



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

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

Local Review Body

**Thursday 12 March 2026 at 11.00 am
(or 15 minutes after the conclusion of the
Planning Committee whichever is later)**

**The meeting will take place in the
Council Chamber, Kilncraigs, Alloa**

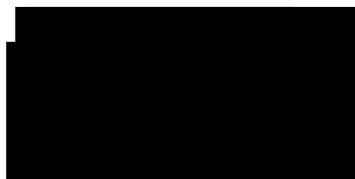
Scheme of Delegation: Duties and Responsibilities Delegated to Committees

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.

4 March 2026

MEETING of the LOCAL REVIEW BODY will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA, on THURSDAY 12 MARCH 2026 at 11.00 am (or 15 minutes after the conclusion of the Planning Committee whichever is later).



LEE ROBERTSON
Senior Manager, Legal and Governance

B U S I N E S S

| | Page No. |
|--|-----------------|
| 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: 25/00202/PPP - Application for Erection Of 1 No. House On Garden Ground at 27 Middleton, Menstrie, FK11 7HD Applicant: Miss J Ford Agent: Mr Mark Tomkinson, Enspire Architecture Studio Ltd | |
| Documents enclosed: | |
| a. Notice of Review Application and supporting documents - Received 27/01/26 | 05 |
| b. Letter of Acknowledgement from Clerk 03/02/26 | 17 |
| c. Letters to Interested Parties 03/02/26 | 19 |
| d. Response from Interested Party: Roads & Transportation 09/02/26 | 23 |
| e. Response from Interested Party: Dr and Mr Ramsay 15/02/26 | 25 |
| f. Response from Interested Party: Ms Ferguson 16/02/26 | 27 |
| g. Notice to Agent with Interested Party Responses 18/02/26 | 29 |

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| h. Response from Applicant re Interested Party Response 25/02/26 | 31 |
| i. Original Planning Application and supporting documents | 33 |
| j. Report of Handling | 55 |
| k. Decision Notice | 65 |

Members of the Local Review Body:

Councillor Denis Coyne (Convener)

Councillor William Keogh

Councillor Jane McTaggart

Substitute Members

Councillor Mark McLuckie

Councillor Donald Balsillie

Independent Planning Adviser

Pauline Elliot, Interim Chief Planner

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



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 100732871-002

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.

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

Agent Details

Please enter Agent details

| | | | |
|-----------------------|---------------------------------|--|-------------------------------|
| Company/Organisation: | Enspire Architecture Studio Ltd | | |
| Ref. Number: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| First Name: * | Mark | Building Name: | Office 29, Alloa Business Ctr |
| Last Name: * | Tomkinson | Building Number: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Address 1 (Street): * | Whins Rd |
| Extension Number: | <input type="text"/> | Address 2: | <input type="text"/> |
| Mobile Number: | <input type="text"/> | Town/City: * | Alloa |
| Fax Number: | <input type="text"/> | Country: * | Clackmannanshire |
| | | Postcode: * | FK10 3SA |
| Email Address: * | <input type="text"/> | | |

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | |
|----------------------|---|---|
| Title: | <input type="text" value="Miss"/> | 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="J"/> | Building Number: <input type="text" value="█"/> |
| Last Name: * | <input type="text" value="Ford"/> | Address 1 (Street): * <input type="text" value="██████"/> |
| Company/Organisation | <input type="text"/> | Address 2: <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * <input type="text" value="██████"/> |
| Extension Number: | <input type="text"/> | Country: * <input type="text" value="█"/> |
| Mobile Number: | <input type="text"/> | Postcode: * <input type="text" value="██████"/> |
| Fax Number: | <input type="text"/> | |
| Email Address: * | <input type="text" value="████████████████████"/> | |

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="27 MIDDLETON"/> |
| 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="MENSTRIE"/> |
| Post Code: | <input type="text" value="FK11 7HD"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="696457"/> | Easting | <input type="text" value="285312"/> |
|----------|-------------------------------------|---------|-------------------------------------|

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection Of 1 No. House On Garden Ground (PPP Application)

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See attached Appeal Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

1709 PL01a - Existing and Proposed SUBMISSION 1709 - Appeal Statement SUBMISSION 1709 - Location Plan 2
SUBMISSION

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

25/00202/PPP

What date was the application submitted to the planning authority? *

13/11/2025

What date was the decision issued by the planning authority? *

12/01/2026

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Observing the site as existing would be beneficial to make a proper determination; extent or surplus ground will be clearer, existing neighbour scenario etc

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

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

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Mark Tomkinson

Declaration Date: 23/01/2026

Payment Details

Pay Direct

Created: 26/01/2026 09:27

PLANNING PERMISSION IN PRINCIPLE APPLICATION

“Erection Of 1 No. House On Garden Ground”

Garden Ground of 27 Middleton, Menstrie

Points to be Considered & Reasons for Seeking Review

A - Refusal Notice first states that;

“Due to the narrowness of the area potentially available to be developed, and having regard to the character and layout (including orientation) of existing development in the immediate locale, the creation of a plot for a detached dwelling would give rise to a cramped form of development, which would not integrate well visually with the street scene, and lead to overdevelopment of the overall site...”

1. The characteristics of the area include; main gables to front, main gables to side, dormers to front, rooms wholly within roofs, 2-storey dwellings, flat roofed and pitched roof garages & outbuildings, regular and triangular gardens, non-uniform orientation of buildings and so on. There are no primary characteristics for buildings in the vicinity of the site



2. We have not proposed a detailed design, only an indicative option by 3D and 2D indicative means. Our ‘indicative’ suggestion is for a modest unit with roofline orientated to match the neighbouring semi detached block to the south. ‘Orientation’ is therefore addressed



3. The indicative layout of the new unit on the site suggests a median frontage line between the existing main property (27 Middleton) and 2 Craighorn where currently 27 Middleton

projects far in front of the natural building line on the west side of Craighorn. The new building will be accommodated within a natural step between the Craighorn and 27 Middleton building lines. This addresses the 'integration' point

4. In terms of a '*cramped form of development*', the 'indicative' unit suggests standard 1m distances to side boundaries (which are standard minimum dimensions). Other properties on the street are built on the boundary lines, with similar neighbouring windows on the upper level such as between 12 & 14 Craighorn:

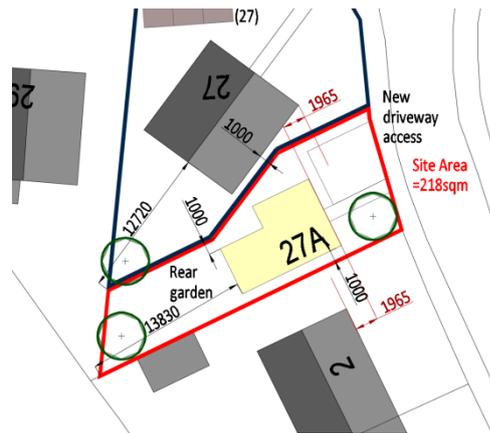


Properties have single storey buildings on their boundary line and not 1m set back as we have indicated, on the nearby property at 3 Lipney:



Sufficient space to the front for parking and very generous rear garden ground of around 14m, similar to the rear garden depths on Craighorn, is indicated. 9m is sufficient in new housing developments

5. The indicated plot ratio is 1:4.36 which does not imply a 'cramped' or an 'overdeveloped' development



- In terms of scale, adjacent properties have ridge heights of around 6.5m in our estimation. Our indicative model shows a ridge height of under 5.5m. A planning condition restricting ridge height to 6 or 6.5m could be applied

B - Refusal Notice secondly states that;

“The indicative supporting material enables it to be identified that there is inadequate space within which to establish a residential plot without unduly causing adverse impacts on the private residential amenity enjoyed by occupiers of 2 Craighorn, having particular regard to the two large gable end windows serving (main) habitable rooms and the distance between the gable wall of 2 Craighorn and the site boundary. The developable part of the site is situated at a pinchpoint created by (i) the orientation of 27 Middleton and (ii) the limited distance between its southernmost corner and the boundary with 2 Craighorn.”

- The proposals are for a development of surplus garden ground, not amenity for neighbouring properties.
- The gable end windows at 2 Craighorn are set back around 4m from the boundary of 27 Middleton. This is deemed sufficient distance from the boundary and private garden ground of 27 Middleton currently.
- A new single storey dwelling will not adversely affect natural light of the adjacent properties. It would be prudent to note that a single storey garage building would be acceptable on the site (perhaps permitted development), to the north of the Craighorn properties
- The indicative new dwelling is single storey, a requirement for ‘no new habitable windows to be formed on the southern side’ could be stipulated by planning condition. The boundary fence between properties facilitates privacy.
- The site is a ‘pinchpoint’ by virtue of the odd orientations of 2 Middleton and 2 Craighorn. However, as above, the indicative new dwelling accommodates the site comfortably and with generous private amenity.
- ‘Pinchpoint’ sites are prevalent in the vicinity



In conclusion, we would respectfully request that the Local Review Body consider our responses to the reasons given to refuse our application and trust that you would also conclude that our proposal to erect a modest single storey unit in principle (with sufficient amenity) in this surplus garden ground would be an acceptable endeavour in the circumstances. This development would also modestly contribute to the housing supply shortage that the Council are seeking to address.



INDICATIVE 3D IMAGES



Enspire Architecture Studio Ltd accepts responsibility for this document to the commissioning party only and not to any other.

Enspire Architecture Studio Ltd does not accept liability for accuracy or veracity of survey information provided by others and used in the preparation of this drawing.

All vertical and horizontal dimensions and levels must be checked and verified on site.

Note: Do not scale from drawing, refer to stated dimensions only.

Copyright: Enspire Architecture Studio Ltd

PLANNING

REV A - Indicative Unit scale reduced, garden area increased, building line adjusted. To address points raised by Planning. 18-11-25

REVISIONS



Enspire (Chartered) Architects
T: 01259 213133
M: 07732 847111
E: mark@enspire-architects.co.uk
W: www.enspire-architects.co.uk
Office 29, Alloa Business Ctr,
Whins Rd, Alloa FK10 3SA

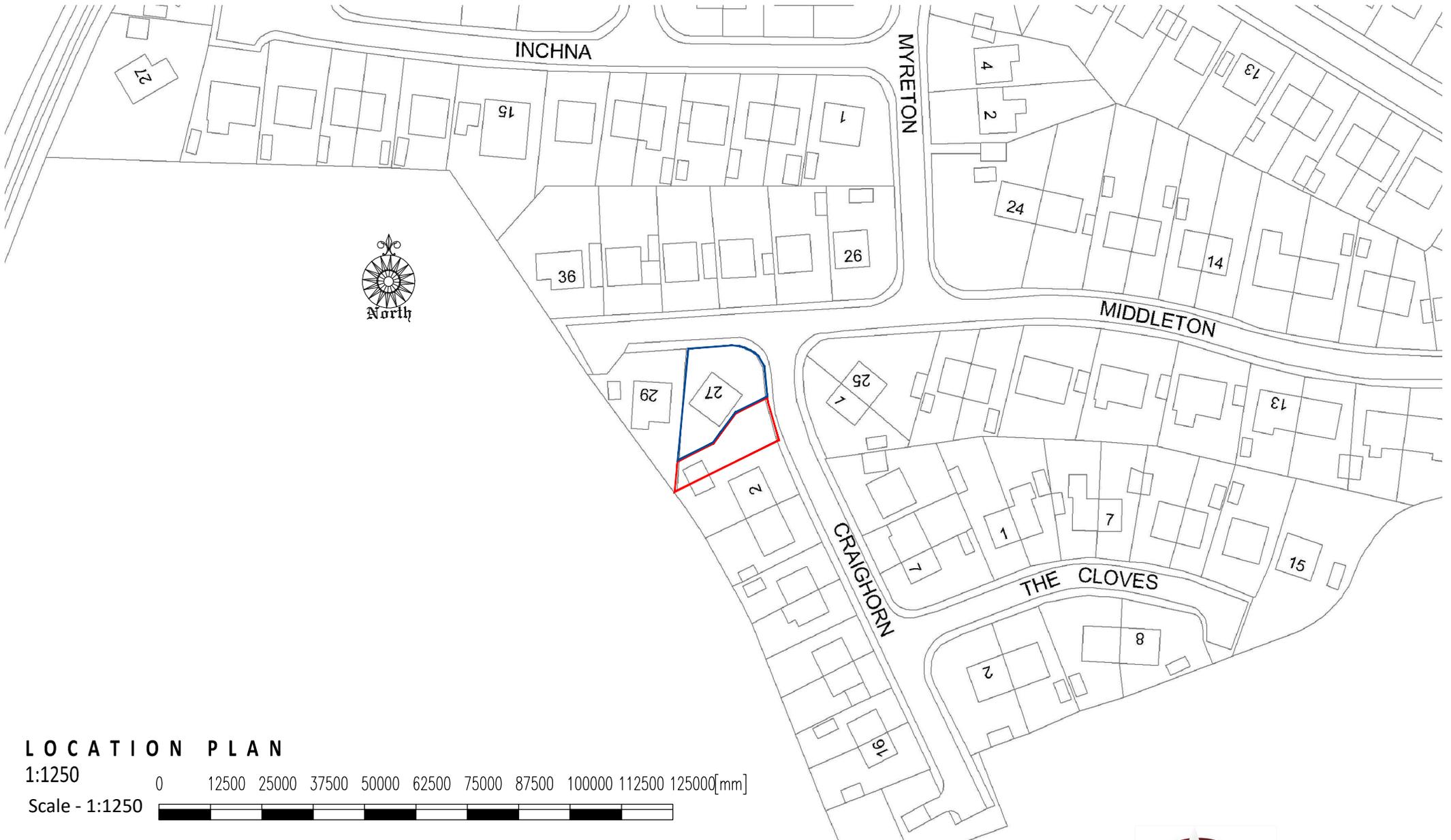
ENSPIRE
ARCHITECTURE STUDIO LTD

PROJECT
PPP Application
Garden Ground, 27 Middleton
Menstrie FK11 7HD

DRAWING TITLE
EXISTING & PROPOSED (INDICATIVE)

CLIENT
Miss J Ford

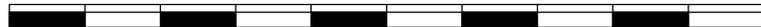
SCALE Noted **DATE** November 2025
DRAWING NO. 1709 / PLPPP/01 A



LOCATION PLAN

1:1250 0 12500 25000 37500 50000 62500 75000 87500 100000 112500 125000[mm]

Scale - 1:1250



**27 Middleton,
Menstrie**



Enspire (Chartered) Architects
 T: 01259 213133
 M: 07732 847111
 E: mark@enspire-architects.co.uk
 W: www.enspire-architects.co.uk
 Office 29, Alloa Business Ctr,
 Whins Rd, Alloa FK10 3SA

Proposal Details

| | |
|------------------------------|--|
| Proposal Name | 100732871 |
| Proposal Description | PPP application for one residential unit |
| Address | 27 MIDDLETON, MENSTRIE, FK11 7HD |
| Local Authority | Clackmannanshire Council |
| Application Online Reference | 100732871-002 |

Application Status

| | |
|--------------------------|----------|
| Form | complete |
| Main Details | complete |
| Checklist | complete |
| Declaration | complete |
| Supporting Documentation | complete |
| Email Notification | complete |
| Fee | complete |
| Payment Method | complete |

Attachment Details

| | | |
|---|----------|----|
| Notice of Review | System | A4 |
| 1709 PL01a - Existing and Proposed SUBMISSION | Attached | A1 |
| 1709 - Location Plan 2 SUBMISSION | Attached | A4 |
| 1709 - Appeal Statement SUBMISSION | Attached | A4 |
| Notice_of_Review-2.pdf | Attached | A0 |
| Application_Summary.pdf | Attached | A0 |
| Notice of Review-002.xml | Attached | A0 |

Legal and Governance

Kilncraigs, Greenside Street, Alloa, FK10 1EB
Telephone: 01259 450000



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Lee Robertson

Direct Contact: Senior Manager – Legal and Governance

Telephone: 01259 452087

Email: LRB@clacks.gov.uk

Our Ref: 25/00202/PPP

Your Ref:

Date: 3 February 2026

Mr Mark Tomkinson
Office 29
Alloa Business Centre
Whins Road
ALLOA
FK10 3SA

Sent By E-Mail to:

Dear Mr Tomkinson

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

Thank you for your correspondence received on 27 January 2026 enclosing a Notice of Review application form and supporting statement, in respect of Planning Application Reference Number 25/00202/PPP (Application for Erection Of 1 No. House On Garden Ground at 27 Middleton, Menstrie, FK11 7HD). I understand you are acting as agent for Miss J Ford, 27 Middleton, Menstrie, FK11 7HD.

The Notice of Review is in order and can proceed.

Interested parties have been sent a copy of your Notice of Review and accompanying documents. These interested parties have until 17 February 2026 to make representation on the information contained in your Notice of Review and accompanying documents.

Representations received from interested parties will be copied to you and you will have a further 14 days from receipt of these representations in which to submit any further comments you may wish to make.

The Council will make a copy of the review documents, any notices and any procedure notes available for inspection on the Council's website www.clacks.gov.uk until such time as the Review is determined.

Yours sincerely

Lee Robertson
Senior Manager – Legal and Governance
Clerk to the Local Review Body

Legal and Governance

Kilncraigs, Greenside Street, Alloa, FK10 1EB
 Telephone: 01259 450000



Clackmannanshire Council

www.clacks.gov.uk

Comhairle Siorrachd
 Chlach Mhanann

Ms Emma Ferguson

Direct Contact: Lee Robertson
 Solicitor

Telephone: 01259 452087

Email: LRB@clacks.gov.uk

Our Ref: 25/00202/PPP

Your Ref:

Date: 3 February 2026

Dear Ms Ferguson

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

The undernoted applicant has asked the Local Review Body to review the decision made by the Appointed Person in respect of their Planning Application.

| | |
|---------------------------------|--|
| Name of Applicant: | Miss J Ford |
| Name of Agent: | Mr Mark Tomkinson |
| Site Address: | 27 Middleton, Menstrie, FK11 7HD |
| Description of the Application: | Application for Erection Of 1 No. House On Garden Ground at 27 Middleton, Menstrie, FK11 7HD |
| Planning Application Ref No: | 25/00202/PPP |

As an interested party to the original planning application, it appears that you may have an interest in this Notice of Review.

A copy of the notice of review is attached and other documents related to the review may be inspected at www.clacks.gov.uk. These documents can also be accessed by searching on either the application reference number, postcode, or a single line of an address. **As an interested party, you have the opportunity to make further representation to the Local Review Body. Your representation should be sent to me at LRB@clacks.gov.uk no later than 14 days from the date of this letter.**

Copies of representations made regarding the application, other than those to be treated in confidence, will be sent to the applicant and will be considered by the Local Review Body when determining the review.

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Yours sincerely

Lee Robertson
Senior Manager – Legal and Governance
Clerk to the Local Review Body
 Enc.



Legal and Governance

Kilncraigs, Greenside Street, Alloa, FK10 1EB
Telephone: 01259 450000

Direct Contact: Lee Robertson
Solicitor
Telephone: 01259 452087
Email: LRB@clacks.gov.uk
Our Ref: 25/00202/PPP
Your Ref:
Date: 3 February 2026

Dr Rhona Ramsay and Mr Ramsay
and Mr Ramsay

Dear Dr Ramsay and Mr Ramsay

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

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Yours sincerely

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Clerk to the Local Review Body
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Legal and Governance

 Kilncraigs, Greenside Street, Alloa, FK10 1EB
 Telephone: 01259 450000

 Direct Contact: Lee Robertson
 Solicitor

Telephone: 01259 452087

Email: LRB@clacks.gov.uk

Our Ref: 25/00202/PPP

Your Ref:

Date: 3 February 2026

 Mr Stuart Cullen
 Clackmannanshire Council
 Roads and Transportation
 Kilncraigs
 Greenside Street
 Alloa
 FK10 1EB

Dear Mr Cullen

**The Town and Country Planning (Schemes of Delegation and Local Review Procedure)
(Scotland) Regulations 2013**

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Yours sincerely

 Lee Robertson
 Senior Manager – Legal and Governance
 Clerk to the Local Review Body
 Enc.



Legal and Governance

Kilncraigs, Greenside Street, Alloa, FK10 1EB
Telephone: 01259 450000

Direct Contact: Lee Robertson
Solicitor

Telephone: 01259 452087

Email: LRB@clacks.gov.uk

Our Ref: 25/00202/PPP

Your Ref:

Date: 3 February 2026

Scottish Water - Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road, Stepps
Glasgow
G33 6FB

Dear Sir/Madam

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

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Yours sincerely

Lee Robertson
Senior Manager – Legal and Governance
Clerk to the Local Review Body
Enc.

Gillian White

From: Jason Mackay
Sent: 09 February 2026 10:58
To: Gillian White
Cc: Stuart Cullen
Subject: Re: Application for Review by the Local Review Body - Erection Of 1 No. House On Garden Ground at 27 Middleton, Menstrie, FK11 7HD - Notice to Interested Parties

OFFICIAL-Non Sensitive

Hi Gillian,

We at Roads do not have any further comments on this application.

Regards,

Jason Mackay
Principal Roads and Flooding Officer



Dear Lee,

Many thanks for giving us the opportunity to comment on the Notice of Review that has been submitted by Miss J Ford.

First of all we would just like to thank the planning team for having researched their report so thoroughly and for undertaking a site visit to understand the area and the issues. We would also like to point out that the appeal gives no new information that wasn't considered originally by the planning team but we would simply make the following comments on each of the numbered elements of the appeal. Our comments are as follows:

1. The planning team's point was that a new house in the small plot would be cramped and out of keeping with the plot sizes within the estate and that it would conflict with the carefully planned orientation of the houses in the estate. Our house, for example, has a large window looking onto the roadside but is not overlooked by adjacent properties as they are staggered and angled away. The fact that the estate contains a mix of front gables is irrelevant and the mixture of orientations makes our point.
2. See the point above but we would disagree that the indicative option addresses our concerns about orientation.
3. We are not sure how the attached image shows how integration has been addressed. The proposed building looks cramped and out of keeping - exactly as the planning team concluded.
4. The examples provided are of garages and extensions to existing houses. We had previously stated that the advantage to the houses in this estate is that they are very modifiable but there is not another example of a house being built in the garden of an existing house in this estate. A new house would cramp both our house in Craighorn and 27 Middleton that the applicant has bought. It is an interesting point they make that 9m is sufficient in new housing developments as this is a 1969 housing estate - once again evidence that the proposal is out of keeping with the estate in which it is planned.
5. Not being architects, it is difficult to comment on the plot ratio but we would suggest this is likely an appropriate plot ratio in a modern housing estate but not in this one, which is characterised by generous garden plots and parking bays.
6. It is difficult to understand what point is being made here. This point - alongside all the others - does not bring any new information on which to make an appeal, but does highlight the vagueness of the plans submitted.
7. The planning team commented that the proposal adversely impacts our amenity - not that their garden is our amenity. The space between the corner of 27 Middleton and our gable is too narrow for a residential development and the planners are protecting both our amenity as well as that of 27 Middleton.
8. It is not relevant what the applicant thinks is sufficient space. The planning team, who made a visit to the site and undertook a full analysis of the application, consider the space to be insufficient.
9. As stated in a previous objection, our bedroom on the gable of our house has only one window and, being north facing, enjoys little light as it is without having a house built immediately adjacent. The planning status of a possible garage is irrelevant as they are not

choosing to build a garage.

10. None of this is new information and so not pertinent to an appeal.

11. The proposed site absolutely does not accommodate a new dwelling comfortably and neither the proposed house or 27 Middleton will have generous private amenity.

12. It is interesting that a previous submission by the applicant suggested this was a unique site and that precedent would not be an issue. Now we are told there are many 'pinchpoints' in the estate. We would agree that this orientation of the houses is not that uncommon - as stated in our earlier points that the houses were very carefully planned out by the builders in the 1960s. However, there has not been another house built in the space between two houses in this estate yet and approving this would lead to a proliferation of houses in gardens in the estate.

The final point we would make is that this 'modest' house will not help to combat any national housing crisis - indeed, Clackmannanshire's population is due to fall. Of more concern locally is the building of houses without the necessary infrastructure to accommodate the additional people. This housing estate is still predominantly inhabited by older people who bought the houses when new or shortly afterwards. There will come a point when this will naturally reverse and a new influx of families could put a significant strain on the local nursery and school.

We hope this is useful to the panel when considering the appeal.

Best wishes

Dr and Mr Ramsay.



Re: Application for Review by the Local Review Body - Erection Of 1 No. House On Garden Ground at 27 Middleton, Menstrie, FK11 7HD - Notice to Interested Parties

Emma Ferguson to: Local Review Body,

16/02/2026 19:13

Hi Gillian

Further to your email of 3 February, please find below my response to the Local Review Body.

Thank you for the opportunity to reply to the review submission re the above planning proposal.

I would like to note my continued objection to the proposed development .

To clarify my reasoning for this, please find below relevant excerpts from my earlier submissions.

Submission – 01/12/25 (response to original application):

The above application is not with reference to an extension to an existing house . Instead, it is with reference to the erection of 1 new/additional residential property on what is currently the driveway and part of the side garden at 27 Middleton (Menstrie).

Having reviewed the planning paperwork I would suggest this proposal is about shoehorning in a new residential property into an area of land that was never designed for that purpose. This would not be in keeping with the layout and design of the existing estate.

For myself however a key concern of this proposal is with reference to increased traffic and parked vehicles (kerbside) at the Craighorn/Middleton junction.

If residents in Craighorn and the Cloves were asked to put their hand up if they have experience a near miss entering or existing Craighorn at this junction I would suggest almost all would put their hand up with many noting this has happened on more than one occasion. With cars parked kerbside on Craighorn and Middleton (in the immediate vicinity of the junction) coupled with some bushes in the gardens at the properties on the opposite side of Craighorn (also at the junction) your vision as a driver is greatly obscured to oncoming traffic.

Submission – 26/12/25 (response to follow up submission from applicant):

“There would be 5 new parking spaces serving 2 properties. 3 for number 27 and 2 for the new property. Thus a big improvement on the only 1 space there is just now for the 3 bed property.”

The proposal of 5 off road parking spaces across the existing front garden at number 27 Middleton sounds very much like a ‘carpark’ and will equally not resolve the fundamental

issue linked to traffic flow as I highlighted in my original submission .

(I note from the '**Planning Application Delegated Report**' that a site visit did take place on 25/11/25.

Within the same document reference is made to road safety of which the Planning Department found no concern.

I would however like to reiterate my concern with regards to flow of traffic from and to Middleton, at the Craighorn/Middleton T junction.

Whilst off road parking has been increased to 5 spaces across the current front garden of 27 Middleton, this equally means 5 individual exit points (from single car parking spaces) at what is a noted blind corner.

I would therefore highlight that this does not resolve any of the road safety concerns noted in my original submission of 01/12/25.)

“finally with the declared housing crisis I thought having another housing unit would be looked on positively”

I would suggest that the proposed development, as referenced by the applicant as being a potential residence for her elderly mother, would result in moving a parent from their existing residence to another. I would therefore suggest this would not resolve any housing crisis.

Legal and Governance

Kilncraigs, Greenside Street, Alloa, FK10 1EB
Telephone: 01259 450000



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Mr Mark Tomkinson
Office 29
Alloa Business Centre
Whins Road
ALLOA
FK10 3SA

Sent By E-Mail to:

Direct Contact: Lee Robertson
Senior Manager – Legal and Governance

Telephone: 01259 452087

Email: LRB@clacks.gov.uk

Our Ref: 25/00202/PPP

Your Ref:

Date: 18 February 2026

Dear Mr Tomkinson

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013

Further to my letter of 3 February 2026, I now attach copies of representations received from interested parties.

You have a further 14 days from receipt of these representations in which to submit any further comments you may wish to make.

The Council will make a copy of the review documents, any notices and any procedure notes available for inspection on the Council's website www.clacks.gov.uk until such time as the Review is determined.

Yours sincerely

Gillian White

pp. Lee Robertson
Senior Manager – Legal and Governance
Clerk to the Local Review Body

Encs: E-mail response from Ms Ferguson
E-mail response from Dr and Mr Ramsay
E-mail response from Roads & Transportation



Re: Local Review for 25/00202/PPP - Erection Of 1 No. House On Garden Ground at 27 Middleton Menstrie

C Ford to: eview Body,
enspire-architects

25/02/2026 11:50

Cc: "mmoore@clackmannanshirecouncilit.onmicrosoft.com"

No none thanks

Sent from [Outlook for Android](#)

From: Gillian White <gwhite@clacks.gov.uk> on behalf of Local Review Body <LRB@clacks.gov.uk>

Sent: Wednesday, February 25, 2026 11:50:05 AM

To: enspire-architects

Cc: callumdford

mmoore@clackmannanshirecouncilit.onmicrosoft.com

<mmoore@clackmannanshirecouncilit.onmicrosoft.com>

Subject: Local Review for 25/00202/PPP - Erection Of 1 No. House On Garden Ground at 27 Middleton Menstrie

Good morning

I'm working on arrangements for the Local Review Body.

Further to my e-mail below, can you advise if you intend to submit any further comments on the interested parties submissions? You have until 4 March 2026 to send these to the LRB.

Regards
Gillian

Gillian White
Committee Services Officer
Legal and Governance

Tel: 01259 45 2004 | Email: gwhite@clacks.gov.uk | Working Hours: Mon-Thurs 8am – 5.15pm

Clackmannanshire Council | www.clacks.gov.uk
Kilncraigs | Greenside Street | Alloa | FK10 1EB



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 100732871-001

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)

Proposed single dwelling on surplus garden ground of property

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? Yes No
 (Answer 'No' if there is no change of use.) *

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Agent Details

Please enter Agent details

| | | | |
|-----------------------|---------------------------------|--|-------------------------------|
| Company/Organisation: | Enspire Architecture Studio Ltd | | |
| Ref. Number: | <input type="text"/> | You must enter a Building Name or Number, or both: * | |
| First Name: * | Mark | Building Name: | Office 29, Alloa Business Ctr |
| Last Name: * | Tomkinson | Building Number: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Address 1 (Street): * | Whins Rd |
| Extension Number: | <input type="text"/> | Address 2: | <input type="text"/> |
| Mobile Number: | <input type="text"/> | Town/City: * | Alloa |
| Fax Number: | <input type="text"/> | Country: * | Clackmannanshire |
| | | Postcode: * | FK10 3SA |
| Email Address: * | <input type="text"/> | | |

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|----------------------|--|----------------------|
| Title: | Miss | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | <input type="text"/> |
| First Name: * | J | Building Number: | 27 |
| Last Name: * | Ford | Address 1 (Street): * | Middleton |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * | Menstrie |
| Extension Number: | <input type="text"/> | Country: * | UK |
| Mobile Number: | <input type="text"/> | Postcode: * | FK11 7HD |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text"/> | | |

Site Address Details

Planning Authority:

Clackmannanshire Council

Full postal address of the site (including postcode where available):

Address 1:

27 MIDDLETON

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

MENSTRIE

Post Code:

FK11 7HD

Please identify/describe the location of the site or sites

Northing

696457

Easting

285312

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

188.00

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)

Garden ground

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.

| |
|---|
| <p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ≤ Yes T No</p> <p>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.</p> |
| <p>Water Supply and Drainage Arrangements</p> <p>Will your proposal require new or altered water supply or drainage arrangements? * T Yes ≤ No</p> |
| <p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p>T Yes – connecting to public drainage network</p> <p>≤ No – proposing to make private drainage arrangements</p> <p>≤ Not Applicable – only arrangements for water supply required</p> |
| <p>Do your proposals make provision for sustainable drainage of surface water?? * ≤ Yes T No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p> |
| <p>Are you proposing to connect to the public water supply network? *</p> <p>T Yes</p> <p>≤ No, using a private water supply</p> <p>≤ No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p> |
| <p>Assessment of Flood Risk</p> <p>Is the site within an area of known risk of flooding? * ≤ Yes T No ≤ Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * ≤ Yes T No ≤ Don't Know</p> |
| <p>Trees</p> <p>Are there any trees on or adjacent to the application site? * ≤ Yes T No</p> <p>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.</p> |
| <p>All Types of Non Housing Development – Proposed New Floorspace</p> <p>Does your proposal alter or create non-residential floorspace? * ≤ Yes T No</p> |

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: Mark Tomkinson

On behalf of: Miss J Ford

Date: 12/11/2025

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)

Indicative 3D model imagery

Provide copies of the following documents if applicable:

| | | | | |
|--|---|-----|---|-----|
| A copy of an Environmental Statement. * | ≤ | Yes | T | N/A |
| A Design Statement or Design and Access Statement. * | ≤ | Yes | T | N/A |
| A Flood Risk Assessment. * | ≤ | Yes | T | N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | ≤ | Yes | T | N/A |
| Drainage/SUDS layout. * | ≤ | Yes | T | N/A |
| A Transport Assessment or Travel Plan | ≤ | Yes | T | N/A |
| Contaminated Land Assessment. * | ≤ | Yes | T | N/A |
| Habitat Survey. * | ≤ | Yes | T | N/A |
| A Processing Agreement. * | ≤ | Yes | T | N/A |

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

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 Mark Tomkinson

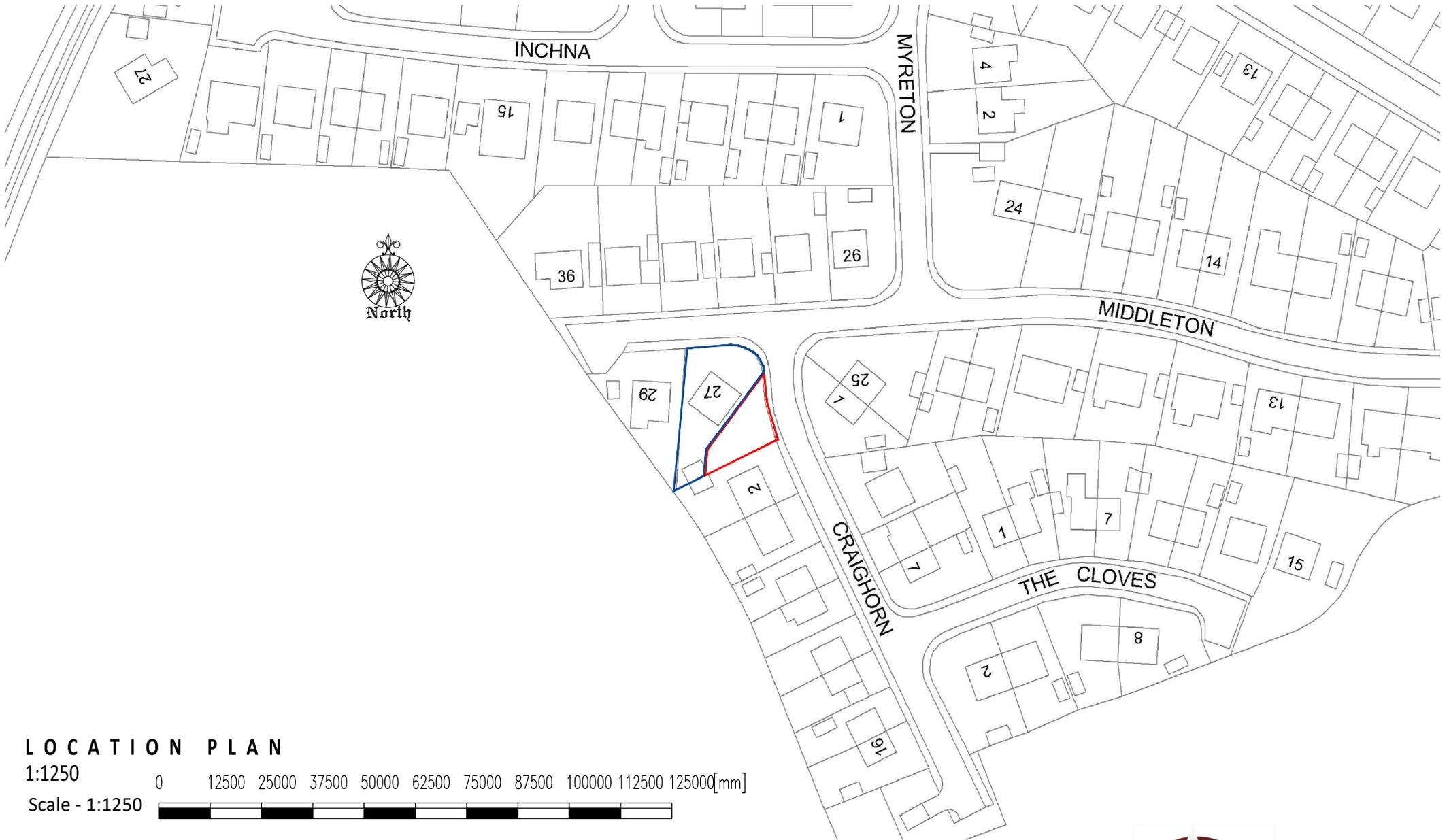
Declaration Date: 12/11/2025

Payment Details

Online payment: 55-17-1670699

Payment date: 13/11/2025 09:50:00

Created: 13/11/2025 09:50



LOCATION PLAN

1:1250 0 12500 25000 37500 50000 62500 75000 87500 100000 112500 125000[mm]

Scale - 1:1250

**27 Middleton,
Menstrie**



Enspire (Chartered) Architects
 T: 01259 213133
 M: 07732 847111
 E: mark@enspire-architects.co.uk
 W: www.enspire-architects.co.uk
 Office 29, Alloa Business Ctr,
 Whins Rd, Alloa FK10 3SA



INDICATIVE 3D IMAGES



Enspire Architecture Studio Ltd accepts responsibility for this document to the commissioning party only and not to any other.

Enspire Architecture Studio Ltd does not accept liability for accuracy or veracity of survey information provided by others and used in the preparation of this drawing.

All vertical and horizontal dimensions and levels must be checked and verified on site.

Note: Do not scale from drawing, refer to stated dimensions only.

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| | |
|--|---------------|
| <h1>PLANNING</h1> | |
| REV-A - | |
| REVISIONS | |
|  | |
| <p>Enspire (Chartered) Architects T: 01259 213133 M: 07732 847111 E: mark@enspire-architects.co.uk W: www.enspire-architects.co.uk Office 29, Alloa Business Ctr, Whins Rd, Alloa FK10 3SA</p> | |
| PROJECT | |
| PPP Application Garden Ground, 27 Middleton Menstrie FK11 7HD | |
| DRAWING TITLE | |
| EXISTING & PROPOSED (INDICATIVE) | |
| CLIENT | |
| Miss J Ford | |
| SCALE | DATE |
| Noted | November 2025 |
| DRAWING NO. 1709 / PLPPP/01 | |



To: ""Planning Services"" <planning@clacks.gov.uk>, "
Cc: ""Planning Services"" <planning@clacks.gov.uk>, "
Bcc:
Subject: 1709 - RE: Planning Application 25/00202/PPP - 27 Middleton - ADJUSTED PROPOSALS + OBJECTION COMMENTS
From: "Mark Tomkinson (Enspire Architects)" <Mark@enspire-architects.co.uk> - Monday 15/12/2025 22:10

History: This message has been forwarded.

2 attachments



1709 - Location Plan 2 SUBMISSION.PDF 1709 PL01a - Existing and Proposed SUBMISSION.PDF



Hi John,

Can we please conclude current PPP based on the attached (most recent) proposals? Submission drawings attached ('draft' removed)

In terms of comments that we have seen online from the 2no objectors and per previous correspondence from yourself, we would highlight the following regarding the main points raised:

Privacy

The PPP does not indicated an overlooking of adjacent properties and was not anticipated, a planning condition could state that no habitable rooms on detailed design can directly overlook adjacent plots or habitable rooms from the upper level

We would note that the upper bedroom of 2 Craighorn curenly overlook the garden ground of No27, however the set-back from the north boundary by around 4m is deemed sufficient. Occupants on 2 Craighorn have stated that they have plans for an extension on the north side, they will not be allowed habitable windows to overlook the applicant's garden area.

Neighbour Extension

The neighbouring property states that they have prepared plans for an extension. Our new unit does not affect this and indicates a standard 1m distance requirement to boundaries that could furthermore be conditioned

Light

The existing bedroom on the upper level of the neighbouring property is set back around 4m from our boundary. The proposed unit is indicated as single storey with rooms in roof (this can be conditioned). The proposed property will be to the north. Given the above, overshadowing and loss of daylight would not be an issue). A shadow study could be conditioned, although the position, orientation etc will clearly not create an issue in this regard

In terms of scale, adjacent properties have ridge heights of around 6.5m in our estimation. Our indicative model shows a ridge height of under 5.5m. A planning condition restricting ridge height to

6 or 6.5m could be applied

Comfort

Issues regarding construction noise can be conditioned with construction time restrictions as you would normally find on planning conditions

Quality of Design & Layout

Concerns that a new build property will be too close is not correct, as the building would be standard 1m minimum from boundaries, whereas there are a number of properties & garages in the vicinity which are built directly on their boundaries (ie 3, 57, 8, 10, 12,14 Craighorn)

With regards to replacement parking, there is essentially space delineated for 1no car to serve the entire No27 Middleton unit. We propose to improve parking arrangements by relocating No27 spaces to Middleton and creating 2no spaces on the frontage for the new unit per guidelines for a 2-bed unit. A planning condition will stipulate this requirement. This rearrangement will alleviate issues that the neighbourhood might be facing regarding parking issues on Craighorn

Our proposal makes use of surplus and odd, triangulated garden ground. The intended garden depth is commensurate with units on Craighorn

Impact on the Built Environment

No27 is unique in the neighbourhood in terms of the abundance of garden ground. Precedent is not an issue as no other property in the immediate area could accommodate a unit as we have demonstrated

Natural Environment

No trees of any significance are affected by proposals. Development of the site will allow appropriate tree planting to address a standard planning condition – perhaps as indicated on our plan

Road Safety

See comments above

Water management

Planning conditions would normally be attached to address this issue, any future building warrant moreso

Inkeeping with Existing Estate

Definable characteristics of the neighbourhood include; single storey with rooms in roof, gables to front, gables to back, flat roofed elements, dormer elements, (2-storey across the road), detached, semi-detached, various and irregular orientations etc. Our indicative proposals adhere to some of these characteristics. We have presented a proposal which is within the natural frontage step between 2 Craighorn and 27 Middleton which creates a meaningful transition on the streetscape of Craighorn to Middleton

Partially blocking views to the hills

We understand that the protection of existing views from properties is not a planning consideration

We trust that you will take these points into consideration when considering your final report

Regards

Mark Tomkinson ARB RIAS
Director

for Enspire Architecture Studio Ltd



INDICATIVE 3D IMAGES



Enspire Architecture Studio Ltd accepts responsibility for this document to the commissioning party only and not to any other.

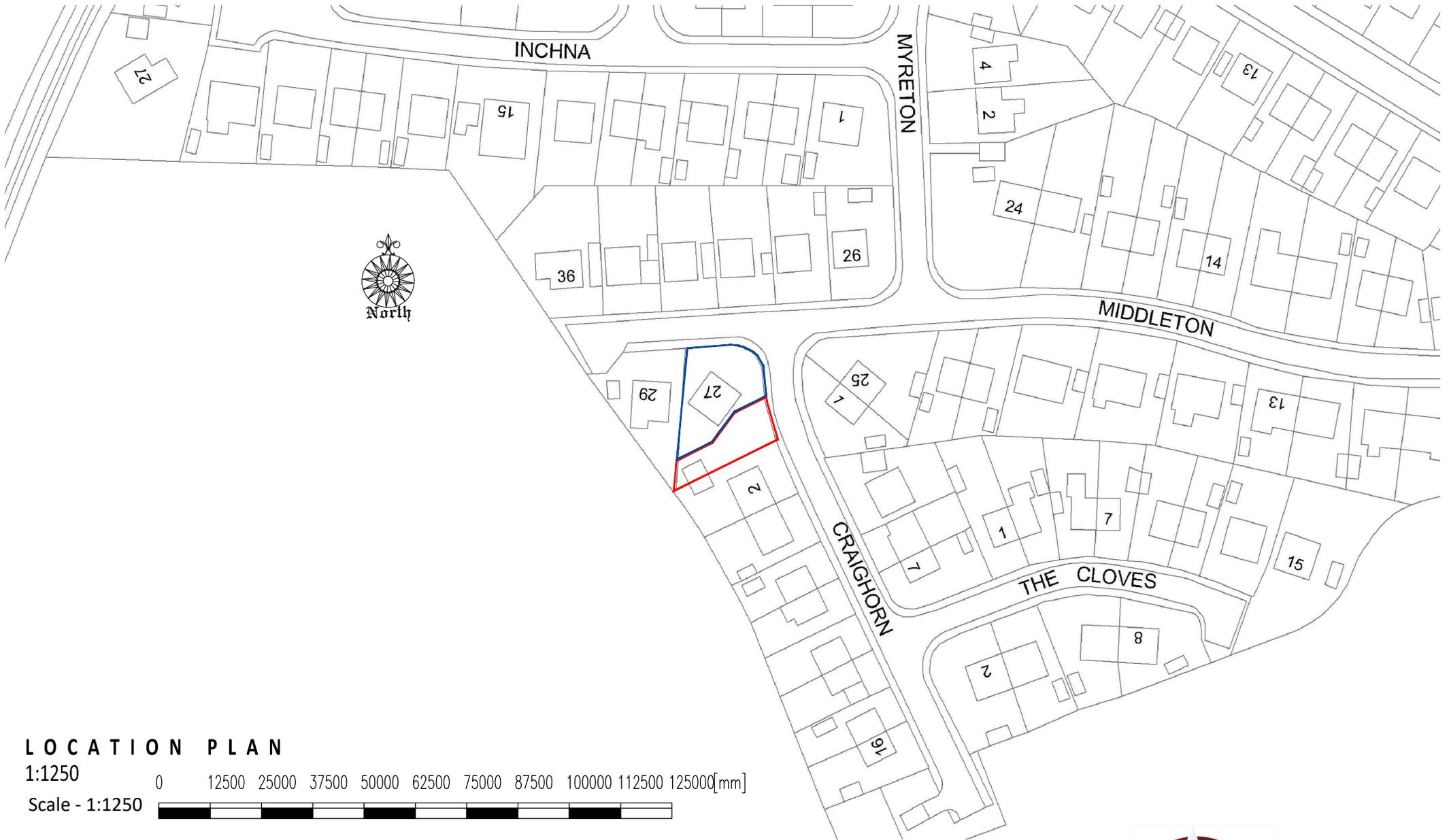
Enspire Architecture Studio Ltd does not accept liability for accuracy or veracity of survey information provided by others and used in the preparation of this drawing.

All vertical and horizontal dimensions and levels must be checked and verified on site.

Note: Do not scale from drawing, refer to stated dimensions only.

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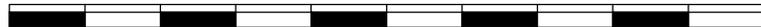
| | |
|--|-------------------|
| <h1>PLANNING</h1> | |
| <p>REV A - Indicative Unit scale reduced, garden area increased, building line adjusted. To address points raised by Planning. 18-11-25</p> | |
| <p>REVISIONS</p> | |
|  | |
| <p>Enspire (Chartered) Architects T: 01259 213133 M: 07732 847111 E: mark@enspire-architects.co.uk W: www.enspire-architects.co.uk Office 29, Alloa Business Ctr, Whins Rd, Alloa FK10 3SA</p> | |
| <p>PROJECT PPP Application Garden Ground, 27 Middleton MenstrieFK11 7HD</p> | |
| <p>DRAWING TITLE EXISTING & PROPOSED (INDICATIVE)</p> | |
| <p>CLIENT Miss J Ford</p> | |
| SCALE | Noted |
| DATE | November 2025 |
| DRAWING NO. | 1709 / PLPPP/01 A |



LOCATION PLAN

1:1250 0 12500 25000 37500 50000 62500 75000 87500 100000 112500 125000[mm]

Scale - 1:1250



**27 Middleton,
Menstrie**



Enspire (Chartered) Architects

T: 01259 213133

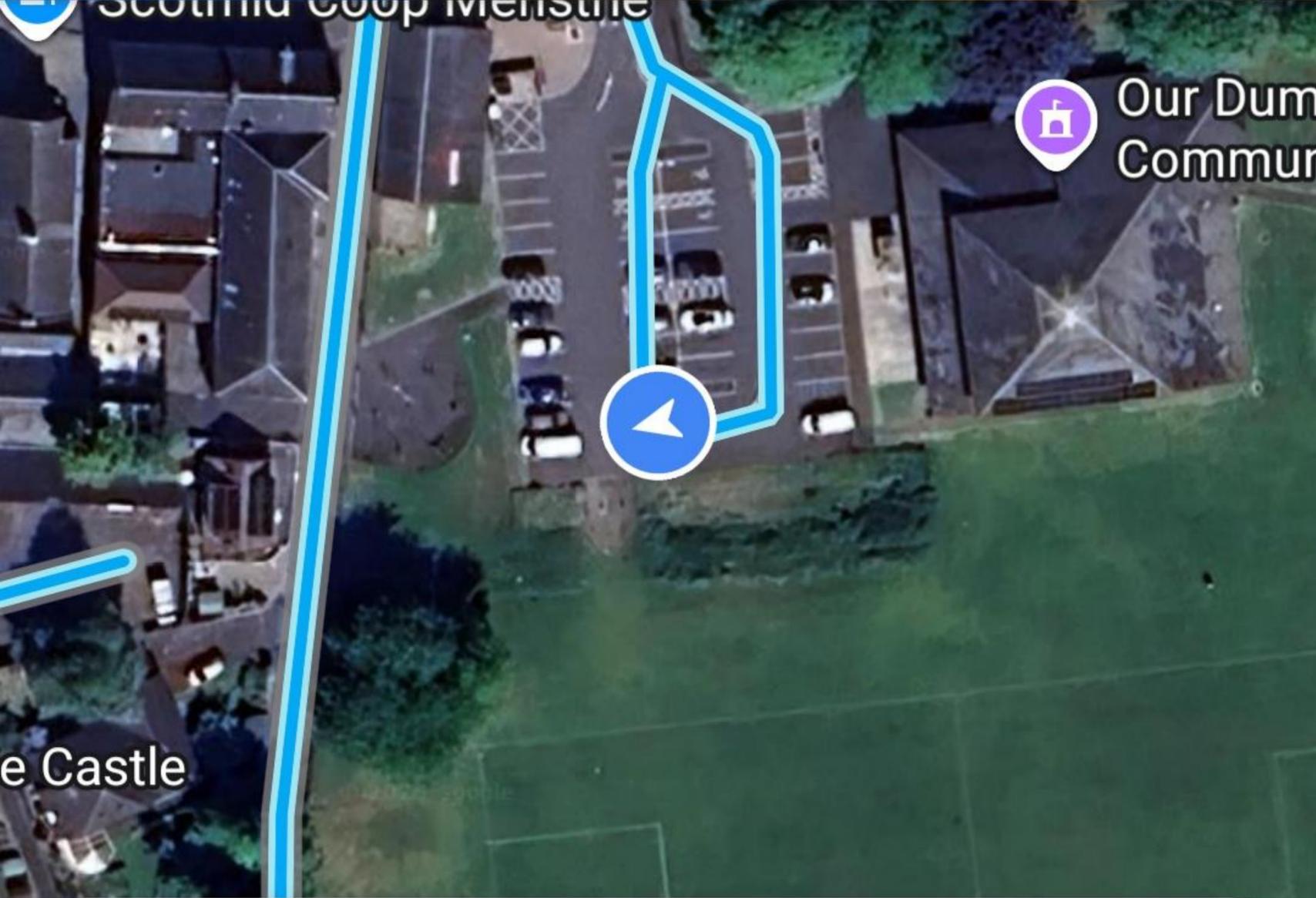
M: 07732 847111

E: mark@enspire-architects.co.uk

W: www.enspire-architects.co.uk

Office 29, Alloa Business Ctr,
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15 The Cloves



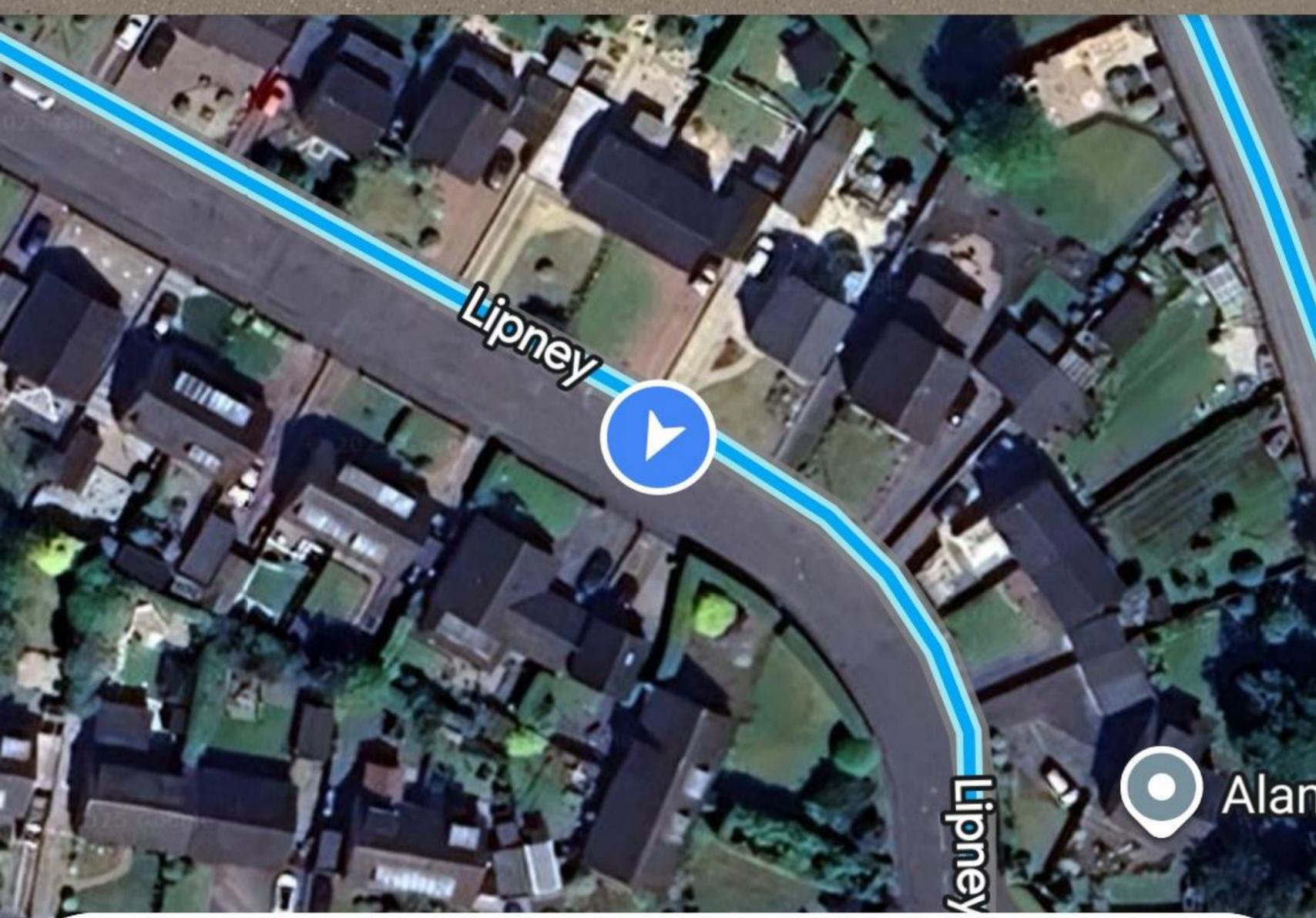
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[To:](#)
Cc: 'Planning Services' <planning@clacks.gov.uk>,
Bcc:
Subject: Re: 1709 - RE: Planning Application 25/00202/PPP - 27 Middleton - ADJUSTED PROPOSALS + OBJECTION COMMENTS
From: C Ford [REDACTED] - Wednesday 17/12/2025 10:17

6 attachments



1000038953.jpg1000038949.jpg1000038955.jpg1000038945.jpg1000038951.jpg1000038947.jpg

Hi

See redrafted below from Mrs J Ford:

Further to Marks notes. There would be 5 new parking spaces serving 2 properties. 3 for number 27 and 2 for the new property. Thus a big improvement on the only 1 space there is just now for the 3 bed property.

No windows face would number 2 Craighorn? And the roof height is lower than theres and lower the existing leylandi.

The neighbours light and amenity would be improved as the 15m high and 10m wide leylandi that has been there for many years that blocks the light and views would be removed hence creating more light. Although 2 Craighorn windows on that boundary are north facing.

Many properties in that estate have added extensions right upto the boundary, detached double, single and various outbuildings/summer houses in the side space between their property and the neighbours. Indeed numbers 2 craighorn detached garage is built at the side of their house and comes right up to directly to our boundary. In Lipney , on this estate, there is both a full height 1.5 story extetension and 1.5 storey large double garage built right up to their boundaries see photo attached.

I dont think a circa 45ft wide gap between number 27 and 2 Craighorn boundary is cramped for a small bungalow or double garage /annexe. We hoped to have it for our elderly mother.

Number 2 is already is built within 3m proximity to my boundary so why cant we replicate this precedent?

See attached photos showing various 1.5 storey extensions built right up to the boundary in that estate, garages built upto boundary and a house at the end of cloves built into a triangular plot. Further the recently newly built house called the Telephone exchange at Park Road Menstrie is built on a much smaller plot where a garage once stood and has no garden ground and just one parking space. Our proposed plot has quite a generous garden grounds for a 1/2 bed small bungalow. Further our proposal helps blend in number 27 that sticks out strangely in the street scape having been built much further than Craighorn and has far to big a garden for the size of house.

Finally with the declared housing crisis I thought having another housing unit would be looked on positively.

Thanks
J Ford

Sent from [Outlook for Android](#)

**DEVELOPMENT SERVICES
CLACKMANNANSHIRE COUNCIL**

**REPORT OF HANDLING
PLANNING APPLICATION DELEGATED REPORT**

Application Ref. No. 25/00202/PPP

Date of Site Visit: 25.11.25

Description of Proposal: Erection Of 1 No. House On Garden Ground

Location: 27 Middleton, Menstrie

1. The Proposed Development

A new self-contained residential plot would be created in part of the garden ground to this detached dwelling in Menstrie. It would occupy land between the south-east external wall to 27 Middleton and the south-eastern boundary with 2 Craighorn.

The site size increased from an original area of 0.0188 hectares to 0.0218 hectares further to revised drawings being submitted on 16.12.25.

Access for vehicles would be off Craighorn – relocating the existing access to 27 Menstrie northwards away from the southern boundary and closer to the Craighorn/Middleton junction; to compensate for which, a new access/parking bay would be formed onto Middleton, north of the existing dwelling.

The area of garden ground was undergoing clearance of vegetation, including sizeable evergreen Cypress trees, at the time of the planning site visit. It is a flat site with no noteworthy vegetation present (only domestic scale/overgrown). The Cypresses do not contribute significantly to public amenity, although they have become a noticeable visual component locally, having grown out from a domestic hedge.

Beyond the western boundary are open fields allocated in the Local Development Plan as a potential housing site (ref. H34). On the opposite side of Craighorn is the corner block of two semi-detached dwellings (1 Craighorn & 25 Middleton). The linear property boundary with 2 Craighorn to the south-east is presently fairly open (low wall), although until recently it was dominated by the aforementioned Cypresses. The north external wall of 2 Craighorn is approximately 3m from the shared boundary with the application site and has large windows serving habitable rooms at upper and ground floor levels, looking directly north-west towards the site.

Drawings identifying an indicative layout and digital 3D graphics showing the footprint, block and massing of a potential dwelling are included with the submission, to aid consideration of the principle. When the revised drawings were submitted on 16.12.25, including an increase in proposed plot/garden depth, these items were

updated. Of particular note was that the indicative footprint had been shifted back from Craighorn with the intention of setting it further from the road than the corner of 27 Middleton, and bringing it more in line with the linear row of dwellings forming 2-16 Craighorn.

2. Summary of Consultation Responses

Scottish Water: No objection; sets out advice relating to its assets and potential requirement for separate consents to be obtained.

Roads and Transportation: No objection; but recommend conditions be included in planning permission relating to (i) ensuring no surface water or loose material discharges onto the public road (ii) requiring any access gates to open inwards only (iii) formation of satisfactory footway crossing with dropped kerb and 3m width.

3. Neighbour Notification and Publicity

The application was publicised by a site notice, by neighbour notification letter, and in the Alloa Advertiser.

| | | | |
|-------------------------------|----|---------------------------------|---|
| Number Of Neighbours Notified | 10 | Number of Objections | 2 |
| | | Number of Other Representations | 0 |

4. Summary of Representation(s)

Letters of objection were received from two households in relation to the original scheme, including the neighbour at 2 Craighorn. A summary of matters of relevance to planning (material planning considerations) follows:

- (i) Inadequate space to build a dwelling – too close to 27 Middleton and 2 Craighorn
- (ii) Adverse impact on neighbouring occupiers' amenity including potential to restrict light due to height and location, and impact on privacy through overlooking
- (iii) Out of keeping with layout and design of existing estate; precedent for other similar developments to exacerbate impacts
- (iv) Inadequate parking to serve existing and proposed dwellings
- (v) Probable worsening of current parking congestion in locality with additional traffic, and associated road safety concerns
- (vi) Impacts on road safety during construction due to vehicles/equipment being sited outwith site
- (vii) Impacts on residential amenity during construction due to proximity of site to 2 Craighorn
- (viii) Inaccurate information in application advising that no trees will be cut down

- (ix) Exacerbation of known existing surface water drainage problems due to reduction of permeable area

Supplementary representations updating the position of both representors were published in relation to the revised proposals on the 5th January 2026. Both were submitted to respond to the matters set out in submissions by the agent and applicant (see Section 5 below). Both affirm original reasons for objecting and occasionally re-refer to them. Additional comments of relevance (material planning considerations) are made as follows:

- (x) Trees likely to block less light than buildings (solid structures)
- (xi) Examples of other domestic-type extensions not comparable to proposal for two-storey house
- (xii) Existing car parking capacity for 27 Middleton is understated in the application – parking currently existing for 3 or more vehicles
- (xiii) Intended layout likely to lead to on-road parking for the new dwelling
- (xiv) Park Road example submitted for comparison does not provide adequate parking (occupiers' additional vehicles park in Dumyat Centre car park)
- (xv) Existing trees are sited further from the boundary with 2 Craighorn than the proposed nearest part of the indicated footprint of the building (*author note – canopies spread from the trunks to the boundary, therefore although the main stems are further away, the side branches are closer to the boundary and lie over the former driveway*)
- (xvi) Relocation of elderly relative to new residence here would not resolve (any) housing crisis.

NB – Comments regarding potential for proposals to impact on ability of neighbour to build gable end extension on 2 Craighorn are not material to consideration of the current application. There have been no planning applications made in relation to any such development. An extension to the gable end of 2 Craighorn could potentially be permitted development under the terms of the General Permitted Development Order, therefore a planning application may not be forthcoming in that regard.

5. Summary of Supplementary Statements

Supplementary supporting commentary was provided by the applicant and agent, responding to comments made by representations, and to matters raised by officers. The information is available to be viewed in full on the Council's website. A summary of matters relevant to planning (material considerations) is as follows:

Agent (15.12.25):

- (i) In respect of privacy and potential overlooking, conditions could state that no habitable rooms on detailed design can directly overlook adjacent plots or habitable rooms from the upper level

- (ii) Applicant considers a 'setback' of 4m (separation between developments) to be sufficient to preserve residential amenity
- (iii) Development on the site would not affect light available to upper floor room in 2 Craighorn, having regard to the orientation of the buildings (gable end window in upper floor of 2 Craighorn faces north) and 4m distance between developments
- (iv) Proposed dwelling unit would be single storey with rooms in roof – can be conditioned as such, to ensure impact on light available to 2 Craighorn is minimised
- (v) Issues regarding construction noise can be conditioned, with construction time restrictions commonly applied in planning permissions
- (vi) Distance to boundary (1m) would ensure future development not to close to 2 Craighorn and shared boundary
- (vii) Other properties with development close to, or on boundaries cited: 3, 57, 8, 10, 12, 14 Craighorn
- (viii) Parking arrangements would be improved through relocation of existing parking for 27 Middleton to the north boundary off Middleton and creation of 2 no. spaces to serve the new dwelling (can be secured by planning condition) – leading to alleviation of current parking issues in locality
- (ix) Rationale for site and layout options discussed (commensurate garden depth to other properties on Craighorn; would make use of surplus, odd, triangulated garden ground)
- (x) Opportunity to develop in this way unique to property as no similar properties in locale that could accommodate such a development, therefore no precedent issues arising
- (xi) No trees of any significance affected by proposals; appropriate tree planting can be secured through planning conditions
- (xii) Planning conditions could adequately address water management issues
- (xiii) Layout, characteristics and relationship with surrounding estate appropriate, having regard to other properties in the neighbourhood
- (xiv) Protection of existing views from properties not a planning consideration

Applicant (17.12.25) (if not already covered by Agent submission in matters (i) to (xiv)):

- (xv) Provision of 5 parking spaces to serve 2 properties (existing / proposed) better than current arrangement of 1 parking space to serve 27 Middleton
- (xvi) Introduction of building would give rise to lower physical presence of items with removal of mature Cypress trees – improving light and amenity for neighbouring residents
- (xvii) Other properties with development close to, or on boundaries cited: 2 Craighorn (garage) plus other properties on Lipney (street)
- (xviii) 45ft gap between 27 Middleton and 2 Craighorn provides adequate space for 'small bungalow' and would not promote cramped form of development (NB: *Author note – reference to double garage and annex for family needs not relevant as would be different planning application type – householder; considered in different context and require new, separate*

planning application – this current application seeks to establish a full, residential plot)

- (xix) No. 2 Craighorn is already within 3m of shared boundary – reasonable to replicate this in relation to proposed development
- (xx) Photographs and OS map extracts have been provided showing what may be relatable development scenarios in Menstrie at (a) Park Road – ‘Telephone Exchange’ site (b) 13 & 15 The Cloves (c) 1 & 3 Lipney (d) 15 & 17 Inchna
- (xxi) In respect of (xx)(a) dwelling has been built on much smaller plot where garage once stood and has no garden ground and just one parking space – proposed plot at 27 Middleton considered ampler by comparison
- (xxii) Proposed in-fill would help blend in 27 Middleton which sticks out strangely in the streetscape and has a garden far too big for the house
- (xxiii) With declared housing crisis another housing unit ought to be looked upon positively.

6. Summary of Section 75 Planning Obligations.

N/A

7. Site History/Background

27 Middleton is a detached property built in the latter half of the 20th Century. There is no relevant planning history pertaining to the property.

8. Planning Assessment

- (a) Policies and Proposals**
- (i) Policies**

The National Planning Framework 4 (NPF4)

The National Planning Framework 4 (NPF4) was adopted on 13th February 2023 and is now part of the statutory Development Plan. Decisions on planning and related applications must be made in accordance with the Development Plan unless material considerations indicate otherwise. The NPF4 and the adopted Clackmannanshire Local Development Plan 2015 and associated Supplementary Guidance currently comprise the Development Plan. Planning applications will be assessed against the relevant Principles, Strategies and Policies in the NPF4 and LDP. As NPF4 provides the latest national planning policy context for the assessment of planning applications, where it is considered there is incompatibility between the provisions of the adopted Clackmannanshire Local Development Plan 2015 and NPF4, the provisions of NPF4 will prevail.

Relevant NPF4 Policies:

Policy 13: Sustainable transport

Policy 14: Design, quality and place

Policy 16: Quality homes

Relevant LDP Policies:

Policy SC5: Layout and Design Principles

Policy SC7: Energy Efficiency and Low Carbon Development

Policy SC12: Development Proposals – Access and Transport Requirements

(ii) Supplementary Guidance

SG3: Placemaking

(iii) Other Material Considerations

Scotland has declared a Housing Emergency. The need to ensure adequate provision of housing for all is a material consideration in respect of this planning assessment.

(b) Proposals

During the consideration period, the applicant has responded positively to concerns set out by officers relating to the ability to create a residential plot. The proposals have identified additional ground to create a longer plot, so that the footprint might be located further back from Craighorn, and thereby be more harmonious with the street scene.

A fundamental problem with this site is that its width is constricted due to the pinchpoint caused by lack of distance between the corner of 27 Middleton and the boundary with 2 Craighorn, noting that the side wall of 2 Craighorn is approximately 3m from the shared boundary. Attempting to establish an individual residential plot in the circumstances would give rise to a cramped form of development, and an overdevelopment of the site, which was not intended to provide adequate space for a separate detached dwelling when the estate was developed – it is part of a garden of proportionate dimensions to the remainder of the existing dwelling, albeit acknowledging that it is a larger plot than most comparable houses in the immediate locale.

Original proposals/site: In respect of the original proposals, the agent suggested that a number of planning conditions could be considered to ensure a future development would be compatible with its receiving environment. These include:

- Limiting the new residential unit to one storey, with rooms in the roof

- Limiting the ridge height so that it would not exceed the level of existing houses on Craighorn
- Ensuring parking standards accord with local policy i.e. 2 cars for 2 bedrooms
- Maintain a minimum garden depth of 10m
- Limit height of fencing to 900mm if forward of the new unit
- Require frontage of new unit to be no further forward than 2m from the line of existing houses on Craighorn

This suggested list of conditions implied that it would require an exceptional, and potentially indefensible set of conditions to bring the principle into the realms of acceptability, further demonstrating that the original site was not readily capable of being developed as an individual residential plot.

Notwithstanding the positive intentions of such conditions, once a residential plot has been established in circumstances where available space is highly limited, there is a likelihood that people attempting to develop it would find the limitations highly restrictive and would seek for them to be relaxed, pressurising not only the planning authority, but also neighbours to absorb a greater level of impact than intended by such a planning permission. For these reasons, this approach is not favoured and is an indicator of poor planning.

Revised proposals/site: The changed site layout and boundary has a little more logic to it in terms of extending the site boundary to the rear of 27 Middleton's existing curtilage boundary, and proposing that the front line / footprint of the principal building would be set further back so that it would more visually harmonious in relation to the appearance of the locale. However, the revisions are not sufficient to overcome fundamental problems due to the narrowness of the site, and the related pinchpoint created due to the placement, orientation and projection of the main dwelling in relation to the boundary with 2 Craighorn. This relationship would still be highly likely to cause unacceptable adverse impacts on the residential amenity of occupiers at 2 Craighorn. Planning conditions are highly unlikely to be able to sufficiently ensure a future satisfactory neighbourly relationship is maintained.

Furthermore, notwithstanding the changes that have been made to the application, the creation of a residential plot in this awkward site would give rise to a cramped form of development, tantamount to overdevelopment in a local sense, and out of keeping with the established layout of buildings in the estate.

Other Matters: The representations submitted indicate significant concerns relating to the impact of the proposed development on road safety in terms of adequate off-road parking being available, thereby preventing an increase in current on-street parking congestion. Officers are content to accept the position of the Roads and Transportation Manager in this regard, because

there is clearly sufficient space across the overall curtilage to provide off-street parking spaces for 2 dwellings, as the indicative layout plan demonstrates. In this respect, the application is supported by the Development Plan, in particular NPF 4 Policy 13 and LDP Policy SC12 and would not give rise to additional reasons to resist the proposals.

(iv) Conclusion:

The revisions, including increasing the potential developable area and setting back of the indicative footprint, have improved the scheme in terms of being able to move the footprint into a position which is less out of keeping with the character and spacing of existing development. However, they have not been able to overcome fundamental concerns relating to visual impacts on public amenity, largely because of the way existing buildings are orientated and aligned, and the high likelihood that placing a detached dwelling in the intended location would be out of keeping with the street scene in a visual sense. The revisions have not been able to demonstrate that there is adequate space between the corner of 27 Middleton and the boundary with 2 Craighorn to enable a residential plot to be formed, without giving rise to an overdevelopment of the site because it is too narrow to support a residential plot.

The developable part of the site is situated at a pinchpoint created by (i) the orientation of 27 Middleton and (ii) the limited distance between its southernmost corner and the boundary with 2 Craighorn. It is therefore additionally considered that there is inadequate space within which to establish a residential plot without causing unacceptable adverse impacts on the private residential amenity enjoyed by occupiers of 2 Craighorn, having particular regard to the two large gable end windows serving main (primary) habitable rooms (the upper floor window is the only wall-located window serving the room as it is within the coombe of the roof) and the inevitability that the outlook from these window openings for occupiers of 2 Craighorn would comprise views of external walls of a dwelling with accommodation on two floors, in close proximity to the property boundary, fundamentally changing the day-to-day experience of existing inhabitants to their significant detriment.

Attempts to develop the area of garden ground with a detached dwelling whose dimensions, location and design ensure preservation of neighbours' residential amenity would give rise to a cramped form of development that would be out of keeping with the street scene, detract from the visual amenity of the locality, and would not conform to the principles set out in NPF4 Policy 14, LDP Policy SC5 and the adopted Supplementary Guidance 'Placemaking' for example:

- The development would not be complementary to local building and street forms, spaces and scales ('Distinctive', Page 4)

- The development would not integrate well with its immediate environment ('Integrating New Developments', Page 5)
- The development would be unlikely to be of a design, scale and massing that respects and enhances its surroundings ('Building', Page 5)

9. Recommendation

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

Reasons for Decision

1. Due to the narrowness of the area potentially available to be developed, and having regard to the character and layout (including orientation) of existing development in the immediate locale, the creation of a plot for a detached dwelling would give rise to a cramped form of development, which would not integrate well visually with the street scene, and lead to overdevelopment of the overall site, which was not intended to provide space for a second detached dwelling. In this respect, the application is in conflict with National Planning Framework 4 Policy 14, the Clackmannanshire Local Development Plan Policy SC5, and the adopted Supplementary Guidance 3 for 'Placemaking'.
2. The indicative supporting material enables it to be identified that there is inadequate space within which to establish a residential plot without unduly causing adverse impacts on the private residential amenity enjoyed by occupiers of 2 Craighorn, having particular regard to the two large gable end windows serving (main) habitable rooms and the distance between the gable wall of 2 Craighorn and the site boundary. The developable part of the site is situated at a pinchpoint created by (i) the orientation of 27 Middleton and (ii) the limited distance between its southernmost corner and the boundary with 2 Craighorn. In this respect, the application is again in conflict with National Planning Framework 4 Policy 14, the Clackmannanshire Local Development Plan Policy SC5, and the adopted Supplementary Guidance 3 for 'Placemaking'.

Plan Numbers Relating to the Decision

| <u>Plan No</u> | <u>Title</u> |
|----------------|---|
| N/A | Revised Location Plan (received 16.12.25) |
| 1709/PLPPP/01A | Indicative Site Layout Plan |

10. Checklist

| | |
|---|-------------------------------------|
| The application does involve development of land in which the Council has an interest | <input type="checkbox"/> |
| The list of owners/occupiers of neighbouring land has been verified during the site visit and appears to be correct | <input checked="" type="checkbox"/> |
| The charge for advertising this application has been paid or is not required | <input checked="" type="checkbox"/> |
| Any publicity period has expired | <input checked="" type="checkbox"/> |
| The recommendation requires authorisation by the following Appointed Officers: | |
| Development Quality Team Leader | <input checked="" type="checkbox"/> |
| Development Services Manager | <input type="checkbox"/> |
| The recommendation/decision has secured added value which is recorded in Uniform | <input checked="" type="checkbox"/> |
| Two complete sets of plans to be approved are attached, or identified from the electronic file | <input type="checkbox"/> |
| The electronic file requires annotated plans which are attached | <input type="checkbox"/> |
| There are instructions to Business Support attached to this report/file | <input type="checkbox"/> |
| Site Notice & Note to Applicant required for National, Major or Bad Neighbour development | <input type="checkbox"/> |
| Coal Authority Householder Referral Area Note to go with Decision | <input type="checkbox"/> |
| Coal Authority Standing Advice Note to go out with Decision | <input type="checkbox"/> |

Signed JH (Case Officer) Date 08.01.2026

Signed _____ (Team Leader) Date 12.01.2026

CLACKMANNANSHIRE COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

REFUSAL OF PLANNING PERMISSION IN PRINCIPLE

Applicant

Miss J Ford
27 Middleton
Menstrie
Clackmannanshire
FK11 7HD

Agent

Mark Tomkinson
Enspire Architecture Studio Ltd
Office 29, Alloa Business Ctr
Whins Rd
Alloa
Clackmannanshire

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

Erection Of 1 No. House On Garden Ground

27 Middleton, Menstrie, Clackmannanshire, FK11 7HD,

in accordance with your application and plans Ref. No:- 25/00202/PPP dated 14th November 2025

Dated: 12 January 2026

.....
DEVELOPMENT SERVICES

Reasons For Decision

1. Due to the narrowness of the area potentially available to be developed, and having regard to the character and layout (including orientation) of existing development in the immediate locale, the creation of a plot for a detached dwelling would give rise to a cramped form of development, which would not integrate well visually with the street scene, and lead to overdevelopment of the overall site, which was not intended to provide space for a second detached dwelling. In this respect, the application is in conflict with National Planning Framework 4 Policy 14, the Clackmannanshire Local Development Plan Policy SC5, and the adopted Supplementary Guidance 3 for 'Placemaking'.

2. The indicative supporting material enables it to be identified that there is inadequate space within which to establish a residential plot without unduly causing adverse impacts on the private residential amenity enjoyed by occupiers of 2 Craighorn, having particular regard to the two large gable end windows serving (main) habitable rooms and the distance between the gable wall of 2 Craighorn and the site boundary. The developable part of the site is situated at a pinchpoint created by (i) the orientation of 27 Middleton and (ii) the limited distance between its southernmost corner and the boundary with 2 Craighorn. In this respect, the application is again in conflict with National Planning Framework 4 Policy 14, the Clackmannanshire Local Development Plan Policy SC5, and the adopted Supplementary Guidance 3 for 'Placemaking'.

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

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

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 ePlanning Portal 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.

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- (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.**

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

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

