

Kilncraigs, Greenside Street, Alloa, FK10 1EB (Tel.01259-450000)

Local Review Body

Monday 13 May 2019 at 9.30 am

**Venue: Council Chamber, Kilncraigs,
Greenside Street, Alloa, FK10 1EB**

Scheme of Delegation: Duties and Responsibilities Delegated to Committees

Local Review Body

Considering and determining applications for review of decisions made by officers under delegated powers in respect of planning applications for local development, in accordance with the Town and Country Planning (Scotland) Act 1997, as amended.

2 May 2019

MEETING of the LOCAL REVIEW BODY will be held within the Council Chamber, Kilncraigs, Alloa, FK10 1EB, on MONDAY 13 MAY 2019 at 9.30 AM.



**LEE ROBERTSON
Solicitor, Legal Services**

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2. Apologies	--
3. Declarations of Interest Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	--
4. Notice of Review: Mr John Neilson, 17 Glassford Square, Tillicoultry, FK13 6AU Proposed change of use of agricultural land to private garden ground; erection of dwelling house to rear of 17 Glassford Square; and formation of car parking and turning area. (Planning Application Reference 18/00244/PPP)	
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Members of the Local Review Body:

Councillor Bill Mason

Councillor George Matchett QPM

Councillor Kenneth Earle

Councillor Derek Stewart

In the absence of the Convenor and Vice Convenor of the Local Review Body, the Chair will be appointed at the meeting.

Plans and papers relating to the applications and reviews can be viewed online at www.clacks.gov.uk

CLERK TO THE LOCAL REVIEW BODY
CLACKMANNSHIRE COUNCIL
KILINCRAIG
ALLOA FK10 IEB

17 GLASSFORD SQUARE
TILlicOUNTRY
FK13 6AU
07th MARCH 2019

Dear Sirs, under section 43A of the Town and Country Planning (Scotland) act 1997
Appeal under NOTICE OF REVIEW to REF No 18/00244/PPP

Please accept the enclosed appeal documents with regards to an appeal against the Decision made within the refusal documents ref No 18/00244/PPP.

Covering letter.

Whist the refusal makes references to various aspects of Planning guidelines what seems not to have been taken into consideration are the emotional attachments to this particular area to the applicant, his wife Rhona and family. We built our first house at 9 Glassford Square in 1981 at a time when economic issues were at their lowest point. It was difficult and financially draining. However we got through this period of time with the next challenge being a decision to move or not to move to Glasgow to secure my job position. Our 3 kids were consulted and the decision was made for me to travel in and out of Glasgow so that they could grow up in an area they loved and be educated at schools they enjoyed. 25 years of travel and living in Glassford Square for 38 years.

As we moved on the opportunity to build our second family home in the same area arose. To achieve this next step, we made the planning application that included the construction of the adopted road off the main through-fair of Glassford Square. The roads authority of the time being Central Region, controlled the dimensional requirements to achieve a successful application to build the house known as 17 Glassford Square. From ownership of the land to entry to our new home took 7 years. There is no doubt at this time constructing the new road benefitted greatly both cottages known as Westerton Cottages who, at that time had flowing past their front door's agricultural debris of sheep dip which was the main animal activity in this area. They had no pavements. The out-buildings that were demolished had already received attention of the Council as to vermin problems. The sheep dip to the rear of No 9 was eventually removed.

The economic benefit to Clackmannanshire Council on the eventual outcome of construction of the other 5 new self-built houses by others, was considerable. Where there is no consistency of design, cladding or landscaping. Yet there is a concern to our application not in keeping with Policy EA 23 which states -development proposals should contribute to the preservation or enhancement of the character and visual amenity of the area. To the rear running parallel with Plot A are rows of terraced houses. There is no consistent character of development in this area.

Further council income and the developer's contribution would be an obvious loss.

Now we are at an age where we wished to move on to a down-sized home but remain in Glassford Square. Hence this new application which to be honest with regards to the level of Planning Opposition was a bit of a shock. This is not a commercial venture but a lifestyle change.

When you consider that this area of Glassford Square is the quietest, least traffic orientated and safest area of Glassford Square we find, exaggerated, claims of potential road safety issues arising. Whereas at the south entry to Glassford Square two developments at No 6 and 6a which are presently in construction with "no objections" from the Roads Authority. They have to be seen to be believed the differences. When you consider that all of the issues of Loss of garden, poor shape of ground space, amenity losses and adverse affected neighbours are ignored within these applications. **Why are these major concerns within our application?**

The references to undefined amenity losses and site boundary concerns are also astounding when you consider that we as owners of both 17 Glassford Square and the site are the only people affected. No 17 stays in the family ownership and was to have been occupied by our daughter and 3 children after a successful build of our new home. We had considerable landscaping plans to enhance the outlook and visual amenities to which the Planning Authority expressed concerns but did not afford the applicant any opportunity to dispel their concerns prior to determination. We do not see these issues as being detrimental but a challenge to improve the surrounding amenities.

Yours Sincerely

John and Rhona Neilson

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country 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	MR	Ref No.	N/A
Forename	JOHN	Forename	
Surname	NEILSON	Surname	
Company Name	N/A	Company Name	
Building No./Name	17	Building No./Name	
Address Line 1	GLASSFORD SQUARE	Address Line 1	
Address Line 2		Address Line 2	
Town/City	TILlicOUNTRY	Town/City	
Postcode	FK13 6AU	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	CLACKMANNANSHIRE COUNCIL		
Planning authority's application reference number	18/00244/PPP		
Site address	17 GLASSFORD SQUARE TILlicOUNTRY FK13 6AU		
Description of proposed development	CHANGE OF USE OF AGRICULTURAL LAND TO PRIVATE GARDEN GROUND, ERECTION OF DWELLING HOSE TO REAR OF 17 GLASSFORD SQUARE AND FORMATION OF CAR PARKING AND TURNING AREA AT 1 GLASSFORD SQUARE TILlicOUNTRY FK13 6AU		

Date of application

Date of decision (if any)

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.

Plot orientation identified by the Planning Authority that turned out to be a size issue, not orientation. Precedences set on recent approved applications within Glassford Square with regards to acceptance on loss of garden space greater than 50%. Much smaller "useable space" accepted. Greater amenity losses accepted. Access not complying with Roads advice yet approved.

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:

Not applicable.

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.

The report fails to highlight that the entire proposed site (including the additional garden area purchased) is within the residential boundary of Tillicoultry and confirmed by the Planning Office in 2016 as a proposal normally supported by the Planning Offices. The reference to the loss of more than 50% (ACTUAL 51%) is of the rear garden fails to recognise that the remaining rear garden area is 272 sqm in size. It also fails to highlight the addition garden ground to the North and in the ownership of No 17 of over 533sqm. All of which more than compensates the loss of the bottom half of the rear garden. And gives fantastic opportunities to re-establish landscaping sympathetic to the Ochil Hills, enhanced contributing positively to the established character, amenity and environmental qualities of the surrounding areas.

1. Planning authority confusion on "orientation" and size of the plot. Not cleared up until a meeting with the Planning authority on 4th February 2019. Despite a number of requests to have this resolved pre-determination.
2. Planning Authority comment of not being able to fit a house on the plot relative to availability of amenities. When you consider that the proposed house size takes up less than 25% of the available plot size
3. There is no restriction within the L.D.P as to the length of a drive. It is a subjective view. As per comment by the Planning Team Leader during the Planning meeting of 4th February 2019.
4. Having addressed the Roads concerns on off street planning for visitors "there consultation letter of 27th Nov 2018 makes a very "subjective" view of :-
"Spaces of this kind are "unlikely" to be effective as visitor parking given drivers not knowing to the residents are "unlikely" to drive into and park within a private driveway. This can apply to "unknown" visitor to any house in Tillicoultry. Suitable signage at the top of the drive solves this "subjective" view.
5. Conflicting or unfair decision making with regards to similar projects approved in Glassford Square 2016/2017.

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 your 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.

After notification of the refusal my research into similar projects in Tillicoultry the applicant found 2 approved similar applications. Also found drawing error.

1. Revised application drawing having found the North ref point error that indicated the plot larger than actual.
2. 16/00146/PPP. Granted August 2016 a third house. Making it 3 houses with traffic access off a private drive approx 71m long leading onto and off the main road A908 Tillicoultry to Alloa.. With Roads concern as to main road access and egress. See attachment 9
3. 00/00291/00291/FULL. Approved 2002. With a long drive approx 73m Long leading onto and from the main A908 Tillicoultry to Alloa. See attachment 10

Reason for raising new material. Drawing error found and same or similar approvals issued in Tillicoultry
Why not raised. Were not know to the applicant pre-determination.
should be considered due to error in the drawing and precedence already established.

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

Attachment 1. Revised site plan removing any doubt of size of plot and orientation
Attachment 2. Comparative table of all house in Glassford Square re footprints v useable space.
Attachment 3. Road response to approved planning 08/00126/FULL 2008
Attachment 4. Planning approval 13/00106/FULL 2018
Attachment 5. Photographic appreciation of the poor landscaping prior to commenced improvements to amenities.
Attachment 6. Re-positioned stone dye amenity improvement that will continue down the entire length of the Northern boundary including Plot A.
Attachment 7. Approved use of a Private Driveway over 200m in length servicing 15 houses. New builds.
Attachment 8. Roads comment on approved 13/00106/2018 contrary to original comments on 08/00126/FULL 2008
Attachment 9 Approved house plot 16/00146/PPP 3 houses off a private driveway over 73m long.
Attachment 10. Approved house plot 00/00291/FULL Length of private driveway again 73m long.

11-18-13

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:

JOHN NEILSON

Date:

08-03-2019

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

Comments and appeals to the Reasons for refusal.

1. **The proposed site would detract from rather than maintain or contribute positively to the established character, amenity and environmental qualities of the site and surrounding area by reasons of: -**

- a. **Loss of 50% of the original rear garden.**

This lower part of the garden lies some 850mm below the level of the top garden and its only amenity of use is a conservatory. The conservatory will be dismantled and repositioned into a more suitable area. Hence no loss of amenity.

What the report fails to consider is that the approved extended garden to the North of No 17 Glassford adds 533 sq.m of new garden as against the loss of 282 sq.m being the original size of the bottom half of the rear garden.

The measured sizes of the original rear garden excluding the purchased strip of land in 2016 are as follows.

Original square m. was 554

% loss is 51% of the original rear garden without adding in the purchased strip of land 2016
Whilst percentages give an indication of size it does not represent the loss in a technical way. 51% of what?

The 51% loss consist of 282 Sqm which was a much narrower piece of ground only suitable for the location of a conservatory.

However, this entire references to the bottom half of the garden are redundant due to the fact that it will never return to this original shape of poor amenity but increases to the new value of 412sq.m.

The remaining 272sq.m of the original top rear garden was and still is the main garden amenity to No 17 Glassford Square. It is still a significant sized garden and is the largest rear garden in comparison to all house in Glassford Square except No 10. Added to this is the 533sq.m of the approved garden extension to the North.

The planned Landscaping of this area will greatly improve and contribute to the amenity and environmental qualities of this area. With a successful appeal the applicant would work very closely with the Planning and building warrant aspects of a FULL application.

See attachment 1.

Revised SITE PLOT A drawing. Is necessary to remove the concerns of the Planning Departments comments on "historic" drawings and issues with the orientation to the Ordnance survey mapping. This information is held by the Planning Department and has yet to be presented to the applicant despite various requests made during 2017 and 2018. But more recently a meeting at the Planning Offices on 4th Feb 2019. Where the applicant was handed a 1-200 scale of the ordnance Survey map without the "historic" information being referred to in this refusal.

As it happens a dimensional error was found. A wrong northerly reference point having been taken that had a cascading effect on the actual size of the plot. Making it larger than actual. There were no orientation issues. What was an issue was the incorrect sizing of the plot?

- b. **The creation of a site that due to its shape limits the useable space available for activities associated with use as a domestic house.**

Plot A site in total including its private driveway is 540sq.m in size.

Excluding the private driveway, the plot A area is 412sq.m. The house footprint now proposed takes up 77.88 sq.m of the site. Representing utilisation of only 19% of the useable ground for the house.

Leaving over 334 sq.m for what is termed as **“useable space available for activities associated with domestic use of the house”**.

Not ever body resides or enjoys a square or oblong shape of garden.

It would be technically correct to state that current modern-day Planning acceptance of poor but sufficient **“useable space available for activities associated with domestic use of the house”** has increased considerably within modern day developments.

Attachment 2. Comparison Table.

Comparison table of Plot A v all other house plots in Glassford Square.

Plot A has the second largest in % terms of **“useable space available for activities associated with domestic use of a house”** compared to all 16 houses in Glassford Square. Of which are 10 self-built with no issues raised at the time of applications as to road safety issues, off street parking or visitor parking.

With particular reference to decisions made within the Glassford Square regarding loss of amenities please refer to: -

Attachment 3. Planning Approval 08/00126/FULL. 2008

No 6 Glassford Square is in a conservation area. It lost 65% of the entire garden. At the time of application in 2008 there was no rear garden.

It lost its entire vista view over Upper Mill street and beyond. Lost all-natural evening light from the South. As of today, 2019 its amenity view is a 1.8m high slatted fence.

The house remaining footprint takes up 57% of the remaining plot of only 259 sq.m leaving 43% which is 111sq.m to fit in the **“useable space available for activities associated with domestic use of a house”** Take out the driveway leaves only 75 sq.m

Attachment 4. Planning approval 13/00106/FULL 2016 new build

No 6a is in a conservation area. The footprint of the entire plot of 231sq.m is 44%. Leaving 54% which is 125 sq.m for the **“useable space available for activities associated with domestic use of a house”** Take out the driveway leaves only 89 sq.m

In comparison to Plot A which is 412sq.m in size with **“useable space available for activities associated with domestic use of a house”** of 334 sq.m. Some 3 and 4 times larger than the remaining areas of both No 6 and 6a.

- c. **The amenity of 17 Glassford Square would be adversely affected by the creation of parking and turning area in close proximity.**

This is a very subjective and overstated view without really appreciating the landscaping plans that would arise from a successful appeal.

There is only one clear window looking out from the North gable end of 17 Glassford Square into this area. The comment is both subjective and overstated. It has no technical or supporting reference standing within the L.D.P. with regards to length, off street parking or parking locations for visitors.

What should be known to the Planning Department was the poor state of the extended garden area approved in 2016. The first Planning Team Leader handling this project took a number of photographs pre-landscape development of this area. From the North facing window view prior to current landscaping it was grossly overgrown with weeds, bushes and dying gorse bushes. Since landscaping of this area has commenced the "vista" improvements to both No 17,19, and beyond to Westerton Cottages has improved considerably. This type of improving landscape will include the continued re-positioning of the old stone dyke construction along the full northerly length down along Plot A. The landscaping plan as we move forward will continue with the planting of native plants to the Ochil Hills. This stone dyke previously was derelict and not visible to others due to its close proximity to No 17 Glassford Square. This is a considerable improvement to the amenity of No 17 and others.

Not an adverse effect.

Attachment 5

Photographs of hill area prior to landscaping construction. As of 1st March 2019, for the first time in over 25 years new gorse bushes have appeared. Due only to the extensive clearing of overgrown weeds, grass and nettle bushes. As seen in the photographs provided.

As intimated in the supporting documents summary to the original application this small house development is not an exercise for commercial gain but a life style change to both the applicant and his wife. We would not wish to live in an area of "amenity" any less than presently enjoyed. It will gradually improve beyond the current standards.

This surely is our lifestyle choice? And not for determination by a Planning process. None of the alterations in this area of landscaping and vastly improving vista requires Planning Approval.

Attempted Photographs of super-imposed proposed house to give an artist impression of improvements to the Plot A and views to the near neighbours who are to the rear of Jamieson Gardens looking North. 14 neighbours in this area consulted none of whom expressed concerns to any loss of view.

Attachment 6.

Re-positioned stone dyke wall that is intended to be extend down the full length of the northly boundary between Plot A and the Ochil hills animal grazing field.

What seems to have been lost in this entire process is the lifestyle changes that the applicant his wife would wish to achieve in their later years. Family support of care and not have to rely on any independent or social elderly local care systems. We have lived in and created this area over a 35 years period.

- d. **The proposed site does not comply with Roads advice in terms of its design and length.**
It would be technically and historically accurate to say that this issue is overstated and generally this type of advice ignored by the Planning offices as intimated in the REPORT OF HANDLING PLANNING APPLICATION DELEGATED report (Page3 Which says "While historic examples can be found where more than two houses share an access"
The most recent approval given for the same type as that of the applicant's adding in a house plot off a private driveway of serving 2 existing houses was in 2016. Please refer to 16/00146/PPP Attachment 9. All three houses would use the private driveway for vehicular access and egress.

Attachment 7. Google earth photograph of HARBOUR VIEW Bowehouse Road. 15 HOUSES of a private factored driveway.

In a modern estate recently approved in Clackmannanshire, the norm would seem to be that houses of any number can be served by a 3m wide private factored driveway. With passing places. The most recent development currently under construction being HARBOUR VIEW in Alloa. Where all the 15 houses running parallel with Bowehouse Road and Alloa Academy has a private factored driveway facility approved of which the length is over 200m long. Despite a main road being available for direct access to each house.

The applicant's application 18/00244/PPP Private Driveway is for visitors and residents not through traffic. Unlike the approval 08/00126/FULL at 6a Glassford Square which has the major through flow of traffic for Glassford Square running both west to east and east to west. There are 9 residential house and a public house (Woolpack) off this stretch of very narrow road. Of which 3 were new builds with no Planning or Roads advice at time of applications for visitor parking, off-street parking and pedestrian pavements.

Attachment 3. Approval 08/00126/FULL.

Please refer to the Roads Departments consultation letter of 8th May 2008. Whilst they had no objection to the application of the 2008 application, they did make a considerable number of technical comments and pre-house construction conditions.

See points 1,2,3,4,5,6 and 7. Whilst all the issues raised are of recommended road conditions for improvement and safety, point 4 reads "**there should be no direct pedestrian access available from the house on to Upper Mill St as such accesses encourages undesirable on-street parking**".

The 2018 actual built Planning Approval has allowed pedestrian access from the house onto Upper Mill Street.

Attachment 8 Approved build at 6a Glassford Square 13/00106/FULL 2018 where in the Roads Consultation comments in comparison to their comments of 2008 was "**no objections**".

A considerable turn around to their concerns of 2008 on what was recognised as major road safety issues of access and egress from the proposed site and improvements to the junction of Glassford Square to Upper Mill Street.

Attachment 9. House Plot approval 16/00146/PPP, Approved 2016.

A third house location with a downward drive off the main A908 Tillicoultry to Alloa.

With a private driveway of 73m in length, 3m wide with no passing points.

Loss of rear garden of over 40%.

As intimated in the Roads consultation submission **“Although visibility at the access (and egress) is adequate, the private plot boundary of number 56 Alexandra Street could restrict the visibility to the east if the boundary were to change in the future”**. This Private driveway is the only traffic access and egress facility available to both number 56, 48 and the HOUSE Plot approved in 2017.

Attachment 10. House Plot approval 00/00291/FULL approved 2002.

Length of private drive 73m to garage front.

Roads consultation report not on file.

However, similar to 16/00146/PPP this drive both access and egresses to and from the major road A908 from Tillicoultry to Alloa. The main comparison to the applicants Plot A is the length of drive approved. Plot A Glassford Square does not have line of site “safety” issues accessing or egressing from the adopted roads going east or west or south. This area of Glassford Square has a far higher quality of amenities of street lighting, pavements and a road standard with adopted dimensions. As against the long narrow route from east to west along Glassford Square where at the corner of No 6 and 6a approvals OF both plots immediately access the road into its narrowest location outside the Public house known as the woolpack. In both cases the roads Department consultation had **“NO COMMENT”** to road safety, off street parking and visitors parking facilities being made available. Unlike Plot A Roads comments.

Attachment 11. Roads additional comments.

Having addressed the initial concerns of the Roads Department of visitor parking and off-street parking they make the comment of **“Spaces of this kind are unlikely to be effective as visitors not known to the residents are unlikely to drive into and park within in private driveway”** Again a very subjective view and an issue that is easily resolved with signage at the top of the private driveway. You could just about make this comment against any house location where an “unknow” visitor was in search of it.

Attachment 12

Approval of No 6 Glassford Square 17/00070/FULL approved 2017

There were no Roads Consultation sought. Despite the road and parking issues being the same as 16/00162/FULL.

Attachment 13

Approval of No 6a Glassford Square 16/00162/FULL approved 2016

Roads comments **“No objections”**

The applicant would request that visits are made to these recent approvals within Glassford Square observe the technical and inconsistent differences associate with the Roads Departments comments on Road Safety regarding Plot A application refusal. Both these approvals had greater challenges to road safety. **The question has to be raised as to why this application 18/00244/PPP is such a concern to road safety when every other application of Roads advice was either no objection or decided by the Planning Authority as not relevant or necessary to apply as conditions.**

2. The site boundaries and house position indicated in submitted plans do not accord with Ordnance Survey and historic records held by the Council. Therefore, the proposed plans are inaccurate and cannot be used to favourably determine the application.

This issue could have been resolved pre-determination had the Planning Office provided a copy of their concerns. Despite a number of attempts over 2 years to obtain the information to which the Planning Office refers in point 2, the applicant has yet to see the "historic records" held by the Council. For whatever reason they failed to produce this information despite being requested to do so. As recent as the meeting with the Planning Officer on 4th February 2019 the applicant was handed an Ordnance Survey scales 1-200 without the "historic records" being offered.

Why did the Planning Office withhold the "historic records" from the applicants view?

Activities leading up to where we are today. March 2019.

In Nov 2016 there was an initial approach to the Planning Department to have a meeting to discuss a pre planning application. This request was denied. However, comments were made and an application was made that culminated in an intimation of refusal in March 2017. Due to similar reasons as per the refusal letter of 21st December 2018. However, within the same time frame the comment was made that the site known as Plot A **"did represent development within the settlement boundary of Tillicoultry. While that principle would normally offer support to a proposal of this nature"**, there did appear to be a collection of circumstances, that, when considered together, outweighed any general support for the development. Having received these comments in an email dated 15th March 2017 the applicant attempted to get a meeting with the Planning Team Leader to fully understand the issues arising but in particular the boundary "historic records" issues raised and the roads departments concerns. Both of which the applicant was confident could be resolved. However, the Planning Team Leader had gone on holiday and no one would meet with the applicant or were able to explain the comments made. The applicant was informed that the Planner had gone on holiday and was not due back until the decision day of 27th March 2017. Hence the reasons why the applicant withdrew the first application. Having not been given the chance to try and resolve the issue of boundary "historic records" concerns and offer solutions to the Roads Department concerns.

To try and resolve the boundary issues the applicant sent to the Planning Officer copies of the legal title deed boundary confirmations after which the applicant did not receive any correspondence in return and assumed, wrongly, that the issue of boundaries had been resolved. What I did not know was that soon after the Planning Team Leader return from holiday he retired. Hence all communications stopped until November 2017 when a new Planning Team Leader was appointed.

See attachment 1.

The actual Plot A size and dimensions corrected after recognising the reference point error that cascaded into a larger site than actual. The site presented intimated 601sq.m where as the corrected size is 412sq.m excluding its Private Drive. With the private drive the site is 566 sq.m.

Comments on the REPORT HANDLING. For correction and accuracy purposes the following comments are made.

Page 1. Paragraph 3. Historically, a single area of ground. This description is the most relevant description as opposed to the "backland" comments of today. The applicant's application is on the same piece of ground which was a single area of ground. Just happens to be the end part. The Plot A runs parallel to Council owned land which is developable land.

Page 2 Roads and Transportation. The need for on street parking to accommodate No 17 Glassford Square visitors, historically has never been required. No 17 at present has sufficient parking for 3 residents and 2 car visitor spots. Last paragraph. No 17 does not use the narrow areas of Glassford Square nor do any other residents or visitors to No 9,9a, 11,15 and 19. All these houses have their own off-street parking some of which are greatly larger than others. In particular 9,9a and 19.

Page 3. Historic approvals for 3 houses off a Private Drive. The most recent "historic" approval being given in 2016.

Item 7. Site/history 17/OOO34/PPP. Was withdrawn as detailed in the appeals documents was NOT due to the likely to be refused. It was withdrawn due to being unable to achieve a meeting with the Planning Officer prior to the determination date to discuss potential resolves to the issues of Roads Consultation and the "historic" orientation issues that had not been divulged to the applicant.

PREAPP-2017-054. Was the result of a site meeting in Nov 2017 with the Planning Officer and the new Planning Team leader. It was their advice to make such a PRAPP application despite their knowledge of the Roads Authority issues, SC7 and SC 5. The meeting was called to discuss an annex proposal but the officers encouraged me to go down the route of a potential planning application. **Why?**

Point 8 Planning Assessment. Policy SC 7. It was not known to or made known to the applicant that such as issue would be need to be covered in a PPP application.

EA4 again was not made known to the applicant that such a consideration to landscaping would form part of a PPP application.

Page 5. The combination of the limited size and triangular shape of the proposed plot would require any new house on the site to be unacceptably close to the existing at Glassford Square.

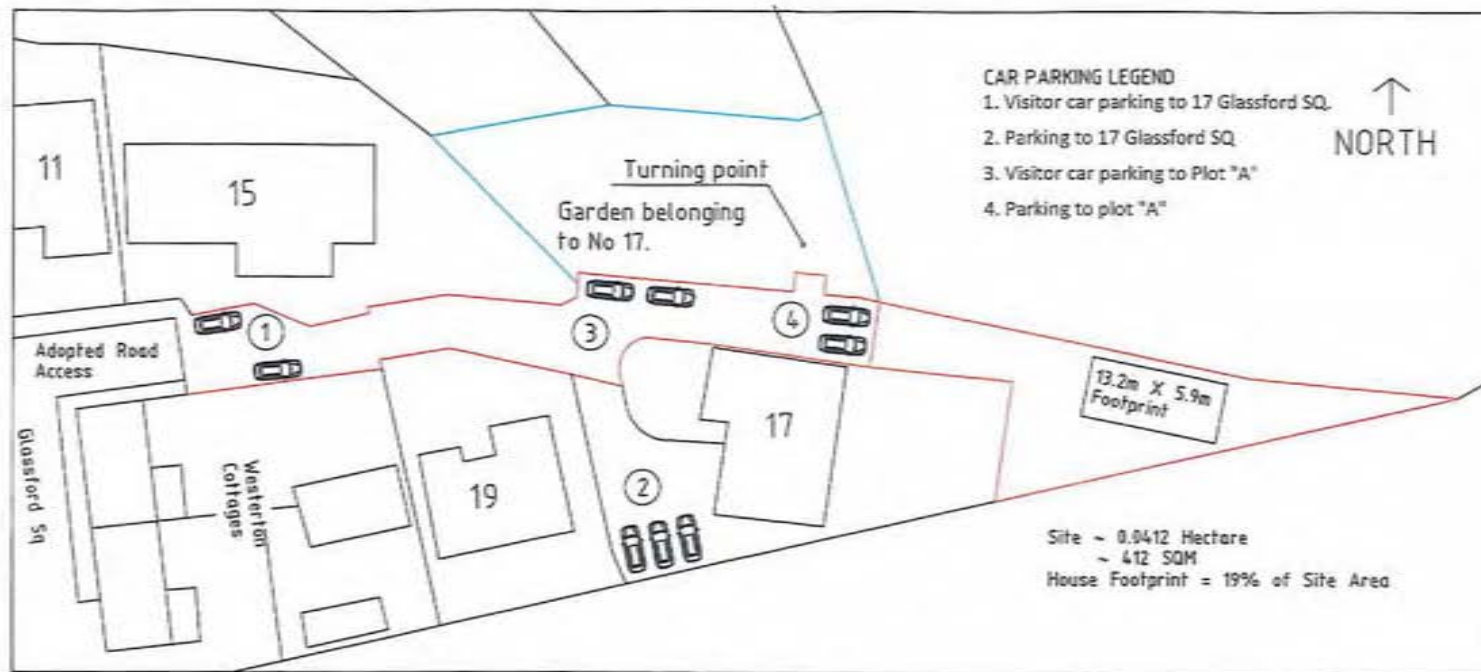
The expected distance from the gable end of the proposed house to the Eastern side of 17 Glassford Square would be in the region of 25-26m.

When you consider the current closeness of No 17 to No 19 on the South side is 16m

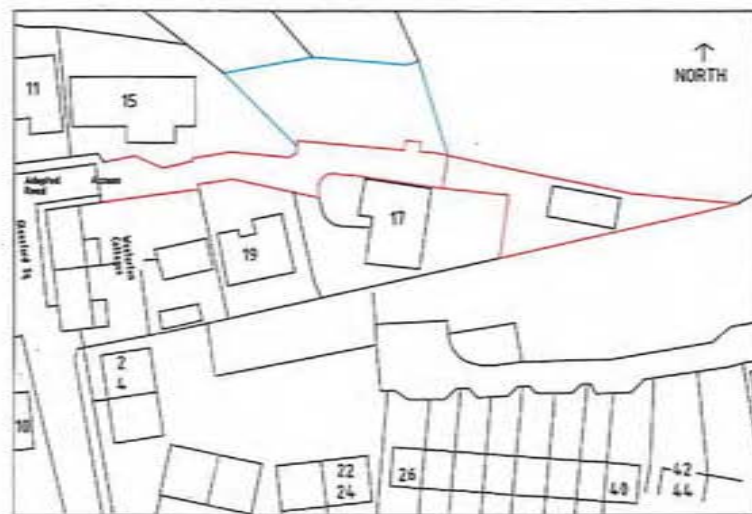
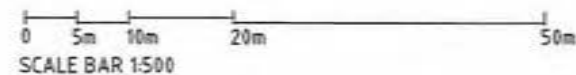
When you consider the row of houses to the rear of Jamieson Gardens running parallel to the Plot A is 24m.

Why is this an issue worth commenting on? The visual impact comment is one of those subjective views. When you consider that 15 neighbours notified of the development looking into this area made no adverse comment to "adverse visual impact"

Page 6. Proposal. The strip of land to which has been referred to as "agricultural land" was for 25 years up until purchased by the applicant had not been used for agricultural purposes. This area of ground as per the local LDP maps on boundaries is within the "residential boundary" of Tillicoultry. The fence running east to west along the full length of No 17 Glassford Square and the council owned land to the south is the boundary of Tillicoultry as advised by the Planning Department in 2016. See attachment 5 poor state of ground area.



Site Plan 1:500



Location Plan 1:1000



LEGEND
BLUE - Ownership / Control
RED - Proposed area of development

OWNER
Living Space
Mr & Mrs Neilson
17 Glassford Square
Tillicoultry

PROJECT
Site / Location Plan
SCALE: 1:500 / 1:1000
DRAWN BY: A.N. © A3
DATE: Feb 2019
JOB NO: JRN-AN-2019-001

attachment 2. Comparison table of "useable space available for activities associated with the domestic use of the house"

SQUARE METERAGE OF ALL HOUSES PRESENTLY LOCATED IN GLASSFORD SQUARE EXCLUDING THEIR DRIVEWAYS.				
HOUSE No.	total square meterage	% house + garage footprint	% useable space	driveways
				sq.m
woolpack	n/a	n/a	n/a	
flat	n/a	n/a	n/a	
5	408	44.6	55.4	87
6	259	57	43	36
6a	231	44	54	36
7	347	38	62	140
8	581	31	69	85
8a	381	31.5	68.5	22
9	520	33.5	46.5	36
9a	746	42	58	450
9b	600	24	76	105
10	628	26.4	73.6	87
S.W.C	315	33	67	59
N.W.C	276	41	59	125
11	528	43	57	54
15	504	44.9	55.1	39
17	1205	16	84	143
17	535	35	65	135
19	439	30.5	69.5	82
plot A	412	19	81	154
	10th largest plot	2nd Smallest footprint	2nd Largest useable space	

including garden land aquired 2016. Excluding Plot A
Without Plot A and garden ground aquired 2016.

Driveways have been excluded to give a fair comparison from plot to plot regarding footprints and the remaining domestic useable space.

ATTACHMENT 2

ATTACHMENT 3

Print Version

Close Window Print

Summary

Reference	08/00126/FULL
Application Received	Mon 28 Apr 2008
Application Validated	Mon 28 Apr 2008
Address	6 Glassford Square Tillicoultry Clackmannanshire FK13 6AU
Proposal	Erection of 1 No. House (Land to the West of)
Status	Decided
Decision	APPROVED
Decision Issued Date	Tue 17 Jun 2008
Appeal Status	Unknown
Appeal Decision	

Further Information

Application Type	Full Planning Application
Decision	APPROVED
Actual Decision Level	Delegated Decision
Expected Decision Level	
Case Officer	Grant Hunter

Community Council	Tillicoultry, Coalsnaughton, Devonside
Ward	Clackmannanshire North
District Reference	
Applicant Name	Hoggunn Homes Limited
Agent Name	Machin Associates
Agent Company Name	
Agent Address	30 Ludgate Alloa FK10 1DS
Agent Phone Number	01259 212962

Environmental Assessment Requested No

Contacts

There are no contacts associated with this case.

Important Dates

Application Received Date	Mon 28 Apr 2008
Application Validated Date	Mon 28 Apr 2008
Actual Committee Date	
Latest Neighbour Consultation Date	
Neighbour Consultation Expiry Date	
Decision Made Date	Mon 16 Jun 2008
Decision Issued Date	Tue 17 Jun 2008
Permission Expiry Date	Mon 17 Jun 2013
Determination Deadline	Sat 28 Jun 2008

Related Information

Memo

Our Ref: C/08/00126/FULL

Extension No 2593

Your Ref: 08/00126/FULL

Date 03 February 2019, 8/5/2008

To: DEVELOPMENT QUALITY

From: ROADS & TRANSPORTATION

Subject: PLANNING APPLICATION NUMBER – 08/00126/FULL
APPLICANT: HOGGUNN HOMES LTD
DEVELOPMENT: ERECTION OF 1 No HOUSE (LAND TO WEST OF)
LOCATION: 6 GLASSFORD SQUARE, TILLCOUNTRY

I refer to the above mentioned planning consultation and would respond as follows.

ROADS & TRANSPORTATION

RESPONDING OFFICER: Stuart Cullen

This site has frontages to Glassford Square (GS) and Upper Mill Street (UMS). Vehicular access is proposed from GS, yet the house unit is to front UMS. GS is an unusual public road in the urban environment in that it is narrow (although it is still possible to have two private vehicles passing) and affords no footways on either side at this point. GS's junction with UMS is also very narrow, affords very tight junction radii and poor visibility due to boundary walls to the south and the building to the north. Although I have no objections in principle to the proposals at this location, I would recommend the following road conditions etc :-

1. At the junction of GS and UMS, a 3m x 60m visibility splay should be created to the south within which there should be no obstruction to visibility over 1m in height above carriageway level. The provision of this splay may affect the positioning of the intended house. Also, the provision and retention of this splay should be reflected in the subsequent title deeds.
2. The southern radius of the GS/UMS junction should be improved to provide a 3.5m kerbed radius. All works should be carried out to this Section's specification standard and under cover of a Minor Roadworks Consent as issued by this Section's Roads and Street Lighting Team.



3. The plot access on to GS should be formed a minimum of 4.5m wide in order to allow vehicle to safely enter and exit the plot on to GS. The access should take the form of a dropped kerb vehicular access constructed in accordance with to this Section's specification standard and under cover of a Minor Roadworks Consent is issued by this Section's Roads and Street Lighting Team.
4. There should be no direct pedestrian access available from the house on to Upper Mill Street as such accesses encourage undesirable on-street parking.
5. At the plot access there should be no obstruction to visibility over 1m in height above carriageway level within 2.5m of the carriageway edge. Indeed, ideally the plot access should be positioned centrally about the site's frontage to GS to maximise visibility at the access in both directions.
6. The driveway to the rear of the plot access should be constructed to ensure that no surface water or loose material is discharged on to the public road.
7. Any access gates should open inwards only.

PUBLIC TRANSPORT

RESPONDING OFFICER: Stuart Cullen

No objections.

I trust this information is of use to you.

On behalf of
ROADS & TRANSPORTATION

Development & Environment Services



Clackmannanshire
Council

www.clacksweb.org.uk

Memo

To: Development Quality

From: Roads and Transportation
Extension: 2593

E-Mail: roads@clacks.gov.uk

Our Ref: C/016/00162/FULL

Your Ref: 16/00162/FULL

Date: 26 July 2016

Subject: PLANNING APPLICATION NUMBER - 16/00162/FULL
APPLICANT: Mrs Tracy Lindsay
DEVELOPMENT: Erection Of 1 No. House On Land To West (Variation Of
Condition 1 Of Planning Permission 13/00106/FULL To Extend The Period For
Commencement of Development)
LOCATION: 6 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU

I refer to the above mentioned planning consultation and would respond as follows:

ROADS AND TRANSPORTATION

Responding Officer: Stuart Cullen

No objections.

I trust this information is of use to you.

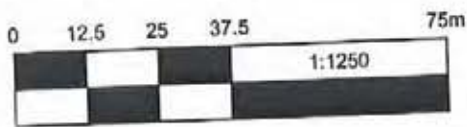
On behalf of

ROADS & TRANSPORTATION





PROPOSED LOCATION PLAN
1:1250



THE CLACKMANNANSHIRE COUNCIL
LOCAL AND COUNTRY PLANNING (SCOTLAND) ACTS
PLANS REFERRED TO IN THE COUNCIL
APPROVED
DEVELOPMENT SERVICES

REVISION

INT DATE



Greenfields Design Ltd.

architectural and timberframe design consultants

28 Bank Street, Alloa, Clackmannanshire FK10 1HP
tel. 01259 216500 fax. 0870 1231571
email. gfd@greenfieldsdesign.co.uk

Title - Location Plan
Project - Hoggun Homes Ltd.
Proposed House at Land West of
6 Glassford Square, Tillicoultry

SCALE	1:1250	DRAWN BY	JB
DATE	20/04/2016	DRAWING NO	11455-12
SHEET	A4	PROJECT NAME	Hogg1

19

CLACKMANNANSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

DECISION NOTICE ON APPLICATION FOR PLANNING PERMISSION

Applicant

Mrs Tracy Lindsay
38 Auld Kirk Road
Tullibody
United Kingdom
FK10 2TG

Agent

John Blair
Greenfields Design Ltd
2B Bank Street
Alloa
United Kingdom
FK10 1HP

The Council, in exercise of its powers under the above Acts, hereby **GRANT PLANNING PERMISSION** for the:-

Erection Of 1 No. House On Land To West (Variation Of Condition 1 Of Planning Permission 13/00106/FULL To Extend The Period For Commencement of Development)

6 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU,

in accordance with your application Ref. No:- 16/00162/FULL dated 25th July 2016

Subject to the following conditions:

1. Before any works commence on site, revised drawings, incorporating the following details shall have been submitted to and approved in writing by the Council:

- a. Stone skews to the north, south and west gables of the house.
- b. A single or two additional window openings at ground floor level on the west facing elevation.
- c. North/South and East/West Site Sections and Layout Plan showing ground, finished floor and roof ridge levels in relation to adjacent buildings.

Once approved, the house shall be constructed in accordance with such approved plans.

2. Before any works commence on site, samples of external finishing material shall be submitted for the written approval of the Council. Sample details shall include the following:

- a. All external wall finishes of natural sandstone or wet dash render.
- b. Roof finishes of natural slate/clay pantiles.
- c. Stone skews and chimney stack.
- d. Natural clay chimney pot.
- e. Cast iron or aluminium (not uPVC) rainwater goods.
- f. Timber sliding sash and case windows painted white or another solid colour, not wood stained.
- g. Conservation style rooflight details.

Once approved, the house shall be constructed in accordance with approved finishing materials.

3. Before any works commence on site, details of all proposed forms of boundary enclosure, including retained walls, new boundary of the subdivided house plot, and hard surfacing shall be

Submit a Planning Application online at www.eplanning.scotland.gov.uk

View forms, drawings and comments at www.clackswcb.org.uk/eplanning/

submitted for the written approval of the Council and thereafter boundary enclosures and surfaces shall be formed in accordance with such approved details prior to first occupation of the proposed house.

4. Prior to occupation of the proposed house, all access, driveways and parking shall have been completed to the satisfaction of the Council.

5. Before any works commence on site, a detailed landscaping plan shall be submitted to the Council, including details of plant species, size, planting distance, means of protection and arrangements for the successful establishment. All planting approved in the submitted landscaping plan shall be carried out within the first planting season following occupation of the proposed house.

6. Before any works commence on site a construction management plan shall be submitted for the written approval of the Council. The plan shall include details of:

- a. Vehicle access and parking arrangements.
- b. Proposed hours of construction.

Thereafter construction shall be carried out in accordance with the approved plan, unless otherwise agreed in writing by the Council.

7. Within one month of the date of this Planning Permission, arrangements for payment of the following contributions shall have been submitted to and approved in writing by the Council:

- a) £7,000 to the Council towards secondary education provision.
- b) £250 towards public art provision.

Such arrangements shall include timing of the payment. The contributions shall be made in accordance with such approved arrangements, unless otherwise approved in writing by the Council.

For the following reasons:

1. In order to preserve and enhance the character of the conservation area.
2. In order to preserve and enhance the character of the conservation area.
3. In order to preserve and enhance the character of the conservation area.
4. In order to ensure the provision of adequate access and parking arrangements.
5. In the interests of visual amenity and environmental quality.
6. In the interests of road safety and residential amenity.

Submit a Planning Application online at www.eplanning.scotland.gov.uk

View forms, drawings and comments at www.clacksweb.org.uk/eplanning/

7. In order to ensure provision of appropriate infrastructure to support the proposed development.

Dated:

[REDACTED]

DEVELOPMENT SERVICES

Submit a Planning Application online at www.eplanning.scotland.gov.uk
View forms, drawings and comments at www.clacksweb.org.uk/eplanning/

ATTACHMENT 5.

GARDEN
NORTH HILLSIDE ^ PARTIAL CLEARED..



NORTH HILLSIDE STONE DYKE WALL TO BE
REINSTATED.



NORTH HILLSIDE GARDEN OVERGROWN
WITH WEEDS, NETTLES AND DEAD GORSE.



NORTH HILLSIDE GARDEN BEING
MANUALLY CLEARED.



45

PURCHASED STRIP OF "AGRICULTURAL" GROUND.



4
PURCHASED STRIP OF "AGRICULTURAL" GROUND
BEING MANUALLY CLEARED



PURCHASED STRIP OF AGRICULTURAL¹ GROUND
PART CLEARED



View looking - LOOKING NORTH FROM REAR OF JAMIESON GARDENS
WHERE NO NEIGHBOURS OBJECT TO LOSS OF AMENITY.
AS IS!



PROPOSED





WF
YO
CC

PROPOSED HOUSE IN A
RURAL SETTING.

OUR



(<https://www.hebrideanhomes.com/homes/airigh>)
(<https://www.hebrideanhomes.com/homes/airigh>)

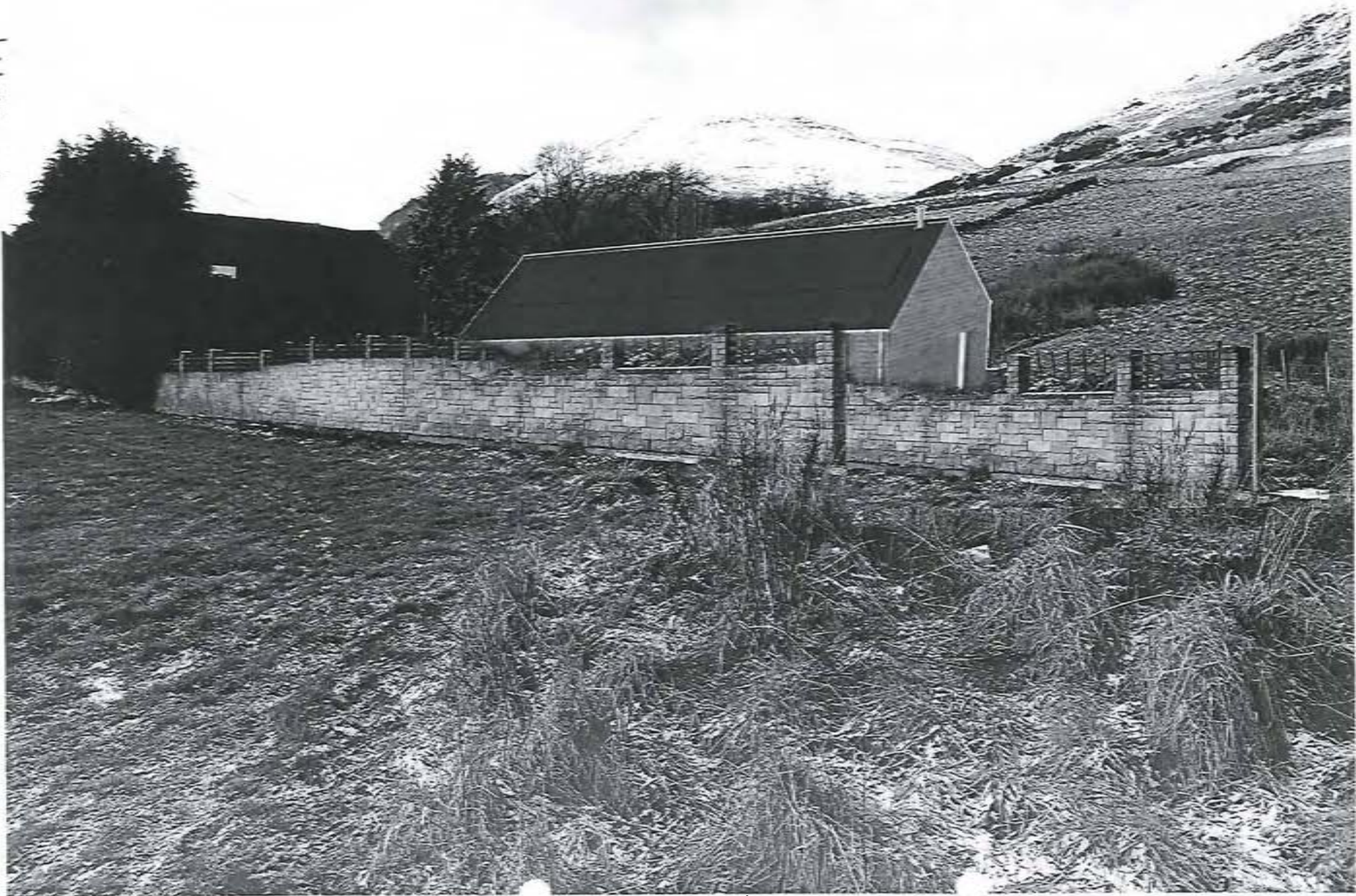
(<https://www.hebrideanhomes.com/our-homes/whitehouse>)

(prices) (prices)

(bespoke-design) (bespoke-design)

(gallery) (gallery)

ARTIST IMPRESSION - KODJANG, NORTH





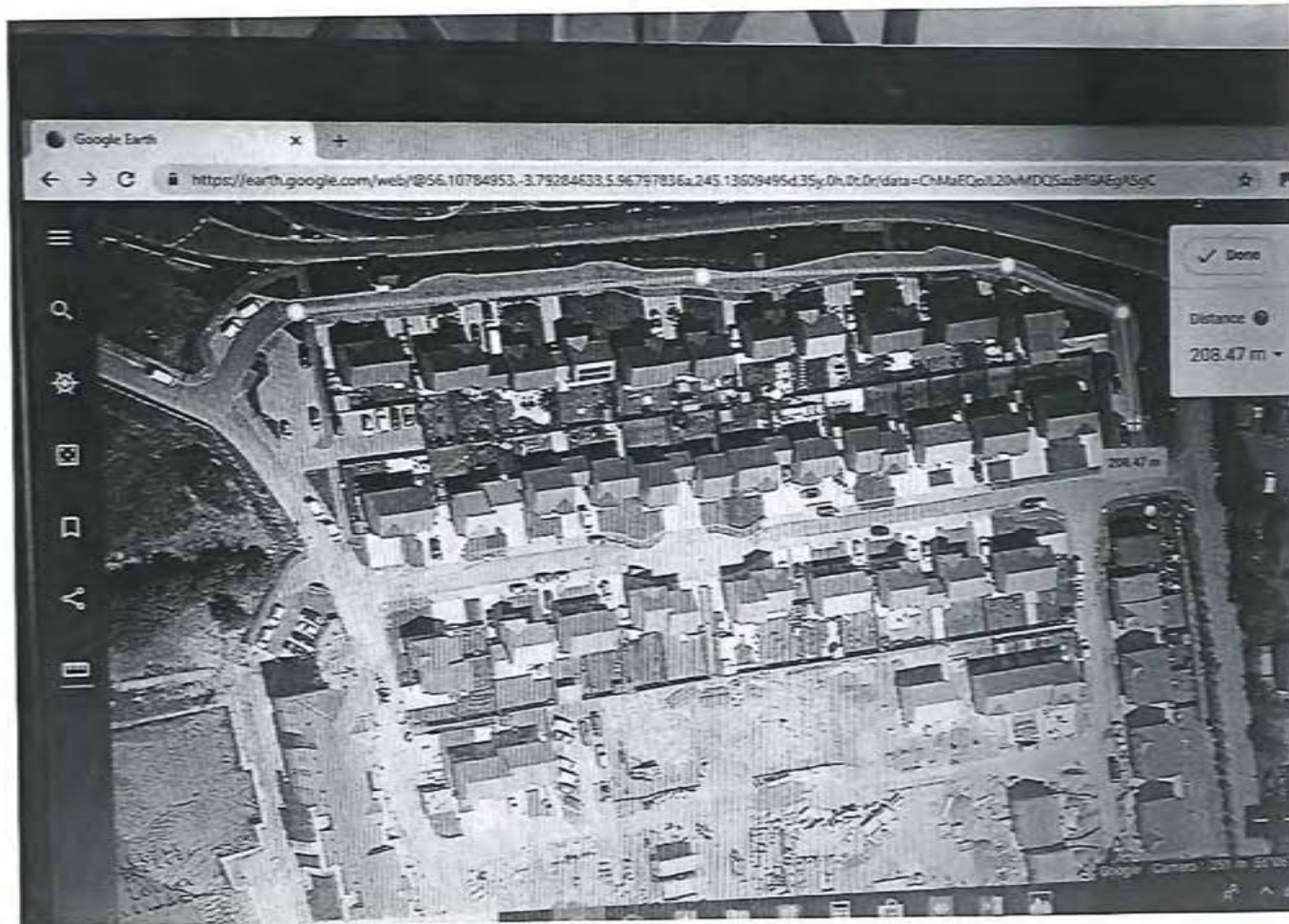


ATTACHMENT 6

RE-POSITIONED STONE DYKE
PREVIOUSLY DERELICTED AND TOO CLOSE TO N°17



HARBOUR VIEW DEVELOPMENT
SHOWING 17 HOUSES SERVED BY A 309M
LONG PRIVATE FACTORED DRIVEWAY.



ATTACHMENT 7

TO BE COMPARED WITH
ATTACHMENT 3 ROADS ORIGINAL
ADVICE ON THIS NEW BUILD PLOT.

ATTACHMENT 8

Development & Environment Services



Clackmannanshire
Council

www.clacksweb.org.uk

Memo

To: Development Quality

From: Roads and Transportation
Extension: 2593

E-Mail: roads@clacks.gov.uk

Our Ref: C/016/00162/FULL

Your Ref: 16/00162/FULL

Date: 26 July 2016

Subject: PLANNING APPLICATION NUMBER - 16/00162/FULL
APPLICANT: Mrs Tracy Lindsay
DEVELOPMENT: Erection Of 1 No. House On Land To West (Variation Of
Condition 1 Of Planning Permission 13/00106/FULL To Extend The Period For
Commencement of Development)
LOCATION: 6 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU

I refer to the above mentioned planning consultation and would respond as follows:

ROADS AND TRANSPORTATION

Responding Officer: Stuart Cullen

No objections.

I trust this information is of use to you.

On behalf of

ROADS & TRANSPORTATION



ATTACHMENT 9

Print Version

Close Window

Print

Summary

Reference	16/00146/PPP
Application Received	Wed 06 Jul 2016
Application Validated	Thu 14 Jul 2016
Address	48 Alexandra Street Devonside Tillicoultry Clackmannanshire FK13 6HW
Proposal	Erection Of 1 No. House
Status	Decided
Decision	APPROVED
Decision Issued Date	Wed 31 Aug 2016
Appeal Status	Unknown
Appeal Decision	

Further Information

Application Type	Planning Permission in Principle
Decision	APPROVED
Actual Decision Level	Delegated Decision
Expected Decision Level	
Case Officer	Grant Baxter
Community Council	Tillicoultry, Coalsnaughton, Devonside
Ward	Clackmannanshire North
District Reference	
Applicant Name	Mrs Kathryn Welch
Applicant Address	Devonpark Cottage 48 Alexandra Street Devonside Tillicoultry Scotland FK13 6HW
Environmental Assessment Requested	No

Contacts

There are no contacts associated with this case.

Important Dates

Application Received Date	Wed 06 Jul 2016
Application Validated Date	Thu 14 Jul 2016
Actual Committee Date	
Latest Neighbour Consultation Date	Thu 14 Jul 2016
Neighbour Consultation Expiry Date	Thu 04 Aug 2016
Decision Made Date	Wed 31 Aug 2016
Decision Issued Date	Wed 31 Aug 2016
Permission Expiry Date	Tue 31 Aug 2021
Determination Deadline	Wed 14 Sep 2016

Related Information

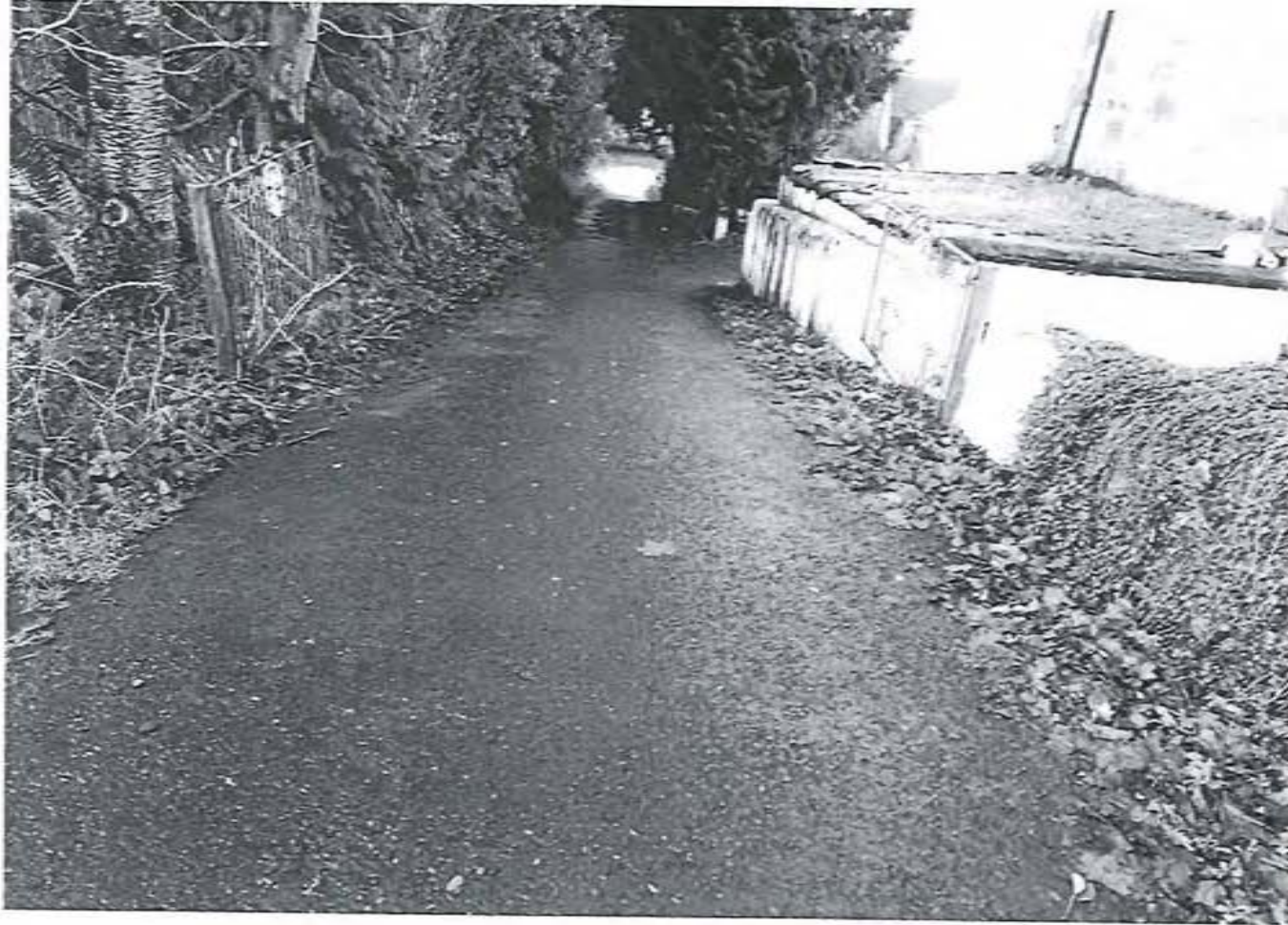
There are 10 documents associated with this application.



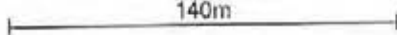
There are 0 cases associated with this application.

There is 1 property associated with this application.

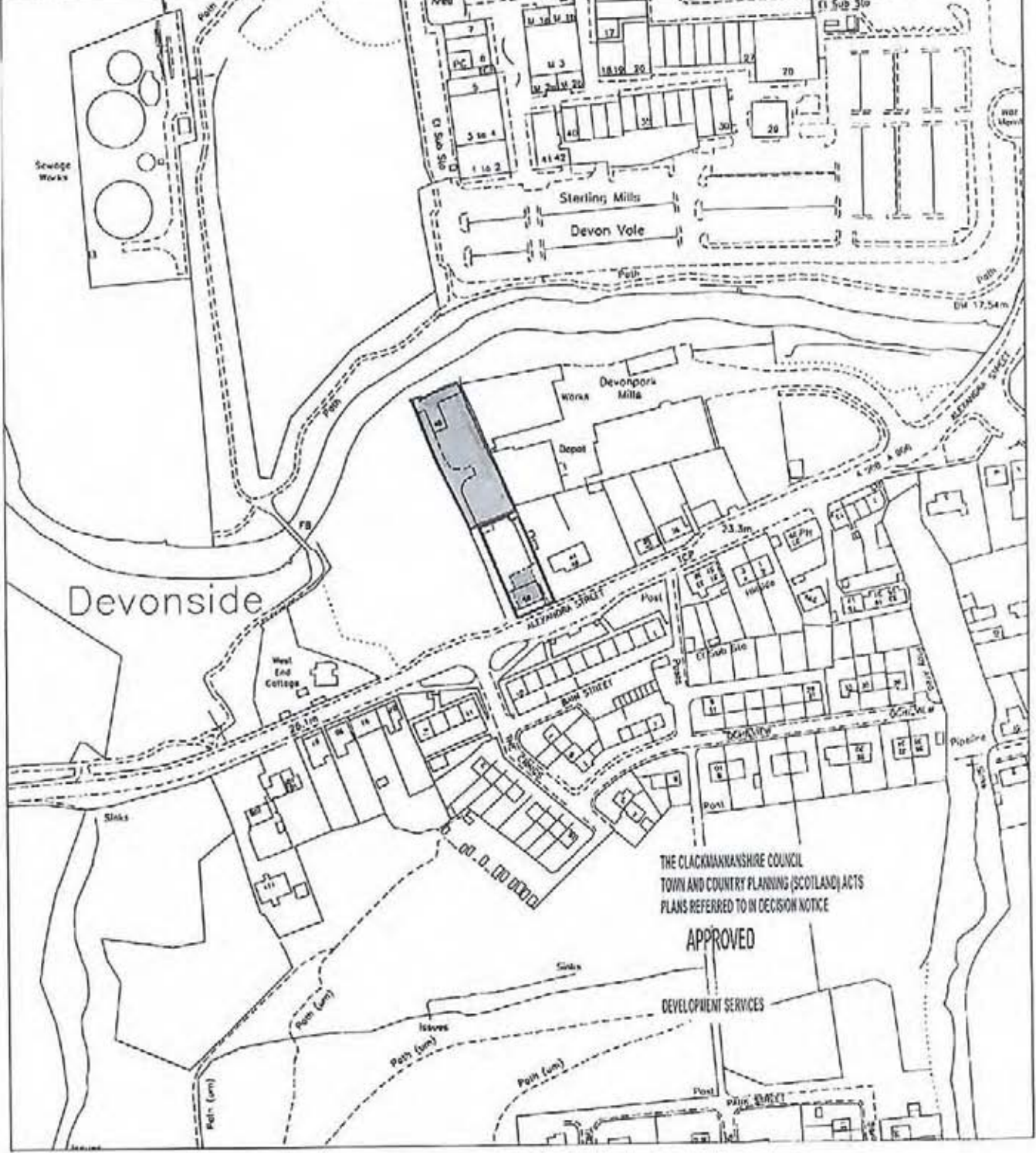
16/00146/PPP.

ATTACHMENT 9 9 8



 LAND REGISTER OF SCOTLAND	Officer's ID / Date	TITLE NUMBER
	2847 13/3/2008	CLK1970
 ORDNANCE SURVEY NATIONAL GRID REFERENCE		
	Survey Scale 1/2500	
NS9196 NS9296 NS99NW		

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THE CLACKMANNANSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
PLANS REFERRED TO IN DECISION NOTICE

APPROVED

DEVELOPMENT SERVICES

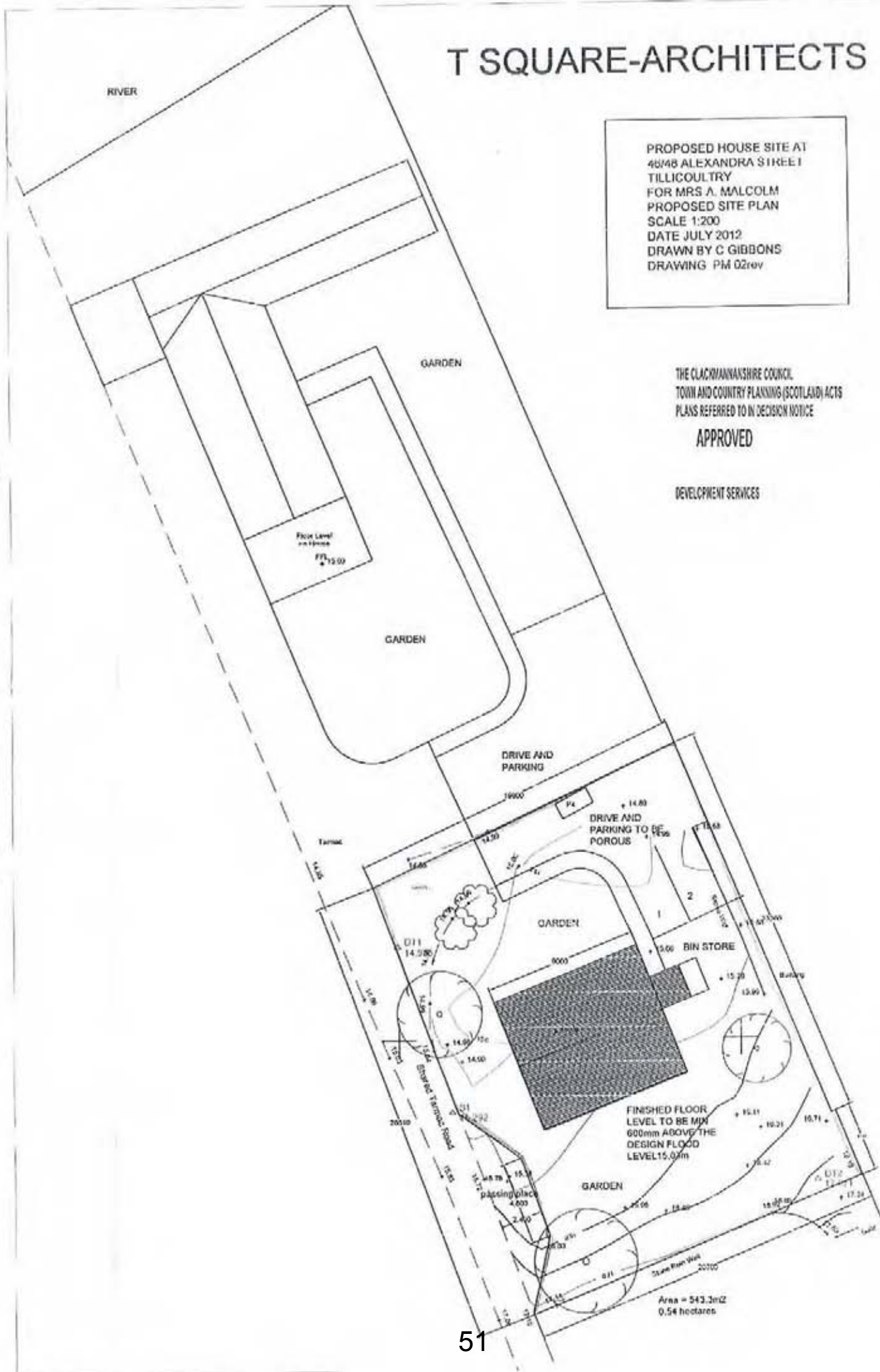
T SQUARE-ARCHITECTS

PROPOSED HOUSE SITE AT
46/48 ALEXANDRA STREET
TILlicOLTRY
FOR MRS A. MALCOLM
PROPOSED SITE PLAN
SCALE 1:200
DATE JULY 2012
DRAWN BY C GIBBONS
DRAWING PM 02rev

THE CLACKMANNANSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
PLANS REFERRED TO IN DECISION NOTICE

APPROVED

DEVELOPMENT SERVICES



Development & Environment Services

Memo

Our Ref: C/016/00146/PPP

Extension No 2593

Your Ref: 16/00146/PPP

Date 19 July 2016

To: DEVELOPMENT QUALITY

From: ROADS & TRANSPORTATION

Subject: PLANNING APPLICATION NUMBER – 16/00146/PPP

APPLICANT: Mrs Kathryn Welch

DEVELOPMENT: Erection Of 1 No. House

LOCATION: 48 Alexandra Street, Devonside, Tillicoultry, Clackmannanshire, FK13 6HW

I refer to the above mentioned planning consultation and would respond as follows.

ROADS & TRANSPORTATION

RESPONDING OFFICER: Stuart Cullen

In this instance I would refer to my Section's previous consultation response dated 30 July 2012, reference number C/012/00155/PPP, and would reiterate the comments contained therein.

I trust this information is of use to you.

On behalf of
ROADS & TRANSPORTATION



Services to Communities

Memo

Our Ref: C/012/00155/PPP

Extension No 2593

Your Ref: 12/00155/PPP

Date: 30th July 2012

To: DEVELOPMENT QUALITY

From: ROADS & TRANSPORTATION

Subject: PLANNING APPLICATION NUMBER – 12/00155/PPP
APPLICANT: MS ANNE MALCOLM
DEVELOPMENT: ERECTION OF 1 NO HOUSE
LOCATION: 48 ALEXANDRA STREET, DEVONSIDE

I refer to the above mentioned planning consultation and would respond as follows.

ROADS & TRANSPORTATION

RESPONDING OFFICER: Stuart Cullen

Roads Comments

I note the site for development can be accessed from a private driveway which links to the A908 Alexandra Street, within the urban envelope of Devonside. This private driveway currently serves number 48 Alexandra Street. The access on to the public road consists of a simple single width footway crossing. Although visibility at the access is adequate, the private plot boundary of number 56 Alexandra Street could restrict the visibility to the east if this boundary were to change in the future.

As a single house currently takes access via this private driveway and the proposed house would constitute a second such house accessed via the driveway, I have no objections to the proposals in principle. However, given my Section's practice is to contend against more than two houses accessed via private driveways, I would not wish to see further similar development accessed via this driveway.

Flood Risk

You will see from the Flood Risk Assessment submission that the applicant's agent has been in contact with this Section to retrieve information held on flood risk at this general location. I can confirm that the river modelling information from the Council used to arrive at the report's conclusions and recommendations was accurate at the time of its production in

2010. I would suggest that the views of SEPA should be sought on the submitted FRA contents.

PUBLIC TRANSPORT

RESPONDING OFFICER: Stuart Cullen

No objections.

I trust this information is of use to you.

On behalf of

ROADS & TRANSPORTATION



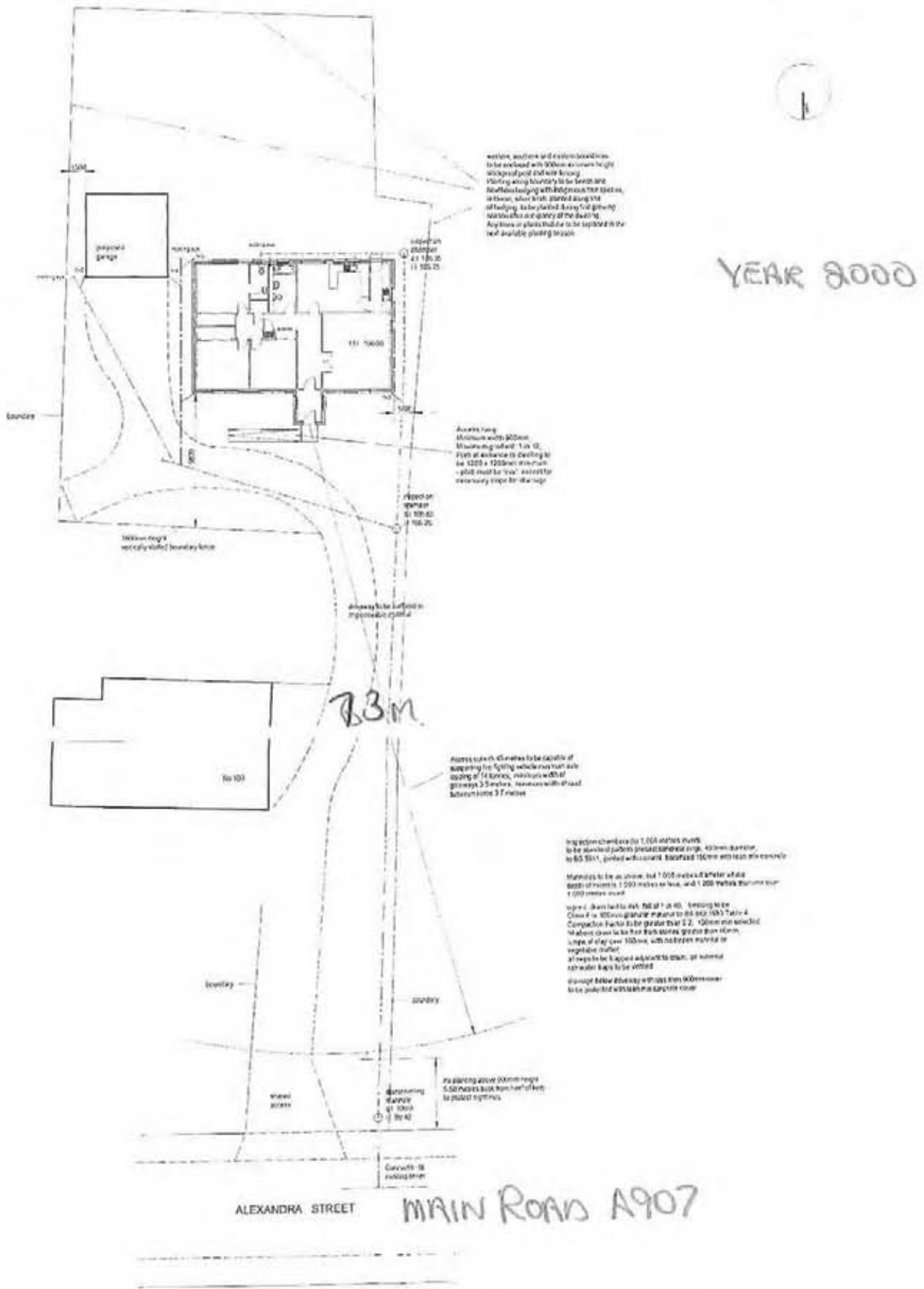
00/00891/FULC

ATTACHMENT 10



00/00291/FULL

1



external, external and external boundaries to be enclosed with 900mm maximum height screens of post and rail fencing. Fencing along boundary to be built and maintained with 800mm x 100mm timber posts, 100mm x 100mm rails, spaced along the full length of the boundary. Any trees or plants that do not fit within the new available planting screen.

YEAR 2000

Access ramp
Minimum width 900mm
Minimum height 1.8m
Pitch of ramp to be 1:12
Pitch of ramp to be 1:12
Pitch of ramp to be 1:12
Pitch of ramp to be 1:12

73m

Planters to be 450mm to be capable of supporting the lighting which must be able to support 75 tonnes, maximum width of planter 3.5 metres, maximum width of planter 3.5 metres

ingestion chamber to 1.00 metres depth to be installed in the ground surface, 450mm diameter, to BS 5511, gully with a 150mm diameter 150mm diameter pipe. Minimum to be in place for 1.00 metres depth of soil, and 1.00 metres diameter 1.00 metres depth. Minimum to be in place for 1.00 metres depth of soil, and 1.00 metres diameter 1.00 metres depth. Minimum to be in place for 1.00 metres depth of soil, and 1.00 metres diameter 1.00 metres depth.

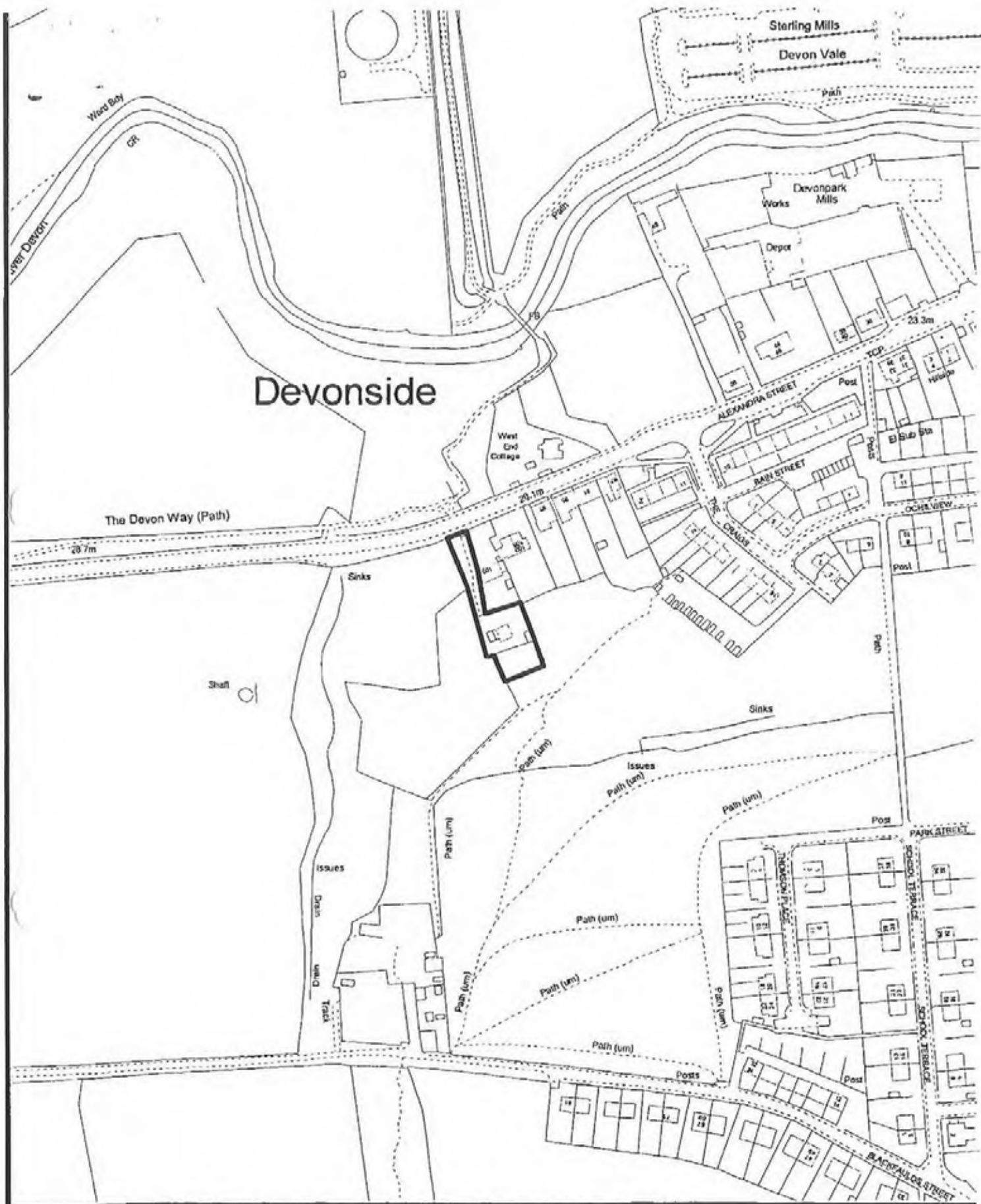
ALEXANDRA STREET

MAIN ROAD A907

00/00291/FULL
25 NOV 2002

67974 107 317 Angus Macle. 01274 152272

Drawing title and scale		Scale
drawn	M Bennett	
project	Proposed development and related garage at 111 Alexandra Street, Glenview	
drawing	Site Plan	
scale	1:200	date March 2002
		drawn B/0302/002A



CLACKMANNANSHIRE COUNCIL
 Development Services
 Greenfield
 Tullibody Road
 Alloa, FK10 2AD

**01/00041/FULL - Rear of 109 Alexandra Street,
 Devonside, Tillicoultry.**

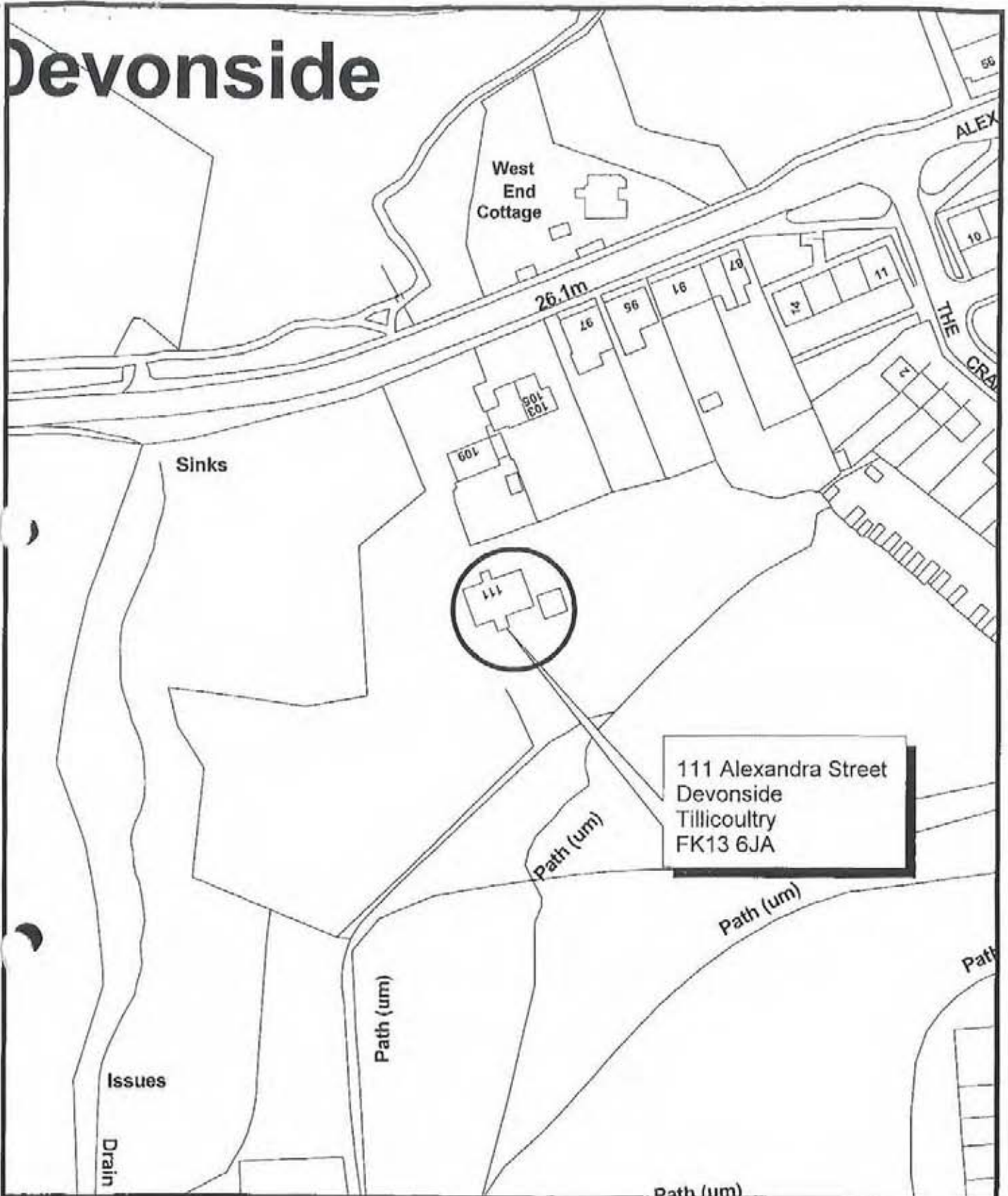
Scale: 1:2500



Tel - 01259 450000
 Fax - 01259 452200

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Devonside

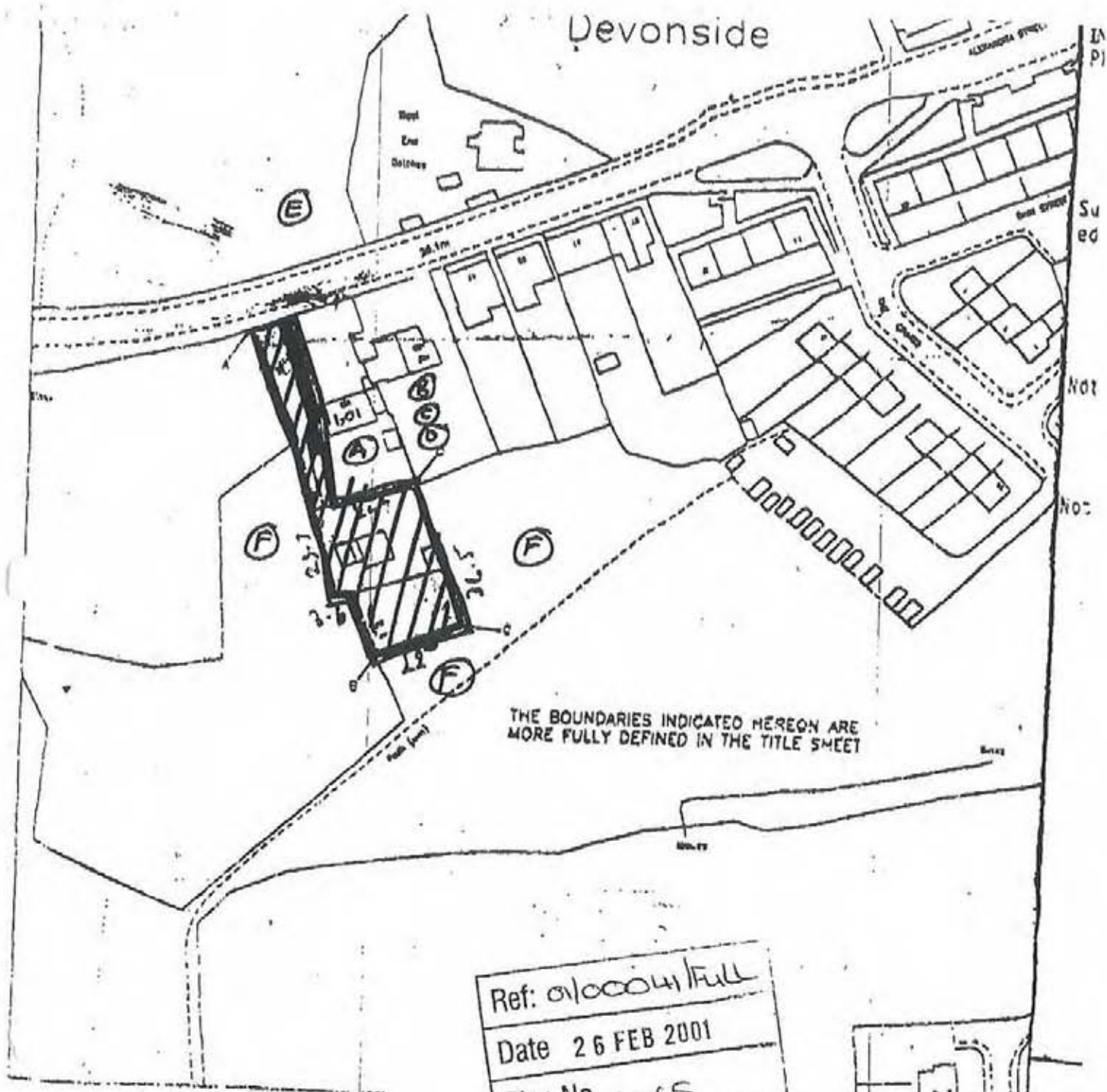


**111 Alexandra Street
Devonside
Tillicoultry**



Environmental & Contract Services
Lime Tree House,
Castle Street, Alloa, FK10 1EX
Tel - 01259 452602
Fax - 01259 452535

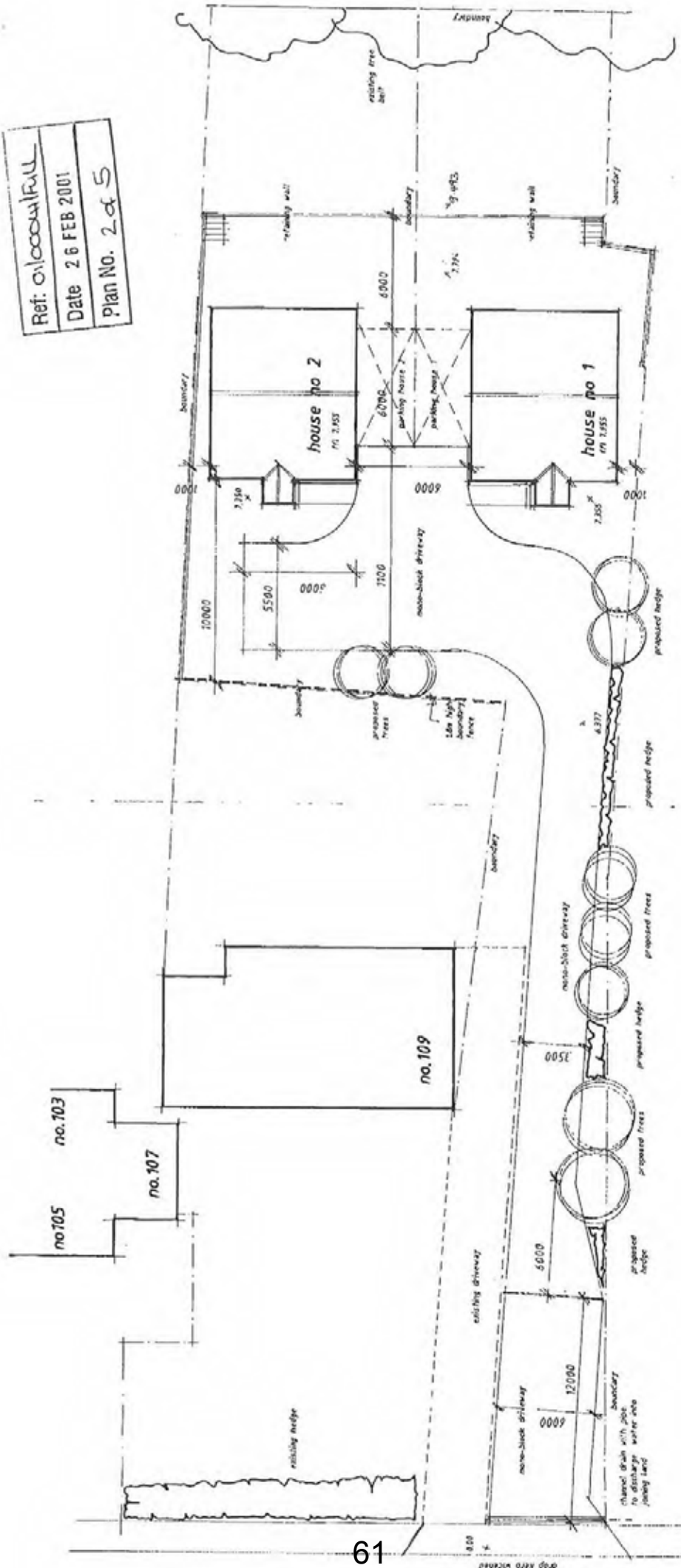
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NEIGHBOURS NOTIFIED

- A - OWNER / OCCUPIER / LESSEE - 109 ALEXANDRA STREET - DEVONSIDES.
- B - " " " - 103 " " - "
- C - " " " - 105 " " - "
- D - " " " - 107 " " - "
- E - ROBERT MARSHALL - GLENFOOT FARM - TILLCOUNTRY
- F - D SCORBIE & SONS - DEVON KNOWES FARM - CORCUNVAUGHTON.

Ref: o1000w1full
 Date 26 FEB 2001
 Plan No. 2 of 5



existing post and wire boundary fence to be retained unless otherwise stated.

OWNER Mr Wootan per NGP Associates	DESIGNER TITLE Site Layout for the erection of two houses at 111 Alexandra Street Devonshire	DATE Feb 2001
NGP Associates Ltd 65 Cleuch Drive Alva FK12 5NY 01259 760782	SCALE 1 : 50	

78.99m



Development & Environment Services



Memo

To: Development Quality

From: Roads and Transportation

Extension 2593

E-Mail: roads@clacks.gov.uk

Our Ref:

Your Ref: 18/00244/PPP

Date: 27 November 2018

Subject: PLANNING APPLICATION NUMBER - 18/00244/PPP

APPLICANT: Mr John Neilson

DEVELOPMENT: Change Of Use of Agricultural Land to Private Garden Ground, Erection of Dwelling House to Rear of 17 Glassford Square and Formation of Car Parking and Turning Areas

LOCATION: 17 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU

I refer to the above mentioned planning consultation and would respond as follows:

ROADS AND TRANSPORTATION
Responding Officer: Stuart Cullen

You will be aware of my Section's previous consultation response (reference number 17/00034/PPP, dated 22 February 2017) and will note the recommendation against the granting of consent. In terms of the current application I would reiterate this recommendation.



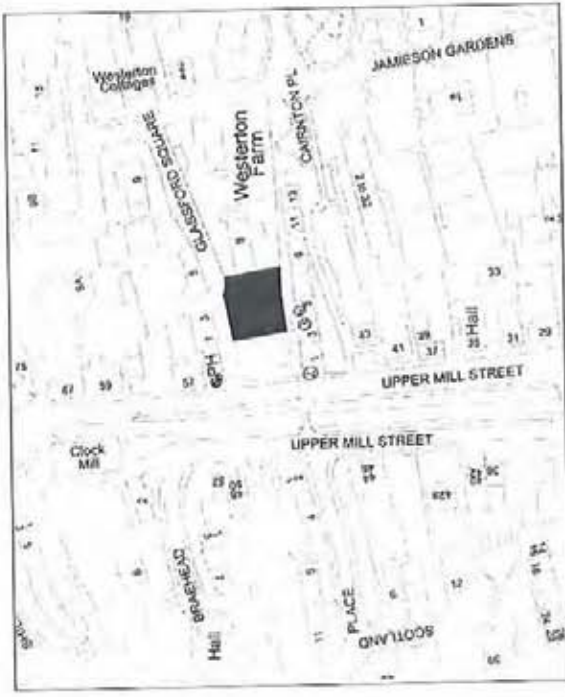
On the comments made in the current submissions regarding provision of additional visitors parking in connection with the proposed house I note additional spaces are indicated to be accessed from within the existing private driveway. Spaces of this kind are unlikely to be effective as visitors parking given drivers not known to the residents are unlikely to drive into and park within a private driveway.

I trust this information is of use to you.

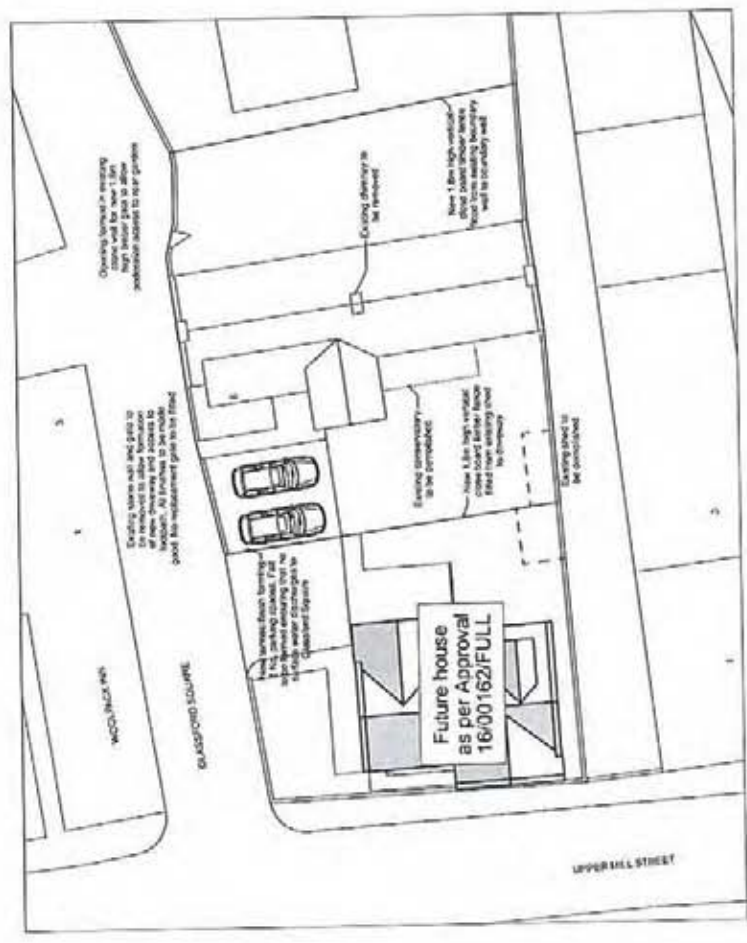
On behalf of

ROADS & TRANSPORTATION





LOCATION PLAN ... 1:1250



SITE PLAN ... 1:200

THE LOCAL AUTHORITY HAS REVIEWED THIS APPLICATION AND IS GRANTING APPROVAL SUBJECT TO THE CONDITIONS SET OUT IN THE APPROVAL LETTER.

C. Drafts person
 D. Designer
 A. Issued/Amended
 REVISION
 DATE

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Site and Location Plan
 Plans -
 1. Proposed House
 2. Proposed Driveway
 3. Proposed Fencing
 4. Proposed Garden
 5. Proposed Pathway
 6. Proposed Wall
 7. Proposed Gate
 8. Proposed Gate
 9. Proposed Gate
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Checked by				

DO NOT SCALE THE DRAWING - IF NECESSARY ADVISE THE ARCHITECT FOR CONSTRUCTION PURPOSES

COMMUNITY & REGULATORY SERVICES
CLACKMANNANSHIRE COUNCIL

REPORT OF HANDLING
PLANNING APPLICATION DELEGATED REPORT

Application Ref. No. 17/00070/FULL Date of Site Visit: 28/03/2017

Description of Proposal **Replacement Windows to Front and Rear, Removal of Chimney and Creation of Vehicular Access to Front and Pedestrian Access to Rear of House.**

Location: **8 Glassford Square, Tillicoultry, FK13 6AU.**

1. The Proposed Development

This application is to replace the windows and doors to the front of the house, and replace the three windows to the rear of the house with four windows and French doors. All windows and doors will be constructed in timber. The chimney in the middle of the roof will be removed. The conservatory to the front of the house will be removed. The roof will be re-slatted. The two outbuildings to the front of the house will be removed. To the front of the house, a new vehicle opening will be formed in the boundary wall, and a parking area formed. To the rear of the house, a new pedestrian opening will be created and a gate installed. 1.8 m high, timber boundary fences will be erected to the front and rear of the house.

The house is detached and is within the Tillicoultry Conservation Area. To the front of the house, approval has been granted (application Reference No.16/00162/FULL) to create a new house plot and erect a one and a half storey house. There are high boundary walls along the Upper Mill Street frontage and to the rear of the house. To the front of the house, along the Glassford Square frontage, there is a lower boundary wall.

2. Summary of Consultation Responses

No consultations undertaken.

3. Neighbour Notification and Publicity

Number of Neighbours Notified

14

Number of Objections

0

Number of Other Representations

0

1170

CLACKMANNANSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DECISION NOTICE ON APPLICATION FOR PLANNING PERMISSION

Applicant

Mr Bruce Gunn
87 Montgomery Crescent
Dunblane
United Kingdom
FK15 9FB

Agent

John Blair
2b
Bank Street
Alloa
United Kingdom
FK10 1HP

The Council, in exercise of its powers under the above Acts, hereby **GRANT PLANNING PERMISSION** for the:-

Replacement Windows to Front and Rear, Removal of Chimney And Creation of Vehicular Access to Front and Pedestrian Access to Rear of House

6 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU,

in accordance with your application Ref. No:- 17/00070/FULL dated 13th March 2017

There are no conditions attached to this consent.

Dated: 8 May 2017


.....
DEVELOPMENT SERVICES

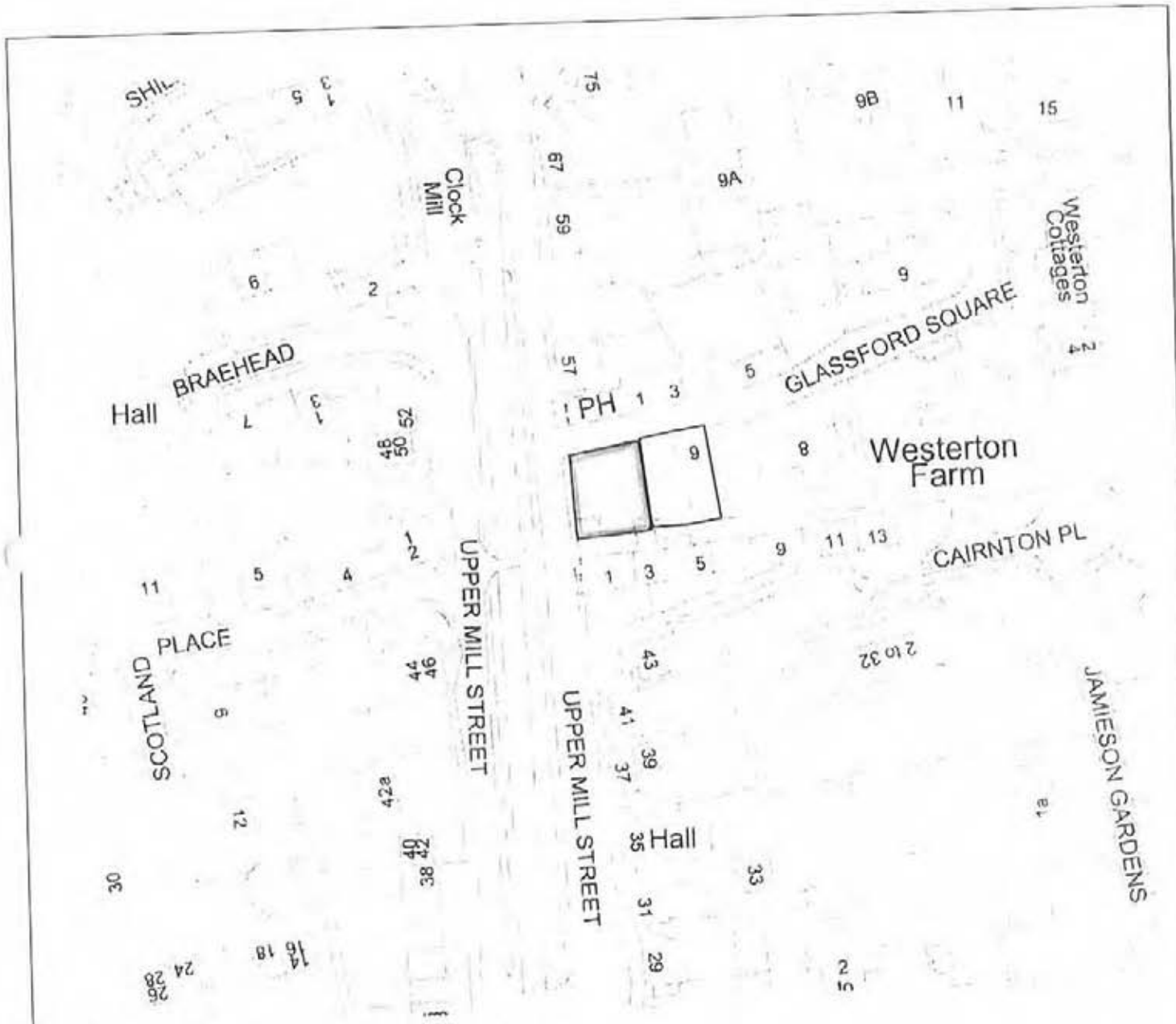
The reasons for the decision are:-

1. The proposal meets the criteria of Policy SC 8 & EA 23 of the Clackmannanshire Local Development Plan.
2. The proposal complies with guidance contained in Supplementary Guidance No.10 - Domestic Developments.
3. There are no other material considerations that outweigh the Development plan position

Plan Numbers Relating to the Decision

Plans 113434-01 H, 113434-02, 113434-03 C.

Submit a Planning Application online at www.eplanning.scotland.gov.uk
View forms, drawings and comments at www.clacksweb.org.uk/eplanning/



PROPOSED LOCATION PLAN

1:1250



THE CLACKMANNANSHIRE COUNCIL
 PLANNING AND COUNTY PLANNING (SCOTLAND) ACTS
 THIS PLAN IS REFERRED TO IN SECTION 19(1C)
APPROVED
 DEVELOPMENT SERVICES

REVISION INT DATE

	Greenfields Design Ltd.
	architectural and timberframe design consultants

2B Bank Street, Alloa, Clackmannanshire FK10 1HP
 tel. 01259 216500 fax. 0870 1231571
 email. gfd@greenfieldsdesign.co.uk

Title - Location Plan
 Project - Hoggun Homes Ltd.
 Proposed House at Land West of
 6 Glassford Square, Tillicoultry

SCALE	1:1250	DRAWN BY	JB
DATE	20/04/2016	DRAWN NO.	11455-12
SHEET	A4	PROJECT NAME	Hogg1

Development & Environment Services



Clackmannanshire Council

www.clacksweb.org.uk

Memo

To: Development Quality

From: Roads and Transportation
Extension: 2593

E-Mail: roads@clacks.gov.uk

Our Ref: C/016/00162/FULL

Your Ref: 16/00162/FULL

Date: 26 July 2016

Subject: PLANNING APPLICATION NUMBER - 16/00162/FULL
APPLICANT: Mrs Tracy Lindsay
DEVELOPMENT: Erection Of 1 No. House On Land To West (Variation Of
Condition 1 Of Planning Permission 13/00106/FULL To Extend The Period For
Commencement of Development)
LOCATION: 6 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU

I refer to the above mentioned planning consultation and would respond as follows:

ROADS AND TRANSPORTATION

Responding Officer: Stuart Cullen

No objections.

I trust this information is of use to you.

On behalf of

ROADS & TRANSPORTATION



The Customer's Best Friend



Kilncraigs Greenside Street Alloa FK10 1EB Tel: 01259 450 000 Email: planning@clacks.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100141448-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Outline Planning Permission to erect a house to the east of 17 Glassford Square. Also to create the access road to plot A and improve the private access road to both 17 and 19 Glassford Square. A change of use of part garden of 17 Glassford Square to extend the private road and change of use of a strip of previously agricultural land to create A pathway to Plot A. All as identified on the enclosed outline drawing.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	JOHN	Building Number:	17
Last Name: *	NEILSON	Address 1 (Street): *	GLASSFORD SQUARE
Company/Organisation:		Address 2:	
Telephone Number: *		Town/City: *	TILlicOUNTRY
Extension Number:		Country: *	SCOTLAND
Mobile Number:		Postcode: *	FK13 6AU
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	Clackmannanshire Council
Full postal address of the site (including postcode where available):	
Address 1:	17 GLASSFORD SQUARE
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	TILlicOUNTRY
Post Code:	FK13 6AU

Please identify/describe the location of the site or sites

--	--

Northing	697444	Easting	291611
----------	--------	---------	--------

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Site Meeting 6th November 2017 with both Mr. Stoddard Planner and Mr. Finlayson Planning Manager. Culminating in emails of 6th and 28th June wherein confirmation was given that the authority had reached the point where a detailed assessment of my proposal could be made.

Title:

Other title:

First Name:

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

609.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Rear garden with a Conservatory.

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Mr JOHN NELSON

On behalf of:

Date: 25/10/2018

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Whilst comment was made as n/a to all of the "documents if applicable" perhaps due to the lack of understanding. Should the authority identify any of them are necessary at this outline stage please notify the applicant. For example, a SUDS survey would be carried out at a later date after the determination of this outline application.

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr JOHN NEILSON

Declaration Date: 26/10/2018

Payment Details

Online payment: 6-17-4669729

Payment date: 26/10/2018 09:43:00

Created: 26/10/2018 09:43

Application for outline planning permission in principle for a single dwelling house. Additional information and clarification to support the PPP application submitted by Mr. John Neilson of 17 Glassford Square Tillicoultry fk13 6au

Month of issue October 2018.

1.0 Background Information.

- 1.1 The proposed site is located at the rear of 17 Glassford Square and is currently used to house a Conservatory of a footprint sized at 32 square metres.**
- 1.2 The site is made up of part original garden and additional ground purchased by the applicant in 2016.**
- 1.3 The additional ground as identified on the planning Application location Plan and categorised as a change of use was formally purchased in July 2016.**
- 1.4 The site application in size is 609 square metres. With a proposed house having a foot print of 95 square metres being 16% of the proposed Plot A area.**
- 1.5 The entire site including the change of use part has been formally recognised and accepted by the Clackmannanshire Planning Authority as being within the residential boundary of Tillicoultry. In addition, comment was made that this type and location of development would normally be supported by the Planning Authority due to its location within the residential boundary of Tillicoultry.**
- 1.6 The south and east boundary of the proposed site comprises of an open space of grass land some 25m in width and 155m in length owned by Clackmannanshire District Council and has the potential to be developable council owned land, as intimated by Land Services in 2011, when an enquiry to purchase part of this area by the applicant was made but refused due to its capability to be developed. The applicant was also informed that should this area of developable land ever be available for sale as a whole the applicant would be officially notified.**
- 1.7 On average the row of private and council rented houses to the South are some 32m to 100m in distance from the proposed site. To the east the nearest house is some 110m in distance from the proposed site.**
- 1.8 The site to the North is bounded by agricultural grazing land.**
- 1.9 The site to the west is bounded by the house of 17 Glassford Square some 27m in distance from the gable end of the proposed house build location and the rear gable end of 17 Glassford Square.**
- 1.10 A PPP application to obtain permission was previously made but withdrawn in 2017.**
- 1.11 The application was withdrawn by the applicant due to a number of issues raised that put in doubt the ownership, size, length, location and**

control of the strip of land previously agricultural land. Which was later clarified as dimensionally and legally correct in all aspects of concern.

- 1.12 In addition, there were confusing descriptions of this land whereby the Roads Authority made comment to an infill site and the Planning Authority description was back land.
- 1.13 Infill being land within the Residential boundary.
- 1.14 The “back land” description was also additionally confusing when the proposed site sits alongside developable land belonging to Clackmannanshire District Council. As per point 1.6 above.
- 1.15 The houses number 17 and 19 were identified by the Planning Authority as back land. This was in 1992. Both houses were built on garden land previously part of North Westerton Cottage.
- 1.16 The roads authority also made comment with regards to the lack of visitor parking in this area. Which has been addressed in this PPP application. The access road width has been increased by over 20% and visitor parking facility for 5 cars created.
- 1.17 The Planning Authority gave comment of concern as to the distance from the adopted road to the previous PPP site drawing, which has been addressed in this PPP application by increasing the size of the plot and vehicular travel reduced by over 50%.
- 1.18 Vehicular travel in comparison with the existing property 17 Glassford Square from the adopted road edge to car parking shows Plot A is only 7m longer in distance.
- 1.19 On the issue of “fairness “The applicant made representation to the Planning Authority approval and roads comments with regards to a successful application reference No 16/000162/full where in the road’s authority supported the application with technical advice but with no reference to visitor parking or off-road parking for same. Why such diverse comments against both applications?
- 1.20 Scottish Water has confirmed sufficient capacity for both Water and Wastewater in the Turret Water Treatment Works and also the local network to service the demands of this house build application.
- 1.21 SP Energy Networks has confirmed that mains electrical supply is readily available to supply this house build application.
- 1.22 Scottish Gas has confirmed that supply is readily available to supply this house build application.
- 1.23 SUDS Geo Smart report will be put in process after the determination of this house build application.
- 1.24 ALL houses off the hammer head adopted road of Glassford Square are self-built developments.

2.0 Clackmannanshire LDP and the Scottish Planning Policy 2014

2.1. Whilst during the consultation period with the Planning Officers over 2018 at no time did the authority identify specific areas of the LDP to which this application had to specifically address.

the above background history points 1 to 24 attempts to summaries the issues of concern raised.

2.2. The Scottish Planning Policy 2014 and its terms within would intimate a support of a sustainable development and a positive use of previously developed land. Its contribution to the local economy and the needs of individuals with respect to how they live their lives. The delivery of new housing in order to support the needs of individuals is a key part of the Scottish Planning Policy 2014. It clearly encourages the various Planning Authorities to make provision for a wide choice of homes to meet a full range of needs. This includes the provision of house plots for self builds. It also encourages flexibility. The policy also refers to land which has been previously developed and land within the settlement boundary. Against which this proposed site meets all aspects.

2.3. With regards to the Scottish Planning Policy reference to “life Style” this particular application is a life style change to accommodate an appropriate type of house build that will meet the future demands of our life style anticipated needs and care in the near future. The applicant and his spouse are rapidly approaching their 70, s and wish to make provision for good care supported by their immediate family. Part of which our oldest daughter and 3 children will take over the residency of the main house at 17 Glassford Square.

2.3. The applicant and spouse wish to be proactive to unavoidable future care requirements without the need of local authority or private provision of care.

CLACKMANNANSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

REFUSAL OF PLANNING PERMISSION IN PRINCIPLE

Applicant

Agent

Mr John Neilson
17 Glassford Square
Tillicoultry
Clackmannanshire
FK13 6AU

The Council hereby **REFUSE PLANNING PERMISSION IN PRINCIPLE** for the:-

Change Of Use Of Agricultural Land To Private Garden Ground, Erection Of Dwelling House To Rear Of 17 Glassford Square And Formation Of Car Parking And Turning Areas

17 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU,

in accordance with your application and plans Ref. No:- 18/00244/PPP dated 1st November 2018

Reasons for refusal:

That the proposed erection of a house and associated access be REFUSED. The change of use of agricultural land to private garden ground whilst acceptable and retrospective is a detailed proposal that cannot be regularised through a planning in principle application.

Reasons for REFUSAL of proposed access and new house.

1. The proposed development of the site would detract from rather than maintain or contribute positively to the established character, amenity and environmental qualities of the site and the surrounding area by reason of

(a) The loss of more than 50% of the rear garden of the existing house;

(b) The creation of a site that due to its shape limits the useable space available for activities associated with the domestic use of the house;

(c) The amenity of the existing house would be adversely affected by the creation of parking and turning areas in close proximity.

(d) The proposed access does not comply with Roads advice in terms of its design and length.

2. The site boundaries and house position indicated in submitted plans do not accord with Ordinance Survey and historic records held by the Council. Therefore, the proposed plans are inaccurate and cannot be used to favourably determine the application.

The proposal is therefore contrary to policy SC 5 of the Clackmannanshire Local Development Plan 2015.

Dated: 21 December 2018



.....
DEVELOPMENT AND ENVIRONMENT SERVICES

Refused Plans Relating to the Decision:

- Plan1 Location Plan and Access
- Plan 2 Site Plan

NOTES FOR GUIDANCE

1. Please examine your decision notice carefully. It describes the development to which the decision relates, includes any conditions that must be complied with and explains the reasons for the decision.
2. Please also read the following guidance. It contains important information regarding
 - * the duration of the permission
 - * rights of review
 - * requirements for further notification to the Council; and
 - * the publicising of the development.
3. Section 59 Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 - Planning Permission in Principle:-
 - (a) In the case of matters specified by conditions, further application(s) for approval must be made to the Council not later than the expiration of 3 years beginning with the date of this permission. Otherwise, the planning permission lapses on that date.
 - (b) The development to which this permission relates must be begun not later than the expiration of 5 years from the date of this permission or within the expiration of 2 years from the final approval of matters specified whichever is the later. Otherwise, the planning permission lapses on the latter date.
4. Section 58 Town and Country Planning (Scotland) Act as amended by the Planning etc. (Scotland) Act 2006 - Planning Permission: Unless otherwise stated overleaf, the development to which this permission relates must be begun not later than the expiration of 3 years from the date of this permission. Otherwise, the planning permission lapses on that date.
5. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition, in respect of the proposed development, or to grant permission for approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The Notice of Review form is available to download on the Council's website or can be obtained from the Council's Local Review Body at LRB@clacks.gov.uk. Once completed the form should be returned to the same mailbox or, alternatively, you can post your appeal form to:

Clerk to the Local Review Body
Resource & Governance – Legal Services
Clackmannanshire Council
Kilncraigs
Alloa FK10 1EB

Notification of Initiation of Development

6. Once it has been decided on the date to start work on the development to which this permission relates, **the developer must inform the Council of that date as soon as is practicable and certainly before starting work. This is termed Notification of Intention of Development (NID). Failure to give such notice to the Council constitutes a breach of planning control.** The notification must include:-
 - (i) The date on which the development is likely to commence.
 - (ii) The full name and address of the person intending to carry out the development.

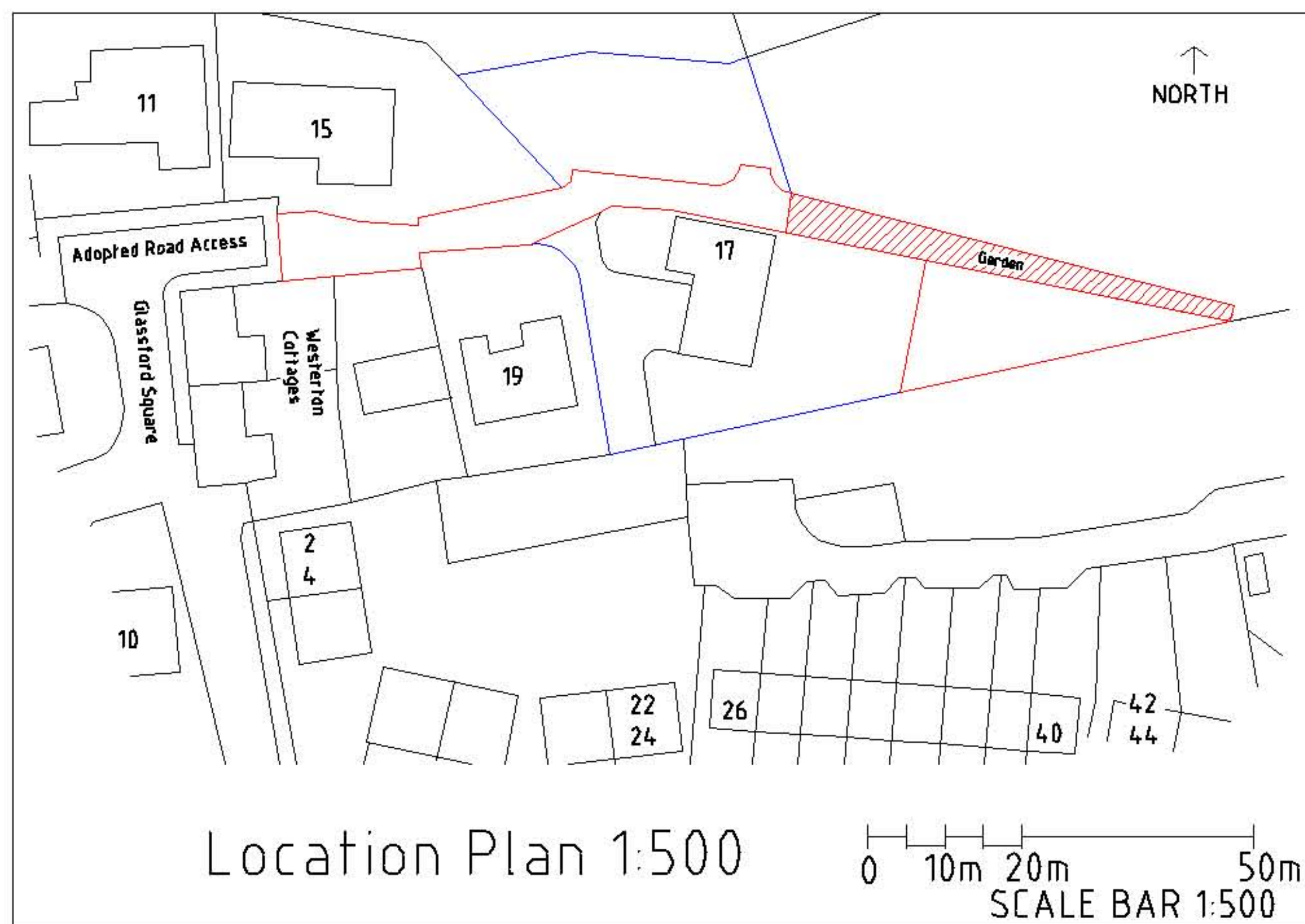
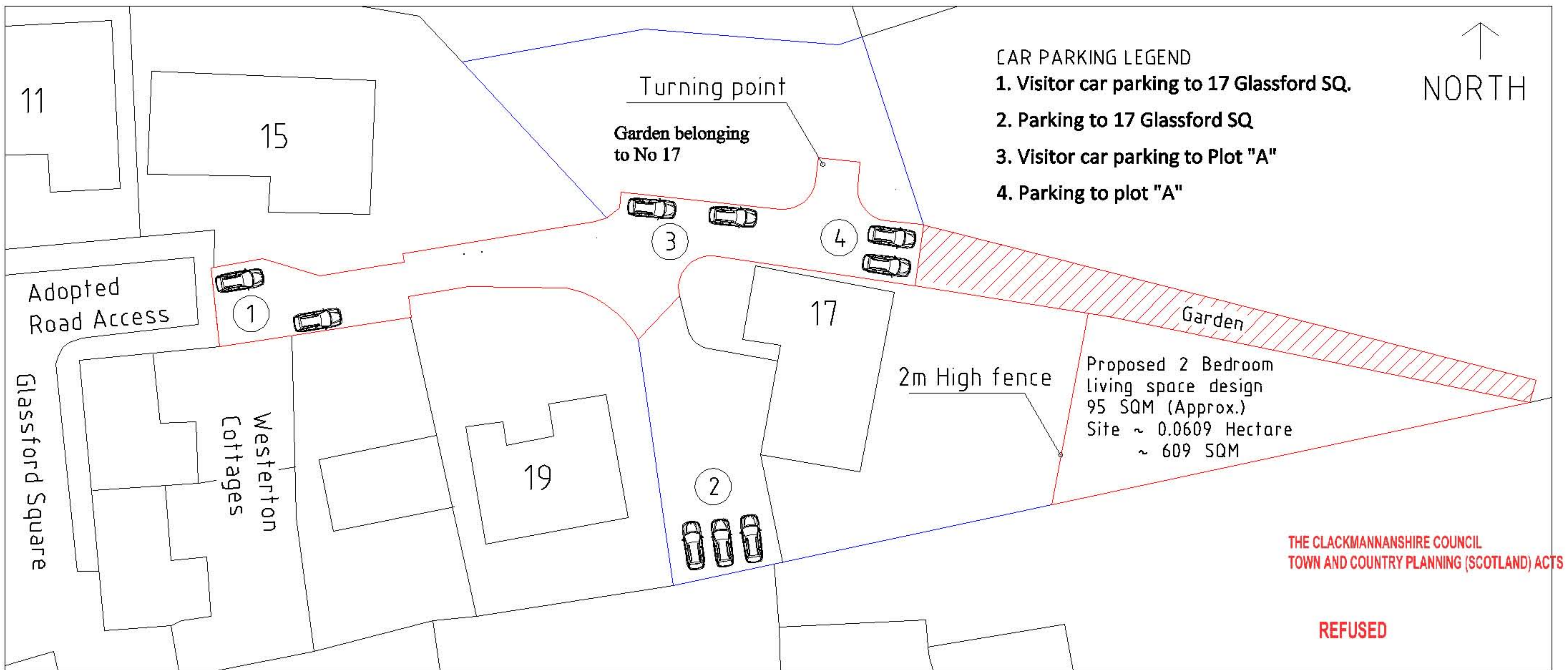
- (iii) The full name and address of the landowner if they are a different person.
- (iv) The full name and contact address/details of the site agent or other person appointed to oversee the development.
- (v) The reference number and date of issue of the planning permission.

Notification of Completion of Development

7. Once the development to which this permission relates has been completed, the applicant or developer must, as soon as practicable, notify the Council accordingly. This is termed Notification of Completion of Development (NCD). If the development is carried out in phases, the notification must be issued to the Council as soon as practicable after each phase.

Display of Notice while Development is carried out

8. If this permission relates to a national, major or bad neighbour development (such as a public house or hot food takeaway), the applicant or developer must, for the duration of the development, display one or more signs. The sign(s) must be displayed in a prominent place at or in the vicinity of the site, and be readily visible to the public. **Failure to display the sign(s)/notice while carrying out the development constitutes a breach of planning control.** The information to be displayed must include:-
 - (i) The location of the development.
 - (ii) Any conditions attached to the planning permission.
 - (iii) The name and address of the developer.
 - (iv) The date on which planning permission was granted.
 - (v) The planning authority reference number.
 - (vi) A description of the development.
 - (vii) A note of the Council's contact details for enquiries relating to the development, which is development_services@clacks.gov.uk or Development Services, Clackmannanshire Council, Kilncraigs, Greenside Street, Alloa, FK10 2EB.
9. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.
10. **It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments. In particular, it does not constitute approval under the Building (Scotland) Acts, The Water Environment (Controlled Activities) (Scotland) Regulations or Roads (Scotland) Acts in respect of street works.**



LEGEND

- BLUE - Ownership / Control
- RED - Proposed area of development
- HATCHED AREA - Change of use from agricultural land to garden

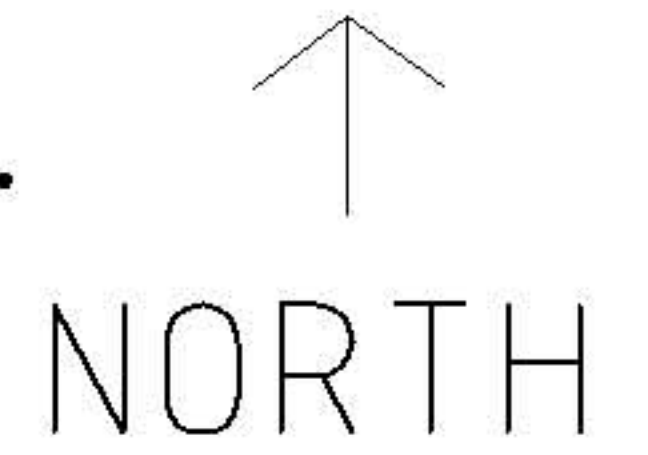
Location Plan 1:200



REVISION	INT	DATE
TITLE Living Space Mr & Mrs Neilson 17 Glassford Square Tillicoultry		
DRAWING Location Plan		
SCALE 1:200	DRAWN BY A.N.	
DRAWING NO. JRN-AN-2018-001	DATE May 2018	

CAR PARKING LEGEND

- 1. Visitor car parking to 17 Glassford SQ.
- 2. Parking to 17 Glassford SQ
- 3. Visitor car parking to Plot "A"
- 4. Parking to plot "A"



Turning point

Garden belonging to No 17



3

4

5743

17

16388

18277

59244

THE CLACKMANNANSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

REFUSED

DEVELOPMENT SERVICES

13.356 m X
7.113 m Footprint

2115

45912

19

2

2m High fence



Site ~ 0.0609 Hectare
~ 609 SQM
House Footprint = 16% of Site Area

**COMMUNITY & REGULATORY SERVICES
CLACKMANNANSHIRE COUNCIL**

**REPORT OF HANDLING
PLANNING APPLICATION DELEGATED REPORT**

Application Ref. No. 18/00244/PPP Date of Site Visit: 13/11/2018

Description of Proposal Change of Use of Agricultural Land to Private Garden Ground, Erection of Dwelling House to Rear of 17 Glassford Square and Formation of Car Parking and Turning Area.

Location: 17 Glassford Square, Tillicoultry, FK13 6AU.

1. The Proposed Development

This application is for planning permission in principle for the erection of a house to the rear of 17 Glassford Square. This is proposed by incorporating a part of agricultural land to the north through a change of use and subdividing part of the rear garden of the existing house. Access to the plot is proposed along the existing shared driveway and an extension to this would be required to the north of the existing house. A turning area and parking would be created to the north of the existing house. The applicant has submitted an indicative plan illustrating the proposed house position within the site.

Following detailed assessment subsequent to the validation of the application, the submitted plans were found to have inaccuracies relating to the position of the house and the proposed site boundaries. As this is an application for planning permission in principal it was decided that these inaccuracies did not invalidate the application and a decision could be made in assessing the principle of a house on the site with any subsequent application for reserved matters addressing these inaccuracies.

Historically, a single area of ground (accessed off the cul de sac head of Glassford Square) was divided into two residential plots sharing a driveway. A dwelling house was then erected within each of these plots creating No.s 17 and 19 Glassford Square. To the north of No. 17 are agricultural fields and to the south is open space, owned and maintained in grass by the Council.

2. Summary of Consultation Responses

Scottish Water – have no objections to the proposal. Sufficient capacity exists in the water network, however capacity cannot be reserved. Comment - *noted*

Roads and Transportation – advise against the use of a shared driveway by more than 2 houses. This is to ensure that a reasonably short and unrestricted distance will always be available from a house's plot boundary to a public road. It is noted that the proposed driveway would be 60 m in length. There is limited on street parking within Glassford Square and this can not be increased. It is therefore unlikely that the proposed visitor parking within the existing driveway would be effective as a result of their proposed arrangements and this would consequently decrease road safety standards. Comment – *noted*.

3. Neighbour Notification and Publicity

Number of Neighbours Notified

21

Number of Objections

3

Number of Other Representations

1

4. Summary of Representation.

Objections were submitted by the following

John McDonald, 30 Jamieson Gardens, Tillicoultry
Mrs Margaret Daniels, 42 Jamieson Gardens, Tillicoultry
Mrs June Lynch, 19 Glassford Square, Tillicoultry.

The Eastern section of the proposed plot is owned by the Council. Comment. *The proposed southern boundary of the site matches historic records held by the Council and no part of the plot is owned by the Council.*

The northern part of the site is owned by the owner of the fields to the north of the property. Comment – *the applicant has confirmed that they have purchased an area of land from the owner. This application includes the change of use of this area of land.*

Heavy lorries would cross the area of Council land to the south of the site in order to deliver materials. The lane which would be used is not suitable for heavy vehicles. Comment. *Permission to use the lane would be needed from the owner(s) as this is not a public road. Permission to gain access across the land to the south of the site would be needed from the Council. The applicant has not asked for permission from the Council at this time.*

The additional traffic which would be generated by the new house would exacerbate the traffic problems within Glassford Square. Comment. *There is limited on street parking available within Glassford Square which is relatively narrow and has sharp bends. Any parking on the street limits the ability to manoeuvre within the street. The proposed off street car parks within the driveway may not be effective due to their position and width of the driveway. Overall, the proposed new house may adversely affect road safety within the street.*

The use of the shared access is against Roads advice which advises that no more than two houses should share an access. Comment *While historic examples can be found where more than two houses share an access, the creation of a new access which is shared by more than two houses is not recommended. The access would be 60 m long which is unusually long for an urban access within a residential area.*

The applicant has used the planning system to create the opportunity to create an access to the side of the house. Comment. *The applicant applied in 2016 to change an area of sloping land to the northern side of 17 Glassford Square from agricultural land to private garden ground. (16/00097/FULL). This was to create additional level ground on the northern side of the house, the construction of a wall to retain the hill slope and allowed access to the rear garden which was limited by the position of the side boundaries of the property. This application was assessed against the policies of the Local Development Plan and granted in 2016. The applicant has subsequently created the level ground and erected the wall in accordance with the approved plan. Planting that was required has failed and the applicant has not yet undertaken replacement planting. He has stated that the planting will occur within the next planting season.*

A representation was received from Mr Stuart Smith, Westerton Farm Cottage, Glassford Square, Tillicoultry.

There have been problems in the past with delivery vehicles using the cul de sac head and there are concerns that deliveries to the site will create problems with parking and safety. Comment. *As Glassford Square is a public road, the Council can not restrict the use of the road by commercial vehicles.*

5. Summary of Supplementary Statements

None.

6. Summary of Section 75 Planning Obligations.

None.

7. Site History/Background

90/00429/PO – Erection of Two Houses (Outline) – approved.

91/00435/PD – Formation of Road and Footpath for Two House Plots – approved.

91/00434/PD – Erection of 2 Dwelling houses – approved.

98/00318/FULL – Erection of Domestic Garage and Alterations to Existing Garage - approved but the garage was not constructed.

16/00097/FULL – Change of Use of Agricultural Land to Garden Ground – Approved and partially implemented.

PREAPP-2016-065 Erection of 1 No house to Rear of Garden – Response sent detailing the Local Plan policies that were relevant and general comments on the proposed development. Conflicts with planning policies and Roads advice were outlined as this time.

17/00034/PPP - Erection of 1 No. house with Associated Access – this application proposed a similar layout for the new site and access, but was withdrawn by the applicant after advice from the Council that the application was likely to be refused following analysis of the policy position, Roads advice and the initial assessment of the proposal.

PREAPP-2017-054 – Erection of Dwellinghouse to North of House – Response sent detailing the Local Plan policies that were relevant and general comments on the proposed development. The difficulties of developing a steeply sloping site and the impact of a development on the amenity of No. 17 Glassford Square due the proximity of the proposed house were outlined.

8. Planning Assessment

(a) Local Development Plan

i. Policies

The relevant Development Plan Policies are Policy SC 5 (Layout and Design Principles), SC 7 (Energy Efficiency and Low Carbon Development), and EA 4 (Landscape Quality).

Clackmannanshire's Local Development Plan SC 5 states that new residential development is expected to follow the criteria listed in the policy and the advice in the Council's Supplementary Guidance on 'Placemaking'. The criteria includes an expectation that the development would; contribute positively to it's setting, the surrounding landscape / townscape and character of the area; integrate well with existing streets and neighbourhoods; employ sustainable construction techniques; ensure protection and enhancement of green networks and provide high quality landscape proposals.

Policy SC 7 states the new buildings must achieve energy efficiency and meet low carbon standards.

EA 4 states that development should be designed and located in such a way that the landscape quality and visual characteristics of the surrounding area is maintained and where possible enhanced.

From the information provided in the application, and comments, if any, received from third parties, we conclude that :-

garden ground is likely to be considered favourably if submitted for consideration.

The combination of the limited size and triangular shape of the proposed plot would require any new house on the site to be unacceptable close to the existing house at 17 Glassford Square. In addition the position of the proposed house with fields to the north and open space to the south would lead to an adverse visual impact. The house would appear detached from the adjacent housing and would not integrate with surrounding houses.

The proposed access is complex, does not meet Roads advice and would lead to parking and safety problems within Glassford Square which is a constrained existing access with limited parking capacity and restricted carriageway width.

Our assessment of this proposal takes account of the applicant's house, the position of, and alterations to, neighbouring properties, and any consequential predicted change to standards of amenity.

iii. Supplementary Guidance

The proposal does not accord with the guidance on householder developments in Supplementary Guidance No. 10 - Domestic Developments as it would adverse impact on the amenity of No. 17 Glassford Square and low standards of amenity would be achieved in the proposed new house.

(b) Other Material Considerations

None.

9. Recommendation

Approve	<input type="checkbox"/>	Approve with Conditions (see below)	<input type="checkbox"/>
Refusal (see below)	<input checked="" type="checkbox"/>	Referral to Historic Scotland	<input type="checkbox"/>

That the proposed erection of a house and associated access be REFUSED. The change of use of agricultural land to private garden ground whilst acceptable and retrospective is a detailed proposal that cannot be regularised through a planning in principle application.

Reasons for REFUSAL of proposed access and new house.

- 1. The proposed development of the site would detract from rather than maintain or contribute positively to the established character, amenity**

- The house would be a considerable distance from the public road and a significant portion of the driveway would be shared with either one or two houses. We would regard this development as backland development and as such it fails to satisfactorily integrate with the existing neighbourhood development in terms of relationship to buildings, garden ground and established standards of amenity. In addition the plot created would be atypical of the other properties in this area by virtue of its shape and position.
- The existing house at No 17 currently enjoys a high standard of amenity and privacy. This would be adversely affected by the creation of a driveway with parking spaces and turning areas to the side of the existing house. The proposed new house would be overlooked by the existing house and vice versa which would reduce the amenity of both as a consequence.
- The limited on street parking available on Glassford Square means that it would be inappropriate to allow further development remote from that road, even where additional in curtilage parking is proposed. While it is proposed to create parking places within the first part of the driveway, these are unlikely to be used as they are remote from the proposed house and the driveway width would make manoeuvring past vehicles difficult.
- The fields to the north of the proposed plot are within a special landscape area and this originally included the land which forms the northern part of the proposed plot. This appearance of this land has changed due to earthworks and it functions as part of the residential property. A limited visual impact has resulted from the change on the landscape quality of the adjoining fields.
- The applicant has not included any details that enable judgement to be made on the energy efficiency of the proposed house. This could be addressed in the assessment of an application for reserved matters which would be required before any house could be constructed.

ii. Proposals

The proposed incorporation of agricultural land to garden ground is considered acceptable as

- The strip of land has been excavated and the boundary fence re-established further up the slope. This coupled with the changes to the land to the north of the house means that it now reads as a part of the property rather than part of an agricultural field.
- The loss of this part of the field does not adversely affect the use of the rest of the field. There is no adverse visual impact from the change to garden ground.
- Whilst acceptable and retrospective this detailed change of use of land cannot be granted planning permission by a planning permission in principle application. However, a detailed application for change of use of this land to

and environmental qualities of the site and the surrounding area by reason of

- (a) The loss of more than 50 % of the rear garden of the existing house;
- (b) The creation of a site that due to its shape limits the useable space available for activities associated with the domestic use of the house;
- (c) The amenity of the existing house would be adversely affected by the creation of parking and turning areas in close proximity.
- (d) The proposed access does not comply with Roads advice in terms of its design and length.

2. The site boundaries and house position indicated in submitted plans do not accord with Ordinance Survey and historic records held by the Council. Therefore, the proposed plans are inaccurate and cannot be used to favourably determine the application.

The proposal is therefore contrary to policy SC 5 of the Clackmannanshire Local Development Plan 2015.

Plan Numbers Relating to the Decision

Plan1 Location Plan and Access, Plan 2 Site Plan.

10. Checklist

The application does involve development of land in which the Council has an interest

The list of owners/occupiers of neighbouring land has been verified during the site visit and appears to be correct

The charge for advertising this application has been paid or is not required

Any publicity period has expired

The recommendation requires authorisation by the following Appointed Officers:

Development Quality Team Leader

Development Services Manager

The recommendation/decision has secured added value which is recorded in Uniform	<input type="checkbox"/>
Two complete sets of plans to be approved are attached, or identified from the electronic file	<input type="checkbox"/>
The electronic file requires annotated plans which are attached	<input type="checkbox"/>
There are instructions to Business Support attached to this report/file	<input type="checkbox"/>
Site Notice & Note to Applicant required for National, Major or Bad Neighbour development	<input type="checkbox"/>
Coal Authority Householder Referral Area Note to go with Decision	<input type="checkbox"/>
Coal Authority Standing Advice Note to go out with Decision	<input checked="" type="checkbox"/>
Signed _____ (Case Officer)	Date <u>21/12/18</u>
Signed _____ (Team Leader)	Date <u>21/12/18</u>

**THIS PAPER RELATES TO
ITEM 4e
ON THE AGENDA**

Memo

To: Development Quality

From: Roads and Transportation

Extension 2593

E-Mail: roads@clacks.gov.uk

Our Ref:

Your Ref: 18/00244/PPP

Date: 27 November 2018

Subject: PLANNING APPLICATION NUMBER - 18/00244/PPP

APPLICANT: Mr John Neilson

DEVELOPMENT: Change Of Use of Agricultural Land to Private Garden Ground, Erection of Dwelling House to Rear of 17 Glassford Square and Formation of Car Parking and Turning Areas

LOCATION: 17 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU

I refer to the above mentioned planning consultation and would respond as follows:

ROADS AND TRANSPORTATION

Responding Officer: Stuart Cullen

You will be aware of my Section's previous consultation response (reference number 17/00034/PPP, dated 22 February 2017) and will note the recommendation against the granting of consent. In terms of the current application I would reiterate this recommendation.

On the comments made in the current submissions regarding provision of additional visitors parking in connection with the proposed house I note additional spaces are indicated to be accessed from within the existing private driveway. Spaces of this kind are unlikely to be effective as visitors parking given drivers not known to the residents are unlikely to drive into and park within a private driveway.

I trust this information is of use to you.

On behalf of

ROADS & TRANSPORTATION



Memo

To: Development Quality

From: Roads and Transportation
Extension: 2593
E-Mail: roads@clacks.gov.uk
Our Ref: C/017/00034/PPP
Your Ref: 17/00034/PPP
Date: 22 February 2017

Subject: PLANNING APPLICATION NUMBER - 17/00034/PPP
APPLICANT: Mr John Neilson
DEVELOPMENT: Erection Of 1 No. House With Associated Access
LOCATION: 17 Glassford Square, Tillicoultry, Clackmannanshire, FK13 6AU

I refer to the above mentioned planning consultation and would respond as follows:

ROADS AND TRANSPORTATION **Responding Officer: Stuart Cullen**

You will be aware my Section regularly advises the control of in-fill house development such that no more than two houses are accessed from a private driveway. This is to ensure that a reasonably short and unrestricted distance will always be available from a house's plot boundary to a public road frontage, i.e. a road frontage affording an adopted carriageway, footways, drainage, street lighting etc.

The driveway to access the application site currently serves two houses and as such the development would constitute a third house accessed in this manner. The proposal would also mean the site is accessed by a shared driveway in excess of 60m in length. The driveway links to Glassford Square the northern part of which is a turning head on to which 8 houses take either direct vehicular or pedestrian access. Glassford Square affords no on-street visitor parking provision at all.

As mentioned this section of Glassford Square already supports the access activity generated by 8 houses. This is a relatively high number of houses accessing on to a short section of road and I consider proposals for further development accessed via this constrained area not to be ideal in road safety terms. Also, given no convenient on-street visitors parking is available in the area, and no scope exists to provide such parking, this further reduces road safety standards in the area.

With the above in mind I would recommend against the granting of consent to this application.

I trust this information is of use to you.

On behalf of

ROADS & TRANSPORTATION



**THIS PAPER RELATES TO
ITEM 4f
ON THE AGENDA**

12th November 2018

Clackmannanshire Council
Kilncraigs Alloa
Clackmannanshire
FK10 1EB



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk

Dear Local Planner

FK13 Tillicoultry Glassford Square 17
PLANNING APPLICATION NUMBER: 18/00244/PPP
OUR REFERENCE: 769141
**PROPOSAL: Change Of Use Of Agricultural Land To Private Garden Ground,
Erection Of Dwelling House To Rear Of 17 Glassford Square And Formation Of
Car Parking And Turning Areas**

Please quote our reference in all future correspondence

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water

- There is currently sufficient capacity in the Turret Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul

- This proposed development will be serviced by Tillicoultry Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity at this time so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. The applicant can download a copy of our PDE Application Form, and other useful guides, from Scottish Water's website at the following link
www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms/pre-development-application

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not normally accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

Site Investigation Services (UK) Ltd

Tel: 0333 123 1223

Email: sw@sisplan.co.uk

www.sisplan.co.uk

- 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 to be installed, subject to compliance with 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.
- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.

- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/business/connections/connecting-your-property/new-development-process-and-applications-forms>**

Next Steps:

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at planningconsultations@scottishwater.co.uk

Yours sincerely

Angela Allison

Angela.Allison@scottishwater.co.uk

**Margaret Daniels
42 Jamieson Gardens
Tillicoultry
Clackmannanshire
FK13 6ER**

Ref18/00244/PPP

Dear Sir/Madam,

With regard to this application, my original concern was that the occupants of the new build would use the rear of the property as a shortcut to Jamieson Gardens. This is still my concern. Not one of the pictures in the papers I received show a picture of the property from the east to west showing a wall. In the other pictures they do not show a wall at the east end of the property, so this could be used as a shortcut to Jamieson Gardens.

I also worry that lorries would use the small road at the rear of our Jamieson Gardens property's to deliver building materials to the proposed build. The council have recently stopped using this road for the refuse lorry as it is not suitable for heavy vehicles.

After reading the papers I have another concern.

The artist impression from the north looking south.

This makes the houses in the south look three stories high and each garden has a garage. This then makes the proposed house look small. I know this is only an artist impression, but this is not a true representation.

Yours

Margaret Daniels

19 Glassford Square
Tillicoultry
Clackmannanshire
FK13 6AU



**THIS PAPER RELATES TO
ITEM 4h
ON THE AGENDA**

28th March 2019
Your Ref: 18/00244/PPP

Mr Lee Robertson
Solicitor
Resources and Governance
Clackmannanshire Council
Kilncraigs
Greenside Street
ALLOA
FK10 1EB

Dear Mr Robertson

Local Review - Planning Application for Change of Use of Agricultural Land and Erection of Private Dwelling

We refer to your letter of the 14th March 2019 regarding the above application by Mr Neilson and can confirm the following.

1. We objected to the original application on the grounds of road safety, breach of policy and manipulation of planning policy.
2. Mr Neilson has made no attempt to comply with his previous application for change of use to garden ground 16/00097/Full and is clearly looking to use this area as his future driveway (see below).
3. Mr Neilson is continuing to manipulate the planning process for the benefit of his proposed development and irrespective of his emotional reasons.

Therefore, I can confirm that irrespective of Mr Neilson's emotional reasons we maintain our objection to the development as previously advised.

Yours sincerely



Mrs June Lynch





Re: Fw: Notice of Review 18/00244/PPP
John Neilson to: Local Review Body

16/04/2019 16:10

Hi,

Thanks for the reminder.

With regards to Mrs. Daniels. This is mainly as a repeat of the first objection and as previously commented on. The reference to road use is not applicable as there is sufficient access off Glassford Square which is an adopted road.

As for the remainder of the comments perhaps she is unaware of the Scottish right to roam and that all of the neighbours use this same area to cross over to the Ochil hills with their dogs and children.

The wall she refers to was blown down during the January high winds.

With Regards to Mrs. Lynch. Again the inaccurate comments are similar to the original objection. However, I take exception to the comments listed as .

2. As per Mr Stoddart's summary in his formal report, the work being carried out is in accordance with the change of use permission granted in 2016. The additional work completed is the re-build of the dry stone dyke running South to North on the eastern boundary.

3. I take great exception to the word "manipulation". Again as per Mr Stoddart's formal report, the work done during 2016-2017 was all in accordance with the approved change of use in 2016. As the same neighbour would know that due to an unfortunate serious escape of water in our house Feb 2018 resulted in us being out of our house for nearly 10 months, no work on the land was carried out during this particular year.

As per my previous comments, the only "manipulation" carried out was the same neighbour's attempt to stage manage a parking problem in Glassford Square at the hammerhead by parking family cars in strategic places. How sad and desperate.

Regards and thanks again for the reminder.

John Neilson

