

Reference No. P/15/0449/FUL



Falkirk Council

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

### **Refusal of Planning Permission**

#### **Agent**

SJK Architecture  
 Scott Johnstone  
 Kelvin House  
 87 Calder Street  
 Coatbridge  
 ML5 4EY

#### **Applicant**

Kingsbarn Equestrian Centre  
 Mr Alasdair Beaton  
 Shieldhill  
 Falkirk  
 FK1 3AT

This Notice refers to your application registered on 28 July 2015 for permission in respect of the following development:-

Development      Erection of Dwellinghouse at

Location            Kingsbarn Equestrian Centre, Falkirk, FK1 3AT

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 docquetted 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 application is considered to be contrary to Policies CG01 (Countryside) and CG03 (Housing in the Countryside) of the Falkirk Local Development Plan, and to Falkirk Council's Supplementary Guidance SG01 for Development in the Countryside. In particular, it has not been demonstrated that there is an essential need for the development proposal at this countryside location and the proposal is not considered to represent appropriate infill development. The proposed therefore represents unjustifiable and inappropriate development in the countryside.
2. The development proposed would introduce additional traffic onto an unlit de-restricted rural road. Visibility to the east of the site access is restricted and conditions of previous planning permission for the existing use requiring junction visibility and pedestrian access improvements have not been implemented. The development proposed is therefore not considered to be in the best interests of road safety.

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02 & 03.

15 September 2015



Director of Development Services

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200 Lichfield Lane  
Berry Hill  
Mansfield  
Nottinghamshire  
NG18 4RG

Tel: 0345 762 6848

Web:

<https://www.gov.uk/government/organisations/the-coal-authority>

## **ASSESSMENT OF THE DEVELOPMENT IN RELATION TO COAL MINING LEGACY**

### **Development High Risk Area - Exempt on Grounds of Application Type or Nature of Development**

The proposed development lies within an area that has been defined by The Coal Authority as containing potential hazards arising from former coal mining activity. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and previous surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of development taking place.

It is recommended that information outlining how the former mining activities affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), be submitted alongside any subsequent application for Building Standards approval (if relevant). Your attention is drawn to The Coal Authority Policy in relation to new development and mine entries available at:

<https://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries>

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

Property specific summary information on past, current and future coal mining activity can be obtained from: [www.groundstability.com](http://www.groundstability.com)

If any of the coal mining features are unexpectedly encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is available on The Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

This Informative Note is valid from 1<sup>st</sup> January 2015 until 31<sup>st</sup> December 2016