

List of Enclosures – Agenda Item 6

	<u>Page(s)</u>
1. Notice of Review dated 12 July 2013 and associated documents.	110-120
2. Application for Planning Permission dated 2 May 2012 and associated plan.	121-127
3. Report of Handling dated 7 December 2012.	128-131
4. Refusal of Planning Permission dated 14 June 2013.	132
5. Consultation Response from Roads Development Unit dated 18 May 2012.	133-134
6. Further Consultation Response from Roads Development Unit dated 17 July 2013.	135
7. Consultation Response from Scottish Water dated 25 May 2012.	136-137
8. Consultation Response from Environmental Health dated 17 May 2012.	138
9. Consultation Response from SEPA dated 7 June 2012.	139-141
10. Consultation Response from Transport Planning Unit dated 15 May 2012.	142-143
11. Consultation Response from Education Services dated 30 May 2012.	144-145
12. Consultation Response from Planning and Environment dated 2 July 2012.	146
13. Extract from Falkirk Council Structure Plan– Policy Com.5 Developer Contributions..	147-148
14. Extract from Falkirk Council Local Plan – Policy SC04 Special Needs and Affordable Housing.	149
15. Extract from Falkirk Council Local Plan – Policy SC13 Open Space and Play Provision in New Residential.	150
16. Extract from Falkirk Council Local Plan – Policy SC14 Education and New Housing Development.	150
17. Supplementary Planning Guidance Note – Education and New Housing Development.	151-166
18. Copy of original Outline Planning Permission.	167-170

19.	Copy of request for written submissions to Director of Education Services dated 2 September 2013.	171-172
20.	Response to written submissions request from Education Services dated 16 September 2013.	173-185
21.	Copy of request for written submissions to Chief Governance Officer dated 2 September 2013.	186
22.	Response to written submissions request from Chief Governance Office dated 12 September 2013.	187-209
23.	Copy of request for written submissions to Director of Development Services dated 2 September 2013.	210
24.	Response to written submissions request from Development Services dated 13 September 2013.	211

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND)
ACT 1997 (AS AMENDED)
IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS



Falkirk Council

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL
REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review. Please note that the guidance notes are issued by the Scottish Government. They apply to planning authorities generally and not specifically to Falkirk Council

In terms of the Act and regulations referred to above, Falkirk Council's Planning Review Committee sits as the "local review body".

Please use **BLOCK CAPITALS** if completing by hand.

Applicant(s)

Name	James Bell Limerigg Ltd
Address	Atrium House
	Callendar Business Park
	Falkirk
	Postcode: FK11XR
Tel	
Mobile	
Fax	
e-mail *	

Agent

Name	McLean Bell Consultants Ltd
Address	33 Miller Park
	Polmont
	Falkirk
	Postcode: FK2 0UJ
Tel	
Mobile	
Fax	
e-mail *	

Mark this box to confirm all contact should be through your agent or representative: ☒

* Do you agree to correspondence regarding your review being sent by e-mail? Yes ☒ No ☐

Planning authority's application reference number

P/12/0241/PPP

Site address

Description of proposed development

Land to the West of 65 Slamannan Road, Limerigg
Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT)

Date planning application declared
valid by Planning Authority

10/05/2012

Date of Decision (Leave blank if
appeal against non-determination)

14th June 2013

Note. This notice must be served on the planning authority within **three months** of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

1. Application for planning permission (including householder application) ☐
2. Application for planning permission in principle ☐
3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition) ☒
4. Application for approval of matters specified in conditions ☐

Reasons for seeking review

1. Refusal of application by appointed officer ☒
2. Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
3. Conditions imposed on consent by appointed officer ☐

Review procedure

The Planning Review Committee will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you consider that the review should be conducted by a combination of procedures. Please note, however, that the final decision as to procedure will rest with the Planning Review Committee.

1. Further written submissions ☐
2. One or more hearing sessions ☒
3. Site inspection ☒
4. Assessment of review documents only, with no further procedure ☐

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

A hearing session is considered the most appropriate procedure in this case to allow the Review Body to obtain further legal evidence to determine whether or not there had been a material change to the extension of the previous application P/08/0617/OUT and whether the Council was correct in refusing application P/12/0241/PPP on the grounds of Education Contributions.

A site inspection is further considered necessary to allow the Review Panel to assess the advantages of developing this site within the wider context of regeneration of Limerigg Village.

Site inspection

In the event that the Planning Review Committee decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|--------------------------|-------------------------------------|
| 1. Can the site be viewed entirely from public land? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

If there are reasons why you think the Planning Review Committee would be unable to undertake an unaccompanied site inspection, please explain here:

Secured entrance and requires company employee to provide access

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. 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 Planning Review Committee to consider as part of your review.

If the Planning Review Committee issues a notice requesting further information from any other person or body, copies of any such information received will be sent to you and you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State in the space provided the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

7.	
8.	
9.	
10.	

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

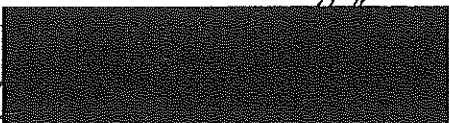
- Full completion of all parts of this form ☐
- Statement of your reasons for requiring a review ☐
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☐

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed



Date

12-7-2013

This form and other documents should be returned to:

The Development Manager,
Development Services

Are you submitting a statement of reasons for review in a separate document?

Yes
☒

No
☐

Reasons for Notice of Review

SEE ATTACHED DOCUMENT

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

Yes
☐

No
☒

Are you submitting additional documentation?

☐

☒

If you answer yes to either or both of the above questions, you should explain in the box below, why you are raising new material and/or introducing additional documentation, why it was not raised with or made available to the appointed officer before your application was determined and why you think it should now be considered in your review. Please note that it will be for the Planning Review Committee to decide whether or not all or any of the new material/additional documentation will be considered in the review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

1.	Update Report to Planning Committee, 25 th Feb 2009
2.	Policy COM.4 of Falkirk Council Structure Plan
3.	Policy COM 5 of Falkirk Council Structure Plan
4.	Policy SC14 of Falkirk Council Local Plan
5.	
6.	

AGENDA ITEM 3

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE)
AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN
ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL
LIMERIGG LTD - P/08/0617/OUT

Meeting: PLANNING COMMITTEE

Date: 25 February 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Gordon Hughes
Councillor Stephen Fry
Councillor John McLuckie

Community Council: Upper Braes

Case Officer: David Paterson (Planning Officer), ext 4757

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall this application was originally considered at the meeting of the Regulatory Committee on 28 January 2009 (copy of the previous report appended), when it was agreed to continue the application and to undertake a site visit. This took place on 10 February 2009.
2. At the site meeting the applicant's agent stated that the application site had been included in the Falkirk Council Local Plan Finalised Draft (Deposit Version), as a modification to the plan and identified as an opportunity for residential development. Concern was also expressed that the Falkirk Council Local Plan has been in preparation since 2001 and is not likely to be adopted until at least 2011. This being the case the agent promoted the view that the proposal represents an opportunity to develop the site prior to 2011 and that the village of Limerigg will enjoy more immediate regeneration benefits as a result. The agent also referred to Policy COM 1 – Housing Land Allocations as contained in the Falkirk Council Structure Plan 2007 which advocates that the Council will support special initiatives for residential led regeneration at various locations within the District. These general locations include Slamannan. Such developments must be accompanied by a masterplan development framework and must be able to demonstrate the satisfactory provision of necessary social and physical infrastructure. No such information has been offered by the applicant in support of this.
3. Members of the Committee expressed a view that the village of Limerigg would benefit from regeneration initiatives particularly developments which would increase the number of pupils attending the village primary school, which is operating under capacity and potentially under pressure for closure.

4. Members were advised that owing to the scale of the proposed housing development in relation to the village of Limerigg, in terms of the size of the site, the proposed development is considered to represent a significant departure from the Development Plan and would require to be referred to Scottish Minister should Members be minded to grant planning permission.
5. It is recommended that planning permission be refused for the following reasons:
 - (1) A countryside location is not essential for the proposed development and therefore the proposed development does not accord with Policy ENV 1 of the Falkirk Council Structure Plan "Countryside and Protected Areas" and Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (2) The proposed development is not a clear gap site or an appropriate infill opportunity. The proposed development does not therefore accord with Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (3) The proposed development would extend the village area of Limerigg beyond the village boundary resulting in undesirable sporadic development in the countryside. The proposed development does not therefore accord with Policy Rural 2 of the Rural Local Plan "Village Limits".
 - (4) The application is considered premature pending the consideration of the site's designation within the emerging Falkirk Council Local Plan through the Local Plan Inquiry process.



.....
 For Director of Development Services

Date: 18 February 2009

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Rural Local Plan
3. Falkirk Council Local Plan Finalised Draft (Deposit Version)
4. Scottish Planning Policy 3 "Planning for Housing"
5. Planning application F/98/0389
6. Planning application P/07/0531

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

Rural Communities

POLICY COM.3
SPECIAL NEEDS AND
AFFORDABLE HOUSING

The Council will support the provision of affordable and special needs housing, based on housing needs assessments for each community. Local Plans will identify suitable sites and where appropriate, stipulate the proportion of larger housing sites which should be reserved to meet specific housing needs.

- 4.12 It is important for the Structure Plan to draw attention to specific housing needs within the Council area, as well as setting out overall housing land requirements. The Falkirk Council Local Housing Strategy continues to highlight ongoing shortfalls in the provision of various types of specialised and supported accommodation. The ageing population structure has particular implications for the supply of housing for the elderly.
- 4.13 The provision of affordable and special needs housing across the Council area and in individual communities must be based on housing needs assessments; including special housing needs identified through the Community Care planning process. Where such assessments reveal shortfalls, then Local Plans will identify appropriate sites. This may include requiring a proportion of affordable or special needs housing within large

POLICY COM.4
RURAL COMMUNITIES

Within the villages of the Council Area:

1. development necessary for rural regeneration supported through the Community Planning process will be promoted within the target communities of Avonbridge, Limerigg, Slamannan, Standburn and Whitecross; and
 2. the continued viability and environmental quality of the other villages will be achieved through the appropriate distribution of the general housing land allocation indicated in Schedule Com.1a and through other initiatives to protect local services.
- 4.14 The rural communities of the Council area are diverse, with different needs and priorities. The Rural Local Plan has hitherto pursued a 'key village' strategy whereby housing and related development has been focused on the three larger villages of Slamannan, Avonbridge and Airth. Whilst this has been successful in Airth, it is clear that the problems of market failure experienced in the former mining villages of the Braes are more deeply rooted.
- 4.15 Accordingly, the Council through the local community planning process will work with its partners to address such issues as maximising opportunities for training and employment, combating isolation and the lack of affordable transport, enhancing the environment and developing facilities for young people. In Avonbridge, Limerigg, Slamannan, Standburn and Whitecross, initiatives to tackle social exclusion compounded by relative geographical isolation will be supported by the Structure Plan.
- 4.16 The open countryside outside of settlements will be protected from inappropriate development but in recognition of the problems facing the farming community, rural diversification will continue to be encouraged. (see Policy ENV.1)

Infrastructure and Facilities in Communities

POLICY COM.5 DEVELOPER CONTRIBUTIONS

The Council will ensure that proper provision is made to meet the physical and social infrastructure needs of new development and to mitigate the impact of such development on the locality. Where it is required to make a proposal acceptable in land use planning terms, serve a planning purpose and is directly related to the proposed development, developer funding for on- or off-site works will therefore be sought in respect of:

- 1 environmental enhancement required to mitigate, or compensate for landscape, townscape or ecological impacts;
- 2 physical infrastructure required to make the development acceptable, particularly transport provision required to ensure that the development meets sustainability criteria; and
- 3 community and recreational facilities required to meet demand generated by the development.

The required provision will be reasonable and related to the scale and nature of the proposed development, taking into account the relevant Council standards and will be specified within Local Plans and development briefs as appropriate. Examples of the range of matters which developers may be asked to address are provided in Schedule COM.5.

4.17 The Council is firmly committed to ensuring that developers contribute appropriately to the physical, environmental and community infrastructure which is required to serve new development and make it sustainable. This is particularly important in the context of a strategy of growth, where the impact of new households may place a serious burden on existing infrastructure in some areas. Such provision will normally be secured either through conditions or legal agreements.

4.18 There are three broad areas where provision, or contributions to provision, may be required. These are highlighted in Policy COM.5. Examples of the type of provision, and the circumstances in which it is likely to be necessary are shown in Schedule COM.5.

4.19 Firstly, environmental works may be required to mitigate impact or to compensate for loss of amenity. This will be particularly the case for greenfield developments on the edge of settlements. Secondly, physical infrastructure may be needed to make the development acceptable. This will include standard roads and sewerage improvements, but will increasingly relate to sustainable transport measures. Thirdly, provision must be made for community and recreational facilities. In this category, there will be an increasing emphasis on contributions to the upgrading of existing facilities, in line with Policy COM.6.

4.20 In determining the scope of such 'planning gain', the Council will adhere to the principles set out in Scottish Office Circular 12/96. It is important that the scale and nature of provision is determined on a consistent basis and is set out at an early stage in the development process. Local Plans and development briefs will stipulate requirements for specific sites and set criteria for assessing contributions from windfall sites.

Sustaining Communities

DOCUMENT - 4.

4.48

SC13 OPEN SPACE AND PLAY PROVISION IN NEW RESIDENTIAL DEVELOPMENT

New development will be required to contribute to open space and play provision. Provision should be informed by the Council's open space audit, and accord with the Open Space Strategy and the SPG Note on Open Space and New Development, based on the following principles:

- (1) Open space and facilities for play and outdoor sport should be provided based upon the quantitative, qualitative and accessibility standards, and the priorities for improvement, set out in the Open Space Strategy.
- (2) Financial contributions to off-site provision, upgrading, and maintenance, as a full or partial alternative to direct on-site provision, will be sought where
 - existing open space or play facilities are located nearby and are able to serve the development through suitable upgrading;
 - in residential developments, the size of the development falls below the threshold of 10 houses or where it is otherwise not practical, reasonable or desirable to provide facilities on site; or
 - as part of a co-ordinated approach, a centralised facility is the optimum solution to serving a number of different developments in an area; or
 - The Open Space Strategy indicates that there is a sufficient amount of open space in the area, and that priority should be given to qualitative improvements to existing open space.

The required financial contribution per house will be set out in the SPG Note on 'Open Space and New Development'.

- (3) The location and design of open space should be such that it:
 - forms an integral part of the development layout, contributing to its character and identity;
 - is accessible and otherwise fit for its designated purpose;
 - links into the wider network of open space and pedestrian/cycle routes in the area;
 - sensitively incorporates existing biodiversity and natural features within the site;
 - promotes biodiversity through appropriate landscape design and maintenance regimes; and
 - enjoys good natural surveillance.
- (4) Developers must demonstrate to the Council that arrangements are in place for the management and maintenance of open space, including any trees, paths, walls, structures, and play areas which form part of it.

Education

- 4.49 Access to local school facilities, both primary and high schools, in suitable accommodation and at appropriate class sizes, is an essential requirement for new housing. In overall terms it is anticipated that there will be adequate capacity in existing and proposed new schools to accommodate the residential development permitted by the Local Plan. However, there are localised areas where school improvements may be necessary.

- 4.50 Having replaced five of its secondary schools under Scotland's first schools PFI project in 2000, the remaining four schools have also now been rebuilt under the Community Schools project. In addition, new non-denominational primary schools have been built at North Larbert and Maddiston, and a new denominational primary school is planned for the Larbert/Stenhousemuir area. In addition, where a known housing site is identified and school capacity is an issue that has to be addressed through developer contributions, this is noted against the relevant proposal.

- 4.51 Windfall sites may raise issues concerning school capacity. Such proposals will be assessed in terms of Policy SC14 below. Where capacity problems exist, contributions will be sought unless increases in capacity are not possible or will prejudice the Council's education policies. It is the Council's preference that primary schools do not exceed 2-stream capacity (430) pupils.

4.52

SC14 EDUCATION AND NEW HOUSING DEVELOPMENT

Where there is insufficient capacity within the catchment school to accommodate children from new housing development, developer contributions will be sought in cases where improvements to the school are capable of being carried out and do not prejudice the Council's education policies. The contribution will be a proportionate one, the basis of which is set out in the SPG Note Education and New Housing Development. In cases where the school cannot be improved in a manner consistent with the Council's education policies, the development will not be permitted.

- 4.53 There is increasing demand for nursery and child care facilities either through new development or changes of use of existing buildings. Such proposals will be favourably considered provided the criteria set out in Policy SC15 are met.

Supporting statement for Planning Application P/12/0241/PPP.

Land to the west of 65 Slamannan Road, Limerigg.

Reasons for Notice of Review

1. The village of Limerigg is identified in the Approved Falkirk Council Structure Plan (Policy COM.4) as a target community for “rural regeneration”. The Structure Plan supports appropriate development necessary for rural regeneration in the five target villages. This proposal to develop a derelict/unused site for housing is therefore in accordance with Policy COM.4 of the Structure Plan.
2. It is accepted that Policy COM.5 of the Approved Falkirk Council Structure Plan is relevant. That policy relates to “developer contributions” (commonly known as planning gain) and the key issue relates to education provision. At present Limerigg primary school has a capacity of 50 with a current school roll of 31 thereby leaving a spare capacity of 19. The application site is estimated to have a capacity of 50 houses thereby generating 13 additional pupils who would attend the local Primary School and that is fewer than the current spare capacity at the school. Policy COM.5 states that the “required provision will be reasonable and related to the scale and nature of the proposed development”. It is not considered that the requested sum of £130,000 towards Limerigg PS is reasonable and, in fact, given the spare capacity at the school it would appear that there is no requirement to contribute towards education provision at that school. In addition, the site would generate an additional 4 pupils for St Mungo’s Secondary School. This school has spare capacity at present but based on current estimates of house building the Education Service predicts it may have capacity issues in 5 – 10 years. Consequently they request an additional £42,500 towards the cost based on 4 additional pupils. When it is clear that St Mungo’s School has spare capacity at present it is not reasonable to request £42,500 for 4 additional pupils on the basis that a prediction suggests there may be capacity problems in the future. This comes to a total requested contribution of £172,500 for both schools for the site and this is not considered reasonable or proportionate in relation to a proposal for redevelopment in Limerigg.
3. Housing development in Limerigg is difficult to justify on an economic viability basis at the best of times. However, a demand for a contribution of £172,500 will simply make the proposal uneconomic and it will not happen.

4. The site is allocated for housing in the adopted Falkirk Council Local Plan (reference H.LIM04). Therefore the principle of this proposal is accepted.
5. It is recognised that the adopted Local Plan has a policy (SC14 – Education and New Housing Development) relating to the issue of education capacity. However, that policy states “the contribution will be a proportionate one”. It is not considered that this requested sum of £172,500 for this site is either reasonable or proportionate. Both Limerigg PS and St Mungo’s have the capacity to absorb the pupil product of this site at present therefore the most reasonable and proportionate solution would be for a nil contribution towards education services. It is considered that with no capacity problems in local schools that this development is in accordance with the Adopted Local Plan.
6. This application is for a renewal of a previous planning consent (reference P/08/0617/OUT) granted on 15th May 2009. That consent was issued without any requirement for a contribution to education services in relation to any school. In fact the Committee Report on the application, dated 25th February 2009, makes reference in paragraph 3 to “Members of the Committee expressed a view that the village of Limerigg would benefit from regeneration initiatives particularly developments which would increase the number of pupils attending the village primary school, which is operating under capacity and potentially under pressure for closure”. That fear is still the case and without a new housing development such as this proposal there is an increasing threat of closure for small village schools in today’s challenging economic times with severe pressure on Council budgets.
7. In conclusion, based on an assessment of current education provision, there is capacity available at local schools and it is unreasonable for Education Services to request the sum of £172,500 as a planning gain contribution. On that basis the single reason for refusal cannot be sustained and this application for the renewal of a previous consent should be granted consent subject to appropriate conditions.

McLean Bell Consultants Ltd

10-7-2013

P/12/0241/PPP

Print Form

APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Please refer to the accompanying Guidance Notes when completing this application
**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
 ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>**

1. Applicant's Details		2. Agent's Details (if any)	
Title		Ref No.	
Forename		Forename	Alastair
Surname		Surname	Bell
Company Name	James Bell Limerigg Ltd	Company Name	McLean Bell Consultants
Building No./Name		Building No./Name	c/o Atrium House
Address Line 1		Address Line 1	Callendar Business Park
Address Line 2		Address Line 2	
Town/City		Town/City	Falkirk
Postcode		Postcode	FK1 1XR
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Postal Address or Location of Proposed Development (please include postcode)			
Land to The West of 65 Slamannan Road, Slamannan Road, Limerigg			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Type of Application			
What is the application for? Please select one of the following:			
Planning Permission			<input type="checkbox"/>
Planning Permission in Principle			<input type="checkbox"/>
Further Application*			<input checked="" type="checkbox"/>
Application for Approval of Matters Specified in Conditions*			<input type="checkbox"/>
Application for Mineral Works**			<input type="checkbox"/>
NB. A 'further application' may be e.g. development that has not yet commenced and where a time limit has been imposed a renewal of planning permission or a modification, variation or removal of a planning condition.			
*Please provide a reference number of the previous application and date when permission was granted:			
Reference No:	P/08/0617/OUT	Date:	15/05/2012

****Please note that if you are applying for planning permission for mineral works your planning authority may have a separate form or require additional information.**

5. Description of the Proposal

Please describe the proposal including any change of use:

Renewal of planning permission for land with permission for residential purposes

Is this a temporary permission?

Yes ☐ No ☒

If yes, please state how long permission is required for and why:

Have the works already been started or completed?

Yes ☐ No ☒

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application

6. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal?

Yes ☐ No ☒

If yes, please provide details about the advice below:

In what format was the advice given?

Meeting ☐ Telephone call ☐ Letter ☐ Email ☐

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes ☐ No ☐

Please provide a description of the advice you were given and who you received the advice from:

Name:

Date:

Ref No.:

7. Site Area

Please state the site area in either hectares or square metres:

Hectares (ha):

1.259

Square Metre (sq.m.)

8. Existing Use

Please describe the current or most recent use:

Vacant.

9. Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes ☐ No ☒

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes ☐ No ☒

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

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

NA

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total number of existing spaces plus any new spaces)

NA

Please show on your drawings the position of existing and proposed parking spaces and specify if these are to be allocated for particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

10. Water Supply and Drainage Arrangements

Will your proposals require new or altered water supply or drainage arrangements? Yes ☐ No ☒

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

Yes, connecting to a public drainage network ☒
 No, proposing to make private drainage arrangements ☐
 Not applicable – only arrangement for water supply required ☐

What private arrangements are you proposing for the new/altered septic tank?

Discharge to land via soakaway ☐
 Discharge to watercourse(s) (including partial soakaway) ☐
 Discharge to coastal waters ☐

Please show more details on your plans and supporting information

What private arrangements are you proposing?
 Treatment/Additional treatment (relates to package sewer treatment plants, or passive sewage treatment such as a reed bed) ☐
 Other private drainage arrangement (such as a chemical toilets or composting toilets) ☐

Please show more details on your plans and supporting information.

Do your proposals make provision for sustainable drainage of surface water? Yes ☒ No ☐

Note:- Please include details of SUDS arrangements on your plans

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

Yes ☒ No ☐

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

11. Assessment of Flood Risk

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

Yes ☐ No ☒

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

Do you think your proposal may increase the flood risk elsewhere? Yes ☐ No ☒ Don't Know ☐

If yes, briefly describe how the risk of flooding might be increased elsewhere.

12. Trees

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

Yes ☐ No ☒

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

13. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste? (including recycling)

Yes ☐ No ☐

If yes, please provide details and illustrate on plans.

If no, please provide details as to why no provision for refuse/recycling storage is being made:

14. Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats?

Yes ☒ No ☐

If yes how many units do you propose in total?

Please provide full details of the number and types of units on the plan. Additional information may be provided in a supporting statement.

15. For all types of non housing development – new floorspace proposed

Does your proposal alter or create non-residential floorspace?

Yes ☐ No ☐*If yes, please provide details below:*

Use type:

If you are extending a building, please provide details of existing gross floorspace (sq.m.):

Proposed gross floorspace (sq.m.):

Please provide details of internal floorspace(sq.m)

Net trading space:

Non-trading space:

Total net floorspace:

16. Schedule 3 Development

Does the proposal involve a class of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008?

Yes ☐ No ☒ Don't Know ☐

If yes, your proposal will additionally have to be advertised in a newspaper circulating in your area. Your planning authority will do this on your behalf but may charge a fee. Please contact your planning authority for advice on planning fees.

17. Planning Service Employee/Elected Member Interest

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

Yes ☐ No ☒

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority?

Yes ☐ No ☒

If you have answered yes please provide details:

DECLARATION

I, the applicant/agent certify that this is an application for planning permission. The accompanying plans/drawings and additional information are provided as part of this application.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed ☒

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants

Yes ☒ No ☐ N/A ☐

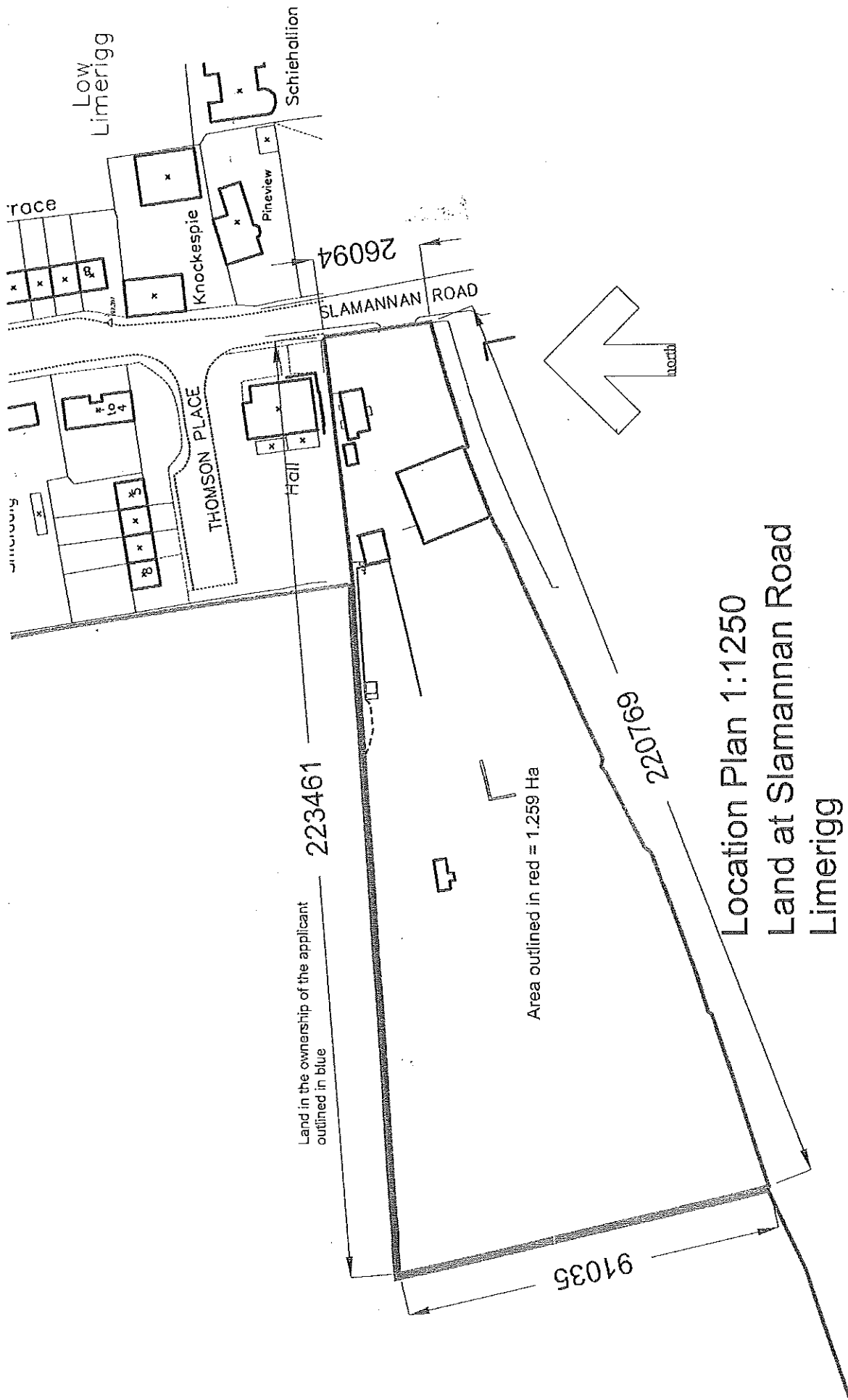
Signature:



A. Bell

Date: 2/5/2012

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

CERTIFICATE A, B, C OR CERTIFICATE D MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than the applicant was owner 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 application. ☒
- (2) None of the land to which the application relates constitutes or forms part of agricultural land. ☐

Signed:

[Redacted Signature]

On behalf of:

McLean Bell Consultants Ltd

Date:

2/05/2012

CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are: ☐

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land ☐
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are: ☐

PLANNING APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING

PROPOSAL : Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT).
LOCATION : Land To The West Of 65 Slamannan Road, Slamannan Road, Limerigg,
APPLICANT : James Bell Limerigg Ltd
APPN. NO. : P/12/0241/PPP
REGISTRATION DATE : 10 May 2012

1. SITE LOCATION / DESCRIPTION OF PROPOSAL

This application for planning permission in principle requests the renewal of a previously granted planning permission P/08/0617/OUT for development of land for residential purposes. The application site is located within central Limerigg on the western side of Slamannan Road.

2. SITE HISTORY

The site was historically used as a dismantlers yard and outline planning permission was refused for development of the site for residential purposes in 2007. A further application was then made in 2008 and planning permission P/08/0617/OUT was granted on 15/05/2009 following consideration of the proposal by the Planning Committee. The site is also now identified as an allocated housing site, H.LIM04 in the Falkirk Council Local Plan.

3. CONSULTATIONS

The following responses to consultation were received:

Roads Development Unit	No objections.
Scottish Water	No objections.
Environmental Protection Unit	No objection however a contaminated land survey has been requested.
Scottish Environment Protection Agency	No objection.
Transport Planning Unit	No objections.
Education Services	<p>This development will necessitate capacity related investment at Limerigg Primary School and exacerbate existing pressures at St Mungo's RC High schools. For that reason Education Services request that, if approved, it is on the condition that the applicant makes the following pro-rata contribution:</p> <p> Limerigg Primary School: £2,600 per house St Mungo's High School: £850 per house Total contribution required: £3,450 per house </p>
Central Scotland Police	No response to consultation.

Where the local Community Council requested consultation, their comments appear above.

4. PUBLIC REPRESENTATION

During consideration of the application, no letters of objection or representation were received.

5. THE DEVELOPMENT PLAN

The proposed development was assessed against the undernoted Development Plan(s):

Falkirk Council Structure Plan.

Com.5 Developer Contributions

Falkirk Council Local Plan

The proposed development was assessed against the following policy or policies:

SC04 - Special Needs and Affordable Housing

SC13 - Open Space and Play Provision in New Residential

SC14 - Education and New Housing Development

5A. MATERIAL CONSIDERATIONS

The following matters were considered to be material in the consideration of the application:

Responses to Consultation

Falkirk Council Supplementary Guidance

6. PLANNING ASSESSMENT

The Development Plan

The proposal was assessed against both the Falkirk Council Structure Plan and the Falkirk Council Local Plan.

Structure Plan Policies

The proposed development of this site is considered to put pressure on existing schools infrastructure and it is considered appropriate for a development of this nature to make a financial contribution towards infrastructure required to meet the needs and demands generated by the development. Given that the applicant has challenged this and has not confirmed that they are willing to meet this financial requirement, the proposal is considered to be contrary to the terms of the Falkirk Council Structure Plan.

Local Plan Policies

The application site is identified as allocated housing site H.LIM04 for approximately 50 units and is located within the urban limits of Limerigg.

In the time since the previous outline approval on the site, Falkirk Council has introduced a revised affordable housing policy. It is considered that the new policy is a material change in circumstances and should therefore be applied to the current application. The revised policy requires that 25% of the units on the site should be reserved for affordable housing. This requirement can be covered by way of a suitably

worded legal agreement to be finalised prior to the issuing of any planning permission.

The application site is of a sufficient size to accommodate on site open space provision to meet the terms of policy SC13 and supplementary planning guidance. It is however considered appropriate to attach a condition to any outline planning permission given requiring the provision of open space on site or a financial contribution towards off site works.

Education services have identified capacity related constraints within the existing schools provision in this catchment area and have requested that a financial contribution be made in order to mitigate against the impact of this development on schools infrastructure. The applicant has challenged the need for this payment however it is considered that a contribution is entirely appropriate in this instance. Failure to agree to enter into this financial contribution means that the proposal is contrary to the terms of the Falkirk Council Local Plan.

Responses to Consultation

As was the case for the previous planning approval on the site, Education services has requested a financial contribution towards capacity related investment at Limerigg Primary School and St Mungo's High School. Due to an administrative error during consideration of planning application P/08/0617/OUT, this contribution requirement was not applied prior to issuing outline planning permission. Whilst this oversight was unfortunate, it is considered appropriate that the current application for renewal of planning permission addresses the current requirements for contributions associated with the development of the site. A contribution of £3,450 per dwellinghouse is therefore required and should be secured by way of a suitably worded legal agreement prior to issuing any planning permission.

This request for financial contribution has been put to the applicant but has been disputed on the basis that this is a renewal application and as such the current application should not be subjected to this requirement. Legal advice has been sought on this matter and it is clear that the current application should be determined based on the current requirements and should not be constrained by previous administrative errors. Contributions to mitigate the impacts of the development are considered entirely appropriate in this instance. This information has been relayed to the applicant however, no confirmation has been received indicating that they are happy to meet the required contributions. It is therefore assumed that the applicant is not willing to meet this financial requirement.

Falkirk Council Supplementary Guidance

Supplementary Planning Guidance note - Education and New Housing Development, sets out the guiding principles for assessing education infrastructure needs for developments of this nature. The guidance sets out a framework to identify in which instances financial contributions are appropriate and to establish the level that these contributions should be set at in each instance. The contribution requested by Education Services is considered to be in line with the guidance set out in this document and as the applicant has failed to confirm willingness to meet this financial requirement, the proposal fails to meet the terms of this guidance note.

Supplementary Planning Guidance Note - Affordable Housing, sets out the background for the requirement for new housing development to contribute towards affordable housing provision. The guidance note defines what is considered to be acceptable affordable housing tenure types and provides a hierarchy to assist in determining which tenures should be used in each instance. The proposed affordable housing requirement for this site is considered to be capable of fitting in with the terms of this guidance note.

Supplementary Planning Guidance Note - Public Open Space, Falkirk Greenspace and New Development, sets out the required standards of provision for open space in new housing developments. This provision is broken down into active and passive open space provision the guidance identifies what types of provision are acceptable and unacceptable. The guidance also sets out a framework justifying financial contributions in instances where open space provision cannot be accommodated on site. The proposed development site is considered capable of meeting the terms of this guidance note with on site open space provision.

7. CONCLUSION

The proposal represents an unacceptable form of development as the anticipated impacts of the development on schools infrastructure will not be adequately addressed. The proposal fails to accord with the development plan and there are no material planning conditions that warrant an approval of planning permission in this instance.

8. RECOMMENDATION

Refuse Planning Permission

Refusal is recommended for the following ;

Reason(s):

1. The proposal fails to mitigate against education capacity issues anticipated as a result of the development and as such the proposal is contrary to the terms of Policy COM. 5 - Developer Contributions, of the Falkirk Council Structure Plan, Policy SC.14 - Education and New Housing Development, of the Falkirk Council Local Plan and Supplementary Planning Guidance Note - Education Provision and New Housing Development.

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A ****


Director of Development Services

7.12.12
Date

Contact Officer : Kevin Brown
(Planning Officer) 01324 504701

Reference No. P/12/0241/PPP



Town and Country Planning (Scotland) Act 1997 as Amended
Issued under a Statutory Scheme of Delegation.

Falkirk Council

Refusal of Planning Permission

Agent

McLean Bell Consultants Limited
McLean Bell Consultants Limited,
33 Miller Park
Polmont
Falkirk
FK2 0UJ

Applicant

James Bell Limerigg Ltd
Atrium House
Callendar Boulevard
Falkirk
FK1 1XR

This Notice refers to your application registered on 10 May 2012 for permission in respect of the following development:-

Development Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT). at

Location Land To The West Of 65 Slamannan Road, Slamannan Road, Limerigg

The application was determined under Delegated Powers. Please see the attached guidance notes for further information, including how to request a review of the decision.

In respect of applications submitted on or after 1 January 2010, Falkirk Council does not issue paper plans. Plans referred to in the informatives below can be viewed online by inserting your application number at <http://eplanning.falkirk.gov.uk/online/>

In accordance with the plans docketted or itemised in the attached informatives as relative hereto, Falkirk Council, in exercise of its powers under the above legislation, hereby

Refuses Planning Permission in Principle

The Council has made this decision for the following reasons:-

1. The proposal fails to mitigate against education capacity issues anticipated as a result of the development and as such the proposal is contrary to the terms of Policy COM. 5 - Developer Contributions, of the Falkirk Council Structure Plan, Policy SC.14 - Education and New Housing Development, of the Falkirk Council Local Plan and Supplementary Planning Guidance Note - Education Provision and New Housing Development.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A.

14 June 2013

 Director of Development Services

Morris, John

From: MacKenzie, Roddy
Sent: 18 May 2012 08:24
To: adm1dmbscorr
Cc: Steedman, Russell
Subject: P-12-0241-PPP Slamannan Rd, Limerigg

Development Services

Memo

To: Kevin Brown, Planning Officer
 Planning and Transportation (Development Control)

From: Roddy Mackenzie, Roads Development

Date: 18 May 2012

Enquiries: 4908

Our Ref: RMK/

Your Ref: P/12/0241/PPP

Proposal : Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT)

Location : Land to the West of 65 Slamannan Road, Limerigg

Application : P/12/0241/PPP

I refer to your consultation notice received on 14 May 2012 regarding the above application. This site has been subject to a previous application and my comments are similar:-

The applicant intends to develop land for housing in a site off the existing B8022 Slamannan Road which is the main route through Limerigg from Slamannan. Assuming that the development site will be for more than three dwellings, any access road will be required to be built to an adoptable standard and a visibility splay of at least 4.5m by 70m in both directions will be required at the junction with the B8022, within which there should be no obstruction to visibility above carriageway level.

Assuming that an access can be formed in accordance with our guidelines, I would also make the following comments:

1. The road layout should be designed and constructed in accordance with this Service's "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area",
2. Excluding any garage facility, off street parking shall be provided at a rate of one space for one and two bedroom dwellings and two spaces for dwellings with three or more bedrooms.
3. Parking spaces within plots with no separate garden path to the front door should be a minimum of 3m wide and 5m long. All parking spaces within plots with a separate garden path to the front door should be a minimum of 2.5m wide and 5m long.

4. Visitors parking should be provided at the rate of 1 space for every four dwellings and should be distributed evenly throughout the site.
5. Depending upon the proposed layout, access to each dwelling should be taken via a footway crossing constructed in accordance with this Service's guidelines. No more than three properties should be served from a single private access.
6. The driveways to the plots should be formed so that their gradients do not exceed 1 in 10 and so that no surface water is discharged or loose material is carried out onto the public road.
7. Appropriate traffic management measures should be installed along the access road, in accordance with this Service's guidelines.
8. There should be no obstruction to visibility over 1m in height above carriageway level within 2.5m of the road channel over the full frontage of any plots taking access off the internal road(s).
9. At any junctions within the site, a visibility splay of 2.4m by 30m should be maintained, within which there should be no obstruction to visibility over 1m in height.
10. Any gates should only open into the plots.
11. A flood risk assessment and surface water drainage strategy including SUDS shall be required.

Regards.

RMK

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

Morris, John

From: MacKenzie, Roddy
Sent: 17 July 2013 10:09
To: adtm1dmbcorr
Cc: Morris, John; Steedman, Russell
Subject: Notification of Request for Review on Application Ref P/12/0241/PPP

John,

As discussed, I can confirm that we have no further roads comments to make in connection with this application.

Roddy

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

25/05/2012

Falkirk Council
Corporate & Neighbourhood Serv
Burnbank Road Depot
Burnbank Road
Falkirk
FK2 7YZ

SCOTTISH WATER

Customer Connections
419 Balmore Road
Glasgow
G22 6NU

Customer Support Team
T: 0141 355 5511
F: 0141 355 5386
W: www.scottishwater.co.uk
E: connections@scottishwater.co.uk

Dear Sir/Madam,

PLANNING APPLICATION NUMBER: P/12/0241/PPP
DEVELOPMENT: Limerigg 65 Slamannan Rd Land
OUR REFERENCE: 609479
PROPOSAL: Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT).

Please quote our reference in all future correspondence

In terms of planning consent, Scottish Water does not object to this planning application. However, please note that any planning approval granted by the Local Authority does not guarantee a connection to our infrastructure. Approval for connection can only be given by Scottish Water when the appropriate application and technical details have been received.

Due to the size of this proposed development it is necessary for Scottish Water to assess the impact this new demand will have on our existing infrastructure. With Any development of 10 or more housing units, or equivalent, there is a requirement to submit a fully completed Development Impact Assessment form. Development Impact Assessment forms can be found at www.scottishwater.co.uk.

Water Treatment Works currently has capacity to service this proposed development.

Water Network – Our initial investigations have highlighted there may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers.

The Developer should discuss the implications directly with Scottish Water.

Waste Water Treatment Works currently has capacity to service this proposed development.

Wastewater Network – Our initial investigations have highlighted there may be a requirement for the Developer to carry out works on the local network to ensure there is no loss of service to existing customers. The Developer should discuss the implications directly with Scottish Water.

In some circumstances it may be necessary for the Developer to fund works on existing infrastructure to enable their development to connect. Should we become aware of any issues such as flooding, low pressure, etc the Developer will be required to fund works to mitigate the effect of the development on existing customers. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules.

If this development requires the existing network to be upgraded, to enable connection, the developer will generally meet these costs in advance. Scottish Water can make a contribution to these costs through Reasonable Cost funding rules. Costs can be reimbursed by us through Reasonable Cost funding rules

A totally separate drainage system will be required with the surface water discharging to a suitable outlet. Scottish Water requires a sustainable urban drainage system (SUDS) as detailed in Sewers for Scotland 2 if the system is to be considered for adoption.

Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements installed, subject to compliance with the current water byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

If the connection to public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s). This should be done through a deed of servitude.

Should the developer require information regarding the location of Scottish Water infrastructure they should contact our Property Searches Department, Bullion House, Dundee, DD2 5BB. Tel – 0845 601 8855.

If the developer requires any further assistance or information on our response, please contact me on the above number or alternatively additional information is available on our website: www.scottishwater.co.uk.

Yours faithfully,

Stephen Kelly
Customer Connections

Morris, John

From: hillis, alfred
Sent: 17 May 2012 10:55
To: adtm1dmbscorr
Subject: P/12/0241/PPP - Land to west of 65 Slamannan Road, Limerigg

Contaminated Land

Conditioned due to the presence of mining and unknown filled ground and potentially other contaminative activities within 250m of the site.

1. Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites .
2. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
3. Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.
4. 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.

Environmental Health

Noise need not be considered as a determining factor in considering this application.

Informative - The builder shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Unit.

Alf Hillis
 Environmental Health Officer
 01324 501024

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.



Our ref: PCS/120287
Your ref: P/12/0241/PPP

Kevin Brown
Falkirk Council
Development Services

If telephoning ask for:
Alasdair Milne

7 June 2012

By email only to: adtm1dmbscorr@falkirk.gov.uk

Dear Sir

Planning application: P/12/0241/PPP
Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT).
Land To The West Of 65 Slamannan Road, Limerigg

Thank you for your consultation letter of 14 May 2012 which SEPA received on 14 May 2012.

We have **no objection** to this planning application. Please note the advice provided below.

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take into account factors not considered at the planning stage.

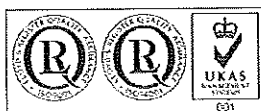
Advice for the planning authority

1. Flood Risk

- 1.1 We have reviewed the information provided in this consultation and it is noted that, although the site appears to lie out with the Indicative River and Coastal Flood Map (Scotland), the application site is adjacent to a small watercourse and consequently the site may be at risk of flooding.
- 1.2 Small watercourses are often poorly understood with respect to the severity of the flood hazard that can be generated on a catchment of this scale. SEPA holds a wealth of information on past small catchment flooding in Scotland which has led to significant impacts upon people and property.
- 1.3 As we hold no specific flood risk information and/ or have local knowledge of this site, it is strongly recommended that:

(a) Additional information is sought from the applicant, which could take the form of a flood risk assessment (FRA). Other appropriate information may include a detailed site plan showing the positioning of the residential development;

(b) Contact is made with your Flood Prevention Authority to glean any information/ local knowledge that they may possess.



Chairman
David Slogsworth
Chief Executive
James Cullen

Edinburgh Office
Cleanwater House, Heriot Watt Research Park
Avenue North, Riccarton, Edinburgh EH14 4AP
tel 0131 449 7296 fax 0131 449 7277
www.sepa.org.uk

- 1.4 If your authority requires further comment from us, additional information would be necessary to enable us to comment upon the flood risk at the application site in line with the principles of Scottish Planning Policy (2010), SEPA-COSLA Protocol (as updated 2011) and the duties of the Flood Risk Management (Scotland) Act (2009).

Caveats & Additional Information for Applicant

- 1.5 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_map.aspx.
- 1.6 We refer the applicant to the document entitled: "*Technical Flood Risk Guidance for Stakeholders*". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx. Please note that this document should be read in conjunction with Annex B in SEPA Policy 41: "*Development at Risk of Flooding, Advice and Consultation – a SEPA Planning Authority Protocol*", available from www.sepa.org.uk/flooding/flood_risk.aspx.
- 1.7 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Falkirk Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/flooding/flood_risk/planning_flooding.aspx.
- 2. Foul Drainage**
- 2.1 Foul drainage from the site should be discharged to the public sewerage network. The applicant should consult Scottish Water in this regard. We confirm that it is the responsibility of Scottish Water to ensure that the additional flow arising from this development will not cause or contribute to the premature operation of consented storm overflows.
- 3. Surface Water Drainage**
- 3.1 The discharge of surface water to the water environment should be in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA. The design of the drainage system must be site specific and dependent upon the presence of any contaminants at the site, the remediation strategy and the risks posed by any residual contamination, in addition to the normal design considerations.
- 3.2 Comments from Scottish Water and, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.

- 3.3 Surface water drainage from the construction phase should also be dealt with by SUDS. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.

Regulatory advice

4. Regulatory requirements

- 4.1 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at:

Falkirk, Alloa and Stirling Team, Bremner House, The Castle Business Park, Stirling, FK9 4TF

If you have any queries relating to this letter, please contact me by telephone on 01355 575665 or e-mail at planning.se@sepa.org.uk

Yours faithfully

Alasdair Milne
Senior Planning Officer
Planning Service

eCopy to:

Alastair.bell123@gmail.com

Morris, John

From: Collins, Kevin
Sent: 15 May 2012 09:35
To: adm1dmbscorr
Subject: Planning Application P/12/0241/PPP
Attachments: oledata.mso

Please see the Transport Planning Unit's comments on the previous application P/08/0617/OUT. These comments will be valid for the current application.

Development Services

Memo

To: David Paterson-Planning Officer
From: Sean McCabe - Transport Planning Unit
Date: 7 August 2008 **Enquiries:** 4965 **Fax:**
Our Ref: TP10/00SMC **Your Ref:**
Application No: P/08/0617/OUT
Proposal: Development of Land for Residential Purposes
Application Type: Outline Planning Permission
Location: Land To The West Of 65 Slamannan Road, Slammanan Road, Limerigg
Applicant: James Bell Limerigg Limited

Thank you for supplying details of the above planning application. The Transport Planning Unit has the following comments to make.

1. Access

Access and Visibility Splays should be in accordance with the Council's Design Guidelines and to the satisfaction of the Roads Development Team

2. Parking

Car parking provision should be in accordance with the Council's Design Guidelines and to the satisfaction of the Roads Development Team

3. Pedestrian Facilities

Unable to comment until the size of the development is determined.

4. Cycling Facilities

Unable to comment until the size of the development is determined.

5. Bus Access

No additional public transport facilities will be required. The existing public transport facilities are well within reasonable walking distance of the proposed development.

6. Travel Plan

Unable to comment until the size of the development is determined.

I trust you will find these comments of use when determining this planning application.



c.c. Roads Development Team

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The views and opinions expressed in this e-mail are the senders own and do not necessarily represent the views and opinions of Falkirk Council.

Richard Teed: Senior Forward Planning Officer
 Sealock House, 2 Inchyra Road,
 Geangemouth, FK3 9XB.
 Phone: 01324 506621 Fax: 01324 506601 Email: Richard.teed@falkirk.gov.uk



Falkirk Council
 Education Services

MEMO

To: Kevin Brown
 From: Richard Teed
 Our Ref:
 Date: 30th May 2012
 Subject: Application for Planning Permission in Principle for Residential Development – Slamannan Road, Limerigg

Ext: 6621
 Your Ref: P/12/0241/PPP

There is no indication of the number of dwellings likely to comprise this development, so a development of 50 houses is assumed for the purpose of this consultation response.

School Catchments

This application falls within the catchments for Limerigg Primary School, St. Andrew's RC Primary, Falkirk High School and St Mungo's RC High School.

Impact of Development

Limerigg Primary School

Based on the current ratio of 0.25 pupils per house, we would expect 13 children from this development to enrol at Slamannan Primary School. The school currently has a capacity of 50 pupils and a roll of 38. There is insufficient short and long-term capacity to accommodate a development of this scale in the village.

St. Andrew's RC Primary School

Based on the current ratio of 0.09 pupils per house, we would expect 4 to 5 children from this development to enrol at St Andrew's Primary School. Following the recent rezoning, the school has sufficient long-term capacity to accommodate this development.

Falkirk High School

Based on the current ratio of 0.14 pupils per house, we would expect 7 children from this development to enrol at Falkirk High School. The school currently has no projected capacity pressures, so can accommodate the additional pupils from this development.

St Mungo's RC High School

Based on the current ratio of 0.06 pupils per house, we would expect 3 children from this development to enrol at St Mungo's High School. The school is currently experiencing very high occupancies and is projected to reach capacity within 5-10 years. This development would exacerbate these pressures.

Director : Andrew Sutherland

Sealock House, 2 Inchyra Road,
 Grangemouth, FK3 9XB.
 Telephone : 01324 506600
 Fax : 01324 506601

Conclusion

This development will necessitate capacity related investment at Limerigg Primary School and exacerbate existing pressures at St Mungo's RC High schools. For that reason Education Services request that, if approved, it is on the condition that the applicant makes the following pro-rata contribution:

(based on assumed 50 dwellings)

Limerigg Primary School:	£2,600 per house	= £130,000 for 50 dwellings
St Mungo's High School:	£850 per house	= £42,500 for 50 dwellings

Total contribution required: £3,450 per house = £172,500 for 50 dwellings

It should be noted that a comparable contribution was requested by Education Services and agreed by Planning Committee for the previous application that was approved in 2007.

It should also be noted that the pro-rata contribution for Limerigg Primary School, when combined with a comparable contribution from the other allocated housing site in Limerigg, is not expected to meet the full cost of extending Limerigg Primary, and the council will be liable for some of these costs.

Development Services

Memo

To: Development Management
Kevin Brown

From: Planning and Environment

Date: 2 July 2012

Enquiries: Joyce Hartley (4946)

Fax: 504709

Our Ref: DC/RUR/JH

Your Ref: P/12/0241/PPP

Proposal: Development of Land for Residential Purposes (Renewal of Planning Application P/08/0617/OUT).

Location: Land to the west of 65 Slamannan Road, Slamannan Road, Limerigg,

Applicant:

I refer to your request for a planning policy response regarding the above and would comment as follows:

Development Plan

- 1/ The current Development Plan relevant to this proposal is the Falkirk Council Structure Plan (2007) and the Falkirk Council Local Plan (2010).
- 2/ The site is allocated for housing purposes in the Falkirk Council Local Plan as site H.LIM04, Slamannan Road 3. The principle of residential use on this site is therefore consistent with Local Plan policy.
- 3/ Although the application is in principle, a set of development guidelines has been prepared for this site and allocation H.LIM02, Slamannan Road 2. This replaces the requirement for a planning brief referred to in the Local Plan and should guide the preparation of any future MSC application. I understand that reference to this will be made as an 'informative' to any planning consent that may be issued.

I hope this is useful. Please get in touch if you wish to discuss further.

Joyce Hartley

Schedule COM.5 : Examples of Developer Contributions

Type of Provision	Circumstances Where Provision May Be Required
ENVIRONMENTAL ENHANCEMENT	
Woodland Planting & Management / Landscape Renewal & Enhancement	Sites relating to Greenspace and urban fringe locations, planting/management to reinforce existing or adjacent woodland, to integrate site into landscape setting or impact on designed and historic landscapes.
Habitat Creation & Management	Sites relating to existing wildlife sites or corridors, especially loss of habitat requires mitigation/compensation.
Countryside Access Provision	Sites relating to Greenspace or urban fringe locations and where opportunities exist to enhance the local access network.
Archaeological Investigation / Interpretation	Sites containing archaeological remains.
Historic Building Repair / Conservation	Sites containing buildings of historic or townscape importance.
PHYSICAL INFRASTRUCTURE	
Road Improvements	Sites where improvements will be necessary as demonstrated by Transport Appraisal in order to ensure safe vehicular access for the proposed development.
Public Transport Facilities & Services	Larger sites where access by public transport needs to be secured to meet sustainability objectives.
Pedestrian / Cycling Facilities	Sites where pedestrian/cycle links into the wider network and to key community/public transport nodes need to be established.
Sewerage Improvements	Sites where additional sewerage infrastructure must be provided in order to serve the development.
COMMUNITY FACILITIES	
Open Space Provision / Maintenance	All housing sites must provide for, or contribute to, open space on- or off-site, as well as maintenance.
Play Area Provision / Maintenance	All housing sites must provide for, or contribute to, play facilities on- or off-site, as well as maintenance.
School Facilities	Sites where school capacity/facilities are inadequate to cope with the proposed development.
Community / Sports Halls	Sites in areas where there is a recognised deficiency in the quantity or quality of provision.
Health Care Facilities	Sites in areas where there is a recognised deficiency in the quantity or quality of provision.
Shopping Centre Enhancement	Major housing developments in areas where the environment of the local centre requires upgrading. Out-of-centre retail developments where impact on an existing centre requires mitigation.

POLICY COM.6**OPEN SPACE AND RECREATIONAL FACILITIES**

The Council will seek to ensure that a satisfactory distribution and quality of open space and recreational facilities exists across the Council area. Accordingly:

- 1 the loss of open space and recreational facilities will not normally be permitted except where, as part of a community-wide assessment of provision, it is demonstrated that the loss will have no adverse impact on visual or recreational amenity and will release resources for qualitative improvements to facilities in the community as a whole;
- 2 Local Plans will identify and seek to address any remaining localised deficiencies in provision;
- 3 resources will generally be concentrated on improving the quality, management and accessibility of existing provision; and
- 4 all new housing development must contribute to the provision and maintenance of open space and recreational facilities either through on-site provision or contributions to off-site provision. Standards will be set out in Local Plans based on the provision of 2.8ha per 1000 persons.

4.21 The provision of public open space and recreational facilities is an important determinant of quality of life within communities. Overall, Falkirk Council enjoys a relatively good level of provision, which will be significantly enhanced given wider community access to the Falkirk Schools Project schools. However, this broad picture masks some localised deficiencies and issues associated with the quality of provision.

4.22 Given this background, the strategy is to avoid the loss of open space and facilities, except where a comprehensive assessment of physical resources in an area suggests that rationalisation can result in an overall improvement in the quality of provision. This may occur, for example, where an area of open space is making little effective contribution to quality of life in a community, and its disposal would make resources available for upgrading of another piece of open space. Although Local Plans will continue to identify any remaining quantitative deficiencies in communities, the emphasis will be on using resources to improve the quality of existing infrastructure. The Council's Culture and Leisure Strategy will assist in determining the role of different parks and facilities and establishing priorities for enhancement.

4.23 It is important that new housing development addresses the additional demand which it generates for open space and leisure. Traditionally, open space and play facilities have been provided on-site, but contributions to existing or new off-site provision will be considered as an alternative, particularly in the case of smaller sites following consultation with the local community. In this way, additional resources can be brought to bear on achieving qualitative improvements. It will be for Local Plans to set out detailed standards which individual developments will have to meet.

Sustaining Communities

Special Needs and Affordable Housing

- 4.14 It is recognised that the majority of the new housing to be provided under Policy SC1 above will be for owner occupation. Falkirk Council has an existing stock of 16,852 houses for rent (24.2% of the housing stock in 2007) and there is a small stock of units rented by housing associations (3,049 or 4.4% of stock). In addition, there is a large stock of former local authority housing which provides a pool of good quality, affordable housing.
- 4.15 Research, published by Communities Scotland in November 2006, showed that Falkirk Council area had moved into the category of net need for affordable housing. This is a significant change from the historic position which was that housing in the Falkirk Council area was relatively affordable. The Council's own research on affordable housing need (2006) found that the picture of relative affordability had diminished, and while there was still a supply of affordable housing quantitatively across the Council area, some localities were now experiencing particular shortages. Further work carried out by independent researchers in 2007 confirmed the scale of differential need between the various settlement areas of the council. Therefore, there is now a more urgent need to create a supply of affordable housing. A fundamental requirement is land for affordable housing, and the Council's first preference is for on site provision. If this is deemed to be not achievable, the Council will consider off site provision, or as a last resort, the payment of a commuted sum to contribute to the provision of affordable housing elsewhere in the area. The Council intends to secure provision through partnership working with Scottish Government Housing and Regeneration Directorate, local Registered Social Landlords and private developers.
- 4.16 A key role for the private sector, in accordance with the SPP, will be to contribute to the provision of choice across the housing market area. Policy SC4 sets out specific requirements which seek to achieve this through ensuring, in larger housing developments, there is a diversity of house types and tenures in order to create mixed and socially inclusive communities, as advised by PAN2/2010. The Council's priority will be to deliver social rented housing, but consideration will be given to shared ownership or shared equity housing where considered appropriate. Further guidance is provided in the Council's SPG Note on Affordable Housing.

4.17

SC4 SPECIAL NEEDS AND AFFORDABLE HOUSING

For large new housing developments, the Council will require a diversity of house types and tenures in order to create mixed communities. In particular there will be a requirement across the Council area for new housing sites of 100 units and over to provide 15% of the total number of units as affordable or special needs housing. In the settlement areas of Larbert/Stenhousemuir, Polmont and District and Rural North, where there is an identified shortfall in affordable housing provision, there will be a requirement for sites of 60 units and over to provide 25% of the total number of units as affordable or special needs housing. Acceptable approaches could include:

- (1) Provision of general needs social rented houses;
- (2) Provision of social housing for people with particular needs (specifically the elderly and physically disabled); or
- (3) Provision of shared equity or shared ownership housing

Developers will be expected to work in partnership with the Council, the Scottish Government Housing and Regeneration Directorate and Registered Social Landlords to comply with this policy. The Council will apply a sequential approach to the delivery of affordable housing:

- On site provision
- Off site provision
- Commuted sum payment.

4.48

SC13 OPEN SPACE AND PLAY PROVISION IN NEW RESIDENTIAL DEVELOPMENT

New development will be required to contribute to open space and play provision. Provision should be informed by the Council's open space audit, and accord with the Open Space Strategy and the SPG Note on Open Space and New Development, based on the following principles:

- (1) Open space and facilities for play and outdoor sport should be provided based upon the quantitative, qualitative and accessibility standards, and the priorities for improvement, set out in the Open Space Strategy.
- (2) Financial contributions to off-site provision, upgrading, and maintenance, as a full or partial alternative to direct on-site provision, will be sought where
 - existing open space or play facilities are located nearby and are able to serve the development through suitable upgrading;
 - in residential developments, the size of the development falls below the threshold of 10 houses or where it is otherwise not practical, reasonable or desirable to provide facilities on site; or
 - as part of a co-ordinated approach, a centralised facility is the optimum solution to serving a number of different developments in an area; or
 - The Open Space Strategy indicates that there is a sufficient amount of open space in the area, and that priority should be given to qualitative improvements to existing open space.

The required financial contribution per house will be set out in the SPG Note on 'Open Space and New Development'.

- (3) The location and design of open space should be such that it:
 - forms an integral part of the development layout, contributing to its character and identity;
 - is accessible and otherwise fit for its designated purpose;
 - links into the wider network of open space and pedestrian/cycle routes in the area;
 - sensitively incorporates existing biodiversity and natural features within the site;
 - promotes biodiversity through appropriate landscape design and maintenance regimes; and
 - enjoys good natural surveillance.
- (4) Developers must demonstrate to the Council that arrangements are in place for the management and maintenance of open space, including any trees, paths, walls, structures, and play areas which form part of it.

Education

- 4.49 Access to local school facilities, both primary and high schools, in suitable accommodation and at appropriate class sizes, is an essential requirement for new housing. In overall terms it is anticipated that there will be adequate capacity in existing and proposed new schools to accommodate the residential development permitted by the Local Plan. However, there are localised areas where school improvements may be necessary.

- 4.50 Having replaced five of its secondary schools under Scotland's first schools PFI project in 2000, the remaining four schools have also now been rebuilt under the Community Schools project. In addition, new non-denominational primary schools have been built at North Larbert and Maddiston, and a new denominational primary school is planned for the Larbert/Stenhousemuir area. In addition, where a known housing site is identified and school capacity is an issue that has to be addressed through developer contributions, this is noted against the relevant proposal.

- 4.51 Windfall sites may raise issues concerning school capacity. Such proposals will be assessed in terms of Policy SC14 below. Where capacity problems exist, contributions will be sought unless increases in capacity are not possible or will prejudice the Council's education policies. It is the Council's preference that primary schools do not exceed 2-stream capacity (430) pupils.

4.52

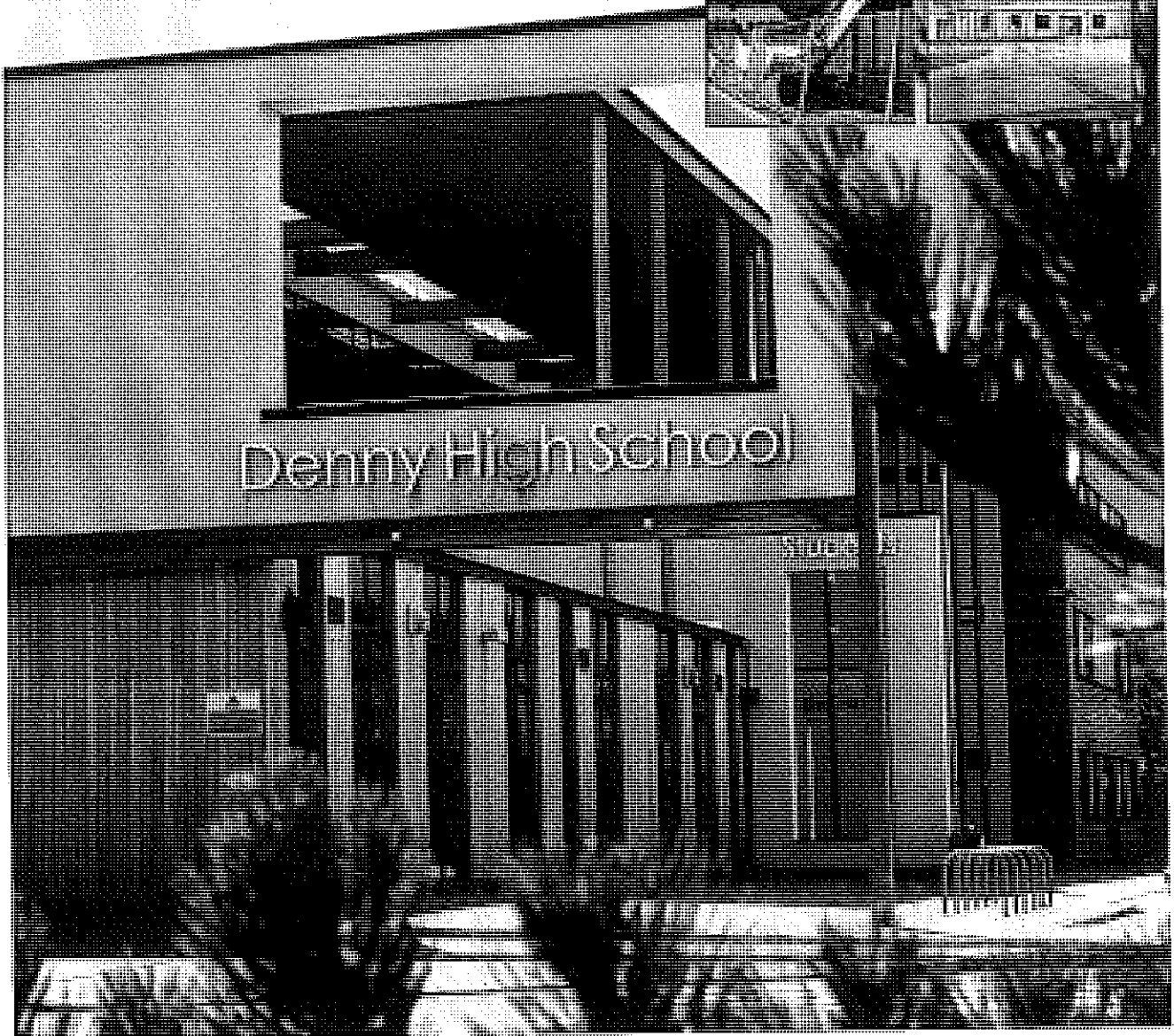
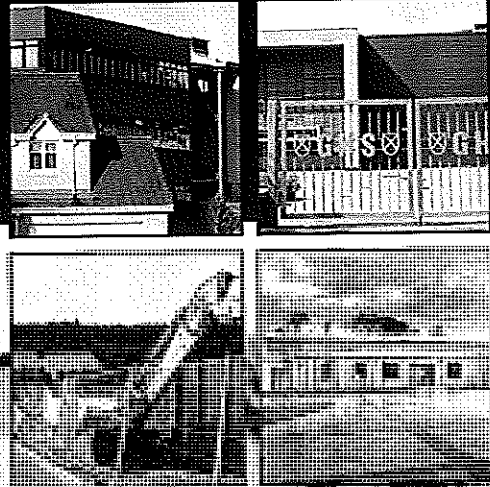
SC14 EDUCATION AND NEW HOUSING DEVELOPMENT

Where there is insufficient capacity within the catchment school to accommodate children from new housing development, developer contributions will be sought in cases where improvements to the school are capable of being carried out and do not prejudice the Council's education policies. The contribution will be a proportionate one, the basis of which is set out in the SPG Note Education and New Housing Development. In cases where the school cannot be improved in a manner consistent with the Council's education policies, the development will not be permitted.

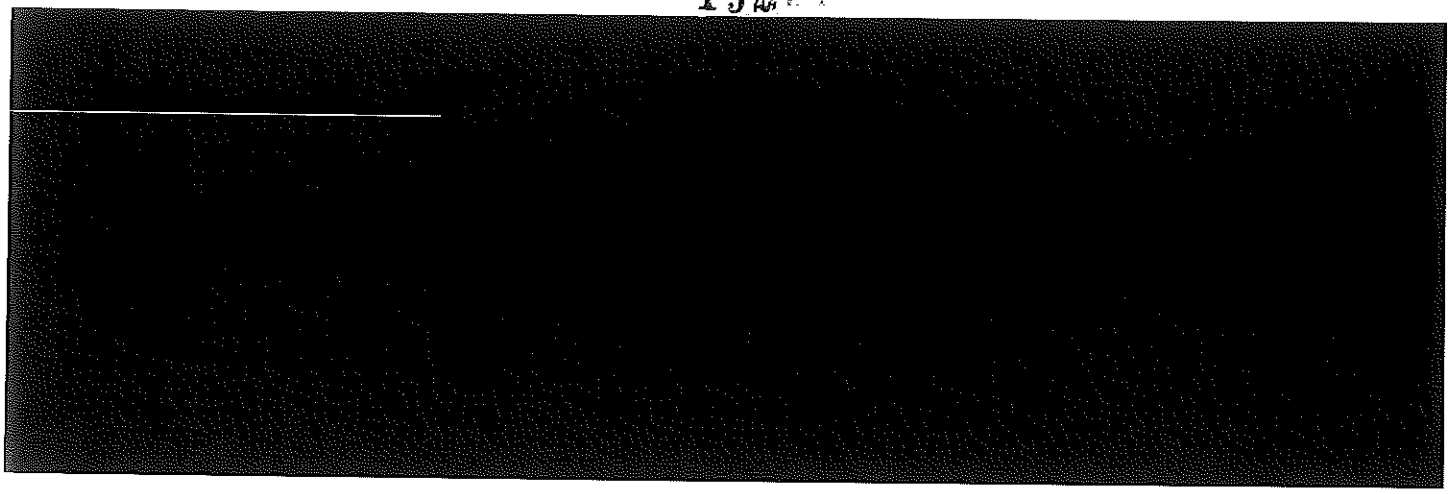
- 4.53 There is increasing demand for nursery and child care facilities either through new development or changes of use of existing buildings. Such proposals will be favourably considered provided the criteria set out in Policy SC15 are met.

Education and New Housing Development

Supplementary Planning Guidance Note
August 2011

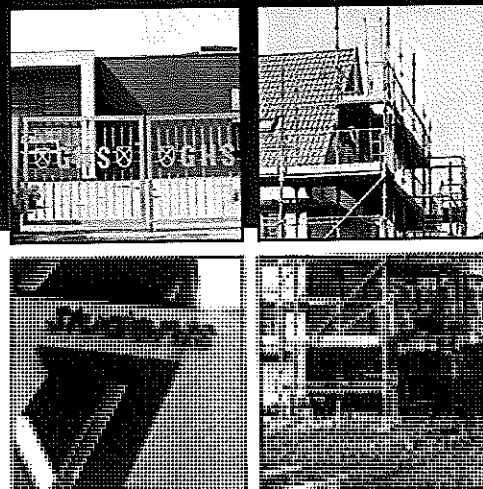


Falkirk Council
Development Services



Content

August 2011



General Introduction

1. General Principles
2. Planning policy context

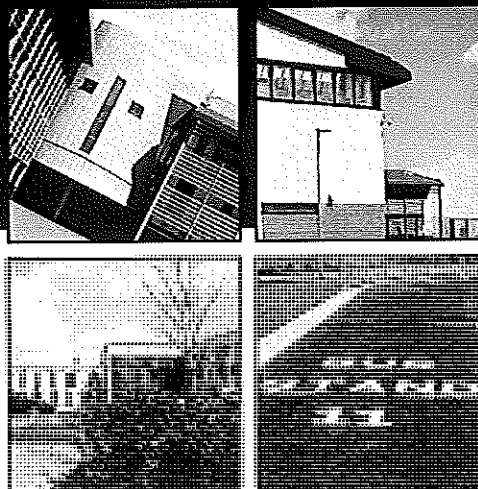
Education and New Housing Development

3. Objective
4. Policy Context
5. Key Principles
6. Rates and procedures
7. Justification
8. Further Information
9. Contacts

Appendix

General Introduction

General Principles



1. General Principles

- 1.1 The development strategy of the Falkirk Council Structure Plan is one of Promoting Sustainable Growth in all our Communities and a target population of 152,000 has been set for 2020. To support this strategy the Structure Plan makes provision for 11,000 new houses distributed across the Council area and up to 2,800 in four key regeneration locations. The development strategy takes into account the physical and environmental capacity and social and economic needs of each community, in order to ensure their future viability and a healthy level of self-containment.
- 1.2 The Council is firmly committed to ensuring that developers provide for the physical, environmental and community infrastructure which is required to serve new development and make it sustainable. This is particularly important in the context of a strategy of growth, where the impact of new households may place a serious burden on existing infrastructure in some areas. Such provision will normally be secured either through conditions or legal agreements.
- 1.3 This guidance note is one of a suite of SPGs on Developer Contributions which the Council is in the process of preparing. SPGs are principally intended to elaborate on key policies contained in the Development Plan, as discussed below, and to provide advice to developers and others on issues to take into account when approaching the Council with proposals for development.

General Principles

Planning Policy Context

2. Planning policy context

2.1 The Town and Country Planning (Scotland) Act 1997, Section 75, as amended by the Planning etc (Scotland) Act 2006, sets out powers for planning authorities to enter into agreements with developers. This can include agreements for the developer to make financial contributions. Scottish Government Circular 1/2010 sets out government policy with regard to the use of such agreements. Benefits should be sought only when required to make a development proposal acceptable in land use planning terms i.e. to overcome obstacles which would justify refusal by eliminating or compensating for potentially negative impacts. Planning authorities may request a financial contribution, to be used towards the provision of infrastructure which they would not otherwise have had to provide. Any payments must be consistent with the scale of development proposed.

2.2 Scottish Government advice also encourages planning authorities to make their requirements known at an early stage in the planning process, so that these may be reflected in land values prior to planning permission being granted. Provisions in the Planning etc (Scotland) Act 2006 require that planning agreements are publicised by Planning Authorities and that there is greater transparency in negotiating developer contributions. These guidance notes should assist with these objectives.

2.3 The Falkirk Council Structure Plan was approved by Scottish Ministers in June 2002. Policy COM.5 sets out the strategic rationale for seeking developer contributions in appropriate circumstances. The accompanying Schedule COM.5 lists the circumstances where developer contributions may be sought and this is reproduced here for guidance.

2.4 The Council has consolidated the area Local Plans into a single council-wide Local Plan, the Falkirk Council Local Plan, which was adopted in December 2010. The Falkirk Council Local Plan sets out the detailed housing land allocations up to 2015 and also indicates some longer term development opportunities. It contains general policy SC11, Developer Contributions to Community Infrastructure, which states:

'Developers will be required to contribute towards the provision, upgrading and maintenance of community and recreational facilities where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The nature and scale of developer contributions will be determined by the following factors:

- (1) Specific requirements identified against proposals in the Local Plan or in development briefs;*
- (2) In respect of open space, recreational, and education provision, the general requirements set out in Policies SC13 and SC14;*
- (3) In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*
- (4) Where a planning agreement is the intended mechanism for securing contributions, the principles contained in Circular 1/2010.'*

General Principles

Planning Policy Context



Schedule COM.5 : Examples of Developer Contributions

Type of Provision	Circumstances Where Provision May Be Required
Environmental Enhancement	
Woodland Planting & Management/ Landscape Renewal & Enhancement	Sites relating to Greenspace and urban fringe locations, planting/management to reinforce existing or adjacent woodland, to integrate site into landscape setting or impact on designed and historic landscapes.
Habitat Creation & Management	Sites relating to existing wildlife sites or corridors, especially loss of habitat requires mitigation/compensation.
Countryside Access Provision	Sites relating to Greenspace or urban fringe locations and where opportunities exist to enhance the local access network.
Archaeological Investigation/Interpretation	Sites containing archaeological remains.
Historic Building Repair/Conservation	Sites containing buildings of historic or townscape importance.
Physical Infrastructure	
Road Improvements	Sites where improvements will be necessary as demonstrated by TIA in order to ensure safe vehicular access for the proposed development.
Public Transport Facilities & Services	Larger sites where access by public transport needs to be secured to meet sustainability objectives.
Pedestrian/Cycling Facilities	Sites where pedestrian/cycle links into the wider network and to key community/public transport nodes need to be established.
Sewerage Improvements	Sites where additional sewerage infrastructure must be provided in order to serve the development.
Community Facilities	
Open Space Provision/Maintenance	All housing sites must provide for, or contribute to, open space on- or off-site, as well as maintenance.
Play Area Provision/Maintenance	All housing sites must provide for, or contribute to, play facilities on- or off-site, as well as maintenance.
Schools	Sites where school capacity/facilities are inadequate to cope with the proposed development.
Community/Sports Halls	Sites in areas where there is a recognised deficiency in the quantity or quality of provision.
Health Care Facilities	Sites in areas where there is a recognised deficiency in the quantity or quality of provision.
Shopping Centre Enhancement	Major housing developments in areas where the environment of the local centre requires upgrading. Out-of-centre retail developments where impact on an existing centre requires mitigation.

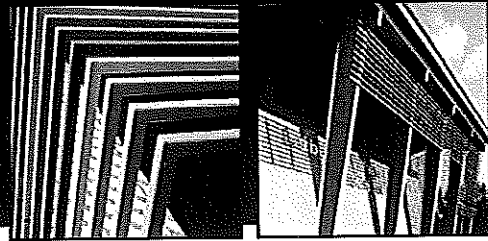
General Principles

Planning Policy Context

- 2.5 Advice on developer contributions on the Education policy area is contained in the succeeding sections of this SPG.

Education and New Housing Development

Objective



3. Objective

3.1 Falkirk Council, in its Structure Plan, has set a population growth target of 152,000 by 2020. In general it is anticipated that there will be adequate school provision. However, in particular locations increases in school capacity may be necessary and it is Falkirk Council's policy that where this is directly related to new residential development, the developer should make a financial contribution.

3.2 The objectives of this Supplementary Planning Guidance Note (SPG) are:

- ◆ To provide detailed guidance on the implementation of development plan policies relating to developer contribution to education provision; and thereby
- ◆ To assist in the delivery of the Council's growth strategy
- ◆ To set out the Council's approach so that it is applied in a consistent and transparent manner, and
- ◆ To explain the reasoning and the technical basis upon which impacts on schools are judged.

Education and New Housing Development

Policy Context

4. Policy Context

4.1 The general policy context for the consideration of developer contributions is set out in the introductory section. Specific policy on education provision related to new housing is contained in both the Falkirk Council Structure Plan and the Falkirk Council Local Plan.

4.2 Structure plan Policy COM.7, School Provision, states that:

'New housing development will not be permitted unless adequate school capacity is available or will be made available.'

4.3 The Council has consolidated the area Local Plans into a single council-wide Local Plan, the Falkirk Council Local Plan, which was adopted in December 2010. This contains policy SC14, Education and New Housing Development, which states:

'Where there is insufficient capacity within the catchment school to accommodate children from new housing development, developer contributions will be sought in cases where improvements to the school are capable of being carried out and do not prejudice the Council's education policies. The contribution will be a proportionate one, the basis of which will be set out in the SPG Note 'Education and New Housing Development'. In cases where the school cannot be improved in a manner consistent with the Council's education policies, the development will not be permitted.'

Education and New Housing Development

Key Principles



5. Key Principles

5.1 Falkirk Council will seek financial contributions from developers when new housing is proposed in the catchment areas of schools which will have inadequate or no capacity for additional pupils likely to be generated by such housing. In some situations it may be technically impossible to provide extra capacity and in these circumstances the Council will resolve the issue through the use of suspensive conditions to control the phasing of development or, in extremis, may refuse planning permission (see also para 5.3 below).

5.2 There are three situations when developer contributions are likely to apply; a) sites allocated for housing development in the Falkirk Council Local Plan where capacity problems may already be indicated in the Local Plan b) windfall infill proposals that come forward in the catchment areas of schools at or near capacity and c) sites allocated in Falkirk Council Local Plan where capacity issues in the school catchment have emerged since the Plan's adoption.

5.3 Proposals outwith the defined urban limits of a settlement and not allocated for development in the Local Plan are unlikely to be supported irrespective of proposals put forward by developers to address school constraints.

5.4 The provisions of this SPG will not apply to the following types of development;

- ◆ sites proposing only one-bedroom flatted developments
- ◆ sites of under 4 houses or 10 flats
- ◆ sites of proposals for housing exclusively for the elderly.

These types of development are exempt from making developer contributions as they would have no, or a negligible, impact on school capacity.

5.5 Large scale housing proposals may require specific education infrastructure provision and in such circumstances the scale of contribution will be calculated on an individual basis. Normally however, impacts will be cumulative, and no one development will cause the difficulty. In these circumstances a financial contribution based on the provision of temporary or permanent classrooms (whichever is appropriate) and applied on a per housing unit basis, would be required.

5.6 There may be school specific factors, e.g. space, quality of ancillary accommodation, etc that mean that increasing capacity is not a practical proposition. In such circumstances suspensive conditions or phasing of the development will be necessary.

5.7 The impact of development will be judged based on the available capacity at the schools affected, the school roll projections, and the ratio of pupils per housing unit from new housing developments that are applicable at the time of the planning application. This process is further elaborated in section 6 below. The pupil product ratios currently applied by the Council are shown in table B in the appendix. These ratios have been derived from studies of the number of children enrolling at schools from different types of new build housing developments and are reviewed regularly.

5.8 In the light of growing pressure on nursery provision within Falkirk Council area it has been agreed that a small, flat rate contribution should be made by all non exempt developments in the Council area. A flat rate rather than pro rata contribution is justified because nurseries have no catchment area and parents are able to choose to use nurseries in any part of the district, often near the workplace rather than the home. The rate of contribution is set out in Table C of the appendix.

Education and New Housing Development

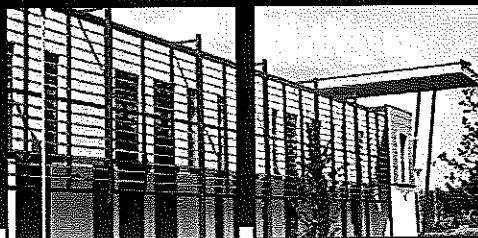
Rates and Procedures

6. Rates and procedures

- 6.1 The level of contributions will be reviewed and updated on a regular basis. The contributions are calculated from a combination of pupil product and classroom extension costs. The current build costs are as shown in table A of the appendix. Translating these pupil cost figures into a cost per house, results in the contribution rates shown in table C of the appendix for each type of school. These costs are reviewed in line with the BCIS Index or equivalent.
- 6.2 Where necessary, further (or separate) contributions towards ancillary accommodation may be applied on a case by case basis. Any planning agreement will specify how and where moneys should be spent. Provision shall be made for payment in stages and to specify payback periods for moneys to be returned should the Council not make use of them.
- 6.3 The Council has a procedure for handling developer contributions which involves Development, Law and Administration and Finance Services working closely to monitor the receipt of contributions' monies and its transfer to the Service which is to benefit, in this case the Education Service. Planning agreement details are recorded, with each service inputting information at the relevant time. All payments are to be made to Law and Administration Services and Development Services is responsible for monitoring the trigger points for staged payments.

Education and New Housing Development

Justification



7 Justification

- 7.1 The general trend that emerges from an analysis of all school roll projections is that the expected national trend of a reduction in birth rates will reduce school rolls in areas that are not subject to new house building. In some cases moderate levels of new housing development negate the trend in reductions in birth rates and the roll remains fairly static. In areas where new house building has or will be concentrated there is generally a projected increase in the school roll commensurate to the number and type of development expected.
- 7.2 Each year Falkirk Council produces a school roll projection for the next 10 years for every school. This takes into account actual school enrolment figures, future Primary 1 intakes based on birth data, and new housing. The new housing component is made up of sites with planning consent, sites allocated in the Local Plan and sites where there is reasonable certainty of development coming forward in the medium term.
- 7.3 New housing sites allocated in the Falkirk Council Local Plan will either already have been taken into account in the projections or the allocation is conditional on addressing school capacity constraints. Any planning application for new development over and above existing commitments will therefore be tested by re-running the school roll projections for the relevant school. If these reveal capacity issues which can be technically overcome a financial contribution is likely to be sought.
- 7.4 For small to medium scale development this will normally be related to the rates referred to in section 5 above. Some very large scale development may require specific measures and these will be costed on an individual basis.
- 7.5 It should be noted that school roll projections are based on a number of averages and trend based statistical techniques. Whilst the assumptions have proved generally reliable, the nature of the exercise means that they cannot be regarded as a prediction. They will therefore be subject to annual review.
- 7.6 Where developer contributions are sought, or refusal is recommended, the background information and assumptions used will be made available by Education Services.
- 7.7 Developers are advised to have early discussions with Development Services prior to the submission of planning applications to resolve any difficulties before design work has reached an advanced stage.
- 7.8 Developers should also be aware that there may be other issues affecting particular sites that will require development contributions for community infrastructure in addition to education provision, as described in the introductory section.
- 7.9 It will be for the developer to demonstrate to the Council's satisfaction that other requirements, abnormal development costs and/or the prevailing economic circumstances in conjunction with the required developer contribution will render the development unviable. These should be set out through a Development Viability Statement. The terms of the Development Viability Statement will be taken into account as a material consideration in determining the planning application.

Education and New Housing Development

Further Information and Contacts

8 Further Information

8.1 Advice on the use of planning agreements to secure developer contributions is provided by the Scottish Government in the following publications:

- ◆ SPP, paragraph 27
- ◆ Scottish Government Circular 1/2010

9 Contacts

9.1 For matters of planning policy in relation to education provision or to discuss the principle of development proposals contact:

Development Plans Team
Planning and Environment
Falkirk Council
Abbotsford House
David's Loan
Falkirk
FK2 7YZ
Tel: 01324 504720
Email : planenv@falkirk.gov.uk

For issues relating to specific planning applications contact:

Development Management Unit
Falkirk Council
Abbotsford House
David's Loan
Falkirk
FK2 7YZ
Tel: 01324 504748
Email : dc@falkirk.gov.uk

Education and New Housing Development

Appendix



Appendix

Table A Construction costs per pupil

Cost per pupil	Primary	Secondary
Permanent extension	£10,664	£16,068
Temporary extension	£ 2,500	N/A

Table B Pupil product ratios by type of school and housing development

Ratios	ND Primary	RC Primary	ND Secondary	RC Secondary
House	0.25	0.09	0.14	0.06
Flat	0.10	0.05	0.07	0.06

Table C Developer contribution rates per dwelling (2010 prices)

Rates per dwelling		ND Primary	RC Primary	ND Secondary	RC Secondary	Nursery
House	Permanent Extension	£2,600	£850	£2,100	£900	£350
	Temporary Extension	£600	£200	N/A	N/A	N/A
Flat	Permanent Extension	£1,000	£500	£1,050	£900	£150
	Temporary Extension	£250	£100	N/A	N/A	N/A

August 2011



Falkirk Council
Development Services

Application No.
P/08/0617/OUT

This Decision Notice is issued under the Town and Country Planning (Scotland) Acts. It should be read, together with the accompanying plans; if any details differ, then the Decision Notice takes priority.



Falkirk Council

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS AS AMENDED

Outline Planning Permission

Agent:

McLean Bell Consultants Limited
33 Miller Park
Polmont
Falkirk
FK2 0UJ

Applicant:

James Bell Limerigg Limited

*Approved
1-3 ha.*

In respect of the application registered on 10 July 2008 for the proposals described below,

Development **Development of Land for Residential Purposes**
Location **Land To The West Of 65 Slamannan Road, Slamannan Road, Limerigg,**

and in accordance with the plans docquetted as relative hereto, Falkirk Council, in exercise of its powers under the above legislation, hereby

Grants Outline Planning Permission

This decision is issued subject to the following condition(s):-

1. This permission is granted under the provisions of paragraph 4(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992 on an outline application and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby reserved before any development is commenced:
 - (a) the siting, size, height, design & external appearance of the proposed development;
 - (b) details of the access arrangements;
 - (c) details of landscaping of the site.
2. That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, in the case of the reserved matters specified, application for approval must be made before:
 - (a) the expiration of 3 years from the date of the grant of outline permission; or
 - (b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
 - (c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed,

whichever is the latest.

Provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (a) above.

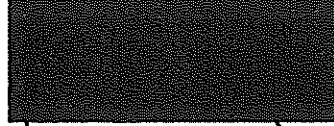
3. That the development to which this permission relates must be begun not later than whichever is the later of the following dates:
 - (a) the expiration of 5 years from the date of the grant of this outline planning permission; or
 - (b) the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
4. An application for the approval of reserved matters shall include a Flood Risk Assessment.
5. Any application for the approval of reserved matters shall include a drainage strategy which shall include details of the method to deal with foul waste and surface water run-off in keeping with sustainable drainage principles.
6. Any application for approval of reserved matters shall include details of existing and proposed site levels and finished floor level of residential units.
7. Unless otherwise agreed in writing no development shall commence on-site until a Contaminated Land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites. Where contamination (as defined by Part 11A of the Environmental Protection Act 1990) is encountered, the assessment shall include a detailed remediation strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
8. The development shall be implemented in accordance with the approved drawings and any other submitted details which have been approved in writing by the Planning Authority.

Reason(s):

1. To comply with paragraph 4(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.
- 2-3. To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
4. To ensure that there will be no risk of flooding either within or outwith the application site, in the circumstances of a 1:200 probability of flooding in any one year.
5. To ensure that adequate drainage is provided.
6. To safeguard visual amenity and ensure that the proposed development integrates well into the landscape.
7. To safeguard the environmental amenity of the area.

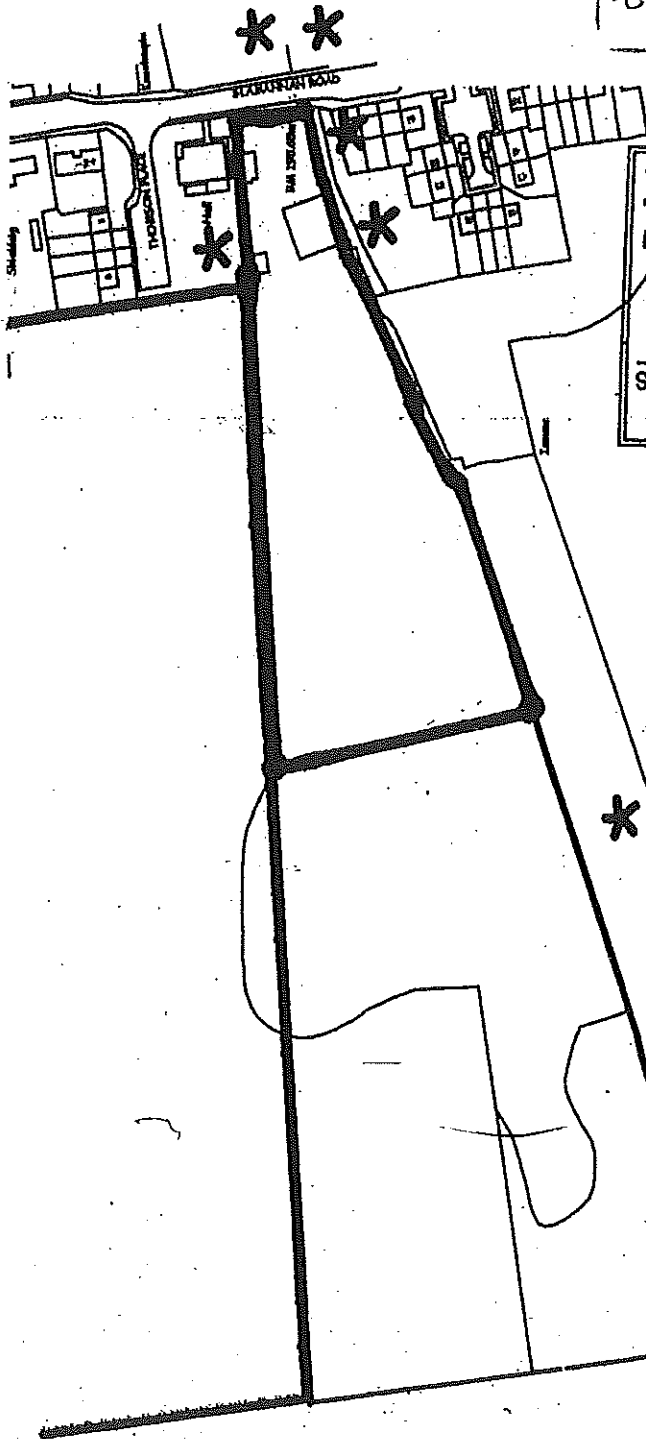
8. To ensure that the development is carried out to the satisfaction and approval of the Planning Authority.

15 May 2009



Director of Development Services

FALKIRK COUNCIL DEVELOPMENT SERVICES	
RECEIVED	
10 JUL 2008	
APPLICATION NUMBER P/08/0617/OUT	



FALKIRK COUNCIL TOWN & COUNTRY PLANNING (SCOTLAND) ACTS	
Date: 15 MAY 2009	
Approved by: [Signature] Council as Planning Authority for the purposes of the above Act, subject to any condition herein specified.	

Neighbour

Location Plan 1:2500

Enquiries to: Shona Barton
 Direct Dial: (01324) 506116
 Email – shona.barton@falkirk.gov.uk
 Our Ref: SB
 Date: 2 September 2013



Falkirk Council
 Chief Executive Office
 Governance

Director of Education
 Sealock House

Dear Director,

**LOCAL PLANNING REVIEW COMMITTEE – PLANNING APPLICATION
 P/12/0241/PPP DEVELOPMENT OF LAND FOR RESIDENTIAL
 PURPOSES (RENEWAL OF PLANNING APPLICATION P/08/0617/OUT)
 AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, LIMERIGG**

NOTICE OF REQUEST WRITTEN SUBMISSIONS

I refer to your application for review of the original decision in relation to the above planning application and to my previous correspondence.

The Planning Review Committee met on 28 August 2013 to consider the above application for review. Following an adjournment and subsequent site inspection, the Committee determined that they still did not have enough information to determine the application, and requested, in accordance with Regulation 15 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (“the 2013 Regulations”), that further information by way of written submissions be provided by the Director of Education Services and the Director of Development Services.

The information requested from the Director of Education is as follows:-

- (a) a complete overview of all discussions between Development Services and Education Services in 2008/09 in relation to the original application including copies of any correspondence between them;
- (b) justification of and information on how the Education Contribution relative to the current application has been calculated as well as information on the schools that the money will be spent on;
- (c) information in relation to the projected rolls and capacities of the schools that would be impacted by the proposed development both with and without the proposed development. Explanation in relation to other developments in the area, if any, should be provided;
- (d) information in relation to the catchment areas of the schools concerned and where the children attending the schools come from, and
- (e) information on the level of Education contribution which would have been expected at the time of the original application.

Chief Governance Officer: Rose Mary Glackin

Municipal Buildings
 Falkirk FK1 5RS
 LP 1 Falkirk-2
www.falkirk.gov.uk

As the Committee gave a period of 14 days for the information to be supplied, I would be grateful if you could provide response by **Monday 16th September 2013**. A copy of this information will then be provided to the applicant who will then have 14 days in which to respond.

Yours faithfully,

A black rectangular redaction box covering the signature of the Committee Services Officer.

Committee Services Officer
for Chief Governance Officer

Enc.

Richard Teed: Senior Forward Planning Officer

Sealock House

2 Inchyra Road, Grangemouth, FK3 9BX

Phone: 01324 506621 Fax: 01324 506601 Email: richard.teed@falkirk.gov.uk



Falkirk Council
Education Services

MEMO

To: Rose Mary Glackin
Chief Governance Officer
Municipal Buildings

From: Richard Teed Ext: 6621

Our Ref: RT Your Ref: SB

Date: 16 September 2013

Subject: **LOCAL PLANNING REVIEW COMMITTEE - PLANNING APPLICATION**
P/12/0241/PPP (LAND TO THE W OF 65 SLAMANNAN RD, LIMERIGG)

I refer to your request for written submissions relating to this Local Review. The information you have requested is as follows:

- a) *"A complete overview of all discussions between Development Services and Education Services in 2008/9 in relation to the original application including copies of any correspondence between them";*

There is a formal consultation process in place and a copy of the relevant correspondence is attached as follows:

(i) Consultation response memo from Education Services dated 3rd September 2008

This memo highlighted the capacity related risks to all affected schools (Limerigg and St Andrew's Primaries and Braes and St Mungo's High Schools and requested a pro-rata contribution of £4,500 per house to cover these risks.

The memo stated that the per-house contribution requested towards extending Limerigg Primary school was £500 more than the rates quoted in the supplementary planning guidance at the time, due to the additional costs expected.

Limerigg has since been rezoned to Falkirk High School, so this contribution is no longer required. Contributions are no longer required for St Andrew's Primary school either since the opening of St Bernadette's and subsequent rezoning.

(ii) Consultation response to a proposed planning brief to incorporate this proposal dated 26th August 2009.

The proposed planning brief was looking collectively at both large housing proposals in Limerigg and, in particular, at the school capacity issues that would result. This consultation

Acting Director : Gary Greenhorn

Sealock House

2 Inchyra Road, Grangemouth, FK3 9BX.

Telephone : 01324 506621

response memo outlined the risks and stated that the two proposed developments should share the costs of increasing capacity at Limerigg Primary School, and that these costs would be considerable, most likely requiring a higher contribution than the normal pro-rata rates specified in the supplementary planning guidance.

- b) *“Justification of and information on how the Education Contribution relative to the current application has been calculated as well as information on the schools that the money will be spent on”;*

There are 3 relevant documents attached as follows:

(i) Consultation response memo from Education Services dated 26th June 2012 relating to current application

This response was along the same lines as the one issued in 2008, but updated to reflect an updated supplementary planning guidance (and increased pro-rata contribution rates) and the fact that a contribution would no longer be required for the non-denominational secondary (now Falkirk High School) or St Andrew’s Primary School. It also includes a request for a contribution towards nursery provision, which reflects an update in the Supplementary Planning Guidance in 2010 (see below)

The memo states clearly that the pro-rata contribution would not be expected to cover the required cost of extending Limerigg Primary School.

(ii) Current School roll projections for Limerigg Primary School and St Mungo’s High School

These roll projections clearly communicate the capacity risks at both schools. Limerigg Primary School is expected to exceed available capacity as a result of this development alone, and the risk to St Mungo’s High School is a collective one from housing developments across the Falkirk Council area.

(iii) Appendix to the Supplementary Planning Guidance “Education and New Housing Development” (2010) where the agreed per dwelling rates are published

This provides the policy basis for requesting a financial contribution as outlined above.

- c) *“Information in relation to the projected rolls and capacities of the schools that would be impacted by the proposed development both with and without the proposed development. Explanation in relation to other developments in the area, if any, should be provided”;*

See a (ii) above for details of the consultation response memo which looks at both housing proposals in Limerigg and the resultant capacity risks at the local school.

The other housing proposal for Limerigg is allocated in the Falkirk Local Plan and is expected to yield between 60 and 120 houses. Depending on the scale of this development, when combined with the housing proposal that is the subject of this review, will require Limerigg Primary School to be at least doubled in capacity to be equivalent in size to Avonbridge, California or Whitecross Primary Schools. Due to the constraints of the current site, this is

expected to cost an estimated £½ million to £1million due to the building costs and land purchase required, which would equate to £5,000 to £6,500 per house in planning gain required to cover these costs (over and above the St Mungo's High School and Nursery pro-rata contributions).

Section b (ii) above provides the roll projections for both schools.

- d) *"Information in relation to the catchment area of the schools concerned and where children attending those schools come from";*

(i) There is a catchment area map attached for Limerigg Primary School

St Mungo's High School serves the whole Falkirk Council area except, Dunipace, Denny, Head of Muir, Longcroft, Haggs and Banknock.

The following table provides a detailed breakdown for current Limerigg Primary School Pupils as to where they live:

Catchment School	No. Of Pupils attending Limerigg PS	% of Pupils attending Limerigg PS
AVONBRIDGE PRIMARY SCHOOL	4	12.9%
LIMERIGG PRIMARY SCHOOL	16	51.6%
SLAMANNAN PRIMARY SCHOOL	7	22.6%
Outwith Authority	4	12.9%
Total	31	100%

It should be noted that St Mungo's High School serves pupils from the wider Falkirk Council area as detailed in the attached catchment map.

- e) *"Information on the level of Education Contribution that would have been expected at the time of the original application".*

This is contained in the original consultation response memo (see (a) (i) above)

Richard Teed: Senior Forward Planning Officer

McLaren House, Marchmont Avenue,
Polmont, Falkirk, FK2 0NZ.

Phone: 01324 506621 Fax: 01324 506601 Email: Richard.teed@falkirk.gov.uk



(a) (i)

MEMO

Falkirk Council
Education Services

To: David Paterson
From: Richard Teed Ext: 6621
Our Ref: Your Ref: P/08/0617/OUT
Date: 3 September 2008
Subject: **Outline Planning Application for Residential Development – Land to the W of 65 Slamannan Road, Limerigg**

There is no indication of the number of dwellings likely to comprise this development, so the proposed Local Plan allocation of 50 houses is assumed for the purpose of this consultation response. The impact of this proposal on the local school is considered alongside another major housing proposal for the village allocated in the Finalised Local Plan.

School Catchments

This application falls within the catchments for Limerigg Primary School, St. Andrew's RC Primary, Braes High School and St Mungo's RC High School.

Impact of Development*Limerigg Primary School*

Based on the current ratio of 0.27 pupils per house, we would expect 14 children from this development to enrol at Slamannan Primary School. Within the context of other housing proposals, there is insufficient capacity to accommodate a development of this scale in the village. This very small school currently has a capacity of 50 pupils.

St. Andrew's RC Primary School

Based on the current ratio of 0.09 pupils per house, we would expect 4-5 children from this development to enrol at St Andrew's Primary School. The school is currently full in many year groups and has a rising roll.

Braes High School

Based on the current ratio of 0.13 pupils per house, we would expect 7 children from this development to enrol at Braes High School. The school has a rising roll and is expected to exceed its current capacity within the next 3-5 years.

St Mungo's RC High School

Based on the current ratio of 0.09 pupils per house, we would expect 4-5 children from this development to enrol at St Mungo's High School. A larger replacement school will be opening in 2009, but longer-term there is a risk that capacity will be reached.

Director : Julia Swan

McLaren House, Marchmont Ave,
Polmont, Falkirk, FK2 0NZ.
Telephone : 01324 506600
Fax : 01324 506601

School Transport costs

It should also be noted that there will be a significant long-term increase in costs associated with council-funded provision of Home to School Transport. All Secondary and RC Primary pupils from this development would be distance-entitled to free transport provision.

Conclusion

This development can be expected to contribute to the requirement for capacity related investment at Limerigg Primary, Braes High, St Andrew's RC Primary and St Mungo's RC High schools. For that reason Education Services request that, if approved, it is on the condition that the applicant makes a pro-rata contribution of £4500 per house (based on current costs).

When a construction start-date has been confirmed for the new RC Primary in Stenhousemuir, planned catchment changes will be set in motion to resolve pressures at St Andrew's, and the contribution required will reduce to £4,300/house.

The contribution towards the local Limerigg Primary School is £500/house more than is normally required as a pro-rata contribution, however this is based on an accurate pro-rata assessment of necessary extension costs to the school that would follow this development, and this requirement will be consistently requested from the other proposed housing developments in the village.

Richard Teed: Senior Forward Planning Officer

McLaren House, Marchmont Avenue,

Polmont, Falkirk, FK2 0NZ.

Phone: 01324 506621 Fax: 01324 506601 Email: Richard.teed@falkirk.gov.uk



Falkirk Council
Education Services

MEMO

To: Joyce Hartley
 From: Richard Teed Ext: 6621
 Our Ref: Your Ref: GEN/RUR/JH
 Date: 26th August 2009
 Subject: **Planning Brief, Slamannan Road, Limerigg**

The proposals for around 115 new houses in the village on 2 sites will require a substantial extension to Limerigg Primary School.

Additional Demands on School Capacity

Limerigg Primary currently has a capacity of 50 pupils. The current roll is 33 pupils (66% occupancy) and if no houses were built, we would expect occupancy levels to remain at a similar level or slightly higher. The school has 2 classrooms for up to 2 composite classes (spanning year groups) of up to 25 pupils. It should be noted that the school could fill up below 100% occupancy depending on the balance of pupils across year groups. It should also be noted that one of the current classrooms is very small and would be over-crowded at full occupancy.

115 houses can be expected to generate demand for around 28 additional pupils based on our current pupil yield ratio of 0.25 pupils per house. This is based on a Council average for new build, but many developments generate a lot more pupils than that with ratios ranging from 0.3 to 0.5 pupils per house. Slight variations in pupil yield in Limerigg will have a significant impact on such a small school's capacity, so I would recommend that we plan for a pupil yield of at least 0.3 and comfortable occupancy levels to provide flexibility to manage population peaks.

Limerigg Primary School - Extension Requirements

Based on a pupil yield of 0.3 per house we can expect 35 additional pupils from these developments. Assuming a 70% occupancy with no new housing, doubling the capacity of the school to 100 would ensure that these occupancy levels are maintained longer-term, when the population of the village is permanently boosted by the new housing.

Doubling the capacity of Limerigg will not be straightforward. The school is within a constrained triangular site of just 0.27 ha (0.66 acres) and is an old building circa 1900. A creative approach will certainly be required to expand the teaching areas, ancillary areas, outside play areas and parking/drop-off provision sufficiently to prevent future overcrowding and meet the needs of the modern curriculum.

The Council own the land defined by the tarmaced area and grass frontage shown in the map and aerial photo overleaf. The small enclosure to the North of the school is provided for the school's use as a concession by the landowner. This is to illustrate the inherent constraints to doubling the capacity of this school.

Limerigg Primary School - Map

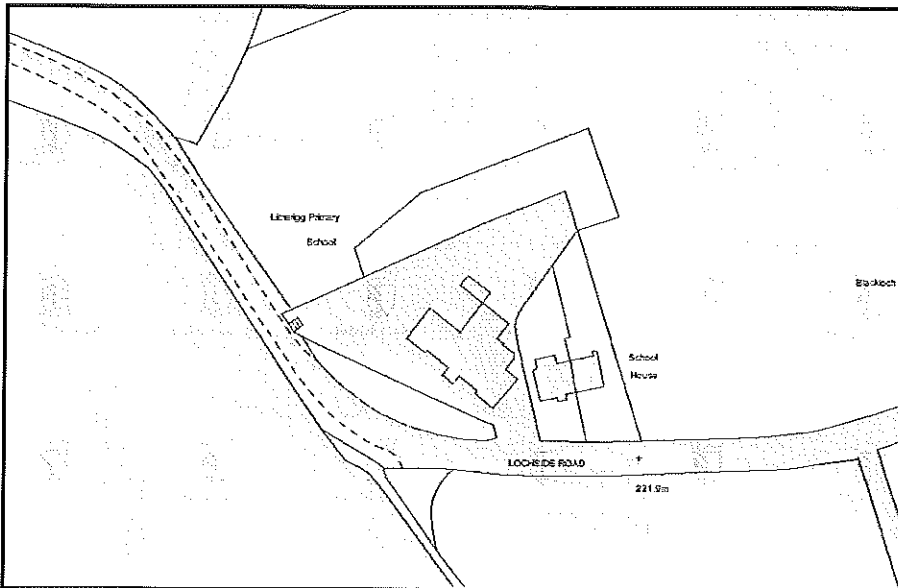
Director : Julia Swan

McLaren House, Marchmont Ave,

Polmont, Falkirk, FK2 0NZ.

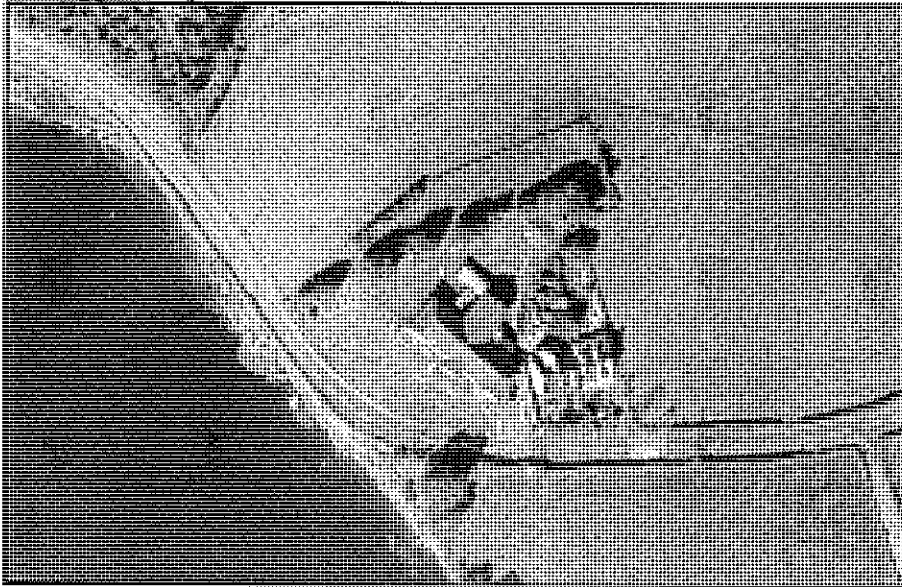
Telephone : 01324 506600

Fax : 01324 506601



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Limerigg Primary School – Aerial View



© Getmapping Partnership 2009

Developer Contribution Requirements

A pro-rata contribution based on our currently agreed cost in the SPG may not be sufficient for achieving this. I would recommend that the planning brief refer only to a bespoke contribution being required to cover the complete cost of extending the school. There are no other housing proposals affecting Limerigg Primary, so the complete cost should be shared pro-rata between these two developments based on final unit numbers.

At an appropriate time, we can ask the Architects to design and cost an extension for us that will double capacity at the school. This in itself will incur significant costs which should be immediately recoverable from the applicants through an appropriate legal agreement.

Based on current projections, an additional contribution will also be required for secondary provision (Braes and St Mungo's) as per the rates quoted in the SPG appendix (currently under review).

Richard Teed: Senior Forward Planning Officer

Sealock House, 2 Inchyra Road,
Grangemouth, FK3 9XB.

Phone: 01324 506621 Fax: 01324 506601 Email: Richard.teed@falkirk.gov.uk



Falkirk Council
Education Services

MEMO

To: Kevin Brown
From: Richard Teed Ext: 6621
Our Ref: Your Ref: P/12/0241/PPP
Date: 26th June 2012
Subject: Application for Planning Permission in Principle for Residential Development –
Slamannan Road, Limerigg

There is no indication of the number of dwellings likely to comprise this development, so a development of 50 houses is assumed for the purpose of this consultation response.

School Catchments

This application falls within the catchments for Limerigg Primary School, St. Andrew's RC Primary, Falkirk High School and St Mungo's RC High School.

Impact of Development*Limerigg Primary School*

Based on the current ratio of 0.25 pupils per house, we would expect 13 children from this development to enrol at Slamannan Primary School. The school currently has a capacity of 50 pupils and a roll of 38. There is insufficient short and long-term capacity to accommodate a development of this scale in the village.

St. Andrew's RC Primary School

Based on the current ratio of 0.09 pupils per house, we would expect 4 to 5 children from this development to enrol at St Andrew's Primary School. Following the recent rezoning, the school has sufficient long-term capacity to accommodate this development.

Falkirk High School

Based on the current ratio of 0.14 pupils per house, we would expect 7 children from this development to enrol at Falkirk High School. The school currently has no projected capacity pressures, so can accommodate the additional pupils from this development.

St Mungo's RC High School

Based on the current ratio of 0.06 pupils per house, we would expect 3 children from this development to enrol at St Mungo's High School. The school is currently experiencing very high occupancies and is projected to reach capacity within 5-10 years. This development would exacerbate these pressures.

Nursery Provision

Expansion of the village as proposed will lead to additional demand for local nursery provision.

Director : Andrew Sutherland

Sealock House, 2 Inchyra Road,
Grangemouth, FK3 9XB.
Telephone : 01324 506600
Fax : 01324 506601

Conclusion

This development will necessitate capacity related investment at Limerigg Primary School and exacerbate existing pressures at St Mungo's RC High schools. For that reason Education Services request that, if approved, it is on the condition that the applicant makes the following pro-rata contribution:

(based on assumed 50 dwellings)

Limerigg Primary School:	£2,600 per house	= £130,000 for 50 dwellings
St Mungo's High School:	£850 per house	= £42,500 for 50 dwellings
Nursery Provision:	£350 per house	= £17,500 for 50 dwellings

Total contribution required: £3,700 per house = £185,000 for 50 dwellings

It should be noted that a comparable contribution was requested by Education Services and agreed by Planning Committee for the previous application that was approved in 2007.

It should also be noted that the pro-rata contribution for Limerigg Primary School, when combined with a comparable contribution from the other allocated housing site in Limerigg, is not expected to meet the full cost of extending Limerigg Primary, and the council will be liable for some of these costs.

St Mungo's High School

2012/13 Roll Projections With No Primary or Secondary Capping Applied

Actual School Roll

	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
S1	183	177	187	207	218	239	245	239	235	230	237
S2	165	191	183	197	205	216	243	246	239	242	233
S3	144	169	195	194	200	214	219	245	247	253	244
S4	153	139	171	193	192	199	210	212	244	239	245
S5	117	120	116	138	165	168	155	183	202	237	217
S6	74	74	72	72	80	67	102	100	126	143	177
Total	836	870	924	1001	1060	1103	1174	1225	1293	1344	1353

Capacity	1263	1263	1263	1263	1263	1263	1263	1416	1416	1416	1433
Occupancy	66%	69%	73%	79%	84%	87%	93%	87%	91%	95%	94%
S4-S5 Staying on Rate	n/a	78%	83%	81%	85%	88%	78%	87%	95%	97%	91%
S4-S6 Staying on Rate	n/a	n/a	47%	52%	47%	35%	53%	50%	60%	67%	73%
Transfer Ratio	n/a	n/a	107.4%	106.8%	104.2%	101.5%	101.8%	101.8%	97.7%	99.7%	99.7%

Roll Projections

	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
S1	229	229	232	242	296	269	292	345	344	331
S2	238	230	230	235	245	301	274	297	349	347
S3	234	239	231	232	238	250	305	279	300	352
S4	245	234	240	233	234	243	254	310	282	302
S5	230	226	218	223	217	218	225	236	288	262
S6	168	175	173	166	170	166	166	172	180	220
Total	1344	1334	1325	1331	1400	1445	1516	1639	1743	1814

Capacity	1433	1433	1433	1433	1433	1433	1433	1433	1433	1433
Occupancy	94%	93%	92%	93%	98%	101%	106%	114%	122%	127%
S4-S5 Staying on Rate	94%	92%	93%	93%	93%	93%	93%	93%	93%	93%
S4-S6 Staying on Rate	70%	71%	71%	71%	71%	71%	71%	71%	71%	71%
Transfer Ratio	117.7%	117.6%	117.6%	117.7%	117.6%	117.6%	117.6%	117.6%	117.6%	117.6%

ESTIMATED PUPIL PRODUCT FROM NEW HOUSING

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
S1	1	1	1	3	3	5	5	5	4	3
S2	1	1	1	3	3	5	5	5	4	3
S3	1	1	1	2	3	5	4	5	3	3
S4	1	0	1	2	2	5	4	5	3	2
S5	0	0	0	0	0	0	0	0	0	0
S6	0	0	0	0	0	0	0	0	0	0
Total	4	3	4	10	11	20	18	20	14	11

Limerigg Primary School 2013/14 Roll Projections

Actual School Roll

	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
P1	4	4	5	4	6	6	6	6	5	5	4
P2	5	4	3	5	5	6	5	6	4	4	3
P3	5	6	4	3	4	4	6	6	6	5	4
P4	5	4	6	4	3	4	3	5	7	6	4
P5	5	4	4	5	4	2	3	4	6	6	5
P6	5	5	4	4	5	4	2	4	4	6	6
P7	4	5	6	4	4	3	3	4	6	4	5
Total	33	32	32	29	31	29	28	35	38	36	31

Capacity	50	50	50	50	50	50	50	50	50	50	50
Occupancy	66%	64%	64%	58%	62%	58%	56%	70%	76%	72%	62%

Roll Projections

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
P1	11	7	11	10	9	11	11	11	11	11
P2	4	11	7	11	10	10	12	12	12	12
P3	3	4	11	7	11	11	11	13	13	13
P4	4	3	4	11	7	12	12	14	14	14
P5	4	4	3	4	11	8	13	13	13	15
P6	5	4	4	3	4	12	8	13	13	13
P7	6	5	4	4	3	4	12	8	13	13
Total	37	38	44	50	55	68	79	81	88	90

Capacity	50	50	50	50	50	50	50	50	50	50
Occupancy	74%	76%	88%	100%						

Estimated Pupil Product From New Housing

	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
P1	0	0	0	0	0	1	1	1	1	1
P2	0	0	0	0	0	1	1	1	1	1
P3	0	0	0	0	0	1	1	1	1	1
P4	0	0	0	0	0	1	1	1	1	1
P5	0	0	0	0	0	1	1	1	1	1
P6	0	0	0	0	0	1	0	0	0	0
P7	0	0	0	0	0	0	0	0	0	0
Total	0	0	0	0	0	6	5	5	5	5

Education and New Housing Development

Appendix



b(iii)

Appendix

Table A Construction costs per pupil

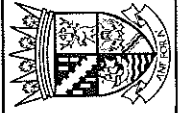
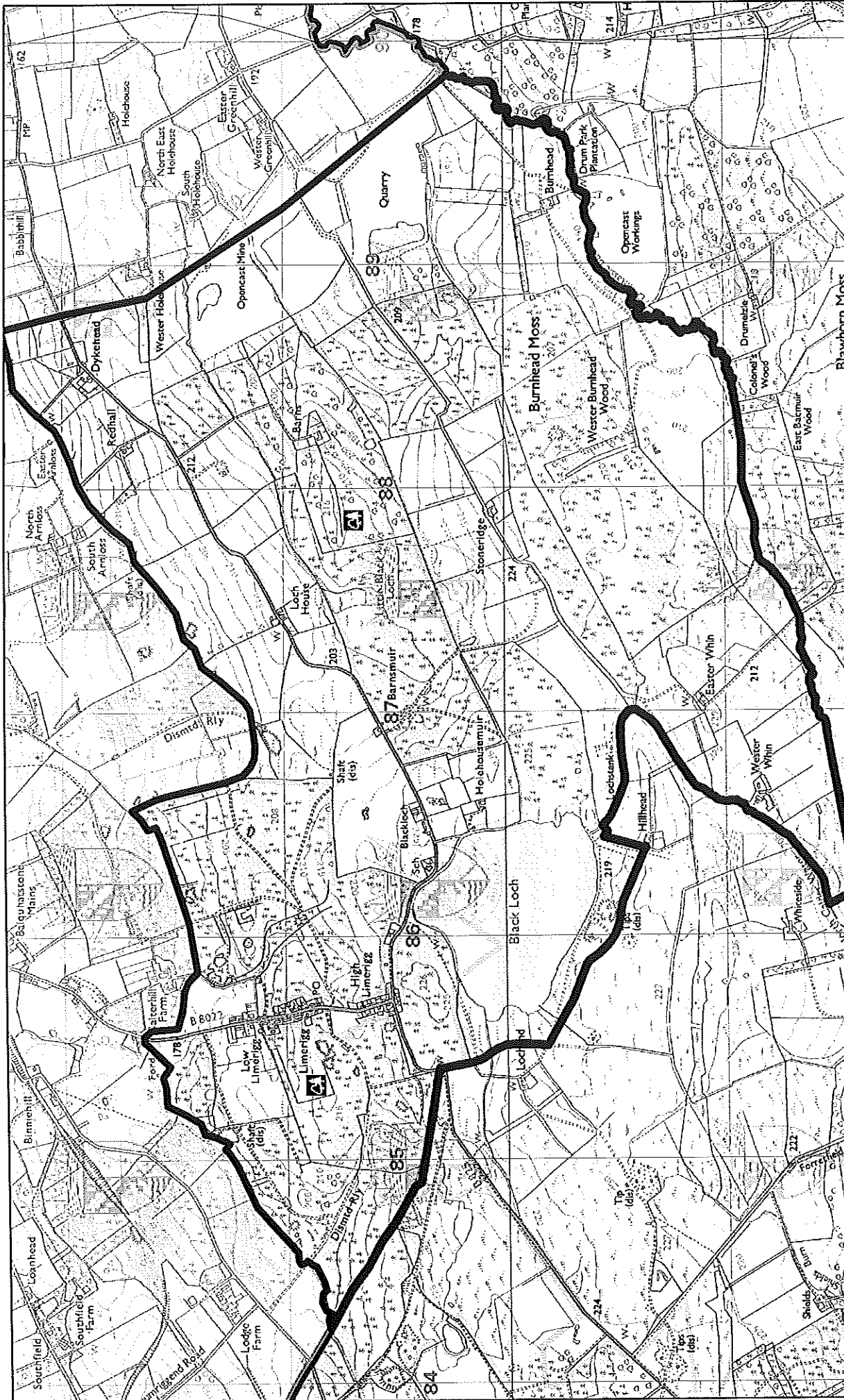
Cost per pupil	Primary	Secondary
Permanent extension	£10,664	£16,068
Temporary extension	£ 2,500	N/A

Table B Pupil product ratios by type of school and housing development

Ratios	ND Primary	RC Primary	ND Secondary	RC Secondary
House	0.25	0.09	0.14	0.06
Flat	0.10	0.05	0.07	0.06

Table C Developer contribution rates per dwelling (2010 prices)

Rates per dwelling		ND Primary	RC Primary	ND Secondary	RC Secondary	Nursery
House	Permanent Extension	£2,600	£850	£2,100	£900	£350
	Temporary Extension	£600	£200	N/A	N/A	N/A
Flat	Permanent Extension	£1,000	£500	£1,050	£900	£150
	Temporary Extension	£250	£100	N/A	N/A	N/A



LIMERIGG PRIMARY SCHOOL CATCHMENT

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Scale : 1:22,500

Date : 9 June 2010



Falkirk Council
Chief Executive Office
 Governance

Enquiries to: Shona Barton
 Direct Dial: (01324) 506116
 Email – shona.barton@falkirk.gov.uk
 Our Ref: SB
 Date: 2 September 2013

Chief Governance Officer
 Municipal Buildings

Dear Ms Glackin,

**LOCAL PLANNING REVIEW COMMITTEE – PLANNING APPLICATION
 P/12/0241/PPP DEVELOPMENT OF LAND FOR RESIDENTIAL
 PURPOSES (RENEWAL OF PLANNING APPLICATION P/08/0617/OUT)
 AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, LIMERIGG**

NOTICE OF REQUEST WRITTEN SUBMISSIONS

The Planning Review Committee met on 28 August 2013 to consider the above application for review. Following an adjournment and subsequent site inspection, the Committee determined that they still did not have enough information to determine the application, and requested, in accordance with Regulation 15 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (“the 2013 Regulations”), that further information by way of written submissions be provided by the Chief Governance Officer, the Director of Education Services and the Director of Development Services.

The information requested from the Chief Governance Officer is as follows:-

- (a) copies of all Reports and Minutes (including Minutes of any site visits) relating to the original application which had been granted by the Planning Committee in February 2009.

As the Committee gave a period of 14 days for the information to be supplied, I would be grateful if you could provide response by **Monday 16th September 2013**. A copy of this information will then be provided to the applicant who will then have 14 days in which to respond.

Yours sincerely,

Committee Services Officer
 for Chief Governance Officer

Enc.

Chief Governance Officer: Rose Mary Glackin

Municipal Buildings
 Falkirk FK1 5RS
 LP 1 Falkirk-2
www.falkirk.gov.uk

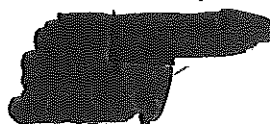
CHIEF EXECUTIVE OFFICE – GOVERNANCE**MEMORANDUM**

To: **SHONA BARTON**
From: **CHIEF GOVERNANCE OFFICER**
Ext No: **BRIAN PIRIE (6110)**
Our Ref: **SB**
Date: **12 SEPTEMBER 2013**

**SUBJECT: REQUEST FOR WRITTEN SUBMISSIONS RELATING TO
PLANNING APPLICATION P/12/0241/PPP**

I refer to the request for written submissions in relation to the above Planning Application. I enclose for your attention the following:-

- (a) Report submitted to meeting of Regulatory Committee held on 28 January 2009;
- (b) Extract Minute of meeting of Regulatory Committee held on 28 January 2009;
- (c) Extract Minute from meeting of Planning Committee on site held on 10 February 2009;
- (d) Further Report submitted to the meeting of the Planning Committee held on 25 February 2009, and
- (e) Extract Minute of meeting of the Planning Committee held on 25 February 2009.



.....
Democratic Services Manager

AGENDA ITEM 20

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE)
AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN
ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL
LIMERIGG LTD - P/08/0617/OUT

Meeting: REGULATORY COMMITTEE

Date: 28 January 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor Gordon Hughes
Councillor Stephen Fry
Councillor John McLuckie

Community Council: Upper Braes

Case Officer: David Paterson (Planning Officer), ext 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 It is proposed that the land be developed for residential purposes (outline).
- 1.2 The application site measures 1.94 hectares and is located on the west side of Slamannan Road, Limerigg south of the public hall at Thompson Place.
- 1.3 The site is currently vacant. The previous use of the site was a transportation and commercial vehicle dismantling business.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called-in to Regulatory Committee by Councillor McLuckie.

3. SITE HISTORY

- 3.1 Planning application F/98/0389 was granted on 20 January 2000 for an extension to dismantlers yard.
- 3.2 Planning application P/07/0531, development of 3.43 hectares of land, used as a transportation and commercial vehicle dismantling business, for residential purposes (outline) was refused planning permission on 27 July 2007.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has advised on design measures which require to be addressed should planning permission be granted. The advice can be addressed via a series of planning conditions should permission be granted. A Flood Risk Assessment and drainage strategy would require to be submitted as a reserved matter.
- 4.2 The Environmental Protection Unit has advised that several potentially contaminative activities may exist within close proximity to the site. Should outline planning permission be granted, a site investigation study to establish if there is contamination at the site should be submitted as a reserved matter.
- 4.3 Scottish Water has advised that the applicant should contact them to discuss the impact of the proposed development on the existing infrastructure at a time when more details of the proposal are known.
- 4.4 The Transport Planning Unit has advised that existing public transport facilities are well within reasonable walking distance of the proposed development. No additional public transport facilities will be required. Other Transport Planning issues will be assessed at the reserved matters stage should outline planning permission be granted.
- 4.5 The Scottish Environment Protection Agency has not objected to the proposed development.
- 4.6 Education Services has advised that the development can be expected to contribute to the requirement for capacity related investment at Limerigg Primary, Braes High, St Andrews R.C. Primary and St. Mungo's R.C. High schools. For that reason Education Services request that, if approved it is on the condition that the applicant makes a pro-rata contribution of £4500 per house (based on current costs). This could be achieved by means of a Legal Agreement between the applicant and Falkirk Council.
- 4.7 Central Scotland Police has raised no objections.

5. COMMUNITY COUNCIL

- 5.1 No representation has been received from the Slamannan and Limerigg Community Council .

6. PUBLIC REPRESENTATION

- 6.1 No representations have been received.

7. DETAILED APPRAISAL

When determining planning applications, the status of the Development Plan is emphasised in Section 25 of the Town and Country Planning (Scotland) Act 1997. This requires that:

“the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

7a.1 Policy ENV.1 'Countryside and Protected Areas' states:

- "(1) There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.*
- (2) The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans."*

7a.2 It is not considered that a countryside location is essential for the proposed development, notwithstanding the fact that the site is a brownfield site.

7a.3 The former and currently authorised use is not agriculture and therefore the issue of agriculture diversification is not relevant. In any case residential development of this nature is not considered to be an appropriate form of diversification.

7a.4 The proposed development does not accord with Policy ENV 1.

7a.5 Accordingly the proposed development does not accord with the Falkirk Council Structure Plan.

Rural Local Plan

7a.6 Policy RURAL 1 'New Development in the Countryside' states:

"That within the countryside (as defined in paragraph 3.19), there will be a general presumption against new development except in the following circumstances :-

- 1. Housing development absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location. The occupation of new houses shall be limited to persons employed in agriculture as defined in Section 275(1) of the Town and Country Planning (Scotland) Act 1972, or to persons employed in forestry or other appropriate rural activities and the dependants of such persons.*
- 2. On the Slamannan Plateau as indicated on the Policies and Proposals Map, single dwellinghouses developed in conjunction with significant tree planting schemes. Such proposals will be considered on merit with due regard to the provisions of the District Council's "Guide to Tree Planting/Housing Proposals on Slamannan Plateau".*
- 3. Appropriate infill development where a clear gap site exists which would not contribute to ribbon, backland or sporadic development forms.*
- 4. Industrial/business development where there is an overriding national or local need and a rural site is the only suitable location.*

5. *Development for tourism and countryside recreation purposes where the District Council is satisfied that the proposal requires a rural setting, is appropriate in terms of its type, scale and location and that it would enhance the image of the District. Proposals which accord with the District Council's Tourism Strategy are particularly welcomed.*
6. *Telecommunications development and development relating to the temporary use of land particularly for the working of minerals. Such proposals will be considered on merit, with due regard to the relevant specialised policies of the District Council.*

The scale, siting and design of those developments which are granted permission will be strictly controlled. Building designs compatible with the District Council's "Design Guide For Buildings In The Rural Areas" and sympathetic to vernacular architectural forms will be expected."

- 7a.7 It is noted that the site lies partially within the Limerigg village boundary as detailed in the Rural Local Plan. Some 1800 sq.m (0.18ha) at the eastern end of the site lies within the village boundary. This area is however minimal compared with the overall proposed site. The majority of the site measuring 1.94 hectares lies outwith the village boundary. It is appropriate therefore to consider the application on the basis that the site lies within the countryside.
- 7a.8 The proposal is not absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location.
- 7a.9 The application site is not a clear gap site. The development is considered to be an undesirable form of sporadic development.
- 7a.10 The proposal does not accord with Policy Rural 1.
- 7a.11 Policy RURAL 2 'Village Limits' states:

"That the boundary of the village areas as indicated on the Village Maps is regarded as the desirable limit to the growth of the villages at least for the period of the Local Plan. Accordingly, there will be a general presumption against proposals for development which would either extend the village areas beyond this limit or which would constitute undesirable sporadic development in the countryside."

- 7a.12 The proposal would extend the village area of Limerigg beyond the village boundary resulting in undesirable sporadic development in the countryside.
- 7a.13 The proposal does not accord with Policy Rural 2.
- 7a.14 Accordingly the proposed development does not accord with the Development Plan.

7b Material Considerations

- 7b.1 Material considerations are the Falkirk Council Local Plan Finalised Draft (Deposit Version). Scottish Planning Policy (SPP) 3 "Planning for Housing", and the responses from consultees.

Falkirk Council Local Plan Finalised Draft (Deposit Version)

- 7b.2 The majority of the application site lies outwith the Limerigg village limit as defined in the Falkirk Council Local Plan Finalised Draft (Deposit Version) April 2007. However, the Falkirk Council Local Plan Finalised Draft (Deposit Version) was amended by the Proposed Pre-Inquiry Modifications, published in May 2007, to extend the village limit to include the application site and allocate it as part of a new housing proposal. It should be noted that the application site does not cover the whole of the area proposed for allocation by the Proposed Pre-Inquiry Modifications.
- 7b.3 There have, however, been three objections to the above mentioned modification. The Falkirk Council Local Plan Finalised Draft (Deposit Version) is to be subject to a Local Plan Inquiry in 2009. The inclusion of the west housing site and the amendment of the village limit in the Local Plan will be considered as part of the inquiry.

SPP3 Planning For Housing

- 7b.4 SPP3 states that planning authorities should draw up long term sustainable settlement strategies to provide certainty and variety for housing providers and local communities. Key considerations include the efficient use of land resources and infrastructure, co-ordination with improvements in infrastructure, ensure good access to jobs and services to all sections of the community and the protection and enhancement of the environment. The Development Plan and the Falkirk Council Local Plan Finalised Draft (Deposit Version) are fundamental to promoting the housing strategy of the Council. It is considered that the sporadic nature of this proposal, and that it does not accord with the current Development Plan. As stated in paragraph 7b.3 above the west site and adjacent land are to be the subject of consideration at the forthcoming Local Plan Inquiry.

Responses From Consultees

- 7b.5 The advice of the Director of Education is noted. A developer contribution could be secured by means of a legal agreement. It is also noted, however that the proposal does not accord with the Development Plan. A developer contribution would not justify a departure from the Development Plan.
- 7b.6 All other comments of consultees can be addressed by condition.

7c Conclusion

- 7c.1 It is noted that the site lies partially within the Limerigg village boundary as detailed in the Rural Local Plan. Some 1800 sq.m (0.18ha) at the eastern end of the site lies within the village boundary. This area is however minimal in relation to the overall site area that is proposed. The majority of the site measuring 1.94 hectares lies outwith the village boundary. It is appropriate therefore to consider the application on the basis that the site lies within the countryside.
- 7c.2 The proposed development does not accord with the Development Plan as noted above.

- 7c.3 It is noted that the application site has been included in the Falkirk Council Local Plan Finalised Draft (Deposit Version) as a housing opportunity modification. There has, however been objections to this modification and its inclusion will be one of the issues to be considered when the draft plan is subject to a Local Plan Inquiry in 2009. It is considered that it is premature at this stage to determine whether the proposed development accords with the draft plan.
- 7c.4 Comments of consultees can be addressed by condition. There are no material considerations however which would justify a departure from the Development Plan at this time.
- 7c.5 If Members were minded to grant consent, consideration will require to be made as to whether this proposal would be a significant departure to the Development Plan. If so, it would require to be referred to Scottish Ministers.

8. RECOMMENDATION

- 8.1 It is therefore recommended that outline planning permission be refused for the following reasons:-
- (1) A countryside location is not essential for the proposed development and therefore the proposed development does not accord with Policy ENV 1 of the Falkirk Council Structure Plan "Countryside and Protected Areas" and Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (2) The proposed development is not a clear gap site or an appropriate infill opportunity. The proposed development does not therefore accord with Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (3) The proposed development would extend the village area of Limerigg beyond the village boundary resulting in undesirable sporadic development in the countryside. The proposed development does not therefore accord with Policy Rural 2 of the Rural Local Plan "Village Limits".
 - (4) The application is considered premature pending the consideration of the site's designation within the emerging Falkirk Council Local Plan through the Local Plan Inquiry process.

.....
For Director of Development Services

Date: 20 January 2009

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Rural Local Plan

3. Falkirk Council Local Plan Finalised Draft (Deposit Version)
4. Scottish Planning Policy 3 "Planning for Housing"
5. Planning application F/98/0389
6. Planning application P/07/0531

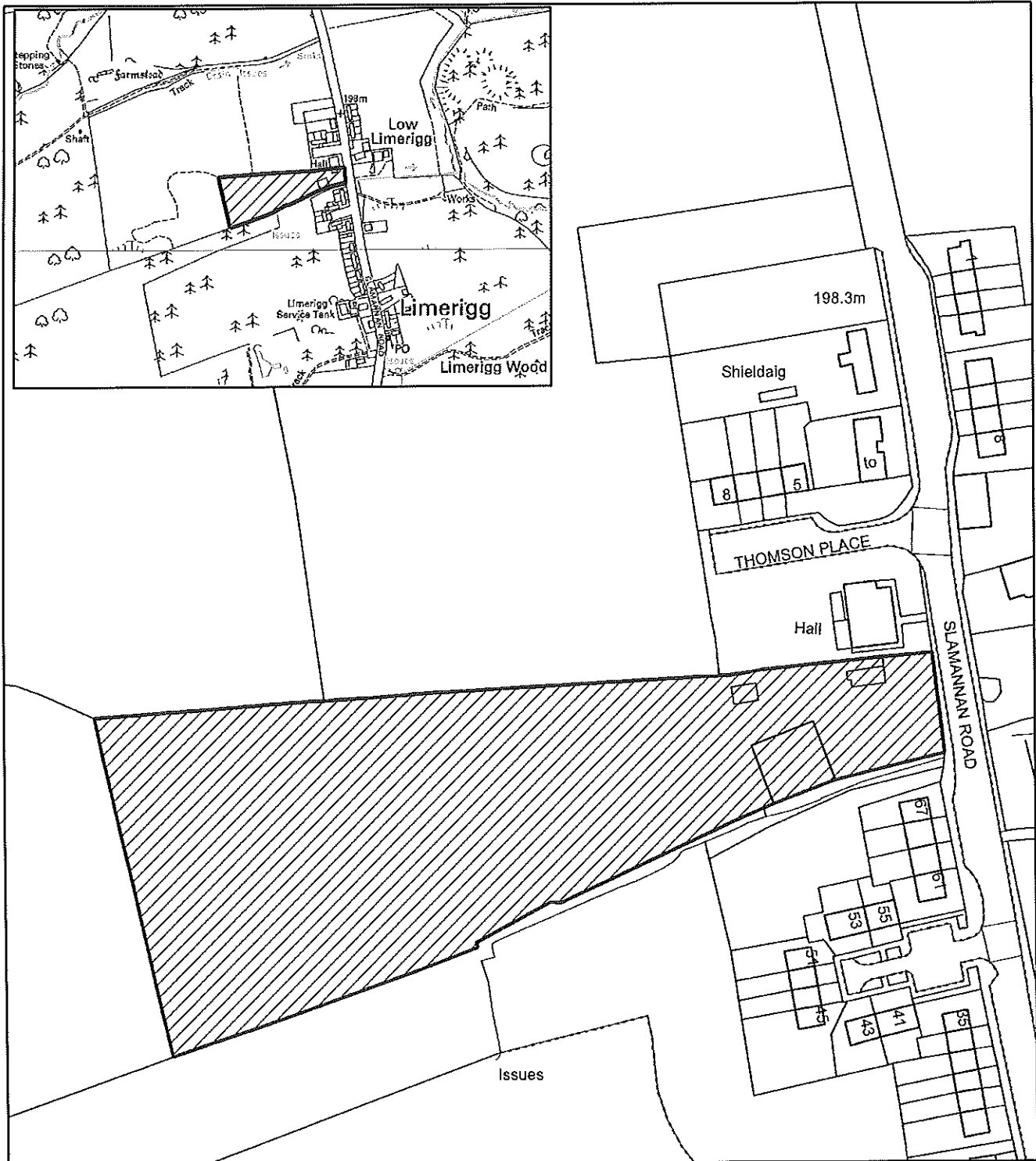
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

Regulatory Committee

Planning Application Location Plan

P/08/0617/OUT

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



Falkirk Council

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FALKIRK COUNCIL

MINUTE of MEETING of the REGULATORY COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 28 JANUARY 2009 at 9.30 A.M.

PRESENT: Councillors Buchanan, Carleschi, J Constable, Lemetti, A MacDonald, Mahoney, C Martin, McLuckie, McNeill, Nicol and Oliver.

CONVENER: Councillor Buchanan.

APOLOGY: Councillor H Constable.

ATTENDING: Director of Development Services; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Development Manager (I Dryden); Development Management Co-ordinator (B Whittle); Legal Services Manager (D Blyth); Network Co-ordinator (R Steedman) and Committee Officer (A Sobieraj).

DECLARATIONS

OF INTEREST: Councillor Mahoney declared a non-financial interest in item R137 (planning application P/07/1229/FUL) due to his family relationship with the applicant. Councillor Mahoney left the meeting during consideration of this item of business.

R140. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE) AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL LIMERIGG LIMITED - P/08/0617/OUT

There was submitted Report (circulated) dated 20 January 2009 by the Director of Development Services on an application for outline planning permission for residential purposes at land to the west of 65 Slamannan Road, Limerigg, Slamannan, Falkirk.

AGREED that consideration of this item of business be **CONTINUED** to allow an inspection of the site by Committee.

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held ON SITE on TUESDAY 10 FEBRUARY 2009 commencing at 9.45 A.M.

PRESENT: Councillors Buchanan, Carleschi, J Constable, Lemetti, MacDonald, McLuckie, McNeill, Mahoney, C Martin (for planning applications P/08/0617/OUT and P/08/0657/FUL), Nicol (except for planning application P/08/0766/FUL) and Oliver.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors H Constable and S Jackson (for planning application P/08/0657/FUL).

ATTENDING: Development Manager (for planning applications P/08/0912/FUL, P/08/0617/OUT and P/08/0657/FUL); Development Management Coordinator (for planning applications P/08/0246/FUL, P/07/1229/FUL, P/08/0767/FUL, P/08/0766/FUL and application P/08/0245/LBC); Roads Development Officer (C Russell) (for planning applications P/08/0912/FUL, P/08/0617/FUL, P/08/0767/FUL and P/08/0766/FUL); Planning Officer (K Brown) (for planning applications P/08/0657/FUL and P/07/1229/FUL); Planning Officer (D Paterson) (for planning applications P/08/0617/OUT and P/08/0766/FUL); Planning Officer (S McClure) (for planning application P/08/0912/FUL); Planning Officer (J Seidel) (for planning application P/08/0246/FUL and application P/08/0245/LBC); Assistant Planning Officer (K Hope) (for planning application P/08/0767/FUL); Solicitor (K Quin); and Committee Officer (A Sobieraj).

DECLARATION OF INTEREST:

Councillor Mahoney declared a non-financial interest in item P6 (planning application P/07/1229/FUL) due to his family relationship with the applicant. Councillor Mahoney left the meeting during consideration of this item of business.

P2. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE) ON LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL LIMERIGG LIMITED - P/08/0617/OUT

With reference to Minute of Meeting held on 28 January 2009 (Paragraph R140 refers), there was submitted Report (circulated) dated 20 January 2009 by the Director of Development Services on an application for outline planning permission for residential purposes on land to the west of 65 Slamannan Road, Limerigg, Slamannan, Falkirk.

The Convener introduced the parties present.

The Development Manager outlined the nature of the application.

Mr Bell, the applicant's agent, was heard in support of the application.

Councillor McLuckie, as a local Member for the area, was heard in relation to the application.

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by the Committee on 25 February 2009.

AGENDA ITEM 3

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE)
AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN
ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL
LIMERIGG LTD - P/08/0617/OUT

Meeting: PLANNING COMMITTEE

Date: 25 February 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Gordon Hughes
Councillor Stephen Fry
Councillor John McLuckie

Community Council: Upper Braes

Case Officer: David Paterson (Planning Officer), ext 4757

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall this application was originally considered at the meeting of the Regulatory Committee on 28 January 2009 (copy of the previous report appended), when it was agreed to continue the application and to undertake a site visit. This took place on 10 February 2009.
2. At the site meeting the applicant's agent stated that the application site had been included in the Falkirk Council Local Plan Finalised Draft (Deposit Version), as a modification to the plan and identified as an opportunity for residential development. Concern was also expressed that the Falkirk Council Local Plan has been in preparation since 2001 and is not likely to be adopted until at least 2011. This being the case the agent promoted the view that the proposal represents an opportunity to develop the site prior to 2011 and that the village of Limerigg will enjoy more immediate regeneration benefits as a result. The agent also referred to Policy COM 1 – Housing Land Allocations as contained in the Falkirk Council Structure Plan 2007 which advocates that the Council will support special initiatives for residential led regeneration at various locations within the District. These general locations include Slamannan. Such developments must be accompanied by a masterplan development framework and must be able to demonstrate the satisfactory provision of necessary social and physical infrastructure. No such information has been offered by the applicant in support of this.
3. Members of the Committee expressed a view that the village of Limerigg would benefit from regeneration initiatives particularly developments which would increase the number of pupils attending the village primary school, which is operating under capacity and potentially under pressure for closure.

4. Members were advised that owing to the scale of the proposed housing development in relation to the village of Limerigg, in terms of the size of the site, the proposed development is considered to represent a significant departure from the Development Plan and would require to be referred to Scottish Minister should Members be minded to grant planning permission.
5. It is recommended that planning permission be refused for the following reasons:
 - (1) A countryside location is not essential for the proposed development and therefore the proposed development does not accord with Policy ENV 1 of the Falkirk Council Structure Plan "Countryside and Protected Areas" and Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (2) The proposed development is not a clear gap site or an appropriate infill opportunity. The proposed development does not therefore accord with Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (3) The proposed development would extend the village area of Limerigg beyond the village boundary resulting in undesirable sporadic development in the countryside. The proposed development does not therefore accord with Policy Rural 2 of the Rural Local Plan "Village Limits".
 - (4) The application is considered premature pending the consideration of the site's designation within the emerging Falkirk Council Local Plan through the Local Plan Inquiry process.



.....
For Director of Development Services

Date: 18 February 2009

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Rural Local Plan
3. Falkirk Council Local Plan Finalised Draft (Deposit Version)
4. Scottish Planning Policy 3 "Planning for Housing"
5. Planning application F/98/0389
6. Planning application P/07/0531

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE)
AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN
ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL
LIMERIGG LTD - P/08/0617/OUT

Meeting: REGULATORY COMMITTEE

Date: 28 January 2009

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Member: Councillor Gordon Hughes
Councillor Stephen Fry
Councillor John McLuckie

Community Council: Upper Braes

Case Officer: David Paterson (Planning Officer), ext 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 It is proposed that the land be developed for residential purposes (outline).
- 1.2 The application site measures 1.94 hectares and is located on the west side of Slamannan Road, Limerigg south of the public hall at Thompson Place.
- 1.3 The site is currently vacant. The previous use of the site was a transportation and commercial vehicle dismantling business.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called-in to Regulatory Committee by Councillor McLuckie.

3. SITE HISTORY

- 3.1 Planning application F/98/0389 was granted on 20 January 2000 for an extension to dismantlers yard.
- 3.2 Planning application P/07/0531, development of 3.43 hectares of land, used as a transportation and commercial vehicle dismantling business, for residential purposes (outline) was refused planning permission on 27 July 2007.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has advised on design measures which require to be addressed should planning permission be granted. The advice can be addressed via a series of planning conditions should permission be granted. A Flood Risk Assessment and drainage strategy would require to be submitted as a reserved matter.
- 4.2 The Environmental Protection Unit has advised that several potentially contaminative activities may exist within close proximity to the site. Should outline planning permission be granted, a site investigation study to establish if there is contamination at the site should be submitted as a reserved matter.
- 4.3 Scottish Water has advised that the applicant should contact them to discuss the impact of the proposed development on the existing infrastructure at a time when more details of the proposal are known.
- 4.4 The Transport Planning Unit has advised that existing public transport facilities are well within reasonable walking distance of the proposed development. No additional public transport facilities will be required. Other Transport Planning issues will be assessed at the reserved matters stage should outline planning permission be granted.
- 4.5 The Scottish Environment Protection Agency has not objected to the proposed development.
- 4.6 Education Services has advised that the development can be expected to contribute to the requirement for capacity related investment at Limerigg Primary, Braes High, St Andrews R.C. Primary and St. Mungo's R.C. High schools. For that reason Education Services request that, if approved it is on the condition that the applicant makes a pro-rata contribution of £4500 per house (based on current costs). This could be achieved by means of a Legal Agreement between the applicant and Falkirk Council.
- 4.7 Central Scotland Police has raised no objections.

5. COMMUNITY COUNCIL

- 5.1 No representation has been received from the Slamannan and Limerigg Community Council .

6. PUBLIC REPRESENTATION

- 6.1 No representations have been received.

7. DETAILED APPRAISAL

When determining planning applications, the status of the Development Plan is emphasised in Section 25 of the Town and Country Planning (Scotland) Act 1997. This requires that:

“the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

7a.1 Policy ENV.1 'Countryside and Protected Areas' states:

- “(1) There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.*
- (2) The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.”*

7a.2 It is not considered that a countryside location is essential for the proposed development, notwithstanding the fact that the site is a brownfield site.

7a.3 The former and currently authorised use is not agriculture and therefore the issue of agriculture diversification is not relevant. In any case residential development of this nature is not considered to be an appropriate form of diversification.

7a.4 The proposed development does not accord with Policy ENV 1.

7a.5 Accordingly the proposed development does not accord with the Falkirk Council Structure Plan.

Rural Local Plan

7a.6 Policy RURAL 1 'New Development in the Countryside' states:

“That within the countryside (as defined in paragraph 3.19), there will be a general presumption against new development except in the following circumstances :-

- 1. Housing development absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location. The occupation of new houses shall be limited to persons employed in agriculture as defined in Section 275(1) of the Town and Country Planning (Scotland) Act 1972, or to persons employed in forestry or other appropriate rural activities and the dependants of such persons.*
- 2. On the Slamannan Plateau as indicated on the Policies and Proposals Map, single dwellinghouses developed in conjunction with significant tree planting schemes. Such proposals will be considered on merit with due regard to the provisions of the District Council's "Guide to Tree Planting/Housing Proposals on Slamannan Plateau".*
- 3. Appropriate infill development where a clear gap site exists which would not contribute to ribbon, backland or sporadic development forms.*
- 4. Industrial/business development where there is an overriding national or local need and a rural site is the only suitable location.*

5. *Development for tourism and countryside recreation purposes where the District Council is satisfied that the proposal requires a rural setting, is appropriate in terms of its type, scale and location and that it would enhance the image of the District. Proposals which accord with the District Council's Tourism Strategy are particularly welcomed.*
6. *Telecommunications development and development relating to the temporary use of land particularly for the working of minerals. Such proposals will be considered on merit, with due regard to the relevant specialised policies of the District Council.*

The scale, siting and design of those developments which are granted permission will be strictly controlled. Building designs compatible with the District Council's "Design Guide For Buildings In The Rural Areas" and sympathetic to vernacular architectural forms will be expected."

- 7a.7 It is noted that the site lies partially within the Limerigg village boundary as detailed in the Rural Local Plan. Some 1800 sq.m (0.18ha) at the eastern end of the site lies within the village boundary. This area is however minimal compared with the overall proposed site. The majority of the site measuring 1.94 hectares lies outwith the village boundary. It is appropriate therefore to consider the application on the basis that the site lies within the countryside.
- 7a.8 The proposal is not absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location.
- 7a.9 The application site is not a clear gap site. The development is considered to be an undesirable form of sporadic development.
- 7a.10 The proposal does not accord with Policy Rural 1.
- 7a.11 Policy RURAL 2 'Village Limits' states:

"That the boundary of the village areas as indicated on the Village Maps is regarded as the desirable limit to the growth of the villages at least for the period of the Local Plan. Accordingly, there will be a general presumption against proposals for development which would either extend the village areas beyond this limit or which would constitute undesirable sporadic development in the countryside."

- 7a.12 The proposal would extend the village area of Limerigg beyond the village boundary resulting in undesirable sporadic development in the countryside.
- 7a.13 The proposal does not accord with Policy Rural 2.
- 7a.14 Accordingly the proposed development does not accord with the Development Plan.

7b Material Considerations

- 7b.1 Material considerations are the Falkirk Council Local Plan Finalised Draft (Deposit Version), Scottish Planning Policy (SPP) 3 "Planning for Housing", and the responses from consultees.

Falkirk Council Local Plan Finalised Draft (Deposit Version)

- 7b.2 The majority of the application site lies outwith the Limerigg village limit as defined in the Falkirk Council Local Plan Finalised Draft (Deposit Version) April 2007. However, the Falkirk Council Local Plan Finalised Draft (Deposit Version) was amended by the Proposed Pre-Inquiry Modifications, published in May 2007, to extend the village limit to include the application site and allocate it as part of a new housing proposal. It should be noted that the application site does not cover the whole of the area proposed for allocation by the Proposed Pre-Inquiry Modifications.
- 7b.3 There have, however, been three objections to the above mentioned modification. The Falkirk Council Local Plan Finalised Draft (Deposit Version) is to be subject to a Local Plan Inquiry in 2009. The inclusion of the west housing site and the amendment of the village limit in the Local Plan will be considered as part of the inquiry.

SPP3 Planning For Housing

- 7b.4 SPP3 states that planning authorities should draw up long term sustainable settlement strategies to provide certainty and variety for housing providers and local communities. Key considerations include the efficient use of land resources and infrastructure, co-ordination with improvements in infrastructure, ensure good access to jobs and services to all sections of the community and the protection and enhancement of the environment. The Development Plan and the Falkirk Council Local Plan Finalised Draft (Deposit Version) are fundamental to promoting the housing strategy of the Council. It is considered that the sporadic nature of this proposal, and that it does not accord with the current Development Plan. As stated in paragraph 7b.3 above the west site and adjacent land are to be the subject of consideration at the forthcoming Local Plan Inquiry.

Responses From Consultees

- 7b.5 The advice of the Director of Education is noted. A developer contribution could be secured by means of a legal agreement. It is also noted, however that the proposal does not accord with the Development Plan. A developer contribution would not justify a departure from the Development Plan.
- 7b.6 All other comments of consultees can be addressed by condition.

7c Conclusion

- 7c.1 It is noted that the site lies partially within the Limerigg village boundary as detailed in the Rural Local Plan. Some 1800 sq.m (0.18ha) at the eastern end of the site lies within the village boundary. This area is however minimal in relation to the overall site area that is proposed. The majority of the site measuring 1.94 hectares lies outwith the village boundary. It is appropriate therefore to consider the application on the basis that the site lies within the countryside.
- 7c.2 The proposed development does not accord with the Development Plan as noted above.

- 7c.3 It is noted that the application site has been included in the Falkirk Council Local Plan Finalised Draft (Deposit Version) as a housing opportunity modification. There has, however been objections to this modification and its inclusion will be one of the issues to be considered when the draft plan is subject to a Local Plan Inquiry in 2009. It is considered that it is premature at this stage to determine whether the proposed development accords with the draft plan.
- 7c.4 Comments of consultees can be addressed by condition. There are no material considerations however which would justify a departure from the Development Plan at this time.
- 7c.5 If Members were minded to grant consent, consideration will require to be made as to whether this proposal would be a significant departure to the Development Plan. If so, it would require to be referred to Scottish Ministers.

8. RECOMMENDATION

- 8.1 It is therefore recommended that outline planning permission be refused for the following reasons:-
- (1) A countryside location is not essential for the proposed development and therefore the proposed development does not accord with Policy ENV 1 of the Falkirk Council Structure Plan "Countryside and Protected Areas" and Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (2) The proposed development is not a clear gap site or an appropriate infill opportunity. The proposed development does not therefore accord with Policy Rural 1 of the Rural Local Plan "New Development in the Countryside".
 - (3) The proposed development would extend the village area of Limerigg beyond the village boundary resulting in undesirable sporadic development in the countryside. The proposed development does not therefore accord with Policy Rural 2 of the Rural Local Plan "Village Limits".
 - (4) The application is considered premature pending the consideration of the site's designation within the emerging Falkirk Council Local Plan through the Local Plan Inquiry process.



.....
For Director of Development Services

Date: 20 January 2009

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan
2. Rural Local Plan
3. Falkirk Council Local Plan Finalised Draft (Deposit Version)
4. Scottish Planning Policy 3 "Planning for Housing"
5. Planning application F/98/0389
6. Planning application P/07/0531

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 25 FEBRUARY 2009 at 9.30 A.M.

PRESENT: Councillors Buchanan, Carleschi, J Constable, Lemetti, A MacDonald, Mahoney, C Martin, McLuckie, McNeill and Nicol.

CONVENER: Councillor Buchanan.

APOLOGIES: Councillors H Constable and Oliver.

ATTENDING: Director of Development Services; Acting Director of Law and Administration Services; Acting Head of Planning and Transportation; Development Manager; Development Management Co-ordinator (B Whittle); Acting Legal Services Manager (D Blyth); Roads Development Officer (C Russell); Solicitor (P Gilmour) and Committee Officer (A Sobieraj).

DECLARATION OF INTEREST: None.

P9. MINUTES

There were submitted and **APPROVED:-**

- (a) Minute of Meeting of the Regulatory Committee held on 28 January 2009; and
- (b) Minute of Meeting of the Planning Committee held On Site on 10 February 2009.

Prior to the consideration of business, the Members listed below made the following statements:-

- Councillor Carleschi informed the Committee that as he had not been in attendance at some of the site visits, he would not take part in consideration of planning applications P/08/0617/OUT, P/08/0767/FUL and P/08/0766/FUL (minute P11, P15 and P16) but would take part in planning applications P/08/0912/FUL, P/08/0657/FUL and P/08/0246/FUL (minute P10, P12 and P13 and the application for listed building consent P/08/0245/LBC (minute P14).

P11. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES (OUTLINE) ON LAND TO THE WEST OF 65 SLAMANNAN ROAD, SLAMANNAN ROAD, LIMERIGG, SLAMANNAN, FALKIRK FOR JAMES BELL LIMERIGG LIMITED - P/08/0617/OUT (CONTINUATION)

With reference to Minute of Meeting of the Regulatory Committee held on 28 January 2009 (Paragraph R140 refers), Committee gave further consideration to Report (circulated) dated 20 January 2009 by the Director of Development Services and an additional Report (circulated) dated 18 February 2009 by the Director of Development

Services on an application for outline planning permission for residential purposes on land to the west of 65 Slamannan Road, Slamannan Road, Limerigg, Slamannan, Falkirk.

AGREED that the Committee is **MINDED TO GRANT** planning permission, subject to the application being referred to Scottish Ministers, it being a departure from the Development Plan, and thereafter, in the event that the application is not called in by Scottish Ministers, to remit to the Director of Development Services to grant planning permission subject to appropriate conditions as so determined by her.



Falkirk Council
Chief Executive Office
 Governance

Enquiries to: Shona Barton
 Direct Dial: (01324) 506116
 Email – shona.barton@falkirk.gov.uk
 Our Ref: SB
 Date: 2 September 2013

Director of Development Services
 Abbotsford House

Dear Mrs Geisler,

**LOCAL PLANNING REVIEW COMMITTEE – PLANNING APPLICATION
 P/12/0241/PPP DEVELOPMENT OF LAND FOR RESIDENTIAL
 PURPOSES (RENEWAL OF PLANNING APPLICATION P/08/0617/OUT)
 AT LAND TO THE WEST OF 65 SLAMANNAN ROAD, LIMERIGG**

NOTICE OF REQUEST WRITTEN SUBMISSIONS

The Planning Review Committee met on 28 August 2013 to consider the above application for review. Following an adjournment and subsequent site inspection, the Committee determined that they still did not have enough information to determine the application, and requested, in accordance with Regulation 15 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (“the 2013 Regulations”), that further information by way of written submissions be provided by the Chief Governance Officer, the Director of Education Services and the Director of Development Services.

The information requested from the Director of Development Services is as follows:-

- (a) information on whether the original application was referred to the Scottish Ministers and the outcome of any such referral.

As the Committee gave a period of 14 days for the information to be supplied, I would be grateful if you could provide response by **Monday 16th September 2013**. A copy of this information will then be provided to the applicant who will then have 14 days in which to respond.

Yours sincerely,

Committee Services Officer
for Chief Governance Officer

Enc.

Chief Governance Officer: Rose Mary Glackin

Municipal Buildings
 Falkirk FK1 5RS
 LP 1 Falkirk-2

www.falkirk.gov.uk

Development Services

Memo

To: Shona Barton, Committee Services Officer
From: Allan Finlayson Senior Planning Officer
Planning and Transportation (Development Management)

Date: 13 September 2013

Enquiries: 01324 504701
Fax: 504747

Our Ref: P/12/0241/PPP

Your Ref:



Subject: Local Planning Review Committee - Planning Application P/12/0241/PPP Development of Land for residential purposes (Renewal of Planning Permission P/08/0617/OUT) at Land to the west of 65 Slamannan Road, Limerigg.

Dear Shona

I refer to your letter to Mrs Geisler of 2 September 2013. In response I can confirm the following;

Planning application P/08/0241/PPP was referred to The Scottish Government on 14 April 2009 following the minded to grant decision made by Falkirk Council Planning Committee on 25 February 2009. The referral was made under the terms of The Town and Country Planning (Notification of Applications) (Scotland) Direction 2007.

In response to the notification of planning application P/08/0241/PPP, The Scottish Government confirmed on 5 May 2009 that it was not the intention of Scottish Ministers to intervene and that Falkirk Council was authorised to determine the application. Planning permission was subsequently granted on 15 May 2009.

Please advise me if you require any further information.

Regards

A black rectangular redaction box covering the signature area.

Allan Finlayson
Senior Planning Officer