generated by the development in a quiet residential area.

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

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

**Falkirk Council Structure Plan.**

There are no relevant policies within the Falkirk Council Structure Plan.

**Falkirk Council Local Plan**

The proposed development was assessed against the following policy or policies:

SC07 - Established Residential Areas

SC15 - Nursery and Child Care Facilities

EQ03 - Townscape Design

## **5A. MATERIAL CONSIDERATIONS**

Assessment of Public Representations

## **6. PLANNING ASSESSMENT**

### **The Development Plan**

The proposal raises no strategic issues and was therefore assessed against the Falkirk Council Local Plan alone.

### **Local Plan Policies**

The proposed design, scale and character of the proposed new building would broadly respect the character of the area particularly when viewed against the backdrop of the modern buildings which form part of the cricket club. Finishing materials would compliment those prevalent in the surrounding area and important skylines, landmarks and views would be unaffected as a result of the proposal.

The proposed use of the premises as a children's nursery is considered broadly compatible with the neighbouring cricket club and residential land uses. The operating times of a nursery such as this would be daytime only and as such, impacts on residential amenity levels are likely to be minimal. The cricket club uses the adjacent premises, access and parking areas at evenings and weekends only and as such there would be minimal conflict between these uses on the site itself.

Whilst the application has demonstrated that sufficient parking spaces can be provided to the rear of the site, concerns have been raised by the Roads Development Unit in regard to the proximity and visibility of these spaces to the main road and access to the site and the likely hood of these spaces actually being used for dropping off children in practice. Concerns have been expressed that, in practice, the parents will instead park on Sunnyside Road and around the vicinity of the access to the site thus causing road safety concerns. The applicant has investigated numerous alternative layouts however no layout has yet been tabled which removes these concerns. In addition to the parking/drop off concerns, the Roads Development Unit has expressed concerns regarding the traffic generation from the site and the narrow nature of Sunnyside Road which also has substandard footway provision and a substandard junction between Sunnyside Road and B 805 Maddiston Road. Given the substandard makeup of Sunnyside Road, the Roads Development Unit has advised that they would not favour such a development.

### **Local Plan Policies**

On the basis of the road safety concerns outlined above the proposal fails to accord with the terms of the

Falkirk Council Local Plan.

### Assessment of Public Representations

The concerns regarding road safety issues are noted and are backed up by the concerns raised by the Roads Development Unit. The points raised regarding noise generated from the development are not considered to support a refusal of planning permission in this instance as the likely operating times of a nursery use would be daytime only and the proposed land use is considered broadly compatible in this instance. Any noise complaints regarding future use of the premises can be investigated by our Environmental Protection Unit using statutory nuisance legislation.

## 7. CONCLUSION

The proposal represents an unacceptable form of development by virtue of the road safety concerns and fails to accord with the terms of the Development Plan. There are no material planning considerations that warrant an approval of planning permission in these circumstances.

## 8. RECOMMENDATION

Refuse Planning Permission

Refusal is recommended for the following ;

Reason(s):

1. The proposed development would generate unacceptable road safety impacts on Sunnyside Road and as such the proposal is contrary to Policy SC15 - Nursery and Child Care Facilities of the Falkirk Council Local Plan.

Informatives:

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

  
Director of Development Services

12/10/12  
Date

Contact Officer : Kevin Brown  
(Planning Officer) 01324 504701



Reference No. P/12/0033/FUL



**Falkirk Council**

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

**Refusal of Planning Permission**

**Applicant**

Westquarter and Redding Cricket  
Club  
FAO James Sharp  
Tornes  
8 Park Avenue  
Brightons  
Falkirk  
FK2 0JA

This Notice refers to your application registered on 8 February 2012 for permission in respect of the following development:-

**Development** Demolition of Extension, Change of Use and Extension to Dwellinghouse (Class 9) to Form Childrens Nursery (Class 10) at

**Location** Rough Haugh Farm, Sunnyside Road, Brightons, Falkirk, FK2 0RN

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 at <http://eplanning.falkirk.gov.uk/online/applicationDetails.do?action=showSummary&caseNo=P/12/0033/FUL>. In accordance with the plans docketted 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 proposed development would generate unacceptable road safety impacts on Sunnyside Road and as such the proposal is contrary to Policy SC15 - Nursery and Child Care Facilities of the Falkirk Council Local Plan.

**Informatives:-**

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

19 October 2012



Director of Development Services





**Morris, John**

---

**From:** MacKenzie, Roddy  
**Sent:** 29 February 2012 14:25  
**To:** adm1dmbscorr  
**Cc:** Raeburn, Brian  
**Subject:** P-12-0033-FUL Sunnyside Road, Brightons

## Development Services

---

## Memo

---

**To:** Kevin Brown, Planning Officer  
 Planning and Transportation (Development Control)

**From:** Roddy Mackenzie, Roads Development

**Date:** 29 Feb 2012 **Enquiries:** 4908

**Our Ref:** RMK/ **Your Ref:** P/12/0033/FUL

**Proposal :** Demolition of Extension, Change of Use & Extension to Dwellinghouse (Class 9) to form Childrens Nursery (Class 10).

**Location :** Rough Haugh Farm, Sunnyside Road, Brightons, Falkirk, FK2 0RN

**Application :** P/12/0033/FUL

I refer to your consultation notice received on 09 Feb 2012, regarding the above application.

The proposal would result in a children's Nursery being formed in the grounds of Westquarter and Redding Cricket Club off the C14 Sunnyside Road. The C14, where the access to the site is located, is slightly under 5m wide with a sub-standard width footway to the north, a 2m footway on the south east side and no footway on the south west side. This narrow section of Sunnyside Road can be busy at certain times of the day and there is often on-street parking outside Sunnyside Cottages which could add to traffic manoeuvring problems at the entrance to the site. With this in mind we would not favour a development that would significantly increase the vehicular traffic along this section of road.

However, to determine the parking provision for this development, we would be obliged if you could ask the applicant to provide the following information:-

1. What would be the maximum number of children that could be catered for in the proposed development?
2. How many members of staff would be required to cater for the maximum number of children?
3. Staff parking and a formal setting down/picking up area with room for turning should be identified on an amended block plan.
4. A visibility splay of 2.5m x 70m in each direction should be shown on the amended block plan at the access on to Sunnyside Road with no obstruction above footway level within the splays.

With this information provided, I will be able to offer further comment.

Regards

RMK

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\*\*\*\*\*

**Morris, John**

---

**From:** MacKenzie, Roddy  
**Sent:** 13 March 2012 16:00  
**To:** adtm1dmbcorr  
**Cc:** brown, kevin  
**Subject:** P-12-0033-FUL Rough Haugh Farm

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## Development Services

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## Memo

---

**To:** Kevin Brown, Planning Officer  
 Planning and Transportation (Development Control)

**From:** Roddy Mackenzie, Roads Development

**Date:** 13 Mar 2012 **Enquiries:** 4908

**Our Ref:** RMK/ **Your Ref:** P/12/0033/FUL

**Proposal :** Demolition of Extension, Change of Use & Extension to Dwellinghouse (Class 9) to form Childrens Nursery (Class 10).

**Location :** Rough Haugh Farm, Sunnyside Road, Brightons, Falkirk, FK2 0RN

**Application :** P/12/0033/FUL

I refer to your consultation notice received on 09 Feb 2012 and additional information received, regarding the above application.

The applicant has intimated that the proposed nursery could accommodate 56 children and 11 staff.

We are still of the opinion that Sunnyside Road, which is a narrow classified road with sub-standard footway provision, busy at certain times of the day, and often with on-street parking outside Sunnyside Cottages which can add to traffic manoeuvring problems at the entrance to the site, is not suitable for this type of development. The possibility of 67 additional vehicle movements along this section of road will only increase road safety concerns on Sunnyside Road itself and also at its sub-standard junction with the B805 Maddiston Road. Therefore we would not favour such a development that could significantly increase the vehicular traffic along this section of road.

However as far as the parking provision it concerned I would comment as follows:-

With 11 staff members there should be 11 staff parking spaces provided within the site and this could easily be accommodated with the existing parking spaces to the south of the cricket club.

But, for a nursery development we also require picking-up and dropping-off spaces for parents to park briefly when leaving or collecting their children. It is unlikely that parents will manoeuvre round to the back of the cricket club when dropping off children, and so in this case we will require 9 dropping-off parking spaces to be located within the front section of the access area, to the north of the cricket club changing rooms and to the west of the proposed extension.

Thus, we would be obliged if you could ask the applicant to provide an amended block plan showing the following:-

1. A total of 9 dropping-off spaces should be provided in the access area to the immediate west of the proposed nursery. These spaces should be a minimum of 2.5m wide and 5m long with a manoeuvring area of 6m to allow vehicles to park, turn and exit easily
2. A visibility splay of 2.5m x 70m in each direction should be shown on the amended block plan at the access on to Sunnyside Road with no obstruction above footway level within the splays.

With an amended plan provided, I will be able to offer further comment.

Regards

RMK

---

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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**

---

**From:** MacKenzie, Roddy  
**Sent:** 01 October 2012 12:01  
**To:** brown, kevin  
**Subject:** RE: P-12-0033-FUL Sunnyside Road Brightons

Kevin,

Although our road safety concerns about Sunnyside Road itself and the pedestrian & vehicular traffic generated by this proposal are still valid, it would seem that the new traffic layout for the nursery is a slight improvement on the previous.

The 9 drop off parking spaces are still located away from, and out of sight of, the main road, and so still not clearly identifiable or so easily accessible as would be such a parking arrangement at the front of the proposed building. However, as it is now proposed that the only access to the nursery is from the existing yard at the south of the site, it may force the majority of parents to enter the site before dropping off their children, although probably not all.

Therefore in summary; the newly proposed parking arrangement is a slight improvement to the access proposals, but from a roads point of view the whole proposal is still not acceptable due to our road safety concerns with the pedestrian and vehicular traffic that will be generated on the existing Sunnyside Road.

Regards  
 Roddy

---

**From:** brown, kevin  
**Sent:** 26 September 2012 09:08  
**To:** MacKenzie, Roddy  
**Subject:** FW: P-12-0033-FUL Sunnyside Road Brightons

Roddy,

Please see amended drawings for the nursery site at Sunnyside Road. I will get these on idox in the next day or so.

Can you provide an updated response in light of these amendments please?

Thanks,

Kevin

Kevin Brown  
 Planning Officer  
 Development Management  
 01324 504701

The link below is for the Development Management Survey which we would be grateful if you would complete and submit.

[https://www.surveymonkey.com/s/dev\\_management](https://www.surveymonkey.com/s/dev_management)

For information, the undernoted is the direct link to the Scottish Government eplanning website  
<https://eplanning.scotland.gov.uk/WAM>

**2012 Scottish Awards for Quality in Planning - Falkirk Greenspace Initiative, (Overall Winner)**

<http://www.scotland.gov.uk/Topics/Built-Environment/planning/National-Planning-Policy/awards>

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**From:** Linda & Jim sharp [redacted]  
**Sent:** 25 September 2012 20:16  
**To:** brown, kevin  
**Subject:** Fw: P-12-0033-FUL Sunnyside Road Brightons

Kevin

Please find attached a copy of the email I sent with the revised drawings on 30 August.  
Please acknowledge receipt of this email.

regards

Jim Sharp

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

**From:** Linda & Jim sharp  
**To:** kevin.brown@falkirk.gov.uk  
**Sent:** Thursday, August 30, 2012 8:39 PM  
**Subject:** P-12-0033-FUL Sunnyside Road Brightons

Kevin

Please find attached revised Site Layout, Elevations and Floor Plan for the above application as discussed last Friday. Do you require hard copies?

Regards

Jim Sharp

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**Morris, John**

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**From:** hillis, alfred  
**Sent:** 22 March 2012 11:13  
**To:** adtm1dmbcorr  
**Subject:** P/12/0033/FUL - Rough Haugh Farm, Sunnyside Road, Brightons

#### Contaminated Land

Conditioned due to the presence of a mine entry <25m from site, unknown filled ground, general quarrying, 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.

#### Environmental Health

Noise need not be considered as a determining factor in considering this application.

Alf Hillis  
 Environmental Health Officer  
 01324 501024

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## **Application Comments for P/12/0033/FUL**

### **Application Summary**

Application Number: P/12/0033/FUL

Address: Rough Haugh Farm Sunnyside Road Brightons Falkirk FK2 0RN

Proposal: Demolition of Extension, Change of Use and Extension to Dwellinghouse (Class 9) to Form Childrens Nursery (Class 10)

Case Officer: Kevin Brown

### **Customer Details**

Name: Mr Peter Queen

Address: 1 Comely Park, North Craigs, Rumford FK2 0RU

### **Comment Details**

Commenter Type: Community Councillor

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sirs,

We wish to raise concern that the proposal may result in traffic safety issues, due to narrow width roads, narrow pavements and poor visibility.

We hope the design will consider and minimize potential road safety hazards.

Regards

Brightons Community Council



## Application Comments for P/12/0033/FUL

### Application Summary

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Address: Rough Haugh Farm Sunnyside Road Brightons Falkirk FK2 0RN

Proposal: Demolition of Extension, Change of Use and Extension to Dwellinghouse (Class 9) to Form Childrens Nursery (Class 10)

Case Officer: Kevin Brown

### Customer Details

Name: Mr Craig Meikle

Address: 11 Sunnyside Cottages, Brightons, Falkirk FK2 0RP

### Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is a quiet residential area, I have concerns about the noise from children playing in the summer and from the extra traffic.. this can only reduce house prices. Who would choose to live next door to a Nursery!

That said the property is run down and could do with development. If noise was controlled and any signage kept very discreet I would change my stance to Neutral.



## Application Comments for P/12/0033/FUL

### Application Summary

Application Number: P/12/0033/FUL

Address: Rough Haugh Farm Sunnyside Road Brightons Falkirk FK2 0RN

Proposal: Demolition of Extension, Change of Use and Extension to Dwellinghouse (Class 9) to Form Childrens Nursery (Class 10)

Case Officer: Kevin Brown

### Customer Details

Name: Mr & Mrs Neil Scaife

Address: Sunnyside Cottages, Brightons FK2 0RP

### Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: We are content to support the proposed change of Rough Haugh Farm to a childrens nursery on the basis of a traffic calming measure being installed on Sunnyside Road. This is due to several health and safety concerns i.e

Increased flow of traffic

Lack of pavement provision

Several near misses involving young children/cars

Several fatalities of residents pets

Regards

Mr & Mrs Scaife



**Morris, John**

---

**Subject:** FW: P/12/0033/FUL/JM

**From:** Craig Meikle  
**Sent:** 28 January 2013 21:55  
**To:** Morris, John  
**Subject:** P/12/0033/FUL/JM

Thank you for your letter informing me that this refused development is now up for review.

I whole heartedly agree with your reason for refusal, the road safety is particularly bad at this part of sunnyside road, there is no adequate pavement (it is very narrow on one side and non existant on the other), speed ramps or safe crossing points. This road can be very busy at rush hrs.

I am also concerned about the noise that would be generated from the extra traffic and the start and end of the day and by the children playing in the garden during the summer.

It would change a quite residential area into a busy commercial area.

Regards

Craig Meikle  
11 Sunnyside Cottages  
Brightons  
FK2 ORP



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8 Park Avenue  
Brightons  
Falkirk  
FK2 0JA

Falkirk Council  
Development Services  
Abbotsford House  
David's Loan  
Falkirk  
FK2 7YZ

17<sup>th</sup> February 2013

Dear Sirs,

**Demolition of Extension, Changer of Use & Extension to Dwellinghouse  
(Class 9) to Form Childrens Nursery (Class 10) at Rough-Haugh Farm, Sunnyside  
Road, Brightons FK2 0RN  
Your Ref P/12/0033/FUL**

Further to your letter dated 5 February 2013 enclosing the written representation from Mr. Meikle we would comment as follows:

1. Mr Meikle states that the road safety at this part of Sunnyside Road is particularly bad, also stating there is no adequate pavement. This statement is incorrect, along the boundary of what will be the nursery the footpath is 2.0m wide, this having been widened by the Cricket Club, and there is a footpath on the opposite side of the road albeit it is no particularly wide. The area where there is no footpath is on the opposite side from the Cricket and to the east. There is a pavement on the Cricket side of the road from Maddiston Road to the Cricket entrance.

If the lack of a full width footpath on the north side of Sunnyside Road is a concern for this development then it will also be a concern for any development that has the potential to increase pedestrian traffic on Sunnyside Road.

2. With regard to the road being busy at rush hour, we would note that any traffic which visits the Cricket Club parks within our ground and not on the public road, as will traffic to the nursery.. If Mr. Meikle is so concerned with road safety we suggest he requests his neighbours to refrain from parking on the road, indeed a breakdown lorry frequently parks on the narrow pavement opposite the Cricket which has more potential to cause accidents.

3. With regard to noise from additional traffic, the number of car trips as a result of the nursery in road traffic terms is relatively small, and would be domestic cars. If the traffic associated with the development was HGV's we would accept noise may have been an issue.
4. With regards to the noise of children playing in the garden, the facility is currently a sports ground and as such we do not consider this comment relevant.
5. The concern that it would turn a quiet residential area into a busy commercial area, again Mr. Meikle seems to ignore the fact that he is staying across the road from a sports ground. Notwithstanding this the Cricket Club has recognized the setting and we consider the changes we have made are the proposal for the nursery are in keeping with the residential surroundings. The proposed extension is of domestic scale and look and we have retained the original farmhouse and demolished the extension. We would also note that there were no alterations requested to the building itself, all changes related to the provision of adequately located parking.

We trust the above response addresses the various points raised by Mr. Meikle.

Yours faithfully

Jim Sharp  
(Secretary WRCC)

## Sustaining Communities

### CREATING AND MAINTAINING RESIDENTIAL AMENITY

4.23 Housing is the predominant land use within the communities of the Council area, and the quality of the places where people live is critical both to the quality of life of existing residents, and to attracting new residents to the area. It is therefore central to the strategy of 'Sustainable Growth in all Our Communities'.

#### Housing Layout and Design

4.24 Quality needs to be built in at the planning and design stage of residential developments. The sustainable design principles outlined in Policy EQ1 and the other general design Policies EQ3-EQ7 will be applied to all housing developments. In addition, briefs and masterplans will be required to guide development on particular sites and Design Statements will be required in respect of proposals, as specified in Policy EQ2. The Council's SPG Note on Housing Layout and Design provides further guidance.

4.25 In addition to these general requirements, Policy SC6 sets out some more specific standards for residential development in relation to density and general amenity standards. The density of new developments should generally be determined by an analysis of the grain and character of the surrounding area, with higher densities generally being appropriate in and around town centres and key transport nodes and routes. On larger sites, it is important that density is varied to avoid monotony and to create areas of different character which correspond with and reinforce the overall structure of streets, nodes and spaces within the development. Standards relating to private amenity space, privacy and overshadowing are intended to safeguard the amenity of individual houses and ensure that sites are not overdeveloped.

4.26

#### SC6 HOUSING DENSITY AND AMENITY

- (1) Overall density in new residential developments should conform to the indicative capacity shown for allocated sites or, in the case of windfall sites, be dictated by the character of the surrounding area and the design objectives for the site. Higher densities may be allowed where it is clearly demonstrated that this will assist in achieving design excellence.
- (2) On large sites, housing density should be varied to create areas of different character, reflecting the structure of streets and spaces in the development. A mix of housing types will be required.
- (3) Adequate properly screened private amenity space should be provided for dwellinghouses. In flatted developments, communal space for clothes drying and private amenity should be provided.
- (4) Housing layouts should be designed to ensure adequate privacy and to avoid excessive overshadowing of houses or garden ground. A minimum distance between overlooking windows of 18 metres will generally be required.

#### Changes of Use in Established Residential Areas

4.27 It is important that the established amenity of residential areas is protected against the introduction of inappropriate or incompatible uses. At the same time, the provision of certain local facilities and services within housing areas can help reduce trip lengths, encourage access by walking and cycling, and generally give identity and community focus to neighbourhoods. The development of technology is also opening up increased potential for working from home, a trend which is supported by the SPP, and can yield benefits in terms of reducing commuting.

4.28 Policy SC7 sets out criteria to be met by proposals for non-residential uses in residential areas, and lays stress on the need to ensure there is no detriment to local residents through noise, disturbance, traffic generation or parking.

4.29

#### SC7 ESTABLISHED RESIDENTIAL AREAS

Within established residential areas, there will be a general presumption against the introduction of uses which would be incompatible with the residential character and amenity of the area. Proposals for appropriate community services (e.g. surgeries, day nurseries and neighbourhood shops), homeworking or other compatible business uses (e.g. guest houses) will be supported where it can be demonstrated that the quality of the residential environment would be safeguarded, the type and location of the property is suitable, and satisfactory access and parking can be provided.



4.54

### **SC15 NURSERY AND CHILD CARE FACILITIES**

New proposals or the changes of use of premises for nursery and child care facilities will be permitted, provided that:

- (1) The site affords a suitable environment for child care, including the provision of outdoor play space;
- (2) Properties in residential areas are detached;
- (3) Areas used as play space are enclosed and demonstrate the ability to minimise disturbance to neighbouring properties; and
- (4) The proposal is satisfactory in access, parking and road safety terms.

### **Healthcare**

4.55 Healthcare provision will be changing over the Local Plan period. The population is getting older and patient expectations are increasing. New medical advances, changing healthcare working practices and constraints on public expenditure are all influencing the way services will be provided in the future. A key response to these changes has been the centralisation of acute care facilities in the Forth Valley Royal Hospital, located at the former RSNH site in Larbert.

4.56 Healthcare provision is not just about acute hospital care. For the vast majority of the population, their main contact with the NHS is through primary and community based services. Changes will also take place in the way these services are delivered. The Council will therefore work in partnership with NHS Forth Valley to ensure that the necessary land and property facilities are available to respond to the changing healthcare needs of the area. The Council will particularly encourage changes to the provision of facilities that improve the accessibility services to the people of the Falkirk Council area.

4.57

### **Achieving Quality Community Infrastructure - Actions and Indicators**

#### **Actions:**

- Keep Open Space Audit and Strategy under review.
- Prepare Supplementary Planning Guidance Note on Open Space and Play Facilities in New Development
- Implementation of priority actions within Culture and Leisure Strategy

#### **Indicators:**

- Levels of developer contribution/facilities achieved on major housing sites
- Quantity and quality of open space/play facilities in settlements
- School rolls/capacity



- 3.6 It is also important that developers demonstrate in their planning submissions how the sustainable design principles have been complied with and that sufficient information accompanies applications to allow these factors to be properly assessed. Structure Plan Policy ENV.7 requires that development proposals which would have significant visual and physical impact on a site and its surroundings be accompanied by a Design Statement, and Policy EQ2 confirms that the scope of such statements should accord with the principles set out in Policy EQ1.

3.7

### **EQ2 IMPLEMENTATION OF SUSTAINABLE DESIGN PRINCIPLES**

In order to ensure that the principles set out in Policy EQ1 are incorporated into development proposals:

- (1) Masterplans will be required for development proposals requiring a comprehensive approach to design and infrastructure. The Council will set out the basis for the preparation of Masterplans in Development Frameworks or Briefs;
- (2) Development Briefs will be prepared by the Council for other development sites where merited by the size, sensitivity or complexity of the site;
- (3) Supplementary Planning Guidance Notes will be produced to provide detailed advice on the application of the sustainable design principles; and
- (4) Planning applications for significant residential, business or commercial development, or smaller proposals affecting protected sites or buildings, should be accompanied by a Design Statement explaining how each of the factors in Policy EQ1 has been complied with.

### **Detailed Design Considerations**

- 3.8 The Council's aim is that new development should enhance the image of individual communities and the Council area as a whole, create environments that are attractive to live and work in, and contribute to global sustainability objectives. Detailed design criteria which seek to achieve this are set out in Policies EQ3 - EQ6.

- 3.9 Key townscape design principles to be followed in site planning are set out in Policy EQ3. This policy focuses on the visual aspects of development, with emphasis on both the quality and integrity of the development itself, and its successful integration with its surroundings.

3.10

### **EQ3 TOWNSCAPE DESIGN**

New development will be required to contribute positively to the quality of the built environment. Proposals should accord with the following criteria:

- (1) The siting, layout and density of new development should create a coherent structure of streets, amenity space and buildings which respects and complements the site's environs and creates a sense of identity within the development;
- (2) Streets and public spaces should have buildings fronting them, and where this is not possible, a high quality architectural or landscape treatment will be required as an alternative;
- (3) The design of new buildings should reflect the surrounding urban fabric in terms of scale, height, massing and building line;
- (4) Building materials, finishes and colours should be chosen to complement those prevailing in the local area;
- (5) Existing buildings or structures which contribute to the local townscape should be retained and integrated sensitively into the layout; and
- (6) The contribution to the townscape of important landmarks, skylines and views should be respected.

