

The proposal represents an unacceptable form of development as the anticipated impacts of the development on schools infrastructure will not be adequately addressed. The proposal fails to accord with the development plan and there are no material planning conditions that warrant an approval of planning permission in this instance.

8. RECOMMENDATION

Refuse Planning Permission


Refusal is recommended for the following ;

Reason(s):

1. The proposal fails to mitigate against education capacity issues anticipated as a result of the development and as such the proposal is contrary to the terms of Policy COM. 5 - Developer Contributions, of the Falkirk Council Structure Plan, Policy SC.14 - Education and New Housing Development, of the Falkirk Council Local Plan and Supplementary Planning Guidance Note - Education Provision and New Housing Development.

Informatives:

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


 Director of Development Services

7.12.12
 Date

Contact Officer : Kevin Brown
 (Planning Officer) 01324 504701

Reference No. P/12/0241/PPP



**Town and Country Planning (Scotland) Act 1997 as Amended
Issued under a Statutory Scheme of Delegation.**

Falkirk Council

Refusal of Planning Permission

Agent

McLean Bell Consultants Limited
McLean Bell Consultants Limited,
33 Miller Park
Polmont
Falkirk
FK2 0UJ

Applicant

James Bell Limerigg Ltd
Atrium House
Callendar Boulevard
Falkirk
FK1 1XR

This Notice refers to your application registered on 10 May 2012 for permission in respect of the following development:-

Development Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT). at

Location Land To The West Of 65 Slamannan Road, Slamannan Road, Limerigg

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 by inserting your application number at <http://eplanning.falkirk.gov.uk/online/>

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 Planning Permission in Principle

The Council has made this decision for the following reasons:-

1. The proposal fails to mitigate against education capacity issues anticipated as a result of the development and as such the proposal is contrary to the terms of Policy COM. 5 - Developer Contributions, of the Falkirk Council Structure Plan, Policy SC.14 - Education and New Housing Development, of the Falkirk Council Local Plan and Supplementary Planning Guidance Note - Education Provision and New Housing Development.

Informative(s):-

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

14 June 2013

 Director of Development Services

Morris, John

From: MacKenzie, Roddy
Sent: 18 May 2012 08:24
To: adtm1dmbcorr
Cc: Steedman, Russell
Subject: P-12-0241-PPP Slamannan Rd, Limerigg

Development Services

Memo

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

From: Roddy Mackenzie, Roads Development

Date: 18 May 2012

Enquiries: 4908

Our Ref: RMK/

Your Ref: P/12/0241/PPP

Proposal : Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT)

Location : Land to the West of 65 Slamannan Road, Limerigg

Application : P/12/0241/PPP

I refer to your consultation notice received on 14 May 2012 regarding the above application. This site has been subject to a previous application and my comments are similar:-

The applicant intends to develop land for housing in a site off the existing B8022 Slamannan Road which is the main route through Limerigg from Slamannan. Assuming that the development site will be for more than three dwellings, any access road will be required to be built to an adoptable standard and a visibility splay of at least 4.5m by 70m in both directions will be required at the junction with the B8022, within which there should be no obstruction to visibility above carriageway level.

Assuming that an access can be formed in accordance with our guidelines, I would also make the following comments:

1. The road layout should be designed and constructed in accordance with this Service's "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area",
2. Excluding any garage facility, off street parking shall be provided at a rate of one space for one and two bedroom dwellings and two spaces for dwellings with three or more bedrooms.
3. Parking spaces within plots with no separate garden path to the front door should be a minimum of 3m wide and 5m long. All parking spaces within plots with a separate garden path to the front door should be a minimum of 2.5m wide and 5m long.

4. Visitors parking should be provided at the rate of 1 space for every four dwellings and should be distributed evenly throughout the site.
5. Depending upon the proposed layout, access to each dwelling should be taken via a footway crossing constructed in accordance with this Service's guidelines. No more than three properties should be served from a single private access.
6. The driveways to the plots should be formed so that their gradients do not exceed 1 in 10 and so that no surface water is discharged or loose material is carried out onto the public road.
7. Appropriate traffic management measures should be installed along the access road, in accordance with this Service's guidelines.
8. There should be no obstruction to visibility over 1m in height above carriageway level within 2.5m of the road channel over the full frontage of any plots taking access off the internal road(s).
9. At any junctions within the site, a visibility splay of 2.4m by 30m should be maintained, within which there should be no obstruction to visibility over 1m in height.
10. Any gates should only open into the plots.
11. A flood risk assessment and surface water drainage strategy including SUDS shall be required.

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: 17 July 2013 10:09
To: adtm1dmbscorr
Cc: Morris, John; Steedman, Russell
Subject: Notification of Request for Review on Application Ref P/12/0241/PPP

John,

As discussed, I can confirm that we have no further roads comments to make in connection with this application.

Roddy

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25/05/2012

Falkirk Council
Corporate & Neighbourhood Serv
Burnbank Road Depot
Burnbank Road
Falkirk
FK2 7YZ

SCOTTISH WATER

Customer Connections
419 Balmore Road
Glasgow
G22 6NU

Customer Support Team
T: 0141 355 5511
F: 0141 355 5386
W: www.scottishwater.co.uk
E: connections@scottishwater.co.uk

Dear Sir/Madam,

PLANNING APPLICATION NUMBER: P/12/0241/PPP
DEVELOPMENT: Limerigg 65 Slamannan Rd Land
OUR REFERENCE: 609479
PROPOSAL: Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT).

Please quote our reference in all future correspondence

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Due to the size of this proposed development it is necessary for Scottish Water to assess the impact this new demand will have on our existing infrastructure. With Any development of 10 or more housing units, or equivalent, there is a requirement to submit a fully completed Development Impact Assessment form. Development Impact Assessment forms can be found at www.scottishwater.co.uk.

Water Treatment Works currently has capacity to service this proposed development.

Water Network – Our initial investigations have highlighted their may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers.

The Developer should discuss the implications directly with Scottish Water.

Waste Water Treatment Works currently has capacity to service this proposed development.

Wastewater Network – Our initial investigations have highlighted their may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers. The Developer should discuss the implications directly with Scottish Water.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

If this development requires the existing network to be upgraded, to enable connection, the developer will generally meet these costs in advance. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules. Costs can be reimbursed by us through Reasonable Cost funding rules

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website: www.scottishwater.co.uk.

Yours faithfully,

Stephen Kelly
Customer Connections

Morris, John

From: hillis, alfred
Sent: 17 May 2012 10:55
To: adtm1dmbcorr
Subject: P/12/0241/PPP - Land to west of 65 Slamannan Road, Limerigg

Contaminated Land

Conditioned due to the presence of mining and unknown filled ground 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.

Informative - The builder shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Unit.

Alf Hillis
 Environmental Health Officer
 01324 501024

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Our ref: PCS/120287
Your ref: P/12/0241/PPP

Kevin Brown
Falkirk Council
Development Services

If telephoning ask for:
Alasdair Milne

7 June 2012

By email only to: adtm1dmbscorr@falkirk.gov.uk

Dear Sir

Planning application: P/12/0241/PPP
Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT).
Land To The West Of 65 Slamannan Road, Limerigg

Thank you for your consultation letter of 14 May 2012 which SEPA received on 14 May 2012.

We have **no objection** to this planning application. Please note the advice provided below.

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the planning stage.

Advice for the planning authority

1. Flood Risk

- 1.1 We have reviewed the information provided in this consultation and it is noted that, although the site appears to lie out with the Indicative River and Coastal Flood Map (Scotland), the application site is adjacent to a small watercourse and consequently the site may be at risk of flooding.
- 1.2 Small watercourses are often poorly understood with respect to the severity of the flood hazard that can be generated on a catchment of this scale. SEPA holds a wealth of information on past small catchment flooding in Scotland which has led to significant impacts upon people and property.
- 1.3 As we hold no specific flood risk information and/ or have local knowledge of this site, it is strongly recommended that:
 - (a) Additional information is sought from the applicant, which could take the form of a flood risk assessment (FRA). Other appropriate information may include a detailed site plan showing the positioning of the residential development;
 - (b) Contact is made with your Flood Prevention Authority to glean any information/ local knowledge that they may possess.



Chairman
David Sigsworth
Chief Executive
James Curran

Edinburgh Office
Clearwater House, Heriot Watt Research Park
Avenue North, Riccarton, Edinburgh EH14 4AP
tel 0131 449 7296 fax 0131 449 7277
www.sepa.org.uk

- 1.4 If your authority requires further comment from us, additional information would be necessary to enable us to comment upon the flood risk at the application site in line with the principles of Scottish Planning Policy (2010), SEPA-COSLA Protocol (as updated 2011) and the duties of the Flood Risk Management (Scotland) Act (2009).

Caveats & Additional Information for Applicant

- 1.5 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.
- 1.6 We refer the applicant to the document entitled: "*Technical Flood Risk Guidance for Stakeholders*". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx. Please note that this document should be read in conjunction with Annex B in SEPA Policy 41: "*Development at Risk of Flooding, Advice and Consultation – a SEPA Planning Authority Protocol*", available from www.sepa.org.uk/flooding/flood_risk.aspx.
- 1.7 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Falkirk Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.

2. Foul Drainage

- 2.1 Foul drainage from the site should be discharged to the public sewerage network. The applicant should consult Scottish Water in this regard. We confirm that it is the responsibility of Scottish Water to ensure that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows.

3. Surface Water Drainage

- 3.1 The discharge of surface water to the water environment should be in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA. The design of the drainage system must be site specific and dependent upon the presence of any contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.
- 3.2 Comments from Scottish Water and, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.

- 3.3 Surface water drainage from the construction phase should also be dealt with by SUDS. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.

Regulatory advice

4. Regulatory requirements

- 4.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at:

Falkirk, Alloa and Stirling Team, Bremner House, The Castle Business Park, Stirling, FK9 4TF

If you have any queries relating to this letter, please contact me by telephone on 01355 575665 or e-mail at planning.se@sepa.org.uk

Yours faithfully

Alasdair Milne
Senior Planning Officer
Planning Service

eCopy to:

Alastair.bell123@gmail.com