

List of Enclosures – Agenda Item 6

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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	Michael Sweeney
Address	40 Glasgow Road, Dennyloanhead, Bonnybridge
	Postcode: FK4 1QG
Tel	
Mobile	
Fax	
e-mail *	

Agent

Name	Mr L McCaskey
Address	15 Boswell Terrace Edinburgh
	Postcode: EH5 2EE
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/12/0606/FUL

Site address

Description of proposed development

40 Glasgow Road, Dennyloanhead, Bonnybridge, FK4 1QG

Extension to Dwellinghouse

Date planning application declared
valid by Planning Authority

03/10/2012

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

30/11/2012

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 checked="" type="checkbox"/>	<input 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:

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

Reasons for notice of review per comments raised by planning officer, from letter dated 30th November 2012:

Per point 1 – "The proposed extension would fail to integrate into the existing house frontage and street pattern".

We believe this point is not factually correct. On Glasgow Road, within the areas of Dennyloanhead, Longcroft and Hags, all houses are individualised (at least 50+ individually designed properties). The properties range from cottages, bungalows, two storey houses, semi-detached buildings and terraces with some semi-detached cottages even having different dormer roof extensions.

By building an additional level in the house, from the front elevation of the property, the property will be viewed as a 2 storey house – this would be in line with property number 38 Glasgow Road which occupies 3 floors. The houses opposite the property on the other side of Glasgow Road are also on 2 floors. Therefore, the house would not look out of character with the immediate surrounding buildings and certainly not out of place or character with the rest of Glasgow Road.

House number 40 is a mirror image property. An additional floor added will not affect the houses features: Entrance porch, roof line, attached garage and shared driveway.

On the basis of these observations, the building would not look 'out of place' with the surrounding area.

Per point 2 "Additional parking space requirement".

The revised property design results in the new house having 4 bedrooms, 2 living areas plus one study. The existing parking area used allows for 3 car parking spaces – plus space for a car in the garage. The driveway had been extended by the previous owner of 40 Glasgow Road (Independently to 38 Glasgow Road) to accommodate the requirement of manoeuvrability on the side of 40 Glasgow Road, with the added benefit of providing additional parking space, with the option of a 4th car in the Garage. Please note the previous owner had 3 cars on the driveway on numerous occasions as he had a grown up family. In relation to safety, there is no increased safety issue (noting that Glasgow Road is a 30mph zone). If required, photographic evidence can be provided showing 3 cars comfortably parked on the side of 40 Glasgow Road, with space available for manoeuvring.

The existing driveway design, based on normal family-sized cars cannot be used as a turning point on a normal day to day basis as both 40 and 42 Glasgow have cars parked in the spaces. Both number 40 and number 42 Glasgow Road either reverse out of the driveway or reverse in from the main road. Also, cars are parked on Glasgow Road from various properties. There are no restrictions for cars to park on the main road which provides further parking options for the house and for when there are visitors to the house.

Also, within the various housing estates off Glasgow Road (all built within the last 5 to 10 years), which includes Heathfield (Singers Place; Mochray Court; Hogan Place), Lind Place and Woodlea Gardens (incorporating the roads Woodlea Gardens; Bonnymuir Crescent; Bonnymuir Place; Caledonia Terrace; Corona Crescent; Emma's Way; Jubilee Way) – various examples exist of 4 bedroom houses that can only accommodate parking space for 2 cars plus a Garage with no turning point available.

On the basis of these observations, we believe that this point is not a valid objection.

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.	Copy of original Householder Application for Planning Permission (ref 335688)
2.	Copy of Land Ownership Certificate (ref 335690)
3.	Copy of Location Plan (ref 335691)
4.	Copy of plans (refs: 335692, 335693, 335694, 335695, 335696, 335697)
5.	Copy of letter of Refusal of Planning Permission from planning officer
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

[Signature]

Date

20/02/13

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2008

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr.	Ref No.	—
Forename	MICHAEL	Forename	LIS
Surname	SWEENEY	Surname	MCCASKEY
Company Name	—	Company Name	
Building No./Name		Building No./Name	15
Address Line 1		Address Line 1	BOSWALL TERRACE
Address Line 2		Address Line 2	
Town/City		Town/City	EDINBURGH
Postcode		Postcode	EH15 2ER
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Address or Location of Proposed Development (please include postcode)			
40, GLASGOW ROAD DRUMYLOAN HEAD BONNYBRIDGE FK4 1QG			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Describe the Proposed Works			
Please describe accurately the work proposed:			
PROPOSED EXTENSION BY ADDING ADDITIONAL UPPER STOREY TO EXISTING PROPERTY AND INTERNAL ALTERATIONS			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started: <input type="text"/>		Date completed: <input type="text"/>	

If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☐

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site?

Yes ☐ No ☒

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road?

Yes ☐ No ☒

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

3

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 reduced number of spaces)

3

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, etc).

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes ☐ No ☒

If you have answered yes please provide details:

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant / agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the applicant / agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes ☐ No ☐ N/A ☒

Signature: Name: L. McCASKEY Date: 28/1/12

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

LES MCCASKEY ARCHITECTURAL DESIGN SERVICES
15 BOSWALL TERRACE
EDINBURGH



Falkirk Council

EH5 2EE

Abbotsford House

Receipt

Transaction Date: 03/10/2012 Operator ID: DS010 Machine: DS001

Account Details

CAN	Reference	Payment of	Transaction Amt	VAT Amt	Rate
07369	4060017108	MC - Miscellaneous Unit Manangement (DC) Planning App/SWEENEY	£160.00	£0.00	0.00

Payment Details

MOP	Payment Ref	Payment Amt
CQ - Cheque		£160.00
Please keep this copy for your own records.		Total Amt Paid: £160.00

VAT REG NO: 663 8965 79

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

CERTIFICATE A, B, C OR CERTIFICATE D MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself Mr. SURRY was 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 application. ☒
- (2) None of the land to which the application relates constitutes or forms part of agricultural land. ☒

Signed:

[Redacted Signature]

On behalf of:

Mr. M. SURRY

Date:

28/9/12

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land ☐

or

- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

Mapping
sourced fromOrdnance
Survey®


Location Map



Produced 10/08/2012 from the Ordnance Survey
National Geographic Database and incorporating
surveyed revision available at this date. © Crown
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the prior permission of Ordnance Survey

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trademarks of Ordnance Survey, the national mapping
agency of Great Britain

The representation of a road, track or path is no
evidence of a right of way.

The representation of features as lines is no evidence
of a property boundary.

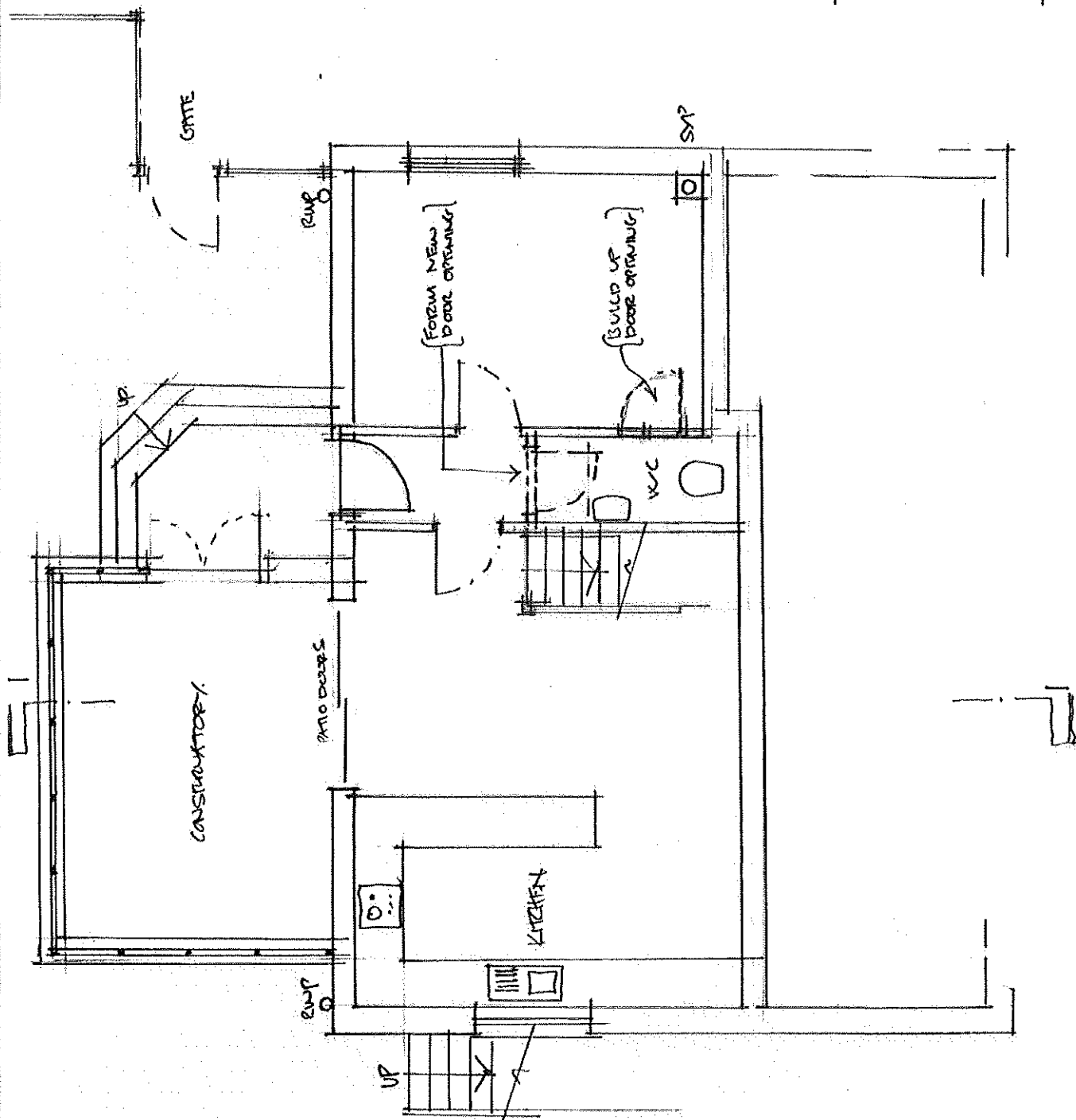


Scale 1:1250

Supplied By: **Service Point Edinburgh 2**

Serial number: 001056710

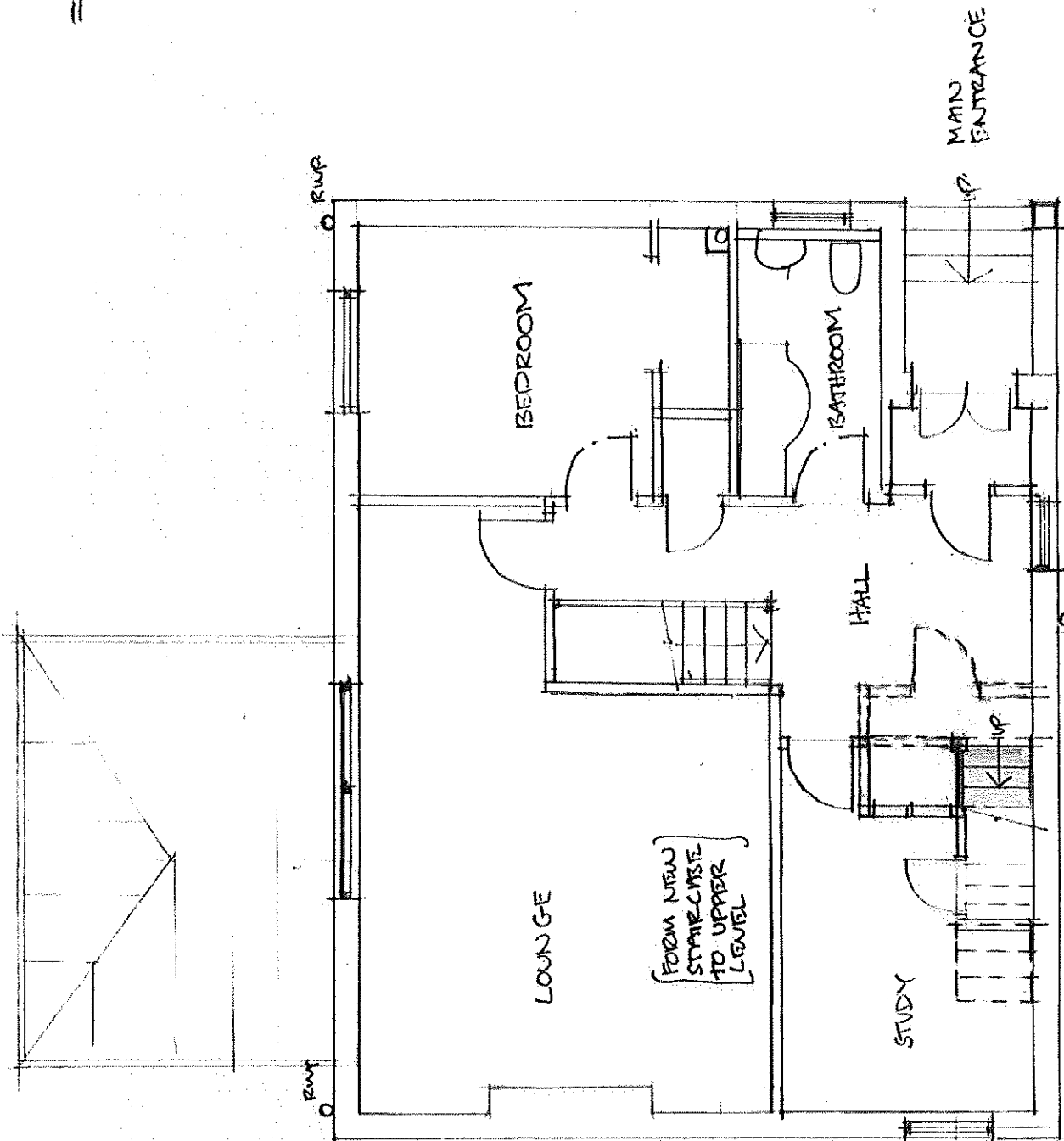
Plot Centre Coordinates: 280652, 679846



LOWER GROUND FLOOR PLAN 1:50

PROPOSED EXTENSION
AND ALTERATIONS
40, GLASGOW ROAD
DUNNY LOATHHEAD
LOWER GROUND FLOOR 1:50

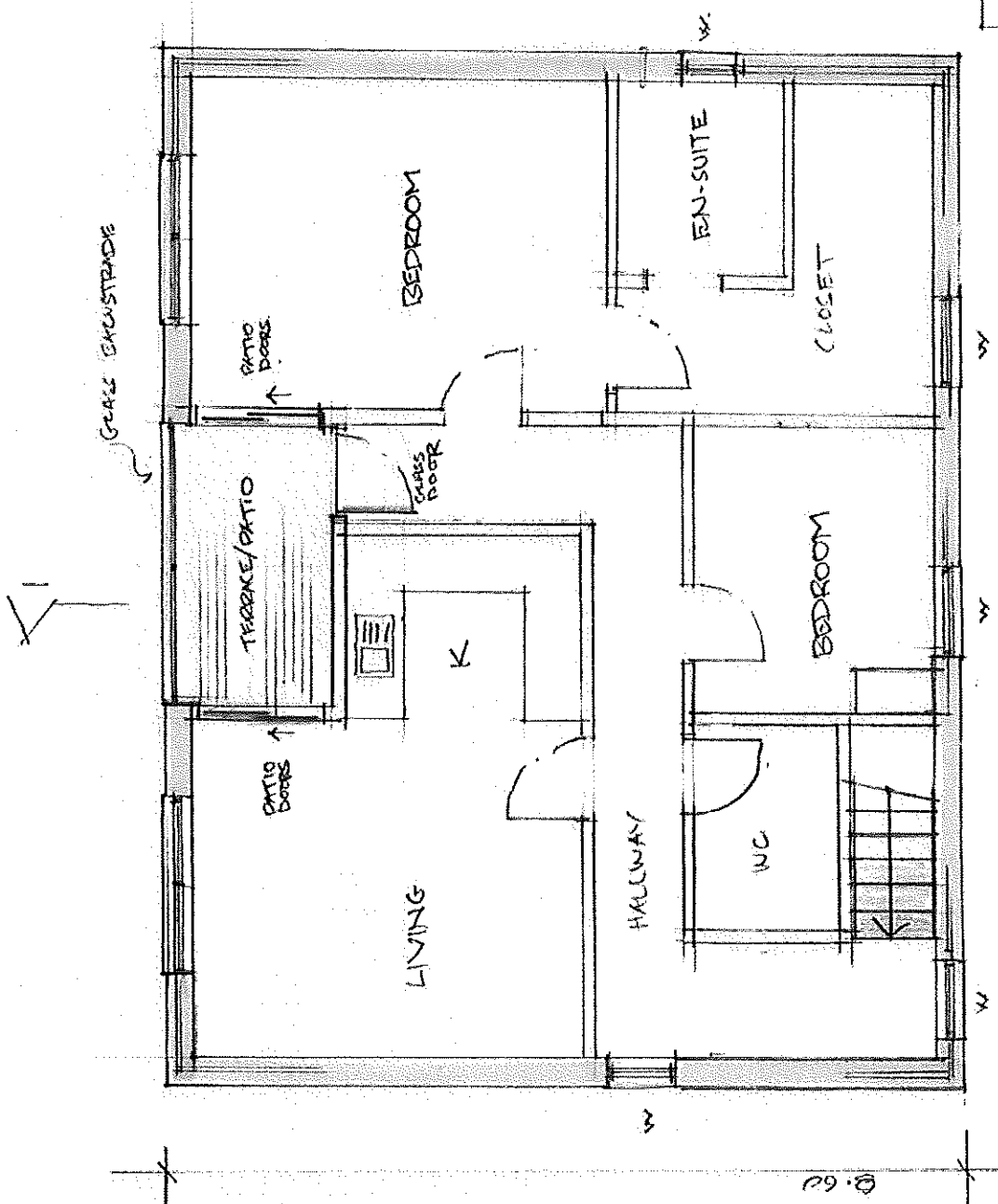
== REMOVALS



PROPOSED EXTENSION
AND ALTERATIONS
40, GUNSCROW ROAD
DENNY/LONDONHEAD

GROUND FLOOR PLAN 1:50

03



PROPOSED EXTENSION / ALTERATIONS

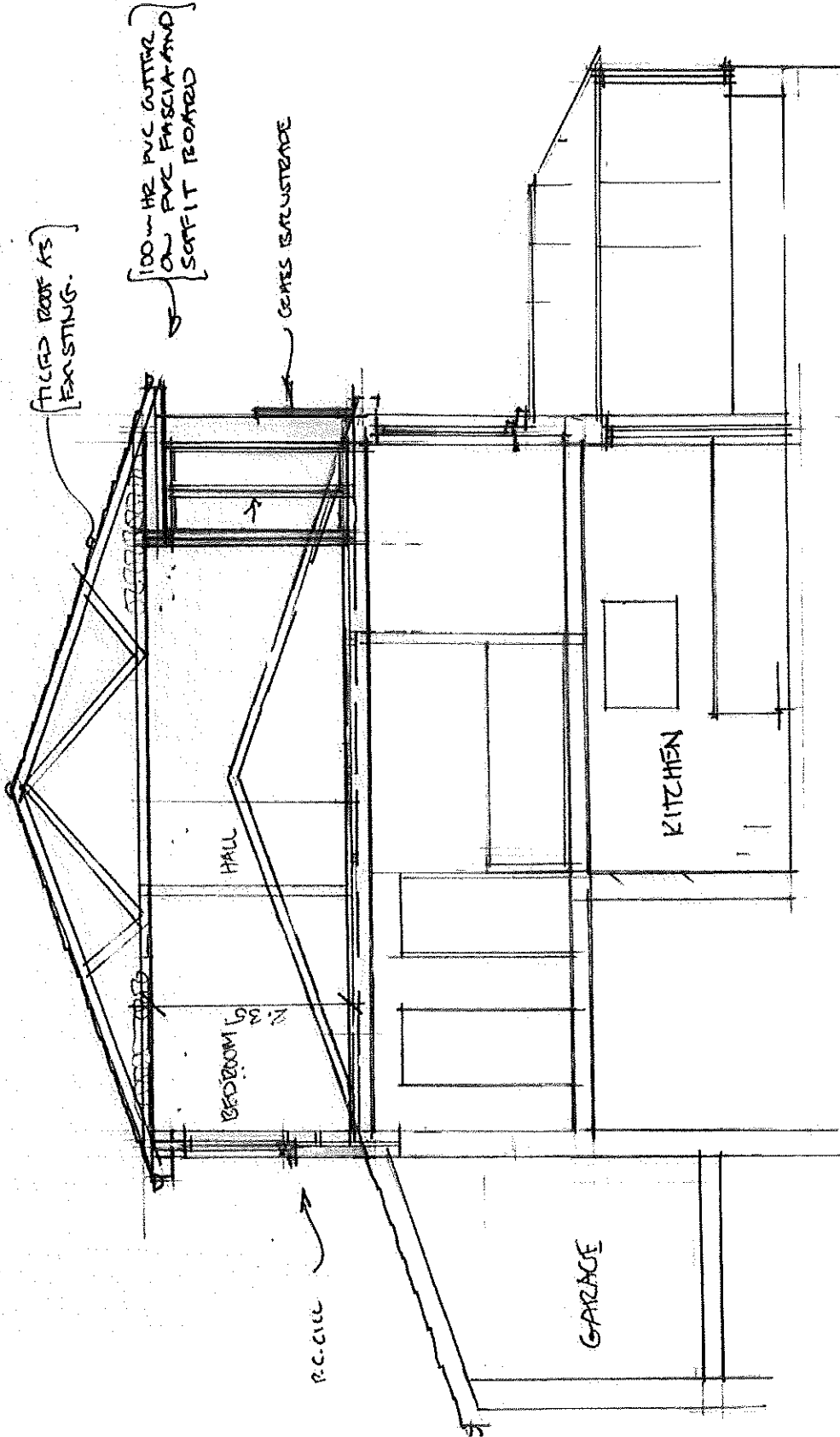
40. GUNSCOW ROAD

DENNY / LOANHEAD

04

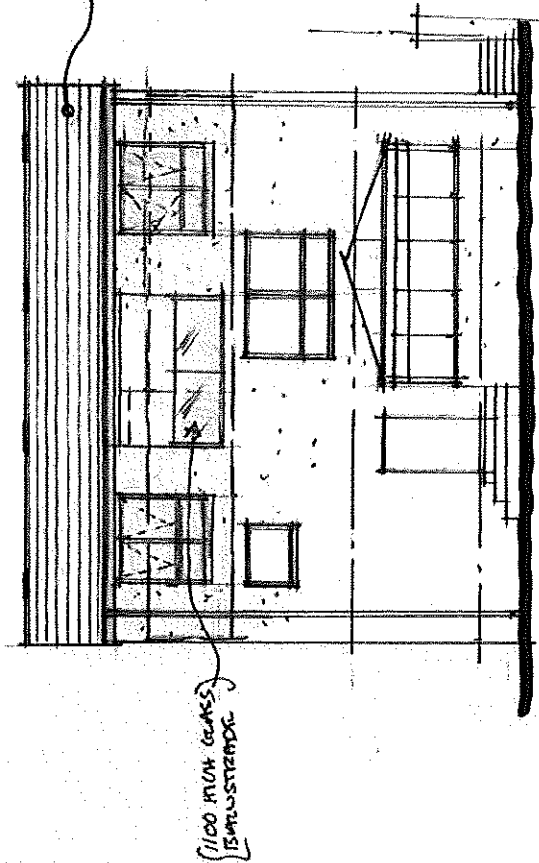
FIRST FLOOR PLAN 1:50

EXISTING ROOF
PROFILE

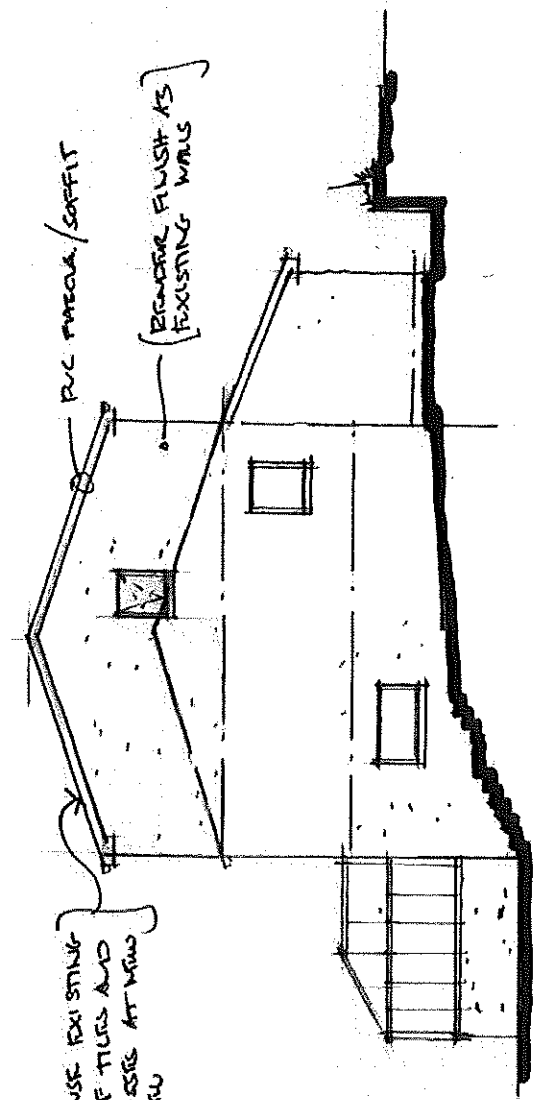


40. GLASGOW ROAD
DUNNY CORNHILL

SECTION 1-1 1:50

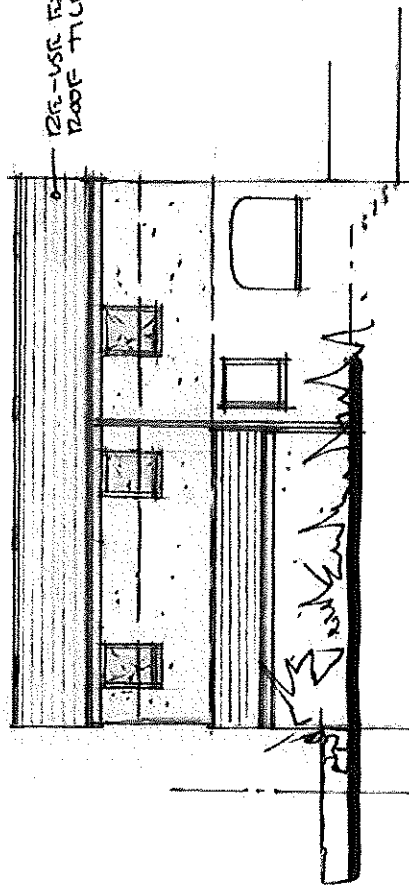


SOUTH EAST ELEVATION 1:100 (REAR)

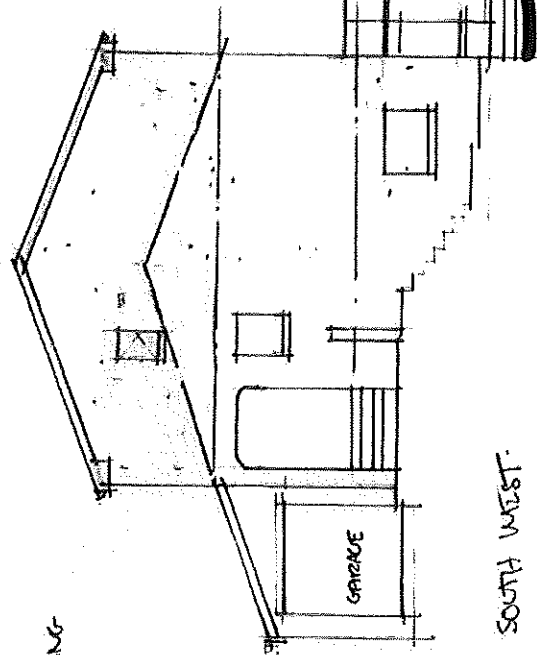


NORTH EAST ELEVATIONS

* WINDOWS.
BROWN PVC DOUBLE
GLAZED TILT AND
TURN FULLY REVERSIBLE
OPERATION.

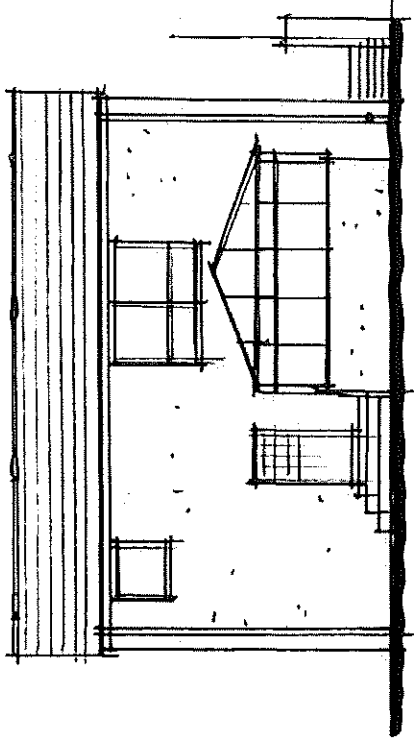


NORTH WEST ELEVATION (STREET)

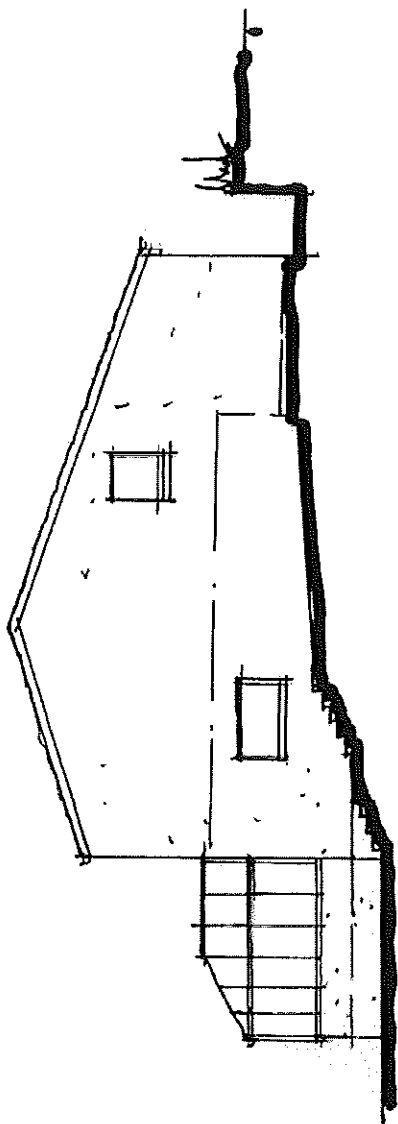


SOUTH WEST

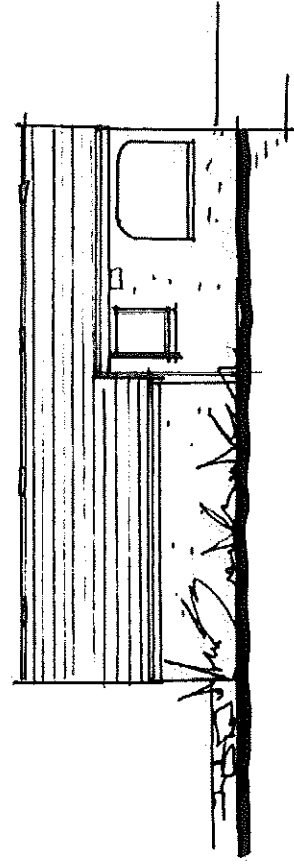
40. GARRISON ROAD
DENNY/LANSHED



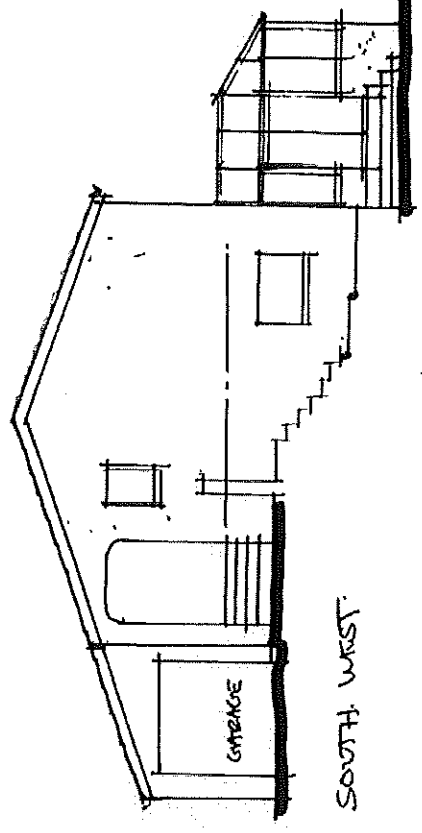
SOUTH EAST ELEVATION (EXISTING) 1:100



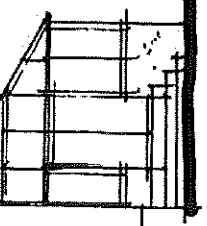
NORTH EAST ELEVATION (EXISTING)



NORTH WEST ELEVATION (EXISTING)



SOUTH WEST



40. GLENCOE ROAD
DUNYLOVENE

Reference No. P/12/0606/FUL



Falkirk Council

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

Refusal of Planning Permission

Agent

Mr L McCaskey
15 Boswall Terrace
Edinburgh
EH5 2EE

Applicant

Mr Michael Sweeny
40 Glasgow Road
Dennyloanhead
Bonnybridge
FK4 1QG

This Notice refers to your application registered on 3 October 2012 for permission in respect of the following development:-

Development Extension to Dwellinghouse at

Location 40 Glasgow Road, Dennyloanhead, Bonnybridge, FK4 1QG

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/12/0606/FUL>. In accordance with the plans docketed 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 extension would fail to integrate into the existing house frontage and street pattern. The proposal would result in an incongruous addition to the building and an 'individualising' of the front elevation which would fail to respect the character, design, scale or massing of the original building or the neighbouring property, contrary to Policy SC9 'Extensions and Alterations to Residential Properties' of the Falkirk Council Local Plan and Falkirk Council's Supplementary Planning Guidance Note on 'House Extensions and Alterations'.
2. The proposed extension results in an additional parking requirement which cannot be accommodated without an unacceptable impact on the existing turning area to the detriment of road safety, contrary to the "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, as amended January 2000".

Informatives:-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 07.

30 November 2012


Director of Development Services

Morris, John

From: hillis, alfred
Sent: 08 November 2012 12:11
To: adtm1dmbscorr
Subject: P/12/0606/FUL - 40 Glasgow Road, Dennyloanhead

Contaminated Land

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

The applicant requires to use acoustic glazing with a specification of 6/12/6 or acoustic equivalent for protecting the users of the proposed new upper floor rooms from transportation noise which shall ensure that the internal levels with the windows closed do not exceed 45dB daytime and 35dB night-time, when measured as LAeq,T, and permanent ventilation requires to be provided in order that windows can be kept closed without loss of ventilation. The details shall be submitted to, and approved by, the Planning Authority prior to the commencement of construction works.

Alf Hillis
Environmental Health Officer
01324 501024

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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.
