

P54. ERECTION OF 99 DWELLINGHOUSES AND FLATTED DWELLINGS AND ASSOCIATED LANDSCAPING AND ROAD AND DRAINAGE INFRASTRUCTURE (DETAILED) ON LAND TO THE NORTH WEST OF COCKBURN WORKS, GOWAN AVENUE, FALKIRK FOR NU-CAR AUTO SALVAGE - P/07/0518/FUL

The Committee considered a report by the Director of Development Services on an application for full planning permission for the erection of 99 dwellinghouses consisting of 12 terraced houses and 87 flatted dwellings with associated access, parking, open space and SUDS infrastructure on vacant land to the north west of Cockburn Works, Gowan Avenue, Falkirk.

Councillor Mahoney, seconded by Baillie Paterson, moved that Committee be minded to grant planning permission in accordance with the recommendations within the report.

By way of an amendment, Councillor Turner, seconded by Councillor Carleschi, moved that consideration of the application be continued to allow (1) an updated Traffic Impact Assessment to be carried out; (2) a Committee site visit to take place, and (3) for Officers to have further discussion with the applicant in relation to an alternative access to the site.

In terms of Standing Order 22.1 a vote was taken by roll call, there being 11 members present with voting as undernoted:-

For the motion (7) - Baillies Buchanan and Paterson; Councillors Mahoney, C Martin, McLuckie, Nicol and Nimmo.

For the amendment (3) - Councillors Carleschi, Meiklejohn and Turner.

Councillor Chalmers abstained.

Decision

The Committee agreed that Committee was MINDED to GRANT planning permission subject to the completion of a Planning Obligation relating to:-

- (i) the payment of a sum of £181,500 to secure the future education provision as a result of the proposed development at St. Mungo's High School and Bainsford Primary School; and**
- (ii) timescales for the phasing of development in relation to the above developer contribution.**

The Committee provided authority for the refusal of planning permission under delegated powers should the required legal obligation not be successfully concluded and the application determined by 30 October 2015.

On completion of the legal obligation referred to in paragraph 6.1 above the Committee On completion of the Planning Obligation referred to above, the Committee authorise the Director of Development Services to grant planning permission subject to the following conditions:-

- (1) The development to which the permission relates must be begun within three years of the date of the permission;
- (2) Development shall not begin until details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, have been submitted to and approved in writing by the Planning Authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority;
- (3) Development shall not commence until details of two traffic calming features, to be installed at the northern end of Alma Street and Russel Street, have been submitted to and approved by Falkirk Council. The features shall be designed in accordance with the “National Roads Development Guide” (SCOTS, 2014), and installed prior to the occupation of the thirty fourth residential unit;
- (4) All approved traffic calming and road infrastructure works shall be implemented prior to the occupation of approved residential units unless otherwise agreed in writing with the Planning Authority;
- (5) Development shall not begin until an amended contaminated land assessment has been submitted for the approval of the Planning Authority. The amended assessment shall include revisions required in the memorandum from Falkirk Council’s Environmental Protection Unit (Ref: 79488) dated 13 May 2008;
- (6) Development shall not begin until a noise survey to determine the effects of existing industrial/commercial activities on the approved residential units has been submitted to the Planning Authority. The survey shall be conducted in accordance with BS 4142 and approved, amended as necessary, by the Planning Authority;
- (7) All approved landscaping works shall be implemented not later than the end of the first planting and seeding season following the occupation of the last residential unit on the development;
- (8) Before development begins a scheme for the provision of the play area and related open space area and other areas of open space/landscaping outwith individual residential plot boundaries, as outlined (drawing ref: 290.01.01b) shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given. Details to be submitted included:-
 - (a) Type and location of play equipment, seating, fences, walls and litter bins.
 - (b) Surface treatment of the play area proposals for the implementation/phasing of play area in relation to the construction of houses on the site.
 - (c) Landscape planting and phasing details.
 - (d) Proposed public artwork to be located adjacent to the Forth and Clyde Canal.
 - (e) Maintenance arrangements for all hard and soft landscaping works.

- (9) All works required for the provision of the play area and open space shall be implemented in accordance with the scheme approved in writing with the Planning Authority by the end of the first planting and seeding season following the occupation of the last residential unit on the development, and
- (10) Details of the phasing of the development shall be submitted to the Planning Authority for approval, and no work shall begin until the phasing scheme has been approved in writing. Following approval, the development shall be implemented in accordance with the approved scheme.

Reasons:-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To safeguard the visual amenity of the area.
- (3,4) To safeguard the interests of the users of the highway.
- (5,6) To safeguard the environmental amenity of the area.
- (7-9) To ensure that adequate landscaping/play facilities are provided.
- (10) To safeguard the visual amenity of the area.

Informative(s): -

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 02 etc.
- (2) All drainage should comply with the requirements of the Scottish Environment Protection Agency and Scottish Water and evidence of such compliance shall be exhibited to the Planning Authority on demand.