

## **PLANNING APPEAL REFERENCE P\PPA\240/228**

**PLANNING APPEAL: LAND TO THE NORTH OF 44 NORTHFIELD ROAD  
DUNIPACE.**

**PLANNING APPEAL AGAINST REFUSAL OF PLANNING PERMISSION  
FOR RESIDENTIAL DEVELOPMENT AT NORTHFIELD ROAD  
DUNIPACE**

### **STATEMENT OF CASE ON BEHALF OF:**

**THE LOCAL COMMUNITY OF DUNIPACE.**

**DENNY & DISTRICT COMMUNITY COUNCIL**

**COMMUNITY GREEN INITIATIVE  
(CGI DUNIPACE, DENNY & DISTRICT)**

**CARRONVALE TENANTS AND RESIDENTS ASSOCIATION  
(CTRA )**

### **SEPTEMBER 2008**

In accordance with the requirements as detailed in the letter received from Marie Buchanan of the Directorate for Planning and Environmental Appeals dated 28<sup>th</sup> August 2008 requesting (item number 4 - provision of statements of case) we provide details of:

1. The witnesses to be called;
2. The topics they will cover:
3. A list of documents to be referred to.

In order to avoid repetitive evidence during the inquiry the following people have been nominated by the local members of the community to represent the views of the community during the Public Local Inquiry.

Each of these witnesses will present separate issues and concerns relating to the objections presented by the community as detailed in the exceptional number of individual letters of objection presented to the case officer in relation to this appeal.

The six main reasons for objection to the proposed development surround issues relating to:

1. Traffic and Road Safety
2. Severe Flooding Concerns
3. Loss of Open Space
4. Wildlife and Watercourse Protection
5. Impact on Community Services
6. Design of the Proposed Development

**WITNESS DETAILS AND TOPICS THEY WILL COVER:**

**1<sup>ST</sup> WITNESS: Mr Charlie Allison**

I am Charlie Allison and I have lived in Dunipace for 35 years. I have 3 children and 5 grandchildren all resident in Dunipace. I am a Chartered Engineer who has recently taken early retirement from BT.

I have been asked by the community representatives to focus on the Transport issues which this appeal will impact upon.

I intend to focus on some key transport areas which I will outline. As the course of the inquiry proceeds I will endeavour to avoid areas of issue, for me, that have already been adequately and fairly covered.

The issues that I intend to present include the following,

**ISSUES:**

- Issue regarding generally increased vehicular traffic.
- Issue regarding acute level of large tonnage vehicular traffic during construction.
- Level of Objections of the local community.
- Survey of the local community to transport issues, including damage to parked vehicles and confrontations between drivers.
- Issues regarding public transport and local business.
- Issues relating to children's safe access to local schooling.
- Issues regarding children's safe access to the recently refurbished play park.
- Accidents and fatalities in the locus over a number of years.
- Issues regarding access for municipal and emergency services.

**2<sup>nd</sup> WITNESS: Mrs Christine Bell.**

A member of Denny & District Community Council since June 2007 and a member of a voluntary environmental group known as CGI, I have lived in Dunipace within 3 minutes walking distance of the proposed development for the past 26 years. I graduated from The University of Stirling in June 2008 with an Honours Degree in Sociology and Social Policy and am a mother of two young children who attend Dunipace Primary School.

It has been agreed by Denny & District Community Council and CGI that I present their objections to the proposed development at the forthcoming Public Local Inquiry. Both Denny & District Community Council and CGI are in full support of all six key areas which the objection issues raise against this proposed development as detailed above.

In order to avoid duplication of evidence in the Inquiry, it is my intention to present two key concerns which are 'loss of open space' and 'concerns for 'wildlife and watercourse protection'.

The issues that I intend to cover include the following:

**ISSUES:**

- The loss of open space currently used for informal recreational purposes.
- The loss of open space for educational and formal recreational purposes.
- Issues surrounding Wildlife and Watercourse Protection.
- Issues surrounding the vast array of wildlife habitat on the proposed site.
- Issues surrounding lack of public consultation regarding the proposed site.
- Government policy and the proposals for empowerment of local communities.
- Issues surrounding the historical context of this site including previously rejected building proposals.

**3<sup>rd</sup> WITNESS: Councillor Johnny McNally.**

I am Councillor John McNally of Falkirk Council and represent the people of Ward Three, which includes Denny & Dunipace. I share the responsibility for Ward Three with three other councillors.

I have both lived and worked my whole 57 years in the area of Denny and Dunipace. I was raised in Denny and have had a business in the town for 35 years.

I am fully aware of the devastating impact that this proposal will have on the local community.

I feel privileged to be able to represent the enormous concern shown by the residents and also from other local areas affected by this proposed development. These concerns have been evidenced in the vast numbers of letters of objection which have been handed in to the case officer.

The protests against the proposed development have been ongoing for many years and the community have been steadfastly against this area being developed for future housing.

It will be my intention to bring to the Reporter's attention the way in which the local infrastructure would be affected should this development be allowed to go ahead.

Additionally it is my intention to present the way in which this proposed development would affect local services provided to the community.

Finally I also wish to stress the lack of consultation by Persimmon Homes and the manner in which Persimmon Homes have ignored the community's concern and how Persimmon Homes are unaware of the anxieties of this community who will have to live here day in and day out with the proposed development should it be allowed to go ahead.

#### **ISSUES:**

- Impact on local infrastructure.
- Impact on local community services.
- Historical context of proposals to build on this site.
- Impact on the aspirations of the community.
- The impact of the day to day life experience of the community both during the development and thereafter.

#### **4<sup>th</sup> WITNESS: Mr W Strasshiem.**

My name is Mr Bill Strassheim (C. Eng. IME), and I am a retired Marine Engineer. My career spanned a 45 year period during which I served 15 years as a General Engineer followed by 30 years as a Marine Engineer. I was Chief Design Engineer at Govan and Yarrow Ship Yards. I am a full member of the Association of Mechanical Engineers and a member of the Institute of Marine Engineers. I live in Northfield Road, Dunipace, and my house overlooks the site of the proposed development.

I intend to challenge the mitigation measure proposed by Persimmon Homes to alleviate potential flooding on this site and further downstream. I will present my case

at the inquiry based on my own technical expertise accumulated during 45 years experience as a Marine Engineer.

Additionally I intend to raise the associated issues surrounding the impact of the building works on the local community with particular reference to the artificial raising of the proposed site by 1 metre in height.

**ISSUES:**

- Issues surrounding flooding mitigation measures proposed by Persimmon Homes.
- Issues surrounding the logistics of raising the site by 1 metre in height.
- The associated impact of implementation measures in the event of the potential failure to achieve the desired effect.

**5<sup>th</sup> WITNESS: Mr Steven Ratcliffe.**

With regards to the above appeal I wish to represent Carronvale Tenants and Residents Association [CTRA]. My name is Steve Ratcliffe. I was born in Denny as was my mother and my grandparents. I am a pensioner and I reside at 26 Allan Crescent, Dunipace. I am doing this in conjunction with other local voluntary organisations and individuals and the great numbers of residents who have submitted objections to the appeal.

Within varying areas of our small community, there are differing priorities of concern if Persimmons Homes Appeal was successful. Each area of concern will be presented separately by various organisations and individuals, thus minimizing repetition.

As the Carronvale area and Allan Crescent in particular were severely affected by floods in December 2006, CTRA's main concern is the increase in flood risk to householders in the area.

It is my intention to present to the Reporter a clear report on the area of Carronvale so that he is well acquainted with the area and the effect any decision will have upon the people in the area.

**ISSUES:**

- Carronvale Tenants and Residents Association main concerns.
- Carronvale area and Allan Crescent – the people (including demographic details and associated concerns).
- The flood of December 2006
- The problems thereafter

- Current issues
- Summary of problems facing our residents and our expectations under current guidelines and legislation

Finally, whilst our main concern is flooding, we are of course, concerned about the other problems in our community which we all share if the current appeal was upheld.

The above witnesses include all those who have been nominated to give evidence during the Public Local Inquiry. We would like to reserve the right to substitute any of the above named witnesses in the event of any of the named witnesses being unavailable during the Inquiry.

## **DOCUMENTS**

The following is a list of documents which some or all of the witnesses mentioned above may draw upon to provide their evidence during the Public Local Inquiry.

- Scottish Planning Policy SSP1- The Planning System
- Scottish Planning Policy SSP3 – Planning for Homes
- Scottish Planning Policy SSP7 – Planning and Flooding
- Scottish Planning Policy SSP11 – Open Space and Physical Activity
- Scottish Planning Policy SSP17 – Planning for Transport
- Scottish Planning Policy SSP23 – Planning and Historic Environment
- National Planning Policy Guideline NPPG11 – Sport, Physical Recreation and Open Space
- National Planning Policy Guideline NPPG14 – Natural Heritage
- Falkirk Council Structure Plan 2007
- Denny & District Local Plan 1996
- Falkirk Council Local Plan
- Falkirk Council SPG – Biodiversity and Development
- Designing Places – A Policy Statement for Scotland: Part 1 Part 2

- Circular Number 12/1996 Town & Country Planning (Scotland) Act 1972: Planning Agreements
- Planning Advice Note PAN 37 – Structure Planning
- Planning Advice Note PAN49 – Local Planning
- Planning Advice Note PAN60 – Planning for natural Heritage
- Planning Advice Note PAN65 – Planning and Open Space
- Planning Advice Note PAN67 – Housing Quality
- Planning Advice Note PAN75 – Planning for Transport
- Flood Risk Assessment, April 2005
- All associated Transport Assessments carried out on proposed access roads.
- Individual Letters of Objection
- Video Evidence Compiled by Local Community to Demonstrate Traffic Problems
- Scottish Natural Heritage Assessment of Proposed Site
- SEPA assessment of Proposed Site
- Completed Questionnaires compiled by local residents to gauge perception of proposed development.
- Various correspondence between local Councillors and various interested parties.
- Assessment of traffic accessibility to the proposed development area by local community service providers.
- Persimmon Homes detailed Development Proposals.

This concludes the submission of information required by Community Witnesses in the given timescale and we state that we would like to reserve the right to provide additional evidence to cover other matters which have not been declared once we have access to all other statements of case.