

APPLICATION NO
: F/91/0058

Falkirk District Council

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT (SCOTLAND) ORDERS

OUTLINE PLANNING PERMISSION

Applicant

Mrs A Mair
Northshields Farm
Denny FK6 5HJ

Reference is made to your application received on 18 JAN 91 for OUTLINE PLANNING PERMISSION for the following development:

PROPOSAL : Erection of Agricultural Worker's Dwellinghouse
(Outline)
LOCATION : Northshields Farm, Denny.

Falkirk District Council, in exercise of its powers under the above-mentioned Acts and Orders, hereby :

GRANTS OUTLINE PLANNING PERMISSION for the above development in accordance with the plan(s) docquetted as relative hereto, subject to the following condition(s) :

(1) This permission is granted under the provisions of paragraph 4(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 on an outline application and the further approval of the Council or of the Secretary of State on appeal shall be required in respect of the undermentioned matters hereby reserved before any development is commenced:

- (a) the siting, size, height, design & external appearance of the proposed development;
- (b) details of the access arrangements;
- (c) details of landscaping of the site.

(2) That in order to comply with Section 39 of the Town and Country Planning (Scotland) Act 1972, in the case of the reserved matters specified, application for approval must be made before:

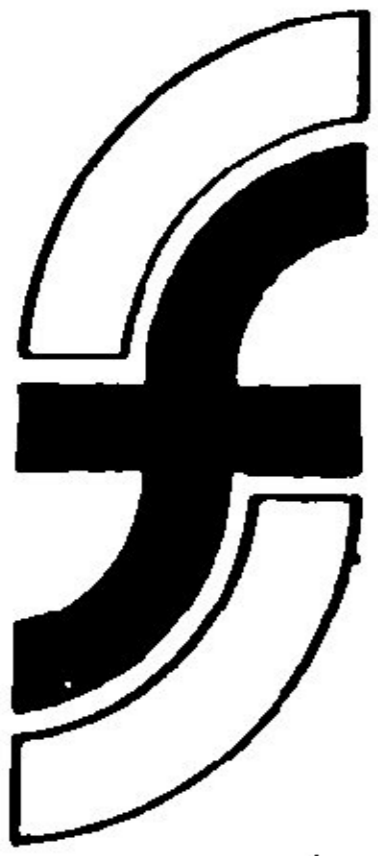
- (a) the expiration of 3 years from the date of the grant of outline permission; or
- (b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
- (c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed, whichever is the latest.

Provided that only one such application may be made in the case after the expiration of the 3 year period

ADVICE NOTES ON DECISION NOTICE

1. If the applicant is aggrieved by any of the conditions imposed by the District Council in relation to this Approval of Reserved Matters, he may appeal to the Secretary of State in accordance with section 33 of the Town and Country Planning (Scotland) Act, 1972, within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority otherwise than subject to conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If the permission to develop land is granted subject to conditions, whether by the local authority or by the Secretary of State, 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, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 1X, of the Town and Country Planning (Scotland) Act 1972.
3. In certain circumstances, a claim may be made against the planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 158 of the Town and Country Planning (Scotland) Act 1972.

An appeal to the Secretary of State should be made on a form obtainable from the Scottish Development Department, 16 Waterloo Place, Edinburgh, EH1 3DN (Telephone 031-556-8400).



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OUTLINE PLANNING PERMISSION

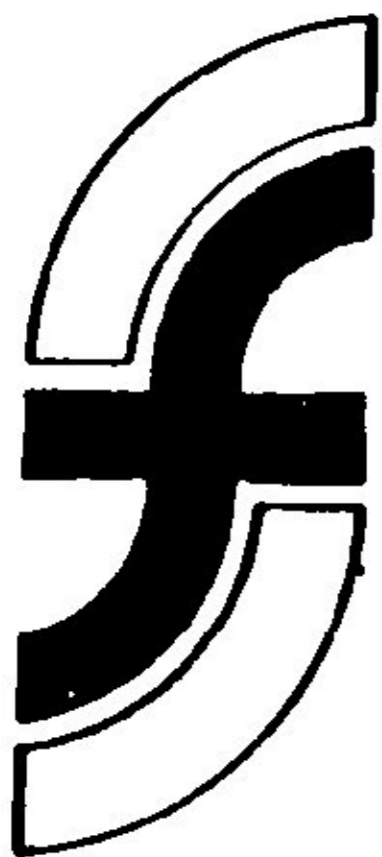
mentioned in sub-paragraph (a) above :

- (3) That the development to which this permission relates must be begun not later than whichever is the later of the following dates :
 - (a) the expiration of 5 years from the date of the grant of this outline planning permission; or
 - (b) the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- (4) The vehicular access to the site shall be 5 metres wide with 3.5 metre radii and the bellmouth of the site access shall be constructed in accordance with Central Regional Council's "Development Roads Guidelines and Specification, October, 1988" to the satisfaction of the District Planning Authority.
- (5) There shall be no obstruction to visibility over 1 metre in height within 2.5 x 125 metre visibility splays in both directions to the satisfaction of the District Planning Authority and the
- (6) A minimum of 1 residents parking space and 1 visitors parking space, and a vehicle turning area shall be provided within the site to the satisfaction of the District Planning Authority.
- (7) As part of any application for Approval of Reserved Matters, the results of a porosity test on the disposal of sewage effluent shall be submitted to and approved by the District Planning Authority.
- (8) All drainage provision shall be provided in accordance with the requirements of the Forth River Purification Board to the satisfaction of the District Planning Authority.
- (9) The dwellinghouse shall not exceed single storey to eaves height on its road facing elevation and shall be designed with its main ridge line parallel to Fintry Road and shall have a roof pitch of between 40 and 45 degrees to the satisfaction of the District Planning Authority.
- (10) The fenestration of the dwellinghouse shall be designed with a strong vertical emphasis to the satisfaction of the District Planning Authority.

ADVICE NOTES ON DECISION NOTICE

1. If the applicant is aggrieved by any of the conditions imposed by the District Council in relation to this Approval of Reserved Matters, he may appeal to the Secretary of State in accordance with section 33 of the Town and Country Planning (Scotland) Act, 1972, within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority otherwise than subject to conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If the permission to develop land is granted subject to conditions, whether by the local authority or by the Secretary of State, 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, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 1X, of the Town and Country Planning (Scotland) Act 1972.
3. In certain circumstances, a claim may be made against the planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 158 of the Town and Country Planning (Scotland) Act 1972.

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OUTLINE PLANNING PERMISSION

- (11) As part of any application for Approval of Reserved Matters a detailed specification of all external construction materials, which shall be sympathetic to the site's rural location, shall be submitted to and approved by the District Planning Authority.
- (12) The dwellinghouse shall be protected so that externally generated noise does not cause internal noise levels to exceed 40 dB(A) Leq 1 hour for the time between 0800 and 1800 hours and 35 dB(A) Leq 1 hour at all other times to the satisfaction of the District Planning Authority.

Reasons:-

- (1) To safeguard the interests of the users of the highway.
- (2) To ensure that adequate drainage facilities are provided.
- (3) To safeguard the visual amenity of the area and ensure that the design of the dwellinghouse is sympathetic to its rural location.
- (4) To ensure that the inhabitants of the dwellinghouse are not subjected to noise nuisance.

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.

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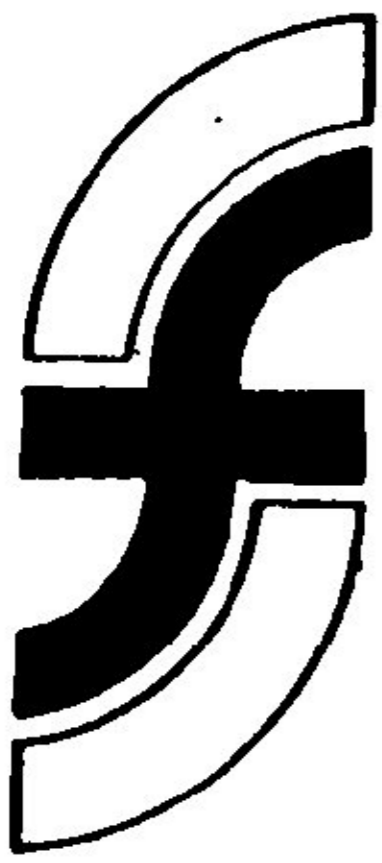


DIRECTOR OF DEVELOPMENT SERVICES

ADVICE NOTES ON DECISION NOTICE

1. If the applicant is aggrieved by any of the conditions imposed by the District Council in relation to this Approval of Reserved Matters, he may appeal to the Secretary of State in accordance with section 33 of the Town and Country Planning (Scotland) Act, 1972, within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority otherwise than subject to conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If the permission to develop land is granted subject to conditions, whether by the local authority or by the Secretary of State, 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, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 1X, of the Town and Country Planning (Scotland) Act 1972.
3. In certain circumstances, a claim may be made against the planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 158 of the Town and Country Planning (Scotland) Act 1972.

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APPLICATION NO
: F/93/0059

Falkirk District Council

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT (SCOTLAND) ORDERS

DETAILED PLANNING PERMISSION

Agent

Gordon Dimmer
Oakbank
Callander
FK17 8AB

Applicant

Mrs Anne Mair
Northshields Farm
Denny
FK6 5HJ

Reference is made to your application registered on 01 FEB 93 for PLANNING PERMISSION for the following development:

PROPOSAL : Erection of Dwellinghouse (Detailed)
LOCATION : Northshields Farm, Denny.

Falkirk District Council, in exercise of its powers under the above-mentioned Acts and Orders, hereby :

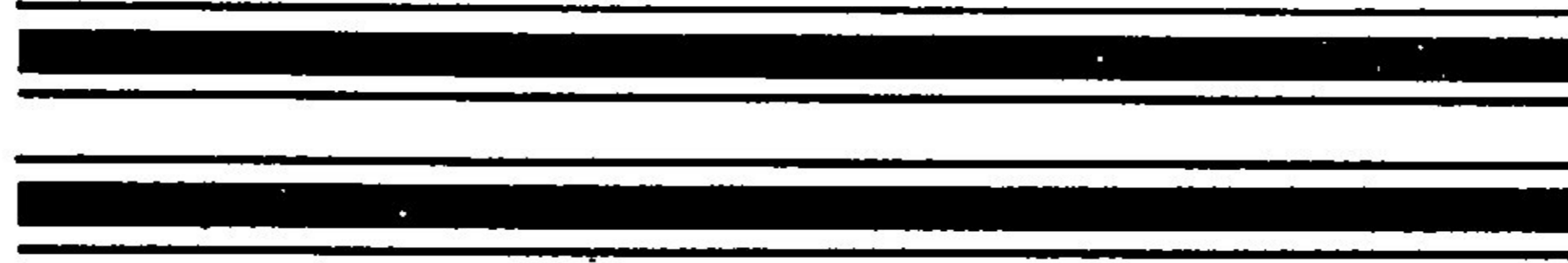
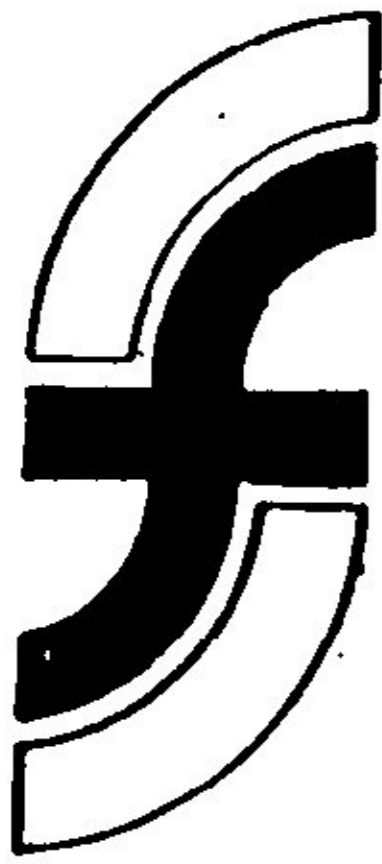
GRANTS PLANNING PERMISSION for the said development in accordance with the plan(s) docketted as relative hereto and the particulars given in the application subject, however, to the following condition(s):

- (1) That, in order to comply with Section 38 of the Town and Country Planning (Scotland) Act 1972, the development to which this permission relates must be begun within five years from the date of this permission.
- (2) Vehicular access to the site shall be 5.5 metres wide with 3.5 radii, as indicated in red on the Approved Plan, to the satisfaction of the District Planning Authority.
- (3) The bellmouth shall be constructed in accordance with Central Regional Council's "Development Roads Guidelines and Specification, October, 1988", to the satisfaction of the District Planning Authority.
- (4) Visibility splays 2.5 x 125 metres shall be provided at both sides of the access, within which there shall be no obstruction to visibility over 1 metre in height above carriageway level, to the satisfaction of the District Planning Authority.
- (5) Before any work commences on site a soil porosity test shall be carried out and the results submitted to and approved by the District Planning Authority.

ADVICE NOTES ON DECISION NOTICE

1. If the applicant is aggrieved by any of the conditions imposed by the District Council in relation to this Detailed Planning Permission he may appeal to the Secretary of State in accordance with section 33 of the Town and Country Planning (Scotland) Act, 1972, within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority otherwise than subject to conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
2. If the permission to develop land is granted subject to conditions, whether by the local authority or by the Secretary of State, 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, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 1X, of the Town and Country Planning (Scotland) Act 1972.
3. In certain circumstances, a claim may be made against the planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 158 of the Town and Country Planning (Scotland) Act 1972.

An appeal to the Secretary of State should be made on a form obtainable from the Scottish Office Inquiry, Reporters Unit, 2 Greenside Lane, Edinburgh EH1 3AG. (Telephone 031-244-5669).



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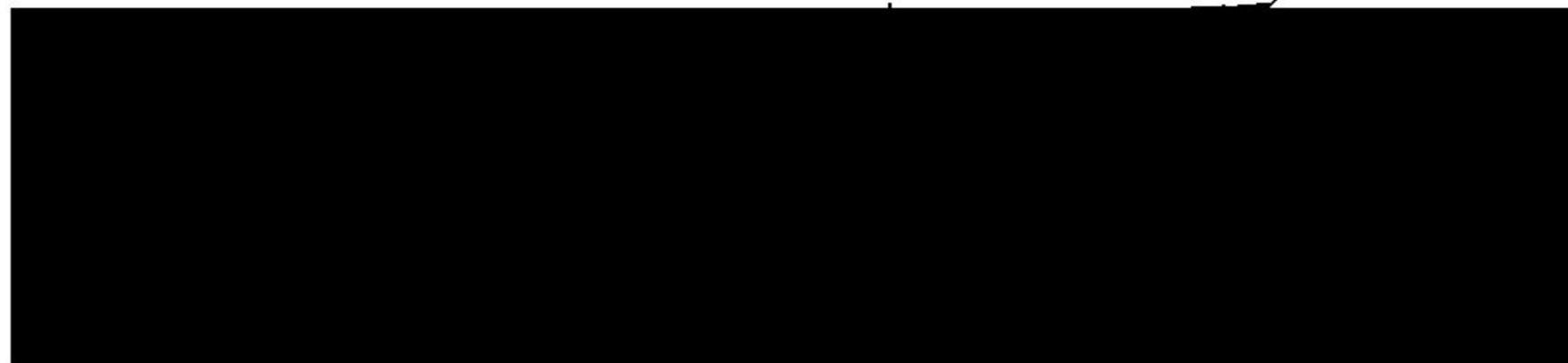
DETAILED PLANNING PERMISSION

- (6) All drainage facilities shall be provided in accordance with the requirements of the Director of Water and Drainage, Central Regional Council, and the Forth River Purification Board, to the satisfaction of the District Planning Authority.
- (7) Notwithstanding any specification on the Approved Plans or application form, before work commences on site, a sample panel of the proposed roughcast shall be prepared and a sample of the natural slate and stone shall be submitted to and approved by the District Planning Authority.
- (8) The dwellinghouse shall be protected so that externally generated noise does not cause internal noise levels to exceed 45 dB(A) Leq 1 hour for the time between 0800 hours and 1800 hours, and 40 dB(A) Leq 1 hour at all other times, to the satisfaction of the District Planning Authority.

Reasons:-

- (1) To safeguard the interests of users of the highway.
- (2) to ensure that adequate drainage facilities are provided.
- (3) To safeguard the visual amenity and rural character of the area.
- (4) To safeguard the occupants of the dwellinghouse from excessive noise nuisance.

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.



06 MAY 93

DIRECTOR OF DEVELOPMENT SERVICES

ADVICE NOTES ON DECISION NOTICE

1. If the applicant is aggrieved by any of the conditions imposed by the District Council in relation to this Detailed Planning Permission he may appeal to the Secretary of State in accordance with section 33 of the Town and Country Planning (Scotland) Act, 1972, within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the planning authority otherwise than subject to conditions imposed by them, having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order.
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