

FALKIRK COUNCIL

Subject: FORMATION OF 4 FLATTED DWELLINGS, RE-CLADDING EXTERIOR, RE-ROOFING EXISTING TOWER AT 1 - 1 SYMON TOWER, SEATON PLACE, FALKIRK, FK1 1TQ FOR FALKIRK COUNCIL - P/13/0340/FUL

Meeting: PLANNING COMMITTEE

Date: 25 June 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk North

Provost Pat Reid
Councillor David Alexander
Councillor Dr C R Martin
Councillor Cecil Meiklejohn

Community Council: No Community Council

Case Officer: Allan Finlayson (Senior Planning Officer), Ext. 4706

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

1.1 The proposal is to create four additional flatted dwellings within the existing high rise block, re-clad the exterior of the building and re-roof the property. The proposed flatted dwellings would be created on the ground floor from existing disused storage/external space. The high rise block is located within Callendar Park on the edge of Falkirk Town Centre. The site lies outwith the urban limit, as it is surrounded by Callendar Park, which is classed as Green Belt and Major Open Space in the Falkirk Council Local Plan.

2. REASON FOR COMMITTEE CONSIDERATION

2.1 The application has been submitted by Falkirk Council and, under the Scheme of Delegation, requires to be considered by Committee.

3. SITE HISTORY

3.1 Applications P/10/0703/FUL, P/11/0442/FUL, P/12/0256/FUL and P/12/0304/FUL for similar works to adjacent tower blocks, (Maxwell Tower, Paterson Tower, Leishman Tower and Marshall Tower) were granted planning permission on 26 January 2011, 2 September 2011, 22 August 2012 and 22 August 2012 respectively.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has raised no objections to the proposal.
- 4.2 Falkirk Council Museum Services has no objection subject to protection of the Antonine Wall World Heritage Sites Scheduled Area.
- 4.3 The Environmental Protection Unit has no objection to the proposal.
- 4.4 Historic Scotland has no objections to the proposal subject to Antonine Wall protection.
- 4.5 The application site lies within an area of consultation referred to the Coal Authority given the potential for historic mining activity. Standard informative advice is, however, to be provided on any grant of planning permission decision notice.

5. COMMUNITY COUNCIL

- 5.1 No Community Council active at present.

6. PUBLIC REPRESENTATION

- 6.1 No objections or representations received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

- 7a.1 There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan

- 7a.2 Policy EQ16 'Sites of Archaeological Interest' states:

“(1) Scheduled ancient monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances;

- (2) *all other archaeological resources shall be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications; and*
- (3) *Developers may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development.”*

7a.3 Policy EQ17 - ‘Antonine Wall’ states:

“The Council will seek to retain, protect, preserve and enhance the Antonine Wall, its associated archaeology, character and setting. Accordingly:

- (1) *There will be a presumption against development which would have an adverse impact on the ‘Frontiers of the Roman Empire (Antonine Wall) World Heritage Site’ as defined on the Proposals Map;*
- (2) *There will be a presumption against development within the ‘Frontiers of the Roman Empire (Antonine Wall) World Heritage Site’ buffer zones, as defined on the Proposals Map, which would have an adverse impact on the Site and its setting, unless mitigating action to the satisfaction of the Council in consultation with Historic Scotland can be taken to redress the adverse impact, and there is no conflict with other Local Plan policies; and*
- (3) *The Council, in association with partner Councils and Historic Scotland, will prepare Supplementary Planning Guidance on the criteria which will be applied in determining planning applications for development along the line, or within the setting, of the Antonine Wall.”*

7a.4 Policy EQ19 - ‘Countryside’ states:

“(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:

- *it can be demonstrated that they require a countryside location;*
- *they constitute appropriate infill development; or*
- *they utilise suitable existing buildings.*

(2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:

- *the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- *building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council’s ‘Design Guide for Buildings in the Rural Areas’; and*
- *boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.5 Policy EQ20 - 'Green Belt' states:

"There will be a strong presumption against development in the Green Belt except where it can be demonstrated that:

- (1) The proposal satisfies Policy EQ19 and any relevant countryside policies as set out in Table 3.3; and*
- (2) The proposal will not undermine the role of the Green Belt by detracting from its existing landscape character; reducing the visual separation between settlements; or compromising its existing or potential future use for countryside recreation.*

Where proposals satisfy these criteria, developer contributions to landscape improvement, access and countryside recreation will be sought in accordance with Policy EQ21."

7a.6 Policy SC3 - 'Housing Development In The Countryside' states:

"Housing development in the countryside will only be permitted in the following circumstances:

- (1) Housing essential to the pursuance of agriculture, horticulture or forestry, or the management of a business for which a countryside location is essential. In these instances, the applicant must demonstrate:*
 - The operational need for the additional house in association with the business*
 - That no existing dwelling which might have served that need has been sold or otherwise alienated from the holding*
 - That there are no reasonable opportunities for reusing or converting redundant buildings rather than building a new dwellinghouse*
 - That the business as a whole is capable of providing the main source of income for the occupant;*
- (2) Proposals involving the rehabilitation of former residential properties, or the conversion of farm and other buildings to residential use, where*
 - The building, by virtue of its existing character, makes a positive contribution to the rural landscape*
 - The building is in a reasonable state of repair, still stands substantially intact and is capable of beneficial restoration, as verified by a report and certificate from a qualified structural engineer*
 - The restored or converted building is of comparable scale and character to the original building*
 - In the case of former non-residential buildings, the building is no longer required for the purpose for which it was built; or*
- (3) Appropriate infill opportunities within the envelope of an existing group of buildings, where the development would not result in ribbon, backland or sporadic development, and the proposal satisfies Policy SC8."*

7a.7 Policy SC9 - 'Extensions And Alterations To Residential Properties' states:

"Extensions and alterations to residential properties will be permitted where:

- (1) the scale, design and materials are sympathetic to the existing building;*
- (2) the location and scale of the extension or alterations will not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties; and*
- (3) it will not result in overdevelopment of the plot, thereby giving rise to adverse impacts on the functioning of garden ground, or the unacceptable loss of off-street parking."*

7a.8 Policy SC12 - 'Urban Open Space' states:

"The Council will protect all urban open space, including parks, playing fields and other areas of urban greenspace, which is considered to have landscape, amenity, recreational or ecological value, with particular reference to the areas identified on the Proposals Map. Development involving the loss of urban open space will only be permitted where:

- (1) There is no adverse effect on the character and appearance of the area, particularly through the loss of amenity space planned as an integral part of a development;*
- (2) In the case of recreational open space, it can be clearly demonstrated from a settlement and neighbourhood audit that the area is surplus to recreational requirements, and that its release for development will be compensated for by qualitative improvements to other open space or recreational facilities;*
- (3) The area is not of significant ecological value, having regard to Policies EQ24 and EQ25; and*
- (4) Connectivity within the overall open space network is not threatened and public access routes in or adjacent to the open space will be safeguarded."*

7a.9 The site is in an unusual location, being adjacent to the town centre, but outwith the urban limit and within the Green Belt. However, the proposals are within the existing building footprint, and do not have any adverse effects on the Green Belt or the existing open space associated with Callendar Park. The scale, design and materials to be used in the alterations to the exterior of the building are sympathetic to the existing style and structure, and would enhance the overall amenity of the area. It is also considered that the alterations would not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties. The development site lies outwith the scheduled area of the Antonine Wall. The proposal would minimally extend the footprint of the existing tower, being constructed over an existing footpath and would not affect the Antonine Wall World Heritage Site Scheduled Area. It is therefore considered that the proposal accords with policies EQ16, EQ17, EQ19, EQ20, SC3, SC9 and SC12.

7a.10 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be addressed are the policies of the emerging Falkirk Local Development Plan.

7b.2 The proposed Falkirk Local Development Plan was approved by the Council for consultation on 6 March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the extant Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan Policy and constitutes a material consideration in the determination of planning applications.

7b.3 The following policies of the Emerging Falkirk Local Development Plan are relevant to the assessment of the application under consideration:

Policy CG01- 'Countryside'

Policy CG02 - 'Green Belt'

Policy CG03 - 'Housing in the Countryside'

Policy D07 - 'Antonine Wall'

Policy D08 - 'Sites of Archaeological Interest'

7b.4 The above policies reinforce and develop relevant policies in the extant Falkirk Council Local Plan. The proposed development has been assessed as being in accordance with all relevant policies of the emerging Falkirk Local Development Plan.

7c Conclusion

7c.1 It is considered that the proposal is acceptable development and is in accordance with all relevant policies of the Falkirk Council Local Plan. There are no other material planning considerations which would justify a refusal of planning permission.

8. RECOMMENDATION

8.1 It is therefore recommended that Committee grant planning permission subject to the following condition(s):-

- (1) Falkirk Council's Keeper of Archaeology and Local History shall be provided with 14 days' notice before work commences on site.**

Reason(s):-

- (1) To ensure that monitoring of the site can be arranged to avoid the potential for any impact on the Antonine Wall World Heritage Site Scheduled Area.**

Informative(s):

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.**
- (2) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01-05, 06A, 07-11.**

- (3) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
- (4) There shall be no operations or activity associated with the development within or cause disturbance to the Antonine Wall World Heritage Site, or Scheduled Ancient Monument, which lies to the north of the application site.

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Director of Development Services

Date: 17 June 2013

LIST OF BACKGROUND PAPERS

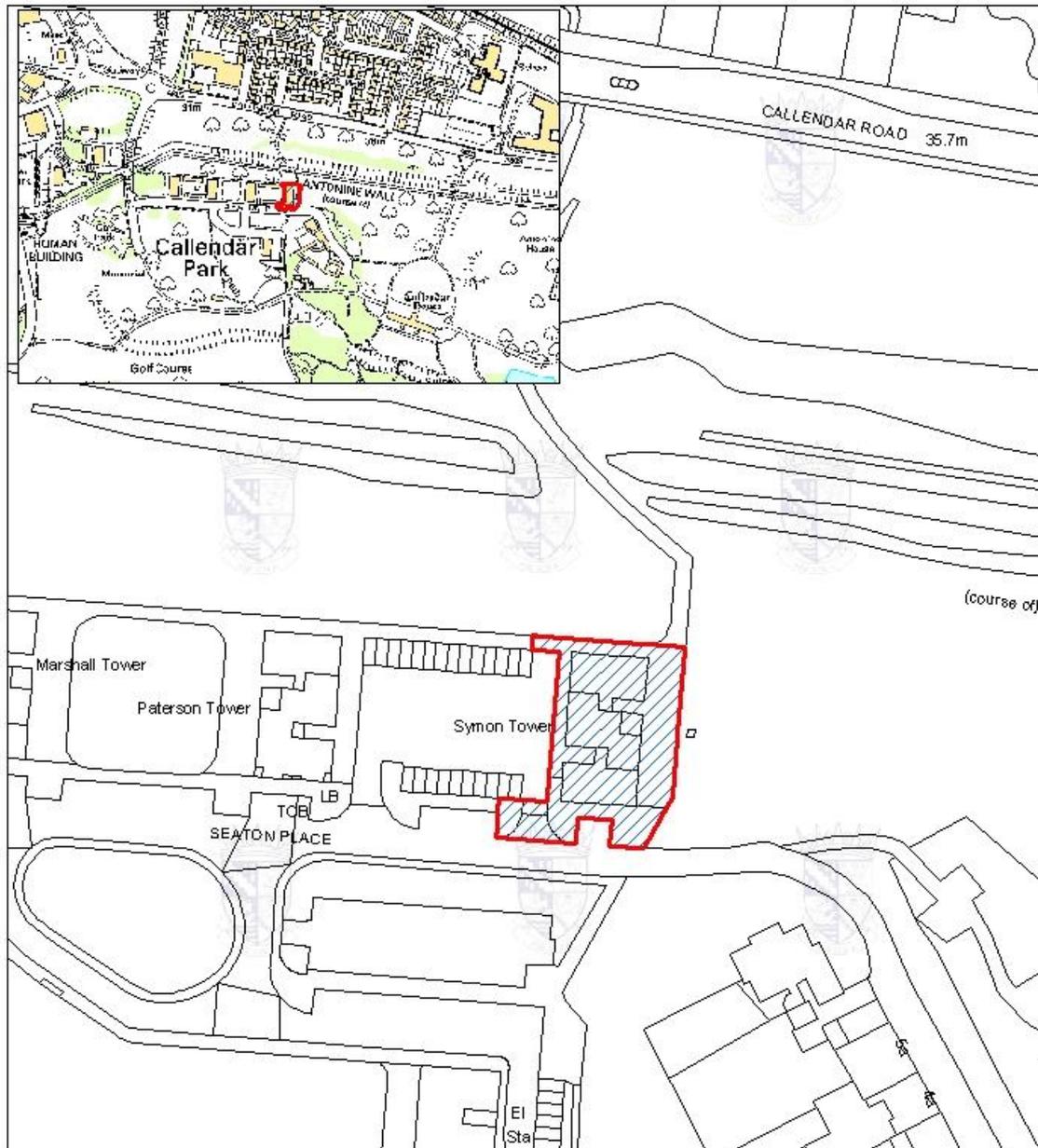
1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Local Development Plan.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504706 and ask for Allan Finlayson, Senior Planning Officer.

Planning Committee

Planning Application Location Plan **P/13/0340/FUL**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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