

List of Enclosures – Agenda Item 2

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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 Delegation and Local Review Procedure) (SCOTLAND) Regulations 2008

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2008

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://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MS	Ref No.	—
Forename	MARION	Forename	NEIL
Surname	THOMSON	Surname	McFADYEN
Company Name	—	Company Name	—
Building No./Name	32	Building No./Name	1
Address Line 1	EDWARD PL	Address Line 1	BELLEVUE ST
Address Line 2	SKINFLATS	Address Line 2	—
Town/City	FALKIRK	Town/City	FALKIRK
Postcode	FK2 8NL	Postcode	FK1 1SB
Telephone	—	Telephone	—
Mobile	[REDACTED]	Mobile	[REDACTED]
Fax	—	Fax	[REDACTED]
Email	—	Email	[REDACTED]

3. Application Details	
Planning authority	FALKIRK
Planning authority's application reference number	P/11/0472/PPP
Site address	<p>PLOT OF LAND OFF HEXTON AVENUE TO THE REAR OF 32 EDWARD PLACE SKINFLATS, FALKIRK FK2 8NL.</p>
Description of proposed development	<p>PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF SINGLE DWELLING HOUSE.</p>

Date of application

9/8/2011

Date of decision (if any)

7/10/2011

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) ☐

Application for planning permission in principle ☒

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) ☐

Application for approval of matters specified in conditions ☐

5. Reasons for seeking review

Refusal of application by appointed officer ☒

Failure by appointed officer to determine the application within the period allowed for determination of the application ☐

Conditions imposed on consent by appointed officer ☐

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 ☐

One or more hearing sessions ☐

Site inspection ☒

Assessment of review documents only, with no further procedure ☐

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.

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? ☒

Is it possible for the site to be accessed safely, and without barriers to entry? ☒

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 SEPARATE SHEET

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.

N/A

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

A PLAN OF THE PLOT.
ELEVATIONS OF THE OVERLOOKING BUILDINGS
EXAMPLES OF HOUSES ON SMALL PLOTS
EXAMPLES OF SMALL PLOTS FOR SALE
COPY OF PLANNING OFFICER'S NOTES
FOR FIRST PRE-MEETING (FOR FULL
PLANNING PERMISSION) SECOND PRE-
MEETING WAS VERBAL.

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.

Signature:

[Redacted Signature]

Name:

NEIL MC FADYEN

Date:

29/12/2011

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

Two previous/separate pre-application site meetings/discussions have been held regarding this application (one meeting was to discuss full planning permission) and on both occasions the two different planning officers (Gavin Clark and Stephen McClure) viewed the proposals favourably and at no time hinted that an application for planning permission in principle would not be approved.

The reasons given for refusal quote Falkirk Council's local plan policy SC2 and SC8, I would argue that the application actually complies with policy SC2. Similarly the application complies with sections 4, 5 and 6 of policy SC8 and I feel that sections 1, 2 and 3 cannot be determined until a full planning application is submitted providing full details to show compliance with these sections.

I disagree that a satisfactory level of residential amenity cannot be provided.

I also disagree that the townscape character of the area cannot be continued; in fact a well-designed small house would indeed enhance the townscape character! (This plot is in the small village of Skinflats, after all!)

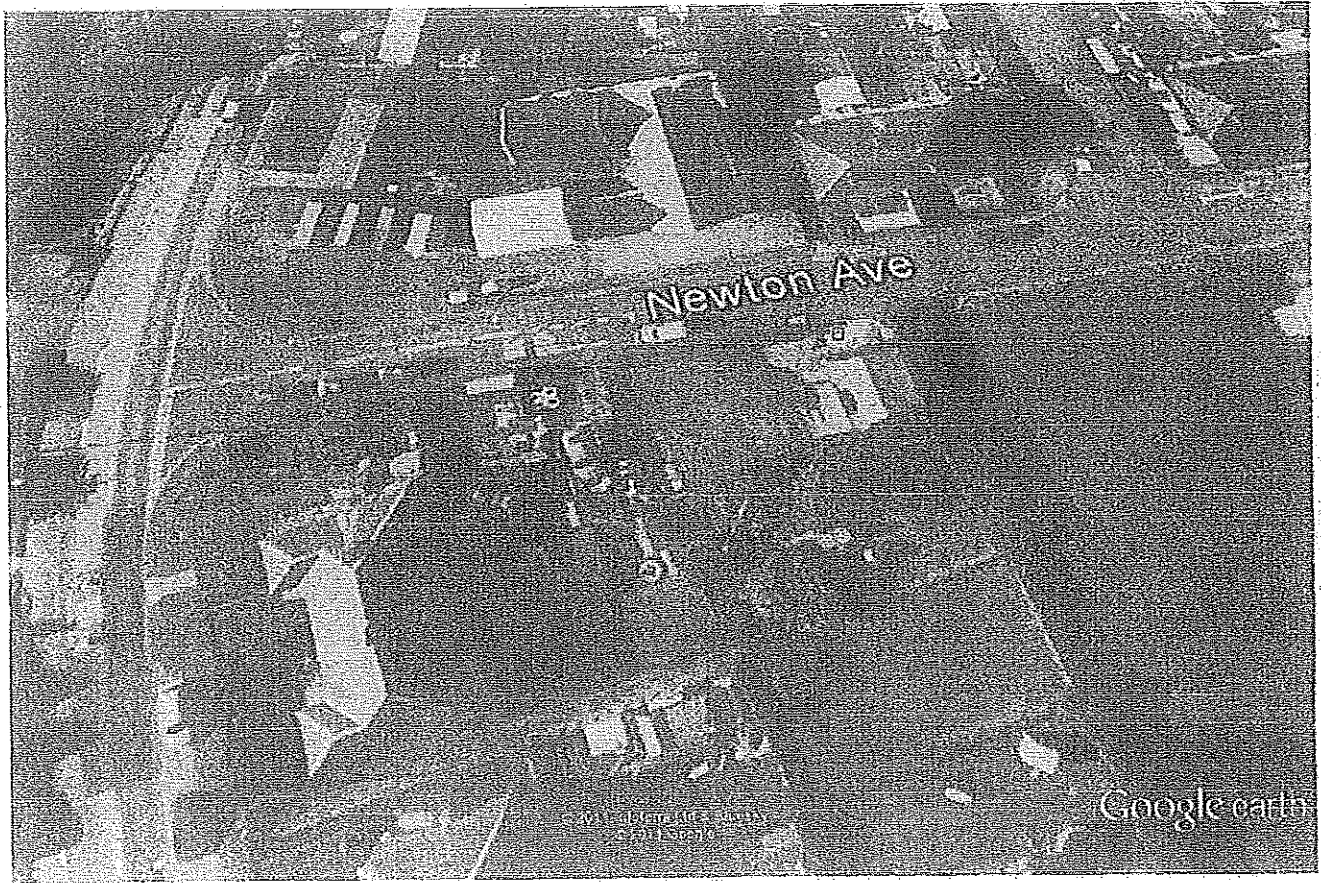
Again I disagree that adequate garden ground cannot be provided, as without a site layout plan showing the footprint of the house and the garden area, I fail to see how this can be determined, in fact without the benefit of a block plan or details of the house, I do not understand how a decision to refuse this application could be made!

I enclose six examples of houses built on small plots and three examples of small housing plots that are currently for sale, to support this application.

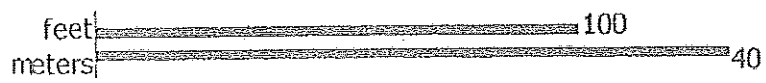
I also enclose a plan of the plot and details of the overlooking "buildings".

I also understand that no objections were received to this application when it was published in the Falkirk Herald in August 2011! If the intention of the planning department was to refuse this application, why go to the expense of advertising the application in the first place?

I therefore believe that this application for planning permission in principle should be approved, subject to a full planning application being submitted to address any outstanding issues.



Google earth



Google

To see all the details that are visible on the screen, use the Print link next to the map.

BUILDINGS
ACROSS FROM LOT



VILLAGE
HALL

FOOTBALL
HUT

GLASS
BINS

GASWORKS

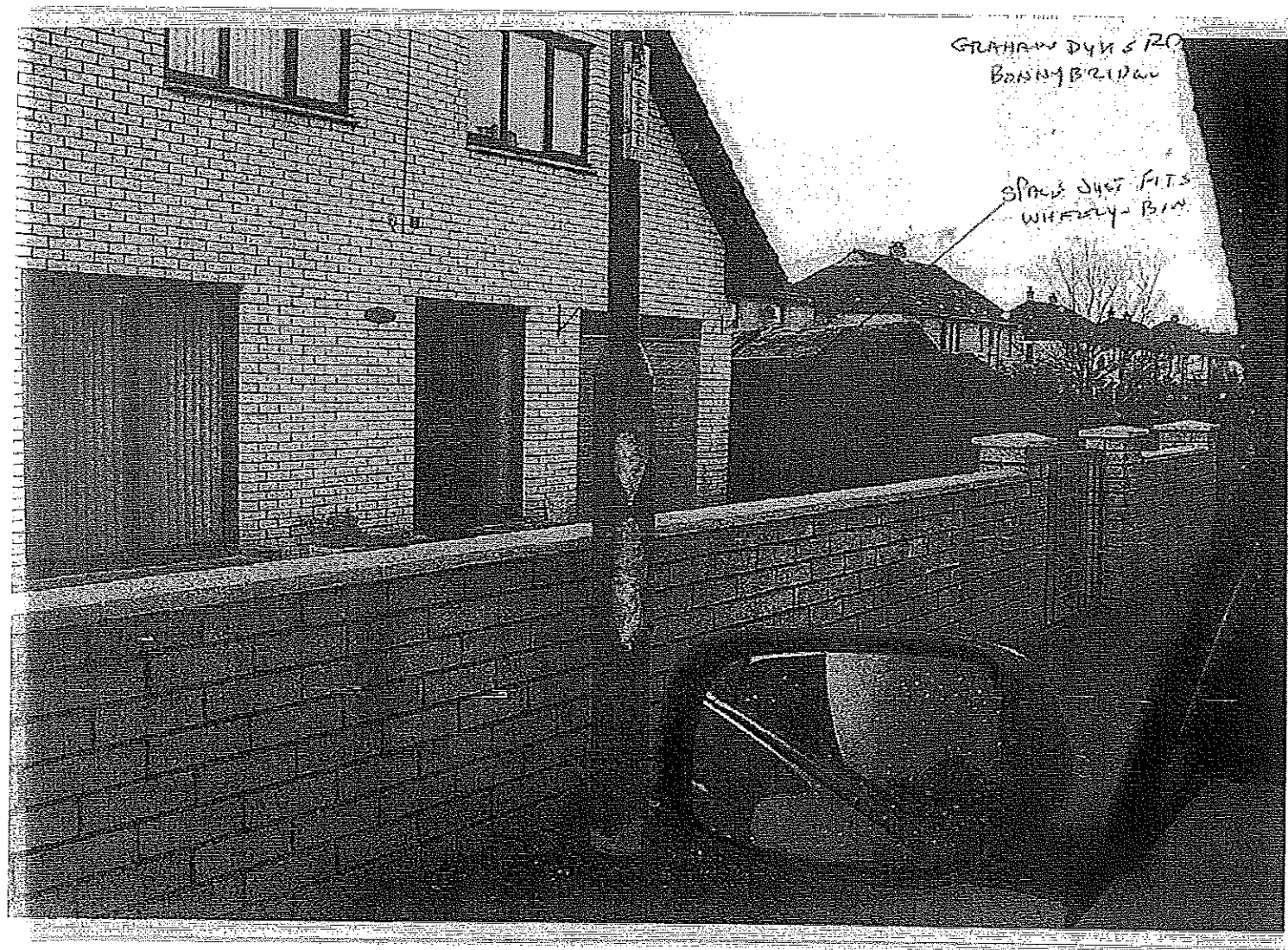
PHOT

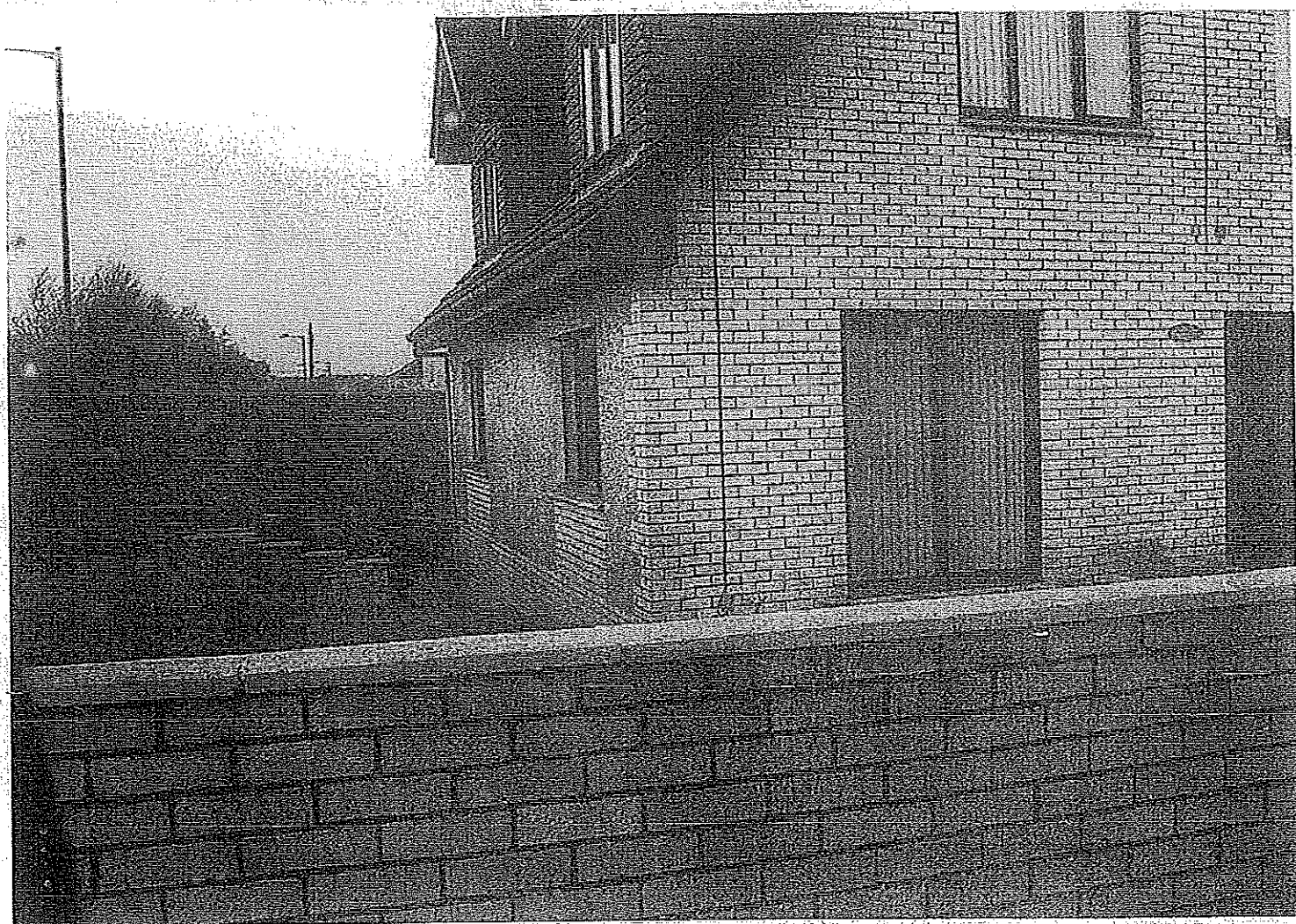
Google

To see all the details that are visible on the screen, use the Print link next to the map.



GRAHAMSDYKE RD
BONNYBRIDGE
IN BACK GARDEN OF
EX-COUNCIL HOUSES

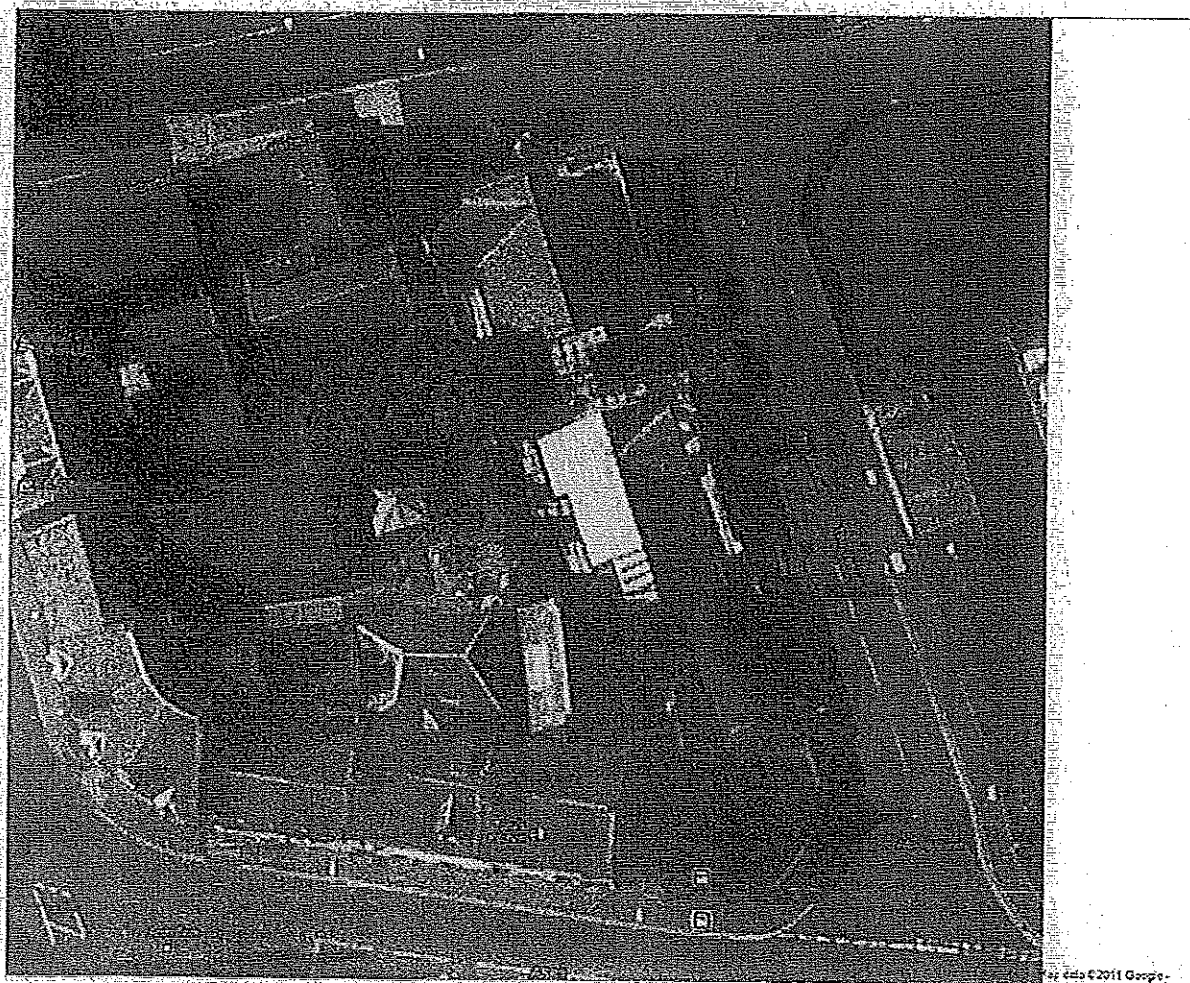




16
THE VENNEL
DENNY

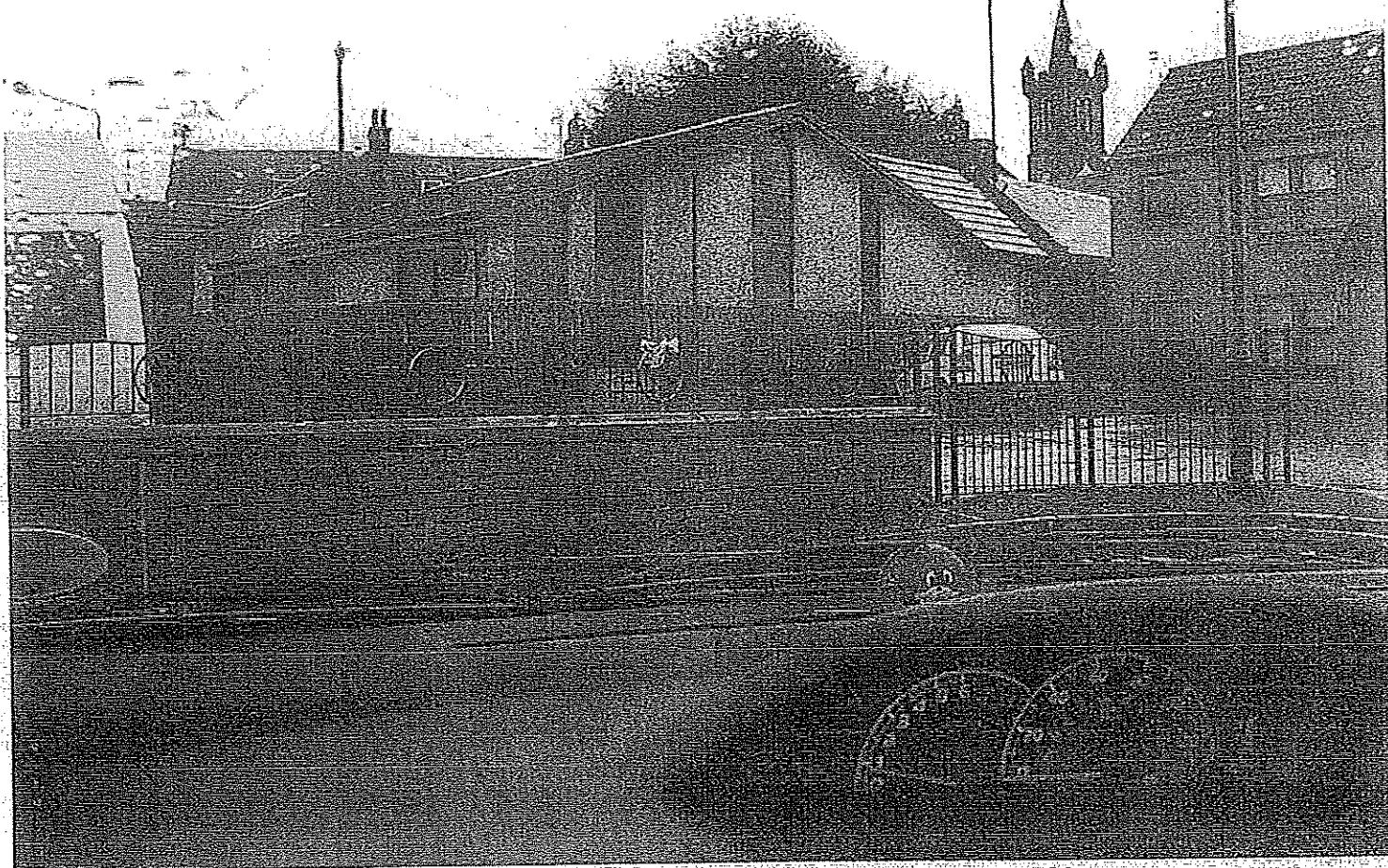
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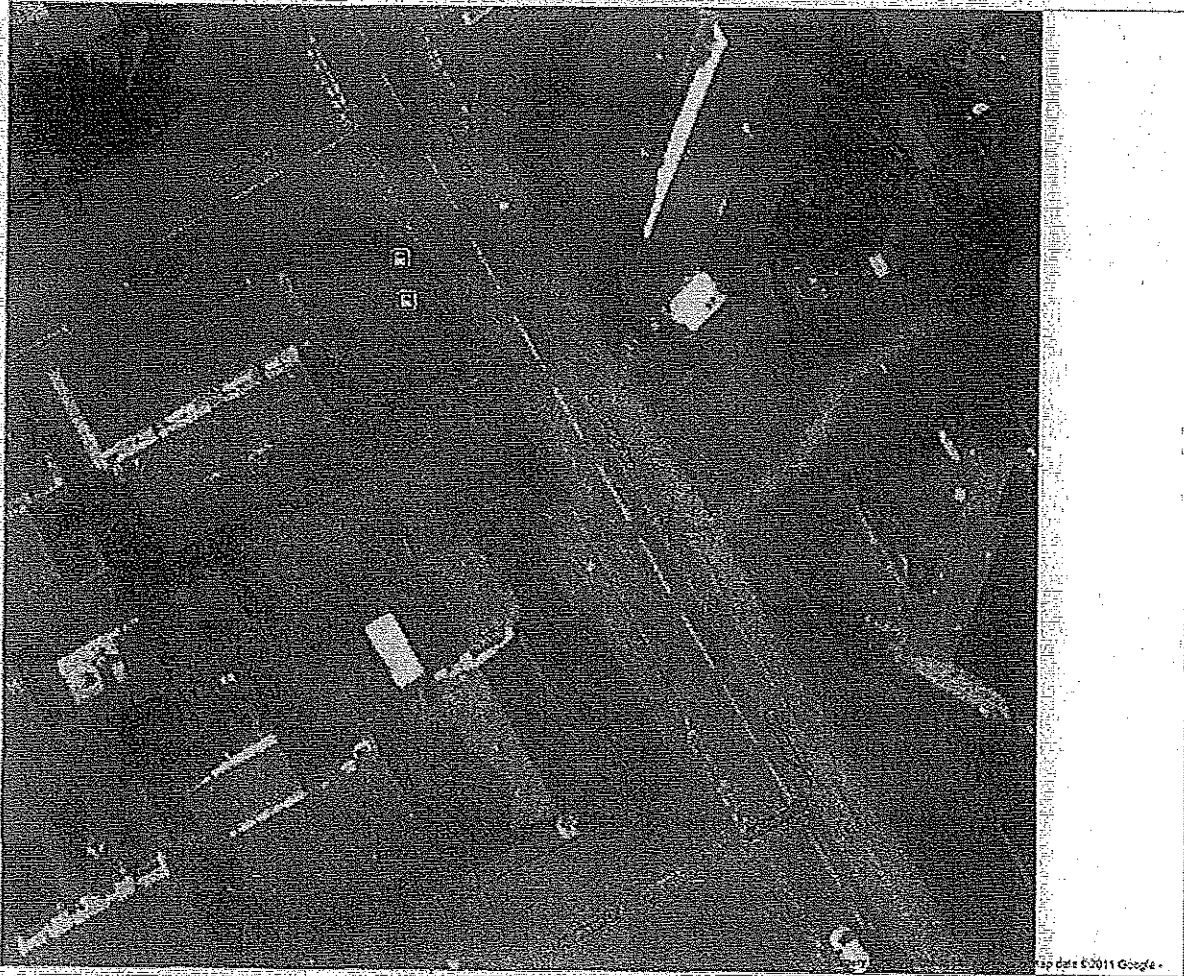
THEVENNEL
Downy

SPACE AT SIDE
AND FRONT OF A
BOTH HOUSES
SIZE OF A SHED



Google

To see all the details that are visible on the screen, use the Print link next to the map.



ATCHISON DR
LARBERT

SMALL HOUSE ON SMALL PLOT

Google

To see all the details that are visible on the screen, use the Print link next to the map.



CAMPBELL DR
LARBERT

SMALL HOUSE ON SMALL
PLOT