

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County 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 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

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 IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text" value="Miss"/>	Ref No.	<input type="text"/>
Forename	<input type="text" value="Fiona"/>	Forename	<input type="text"/>
Surname	<input type="text" value="Stewart"/>	Surname	<input type="text"/>
Company Name	<input type="text" value="Manor Forrest Ltd"/>	Company Name	<input type="text"/>
Building No./Name	<input type="text" value="Atrium House"/>	Building No./Name	<input type="text"/>
Address Line 1	<input type="text" value="Callendar Business Park"/>	Address Line 1	<input type="text"/>
Address Line 2	<input type="text"/>	Address Line 2	<input type="text"/>
Town/City	<input type="text" value="Falkirk"/>	Town/City	<input type="text"/>
Postcode	<input type="text" value="FK11XR"/>	Postcode	<input type="text"/>
Telephone	<input type="text" value="01324670000"/>	Telephone	<input type="text"/>
Mobile	<input type="text"/>	Mobile	<input type="text"/>
Fax	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text" value="fiona@manorforrest.com"/>	Email	<input type="text"/>
3. Application Details			
Planning authority		<input type="text" value="Falkirk Council"/>	
Planning authority's application reference number		<input type="text" value="P/18/0151/PPP"/>	
Site address			
<input type="text" value="Land to the North of 41 Kings Seat Place, Glendevon Drive, Maddiston"/>			
Description of proposed development			
<input type="text" value="Development of Land for Residential Use with Associated Access"/>			

Date of application	15 March 2018	Date of decision (if any)	16 May 2018
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Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)	<input type="checkbox"/>
Application for planning permission in principle	<input checked="" type="checkbox"/>
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)	<input type="checkbox"/>
Application for approval of matters specified in conditions	<input type="checkbox"/>

5. Reasons for seeking review

Refusal of application by appointed officer	<input checked="" type="checkbox"/>
Failure by appointed officer to determine the application within the period allowed for determination of the application	<input type="checkbox"/>
Conditions imposed on consent by appointed officer	<input type="checkbox"/>

6. Review procedure

The Local Review Body 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 wish the review to be conducted by a combination of procedures.

Further written submissions	<input checked="" type="checkbox"/>
One or more hearing sessions	<input checked="" type="checkbox"/>
Site inspection	<input type="checkbox"/>
Assessment of review documents only, with no further procedure	<input type="checkbox"/>

If you have marked either of the first 2 options, 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 necessary.

New material could not have been provided before the time the application was decided by the Officer handling the application due to a delay in the passing on of the consultation responses

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?	<input checked="" type="checkbox"/>
Is it possible for the site to be accessed safely, and without barriers to entry?	<input type="checkbox"/>

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

N/A

8. 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. Note: 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 Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, 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 here 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.

SEE ATTACHED DOCUMENTS

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☒ No ☐

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

The time constraints brought about by the delivery of the consultation responses, meant that the applicant didn't have the necessary time to fully address all the matters raised by the Council.

9. 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

Supporting documents as attached;
1) Planning Application and Site Plan
2) Decision Notice
3) Supporting Statement
4) Flood Risk and Drainage Statement
5) Transport Statement

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.

10. Checklist

Please mark the appropriate boxes to confirm that 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 requesting 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 hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

Fiona Stewart

Date:

15 August 2018

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

Supporting Statement

Planning Application Reference P/18/0151/PPP

Reasons for Refusal 1 and 2

Reasons for refusal 1 and 2 can be read together as being the Development Plan basis for refusal in principle for residential development on this site. Reasons for refusal 3 to 8 relate to specific issues.

This is an application for Planning Permission in Principle for Residential Development and Associated Access. It is a small site located immediately adjacent to an existing residential area of Parkhall and can be considered as a logical extension to the existing built up area of Maddiston.

It is accepted that the site lies outwith the Urban Limit as set out in the Development Plan, However, it is acknowledged by the Council that it has a shortfall in land allocated for housing in its Development Plan and therefore there is an urgent need to identify additional sites to meet housing requirements.

This shortfall is best met by granting planning permission for smaller sites which can timeously add incrementally to meeting the accepted total shortfall. Small sites by their very nature can be developed more quickly than larger sites such as Gilston as there is normally little or no infrastructure to be provided up front prior to house construction. That is the case here as the road network has been provided and water and drainage connections are adjacent.

Consequently this site can be delivered quickly and within a timeframe to meet the current housing land supply shortfall. While the site currently lies within the defined countryside, the Council, in its Development Plan has accepted there is a need to allocate appropriate countryside sites for housing in order to meet its supply shortfall. The adjacent Parkhall housing development was formerly in the countryside and it has now been developed successfully into an attractive residential estate with a new Primary School also built. The Distributor Road constructed through Parkhall was designed to carry the traffic from additional housing in both the appeal site and other land to the east with an eventual connection onto the A801. This connection onto the A801 has been granted planning permission and I understand initial work on its construction has been commenced. A temporary secondary access can be provided to Nicolton Road by means of a 3 metre wide access road with knock down bollards as envisaged in the Maddiston East Development Framework. This would provide an effective escape route until the overall roadnetwork is completed.

Reason for Refusal 3

This small will have a maximum of 49 houses and consequently would statistically generate a small number of children of school age. There is a well established policy of new housing development making a pro rata financial contribution towards meeting any additional educational requirements. The applicant is happy to agree to the Council's requirements

which are set out in its relevant policy document and which can be secured through a Section 75 Agreement if necessary.

Reasons for Refusal 4 and 5

See attached document from McGregor Mahon. In addition, it is considered that any concerns relating to Water and Drainage Infrastructure and Flood Risk can be covered by appropriate planning conditions and the submission, if required of relevant consultants reports at a more detailed stage.

Reasons for Refusal 6 and 7

See attached document from Andrew Carrie, Traffic and Transport.

Reason for Refusal 8

The applicant is well aware of the Council's policy on affordable housing and is committed to meeting the 20% provision required in the Maddiston area. This matter can be covered by an appropriate condition.

Based on the above it is respectfully requested that this appeal is upheld and planning permission is granted subject to the appropriate conditions.