

7. No consideration of the previous use and purpose of the land in question.

As you are probably aware the land was previously owned by Scottish Water and has never been used as farmland. As far as I am aware Scottish Water used the land as a water storage area as stated in the site deeds. In Mr McClure's email dated 24 September 2013 he highlights the types of buildings that in his view should be constructed on the land, including farmhouses, barns, outbuildings and steadings, none of which has ever been constructed on this land or next to the land. The closest dwelling to this land is clearly shown as a new build construction with a front facing PVC conservatory and windows and clearly not in keeping with the country vision Mr McClure appears to be advocating.

The proposed planning application submitted in my opinion complies with the conditions set out in the approved Section 75 agreement and the proposed properties to be constructed on the site would be in keeping with and enhance the area and aid Falkirk Council in their future road infrastructure improvement strategy for the area.

As previously stated, in my opinion my clients planning application has not been given any consideration in light of the opportunities it provides. These include the money required to be spent on the development, the vast amount of land gifted to Falkirk Council as set out in the Section 75 agreement, the opportunity for future vital road infrastructure improvements needed to the area, additional council tax revenue to Falkirk Council, providing new energy efficient family homes and new families eventually moving into the area and spending money within the local community. All good reasons for supporting the application submitted for consideration for three family homes.

As stated above a review of the Falkirk Council e-planning portal has highlighted that all previous planning applications in relation to this site have either been withdrawn or the applications has been refused. In light of this I feel that my clients planning application may not have been given a fair review and due consideration.

I trust the reasons for this application are clear and that this letter and enclosed documentation provides all necessary information for you to consider this application for review. If you require any further information or previously issued documentation please do not hesitate to contact me.

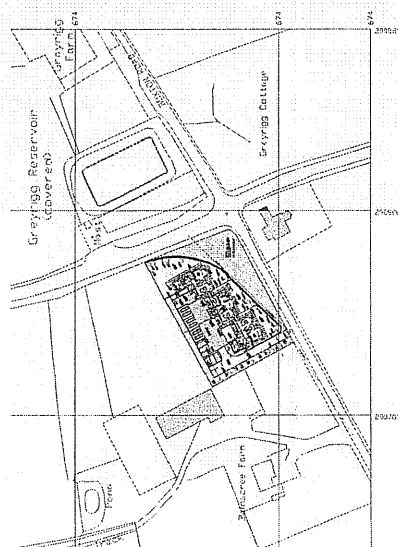
Yours Sincerely



Grant Livingstone
Encs (6)

Cc Mr L Webb Pro Construction Ltd, Rosyth.

SITE PLAN as PROPOSED,
scale 1:200

[illegible][illegible]

DEVELOPMENT MANAGEMENT UNIT

Enquiries to: John Morris
 Tel No: 01324 504740
 Fax No: 01324 504747
 Email: john.morris@falkirk.gov.uk



Falkirk Council
Development Services

RECORDED DELIVERY

Livingstone Design
 FAO Grant Livingstone
 PO Box 29236
 Dunfermline
 KY12 2DY

Our Ref: P/13/0540/FUL/AD106
 Please quote in all correspondence
 Your ref:
 Date 30 October 2013

Dear Sir/Madam

Town and Country Planning (Scotland) Act 1997
 The Town & Country Planning (Schemes of Delegation & Local Review Procedure)
 (Scotland) Regulations 2008

Development **Erection of Three Dwellinghouses**
Location **Greyrigg Reservoirs California Falkirk**
Planning
Application No. **P/13/0540/FUL**

I refer to the above and thank you for your application for review which was received in this office on 25 October 2013. Unfortunately I am unable to progress your review further at this time for the following reason(s).


In a review under section 43A(8) of the above Act, a party to the proceedings is not to raise any matter which was not before the appointed person at the time the determination reviewed was made unless that party can demonstrate -

- (a) that the matter could not have been raised before that time, or
- (b) that its not being raised before that time was a consequence of exceptional circumstances.

Two of the plans submitted with your Notice of Review differ from those which were considered and refused on 24 October 2013 by Falkirk Council. These are drawing nos. 2013PL(-)02 Revision C and 2013PL(-)03 Revision C. In both cases, Revision B was refused. If these revisions are made in accordance with Section 43(B) of the Act, please provide an additional statement that this is the case and explain why they could not have been brought forward for consideration at that time. It is not necessary for you to submit copies of the original drawings.

Please follow the instructions above to allow the Review to progress.

Yours faithfully

 **Ian Dryden**
 Development Manager

Copy to:
 Mr Craig Lee Thomson 11 Norval Place Rosyth KY11 2RJ

Director: Rhona Geisler
 Abbotsford House,
 David's Loan, Falkirk FK2 7YZ
 T P 3 Falkirk 2.
 Telephone: 01324 504950
www.falkirk.gov.uk

Livingstone Design
Architectural/Structural Drafting Services

31st October 2013

Falkirk Council
Planning Department
Development Management
Abbotsford House
David's Loan
Falkirk
FK2 7YZ

For attention of John Morris and Ian Dryden

Section 75 Agreement Reference: KQ:DV/PT/315
Granted Planning Permission in Principle Reference: P/09/0790/PPP
Current Planning Application Reference: P13/0540/FUL

PLANNING NOTICE OF REVIEW APPLICATION

Dear Mr Morris

PLANNING NOTICE OF REVIEW FOR: PROPOSED DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT GREYRIGG LAND, BOXTON ROAD, CALIFORNIA, FALKIRK, ERECTION OF THREE DOMESTIC FAMILY HOMES

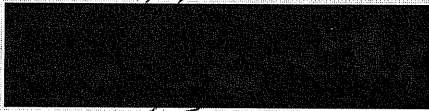
Further to your letter dated 30th October 2013 you have requested an additional statement regarding two planning drawings submitted as part of the planning notice review application.

Please refer to my previous letter dated the 24th October 2013 listing the reasons for submitting the notice of review application. At point 6 I have stated that Mr McClure has made a number of recommendations with regards to such issues as the materials to be used in construction of the properties, the proposed soft landscaping, planting, hedging, transportation requirements and obtaining SEPA approval. Please refer to attached copy of the email I received from Mr McClure dated 24th September 2013 in which he details his reasons for refusal of the planning application and recommendations for revision. On the 3rd October 2013 I received a further email from Mr McClure reminding me that the planning application could be withdrawn and a further application made or alternatively the proposals could be amended but he would require suitable amended plans within 7 days of the email. Drawings 2013PL(–)02 Revision C and 2013PL(–)03 Revision C were submitted as an attempt to incorporate Mr McClure's recommendations with regards to landscaping and planting only. The Revision C drawings were not submitted as part of the original planning application and the only minor changes applied are with regards to planting and landscaping. If the Revision C drawings cannot be considered as part of the planning application review please refer back to the original planning drawings submitted and as shown on Falkirk Council e-planning portal.

Livingstone Design Drafting Services
PO Box 29236, Dunfermline, KY12 2DY
Tel: 07980651059

I trust that the above explanation will be sufficient to allow you to progress the planning application for review. Should you require any further clarification please do not hesitate to contact me.

Yours Sincerely



Grant Livingstone
Encs (1)

Cc Mr L Webb Pro Construction Ltd, Rosyth.

From: "McClure, Stephen" <[REDACTED]>
 To: "glivingstone@sky.com" <[REDACTED]>
 Sent: Tuesday, 24 September 2013, 15:21
 Subject: P/13/0540/FUL - Erection of Three Dwellings - Greyrigg Reservoirs, California, Falkirk

Dear Grant,

I write in regard to the above application you currently have submitted on behalf of your client, Mr Thomson. The proposals submitted have now been assessed and all relevant consultations have been returned with the necessary information.

In terms of the current overall design, I have concerns in relation to the arrangement of the dwellings, their scale, proportions, massing and proposed exterior finishes. The proposal as currently presented does not meet the criteria of the relevant countryside policies (both local and national), especially in relation to integrating into the landform and building design sympathetic to vernacular building styles. The staggered layout of the dwellings of similar scale and design and the regular rank of garages does not reflect local building traditions, the design appearing urban in form and creating more of a standard "kit" house appearance. Local steadings and farmhouses are in the most case seen to be set around other smaller scale outbuildings, barns etc creating a mix of building scale and orientation. This overall produces a less regular, organic arrangement mainly associated with urban areas.

The detailing on the properties also requires to be given more thought and consideration, e.g. window to wall ratios tend to be low with narrower gables and longer frontages, UPVC windows/doors should be wooden framed, rainwater goods should be integrated and of suitable materials/colours etc. The exterior of the properties should be considered in terms of the local area, so locally sourced natural materials should be applied to external walls/roof i.e. natural stone and slate. Such detailing and consideration anchors the building into the landscape more naturally. In terms of the hard boundary treatments, the surrounding landscape needs to be taken into consideration, therefore stone walling and low rise suitable fencing e.g. post and wire may be acceptable. Timber fencing 1.8m high would not be acceptable within the site.

In terms of the soft landscaping/planting, the site is very prominent within the landscape, so this element would form an important part of any overall proposal. The Landscape Officer has viewed the site and would require the following to be implemented into any proposal:

- A native hedge and / or a stone wall on the full external south and east boundaries. The hedge planting should be predominantly native species (eg hawthorn, blackthorn, hazel, wild rose etc), although an element of Beech (not native to the area, but locally common) would be acceptable. If any wooden boundary fence is proposed, then this must be kept low, with the hedgerow running along the full external side (no wooden fence to the road frontage).
- Groups / individual specimens of small native trees are required on the southern and eastern boundary. Small growing species, such as the Rowan proposed (or birch) would be appropriate; a series of small groups of trees of these species will soften the appearance and can be carefully placed along the boundary to allow critical views out from any proposed dwellings, but at the same time provide some basic effective partial screening of any development as seen from outside.
- Planting of small native trees and shrubs are advised along the western boundary to the site to enable a strong buffer / screen between this site and the adjacent property and to screen the fence.
- A full specification of all structure / screen tree and hedgerow planting is required, detailing species, locations, numbers, planting density and nursery stock sizes at planting.

The Roads Development Unit is in principle satisfied with the proposed overall entrance to the site, but would require that a 2.5m x 60m visibility splay is provide for exiting the site. In terms of drainage, it has been noted that the provision of foul drainage i.e. the septic tank and soakaway, will be dictated by SEPA. Scottish Water has, in their response, confirmed they have no foul sewerage infrastructure in the vicinity to which a connection could be made and therefore you will be required to satisfy