

DRAFT

FALKIRK COUNCIL

MINUTE of MEETING of the PLANNING COMMITTEE held in MADDISTON PRIMARY SCHOOL, MAIN ROAD, MADDISTON, FALKIRK on MONDAY 30 MARCH 2015 commencing at 7.00 P.M.

The purpose of the meeting was to hold a pre-determination hearing in terms of the Planning etc. (Scotland) Act 2006. When sitting in this capacity, the Planning Committee comprises all members of the Council.

COUNCILLORS:

Jim Blackwood
Baillie William Buchanan (Convener)
Steven Carleschi
Gordon Hughes
Adrian Mahoney
Craig Martin
Rosie Murray
Alan Nimmo
Baillie Joan Paterson
Depute Provost John Patrick
Provost Pat Reid
Sandy Turner

OFFICERS:

John Angell, Head of Planning and Transportation
Kevin Collins, Transport Planning Co-ordinator
Ian Dryden, Development Manager
Rhona Geisler, Director of Development Services
Rose Mary Glackin, Chief Governance Officer
Iain Henderson, Legal Services Manager
Stuart Henderson, Environmental Health Officer
Alexandra Lewis, Planning Officer
Stephanie McGhee, Committee Assistant
Connor Rae, Modern Apprentice
Julie Seidel, Planning Officer
Antonia Sobieraj, Committee Services Officer
Russell Steedman, Network Co-ordinator
Richard Teed, Senior Forward Planning Officer

**ALSO
ATTENDING:**

Simon Deans, Senior Planner and Greg Limb, Partner,
Gladman Developments Limited

P134. APOLOGIES

Apologies were intimated on behalf of Councillors Alexander, Black; Bird, Chalmers, Coleman, Gow, McCabe, McLuckie, McNally, Oliver, Ritchie, MacDonald, Dr C R Martin, Meiklejohn and Nicol.

P135. DECLARATIONS OF INTEREST

No declarations were made.

P136. DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES INCLUDING OPEN SPACE, ACCESS, LANDSCAPING AND ASSOCIATED ENGINEERING WORKS AT PARKHALL FARM, MADDISTON, FALKIRK FK2 0BN FOR GLADMAN DEVELOPMENTS LIMITED - P/14/0707/PPP

There was submitted Report (circulated) dated 18 March 2015 by the Director of Development Services on an application for planning permission in principle for the development of land for residential purposes including open space, access, landscaping and associated engineering works at Parkhall Farm, Maddiston, Falkirk.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
2. The Planning Officer (J Seidel) outlined the nature of the application.

Councillor C Martin entered the meeting at this point in the proceedings.

3. The applicant's representative was heard in relation to the application.
4. Questions were then asked by Members of the Committee as follows:-

Q(a) Clarification was sought on the reason it took a long time to deal with Coal Authority matters and the objection from the Coal Authority regarding lack of information.

Response by the applicant's representative:-

The application had been submitted together with a Phase 1 Environmental Risk Assessment which included information on mining. The Coal Authority did not consider that the information was sufficient and as a result the applicant instigated a formal risk assessment and this was immediately provided to the Coal Authority. This showed that there was no risk from previous mining at the site. An update would be available for the meeting of the Council on 13 May 2015.

Q(b) Clarification was sought on Education provision and the impact on that of the proposed development

Response by the Senior Forward Planning Officer:-

The proposed development would put considerable pressure in particular on Maddiston Primary School which is currently full. New housing anticipated under the Local Plan could be covered by extending the school with the use of developer contributions. This development is, however, beyond expectations contained in the Local Plan and would take the school beyond the scope of an extension. There would also be pressure on Braes High School, St Mungos RC High School and St Andrews RC Primary School. No school has more than 3 class streams. Should the application be approved, normal contributions would not meet the needs. A new school would be required.

Q(c) Clarification was sought on the suitability of the access to the site.

Response by the Network Co-ordinator:-

There would be a need for another access to the site. The development would place pressure on the junction of Nicolton Road and the B805 Main Road. In its current state Nicolton Road would be unsuitable.

Response by the Transport Co-ordinator:-

The Transport Planning Unit was not completely satisfied that Nicolton Road could be upgraded to a suitable standard to operate as a secondary access into the proposed development. The favoured access was the A801 not via Nicolton Road. There are issues for capacity on Nicolton Road and upgrading would be required including provision of a roundabout.

Q(d) Clarification was sought on the calculation of the number of school places required for the houses within the development.

Response by the Senior Forward Planning Officer:-

In relation to a local primary school there is a formula that reflects one pupil place for every 4 houses and all calculations take into account the demographic factors in play within the local area such as birth rates and other school rolls.

The primary school was full (at 95% capacity) and had two temporary modular classrooms. The additional support needs and nursery facilities were full. The demand for the nursery outweighed the spaces available and this was expected to continue throughout the timeframe of the Falkirk Proposed Local Development Plan (FPDP).

Q(e) Clarification was sought on the supply of housing within the Falkirk Proposed Local Development Plan (FPDP).

Response by the Planning Officer (A Lewis):-

The FPDP identified Maddiston for additional housing and sustainable growth for approximately 280 additional houses. For the Polmont area this would equate to around 616 units over a 5 year period. The examination report was published by the Reporter on 4 March 2015 and there were no changes proposed in relation to settlement boundaries affecting the application. The FPDP maintained the northern site as being within the countryside and outwith the urban limit of Maddiston. The southern site was identified as a housing opportunity forming part of the Maddiston East Growth Area. There was therefore no requirement to allocate additional housing for the Polmont area.

The total housing land allocation within the FPDP from 2014 to 2024 for the Council as a whole represented 7964 units as follows:-

- existing supply sites 6217 units; and
- new proposals 1747 units.

Q(f) Clarification was sought on whether other local authority areas were not meeting housing supply.

Response by the applicant's representative:-

The majority of local authorities were in the same position. Supply is not meeting need. There is a need for additional sites to be released to meet needs in the short term - within the next 5 years in planning terms. It is considered that this site would be delivered within 5 years.

Q(g) In recognition that the Council's Roads Unit considered there may be issues with Nicolton Road, clarification was sought on whether the applicant had a Plan B for a second access.

Response by the applicant's representative:-

This had been left in the hands of the transport consultant. The applicant would look to upgrade Nicolton Road within the design guidelines. There was disagreement with the Council's Roads team over the design guidelines. The proposals are in a pack which is before officers.

Q(h) In terms of the upgrade of Nicolton Road, clarification was sought on the disagreement between the Roads Unit and the applicant on the required improvements necessary for the road.

Response by the Network Co-ordinator:-

He is not clear what the difference of opinion is.

Response by the applicant's representative:-

He is not a transport engineer and is aware that the proposals are not acceptable at present but believes there is a suitable solution per the transport assessment.

- Q(i) In recognition of concern raised by members on the lack of detailed information from the applicant's representatives on Nicolson Road, further clarification was sought on whether the Roads Unit and the applicant were working to the same design standards principles.

Response by the Network Co-ordinator:-

The applicant should be working to the same roads and transport design principles as the Council's Roads Unit.

- Q(j) Clarification was sought on the degree of ground contamination at the site of the proposed development.

Response by the Planning Officer (J Seidel):-

Should the application be approved in principle the normal conditions would be attached to any permission. These would require the applicant to undertake additional work following approval. The Planning Officer undertook to consult with the Council's Environmental Health Unit on the necessary conditions prior to the meeting of the Council on 13 May 2015.

- Q(k) Clarification was sought on the number of additional vehicles expected to leave the development and enter the road network and the surrounding areas.

Response by the Transport Co-ordinator:-

The Transport Assessment had identified that approximately 60 vehicles would exit the development between 8 a.m. and 9 a.m. It was expected that the majority of the residents of these properties would leave the development at different times and therefore the traffic movement would be spread throughout the day.

- Q(l) Clarification was sought on the number of vehicles expected for each of the 212 dwellinghouses and the number of car spaces that would be provided by the applicant.

Response by the Network Co-ordinator:-

3 parking spaces are required for properties of more than 3 bedrooms with 2/3 bedroom properties requiring 2 parking spaces.

Q(m) Clarification was sought on the guidelines for assessing numbers of cars within the development and the journeys that would generate.

Response by the Transport Co-ordinator:-

The best estimation of the level of car ownership was derived from information contained within a national database of housing developments of a similar size and scale. This represented the most accurate information available at present. It was reiterated that the national database allows modelling showing that not all cars leave between, say, 8 a.m. and 9 a.m.

Q(n) Clarification was sought on the measures to be undertaken by the applicant to address the education school capacity shortfall.

Response by the applicant's representative:-

The position is that the Council has factored in developments included in the Local Plan. This site would backfill the sites that are not going to come forward. The fallback is the potential for financial contributions which would be looked at by the applicant if the Council decides to grant permission. It is expected that contributions could be considerable.

5. Section 38A of the Town and Planning (Scotland) Act 1997 together with Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 give those persons who have submitted representations on relevant planning applications the right to be heard before a Committee of the Council before the application is determined.

(a) Mr I Storrar, an objector to the development, raised concern that the applicant's representative had not adequately answered the earlier questions in relation to a Plan B to address the problems on Nicolson Road or the impact on schools in the area. A concern is Nicolson Road and the potential to reduce living standards, result in security concerns and he has no idea of the impact on the fence line. He stressed the loss of open space and the adverse affect on wildlife and dog walkers. The unique nature of the surrounding area was highlighted. He was also concerned that the local community would not benefit from employment in building the development with skilled jobs coming from external sources. He also felt that a community hall is just a sweetener.

- (b) Mr P Neaves, an objector to the development, raised concern that development of the land was not supported in the FPDP, the Reporter's report on which had only just been received by the Council. He commented that the Plan is so new that to go against it at this time would be perverse. He commented that the development would clearly extend over the whole of the wider area. He felt there would be other areas better placed to meet demand. There are drainage issues with the site that may not be in the control of the applicant. The economic argument is a red herring and something any development would support. He also stressed that there would be an increase in traffic, drainage issues, an increased demand for school places and that schools had reached their capacity level. He indicated that this would then create opportunities for development over an extended area. The uncertainty in relation to the site at Whitecross also meant that consideration of this development was premature.
- (c) Mr J Wotherspoon, representing Maddiston Community Council, raised concern at the poor transport arrangements and the general lack of infrastructure to support the development. He commented on the dormitory nature of the village and that it is without the adequate services to support the development. The development would therefore place added strains on the community. He also was concerned at the lack of capacity within local schools and the pressure on GP practices.
- (d) Mrs S Storrar, an objector to the development, referred to the significant pressure on schools and the NHS which would be exacerbated by the development.
- (e) Mr M Taylor, an objector to the development, stated that the area was already turning into a commuter based area and that new residents would focus their expenditure outwith the Maddiston area. He stressed that any further building required the necessary supporting infrastructure. He also referred to concerns over impact on greenspace and the pylons nearby which would need to be fenced to keep children safe.
- (f) Mr J Smith, an objector to the development, was concerned at the lack of capacity within local schools and that Education Services did not support the application. He also raised concern at the inadequate nature of Nicolton Road and the increased pressure on the road from the large number of additional cars as well as the associated damage to the road and to the local vegetation. He pointed to cases of drivers currently ignoring the speed limit and large vehicles that take the road then have to reverse out again.
- (g) Mr H Rudge, an objector to the development, indicated that land was not available for this development, the site being located within the countryside and not supported by the FPDP.

- (h) Mr G Crawford, an objector to the development, referred to the proposals for the Suburban Urban Drainage System (SUDS) and that the pipe to the pond would be under housing. He also raised concern that the development would encroach on the protective buffer zone.
 - (i) Mr A Davie, an objector to the development, raised concerns at the negative visual impact from the development and the effect on privacy. He highlighted that the nursery school could not accommodate additional children as it was full and the need for an access to the site from Nicolton Road. He also referred to environmental concerns including the loss of greenspace and the importance of protecting badgers in the area.
 - (j) Ms S J McMahon, an objector to the development, raised concerns at the significant pressures on GP surgeries and the lack of NHS facilities in the area which would undoubtedly increase as a result of the development.
 - (k) Mr W Crow, an objector to the development, raised concerns at the increased carbon footprint from the development due to the large number of additional cars. He highlighted the severe smell from the additional car fumes and road safety issues as well as school capacity concerns and the need for further information from the applicant in terms of the education contribution and the benefit of the development to the local economy.
 - (l) Mr D Irwin, an objector to the development, raised concerns at the erosion of the greenbelt and the increased traffic and the significant effect on Nicolton Road and Glendevon Road. The accuracy of the Traffic Survey undertaken by the Council's Transport Unit was also questioned.
 - (m) Mr S Holmes, an objector to the development, raised concerns at the increased number of cars from the development and that there could be as many as 400 to 800 additional car journeys directly attributable to the development. He also stressed the increased traffic from the A801 which would generate a rat run.
6. Responses were given by the applicant's representatives and Officers from Development Services in relation to the issues raised by Members and contributors as follows:-

Response by the Senior Forward Planning Officer:-

There is an awareness that the school is under pressure. Any new development would require contributions but it cannot be said that the demands of this development could be met without a new school. The Council invested £9m in the year 2008 to replace the old school with the current school.

Response by the Transport Co-ordinator:-

It was confirmed that the Transport Survey information represented trip generation on weekdays and used data from the national survey.

Response by the Network Co-ordinator:-

If the development is approved and Nicolson Road ends up serving it then the road will need upgrading. In its current form, the road would not be suitable to service the development. On the matter of carbon generation, the car movements will be movements whether they are on Nicolson Road or not.

Response by the applicant's representative:-

The contributors had raised a number of good points during the course of the Hearing and there was not a great to be added. As a point of clarification, and further to a question on the definition of affordable housing, the Scottish Government definition related to properties being affordable to persons on modest incomes. In terms of the contributors' concerns in relation to visual impact and privacy these issues would be addressed at a later stage should the application receive planning permission in principle. On the matter of the traffic generation on Nicolson Road, a written response covering issues raised and requiring clarification, would be submitted to the Planning Officer (J Seidel) prior to the Council meeting on 13 May 2105.

Response by the Planning Officer (A Lewis):-

The Polmont area has a substantial supply of existing sites - 840 units from existing supply sites. In relation to comments about undersupply of housing in the area, the Reporter does not deem there is an undersupply. There is a mechanism for other sites if there is an undersupply.

7. Further questions were then asked by Members of the Committee as follows:-

- (a) Clarification was sought on the incorporation of the NHS provision within the Section 75 through planning gain should planning permission in principle be approved.

Response by Planning Officer (J Seidel):-

There was no provision for this in the current Local Plan but the FPDG mentions healthcare and there is draft Supplementary Planning Guidance on the matter.

- (b) Clarification was sought on the likelihood of the FPDp being changed in terms of this site prior to the date of the Council meeting.

Response by Development Manager:-

This was unlikely.

8. Close of Meeting

The Convener concluded by thanking the parties for their attendance and advised that the matter would be determined by Falkirk Council on 13 May 2015.