



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

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

Local Review Body

Tuesday 14 January 2020 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.

6 January 2020

MEETING of the LOCAL REVIEW BODY will be held within the Council Chamber, Kilncraigs, Alloa, FK10 1EB, on TUESDAY 14 January 2020 at 9.30 AM.



LEE ROBERTSON
Solicitor, Legal Services

B U S I N E S S

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- | | | |
|----|---|-----|
| 1. | Apologies | -- |
| 2. | 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. | |
| 3. | Notice of Review: | |
| | Mr and Mrs 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 19/00112/PPP) | |
| a. | Application for Notice of Review and Supporting Statement (with attachments 1 - 12) | 05 |
| b. | Planning Application | 87 |
| c. | Refusal of Planning Permission | 95 |
| d. | Report of Handling - Planning Application Delegated Report | 101 |
| e. | Response to Planning Consultation from Clackmannanshire Council – Roads and Transportation | 111 |
| f. | Response to Planning Consultation from Scottish Water | 113 |

Members of the Local Review Body:

Councillor Jane McTaggart (Vice Convenor)

Councillor George Matchett QPM

Councillor Kenneth Earle

In the absence of the Convenor of the Local Review Body, the Vice Convenor will Chair the meeting.

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

**THIS PAPER RELATES TO
ITEM 3a
ON THE AGENDA**

CLERK TO THE LOCAL REVIEW BODY

CLACKMANNNSHIRE COUNCIL

KILINCRAIG

ALLOA FK10 1EB

17 GLAS

TILlicouLTRY

FK13 6AU

08th OCTOBER 2019

Dear Sirs,

under section 43A of the Town and Country Planning (Scotland) act 1997

Appeal under NOTICE OF REVIEW to REF No 19/00112/PPP

Covering Letter,

Since the first communications with the Planning Authorities way back in Nov 2016 I have made every conceivable effort to meet the initial concerns of Mr Duguid's email of 15th March 2017.

No matter what resolve I introduced or whatever improvements I physically carried out, it was always met with yet another additional adverse comment.

For example. Widened the driveway, shortened the driveway in length and created off-street parking for visitors. The answer back from roads "**un-known visitors** would not be able to find the address and be unaware of off-street parking" There was no mention or acceptance of having met their original concerns.

It took over 2 years to convince the Planning Authorities that they had got it wrong with regards to the orientation question. I got the distinct feeling that my honesty was being questioned.

Having come to the conclusion in October 2018 that perhaps this was, or any other application to build a "care" home for me and my wife in our latter years for the purposes of maintaining our close family unit was not worth the stress it was causing. I approached the Planning Authority in Oct/ Nov 2018 for support to build an annex (old name grannie flat) The outcome being from a site meeting with both Mr Finlayson and Mr Stoddart I was encouraged **to continue with** the house build option. Only to be given the response that this was not possible due to the new issue of building in the countryside and intimations that I had to meet most if not all of the same refusal conditions as this appeal is trying to address.

I then contacted them formally in May 2019 to get a formal written response on an annexe build. Only to be given the response that " It is considered that both proposed locations for a detached ancillary annexe building would likely to have significant impacts on existing residential amenity, similar to the previous concerns of this service in respect of earlier pre-application advice and featuring in the refusal of Planning application 18/00244/PPP" How can this be when an annexe build is considered part of the main property?

This may all sound like criticism of the process but trying to have meetings to review issue rather than phone calls is impossible. You only get answers to selected questions. At some point in time you would just like to here what you can do rather than NO, NO, NO. It was always my impression that the meetings with the Planning Authorities was a two-way street of discussion and compromise (sounds like Brexit).

With regards to the LRB decision made during the review of 18/00244/PPP IN May 2019 to have a site visit can I request that the board carry out **the site visit** prior to the formal meeting that we are allowed to attend. Not only this site but the site approvals recently within Glassford Square and the 2 long drive approval sites off the main Road A908. Referred to in Attachments 7 and 8.

Yours Truly

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	TILlicouLTRY	Town/City	
Postcode	FK13 6AU	Postcode	
Telephone	[REDACTED]	Telephone	
Mobile	[REDACTED]	Mobile	
Fax		Fax	
Email	[REDACTED]	Email	

3. Application Details	
Planning authority	CLACKMANNANSHIRE COUNCIL
Planning authority's application reference number	19/00112/PPP
Site address	
17 GLASSFORD SQUARE TILlicouLTRY FK13 6AU	
Description of proposed development	
CHANGE OF USE OF A SMALL AREA 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.	

Date of application

11th June 2019

Date of decision (if any)

21st August 2019

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.

This Appeal is based on and supported by the numerous precedences set on recent Approvals given by the Planning and Roads Authority same as this refusal. In addition the applicant would argue that he achieved all of the original concerns expressed in the pre-plan communications of 2017 PREAPP -2016-065

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:

No.

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 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 47.5%) of the rear garden fails to recognise that the remaining rear garden area is 278 sqm in size. It also fails to highlight the additional garden ground to the North and in the ownership of No 17 of over 400sqm. 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 created confusion on "orientation" and size of the plot. Cleared eventually in June 2019 by supplying to P.A. for the second time title deeds in May 2019. There was a number of requests in 2017 to have this resolved face to face pre-determination. With no response due engineer,s holidays and then retirement.
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 13% of the available plot size. This is technically an incorrect assessment. Previous drawings intimated a house size of 13.2mx 5.9m. Fits easily onto the plot.
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 dept concerns on off street parking, still negative comments are being made. The Roads Dept made NO representation OR COMMENT on this application.
5. Conflicting or unfair decision making with regards to similar projects approved in Glassford Square and other areas of Tillicoultry with similar issues of long drives, 3 houses off a private drive and on the boundary edges of Tillicoultry.

One of which was a 3 houses off a private road applied for in the same year as this one. 2016

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 numerous approvals similar or same as this application.

Please refer to the numerous attachments to this Appeals form supporting this Appeal.

1. Refer to Attachment 1 which shows the capability of fitting in a house. Contrary to the officers findings.
2. 16/00146/PPP. Granted August 2016 a third house. Making it 3 houses with traffic access off a private drive 95m long leading onto and off the main road A908 Tillicoultry. With roads concerns noted.
3. 00/00291/FULL. Approved 2001. With a long drive 73m Long leading onto and from the main A908 Tillicoultry to Alloa. And is a backland development similar to this application.

Reason for raising new material. No matter how often the applicant referred to as similar or same issues approved elsewhere in Tillicoultry. Even in the same street Glassford Square. The standard answer you get is "all applications are judged on their own merit"

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. Drawings showing the proposed house fitting into the site comfortably.
Attachment 2. Proposed house shown to the Officer but in his report says no proposals were seen or received
Attachment 3. Approved planning 08/00126/FULL 2008 with serious concerns on road safety and major Garden loss.
Attachment 4. Planning approval 08/00126/FULL 2013. Removing every Roads concerns as per 08/00126/FULL 2008
Attachment 5. Planning approval 16/00162/ FULL. Roads response "no objection" House footprint 27% small plot.
Attachment 6. Approval 19/00131/FULL. Removing the remaining front garden amenity of 6 Glassford Square.
Attachment 7. .Approved backland development on a drive 73m long. No visitor parking.
Attachment 8. Approval of backland 3rd house development off a private driveway.16/00146/PPP July 2016.
Attachment 9 Photographs of poor state of ground, clearance and subsequent improvements. On going.
Attachment 10. Correspondence from Clacks Housing Development confirming open area parallel to proposed plot is developable land.

THERE ARE ALSO ATTACHMENTS 11 AND 12. (CAN'T PRINT OFF IN THIS BOX)

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:

08-11-2019

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

This appeal is based on and supported by the precedence set on recent approvals given by the Planning Authority and the Roads Authority.

In addition, the applicant would argue that he met the original concerns intimated in the pre-plan communications of 2017.

PREAPP-2016-065. Which were: -

Orientation and size concerns. Were found to be inaccurate assumptions made by the Planning Authority. Solved by presenting to the Planning Authority the title deeds of ownership.

Off street parking concerns. Solved by the widening improvements to the Private drive. Allowing for off-street parking for visitors.

Length of drive. As proven the Planning and Roads Authorities both have accepted Private Drives longer than this proposal.

3 houses off a Private Drive. As proven the Roads Authority approved this on a recent (2016). Application. The same year as the first approach to the Planning Authorities by the applicant.

Backland. The land that runs parallel to the south boundary of the proposed site is developable land belonging to Clackmannanshire Local Authority. How can this area be classed as backland?

Objections from Neighbours. None.

Planning Authority List of recent approvals and precedents set.

Approval of high level of amenity losses.

Approval of large house footprint in relation to the site size.

Approval of detracting away from rather than maintain or contribute positively to the established character, amenity and environmental qualities of the various approved sites not dissimilar to the applicant's submission.

Approval of visitor parking within the area of development

Approval of backland development

Roads Authority list of approvals and precedents set

Acceptance of 3 private houses off a private driveway. Not "historic" but in the same time frame of the applicant's submissions 2016/7.

Acceptance of access to and from properties with road safety issues greater than that of the applicant's submissions. In particular within Glassford Square.

Acceptance of poor provisions or non-existing off-street parking and visitor parking.

Acceptance of longer private driveways than that of the applicant's submissions.

Acceptance of visitor parking and turning areas within the area of development.

Reasons for refusal. Appeal Comments.

- a. The creation of a site that due to its shape could not acceptably provide for the satisfactory position of a house and the useable space available for activities associated with the domestic use of the proposed house would be inadequate and poorly arranged.

See attachments 1 and 2 that shows a house 13.2m x 5.9m comfortably fits and suits the site.

Attachment 1.

Scaled 1-200 site drawing showing 2 alternative house positions that clearly fit into a satisfactory position leaving 334 sq.m for "useable space available for activities associated with the domestic use of a private house".

The house footprint is 77.88 sq.m being 13% of the total site area of 595 sq.m.

Attachment 2.

The house type that had been previously shown to the Planning Authority was a HEB home type LH102. This has not altered.

The Planning advice given to the applicant was to work within a maximum of 25% of the site area to be used for the residential home. The proposed house is well within this at 13% of the entire site.

The following attachment references are specific to the recent Planning and Roads Authority's approvals to show the level of inconsistencies and precedents set with regards to the issues given for refusal of the applicant's Planning Application 19/00112/PPP.

The applicant's intentions are to considerably improve and contribute positively to the established character, amenity and environmental qualities of the proposed site and the surrounding areas. With the input from the Planning and building Control disciplines can and will improve well beyond what is currently enjoyed.

There is no established character associated to the type of houses in this area. There is a mix of 2-storey, 1.5 storey, bungalows and cottages. All with differing stone work and roof slating. There is no consistency of designs.

Attachment 3. 08/00126/FULL. April 2008. No 6 Glassford Square

Approval in a conservation area.

Loss of 67% of the entire front and only garden amenity yet it was approved.

A very high level of privacy was lost. Detracting heavily away from the established character, amenity and the environmental qualities of open space that previously existed.

The original house previously had an uninterrupted view over Upper Mill street and beyond this was eradicated completely.

Approved traffic access immediately onto the main road Glassford Square.

Attachment 4. 13/00106/FULL May 2013. 6 Glassford Square

Re-approval of 18/00126/FULL Above. But roads comments now "no objections"

Attachment 5. Refer to 16/00162/FULL July 2016 6a Glassford Square.

The plot size is 297 sq.m.

The house footprint is 79.5 sq.m with off-street parking of 30 sq.m.

The house footprint to plot size is 26.8%.

Leaving 167.5 sq.m for the **"useable space available for activities associated with domestic use of a house"**

In comparison to the applicants proposed site and house

The plot size is 595 sq.m

The house footprint is 77.88 sq.m with off-street parking of 159 sq.m

The house footprint to plot size is 13%

Leaving 358 sq.m for the **"useable space available for activities associated with domestic use of a house"**

Attachment 6. 19/00131/FULL Aug 2019 No 6 Glassford Square

Removes the remaining 23% of area that was for **"useable space available for activities associated with domestic use of a house"** All of the original front garden amenity has gone and replaced with a driveway and garage. In a conservation area.

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Attachment 7. 00/00291/FULL. Feb 2001. 111 Alexander Street Devonside.

house approval is on the very western edge of the residential boundary of Devonside on the opposite side of the A908 along from 16/00146/PPP. Could be categorised as backland in so far it is the same as 19/00112/PPP situated to the rear of an existing private house and on the very edge of a residential boundary

The applicant's site is on the Northern edge but within the residential boundary of Tillicoultry

Both are the same in that they are positioned on the edge of but included in the Residential Boundaries of Tillicoultry

The private driveway servicing this approved house is 73m long and to the rear of the private house Number 109. Similar to the applicant's submissions.

This is a "backland" development.

Attachment 8. 16/00146/PPP. July 2016. 48 Alexander Street Devonside Tillicoultry

Planning approved of this application is almost **identical** to the applicant's submission.

This site is on the very **Western Edge** within the Residential boundary of Devonside. Tillicoultry. On the North side of the A908.

The applicant's site is on the **Northern Edge** within the residential boundary of Tillicoultry.

Both are the same in that they are positioned on the edge of but included in the Residential Boundaries of Tillicoultry

Loss of 45% of the rear garden of Number 48 Alexander Street. However, with no front garden amenity.

The applicants rear garden Loss is of 47.5% of the rear garden of 17 Glassford Square. However, in addition There is also a front garden amenity of 84 sq.m. And an additional garden area of over 400sqm to the North side of the house.

Roads and Planning Authority approval of vehicular access to 3 houses off a long narrow private driveway. The private driveway in total is 95m long serving 3 houses. The private drive length is **75m long and at entry is 2.9m Wide**

The applicants private drive length is **65m long and at entry is 7.5m wide**

Could be categorised as backland in so far it is the same as 19/00112/PPP situated on the very edge of a residential boundary.

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

The area to which this issue refers lies to the North side of the house and is located on additional land, **NOT**, part of the original house 17 Glassford Square.

It is an additional amenity, not a loss of amenity.

On a technical point the applicant does not need Planning Permission to create off-street parking.

With regards to the view over to the high amenity known as the area of great beauty this is not interrupted by the provision of off-street parking at ground level.

Attachment 9. Photographs

What the L.R.B, I believe, should be taking into consideration in their deliberations is what was the condition of this area prior to the current applications. Please refer to the photographs provided.

The area was derelict, overgrown and not remotely considered as "an area of great beauty"

It was being used as a dumping ground for large tree cuttings for years

To suggest a level of affect as "adverse" is technically overstated due to the low additional daily traffic associated with a single house development.

In addition, the short-sighted view being taken without really appreciating the landscaping plans that would arise from a successful approval. Where it is certainly not the applicant's intention to reduce the existing poor visualisation of this area but greatly improve it. The first Planning Team Leader (Mr Duguid) handling this project in 2017 took a number of photographs pre-landscape development of this area. North/East facing view prior to current minimal landscaping it was grossly overgrown with weeds, bushes and dying gorse bushes. Since landscaping of this area has commenced the "vista" improvements to the whole surrounding area and beyond 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 the site. The landscaping plan as we move forward will include the planting of native plants to the Ochil Hills. This stone dyke previously that was derelict and not visible to others due to its close proximity to No 17 Glassford Square has been re-located adding a considerable improvement to the amenity of No 17 and others. Not an adverse effect.

Photo of the start of improving the environmental Landscaping bringing it back to a rural outlook where as before it was derelict.

Re-built stone dyke running South to North on the hill side Garden area. As part of the improved landscape. Just one example of bringing back the rural look.



Photo of the start of improving the environmental Landscaping bringing it back to a rural outlook where as before it was derelict.

Re-positioned stone dyke wall that is intended to be extended down the full length of the northly boundary between the proposed site and the area of Special Landscape Area. Giving a much more rural look to the Northern Boundary of the Plot. Rather than the derelict wire post fencing that exists today.



a. The proposed site does not comply with Roads advice in terms of its design and length.

The Roads Authority Failed to respond to the consultation request date of 11th June 2019. There were no consultation comments from the Roads Authority against this application posted into the Portal. Why have the comments of the previous application been added?

Of the 19 neighbours notified with regards to this application, not one gave any concern to road safety or increase in traffic associated to a single house development

However, please refer back to: -

See Attachment 3 (c). 08/00126/FULL Apr 2008. 6 Glassford Square

Where Roads Authority had major concerns and recommendations.
Roads advice and comments in 2008 which were:

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.

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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.

See attachment 4 13/00106/FULL May 2013. 6 Glassford Square

Revalidation of 08/00126/FULL where in the Roads Authority dropped ALL of their concerns. Roads response "**NO OBJECTION**" with NO reference back to their serious concerns of 2008.

See attachment 6 19/00131/FULL June 2019. 6 Glassford Square

Approval of a vehicle driveway directly onto Glassford Square. Vehicular exit and entry directly on/off the main drag of Glassford Square outside the public inn known as the Woolpack with no concerns on road safety? Removing all aspects of Garden amenity previously enjoyed.

Page 8

**Attachment 8. 16/00146/PPP. July 2016. 48 Alexander Street, Devonside
Tillicoultry.**

Planning approved this application resembles extremely closely to the applicant's submission.

Roads Authority for a third house off a long narrow private drive.

The private drive in total is 95m long serving all 3 houses. The private drive length to the approved plot is 73m long.

A long narrow private drive supporting 3 houses for vehicular access and exit to and from the main A908 Road with restricted Eastern line of sight onto the A908. **Roads Authority** made comment and listed this concern.

There comments were: -

"I note the site for development can be accessed from a private driveway. Which links to the A908 Alexander Drive? Within the urban envelope of Devonside. The access onto 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 Alexander Street could restrict the visibility to the east if this boundary were to change in the future."



Attachment 7. 00/00291/FULL. Feb 2001. 111 Alexander Street Devonside
Tillicoultry.

This house approval is on the very western edge of the residential boundary of Devonside on the opposite side of the A908 along from 16/00146/PPP. July 2016. The applicant's site is on the Northern edge but within the residential boundary of Devonside Tillicoultry.

A backland Development

This private driveway servicing this approved house far end of the Private Drive is 73m long and to the rear of the private house in the fore ground Number 109. Same as the applicant's submissions.



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Photo. Photographs of HARBOUR VIEW Bowhouse Road. **27 HOUSES** off a private factored driveway. No greater than 3m wide for the entire length

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 27 houses running parallel with Bowhouse Road and Alloa Academy has a private factored driveway facility approved of which the length is over 200m long and 3m wide.



With these three approvals Pages 8,9 and 10 alone precedents have already been set for the acceptance of extremely long private drives serving 3 or greater private house.

The applicant's 18/00112/PPP Private Driveway is for visitors and residents only. Unlike the approvals at 6 and 6a Glassford Square of which both are on the major through flow of traffic over 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.

d) Loss of 50% of the original rear garden. (actual is 47.4%)

What is not highlighted is the remaining rear garden of 232 sq.m and the front garden amenity of 84 sq.m

What the report also fails to highlight is the additional Garden area of over 400sq.m to the North of 17 Glassford Square and belonging to 17 Glassford Square.

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

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.

The applicant would request that visits are made by the LRB representatives to all of the sites referenced in this appeal process to fully appreciate the identical and similarities to this refused application 19/00112/PPP.

4. Summary of Representation. Comments.

19 neighbours notified. Not one of them expressed any concerns of Road Safety or parking as described by the Roads Authority. Nor any comments on loss of privacy, amenity or being over looked.

Roads Advice on no more than two houses off a private driveway is but advice only and is NOT a policy within the LOCAL DEVELOPMENT PLAN.

The comment on "historic" examples of approval. 2016 cannot be described as historic. With regards to the approval of 16/00146/PPP 3 houses off a Private Drive longer in length than that of the applicant's submission 19/00112/PPP.

In addition, approving 27 houses off a private 3m wide factored driveway within the Development known as HARBOUR VIEW.

5. Summary of Supplementary Statements. Comments.

Whilst technical correct to intimate 2 refusals, the second application was recommended by the L.R.B during the meeting of May 2019. So, in truth there has been 1 refusal that is being RE-appealed.

7. Site History/Background. Comments

PREAPP-2016-065 Nov 2016

In Nov 2016 there was an initial approach by the applicant to the Planning Department to have a meeting to discuss a pre-planning application. This request was denied. However, email comments were made that identified some issues to be addressed.

The advice given at that time included the statement that the proposal **did represent development within the settlement boundary of Tillicoultry, while that principally would normally offer support to a proposal of this nature.**

All of the issues that arose from this pre-planning advice were progressively addressed.

The question of orientation Was addressed to the benefit of the current appeal application ref 19/00112/PPP. The site turned out to be larger than first recognised.

Roads Authority concerns on Parking, road Safety and length of Drive. Were addressed to the extent that in an email 8th June 2018 commenting on a new drawing showing the upgrade to the private driveway with off-street parking and visitor parking. Mr Stoddart made comment of "whilst these spaces partly addressed the concerns of the Council Roads department. The length of the drive being over 50m was still a concern"

See Attachment 12. Confirming email with the above comments

Backland Question. The site runs parallel to the North of the Council owned land which is developable land as confirmed by the Housing Investment Officer in an email dated 2nd May 2014. **See email attachment No 10.**

How can you describe the applicants proposed plot as backland when the council owned land runs parallel to the Area of great beauty as does 19/00122/PPP? Yet the Council Land is considered developable?

Despite having addressed almost all of the initial issues raised by Mr Duguid in 2016/17 the same issue arose in the refusal of 19/00112/PPP.

PPP 17/00034/PPP Feb 2017 was submitted.

Having received adverse comments in an email dated 15th March 2017 the applicant attempted to get a meeting with the Planning Team Leader Mr Duguid to fully understand the issues arising but in particular the boundary "historic records" issue raised and the roads departments concerns. Both of which the applicant was confident could be resolved. However, Mr Duguid had gone on holiday and no one would meet with the applicant or were able to explain the comments made. Later applicant was informed that Mr Duguid 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 orientation boundary "historic records" concerns and offer solutions to the Roads Department concerns.

To try and resolve the orientation boundary issues the applicant sent to Mr Duguid copies of the legal title deed of the lands in question. The applicant did not receive a response and assumed, wrongly, that the issue of orientation boundaries had been resolved. Just days prior to decision day that Mr Duguid had retired.

The applicant did not get a response after having sent in the title deeds in 2017. If it had been then this issue would have been resolved much earlier.

This was repeated as recently as July 2019. Which fully resolved any concerns the Planning Authorities had held in question since 2017.

This PPP application was WITHDRAWN **not** because the intimations that the application was likely to be refused but due to the Planning Authority not wishing to meet and discuss with the applicant the intimations of the email 15th March 2017.

PREAPP-2017-054

See attachment 11 emails relating to the following.

On 6th November 2017.. There was a site meeting with Mr Finlayson and Mr Stoddart to discuss the possibility of an annex build running parallel on the North side of 17 Glassford Square. We toured the area in question and looked at the bottom garden site currently under appeal. We did not get into this proposed agenda of an annex build due to the fact that I was asked "what exactly did I want?".

The applicant's response was ideally a house build on either the North side hill area or at the bottom garden. The answer I received was "If I thought that you had no chance, I would tell you now"" however I cannot say that"

Page 14

With these positive comment in mind we toured the access private driveway and positive comments were made as to its condition and access capability.

The applicant presented to both gentlemen a magazine design of a house perhaps suitable for the North side. The comments were favourable with the conclusion that the applicant was requested to submit a block plan and massing drawing.

The applicant brought up the question on this area being included in the residential boundary of Tillicoultry to which the response was "it would be looked into"

Prior to going to the cost of such a drawing the applicant was concerned as to Mr Finlayson's level of knowledge on this area with regards to the question of inclusion within the residential boundary of Tillicoultry?

The applicant tried to clarify this issue with Mr Stoddart by sending an email dated 9th November 2018 3 days after the site meeting. **To which a response was not received.**

However, due to the positive comments and advice given during the site meeting the Applicant submitted the requested block diagram and massing drawing.

The ref PREAPP-2017-054. Clearly intimated that this area was not with in the residential boundary of Tillicoultry and was being regarded as countryside with conditions attached that were impossible to meet.

Had the applicant's email of 9th November 2018 received a response with regards to the question of "within the residential boundary of Tillicoultry" This issue of a build in this area would not have progressed and costs avoided.

It was the Planning Authority who encouraged the applicant to consider submission for a new build. Not the other way around.

The applicant's sole purposes at that time in Nov 2017 was to hopefully progress this whole issue by erecting an annex build. NOT A NEW BUILD.

Page 15

Under the comment of **"The house would be a considerable distance from the Public Road.** As proven in this appeal house distances from main roads have been approved within Tillicoultry in excess of the Applicants proposal.

19/00112/PPP. Length of drive 65m. Refused 2019 onto Glassford Square cul-de-sac.

16/00146/PPP. Length of drive 75-95m. Approved 2016 from and to the main road A908

00/00291/FULL. Length of drive 73m. Approved 2001 from and to the main road A908

Under the comment of

"The applicant does not provide details of the size or location within the rear garden"

Then to go on suggest a 10mx9m Would not fit is both suggestive and miss-leading. The applicant had in previous correspondences and at a meeting in Feb 2019 presented a typical house type and location. The house being 13.2m x 5.9m which fits comfortably. If this was an issue of concern. Then why not ask?

See attachments 1 and 2.

Under the comment of

The existing house at No 17 currently enjoys a high standard of amenity and privacy.

Agreed by the applicant however disagrees with the level of loss. The added value of the additional garden to the North of 17 Glassford Square more than accommodates the loss of the bottom half of the rear garden.

Invariably in the past whenever a neighbour happens to object to a development near to their home it is ignored by the Planning Authorities.

The applicant has every intention to increase the amenity feature for both properties with a high level of landscaping and screening.

Under the comment of

The limited parking on street available on Glassford Square means that it would be inappropriate to allow further development.

The applicant has never had the need to use Glassford Square over the past 27 years for parking. The existing house 17 Glassford Square has private parking provision for 4 vehicles at its front door and a further 2 parking areas at the entrance to the drive off Glassford Square.

The applicant has made the provision for 2 visitor parking areas within the proposed site and 2 parking spaces specifically to serve the new property.

Page 16

Under the comment. **The fields to the north** etc goes on to say

"a limited visual impact has resulted from the change on the landscape quality of the adjoining field and this would be exacerbated by the approval of a new house on adjacent land to the special landscape area." The fields are not landscaped.

This comment is inaccurate and subjective when in fact the applicant's current South boundary to the Special Area of great beauty is somewhat obstructed by the onsite Conservatory and bricked wall.

Photo. The current view over the garden towards the area of Great Beauty. The hills.



Comments on the Proposal page

The strip of land that is referred to was not part of the agricultural field at the time of purchase. It was a waste piece of land historically positioned between the residential boundary of Tillicoultry and the original bottom garden of 17 Glassford Square. As it turned out from closer examination of the official title deeds most of this area was included in the original purchase of the entire area some 27 years ago. **See the submitted application drawing.**

The combination of the limited size. On one hand the Planning Authority makes the comment of "isolation" then on the other hand intimates that the proposed house would be unacceptably close to the existing house. A contradiction in terms?

However, the proposed house gable end to gable end of 17 Glassford Square is a distance of 19.5m.

The position of the proposed house. The open space to the South is developable land belonging to the Local Authority. Not one of the 12 notified neighbours along Jamieson Gardens gave any concerns as to the proposed house being of an adverse visual impact. In fact, the applicant would argue that the visual impact would be considerably improved by removing the conservatory which is a poor visual impact looking North from Jamieson Gardens. A family home would be much more appreciable visually.

See photo above.

- e) The proposed erection of an additional dwelling house on the site would result in a building **isolated** from the grouping of existing buildings to the detriment of the landscape character of the Special Landscape Area.
Isolation is somewhat a "subjective view" when you consider that on page 6 of the report handling it states the new house **"would be unacceptably close to the existing house at 17 Glassford Square"**

A contradiction in terms with regards to being isolated v too close to an existing residential house?

The location of the new house would be somewhat similar in its parallel location with the Special Landscape Area as is the existing house 17 Glassford Square.
Of the 19 neighbour consultations not, one made representation as to the "detriment of the landscape" or unacceptable effect on privacy or visual impairments of the Special Landscape Area.

Page 18

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

Page 1. The Proposed Development,

Paragraph 1. House positioning issue.

With regards to the positioning of a suitable house. Whilst not specified this was on the advice and comment by the Planning Authority during the initial approach in 2016.

The advice at that time was a rule of thumb approach to a maximum of 25% of the plot or site to be used for the purposes of a house construction. This application clearly intimates a use of 13%.

However, a potential positioning of a suitable house was sent to the Planning Engineer in an email dated 28.06.18.

Paragraph 3. Historically, a single area of approved developable land. This description is the most relevant description as opposed to the "backland" comments of today. The applicant's submissions are on the same piece of ground which was a single area of ground. Just happens to be the end part.

The site runs parallel to the North of the Council owned land which is developable land as confirmed by the Housing Investment Officer in an email dated 2nd May 2014.

How can you describe the applicants proposed plot as backland when council owned land runs in the most part parallel to the Area of great beauty? Yet considered developable?

It is agreed and confirmed by the Planning Authority that this site is entirely within the Residential Boundary of Tillicoultry and as quoted by the Planning Authority as normally supported. The advice given included the statement that the proposal **did represent development within the settlement boundary of Tillicoultry and that principle would normally be offered support to a proposal of this nature**

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 4 residents at the front door and 2 car visitor spots at the top of the drive.

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. **See attachment 8.**

Page 19

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 2018 with the Planning Officer and the new Planning Team leader. It was their advice to make such an PREAPP 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 the applicant to go down the route of a potential house build 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 house 17 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 19m.

When you consider the current closeness of No 17 to No 19 on the South side is 14.6m

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 worthy of comment? The visual impact comment is one of those subjective views. When you consider that 12 neighbours notified of the development over 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 never 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.

Page 20

As intimated in the supporting documents summary to the original application this one 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. 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. The retention of the "**family unit**". Family support of care and not have to rely on any independent or social elderly local care systems. We have lived in and greatly assisted created this area over a 35 years period.

NOTICE OF REVIEW.

APPEALS PLANNING AUTHORITY, S APPLICATION REFERENCE NUMBER 19/00112/PPP.

SECTION 9. LIST OF DOCUMENTS AND EVIDENCE. Due to the restrictive nature of this electronic form, listed below is a complete list of all attachments.

Attachment 1.

3 drawings showing the proposed house type fitting into the site comfortably.

As against the reason for refusal: - Which intimates

- (a) **The creation of a site that due to its shape could not acceptably provide for the satisfactory position of a house and the useable space available for activities associated with the domestic use of the proposed house would be inadequate and poorly arranged.**

Attachment 2.

Proposed house type as referenced in "proposed house" (a) above.

Attachment 3.

APPROVED APPLICATION IN THE SAME STREET GLASSFORD SQUARE

3 parts

An Original Approval 08/00126/FULL April 2008

B. Approval of the site with a loss of 70% of the front and only garden in a conservation area

C. Roads consultation giving serious concerns and proposals to elevate the issues raised.

Attachment 4

3 parts

- (A) Additional 5 year extension to 08/00126/FULL as per Attachment 3.
- (B) Roads consultation, however "no objection" contrary to original consultation major concerns as per Attachment 3 (C).
- (C) Original notice to develop within a conservation area.

Attachment 5

3 parts

- (A) Approval 16/00162/FULL July 2019
- (B) Roads consultation, however "no objection" contrary to original consultation major concerns as per Attachment 3 (C).
- (C) Final design approval of the house to be and was built. Plot size 297sqm-House footprint 26.8%-Driveway immediately on to main through road Glassford Square-Domestic area use 167.5 sqm.

Attachment 6

2 parts

- (A) Approval 19/00131/FULL. Removing the remaining "area for domestic use" as intimated in the original application Attachment 3.
- (B) Approved drawing for a pre-fabricated garage and modern Monobloc driveway in a conservation area.

Attachment 7

4 Parts

- (A) Approval 00/00291/FULL of a back land development with a driveway 73m long
- (B) Drawing approval of the back land development behind No 109 Alexander Street
- (C) Back land location drawing
- (D) Google earth showing extent of the back land development on the edge of the west side residential boundary.

Attachment 8

5 Parts

Approval 16/00146/PPP July 2016. 3RD House approval off a narrow private driveway.

- (A) Approval of a 3 vehicular access to 3 private houses off a narrow private driveway 95m long.
- (B) Buckland location drawing. With Plot in the rear garden of No 48 Alexandra Street
- (C) Roads confirming concern comments as per the original application 12/00155/PPP July 2012.
- (D) Roads Consultation concerns on the original application 12/00155/PPP

Attachment 9

9 Parts

Nine photographs of before development of the extended garden and after photographs of the commenced improvements by landscaping back to a rural outlook

Attachment 10

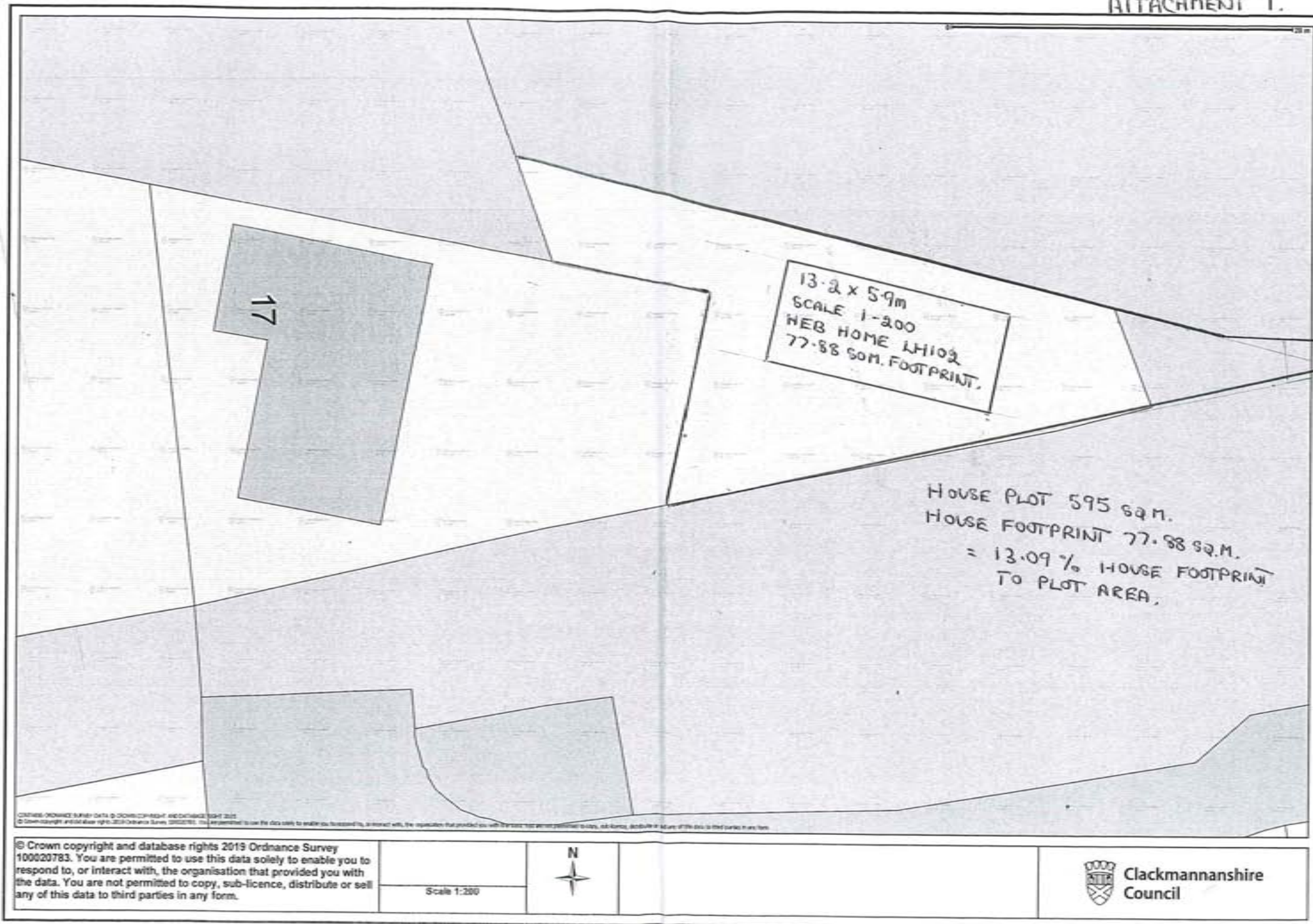
Confirmation email from the Council Housing Team confirming the open area running parallel to the applicant proposed house plot. Challenging the "BACKLAND" comments of the planning Officer Delegated Report.

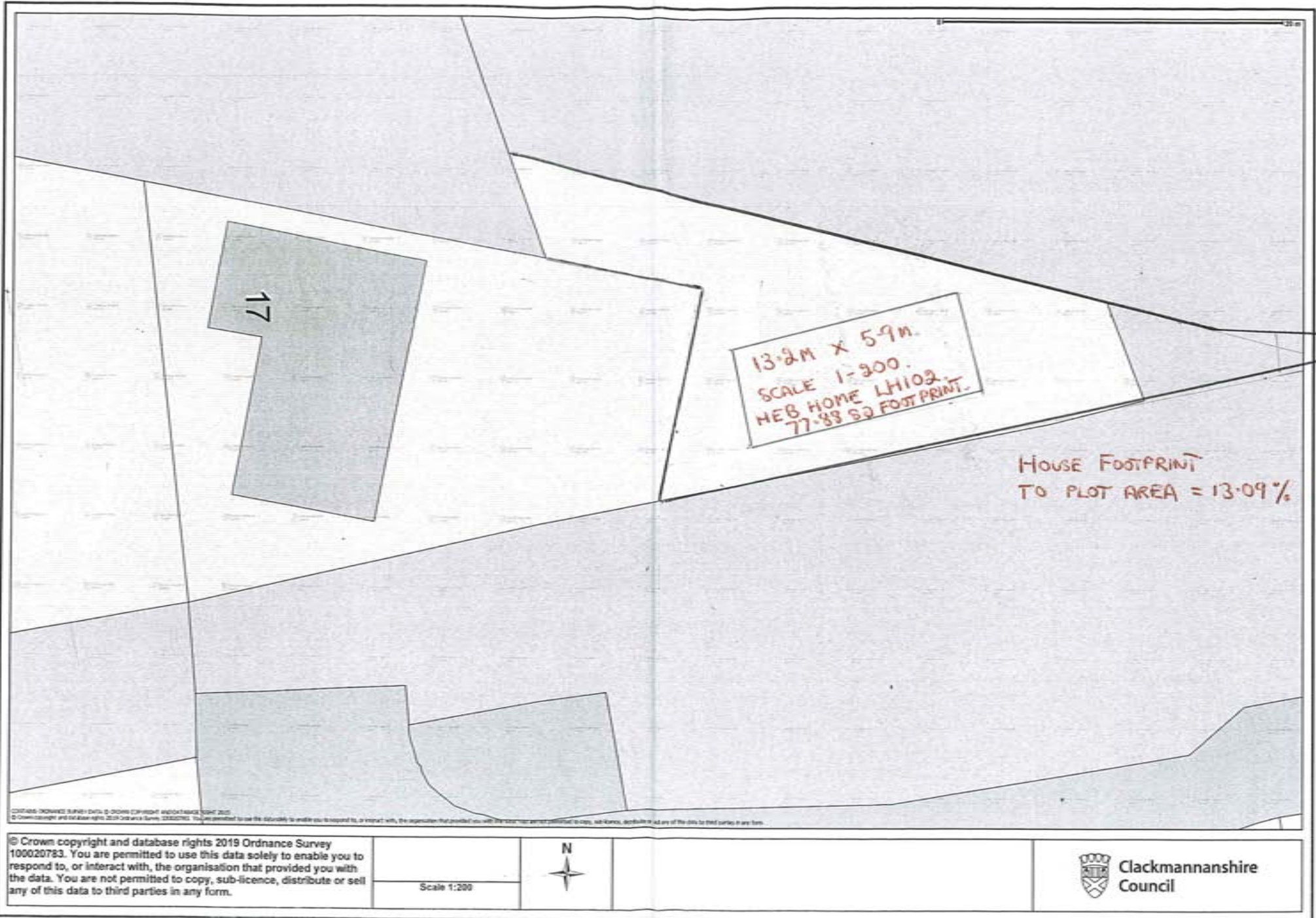
Attachment 11

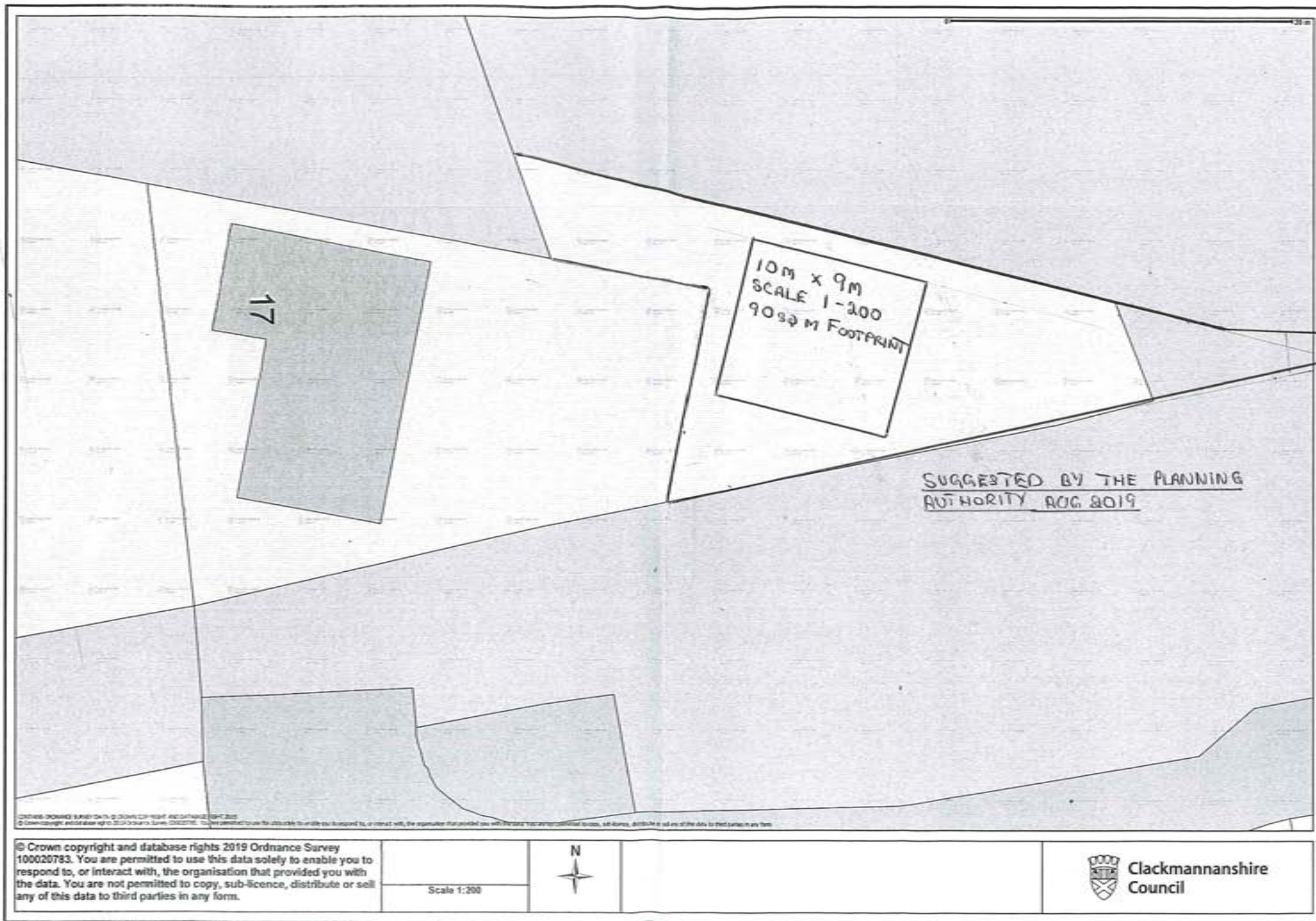
Communication with the Planning Authority giving concern on the residential boundary question relating to a site visit Nov 2018. With no response.

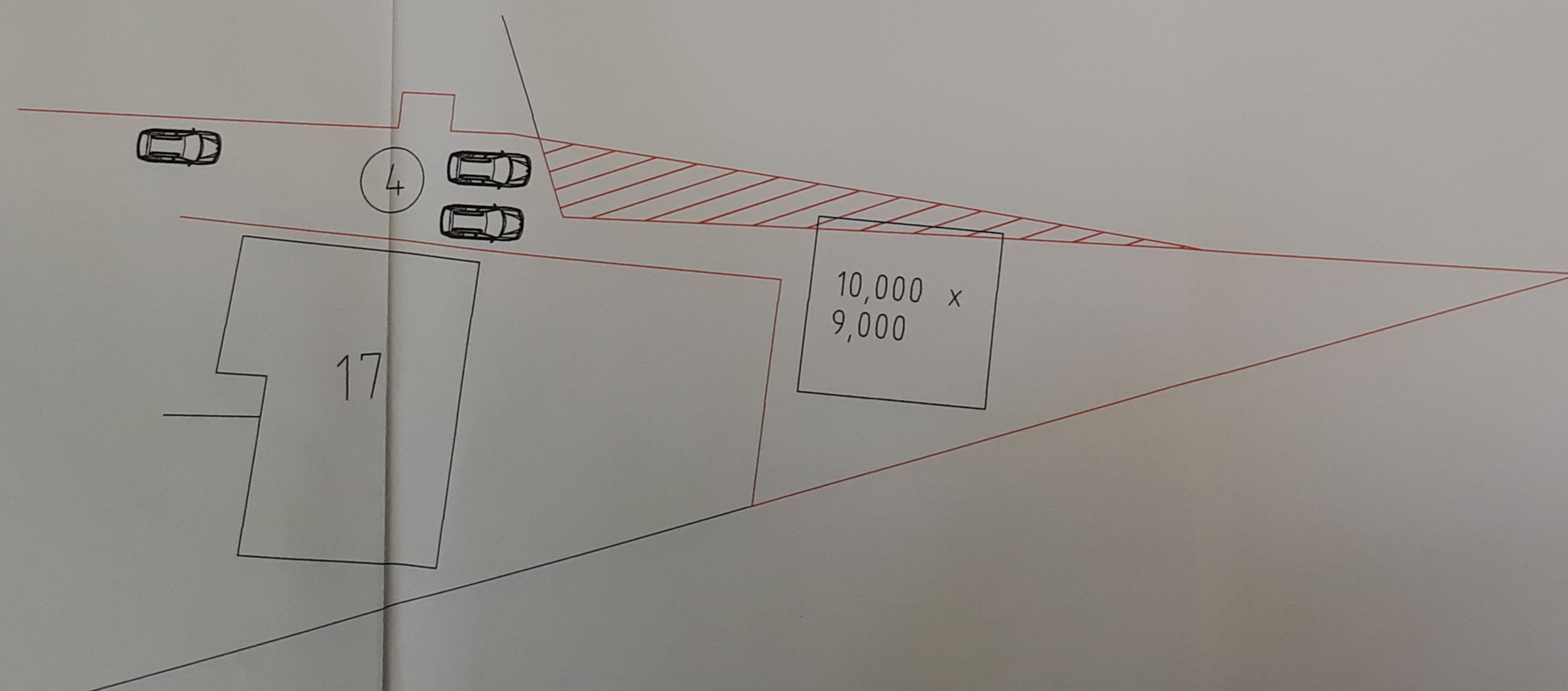
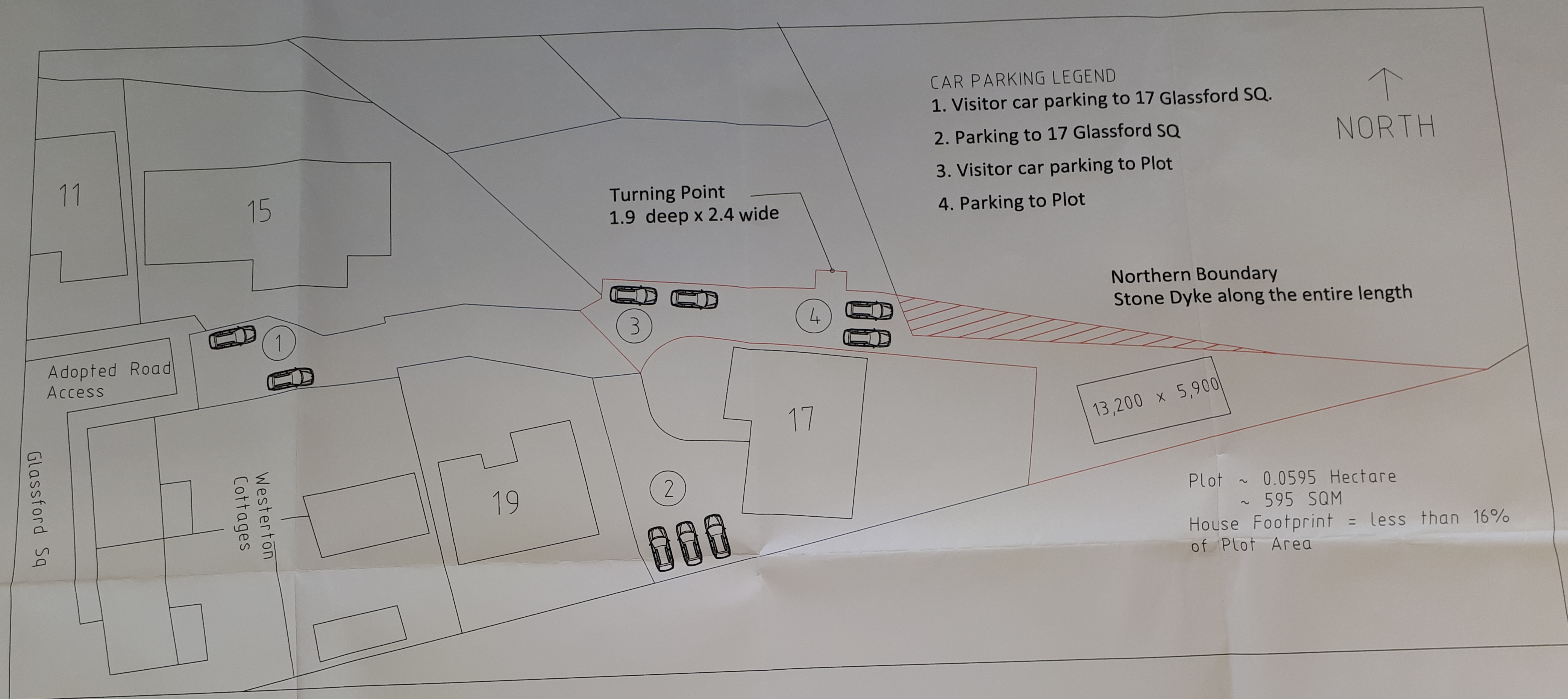
Attachment 12

Description of conflicting advice and comments with regards to the Roads Authority original concerns yet fully addressed by the applicant. With regards to road safety-off street parking.









13,200 x 5,900

10,000 x 9,000

0 5m 10m 20m
SCALE BAR 1:200

ATTACHMENT 3 Explanation

ATTACHMENT 3(A)

APPROVED APPLICATION IN SAME STREET GLASSFORD SQUARE.

1. An approval given where precedents were set ignoring aspects of detracting from rather than maintain or contribute positively to the established character, amenity and environmental qualities of the site and the surrounding areas.
2. Precedent established of accepting the creation of a site that due to its size and shape could not acceptably provide for satisfactory position of a house and useable space available for activities associated with the domestic use of the house would be inadequate and poorly arranged.
3. Precedent established by accepting the amenity of the existing house being adversely affected by the location of a house with poor associated parking and turning areas in close proximity.
4. Precedent established of access not complying with Roads advice. Then ignored in subsequent submissions.

Precedents established of large losses of garden amenity areas.

08/00126/FULL. April 2008 Conservation Area approval

Loss of 67% of its only garden to the front.

ATTACHMENT 3(B)

Drawing of plot approval ignoring all aspects as listed above and setting the precedents clauses 1 to 4 above.

ATTACHMENT 3(C)

Roads consultation on application 08/00126/FULL. Later completely removed on subsequent application references 13/00106/FULL MAY 2013 and 16/00162/FULL JULY 2016

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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 Officer

21

70

07/03/2019

Print Version

Community Council Tillicoultry, Coalsnaughton, Devonside
Ward Clackmannanshire North

District Reference

Applicant Name

Hoggunn Homes Limited

Agent Name

Machin Associates

Agent Company Name

Agent Address

Agent Phone Number

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

B

ORIGINAL PLANNING APPLICATION NO6 - NO6A
GLASSFORD SQUARE.



ODENOTE NEIGHBOURS NOTIFIED

1. Owner/Occupier/Leasee Woodpark Int. 1.3 Glenford Square, Timonium, FK13 8AU.
2. Owner/Occupier 1 Caernon Pass, Tillymore, FK13 8AR.
3. Owner/Occupier 3 Caernon Place, Tillymore, FK13 8AR.
4. Owner/Occupier & Caernon Place, Tillymore, FK13 8AR.

* GARDEN WAS
APPROX 460 SQM.
LOSS OF GARDEN NO 6
AMENITY 70% -



1. 중국의 경제 개혁의 성공 요인
2. 중국 경제 개혁의 실패 요인
3. 중국 경제 개혁의 전망
4. 중국 경제 개혁의 결론

陳國治的伊集

[illegible]



Development & Environmental Services

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, TILlicouLTRY

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.

2

- * 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

FILE COPY

CLACKMANNANSHIRE COUNCILTOWN AND COUNTRY PLANNING (SCOTLAND) ACTSDECISION NOTICE ON APPLICATION FOR PLANNING PERMISSION**Applicant**

Hoggun Homes Ltd
C/O 28 Ludgate
ALLOA
FK10 1DS

Agent

Machin Associates
30 Ludgate
Alloa
FK10 1DS

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

Erection of 1 No. House, (Variation Of Condition For Commencement Of Development For An Additional 5 Years - Planning Ref No. 08/00126/FULL), Land to the West

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

in accordance with your application Ref. No:- 13/00106/FULL dated 20th May 2013

Subject to the following conditions:

1. The development to which this relates (Planning Permission ref: 08/00126/FULL) must be begun not later than the expiration of 3 years from the date of this permission.

For the following reasons:

1. In accordance with the Planning etc. (Scotland) Act 2006

Dated: 25 June 2013

.....
COMMUNITY & REGULATORY SERVICES

The reasons for the decision are:-

1. There have been no material changes, either in terms of development plan or other material considerations, since the approval of the planning application that would prevent the period for commencement of development being extended. That extension should be for a period of 3 years to reflect the Planning etc. (Scotland) Act 2006.

Plan Numbers Relating to the Decision

Plan Nos 1 & 2

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

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

Services to Communities

Memo

Our Ref: C/013/00106/FULL

Extension No 2593

Your Ref: 13/00106/FULL

Date 30 May 2013

To: DEVELOPMENT QUALITY

From: ROADS & TRANSPORTATION

Subject: PLANNING APPLICATION NUMBER – 13/00106/FULL
APPLICANT: Hoggan Homes Ltd
DEVELOPMENT: Erection of 1no House (Variation of condition for Commencement of Development for an Additional 5 years - Planning Ref No: 08/00126/FULL) Land to the West
LOCATION: 6 Glassford Square, Tillicoultry, FK13 6AU

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

ROADS & TRANSPORTATION

RESPONDING OFFICER: Stuart Cullen

No objections.

COMPLETE TURN AROUND
FROM ORIGINAL COMMENTS ON
8/5/2008, - REMOVED
EVERY CONCERN,
SEE ATTACHMENT 3
ROADS COMMENTS,
AND CONCERNS.

PUBLIC TRANSPORT

RESPONDING OFFICER: Stuart Cullen

No objections.

I trust this information is of use to you.

On behalf of
ROADS & TRANSPORTATION

(c)

Clackmannanshire Council

Planning Applications

Notice of Applications published under Regulation 20(1) of the Town and Country Planning (Development Management Procedure)(Scotland) Regulations 2008

You can see the Planning Register with details of all planning applications on the Council's website www.clacksweb.org.uk/eplanning/ or at the Council Offices, Kilncraigs, Greenside Street, Alloa FK10 1EB from 9.00 a.m. to 5.00 p.m. Monday - Friday (except Bank Holidays). The applications listed below are likely to be of a public interest for the reasons given.

If you want the Council to take note of your views on any application you can comment online at the address above. Alternatively, please put them in writing and send them to the Council's Head of Development Services, or e-mail development_services@clacks.gov.uk, within 21 days. Your views will be held on file and published on the Council's website. You will be notified of the Council's decision. If you need any advice, please contact the Council at Kilncraigs, Greenside Street, Alloa FK10 1EB Tel: 01259 450000.

Development	Reason for Advertising
Erection of 1 No. House, (Variation Of Condition For Commencement Of Development For An Additional 5 Years - Planning Ref No. 08/00126/FULL), Land to the West at 6 Glassford Square, Tillicoultry, Clackmannanshire Ref: 13/00106/FULL	Development in a Conservation Area

Date Advertised: 29.05.2013

Expiry Date: 19.06.2013

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

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

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 skewers 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 skewers 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.cplaning.scotland.gov.uk

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

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/

(B)

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, Tilllicoultry, 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.

COMPLETE TURN AROUND
 FROM ORIGINAL COMMENTS ON
 8/5/2008 - REMOVED

I trust this information is of use to you.

EVERY CONCERN
 SEE ATTACHMENT 3
 ROADS COMMENTS AND
 CONCERNS.

On behalf of
 ROADS & TRANSPORTATION



PLOT SIZE 297 sqm.
HOUSE FOOTPRINT 79.5 sqm.



PROPOSED LOCATION PLAN
1:1250



THE PLANNING AND CONSTRUCTION
AND COUNTRY PLANNING AND CONSTRUCTION
PLANNING AND CONSTRUCTION
APPROVED
DEVELOPMENT

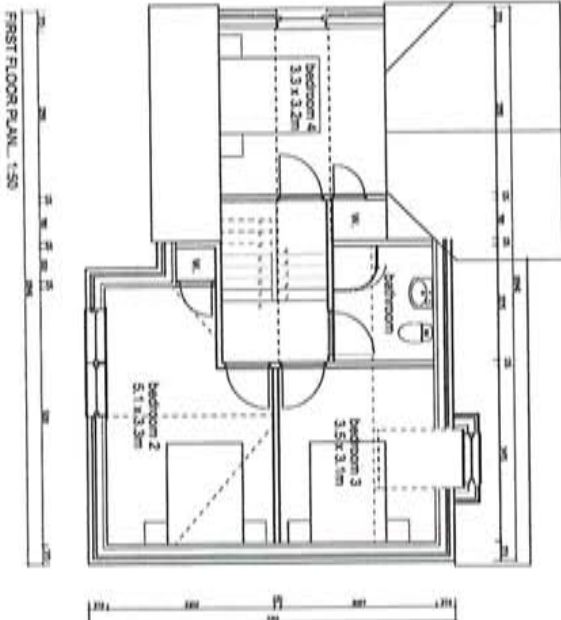
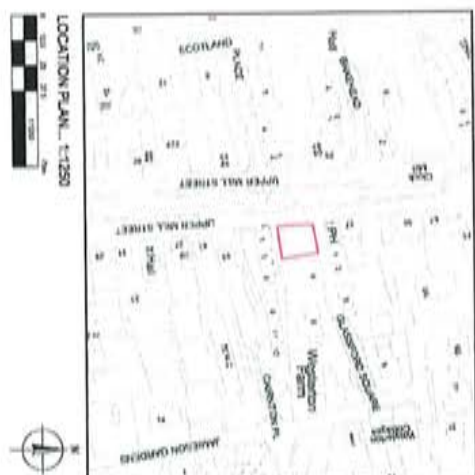
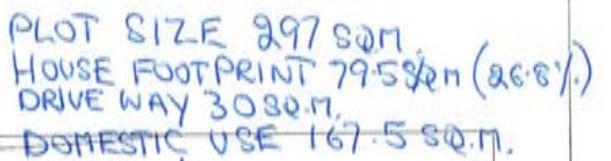
REVISION INT DATE

Greenfields Design Ltd.
architectural and timber frame design consultants

28 Bank Street, Alloa, Clackmannanshire FK10 1HP
tel. 01269 216500 fax. 0870 1231571
email. gfd@greenfieldsdesign.co.uk

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

SCALE	1:1250	DRAWN BY	JB
DATE	20/04/2010	DISSEMINATED	11455-12
SHEET	A4	PROJECT NAME	Hogg1



THE CLACKAMASH CO. COULD NOT BE REACHED FOR COMMENT. THE COUNTY PLANNING DEPARTMENT HAS NOT YET RETURNED TO A REQUEST FOR COMMENT.

52

The first part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The second part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The third part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The fourth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The fifth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The sixth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The seventh part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The eighth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The ninth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time. The tenth part of the paper discusses the importance of the study of the history of the English language. It is a branch of linguistics which deals with the changes in the language over time.

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS****DECISION NOTICE ON APPLICATION FOR PLANNING PERMISSION****Applicant****Agent**

Mrs Christine Burnett
6 Glassford Square
Tillicoultry
Alloa
Clackmannanshire
FK13 6AU

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

Erection of Detached Garage, Formation Of Driveway and Access, Alterations to Front Boundary Wall

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

in accordance with your application Ref. No:- 19/00131/FULL dated 6th June 2019

There are no conditions attached to this consent.

Dated: 4 July 2019

REMOVES THE REMAINING
FRONT GARDEN AMENITY
TO THE ORIGINAL HOUSE.
SEE ATTACHMENT 3 AND
4 - ORIGINAL PLANNING
APPLICATIONS.

.....
DEVELOPMENT SERVICES

The reasons for the decision are:-

1. The proposal meets the criteria of Policies 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

Plan 1 Location Plan, Plan 2 Existing Site Plan, Plan 3 Proposed Site Plan, Plan 4 Garage Elevations and Materials, Plan 5 Proposed Front Elevation.

AIRIAL VIEW OF: 6 GARDEN SQUARE, TILLCOUNTY

22m 4cm

STORE
Room

STORE
Room

WC



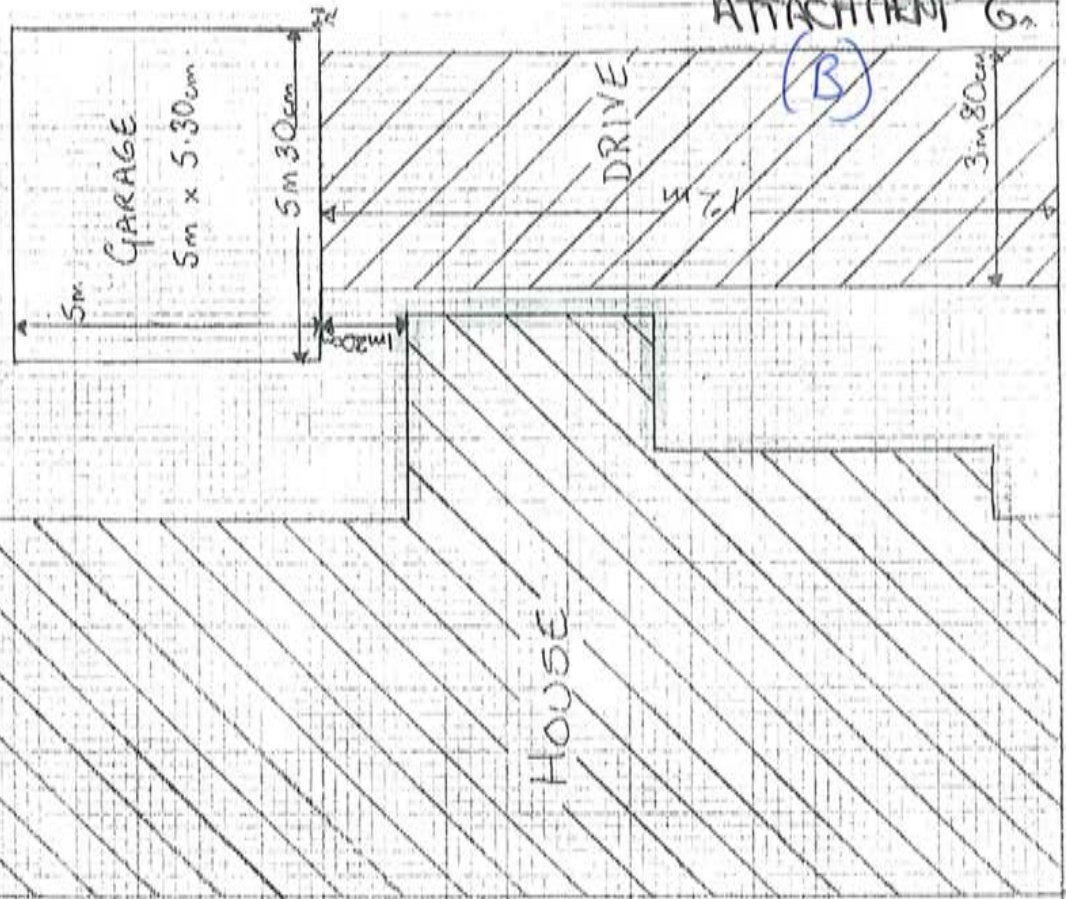
PROPOSED FRONTAGE DOUBLE GATES (WOODEN)



EXISTING FRONTAGE

GARDEN

THE LANCASHIRE COUNTY COUNCIL
COUNCIL OFFICE, 100, WATERLOO STREET, MANCHESTER, M2 3BQ
24.06.2015
2015/0015/15/0015



**Attachment 7. 00/00291/FULL. Feb 2001. 111 Alexander Street Devonside
Tillicoultry.**

This house approval is on the very western edge of the residential boundary of Devonside on the opposite side of the A908 along from 16/00146/PPP. July 2016. The applicant's site is on the Northern edge but within the residential boundary of Devonside Tillicoultry.

A backland Development

This private driveway servicing this approved house far end of the Private Drive is 73m long and to the rear of the private house in the fore ground Number 109. Same as the applicant's submissions.



3.1m WIDE PRIVAT DRIVEWAY
73m LONG TO HOUSE AT THE
REAR OF N° 109 PRIVAT HOUSE.
BACKLAND DEVELOPMENT.
NO PARKING FOR VISITORS.

Figure 1. The effect of the concentration of the solution on the rate of the reaction.

It is found that the rate of the reaction increases with the increase of the concentration of the solution. This is because the rate of the reaction is directly proportional to the concentration of the solution. The rate of the reaction is also affected by the temperature of the solution. The rate of the reaction increases with the increase of the temperature of the solution. The rate of the reaction is also affected by the presence of a catalyst. The rate of the reaction increases with the presence of a catalyst.

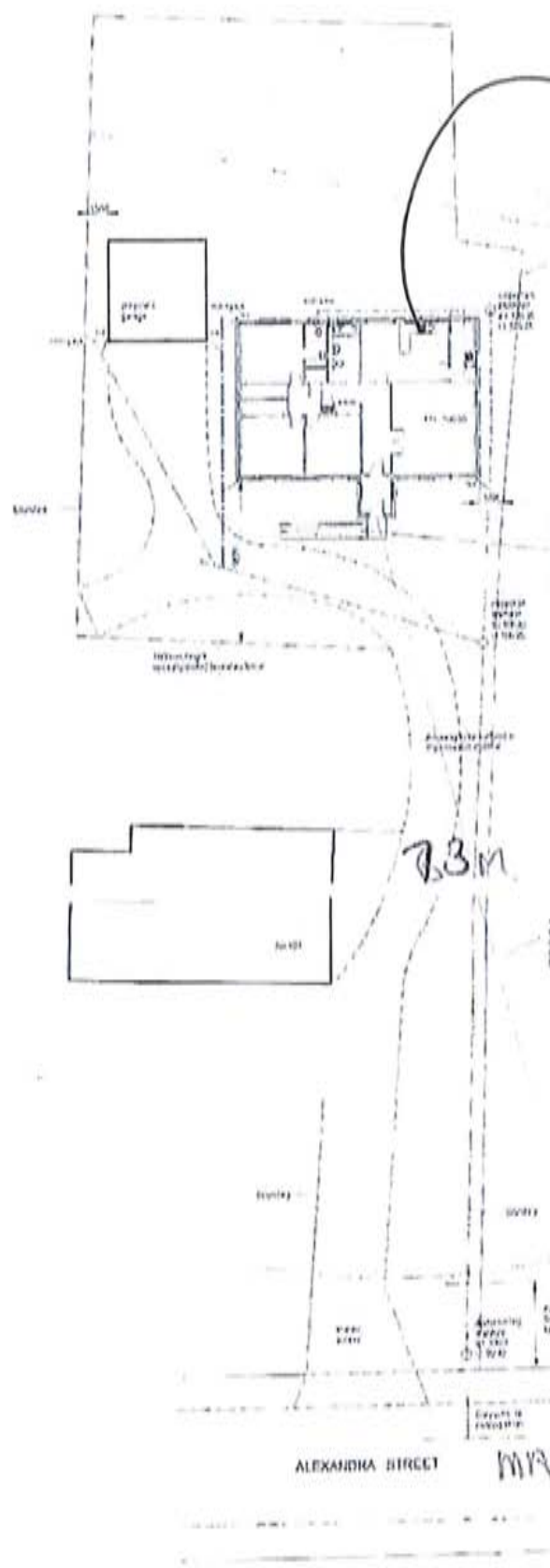


The rate of the reaction is also affected by the presence of a catalyst. The rate of the reaction increases with the presence of a catalyst. The rate of the reaction is also affected by the temperature of the solution. The rate of the reaction increases with the increase of the temperature of the solution. The rate of the reaction is also affected by the concentration of the solution. The rate of the reaction increases with the increase of the concentration of the solution.

00/00291/FULL
(B)

BACKLAND?
AND TO THE REAR OF
A HOUSE NO
109

ON SITE TURNING POINT
NO PROVISION FOR
OFF STREET / ROAD PARKING
NO PROVISION FOR
VISITOR PARKING.



notes: notes on the site plan
indicate the location of the
proposed driveway to the rear of
the house. The driveway is shown
as a dashed line. The plan also
shows the location of the proposed
parking area. The plan is a site
plan for the proposed development.

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indicate the location of the
proposed driveway to the rear of
the house. The driveway is shown
as a dashed line. The plan also
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notes: notes on the site plan
indicate the location of the
proposed driveway to the rear of
the house. The driveway is shown
as a dashed line. The plan also
shows the location of the proposed
parking area. The plan is a site
plan for the proposed development.

ALEXANDRIA STREET

MIRIN ROAD A908

00/00291/FULL
25 AUG 2022

61914 109 315 Report Attached.

The following works are proposed to be carried out:		Date	
Item	Notes		
1	Proposed driveway to the rear of the house.		
2	Proposed parking area.		
3	Proposed footpaths.		
4	Proposed driveway to the rear of the house.		
5	Proposed parking area.		
6	Proposed footpaths.		
7	Proposed driveway to the rear of the house.		
8	Proposed parking area.		
9	Proposed footpaths.		
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94	Proposed driveway to the rear of the house.		
95	Proposed parking area.		
96	Proposed footpaths.		
97	Proposed driveway to the rear of the house.		
98	Proposed parking area.		
99	Proposed footpaths.		
100	Proposed driveway to the rear of the house.		

(D)



62

BACKLAND

NO 111 ALEXANDRA DRIVE
DEVONSIDE



**Attachment 8. 16/00146/PPP. July 2016. 48 Alexander Street, Devonside
Tillicoultry.**

Planning approved this application resembles extremely closely to the applicant's submission.

Roads Authority for a third house off a long narrow private drive.

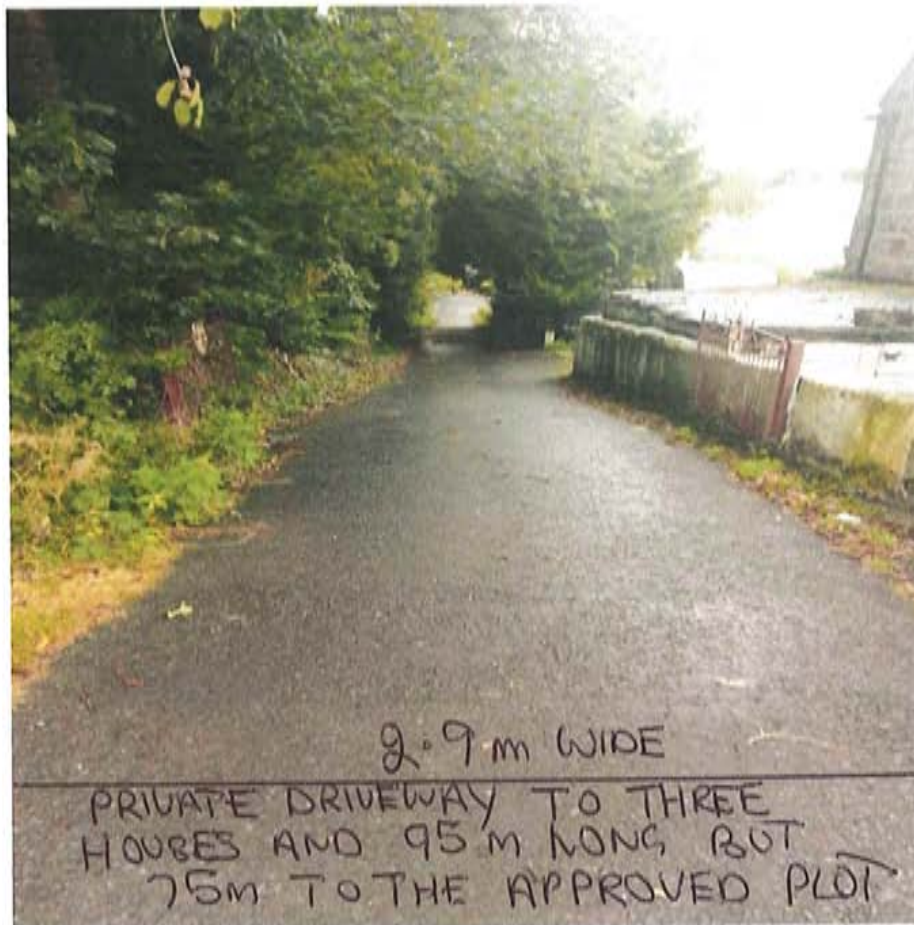
The private drive in total is 95m long serving all 3 houses. The private drive length to the approved plot is 73m long.

A long narrow private drive supporting 3 houses for vehicular access and exit to and from the main A908 Road with restricted Eastern line of sight onto the A908.

Roads Authority made comment and listed this concern.

There comments were: -

"I note the site for development can be accessed from a private driveway. Which links to the A908 Alexander Drive? Within the urban envelope of Devonside. The access onto 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 Alexander Street could restrict the visibility to the east if this boundary were to change in the future."



BACKLAND

NO PROVISION IN THE PPP PLAN FOR
VISITORS OR OFF ROAD PARKING,

ATTACHMENT 8

(B)

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

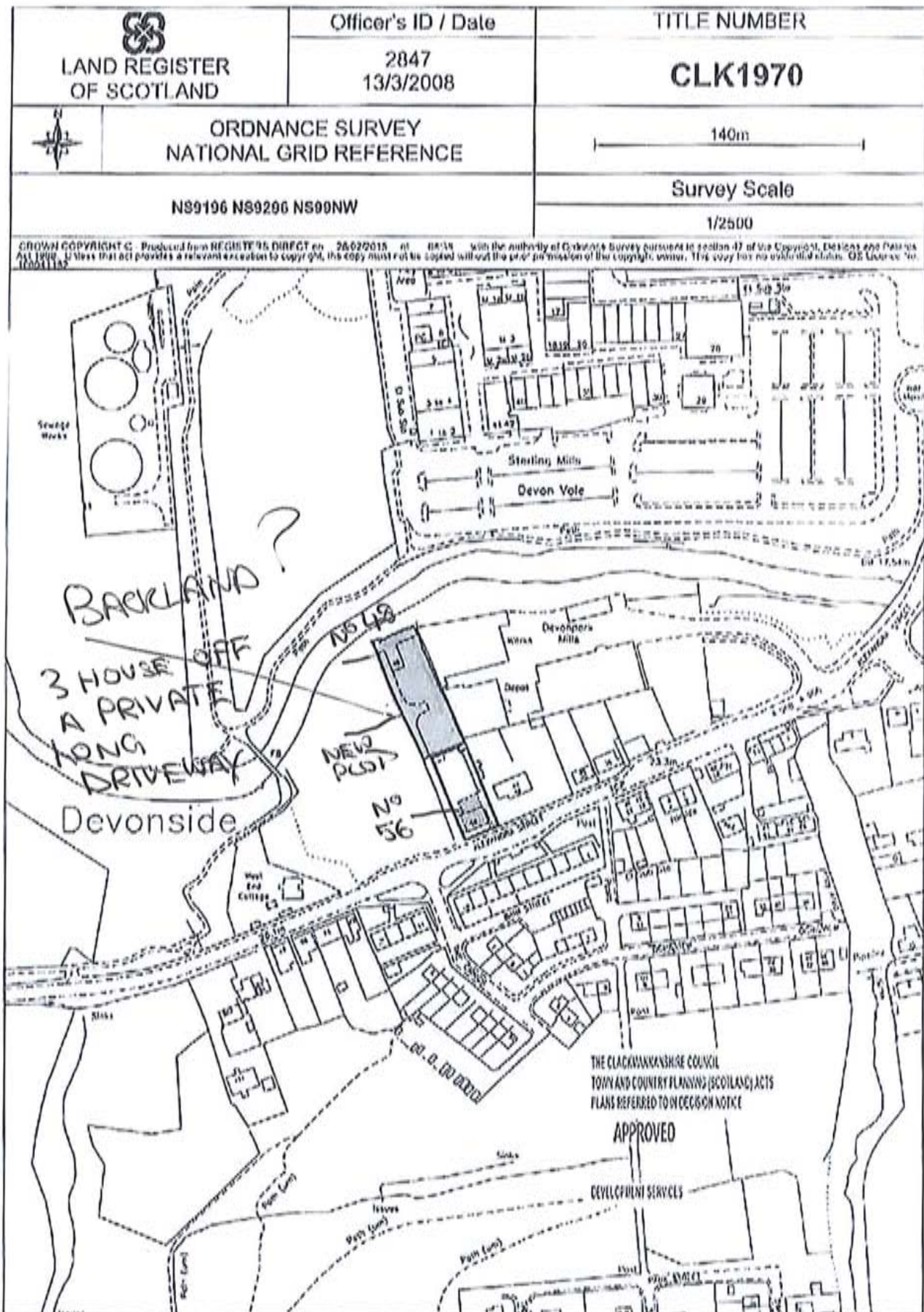
Application Received Date	Wed 06 Jul 2016
Application Validated Date	Thu 14 Jul 2016
Actual Committee Date	
Latest Neighbour Consultation Date	Thu 14 Jul 2016
Neighbour Consultation Expiry Date	Thu 04 Aug 2016
Decision Made Date	Wed 31 Aug 2016
Decision Issued Date	Wed 31 Aug 2016
Permission Expiry Date	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 2



(D)

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, Tilllicoultry, 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



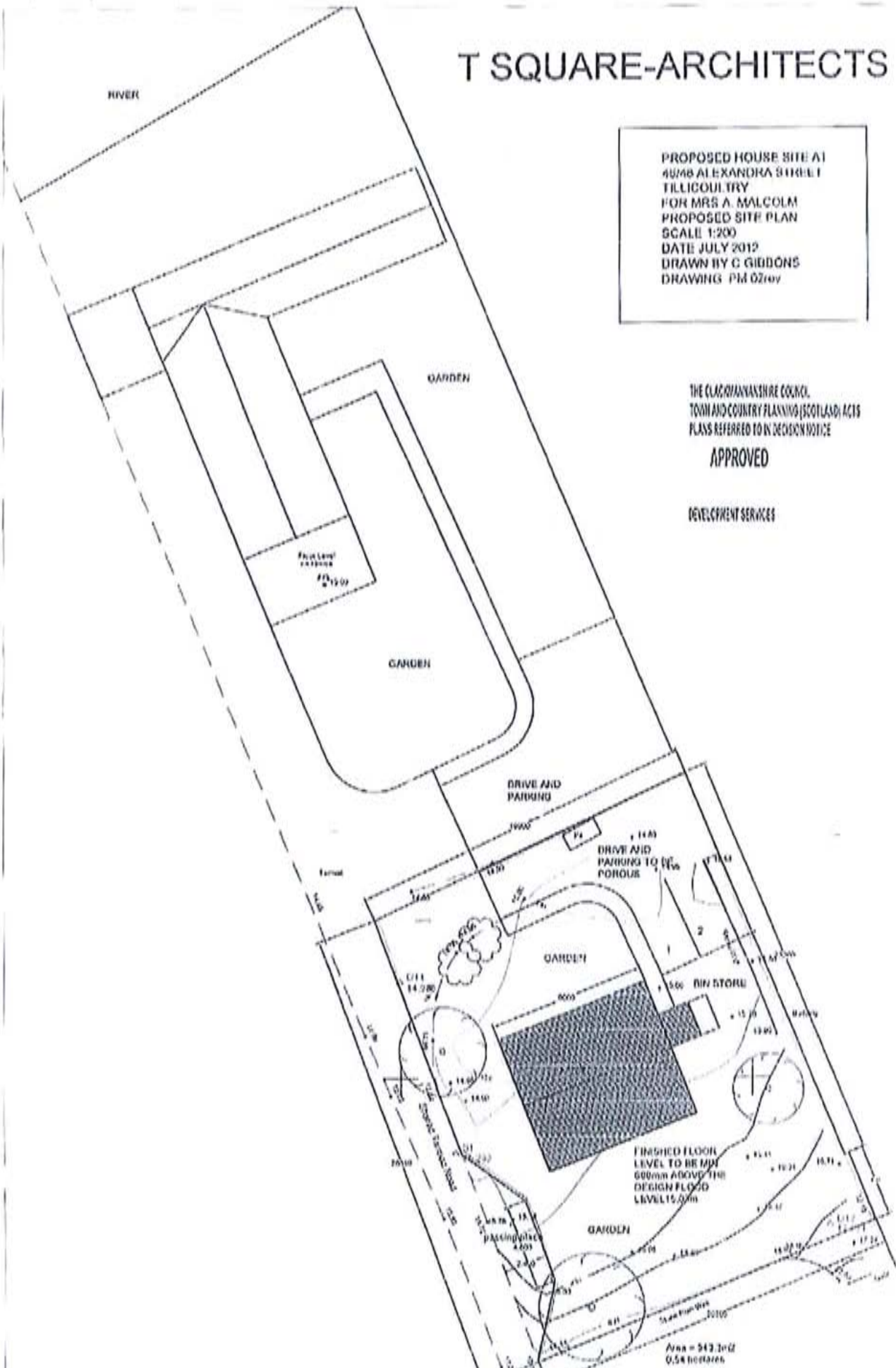
T SQUARE-ARCHITECTS

PROPOSED HOUSE SITE A1
40/48 ALEXANDRA STREET
TILLCOLTRY
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



Services to Communities

Memo

Our Ref: C/012/00155/PPP * ORIGINAL
 Your Ref: 12/00155/PPP * ROADS
 Date: 30th July 2012 * COMMENTS ✓
 Extension No 2593
 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 it's 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

NORTH HILLSIDE GARDEN BEING
MANUALLY CLEARED.



45

PURCHASED STRIP OF AGRICULTURAL GROUND



NORTH HILLSIDE STONE DYKE WALL TO BE
REINSTATED.



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



ATTACHMENT 5.

GARDEN
NORTH HILLSIDE ^ PARTIAL CLEARED.



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

Dated:



DEVELOPMENT SERVICES

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

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

PURCHASED STRIP OF " AGRICULTURAL GROUND
BEING MANUALLY CLEARED



PURCHASED STRIP OF AGRICULTURAL⁶ GROUND
PART CLEARED



Photo of the start of improving the environmental Landscaping bringing it back to a rural outlook where as before it was derelict.

Re-built stone dyke running South to North on the hill side Garden area. As part of the improved landscape. Just one example of bringing back the rural look.



Photo of the start of improving the environmental Landscaping bringing it back to a rural outlook where as before it was derelict.

Re-positioned stone dyke wall that is intended to be extended down the full length of the northly boundary between the proposed site and the area of Special Landscape Area. Giving a much more rural look to the Northern Boundary of the Plot. Rather than the derelict wire post fencing that exists today.



John Neilson

From: David Metcalf [REDACTED]
Sent: 02 May 2014 15:11
To: [REDACTED]
Subject: Re: Application to Purchase Land Adjacent to 17 Glassford Square

Dear Mr Neilson,

Further to my email on Wednesday I have since discussed the matter with the Council's Housing Team.

After careful consideration the Housing Investment Officer has advised that they would only consider the sale of this land on the basis that it was sold in conjunction with the remaining/adjoining grassed area. We discussed the fact that you are simply looking to extend your garden for security and maintenance purposes as per your initial application however taking into consideration the full extent of the site, the land appears to have potential for residential use. I am advised that should the Housing Investment Officer wish to proceed with the sale of the land as part of a bigger site then this would have to be conducted on the open market and advertised accordingly. As you have previously shown an interest, you would also be notified and issued with marketing particulars.

Please do not hesitate to contact me should you have any queries in relation to this decision.

Kind regards
David

David Metcalf/CLACKS

cc

30/04/2014 15:52

Subject Application to Purchase Land Adjacent to 17 Glassford Square

Dear Mr Neilson,

I refer to your earlier email to my colleague Florence Paterson and George Adamson regarding your application to purchase land adjacent to your home.

I note from our file that your application was processed and issued to our Housing Investment team for consideration (as this land is held on their account) however no formal response was received. Unfortunately this was not followed up and has resulted in a lengthy delay. I have again requested a response from our Housing Investment team and hope to respond to you by the end of the week.

Please accept my apologies for the delay.

Kind regards
David

David Metcalf BSc (Hons) MRICS
Estates Surveyor

Facilities Team (Estates)

ATTACHMENT 11 Explanation

Attachment 11. Typical email communication difficulties in getting confirmation of information prior to a formal application. Referred to on page 12,13 and 14 of the formal appeals documents. With regards to the original start off meeting with 2 Planning Officers on site 6th November 2017.

ATTACHMENT 10 11

take any action in reliance on it and we request that you notify the sender immediately by return email. Opinions expressed in this message and any attachments are not necessarily those held by Clackmannanshire Council or any person connected with the organisation, save those by whom the opinions were expressed. Please note that any messages sent or received by Clackmannanshire Council's email system may be monitored and stored in an information retrieval system. Stay Updated: Follow us at Airson barrachd fiosrachaidh lean sinn aig: <http://www.clacks.gov.uk/> <http://twitter.com/ClacksCouncil> <http://www.facebook.com/officialclackmannanshirecouncil> *****

John Neilson [REDACTED]
To: Mark Stoddart [REDACTED]

ATTACHMENT 10 11

Tue, Oct 31, 2017 at 2:01 PM

Mr. Stoddart,

Monday 2 pm would be fine. Thanks for the response.

Regards
John Neilson
[Quoted text hidden]

Mark Stoddart [REDACTED]
To: John Neilson [REDACTED]

Tue, Oct 31, 2017 at 2:50 PM

See you on site.

M Stoddart
Planner
Clackmannanshire Council
Kilncraigs Greenside Street
Alloa FK10 1EB

TEL No 01259 452626
Mobile 07966 146895

mstoddart@clacks.gov.uk ***** This message contains privileged and confidential information intended for the addressee(s) only. If this message was sent to you in error, you must not disseminate, copy or take any action in reliance on it and we request that you notify the sender immediately by return email. Opinions expressed in this message and any attachments are not necessarily those held by Clackmannanshire Council or any person connected with the organisation, save those by whom the opinions were expressed. Please note that any messages sent or received by Clackmannanshire Council's email system may be monitored and stored in an information retrieval system. Stay Updated: Follow us at Airson barrachd fiosrachaidh lean sinn aig: <http://www.clacks.gov.uk/> <http://twitter.com/ClacksCouncil> <http://www.facebook.com/officialclackmannanshirecouncil> *****

ATTACHMENT 10 11

John Neilson [REDACTED]
To: Mark Stoddart [REDACTED]

Thu, Nov 9, 2017 at 3:44 PM

Mr Stoddart,

Thanks for the site visit and can you please pass on my thanks to your new team leader Mr Finlayson for his comments during the site visit on Monday 6th November. The positive comments made to take the next step in our pre-planning phase was to put together some drawings for site A. These were a block plan with elevations and a massing drawing. I have approached 2 architects and await their response. I believe you guys will get back to me with regards to this extended approved garden (16/00-067/FULL) being or will be adopted into the boundary of Tillicoultry?

Mr Finlayson left his papers in my house and i will hand them into your offices today or tomorrow.

Can you please confirm that i have the correct name of your new team leader as Mr Finlayson?

Regards

John Neilson
[Quoted text hidden]

NO RESPONSE

John Neilson [REDACTED]
To: Mark Stoddart [REDACTED]

Wed, Jan 10, 2018 at 3:40 PM

Mr. Stoddart,

ATTACHMENT 12 explanation.

During the many communications with the Planning Officers you find conflicting advice and comments.

Referring to the email 8th June 2018.

When trying to meet the requirements of pre planning advice given you find having addressed in this case the off-street parking that Roads had intimating none being available on Glassford Square.

Planning comments as per the email are "I note the inclusion of parking / turning areas to the side of the existing house and that these are intended to provide visitor and resident parking for the new house. You also show visitor and residential parking for the existing house.

While these spaces partly address the concerns of the Council Roads department, I note that their comments relating to the length of the access are still relevant as the end of the driveway is over 50m from the public road. Also, the provision of remote parking, rather than in-curtilage is not usually encouraged".

Yet the parking facilities are in- curtilage to the relevant house plot application.

5. Summary of Supplementary Statements

He makes the comment under Council Roads Department approvals 16/00146/PPP and 00/00291/FULL "Whilst the driveways length for both examples provided by the applicant exceed the length currently proposed neither were assessed to result in the Road safety concerns held by Roads and Transportation for the current application, for the reasons that adequate vehicle turning and visitor parking **were proposed**.

However, when you fully examine both approvals 16/00146/PPP and 00/00291/FULL there are no intimations of either turning facilities or visitor parking. Both these drives are in excess of 70m long.

Both driveways exit and access off the main Road A908. Where as the applicant's access and exit are off a quiet cul-de-sac well away from the main through road area known as Glassford Square

Revised Pre Planning Communication on Plot A 17 Glassford Square Tillicoultry

14 messages

John Neilson

Wed, May 30, 2018 at 9:26 AM

To: afinlayson [REDACTED] Mark Stoddart [REDACTED]

Gentlemen,

Please refer to the attached letter and revised access road to Plot A 17 Glassford Square Tillicoultry. During early 2017 it became apparent that the access road along with Parking for visitors and residents of Glassford Square were the main concerns.

I have abandoned the potential application on site B (the slope) for the reasons expressed in Mr. Stoddart's response of PREAPP-2017-054 and reverting back to communication on Plot A. The positive comments made by Mr. Stoddart with regards to addressing the roads departments concerns were encouraging.


Your comments would be appreciated on the revised access drawing prior to a formal application. Does it address all concerns?

Regards

John and Rhona Neilson

2 attachments

 **Mr Finlayson Team Leader Planning Dept Alloa 30.05.18.docx**
16K

 **Revised access drawing to Plot A. May 2018.pdf**
86K

John Neilson

Thu, Jun 7, 2018 at 9:49 AM

To: afinlayson [REDACTED] Mark Stoddart <[REDACTED]>

Good Morning,

With regards to my email of 30th May. Can you please update me on where you are with regards to a response?

Regards

John and Rhona Neilson

[Quoted text hidden]

Mark Stoddart

Fri, Jun 8, 2018 at 11:23 AM

To: John Neilson

Cc: Allan Finlayson

Mr Neilson, with reference to your e-mail of 30th May.

Thank you for your confirmation of your intention to proceed with development to the rear of the house i.e. the creation of a new plot and house to the east of the existing house. I would take the opportunity to provide the following advice in response to your indicated proposals.

-- your proposal now includes the inclusion of the area of agricultural land to the north of your property into your rear garden, access to the rear of the existing curtilage and clarifies the extent of the land that you own. This addresses some of our earlier concerns and the application would include this as a change of use of agricultural land to garden ground.

- I note the inclusion of parking / turning areas to the side of the existing house and that these are intended to provide visitor and resident parking for the new house. You also show visitor and residential parking for the existing house. While these spaces partly address the concerns of the Councils Roads department, I note that their comments relating to the length of the access are still relevant as the end of the driveway is over 50 m from the public road. Also the provision of remote parking, rather than in-curtilage is not usually encouraged as it is not practical for day to day

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 100165208-001

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 the part garden of 17 Glassford Square to extend the private road and change of use of a strip of a ground of previously agricultural land to create a pathway to Plot A. All as identified on the enclosed 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?
(Answer 'No' if there is no change of use.) *

☒ Yes ☐ No

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

☐ No ☒ Yes – Started ☐ Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

01/07/2016

Please explain why work has taken place in advance of making this application: * (Max 500 characters)

The improvements to the existing private road were always intended irrespective of this application. This area and type of work do not need planning approval. The proposed access road off the private road was, in fact, part of the permission already granted for the change of agricultural land to the garden made. Refer to 16/00097/FULL May 2016.

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

Site Address Details

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

Please identify/describe the location of the site or sites

Northing	<input type="text" value="697444"/>	Easting	<input type="text" value="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 Mr. Stoddart PLanner and Mr. Finlayson Planning Team Leader. Culminating in emails 6th to 28th June 2018 wherein confirmation was given that the authority had reached a point where a detailed assessment of my proposal could be made. Subsequent refusal, meeting with Mr Finlayson Feb 2019 and LRB meeting 13.05.19.

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:

412.00

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)

Part rear garden with Conservatory/ summer house.

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 NEILSON

On behalf of:

Date: 13/05/2019

☒ 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)

This is re-application to the original application 18/00244/PPP was agreed at the LRB meeting 13th May 2019. It was agreed that there would be no charge for this application. It was also agreed that the original application 18/00244/PP is to be withdrawn and replaced with this new one. The reason being a material change to the site/location plan.

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: 13/05/2019

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:- 19/00112/PPP dated 11th June 2019

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.

For the following reason:-

1. The proposed erection of an additional dwellinghouse on 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 creation of a site that due to its shape could not acceptably provide for the satisfactory position of a house and the useable space available for activities associated with the domestic use of the proposed house would be inadequate and poorly arranged.
 - (b) The amenity of the existing house would be adversely affected by the location of a house with associated parking and turning areas in close proximity.
 - (c) The proposed access does not comply with Roads advice in terms of its design and length.
 - (d) The proposed erection of an additional dwellinghouse on the site would result in a building isolated from the grouping of existing buildings to the detriment of the landscape character of the adjacent Special Landscape Area.
 - (e) The loss of more than 50 % of the garden to the rear of the existing house.

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

Dated: 21 August 2019



.....
DEVELOPMENT SERVICES

Plans Relating to the Decision

Plan 1 Location Plan and Access.

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.

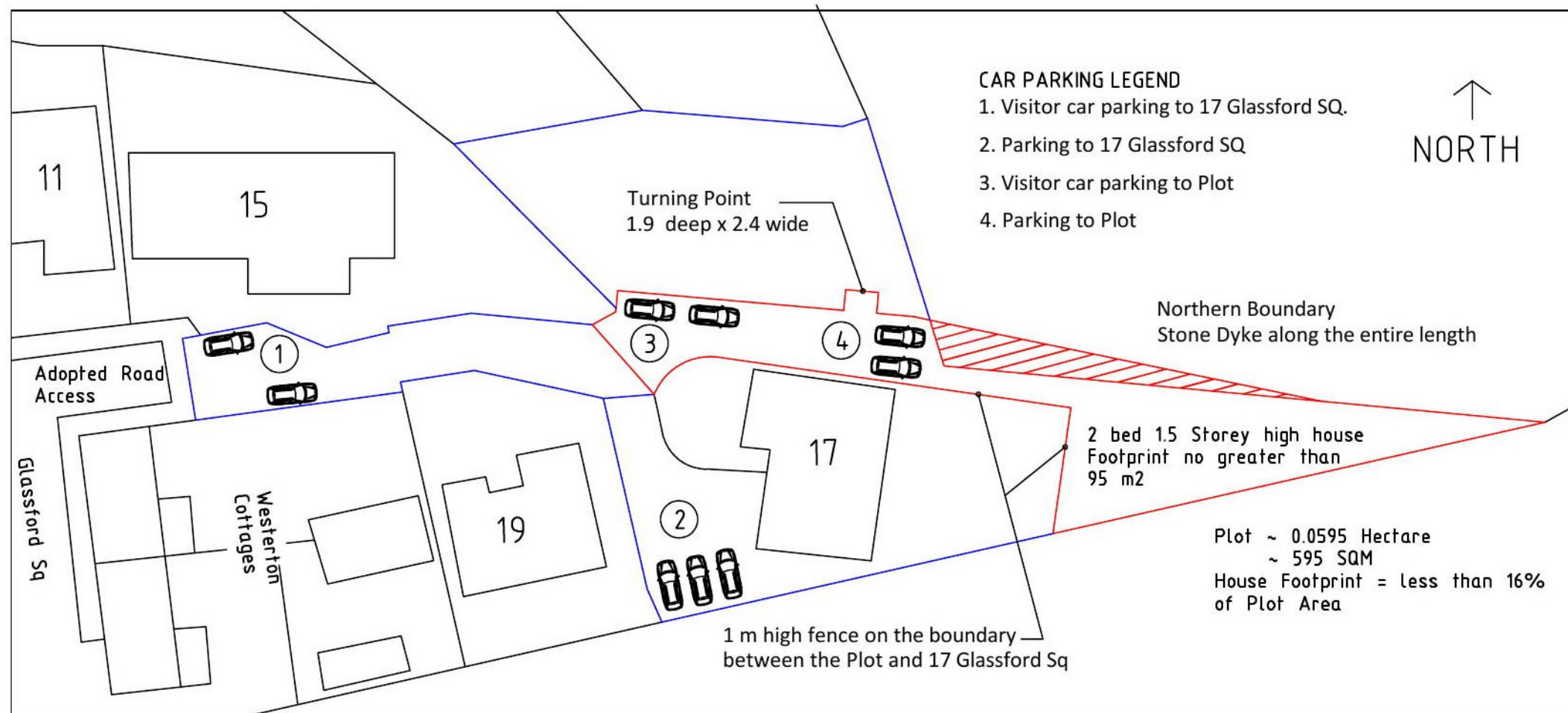
- (iii) The full name and address of the landowner if they are a different person.
- (iv) The full name and contact address/details of the site agent or other person appointed to oversee the development.
- (v) The reference number and date of issue of the planning permission.

Notification of Completion of Development

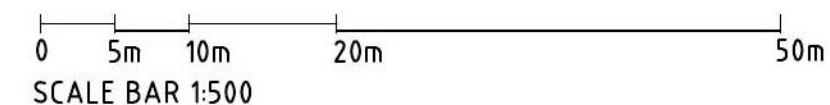
7. Once the development to which this permission relates has been completed, the applicant or developer must, as soon as practicable, notify the Council accordingly. This is termed Notification of Completion of Development (NCD). If the development is carried out in phases, the notification must be issued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



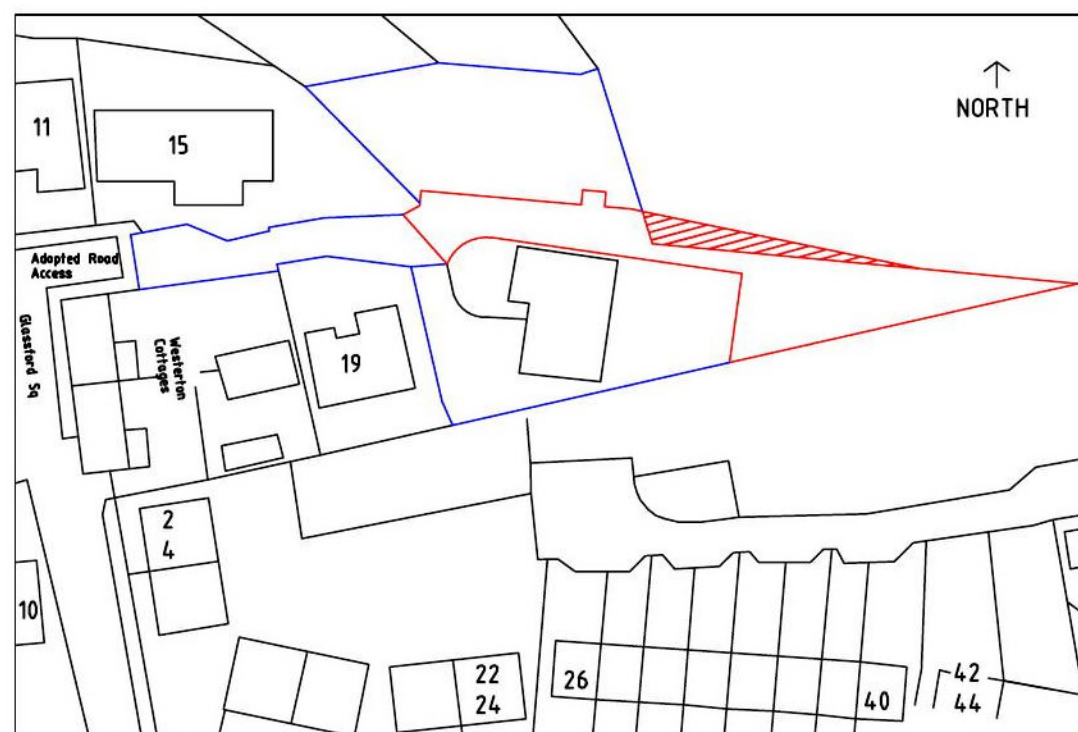
Site Plan 1:500



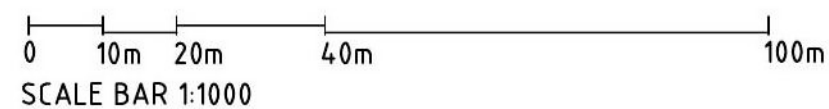
LEGEND

BLUE - Ownership / Control
RED - Proposed area of Plot
HATCHED AREA - Changes of use from agricultural land to garden.

Location of the proposed house to be agreed with the planning authority



Location Plan 1:1000



THE CLACKMANNANSHIRE COUNCIL
TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

REFUSED

DEVELOPMENT SERVICES

REVISION		INT	DATE
TITLE			
Living Space			
Mr & Mrs Neilson			
17 Glassford Square			
Tillicoultry			
DRAWING			
Site / Location Plan			
SCALE	DRAWN BY	@ A3	
1:500 / 1:1000	A.N.		
DRAWING NO.	DATE		
JRN-AN-2019-003	June 2019		

**COMMUNITY & REGULATORY SERVICES
CLACKMANNANSHIRE COUNCIL**

**REPORT OF HANDLING
PLANNING APPLICATION DELEGATED REPORT**

Application Ref. No. 19/00112/PPP

Date of Site Visit: 12/07/2019

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 seeks 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 to be shared with the existing driveway serving 17 Glassford Square and 2 other houses which is taken from a cul de sac head. An extension to the existing driveway would be required to the north of the existing house. A turning area and visitor parking would be created to the north of the existing house. The applicant has indicated that a 1.5 storey house would be erected with a footprint of no greater than 95 m² however the position of the proposed house and exact size is not specified in the application.

Following detailed assessment subsequent to the validation of the application, the submitted plans were found to correctly show the position of the proposed new boundaries and the footprint of the existing house. This assessment followed the submission of inaccurate plans noted in the assessment of a previously refused application for the same proposal (planning reference 18/00244/PPP).

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. The proposed house would be the third house to use the 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. 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 within the carriageway. Roads and Transportation considered it is unlikely that the proposed visitor parking within the existing driveway would be effective as a result of their proposed arrangements. It is therefore concluded that the proposed increase in the number of houses served from an existing private driveway from 2 to 3, the resulting houses served off Glassford Square, a short road with no visitor parking and the unsatisfactory arrangement of proposed visitor parking, would consequently decrease road safety standards. Comment – *noted*.

3. Neighbour Notification and Publicity

Number of Neighbours Notified

19

Number of Objections

1

Number of Other Representations

0

4. Summary of Representation.

An objections was submitted by the following

John McDonald, 30 Jamieson Gardens, 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.*

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 now recommended. Roads and Transportation has advised against the granting of planning permission for this and other reasons.*

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.

5. Summary of Supplementary Statements

The applicant has submitted a document which states his view on the following aspects of the development.

The change of use of agricultural land to the north. The applicant has supplied a copy of the title deed plan for No. 17 Glassford Square. The title deed plans for the area of agricultural land to the north of the house (approved as private garden ground under 16/00097/FULL) and the agricultural ground to the north of the proposed site, has not been submitted. Previously, the Planning service has indicated that the proposed change of use for the agricultural land to the north of the proposed plot would be likely to be acceptable as the land in question is within the settlement boundary. However, the proposed construction of a house to the rear of No.17 Glassford Square has been previously considered in the submission of two previous planning applications. Both applications have been refused as a result of concerns relating to road safety and residential amenity.

The Councils Roads department concerns relating to the length of the proposed driveway. The applicant has identified two cases where the driveway length for a new house has been over 70 metres. In the first case (16/00146/PPP) the new house was between two existing houses and was accessed off the existing driveway. In the second (00/00291/FULL) the new house replaced a workshop which was accessed off an existing driveway. Whilst the driveway length for both examples provided by the applicant exceeded the length currently proposed neither were assessed to result in the road safety concerns held by Roads and Transportation for the current application, for the reasons that adequate vehicle turning and visitor parking were proposed.

Proposed landscaping, energy efficiency, the size of the plot and the amenity of the area and the existing house at No. 17 Glassford Square has also been discussed in the document. All of the issues raised are addressed more fully in the main body of the report.

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 at 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 to the proximity of the proposed house were outlined.

18/00244/PPP - 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 – Refused. Appeal to Local Review Body withdrawn.

8. Planning Assessment

(a) Local Development Plan

The site is within the Tillicoultry Settlement as defined by the adopted Clackmannanshire 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 its 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 that 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 :-

- The house would be a considerable distance from the public road and a significant portion of the driveway would be shared with two other houses, in addition to dissecting the garden ground of 17 Glassford Square. 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 application does not provide details of the size or location within the rear garden ground of the proposed new dwelling house. The only details provided are that the house would not exceed 95m². A house of this approximate size would be 10 metres by 9 metres in footprint. The narrow triangular arrangement of this site is such that less than half of its area could accommodate any building of this or similar size. This part of the site is located in close proximity to the existing dwelling house at 17 Glassford Square and would have resultant unacceptable amenity impacts.
- 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 unacceptably close in its position, either of which scenarios 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 included the land which forms the northern part of the proposed plot and which is subject to a change of use. The 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 and this would be exacerbated by the approval of new house on adjacent land to the special landscape area.
- 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 only.
- 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 garden ground is likely to be considered favourably if submitted for consideration.
- The additional land gained by the change of use is not considered to significantly increase the size of the site such that it could adequately provide for the erection of a new dwellinghouse.

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 house at 17 Glassford Square. The irregular shape of the proposed plot means that there would not be sufficient remaining garden ground available for adequate domestic activities within the plot.

The position of the proposed house with fields to the north and east and open space to the south would lead to an adverse visual impact. The house would appear detached from the adjacent housing, is unrelated in that it would not be within an established group of buildings, and would not integrate with surrounding houses and would therefore appear isolated in visual terms with the special landscape area.

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 development character of Glassford Square, the adjacent special landscape area, the position of 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

☐

Approve with Conditions (see below)

☐

Refusal (see below)

☒

Referral to Historic Scotland

☐

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 erection of an additional dwellinghouse on 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 creation of a site that due to its shape could not acceptably provide for the satisfactory position of a house and the useable space available for activities associated with the domestic use of the proposed house would be inadequate and poorly arranged.**

- (b) The amenity of the existing house would be adversely affected by the location of a house with associated parking and turning areas in close proximity.
- (c) The proposed access does not comply with Roads advice in terms of its design and length.
- (d) The proposed erection of an additional dwellinghouse on the site would result in a building isolated from the grouping of existing buildings to the detriment of the landscape character of the adjacent Special Landscape Area.
- (e) The loss of more than 50 % of the garden to the rear of the existing house.

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

Plan Numbers Relating to the Decision

Plan 1 Location Plan and Access.

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

☐

Two complete sets of plans to be approved are attached, or identified

☐

from the electronic file

☐

The electronic file requires annotated plans which are attached

☐

There are instructions to Business Support attached to this report/file

☐

Site Notice & Note to Applicant required for National, Major or Bad Neighbour development

☐

Coal Authority Householder Referral Area Note to go with Decision

☐

Coal Authority Standing Advice Note to go out with Decision

☒

Signed _____ (Case Officer)

Date 21/08/19

Signed _____ (Team Leader)

Date 21/08/19



**Fw: 19/00112/PPP - New House Plot to East of 17 Glassford Square ,
Tillicoultry.**

Mark Stoddart to: Planning Services

22/07/2019 09:52

M Stoddart
Planner
Clackmannanshire Council
Kilncraigs Greenside Street
Alloa FK10 1EB

TEL No 01259 452626
Mobile [REDACTED]

mstoddart@clacks.gov.uk

----- Forwarded by Mark Stoddart/CLACKS on 22/07/2019 09:52 -----

From: Stuart Cullen/CLACKS
To: Mark Stoddart/CLACKS@CLACKS
Date: 22/07/2019 09:47
Subject: Re: 19/00112/PPP - New House Plot to East of 17 Glassford Square, Tillicoultry.

Mark,

I must have deleted this consultation request from my email list in error , apologies for that.

Having just reviewed the current application submissions I do note that indeed little has changed in terms of the applicant's proposals relating to access and parking provision . As such my Section would reiterate the comments given in it's consultation response dated 27/11/18.

Stuart R. Cullen
Principal Roads and Flooding Officer
Community and Regulatory Services
[REDACTED]

Mark Stoddart Stuart, this is a new application for a 2018 propos... 22/07/2019 09:21:09

From: Mark Stoddart/CLACKS
To: Stuart Cullen/CLACKS@CLACKS
Date: 22/07/2019 09:21
Subject: 19/00112/PPP - New House Plot to East of 17 Glassford Square, Tillicoultry.

Stuart, this is a new application for a 2018 proposal (18/00244/PPP). which was refused. We have consulted you on the new application but do not seem to have received a reply. There is very little change in the proposed access / parking from the original application . If you earlier comments still stand can you confirm this and I will include them in our assessment.

M Stoddart
Planner
Clackmannanshire Council
Kilncraigs Greenside Street
Alloa FK10 1EB
[REDACTED]



Memo

To: Development Quality

From: Roads and Transportation

Extension: [REDACTED]

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

13th June 2019

Clackmannanshire Council
Kilncraigs Alloa
Clackmannanshire
FK10 1EB



Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Steps
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: 19/00112/PPP
OUR REFERENCE: 778406

**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
<https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network>

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** 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 taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, 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-and-Developers/Connecting-to-Our-Network>**

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

[Redacted signature]