

SUPPORTING STATEMENT

FOR

PROPOSED HOUSE

BLACKBRAES

CALIFORNIA

Introduction

This document accompanies the Planning Application for a house at the existing yard and transmitter station at Blackbraes, by California.

Proposal

The proposal is for a 1½ storey dwellinghouse on a site of 1266m². It utilises the existing access and is the redevelopment of an existing yard. The site is immediately adjacent to other residential properties.

Site History

The site is currently a yard space with two permanent buildings on site. The yard has been in use as a transmitter station since 1972.

Prior to that, it was a builder's yard with workshop from 1965 to 1972. The workshop was been replaced by a house in 1976.

Planning Policy

The site is a brownfield site due to its current and previous uses, so there are various policies which apply to it.

Falkirk Council Local Plan Policy EQ- 8 is applicable here:

EQ8 VACANT, DERELICT AND CONTAMINATED LAND

The Council will seek to reduce the incidence of vacant, derelict and contaminated land, particularly within the priority areas for enhancement set out in Policy EQ7. Subject to compliance with other local plan policies, development involving the rehabilitation and re-use of derelict land will be encouraged.

3.22 The rehabilitation and bringing back into use of vacant and derelict land is integral to national planning policy and is supported by Structure Plan Policy ENV.16. As well as contributing to enhancement of the area, it can reduce the need for release of greenfield sites. The Scottish Derelict and Vacant Land Survey records some 137 hectares (2009 Survey) within the Council area, less than 1% of the total land area.

Falkirk Council actively promote the rehabilitation and re-use of "brownfield" sites and therefore this site complies in terms of policy.

Design

The proposed design embraces the simple principles of rural design. It is a simple 1½ storey in the rural vernacular. It incorporates traditionally styled gablet dormers and windows with a vertical emphasis. The finishes are also traditional.

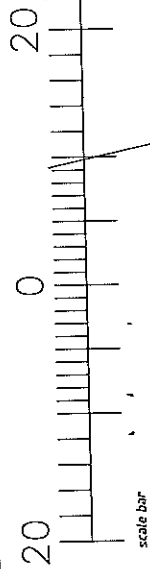
Its orientation to the South allows the house to be viewed with an appropriate frontage from the South very much like "The Beeches" opposite. It also ensures the privacy of the immediately adjacent house. The plot ratio is extremely generous and allows for substantial planting.

Conclusion

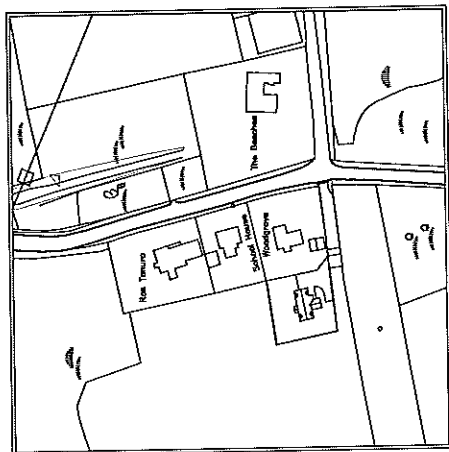
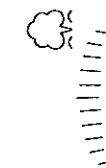
This development, whilst a new house in the countryside, provides an excellent opportunity to rehabilitate an existing brownfield site with absolutely minimal impact. It sits well within an existing building grouping and embraces the good practices in design of houses in the countryside. We hope Falkirk Council can support this.

Hardie Associates

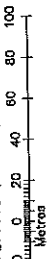
27/10/11



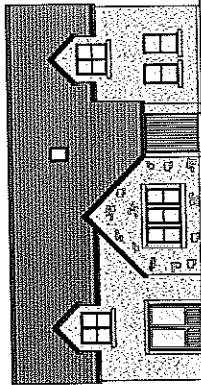
site area - 1266m²
BLOCK PLAN 1:200



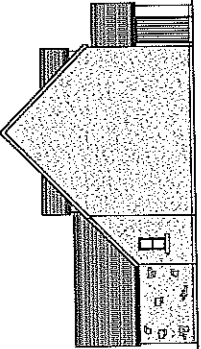
LOCATION PLAN 1:1250



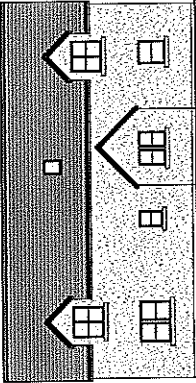
Drawn	Back and Location Plan
Scale	Mr. J. Robertson
Project	Proposed house Blackbrakes California
Notes	as noted @ A1
Drawing number	11/07/PL01
Scale	Oct. 11
HARDIE ASSOCIATES LTD 78 HOPETOUN STREET WATFORD MIDDLESEX U.K. HA9 4PD TEL: 0181 606 03970 FAX: 0181 606 03426 E-MAIL: hardie@hardie.co.uk	



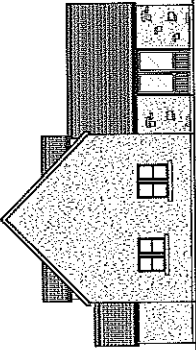
Front Elevation (1:100)



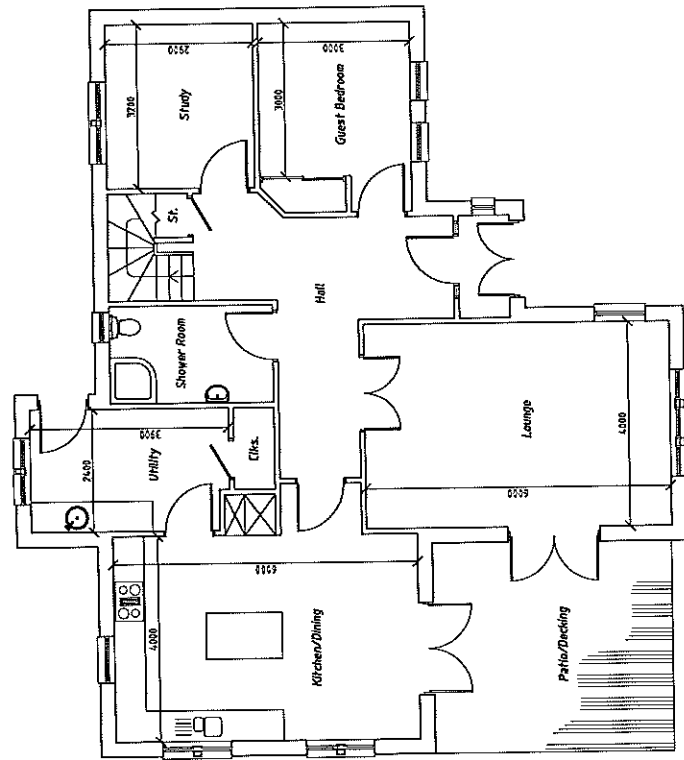
Side Elevation (1:100)



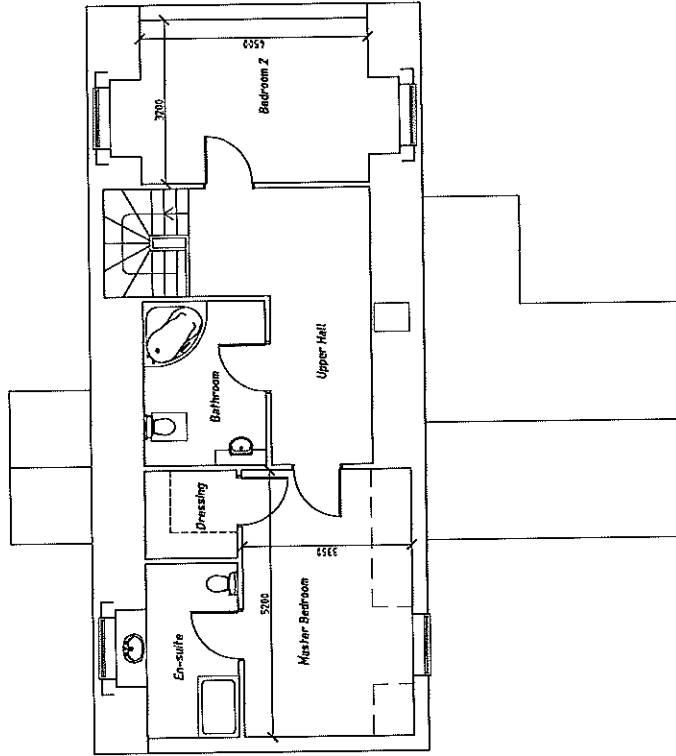
Rear Elevation (1:100)



Side Elevation (1:100)

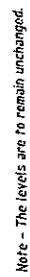


Ground Floor Plan (1:50)



First Floor Plan (1:50)

Plans & Elevations	
Client: Mr. Robertson	
Project: Proposed house plot	
Blackheath	
California	
Scale: 1/50, 1/100 @ A1	Oct. 11
Drawing Number: 11/017/PL02	
HARDIE ASSOCIATES LTD 78 HOPKINSON STREET BATHURST NEW SOUTH WALES 2564 T: 02 9500 6300 F: 02 9500 6300 E: info@hardieassociates.com.au	



BLOCK PLAN 1:200

66



Robertson (Homes) Limited
Registered Office
CARRIDEN INDUSTRIAL ESTATE



BO'NESS EH51 9AT
SCOTTISH GAS
TEL: Bo'ness 2792/3252
26 JAN 1976

23rd January 1976

The Solicitor,
Scottish Gas,
Granton House,
West Granton Road,
EDINBURGH EH5 1YB

Dear Sir,

Blackbraes Radio Station
Your Ref. 335/ABL/MB

We have received your letter of 21st instant and agree to lease to your Corporation the additional 76 square metres or thereby shown on the drawing enclosed with your letter at the yearly rental of £25 payable quarterly in advance.

Yours faithfully,

Only 2.76 to 3.14 inch.

Company Secretary

£6.25 p. rent.

DIRECTORS: J. Robertson (Managing) J. Robertson
Reg. No. 48790 Scot.

21 January 1976

67

Our Ref. 335/ABL/M

The Secretary
John Robertson (Builders) Limited
Carriden Industrial Estate
Bo'ness
EH51 9AT

Dear Sir,

Blackbraes Radio Station

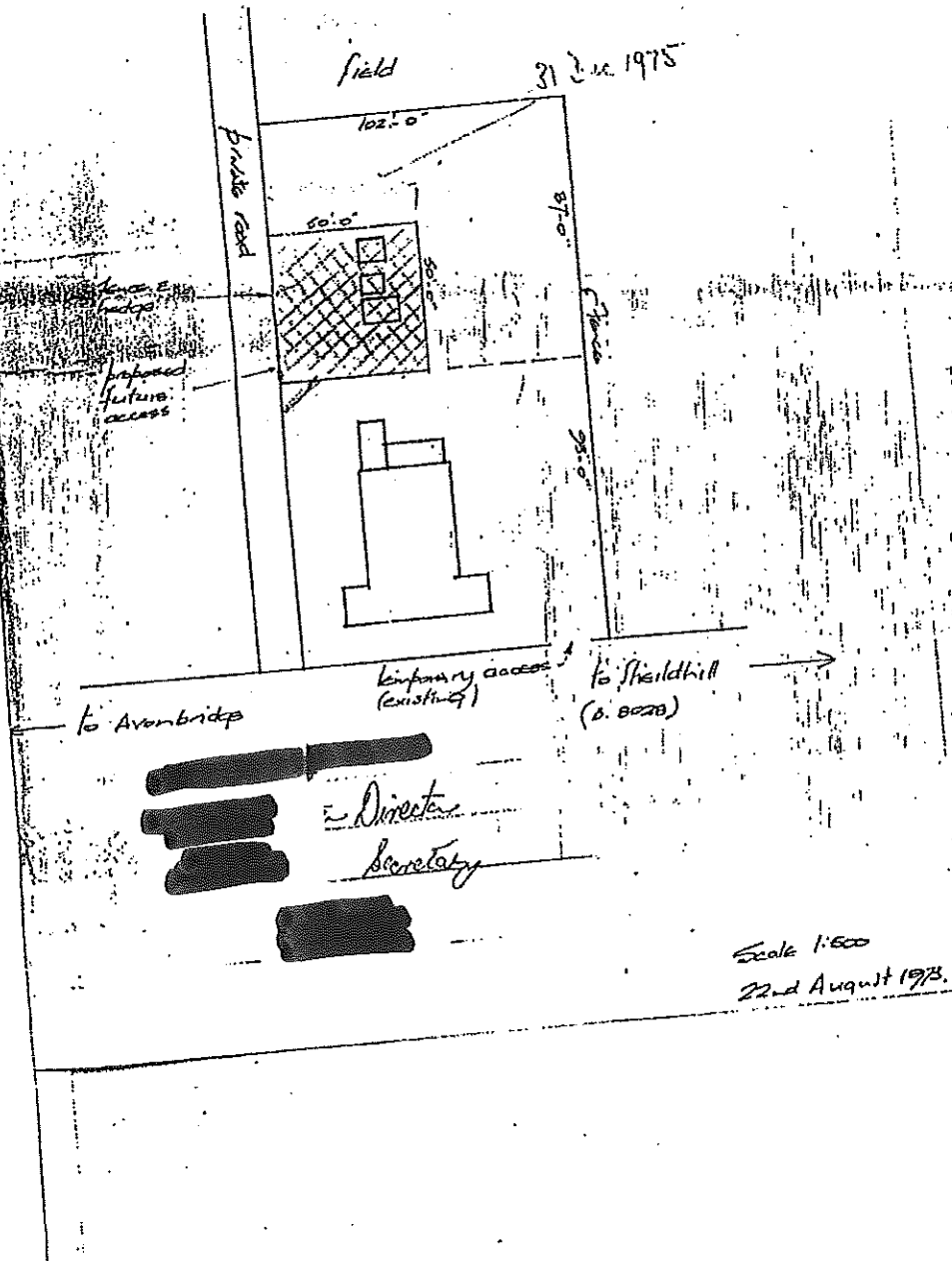
... I am advised by the Corporation's Engineer that it has been agreed with you that your Company lease to the Corporation additional ground extending to 76 square metres or thereby at Blackbraes Radio Station, as shown on the accompanying drawing, for the purpose of erecting a new radio mast.

The Corporation are prepared to pay a rent of £25 per annum payable quarterly in advance for this additional ground and I shall be glad to know that this is acceptable to the Company.

Yours faithfully,

Solicitor

Enc.



14/11/2011

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/11/0706/FUL
DEVELOPMENT: Falkirk Land West of Woodgrove
OUR REFERENCE: 596256
PROPOSAL: Erection of a Dwellinghouse

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application. However we are unable to reserve capacity at our water and wastewater treatment works in advance of formal agreement made with us works in advance of formal agreement made with us. In view of this, the information provided in this letter will need to be reviewed if this proposal progresses to full planning approval.

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.

There are no public sewers in the vicinity of the proposed development.

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

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.

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

Mark Osborn
Customer Connections Administrator
Tel: 0141 355 5002
Mark.Osborn@scottishwater.co.uk

Morris, John

From: Henderson, Stuart
Sent: 28 November 2011 16:39
To: adtm1dmbcorr
Subject: P/11/0706/FUL

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 Manager.

CONTAMINATED LAND

Conditioned due to the presence of mine enteries, unknown filled ground, mineral railway land, quarrying 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.

Stuart Henderson
 Environmental Health Officer
 Falkirk Council
 01324 504771

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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: 15 November 2011 09:48
To: adm1dmbcorr
Cc: Raeburn, Brian
Subject: P-11-0706-FUL Blackbraes Road

Development Services

Memo

To: **Stephen McClure, Planning Officer**
Planning and Transportation (Development Control)

From: Roddy Mackenzie, Roads Development

Date: 15 Nov 2011

Enquiries: 4908

Our Ref: RMK/

Your Ref: P/11/0706/FUL

Proposal : Erection of Dwellinghouse

Location : Land to west of Woodgrove, Blackbraes Road, California, Falkirk.

Application : P/11/0706/FUL

I refer to your consultation notice received on 04 Nov 2011, regarding the above application.

The application site is in a rural location to the south of California and is served by an un-made farm track that accesses on to the B8028, which is a typical rural road of restricted width and alignment that lacks footway and adequate lighting provision. At the existing junction on to the B8028 there is poor visibility to the north due to the road alignment, and poor visibility to the south due to overhanging branches. This section of road is out-with the 30mph limit which starts approximately 70m to the north, and it would seem that vehicle speeds at this proposed access can be high. I would not wish to encourage any further development at this section of the rural road network which could lead to additional vehicular and pedestrian traffic to the possible detriment of road safety. I would also contend that the granting of this consent may lead to even further development in this rural location.

In view of the aforementioned I would advise that this section of the B8028 Blackbraes Road is not suitable to serve any additional dwellings and could, therefore, be used to support a recommendation of refusal.

Regards.

RMK

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Application Comments for P/11/0706/FUL

Application Summary

Application Number: P/11/0706/FUL

Address: Land To The West Of Woodgrove Falkirk

Proposal: Erection of a Dwellinghouse

Case Officer: Stephen McClure

Customer Details

Name: Mr WD Blair

Address: Staff Cottage, 6 Fauldhouse Road, Longridge West Lothian

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a Planning Consultant, appointed by Mrs Jean Wolfe of Woodgrove, Blackbraes, California, Falkirk, FK1 2DH we write to lodge a formal objection to the proposed development adjoining her property. My Client would therefore make the following comments of objection;-

1. In previous discussions with the Council regarding this site our understanding is that the Councils official view, prior to any application being made, is that applications for housing would be refused.
2. The general area of the site is within Green Belt and as there have been no chemical or industrial processes on the site the Brown Field classification can only be regarded in the most minimal of terms.
3. My Clients understanding of the terms of lease originally granted for the transmitter is that the ground would be returned to its original Green Field status on the expiry of the lease.
4. The building on the site was to be a temporary storage building only and was never intended as a domestic dwelling house.
5. There would be a loss of amenity with increased traffic and the loss of the open out look to the West which my Clients house was designed to maximise.
6. The existing access, as highlighted on the proposed plans does not exist as a vehicular access in its current position. It was the equivalent of a farm field access and is now effectively a more mature landscaping feature rather than an access road.

We trust that the above is clear and hope that the Planning Department will refuse this application.

Yours Faithfully

WD Blair Associates Ltd

For and on behalf of Mrs Jean Wolfe

76
Ack, 28/11/11 SJ

The Beeches
Blackbaers rd
California
FK1 2BG
22/11/11

Dear Stephen

I would like to lodge an objection
for planning permission for the
proposal of a dwellinghouse at
Land to the west of Woodgrave, Falkirk.
Application no P/11/0706/FU.
The access into proposed site
is very poor with being a a
bad (there is already an
access for the three other
houses directly opposite, you
would therefore be putting more
traffic at an already hazardous
sight.

DAVID + SANDRA PRIOR
THE BEECHES.



Morris, John

From: Crawford, Grahame
Sent: 03 April 2012 09:44
To: Morris, John; adtm1dmbcorr
Cc: Steedman, Russell
Subject: AP-12-003-REV-DD

Development Services

Memo

To: John Morris
Planning and Transportation

From: Grahame Crawford
Roads and Design (Roads Development)

Date: 3 April, 2012 **Enquiries:** 4733 **Fax:** 4850

Our Ref: 120329-GC **Your Ref:** AP-12-003-REV-DD

Proposal : Erection of a Dwelling House
Location : Land to the west of Woodgrove, Falkirk,
Applicant :

I refer to your review consultation received on the 23 March 2012 concerning Planning Application P-11-0706-FUL. I have reviewed the site and planning application without any reference to my colleague's response and would make the following comment:

The proposed site sits to the west of the B 8028 just south of the crown of the hill immediately to the south of the access to Woodgrove and opposite the entrance to The Beeches.

The B8028, Blackbraes, is an adopted single carriageway two way road of varying widths with substandard horizontal and vertical alignment. There is a substandard footpath on the east side of the B 8028 from California to a point 70 metres north of the proposed site access. There is also a substandard unlit footpath immediately to the front of the existing houses which stops at the proposed access. Street lighting on Blackbraes is mounted on overhead power poles but does not meet any current standards, it stops short of the proposed access by some 70 metres.

At the time of my colleague's response, the 30mph speed limit for California was some 70metres to the north and the section of road on which the application site sits was derestricted.

Since that time Falkirk Council Environment and Community Safety Committee, as part of the Council wide Speed Limit Review, on 24 January 2012 approved the Falkirk Council, Speed Limit Strategy 2011. This had the effect of creating a 40mph buffer zone from the California village limit to a point 20metres south of the proposed site access.

On the week beginning 14 November 2011 a vehicle count and speed check was carried out at the location, it showed a 5 day average of 1319 vehicles per day with an 85th percentile speed of 36.7mph northbound and 38.5mph southbound. It also showed that on the five day average 29 vehicles northbound and 41 vehicles southbound exceeded the 40mph speed limit.

I asked our Accident Investigation Unit for any statistics that they may have and they found that from 1984 to the present, there have been 1 serious and 2 slight accidents within 200 metres of the proposed access. These incidents resulted in 5 casualties, 2 with serious injuries and 3 with slight injuries.

In view of the 85th percentile speeds I would look for any access at this location to have a 2.5 x 90 metre visibility splay in both directions. To the north this splay is obstructed vertically by the road alignment and horizontally by the hedge and trees in the garden of Woodgrove. To the south the splay is obstructed horizontally by beech hedging and trees. In all three instances the applicant does not own or have access to the land to remedy the situation and therefore cannot attain the required visibility splays.

Development in the rural situation may also result in pedestrian traffic being generated. As the footway and lighting provision at the location are substandard the introduction of additional pedestrian movements along this section of public road would not be advisable.

Taking a view of the foregoing information, I would have to conclude, that it would not be in the best interests of road safety to allow any access at this location.

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PLANNING APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING

PROPOSAL : Erection of Dwellinghouse
LOCATION : Land To The West Of Woodgrove, Falkirk,
APPLICANT : Mr I Robertson
APPN. NO. : P/11/0706/FUL
REGISTRATION DATE : 2 November 2011

1. SITE LOCATION / DESCRIPTION OF PROPOSAL

The site consists of an area of land which currently has a disused mast and small storage building located on it, with an access track leading from the site onto the B8028 Blackbraes Road. The site sits to the rear of a dwellinghouse, which is in a row of three dwellings which front onto the B8028 Blackbraes Road. The existing dwellings and site are located out with the urban/village limits and are therefore classed as within the countryside. It is being proposed to remove the mast and building from the site and erect a single dwelling.

2. SITE HISTORY

ENQ/2011/0438 was submitted at the pre-application stage in relation to the current application. It was at this stage highlighted to the agent that the site was unlikely to be suitable in policy terms for a dwelling.

3. CONSULTATIONS

The following responses to consultation were received:

Roads Development Unit

The Roads Unit have advised that the section of the B8028 Blackbraes Road where the site access onto, is not suitable to serve any additional dwellings.

Scottish Water

No objection to the proposal.

Environmental Protection Unit

No objection to the proposal. However, due to the location, a Contaminated Land Assessment would be required.

Where the local Community Council requested consultation, their comments appear above.

4. PUBLIC REPRESENTATION

In the course of the application, 2 contributor(s) submitted letter(s) to the Council. The salient issues are summarised below.

- It was the understanding that the site, prior to this application, was not suitable for a dwelling in relation to policy.
- The site is within the Green Belt and as there have been no chemical or industrial processes on the site, Brown Field classification can only be regarded in the most minimal of terms.
- It is the understanding that the terms of the lease of the site, required the site to be returned to Green Field status on expiry of the lease.
- The building on the site was to be a temporary storage building, and never intended as a domestic dwelling.
- There would be a loss of amenity at the adjacent dwelling with increased vehicular movements and loss of a view.
- The existing access is not a vehicular access in its current position; it is equivalent to a farm field access.

- The proposed access point onto the road suffers from poor visibility, and a further dwelling accessed at this location would be hazardous.

5. THE DEVELOPMENT PLAN

The proposed development was assessed against the undernoted Development Plan(s):

Falkirk Council Structure Plan

There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

The proposed development was assessed against the following policy or policies:

EQ19 - Countryside

SC03 - Housing Development in the Countryside

5A. MATERIAL CONSIDERATIONS

Falkirk Council Supplementary Guidance

Responses to Consultation

Assessment of Public Representations

6. PLANNING ASSESSMENT

The Development Plan

The proposal raises no strategic issues and was therefore assessed against the Falkirk Council Local Plan alone.

Local Plan Policies

Policy EQ19 - It is not considered that the proposed dwelling demonstrated any need for a countryside location, and the location does not constitute an appropriate infill development. The proposal is also not seen to be for the re-utilisation of any suitable existing buildings on the site, the proposal being for a new build dwelling. It is therefore considered that the proposal does not accord with Policy EQ19 - Countryside.

Policy SC3 - The proposed dwelling is not required in relation to the pursuance of agriculture, horticulture or forestry, or the management of a business for which a countryside location is essential. The dwelling proposed is a new build, and does not therefore propose the rehabilitation of the small storage building on-site, which would not be a suitable unit to be considered for conversion. The overall site is also not considered to be an infill opportunity within the existing grouping of residential dwellings, as it would create backland development. This is due to the uniform plot lines of the existing three dwellings adjacent to the site, with the site itself located to the rear of this buildline. It is therefore considered that the proposal does not comply with Policy SC3 - Housing Development in the Countryside.

Falkirk Council Supplementary Guidance

Falkirk Council Housing Layout and Design Supplementary Planning Guidance Note - The proposed dwelling is not considered to comply with the guidance, as the proposal would not create a harmonious fit with the current dwellings adjacent to the site. It could also not be considered as an infill development,

given that it would create a backland plot out with the bulldline of the row of the three existing dwellings, and is out with the urban limit. It is therefore considered that the proposal does not comply with the Falkirk Council Housing Layout and Design Supplementary Planning Guidance Note.

Responses to Consultation

The Roads Development Unit has stated that the access to the site would be from the B8028, which is a typical rural road of restricted width and alignment that lacks a footway and adequate lighting provision. At the junction of the B8028 and the site access, there is poor visibility to the north due to the road alignment, and poor visibility to the south due to foliage/trees, which are out with the control of the applicant. This section of the B8028 is out-with the 30mph speed limit restriction, and it would seem that vehicle speeds at this proposed access point can be high. It is the Road Units opinion that no further development should be encouraged at this section of the rural road network, which could lead to additional vehicular and pedestrian traffic to the possible detriment of road safety. Due to this, the Roads Unit advised that this section of the B8028 Blackbraes Road is not suitable to serve any additional dwellings.

Assessment of Public Representations

- In policy terms, it was considered in principle that the site was not suitable for a dwelling. However, the Planning Authority cannot stop applications being submitted for any particular site. The submission of an application would allow a full assessment of the proposal and site.
- The site is not designated as Green Belt, but is out with the urban limits and is therefore classified as the Countryside. It is agreed that the condition of the site is not considered as a Brown Field location.
- Lease agreements are legal matters and would not be considered as a material consideration in this case.
- It is not proposed to alter the current storage building on-site, this is proposed to be demolished.
- It is not considered that one additional dwelling would create a loss of amenity in relation to vehicle movements. Loss of a view is not a material planning consideration.
- The current access is an access point, but it is not to the current required standards for a dwelling.
- The Roads Unit agree that the current access point to the site would not be acceptable, and would be a road safety issue.

7. CONCLUSION

It is considered that the proposal is not acceptable development and is not in accordance with Policy EQ19 and SC3 of the Falkirk Council Local Plan.

8. RECOMMENDATION

Refuse Planning Permission

Refusal is recommended for the following;

Reason(s):

1. The proposal does not accord with the terms of Policy EQ19 - Countryside and Policy SC3 - Housing Development in the Countryside. It has not been demonstrated that the proposed dwelling would require a countryside location or that the site would constitute an appropriate infill development.
2. The access to the site from the B8028 Blackbraes Road is not suitable to serve any additional dwellings due to the layout and lack of visibility. Additional vehicular and pedestrian traffic would be detrimental to road safety.