

**FALKIRK COUNCIL**

**Subject:** DEVELOPMENT OF LAND FOR UP TO 550 HOUSES, A COMMERCIAL BLOCK INCLUDING A CONVENIENCE STORE AND NURSERY, AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS JUNCTION WORKS, NEW ROADS AND PATHS, OPEN SPACE, WOODLAND PLANTING, SURFACE WATER DRAINAGE PONDS AND PLAY FACILITIES AT LAND TO THE NORTH OF WATSON PLACE, GLASGOW ROAD, LONGCROFT FOR MACTAGGART & MICKEL - P/09/0508/OUT

**Meeting:** PLANNING COMMITTEE

**Date:** 24 February 2016

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Denny and Banknock

Councillor Jim Blackwood  
Councillor Paul Garner  
Councillor Brian McCabe  
Councillor Martin David Oliver

**Community Council:** Banknock, Haggs and Longcroft

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext. 4935

**UPDATE REPORT**

**1. INTRODUCTION**

- 1.1 Members will recall that this application was considered by the Committee on 28 October 2015 (copy of previous report attached as Appendix A), when the Committee:-

*'agreed to continue consideration of the application noting that if the Section 75 Planning Obligation has not been satisfactorily concluded and planning permission in principle granted (with the updated planning conditions detailed in the recommendation to the report) by 23 February 2016, the matter will require to be brought back to Committee for further consideration and potential refusal'.*

- 1.2 The Committee report dated 28 October 2015 summarised the previous considerations of the application by Committee. This comprised the Committee's minded to grant decision on 23 March 2011 and the Committee's consideration of undetermined housing legacy cases on 25 February 2015 (this application is one of these cases).

- 1.3 The report dated 28 October 2015 advised that the application remained undetermined but significant progress had been made towards concluding the outstanding matters to enable planning permission in principle to be granted. The progress made was summarised in the report.
- 1.4 The situation at the time of writing this report is that the application remains undetermined. However, since the Committee meeting on 28 October 2015, further very positive discussions have taken place in respect of the draft Section 75 planning obligation. It is considered that there are no fundamental issues outstanding and it is anticipated that the obligation will progress to an agreed final version. At the time of writing this report, the draft obligation was subject to further iterations, and an update in terms of the situation will be provided at the Committee meeting.

## **2. CONCLUSION**

- 2.1 At the time of writing this report, good progress was continuing to be made towards concluding the Section 75 Planning Obligation to enable the grant of planning permission in principle. On that basis, notwithstanding that the application is a longstanding legacy case, it is considered reasonable to provide a further period of time to enable the conclusion of remaining matters. Accordingly, the following recommendation is made:-

## **3. RECOMMENDATION**

### **3.1 It is recommended that the Committee:-**

- (a) note the contents of this report; and
- (b) agree to continue consideration of the application, noting that if the Section 75 Planning Obligation has not been satisfactorily concluded and planning permission in principle granted (with the updated planning conditions detailed in the recommendation to the report dated 28 October 2015) by 31 May 2016, the matter will require to be brought back to Committee for further consideration and potential refusal.

.....  
pp Director of Development Services

Date: 15 February 2016

## **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan (2007)
2. Falkirk Council Local Plan (December 2010)
3. Falkirk Local Development Plan (2015)
4. Scottish National Planning Statement: Designing Places (2001)
5. Scottish National Planning Statement: Designing Streets (2010)
6. Scottish Planning Policy (2014)
7. Falkirk Council Supplementary Planning Guidance
8. Letter of Objection from Mr and Mrs Maurice & Dorothy Cunningham, Broomridge Cottage 31 Glasgow Road Dennyloanhead Bonnybridge FK4 1QS on
9. Letter of Representation from W Watson & A Thomson, Knowehead 17 Station Road Longcroft Bonnybridge on
10. Letter of Objection from Mr Graham Marr, 71 Glasgow Road Dennyloanhead Bonnybridge FK4 1QT on
11. Letter of Objection from Mrs Margaret Kane, Springbank, Station Road, Longcroft, Bonnybridge on
12. Letter of Objection from Mr Mark Rooney, 25 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
13. Letter of Representation from Mr Thomas Hopkins, 2 High Street Bonnybridge, FK4 1DA on 3 November 2009
14. Letter of Objection from Pamela Forbes, 6 Watson Place Longcroft Bonnybridge FK4 2BG on
15. Letter of Objection from Mr Bruce Perry, 19 Lind Place, Dennyloanhead Bonnybridge FK4 1NQ on
16. Letter of Objection from Mr Bill Campbell, Bramblebank, Station Road, Longcroft Bonnybridge
17. Letter of Objection from Mr Richard Boyd, 153 Glasgow Road, Dennyloanhead, Bonnybridge FK4 1QX on
18. Letter of Objection from Mr Colin Mitchell, Mitchell652@btinternet.com on
19. Letter of Objection from Mr Andrew Moon, 187 Glasgow Road, Dennyloanhead, Bonnybridge FK4 1QY on
20. Letter of Objection from Mr and Mrs D McCabe, 4 Watson Place Longcroft Bonnybridge FK4 2BG on
21. Letter of Objection from Lesley Granton, 25 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
22. Letter of Objection from Mrs Angela Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
23. Letter of Objection from Malcolm and Alison Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
24. Letter of Objection from Louise Hagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
25. Letter of Objection from Graham Hagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
26. Letter of Objection from Dominique Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
27. Letter of Objection from Kenny Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
28. Letter of Objection from Mr Paul McFarlane, 29 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on

29. Letter of Objection from Mrs Wendy MacNeill, 23 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on
30. Letter of Objection from Tracey MacNeill, 23 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on
31. Letter of Support from Mrs E Kerr, 81 Braes View Denny FK6 5NG on 26 April 2010
32. Letter of Support from Miss N Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
33. Letter of Support from Mr McColl, 17 Solway Drive Head Of Muir Denny FK6 5NS on 26 April 2010
34. Letter of Support from Mr Michael Kane, 91 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
35. Letter of Objection from Mr Alistair Waters, 3 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
36. Letter of Support from Owner/Occupier, 10 Caledonia Terrace Bonnybridge FK4 1DQ on 27 April 2010
37. Letter of Support from Nadine McMenamy, 97 Dryburgh Avenue Denny FK6 6AF on 27 April 2010
38. Letter of Support from Mr T Bryson, 9 Hayfield Terrace Head Of Muir Denny FK6 5LA on 27 April 2010
39. Letter of Support from Miss C L Smith, 31 Annet Road Head Of Muir Denny FK6 5LQ on 27 April 2010
40. Letter of Support from Lisa and Steven Marr, 118 Dick Crescent Burntisland Fife KY3 0BT on 27 April 2010
41. Letter of Support from Mr Eric Milne, 10 Cowan Street Bonnybridge FK4 1ND on 27 April 2010
42. Letter of Support from Mrs Keay Annette, 49 Fairfield Avenue Bonnybridge FK4 1LX on 27 April 2010
43. Letter of from Mr Alex Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 27 April 2010
44. Letter of Support from Miss E Boyd, 15 Park Street High Bonnybridge Bonnybridge FK4 2AS on 27 April 2010
45. Letter of Support from Mr Craig Riddle, 72 Chacefield Street Bonnybridge FK4 1PS on 27 April 2010
46. Letter of Support from Mr M Gallagher, 10 Carronside Place Denny FK6 6LP on 27 April 2010
47. Letter of Support from Owner/Occupier, 5 Duncarron Place Denny FK6 6HL on 27 April 2010
48. Letter of Support from Mr James Riddle, 72 Chacefield Street Bonnybridge FK4 1PS on 27 April 2010
49. Letter of Support from Miss C Irvine, 86 Woodburn Crescent Bonnybridge FK4 2DL on 27 April 2010
50. Letter of Support from Debbie McNeil, 63 Reedlands Drive Denny FK6 5NX on 27 April 2010
51. Letter of Support from Mr Andy Dick, Bankhead House Bankhead Crescent Dennyloanhead Bonnybridge on 27 April 2010
52. Letter of Support from Mr Johnstone Duncan, 38 Garvald Road Head Of Muir Denny FK6 5NR on 27 April 2010
53. Letter of Support from Mr Ian Johnston, 42 Greenhill Road Bonnybridge FK4 2DN on 27 April 2010
54. Letter of Support from Owner/Occupier, 9 Milton Place Dunipace Denny FK6 6NE on 27 April 2010

55. Letter of Support from W Brennan, 11 Tullibody Road Alloa FK10 2LN on 27 April 2010
56. Letter of Support from Mr Ronnie Higgins, 1 St. Johns Grove Stoneywood Denny FK6 5HQ on 27 April 2010
57. Letter of Support from J Morrison, 12 Hollandbush Avenue Banknock Bonnybridge FK4 1JB on 27 April 2010
58. Letter of Support from Rosslyn Petale, 65 Ferguson Drive Denny FK6 5AF on 27 April 2010
59. Letter of Support from Miss M Thacker, 8 Park Avenue Dennyloanhead Bonnybridge FK4 1SB on 27 April 2010
60. Letter of Support from Janet Buchanan, 15 Dunure Crescent Bonnybridge FK4 1EG on 27 April 2010
61. Letter of Support from Jade Stokes, 18 Lithgow Place Denny FK6 5BF on 27 April 2010
62. Letter of Support from Claire Ogilvie, 17 Wallace Place Cambusbarron Stirling FK7 9PB on 27 April 2010
63. Letter of Support from Miss Gemma Tulloch, 75 Sutherland Drive Denny FK6 5EP on 27 April 2010
64. Letter of Support from Owner/Occupier, 10 Johnston Place Denny FK6 5HD on
65. Letter of Support from J R Hamilton, 58 Hayfield Terrace Head Of Muir Denny FK6 5PB on 26 April 2010
66. Letter of Support from Mr and Mrs J Boyle, 83 Braes View Denny FK6 5NG on 27 April 2010
67. Letter of Objection from Julia McNulty, Julia.mcnulty@hotmail.com on
68. Letter of Objection from Ms Pamela Forbes, 6 Watson Place Dennyloanhead Bonnybridge on 9 May 2010
69. Letter of Objection from Mr Stephen Crookston, 30 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on 19 April 2010
70. Letter of Support from Margaret Cleland, 52 Main Street Bainsford Falkirk FK2 7PA on
71. Letter of Support from Charlene Kilpatrick, 1 Castle Terrace Denny FK6 6PH on 26 April 2010
72. Letter of Support from Mrs Louise Sutherland, 34 Hillhouse Road Head Of Muir Denny FK6 5PG on 26 April 2010
73. Letter of Support from Mrs Lyndsey Buchanan, 82 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 26 April 2010
74. Letter of Support from Jacqueline Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 26 April 2010
75. Letter of Support from MR P Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
76. Letter of Support from Owner/Occupier, Glen Far House Bankhead Crescent Dennyloanhead Bonnybridge on 26 April 2010
77. Letter of Support from Mr and Mrs Lawrence, Glen Far House Bankhead Crescent Dennyloanhead Bonnybridge on 26 April 2010
78. Letter of Support from Mrs Janet Cleland, 2 Highland Dykes Crescent Bonnybridge FK4 1ES on 26 April 2010
79. Letter of Support from Mr George MacFarlane, 46 Larbert Road Bonnybridge FK4 1EE on 26 April 2010
80. Letter of Support from Mrs D Cunningham, 11 Peathill Road Bonnybridge FK4 1LS on 26 April 2010
81. Letter of Support from Mrs C McKintosh, 6 Ferguson Drive Denny FK6 5AE on 26 April 2010
82. Letter of Support from Ryan Kelly, 22 Haughs Way Denny FK6 6HQ on 26 April 2010
83. Letter of Support from Mrs J E Ashby, 80 Chacefield Street Bonnybridge FK4 1PS on 26 April 2010

84. Letter of Support from Mrs V Kelly, 22 Haughs Way Denny FK6 6HQ on 26 April 2010
85. Letter of Support from Mrs Agnes Kane, 91 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
86. Letter of Support from Mr and Mrs Ross, 12 Bairns Ford Drive Falkirk FK2 7JD on 26 April 2010
87. Letter of Support from Mr B Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
88. Letter of Support from Mr M Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
89. Letter of Support from Owner/Occupier, 37B Main Street Bonnybridge FK4 1AF on 26 April 2010
90. Letter of Support from Mr and Mrs Fitzpatrick, 66 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 26 April 2010
91. Letter of Support from Jim and Helen Stirling, 30 Bonnywood Avenue Bonnybridge FK4 1NT on 26 April 2010
92. Letter of Support from Mr Marc Young, NO ADDRESS GIVEN on 28 April 2010
93. Letter of Support from Owner/Occupier, 37B Main Street Bonnybridge FK4 1AF on 27 April 2010
94. Letter of Support from Owner/Occupier, 21 Sawers Avenue Denny FK6 5BS on 27 April 2010
95. Letter of Support from Owner/Occupier, 41 Park Avenue Dennyloanhead Bonnybridge FK4 1SD on 27 April 2010
96. Letter of Support from Mrs Dorothy Dick, Bankhead House Bankhead Crescent Dennyloanhead Bonnybridge on 27 April 2010
97. Letter of Support from Vikki Morrison, 12 Hollandbush Avenue Banknock Bonnybridge FK4 1JB on 27 April 2010
98. Letter of Support from Miss Michelle Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 27 April 2010
99. Letter of Support from Mrs J Bryson, 13 Johnston Place Denny FK6 5HD on 27 April 2010
100. Letter of Support from Mr A McLaurin, 49 Glenbo Drive Head Of Muir Denny FK6 5PQ on 27 April 2010
101. Letter of Support from Janet Fraser, 15 Dunure Crescent Bonnybridge FK4 1EG on 27 April 2010
102. Letter of Support from Mr William Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 27 April 2010
103. Letter of Objection from Mr R Bryde, 5 Solway Drive Head Of Muir Denny FK6 5NS on 27 April 2010
104. Letter of Support from Mr G Kerr, 81 Braes View Denny FK6 5NG on 27 April 2010
105. Letter of Support from Owner/Occupier, 17 Castle Terrace Denny FK6 6PH on 26 April 2010
106. Letter of Support from Mr John Cummins, Glenruane 1 Robertson Avenue Bonnybridge FK4 1PA on 26 April 2010
107. Letter of Support from Malissa Gaston, 19 West Boreland Road Denny FK6 6PA on 26 April 2010
108. Letter of Support from Mr Andrew Cunningham, 3 Fairways Place Bonnybridge FK4 1PZ on 26 April 2010
109. Letter of Support from Mr Michael Livingstone, 16 Hogan Place Dennyloanhead Bonnybridge FK4 1FB on 26 April 2010
110. Letter of Support from Mr Ewan Marshall, 69 Main Street Bonnybridge FK4 1AL on

111. Letter of Support from Mr James Tripney, 6 Bankview Terrace Denny Road Dennyloanhead Bonnybridge on
112. Letter of Support from Mr & Mrs Vint, 9 Whithorn Crescent Moodiesburn G69 0HR on
113. Letter of Support from Jane Winters, No Address Given on
114. Letter of Representation from Mrs Lisa McDonald, 27 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
115. Letter of Support from Miss J Hall, 25 Brewster Place Denny FK6 6PS on 28 April 2010
116. Letter of Support from Mr Stuart Buchanan, 82 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 28 April 2010
117. Letter of Support from Margaret Kerr, 3 Auchincairn Gardens Bishopbriggs Glasgow G64 1DZ on 28 April 2010
118. Letter of Support from Owner/Occupier, 108 Ure Crescent Bonnybridge FK4 1NR on 28 April 2010
119. Letter of Support from R Campbell, 4 Glenbo Drive Head Of Muir Denny FK6 5PQ on 28 April 2010
120. Letter of Support from T Hardie, 48 Spence Street Bonnybridge FK4 1NH on 28 April 2010
121. Letter of Support from Mr J Brennan, 11 Kerr Crescent Haggs Bonnybridge FK4 1HH on 28 April 2010
122. Letter of Support from Jay Tonner, 9 Cairnoch Walk Denny FK6 5DD on 28 April 2010
123. Letter of Support from I Mrs McCool, 19 Sawers Avenue Denny FK6 5BS on 28 April 2010
124. Letter of Support from Lesley Kane, 1 Highland Dykes Crescent Bonnybridge FK4 1ES on 28 April 2010
125. Letter of Support from Lisa Young, 66 Westquarter Avenue Westquarter Falkirk FK2 9RF on 28 April 2010
126. Letter of Support from Mrs M Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 28 April 2010
127. Letter of Support from Owner/Occupier, 80 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 28 April 2010
128. Letter of Support from Mr Craig Riddell, 73 Chacefield Street Bonnybridge FK4 1PS on 28 April 2010
129. Letter of Support from Jean Binnie, 12 Bog Road Banknock Bonnybridge FK4 1TL on 28 April 2010
130. Letter of Support from Jane Healy, 7 Hillhead Avenue Banknock Bonnybridge FK4 1JN on 28 April 2010
131. Letter of Support from Mr and Mrs H Young, 16 Hallglen Terrace Glen Village Falkirk FK1 2AP on 28 April 2010
132. Letter of Support from Mr Gary Bond, 27 Alloway Crescent Bonnybridge FK4 1EY on 28 April 2010
133. Letter of Support from Louise Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 28 April 2010
134. Letter of Support from Mrs Rosemary Leitch, 22 Ferguson Drive Denny FK6 5AE on 28 April 2010
135. Letter of Objection from Mr Mike Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 18 October 2010
136. Letter of Objection from Mr David Dunn, 25 Rankin Crescent Dennyloanhead Fk4 1RA on 25 October 2010
137. Letter of Objection from Ian Binnie, Colians House Glasgow Road Longcroft on
138. Letter of Objection from June Waters, 3 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010

139. Letter of Objection from Mr A Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
140. Letter of Objection from Mrs A Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
141. Letter of Objection from Mr and Mrs C Morton, 15 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
142. Letter of Objection from Mrs Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
143. Letter of Objection from Mr Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
144. Letter of Objection from Karen Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
145. Letter of Objection from Mr Mike Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
146. Letter of Objection from AGH Munn, 6 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
147. Letter of Objection from A MacGregor, 31 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
148. Letter of Objection from Mr John Harris, 27 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
149. Letter of Objection from Elizabeth Harris, 27 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
150. Letter of Objection from Mr Stephen Wheatley, 29 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
151. Letter of Objection from Donna Wheatley, 29 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
152. Letter of Objection from Mr Martin Sievwright, 23 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
153. Letter of Objection from Ms Carole Campbell, 25 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
154. Letter of Objection from Mr Daniel Campbell, 25 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
155. Letter of Objection from Mr Raymond Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
156. Letter of Objection from Ms Wilma Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
157. Letter of Objection from Mr Graham Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
158. Letter of Objection from Mr B Duffy, 7 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
159. Letter of Objection from Mrs Duffy, 7 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
160. Letter of Objection from Mr David Buchanan, 37 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
161. Letter of Objection from Mr Graham Wagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
162. Letter of Objection from Councillor Martin Oliver, Municipal Buildings West Bridge Street Falkirk FK1 5RS on 23 November 2010
163. Letter of Objection from Mr G Walker, 1 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010



164. Letter of Objection from Mr D Sneddon, Address Incomplete on 23 November 2010
165. Letter of Objection from Ms Alison Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
166. Letter of Objection from Ms Laura Sneddon, Incomplete Address on 23 November 2010
167. Letter of Objection from Mrs Angela Sneddon, Incomplete Address on 23 November 2010
168. Letter of Objection from Mrs M Walker, 1 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
169. Letter of Objection from Mr Malcolm Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
170. Letter of Objection from Mr Malcolm Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 14 October 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

**FALKIRK COUNCIL**

**Subject:** DEVELOPMENT OF LAND FOR UP TO 550 HOUSES, A COMMERCIAL BLOCK INCLUDING A CONVENIENCE STORE AND NURSERY, AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS JUNCTION WORKS, NEW ROADS AND PATHS, OPEN SPACE, WOODLAND PLANTING, SURFACE WATER DRAINAGE PONDS AND PLAY FACILITIES AT LAND TO THE NORTH OF WATSON PLACE, GLASGOW ROAD, LONGCROFT FOR MACTAGGART & MICKEL - P/09/0508/OUT

**Meeting:** PLANNING COMMITTEE

**Date:** 28 October 2015

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Denny and Banknock

Councillor Jim Blackwood  
Councillor Brian McCabe  
Councillor Paul Garner  
Councillor Martin David Oliver

**Community Council:** Banknock, Haggs and Longcroft

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext. 4935

**UPDATE REPORT**

***Introduction***

1. Members may recall that the Committee considered a report on 25 February 2015 in respect of undetermined 'legacy' applications for housing. Planning application P/09/0508/OUT was one of the applications considered in this report.
2. The report advised that little progress had been made in concluding the Section 75 Planning Obligation for P/09/0508/OUT following a Minded to Grant decision in 2011. The report recommended that the application be reported to a future meeting of the Planning Committee if the application was still undetermined or not withdrawn by September 2015 (with consideration given to possible refusal).
3. The application was originally considered by the Planning Committee on 23 March 2011. The report is attached as Appendix 1. The relevant extract from the minute of the meeting is attached as Appendix 2.

4. The Committee were minded to grant planning permission in principle subject to:
- (a) The submission of further traffic modelling, the subsequent agreement of details in respect of the proposed upgrade works to the M80/A803 slip road junctions and the inclusion of such matters, as appropriate, in the Section 75 Planning Obligation in respect of those upgrade works;
  - (b) The approval of a Stage 1 Road Safety Audit for the proposed western and eastern site access junctions on the A803;
  - (c) The satisfactory conclusion of a Section 75 Planning Obligation in respect of the ten matters set out in the minute attached as Appendix 2; and
  - (d) Refusal of the application should Transport Scotland fail to respond or respond by recommending refusal.
5. The current situation is that the application remains undetermined but significant progress has been made towards concluding the outstanding matters to enable planning permission in principle to be granted. This progress can be summarised as follows:-
- The traffic modelling exercise has been concluded and a design for the upgrade works to the M80 / A803 slip road junctions has been agreed. In addition, the potential delivery of a Phase 1 development in advance of the upgrade works has been agreed with Transport Scotland. The relevant matters will be subject to the Section 75 Planning Obligation, as appropriate;
  - A Stage 1 Road Safety Audit for the western and eastern site accesses has been submitted and reviewed by Council officers. A response from the applicant to our review is awaited;
  - A draft Section 75 Planning Obligation has been prepared and discussions (which are positive) are ongoing between the Council's officers and the applicant, to agree the final version. Any update in respect of this matter will be provided at the Committee meeting; and
  - Transport Scotland advised on 20 April 2012 that they do not object to the application subject to conditions being attached to any grant of planning permission in principle.

### ***Conclusion***

6. In view of the progress made and continuing to be made towards concluding the outstanding matters, it is considered reasonable to provide a further period of time to enable conclusion of the remaining matters, most notably the Section 75 Planning Obligation, and subsequent grant of planning permission in principle.
7. The recommendation set out in paragraph 8 is therefore made. It includes a recommendation to approve an update of the previously approved planning conditions. The main reason for this is to reflect the advice of, and subsequent discussions with, Transport Scotland (see new conditions 24 to 29).

## 8. RECOMMENDATION

### 8.1 It is recommended that the Committee:

- (a) note the contents of this report;
  - (b) agree to continue the application and if the Section 75 Planning Obligation has not been satisfactorily concluded and planning permission in principle granted by 26 February 2016, the Director of Development Services be authorised to refuse the application.
  - (c) Approve the following updated planning conditions to attach to any grant of planning permission in principle:
    - (1) This permission is granted under the provisions of paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2009 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified 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 and future maintenance of landscaping.
    - (2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:
      - (a) the expiration of 3 years from the date of the grant of planning permission in principle; 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 planning permission in principle; or
    - (b) the expiration of 2 years from the final approval of the specified matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

## Approval of Further Details

- (4) Prior to, or with, submission of the first application for the approval of Matters Specified in Conditions, the following details shall be submitted for the written approval of this Planning Authority:-
- (a) An Energy Strategy;
  - (b) An Ecological Impact Assessment;
  - (c) A Site Biodiversity Action Plan; and
  - (d) Stage 2 Safety Audits for the proposed western and eastern access junctions on the A803.
- (5) Each application for the approval of Matters Specified in Conditions shall be accompanied by the following details (where relevant) for consideration for approval in writing by this Planning Authority:-
- (a) Detailed site layout and design information, which accords with the land uses, site layout, landscape framework, road hierarchy and design principles set out in the Masterplan, dated 11 February 2011, submitted with the PPP application, unless otherwise agreed in writing by this Planning Authority or a variation is required by a condition of this permission;
  - (b) A detailed Phasing Plan showing the exact sequence of development for the proposed land uses, provision of infrastructure, landscaping and open space;
  - (c) A Construction Environmental Management Plan;
  - (d) Detailed proposals for embedding sustainable energy use into the proposed development through, for example, site and building design and the utilisation of renewable energy sources, which accord with the approved Energy Strategy;
  - (e) A detailed scheme of proposed soft landscaping works and measures to promote, enhance and add to biodiversity, which accords with the approved Site Biodiversity Action Plan and the Ecological Impact Assessment. The scheme shall include: an indication of existing trees and hedges proposed to be retained or removed (accompanied by a tree survey); the location of all proposed new trees, shrubs, hedges and grass areas; and a schedule of plants to comprise species, plant sizes and proposed numbers/densities;
  - (f) A Japanese Knotweed Management Plan;
  - (g) A detailed scheme of proposed hard landscaping works, which includes: the specification and colour of all proposed surface materials; and the location and design of all other proposed artefacts and structures e.g. street furniture, lighting, walls, fences and gates;
  - (h) Updated surveys for badgers, bats and breeding birds, and species protection plans (where necessary);
  - (i) A full site-specific surface water drainage scheme, which accords with SUDS principles;
  - (j) A Flood Risk Assessment/Statement;
  - (k) A Contaminated Land Assessment;

- (l) A scheme for the protection of the proposed dwellinghouses from transportation noise, which ensures that the internal levels, with windows closed, do not exceed 45dB daytime and 35dB night-time when measured as LAeqT, and provides for permanent ventilation so that windows can be kept closed without the loss of ventilation;
- (m) The exact location and specification of all proposed foot / cycle paths, including connections to the wider path network;
- (n) The exact details with regard to the proposals for retention and any removal of the former railway line;
- (o) The exact location and design of all proposed waste management facilities, which accords with the Council's guidance for refuse and recycling collection in new housing and commercial developments; and
- (p) The proposed management and maintenance arrangements in respect of the matters specified in this condition (where relevant).

#### Natural Heritage

- (6) All areas of existing vegetation which are to be retained shall be fenced off and signposted as 'exclusion areas' prior to the relevant development phase commencing, in accordance with details approved in writing by this Planning Authority, and shall not be used for the storage of soils, materials, plant or machinery, or as a compound area.
- (7) Where the proposed development has not commenced within 12 months of the last survey of the site for badgers, bats and breeding birds, further walkover survey(s) and any necessary species protection plan shall be submitted to and approved in writing by this Planning Authority prior to the relevant phase of the development commencing.
- (8) Vegetation removal shall be carried out in the months of August to April, in order to avoid disturbance to breeding birds, unless otherwise agreed in writing by this Planning Authority.

#### Cultural Heritage

- (9) No development shall take place until a scheme of archaeological investigation (including a timetable) in respect of Easter Shielyards Farm has been submitted to and approved in writing by this Planning Authority.
- (10) During the undertaking of the scheme approved under Condition 9, access at all reasonable times shall be afforded to any archaeologist nominated by this Planning Authority, to allow that person to observe work in progress and record items of interest and finds. Notification of the commencement date of ground breaking works, the site contact person and the name of the archaeologist retained by the applicant shall be submitted in writing to the Planning Authority not less than 14 days prior to the development commencing.

### Commercial Development Block

- (11) Prior to completion of the 100th residential unit, or any other timescale that may be agreed in writing by this Planning Authority, the proposed commercial development block shall be fully completed and available for occupancy, in accordance with details approved in writing by this Planning Authority.
- (12) Prior to completion of the 100th residential unit, or any other timescale that may be agreed in writing by this Planning Authority, a public realm area at the commercial development block, incorporating public artwork, shall be provided, in accordance with details approved in writing by this Planning Authority.

### Equipped Play Area

- (13) Prior to completion of the 250th residential unit, the proposed equipped play area shall be fully completed in accordance with details approved in writing by this Planning Authority in respect of the type of play equipment, seating, fences and walls, litter bins and surface finishes.

### Surface Water Drainage

- (14) The proposed surface water drainage scheme shall be designed to accommodate 1 in 100 storm events.
- (15) Surface water discharge to watercourses shall be limited to 3.2 litres/second/hectare unless otherwise agreed in writing by this Planning Authority.

### Core Path

- (16) The existing Core Path located within the application site shall be protected during construction works or temporarily diverted, in accordance with details approved in writing by this Planning Authority, and shall be reinstated to its original position unless a request for a formal diversion is approved.
- (17) In the event of a request for formal diversion of the Core Path being approved, a footpath shall be provided along the east side of Station Road, to link the Core Path across Station Road, in accordance with details and a timescale for implementation approved in writing by this Planning Authority.

### Transportation

- (18) The proposed western and eastern access junctions shall be designed and constructed in accordance with the Design Manual for Road and Bridges and the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (19) Within one month of the opening of the western and eastern access junctions, a Stage 3 Road Safety Audit shall be submitted for the written approval of this Planning Authority.

- (20) Prior to the completion of the first dwellinghouse, the proposed pedestrian crossing of the A803 shall be completed in accordance with details approved in writing by this Planning Authority in respect of the exact design and location.
- (21) The primary road shall be designed in order to accommodate bus use, and shall incorporate stopping points and shelter facilities, in accordance with details and approved in writing by this Planning Authority.
- (22) Prior to the completion of the first dwellinghouse, the existing bus stops on the A803 shall be upgraded or relocated in accordance with details approved in writing by this Planning Authority.
- (23) Prior to the completion of the first dwellinghouse, an on-road cycle route shall be marked on Glasgow Road/Bonnybridge Road, at the location indicated on Figure 4 of the Updated Transport Assessment, dated December 2010, in accordance with details approved in writing by this Planning Authority.
- (24) Unless otherwise agreed with the Planning Authority in consultation with Transport Scotland, no part of the development shall be occupied until the infrastructure mitigation at the M80 West Slip Road Junction as generally illustrated in the JMP Drawing No SCT3178/I/WS/001/Rev E dated October 2011 is provided. These works will be completed to the satisfaction of the Planning Authority in consultation with Transport Scotland.
- (25) Unless otherwise agreed with the Planning Authority in consultation with Transport Scotland, no part of the development shall be occupied until the infrastructure mitigation at the M80 East Slip Road Junction as generally illustrated on the JMP Drawing No SCT3178/I/ES/001 Rev 1 dated December 2011 is provided. These works will be completed to the satisfaction of the Planning Authority in consultation with Transport Scotland.
- (26) No development shall commence until details of proposed new signage on the M80 West Slip Road have been submitted to and approved in writing by the Planning Authority in consultation with Transport Scotland.
- (27) No development shall commence until lighting details within the site have been submitted to and approved in writing by this Planning Authority in consultation with Transport Scotland.
- (28) No development shall commence until boundary fencing details with the M80 Slip Road have been submitted to and approved in writing by this Planning Authority in consultation with Transport Scotland.
- (29) The development shall not affect the integrity of the trunk road drainage network. No connections shall be made to the trunk road drainage network.



## Roads

- (30) The maximum gradient of the proposed primary road shall accord with the maximum gradient specified for a local distributor road in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area existing at the time of the Council's Minded to Grant decision, unless otherwise agreed in writing by this Planning Authority.
- (31) The maximum gradients of the proposed secondary and tertiary roads and the provision of visibility splays shall accord with the relevant standards as specified in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area existing at the time of the Council's Minded to Grant decision, unless otherwise agreed in writing by this Planning Authority.
- (32) All roads and associated infrastructure shall be designed and constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area existing at the time of the Council's Minded to Grant decision, unless otherwise agreed in writing by this Planning Authority.
- (33) Upon request by this Planning Authority, autotrack layouts shall be submitted for the approval in writing by this Planning Authority, to demonstrate the effective operation of the road layout.
- (34) Vehicle and cycle parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area existing at the time of the Council's Minded to Grant Decision.

## Implementation of Approved Details

- (35) The proposed development shall be implemented in full accordance with the details approved within the terms of the conditions of this permission and in accordance with agreed timescales unless a non-material change has been approved in writing by this 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.
- (4-5) To enable the respective matters to be considered in detail at the appropriate time following grant of planning permission in principle.
- (6-8) To protect and mitigate potential impacts on natural heritage and protected species interests.
- (9-10) To ensure that archaeological remains are safeguarded.

- (11-13) To secure the delivery of new facilities in accordance with appropriate timescales.
- (14-15) To mitigate the potential for flood risk to an acceptable level.
- (16-17) To safeguard the local Core Path Network.
- (18-19) To safeguard the interests of the users of the highway.
- (20-23) To provide appropriate infrastructure in the interests of transport alternatives to the private car.
- (24-26) To ensure impact of the development is adequately mitigated against with minimum interference to the safety and freeflow of the traffic on the trunk road.
- (27) To ensure that there will be no obstruction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.
- (28) To minimise the risks of pedestrians gaining uncontrolled access to the trunk road with the consequential risk of accidents.
- (29) To ensure the efficiency of the existing trunk road drainage network is not affected.
- (30-33) To safeguard the interests of the users of the highway.
- (34) To ensure that adequate parking is provided.
- (35) To ensure that the development is carried out in accordance with the approved details and appropriate timescales.

.....  
pp Director of Development Services

Date: 19 October 2015

## **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan (2007)
2. Falkirk Council Local Plan (December 2010)
3. Falkirk Local Development Plan (2015)
4. Scottish National Planning Statement: Designing Places (2001)
5. Scottish National Planning Statement: Designing Streets (2010)
6. Scottish Planning Policy (2010)
7. Falkirk Council Supplementary Planning Guidance
8. Letter of Objection from Mr and Mrs Maurice & Dorothy Cunningham, Broomridge Cottage 31 Glasgow Road Dennyloanhead Bonnybridge FK4 1QS on
9. Letter of Representation from W Watson & A Thomson, Knowehead 17 Station Road Longcroft Bonnybridge on
10. Letter of Objection from Mr Graham Marr, 71 Glasgow Road Dennyloanhead Bonnybridge FK4 1QT on
11. Letter of Objection from Mrs Margaret Kane, Springbank, Station Road, Longcroft, Bonnybridge on
12. Letter of Objection from Mr Mark Rooney, 25 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
13. Letter of Representation from Mr Thomas Hopkins, 2 High Street Bonnybridge, FK4 1DA on 3 November 2009
14. Letter of Objection from Pamela Forbes, 6 Watson Place Longcroft Bonnybridge FK4 2BG on
15. Letter of Objection from Mr Bruce Perry, 19 Lind Place, Dennyloanhead Bonnybridge FK4 1NQ on
16. Letter of Objection from Mr Bill Campbell, Bramblebank, Station Road, Longcroft Bonnybridge
17. Letter of Objection from Mr Richard Boyd, 153 Glasgow Road, Dennyloanhead, Bonnybridge FK4 1QX on
18. Letter of Objection from Mr Colin Mitchell, Mitchell652@btinternet.com on
19. Letter of Objection from Mr Andrew Moon, 187 Glasgow Road, Dennyloanhead, Bonnybridge FK4 1QY on
20. Letter of Objection from Mr and Mrs D McCabe, 4 Watson Place Longcroft Bonnybridge FK4 2BG on
21. Letter of Objection from Lesley Granton, 25 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
22. Letter of Objection from Mrs Angela Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
23. Letter of Objection from Malcolm and Alison Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
24. Letter of Objection from Louise Hagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
25. Letter of Objection from Graham Hagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
26. Letter of Objection from Dominique Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
27. Letter of Objection from Kenny Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
28. Letter of Objection from Mr Paul McFarlane, 29 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on

29. Letter of Objection from Mrs Wendy MacNeill, 23 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on
30. Letter of Objection from Tracey MacNeill, 23 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on
31. Letter of Support from Mrs E Kerr, 81 Braes View Denny FK6 5NG on 26 April 2010
32. Letter of Support from Miss N Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
33. Letter of Support from Mr McColl, 17 Solway Drive Head Of Muir Denny FK6 5NS on 26 April 2010
34. Letter of Support from Mr Michael Kane, 91 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
35. Letter of Objection from Mr Alistair Waters, 3 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
36. Letter of Support from Owner/Occupier, 10 Caledonia Terrace Bonnybridge FK4 1DQ on 27 April 2010
37. Letter of Support from Nadine McMenamy, 97 Dryburgh Avenue Denny FK6 6AF on 27 April 2010
38. Letter of Support from Mr T Bryson, 9 Hayfield Terrace Head Of Muir Denny FK6 5LA on 27 April 2010
39. Letter of Support from Miss C L Smith, 31 Annet Road Head Of Muir Denny FK6 5LQ on 27 April 2010
40. Letter of Support from Lisa and Steven Marr, 118 Dick Crescent Burntisland Fife KY3 0BT on 27 April 2010
41. Letter of Support from Mr Eric Milne, 10 Cowan Street Bonnybridge FK4 1ND on 27 April 2010
42. Letter of Support from Mrs Keay Annette, 49 Fairfield Avenue Bonnybridge FK4 1LX on 27 April 2010
43. Letter of from Mr Alex Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 27 April 2010
44. Letter of Support from Miss E Boyd, 15 Park Street High Bonnybridge Bonnybridge FK4 2AS on 27 April 2010
45. Letter of Support from Mr Craig Riddle, 72 Chacefield Street Bonnybridge FK4 1PS on 27 April 2010
46. Letter of Support from Mr M Gallagher, 10 Carronside Place Denny FK6 6LP on 27 April 2010
47. Letter of Support from Owner/Occupier, 5 Duncarron Place Denny FK6 6HL on 27 April 2010
48. Letter of Support from Mr James Riddle, 72 Chacefield Street Bonnybridge FK4 1PS on 27 April 2010
49. Letter of Support from Miss C Irvine, 86 Woodburn Crescent Bonnybridge FK4 2DL on 27 April 2010
50. Letter of Support from Debbie McNeil, 63 Reedlands Drive Denny FK6 5NX on 27 April 2010
51. Letter of Support from Mr Andy Dick, Bankhead House Bankhead Crescent Dennyloanhead Bonnybridge on 27 April 2010
52. Letter of Support from Mr Johnstone Duncan, 38 Garvald Road Head Of Muir Denny FK6 5NR on 27 April 2010
53. Letter of Support from Mr Ian Johnston, 42 Greenhill Road Bonnybridge FK4 2DN on 27 April 2010
54. Letter of Support from Owner/Occupier, 9 Milton Place Dunipace Denny FK6 6NE on 27 April 2010

55. Letter of Support from W Brennan, 11 Tullibody Road Alloa FK10 2LN on 27 April 2010
56. Letter of Support from Mr Ronnie Higgins, 1 St. Johns Grove Stoneywood Denny FK6 5HQ on 27 April 2010
57. Letter of Support from J Morrison, 12 Hollandbush Avenue Banknock Bonnybridge FK4 1JB on 27 April 2010
58. Letter of Support from Rosslyn Petale, 65 Ferguson Drive Denny FK6 5AF on 27 April 2010
59. Letter of Support from Miss M Thacker, 8 Park Avenue Dennyloanhead Bonnybridge FK4 1SB on 27 April 2010
60. Letter of Support from Janet Buchanan, 15 Dunure Crescent Bonnybridge FK4 1EG on 27 April 2010
61. Letter of Support from Jade Stokes, 18 Lithgow Place Denny FK6 5BF on 27 April 2010
62. Letter of Support from Claire Ogilvie, 17 Wallace Place Cambusbarron Stirling FK7 9PB on 27 April 2010
63. Letter of Support from Miss Gemma Tulloch, 75 Sutherland Drive Denny FK6 5EP on 27 April 2010
64. Letter of Support from Owner/Occupier, 10 Johnston Place Denny FK6 5HD on
65. Letter of Support from J R Hamilton, 58 Hayfield Terrace Head Of Muir Denny FK6 5PB on 26 April 2010
66. Letter of Support from Mr and Mrs J Boyle, 83 Braes View Denny FK6 5NG on 27 April 2010
67. Letter of Objection from Julia McNulty, [julia.mcnulty@hotmail.com](mailto:julia.mcnulty@hotmail.com) on
68. Letter of Objection from Ms Pamela Forbes, 6 Watson Place Dennyloanhead Bonnybridge on 9 May 2010
69. Letter of Objection from Mr Stephen Crookston, 30 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on 19 April 2010
70. Letter of Support from Margaret Cleland, 52 Main Street Bainsford Falkirk FK2 7PA on
71. Letter of Support from Charlene Kilpatrick, 1 Castle Terrace Denny FK6 6PH on 26 April 2010
72. Letter of Support from Mrs Louise Sutherland, 34 Hillhouse Road Head Of Muir Denny FK6 5PG on 26 April 2010
73. Letter of Support from Mrs Lyndsey Buchanan, 82 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 26 April 2010
74. Letter of Support from Jacqueline Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 26 April 2010
75. Letter of Support from MR P Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
76. Letter of Support from Owner/Occupier, Glen Far House Bankhead Crescent Dennyloanhead Bonnybridge on 26 April 2010
77. Letter of Support from Mr and Mrs Lawrence, Glen Far House Bankhead Crescent Dennyloanhead Bonnybridge on 26 April 2010
78. Letter of Support from Mrs Janet Cleland, 2 Highland Dykes Crescent Bonnybridge FK4 1ES on 26 April 2010
79. Letter of Support from Mr George MacFarlane, 46 Larbert Road Bonnybridge FK4 1EE on 26 April 2010
80. Letter of Support from Mrs D Cunningham, 11 Peathill Road Bonnybridge FK4 1LS on 26 April 2010
81. Letter of Support from Mrs C McKintosh, 6 Ferguson Drive Denny FK6 5AE on 26 April 2010
82. Letter of Support from Ryan Kelly, 22 Haughs Way Denny FK6 6HQ on 26 April 2010
83. Letter of Support from Mrs J E Ashby, 80 Chacefield Street Bonnybridge FK4 1PS on 26 April 2010
84. Letter of Support from Mrs V Kelly, 22 Haughs Way Denny FK6 6HQ on 26 April 2010

85. Letter of Support from Mrs Agnes Kane, 91 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
86. Letter of Support from Mr and Mrs Ross, 12 Bairns Ford Drive Falkirk FK2 7JD on 26 April 2010
87. Letter of Support from Mr B Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
88. Letter of Support from Mr M Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
89. Letter of Support from Owner/Occupier, 37B Main Street Bonnybridge FK4 1AF on 26 April 2010
90. Letter of Support from Mr and Mrs Fitzpatrick, 66 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 26 April 2010
91. Letter of Support from Jim and Helen Stirling, 30 Bonnywood Avenue Bonnybridge FK4 1NT on 26 April 2010
92. Letter of Support from Mr Marc Young, NO ADDRESS GIVEN on 28 April 2010
93. Letter of Support from Owner/Occupier, 37B Main Street Bonnybridge FK4 1AF on 27 April 2010
94. Letter of Support from Owner/Occupier, 21 Sawers Avenue Denny FK6 5BS on 27 April 2010
95. Letter of Support from Owner/Occupier, 41 Park Avenue Dennyloanhead Bonnybridge FK4 1SD on 27 April 2010
96. Letter of Support from Mrs Dorothy Dick, Bankhead House Bankhead Crescent Dennyloanhead Bonnybridge on 27 April 2010
97. Letter of Support from Vikki Morrison, 12 Hollandbush Avenue Banknock Bonnybridge FK4 1JB on 27 April 2010
98. Letter of Support from Miss Michelle Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 27 April 2010
99. Letter of Support from Mrs J Bryson, 13 Johnston Place Denny FK6 5HD on 27 April 2010
100. Letter of Support from Mr A McLaurin, 49 Glenbo Drive Head Of Muir Denny FK6 5PQ on 27 April 2010
101. Letter of Support from Janet Fraser, 15 Dunure Crescent Bonnybridge FK4 1EG on 27 April 2010
102. Letter of Support from Mr William Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 27 April 2010
103. Letter of Objection from Mr R Bryde, 5 Solway Drive Head Of Muir Denny FK6 5NS on 27 April 2010
104. Letter of Support from Mr G Kerr, 81 Braes View Denny FK6 5NG on 27 April 2010
105. Letter of Support from Owner/Occupier, 17 Castle Terrace Denny FK6 6PH on 26 April 2010
106. Letter of Support from Mr John Cummins, Glenruane 1 Robertson Avenue Bonnybridge FK4 1PA on 26 April 2010
107. Letter of Support from Malissa Gaston, 19 West Boreland Road Denny FK6 6PA on 26 April 2010
108. Letter of Support from Mr Andrew Cunningham, 3 Fairways Place Bonnybridge FK4 1PZ on 26 April 2010
109. Letter of Support from Mr Michael Livingstone, 16 Hogan Place Dennyloanhead Bonnybridge FK4 1FB on 26 April 2010
110. Letter of Support from Mr Ewan Marshall, 69 Main Street Bonnybridge FK4 1AL on
111. Letter of Support from Mr James Tripney, 6 Bankview Terrace Denny Road Dennyloanhead Bonnybridge on

112. Letter of Support from Mr & Mrs Vint, 9 Whithorn Crescent Moodiesburn G69 0HR on
113. Letter of Support from Jane Winters, No Address Given on
114. Letter of Representation from Mrs Lisa McDonald, 27 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
115. Letter of Support from Miss J Hall, 25 Brewster Place Denny FK6 6PS on 28 April 2010
116. Letter of Support from Mr Stuart Buchanan, 82 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 28 April 2010
117. Letter of Support from Margaret Kerr, 3 Auchincairn Gardens Bishopbriggs Glasgow G64 1DZ on 28 April 2010
118. Letter of Support from Owner/Occupier, 108 Ure Crescent Bonnybridge FK4 1NR on 28 April 2010
119. Letter of Support from R Campbell, 4 Glenbo Drive Head Of Muir Denny FK6 5PQ on 28 April 2010
120. Letter of Support from T Hardie, 48 Spence Street Bonnybridge FK4 1NH on 28 April 2010
121. Letter of Support from Mr J Brennan, 11 Kerr Crescent Haggs Bonnybridge FK4 1HH on 28 April 2010
122. Letter of Support from Jay Tonner, 9 Cairnoch Walk Denny FK6 5DD on 28 April 2010
123. Letter of Support from I Mrs McCool, 19 Sawers Avenue Denny FK6 5BS on 28 April 2010
124. Letter of Support from Lesley Kane, 1 Highland Dykes Crescent Bonnybridge FK4 1ES on 28 April 2010
125. Letter of Support from Lisa Young, 66 Westquarter Avenue Westquarter Falkirk FK2 9RF on 28 April 2010
126. Letter of Support from Mrs M Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 28 April 2010
127. Letter of Support from Owner/Occupier, 80 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 28 April 2010
128. Letter of Support from Mr Craig Riddell, 73 Chacefield Street Bonnybridge FK4 1PS on 28 April 2010
129. Letter of Support from Jean Binnie, 12 Bog Road Banknock Bonnybridge FK4 1TL on 28 April 2010
130. Letter of Support from Jane Healy, 7 Hillhead Avenue Banknock Bonnybridge FK4 1JN on 28 April 2010
131. Letter of Support from Mr and Mrs H Young, 16 Hallglen Terrace Glen Village Falkirk FK1 2AP on 28 April 2010
132. Letter of Support from Mr Gary Bond, 27 Alloway Crescent Bonnybridge FK4 1EY on 28 April 2010
133. Letter of Support from Louise Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 28 April 2010
134. Letter of Support from Mrs Rosemary Leitch, 22 Ferguson Drive Denny FK6 5AE on 28 April 2010
135. Letter of Objection from Mr Mike Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 18 October 2010
136. Letter of Objection from Mr David Dunn, 25 Rankin Crescent Dennyloanhead Fk4 1RA on 25 October 2010
137. Letter of Objection from Ian Binnie, Colians House Glasgow Road Longcroft on
138. Letter of Objection from June Waters, 3 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
139. Letter of Objection from Mr A Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010

140. Letter of Objection from Mrs A Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
141. Letter of Objection from Mr and Mrs C Morton, 15 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
142. Letter of Objection from Mrs Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
143. Letter of Objection from Mr Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
144. Letter of Objection from Karen Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
145. Letter of Objection from Mr Mike Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
146. Letter of Objection from AGH Munn, 6 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
147. Letter of Objection from A MacGregor, 31 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
148. Letter of Objection from Mr John Harris, 27 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
149. Letter of Objection from Elizabeth Harris, 27 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
150. Letter of Objection from Mr Stephen Wheatley, 29 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
151. Letter of Objection from Donna Wheatley, 29 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
152. Letter of Objection from Mr Martin Sievwright, 23 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
153. Letter of Objection from Ms Carole Campbell, 25 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
154. Letter of Objection from Mr Daniel Campbell, 25 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
155. Letter of Objection from Mr Raymond Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
156. Letter of Objection from Ms Wilma Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
157. Letter of Objection from Mr Graham Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
158. Letter of Objection from Mr B Duffy, 7 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
159. Letter of Objection from Mrs Duffy, 7 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
160. Letter of Objection from Mr David Buchanan, 37 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
161. Letter of Objection from Mr Graham Wagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
162. Letter of Objection from Councillor Martin Oliver, Municipal Buildings West Bridge Street Falkirk FK1 5RS on 23 November 2010
163. Letter of Objection from Mr G Walker, 1 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
164. Letter of Objection from Mr D Sneddon, Address Incomplete on 23 November 2010



165. Letter of Objection from Ms Alison Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
166. Letter of Objection from Ms Laura Sneddon, Incomplete Address on 23 November 2010
167. Letter of Objection from Mrs Angela Sneddon, Incomplete Address on 23 November 2010
168. Letter of Objection from Mrs M Walker, 1 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
169. Letter of Objection from Mr Malcolm Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
170. Letter of Objection from Mr Malcolm Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 14 October 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

**FALKIRK COUNCIL**

**Subject:** DEVELOPMENT OF LAND FOR UP TO 550 HOUSES, A COMMERCIAL BLOCK INCLUDING A CONVENIENCE STORE AND NURSERY, AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS JUNCTION WORKS, NEW ROADS AND PATHS, OPEN SPACE, WOODLAND PLANTING, SURFACE WATER DRAINAGE PONDS AND PLAY FACILITIES AT LAND TO THE NORTH OF WATSON PLACE, GLASGOW ROAD, LONGCROFT FOR MACTAGGART & MICKEL – P/09/0508/OUT

**Meeting:** PLANNING COMMITTEE

**Date:** 23 March 2011

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Denny and Banknock  
Councillor Jim Blackwood  
Councillor John McNally  
Councillor Martin David Oliver  
Councillor Alexander John Waddell

**Community Council:** Banknock, Haggs and Longcroft

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext. 4935

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 The application is a major development and seeks planning permission in principle for the development of land for up to 550 dwellinghouses and a commercial block and associated infrastructure including access junction works, new roads and paths, open space, woodland planting, surface water drainage ponds and play facilities.
- 1.2 The application site extends to approximately 31.5 hectares and is bounded by an established housing area to the east, a disused railway line to the south, Station Road to the west and field boundaries and the natural contours of the land to the north. The application site extends across the A803 (Glasgow Road) at two locations, where junctions to access the site are proposed. To the north of the site is the M80.
- 1.3 The site consists of predominately open fields and there is derelict industrial land in the south-east corner. There are few trees on the site apart from along the southern boundary and the lower eastern boundary. The proposed western access point is at the location of a former plant/tree nursery. The landform rises from south to north and the site is steeply sloping in places. There are extensive views over the valley from the elevated areas of the site.

- 1.4 The application was registered prior to the commencement of the requirements of the Planning Etc. (Scotland) Act 2006 for the undertaking of Pre-Application Consultation for major developments. Therefore, the pre-application consultation procedures do not apply to this proposed development.
- 1.5 The applicant has, however, undertaken a community consultation exercise. This consisted of public exhibitions held at Head of Muir Primary School on 22 and 23 April 2010. These events were advertised in the Falkirk Herald and 1600 leaflets were distributed to local residents and businesses advising of the events. A Consultation Report has been submitted with the application, which provides a detailed account of the community consultation exercise and the comments made. The comments informed the Masterplan Finalised Draft, dated October 2010, and local residents and businesses were notified of the availability of this finalised draft and further comments were invited.
- 1.6 The following information has been submitted in support of the application:-
- A Masterplan Document;
  - An Air Quality Assessment;
  - A Drainage Overview;
  - A Services Review;
  - A Geo-environmental Desk Study;
  - A Noise Impact Assessment;
  - An Ecological Assessment;
  - A Great Crested Newts Report;
  - A Transport Assessment; and
  - A Community Consultation Report;
- 1.7 The Masterplan indicates the following land uses:-
- Up to 550 residential units, including 15% affordable units for sale or rent;
  - The creation of a commercial centre, fronting onto Glasgow Road, comprising a local retail store and children's nursery;
  - Two new junctions on the A803 that would be linked via an internal road network; and
  - A series of formal and informal open spaces, which would include an area of equipped children's and toddler play, new and retained woodland planting, sustainable urban drainage features and amenity areas, all linked by a path network.

## **2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application requires consideration by the Planning Committee as the application site includes land within the ownership of Falkirk Council.

## **3. SITE HISTORY**

- 3.1 Various parts of the application site, particularly where close to the A803, have been subject to a lengthy history of refused or withdrawn planning applications for residential development, due to the land lying outwith the settlement limits as defined at that time. These applications are summarised as follows:-

- Application ref: F/90/0792 for the development of land for housing/industrial purposes was refused;
- Application ref: F/91/0613 for the erection of a dwellinghouse (outline) was refused;
- Application ref: F/91/0615 for the development of land for residential purposes (outline) was withdrawn;
- Application ref: F/95/0003 for the development of land for residential purposes (outline) was withdrawn;
- Application ref: F/96/0686 for the development of land for residential purposes (outline) was refused;
- Application ref: F/2003/1052 for the development of land for housing purposes was withdrawn; and

- 3.2 Land within the settlement limits, where the western access junction is proposed, has been granted two planning permissions for housing development. These are:

- Application ref: F/97/0290 for the erection of a dwellinghouse (outline); and
- Application ref: F/2000/0044 for the erection of 6 dwellinghouses (detailed). This permission was not implemented. A subsequent application for the erection of housing (ref: 05/0943/OUT) was withdrawn.

## 4. CONSULTATIONS

- 4.1 The Roads Development Unit have noted that the masterplan has been informed by the Scottish Government's Policy Statement: Designing Streets (March 2010). They note that there are conflicts between Designing Streets and the Design Guidelines and Construction Standards in the Falkirk Council Area (DGCS) but would consider exercising discretion in respect of the gradients of the proposed secondary and tertiary roads, the horizontal curve radius of the roads and the visibility splays. They advise that the maximum gradient of the proposed primary road should adhere to the maximum gradient for local distributor roads specified in the DGCS. This is because the steeper gradients proposed by the applicant would increase the likelihood of access and safety issues during severe winter weather and an increased maintenance burden. They advise that the surface water drainage systems should be designed to accommodate a 1 in 100 storm event and that any discharge to the Bonny Water should be at a rate of 3.2 litres/second/hectare, in accordance with the Council's guidelines.
- 4.2 Scottish Water have no objection to the application but note that any grant of planning approval does not guarantee a connection to their infrastructure. They advise that, due to the size of the proposed development, a fully completed Drainage Impact Assessment form would need to be submitted.
- 4.3 The Scottish Environmental Protection Agency (SEPA) have reviewed the Drainage Overview submitted with the application and are satisfied with the proposal for a first level of treatment consisting of source control via roadside swales and porous paving and a second level of treatment consisting of four detention basins. They have no objection to the application, provided these proposals are incorporated into the final drainage plan.
- 4.4 The Environmental Protection Unit have reviewed the noise impact assessment, air quality assessment and geo-environmental desk study submitted with the application. They note the assumptions made in the noise impact assessment regarding the minimum distance of the new dwellinghouses to the M80 and that the dwellinghouses would be masonry constructed. They advise that the detailed noise mitigation in relation to layout, construction detail and window specification would be considered at the detailed planning stage. They accept that the predicted changes to nitrogen dioxide and particulate concentrations, arising from the traffic flows associated with the proposed development, would meet the statutory objectives at the majority of receptor locations. They note the recommendation to locate the proposed dwellinghouses more than 23 metres from the M80 carriageway, in order to meet the statutory nitrogen dioxide objective. They advise that a revised Conceptual Site Model will be required in order to fully assess potential sources of contaminated land and note that intrusive site investigations and risk assessment will be required.

- 4.5 The Transport Planning Unit are satisfied that the impact of the proposed development on the capacity of the A803 at the new access points has been modelled correctly and accept the proposed signalised western junction and the priority eastern junction. They advise that the A803/M80 slip road junctions would be over-capacity as a consequence of the impact of cumulative housing development in the area but the modeling to inform the detailed mitigation has not been submitted and the mitigation and delivery mechanisms and phasing/timing have not been agreed. They advise that financial contributions would be required towards provision of the Denny Eastern Access Road (DEAR) and potentially towards enhancements to public transport services. They advise that road safety audits of the proposed access junctions would be required. They note that existing bus stops would be upgraded and advise that the westbound bus stop adjacent to the proposed western access would need to be relocated. They advise that a welcome travel pack should be produced for each new dwellinghouse, which provides information on local walking and cycling networks and public transport services and facilities.
- 4.6 Scottish Natural Heritage have no objection to the application. They have reviewed the Great Crested Newts Report submitted with the application and are satisfied that there is no evidence of current use of the existing ponds on the site by great crested newts. They request the carrying out of a badger survey as a small area of semi-natural woodland on the eastern edge of the site may have badgers and setts.
- 4.7 Transport Scotland note that work is currently underway to identify the impact of both the Dennyloanhead and Banknock and Haggs SIRR development sites on the junctions of the M80 slip roads and the A803. They note that an overall improvement scheme to mitigate the impacts and procurement and delivery of the scheme has not yet been agreed. They advise that they would recommend refusal of the application due to insufficient information if they were to formally respond to the planning application.
- 4.8 Central Scotland Police have advised that the entire development should be designed to 'Secured by Design' award standards. They advise that properties and car-parking should be overlooked to provide natural surveillance. They make recommendations in relation to boundary treatments and open space landscaping.
- 4.9 Education Services have advised that a single stream extension to Head of Muir Primary School would be required to meet the anticipated capacity needs associated with the proposed development. They advise that draft design and delivery timescales for the proposed extension have been agreed and that the detailed costs, the delivery mechanism and nursery provision would need further consideration. They have requested a pro-rata contribution at a rate of £1000 per dwellinghouse and £550 per flats towards the provision of future capacity at Denny High School.
- 4.10 Community Services (Parks and Recreation) have requested the provision of recreation facilities to the value of £412,500, based on their current benchmark value of £750 per dwellinghouse. They accept the principle of the proposed central play facility and the proposed replacement all-weather sports pitch at Head of Muir Primary School.

- 4.11 Museum Services have advised that the site is not known to contain any ancient monuments and that historic features include the Kilsyth and Bonnybridge Railway Line (which skirts the southern edge of the site), coal pits and Easter Shielyards Farm (of which there are standing remains). They request that the line of the railway be preserved and that a survey be undertaken of the farm buildings prior to demolition.

## **5. COMMUNITY COUNCIL**

- 5.1 The Banknock, Haggs and Longcroft Community Council have not made any representations.

## **6. PUBLIC REPRESENTATION**

- 6.1 A total of 20 representations were initially received to the application. Nineteen of these were objections. The concerns raised in these representations can be summarised as follows:-

### ***Planning***

- The site area has increased from 20 to 29 hectares;
- The number of units has increased;
- The area is Green Belt;
- The application is premature pending the outcome of the local plan inquiry;
- Overdevelopment at a large scale;
- Not in keeping with existing density of the area;
- Unsuitable location for a major development;
- A previous planning application was withdrawn;
- No need for the proposed development as there is sufficient new housing in the area;

### ***Visual Impact/Rural Character***

- Loss of open space;
- Impact on setting of Antonine Wall Heritage Site;

### ***Rural Land***

- Loss of greenfield agricultural land

### ***Amenity***

- Construction related impacts e.g. noise, mud on roads;

- Length of construction period;
- Traffic noise at new access junctions;
- Overlooking;
- Overshadowing/Loss of natural light;
- Loss of privacy;
- Differences in levels either side of the site boundaries;
- Loss of woodland views;
- Proximity of proposed path network to existing residences;

### ***Natural Environment***

- Destruction of natural habitat;
- Loss of woodland;
- Loss of trees and hedges;
- Impacts on wildlife e.g. deer, badger, foxes, bats and bird species;
- The site has Japanese Knotweed;

### ***Traffic Impact/Road Safety***

- Existing road structure and layout cannot support the increase in traffic;
- Existing problems with access onto the main road;
- Increased traffic congestion on the A803;
- Longer queues to get access on and off the A80/M80 at Banknock;
- Concerns if access is taken from Station Road;
- Additional traffic would compromise vehicle safety and lead to an increase in road traffic accidents;
- Additional access roads would raise road safety concerns;



### ***Surface Water Drainage/Flooding***

- Existing drainage and flooding problems;
- Flooding problems due to run off from the site;
- Land re-profiling would lead to drainage, flooding and landslip problems;

### ***Infrastructure and Community Facilities***

- Impacts on infrastructure and community facilities e.g. schools, doctors surgeries and dentists;
- Lack of local facilities e.g. shops;
- No recreational facilities in the area;
- The field is used by dog walkers and as a play area by children;
- Inadequate public transport;

### ***Ground Suitability***

- The land is unsuitable due to old mine workings;

### ***Others***

- Devaluation of properties.

6.2 Following the public exhibitions at Head of Muir Primary School on 22 and 23 April 2010, a further 102 representations were received. Ninety eight of these were letters in support of the application. Two were objections.

6.3 The reasons in support of the application can be summarised as follows:-

- Benefits to the community;
- The area needs regeneration;
- The development is needed for the area;
- Improvements to infrastructure;
- Provision of community facilities and amenities;
- Provision of affordable housing;
- Provision of public walkways;

- Extension of Head of Muir Primary School;
- Provision of childcare facilities;
- Provision of new recreational facilities, including play areas and sports pitches;
- Improved access to key transportation routes, including the M80;
- The road layout would lead to safer roads;
- The Denny Eastern Access Road (DEAR), which the applicant is to help fund, would provide a safer route to Denny High School and ease congestion at Denny Cross;
- Enhancement of a disused area;
- The proposed development is sympathetic to the area;
- High quality housing;
- The houses would be built in a safe and pleasant landscaped environment;
- Increased business to local trades and businesses; and
- Employment creation.

6.4 Additional concerns raised in the further representations can be summarised as follows:-

- The proposed retail/licensed premise is not supported;
- Query regarding the nature of the proposed affordable housing;
- An extension to Head of Muir nursery would be needed;
- The proposed road upgrades are inadequate;
- The proposal for a walkway on the disused railway line would encourage anti-social behaviour e.g. loitering, vandalism and littering.

6.5 In October 2010, the applicant notified local residents of the availability of the Masterplan Finalised Draft. Following this, 41 objections to the application were received. Previously raised concerns were re-iterated. Additional concerns or queries can be summarised as follows:-

- The site is a natural gap between Dennyloanhead and Longcroft;
- Lack of foresight in considering the combined impact of new development in the area;

- What proposals are there for community facilities such as shops, a community centre, a GP surgery and play facilities?;
- No agreed timescale for the proposed improvements to Head of Muir Primary School;
- What impact would there be on other schools such as St Patrick's, St Joseph's and St Mungo's?;
- There are limits to school extensions without eroding open space;
- Local affordable housing need would not be met;
- The NHS is unlikely to provide a new health centre.
- Loss of visual appearance;
- Adverse effect on land with recreational value;
- What protection and enhancement measures of green space and wildlife habitats are proposed?;
- There are bats and great crested newts on the site;
- The A803 and M80 slip road junctions are currently at capacity;
- There are very few options to assist with traffic flows on the A803;
- There would be a significant increase in congestion as a consequence of trips to Falkirk Town Centre, work trips and school trips;
- There would be a significant increase in vehicle use and public transport patronage is declining;
- Has a traffic impact analysis been carried out or green travel plans introduced?;
- Road safety hazard on the A803 for pedestrians and vehicles;

## **7. DETAILED APPRAISAL**

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

Accordingly,

## 7a The Development Plan

### *Approved Falkirk Council Structure Plan*

7a.1 Policy ECON. 5 ‘Location of New Retail and Commercial Leisure Development’ states:

*“The scale of new retail development will be commensurate with maintaining the hierarchy of shopping centres shown in Schedule ECON 5 and enhancing them. Proposals for significant new retail and commercial leisure development should accord with the following principles:*

- 1. non food retailing will be directed to Falkirk Town Centre and the District Centres. In addition, provision will be made for bulky household goods retailing at Middlefield/Westfield Strategic Development Opportunity (up to 25,000 sq m gross), and for limited specialist retailing at the Falkirk Canal Interchange Strategic Development Opportunity, as set out in Schedule ECON.1 and subject to the criteria in Policy ECON.2;*
- 2 priority will be given to the provision of new food retail floorspace in Grangemouth, Larbert/Stenhousemuir, the Polmont area, Denny and Bonnybridge/Banknock, of a scale commensurate with the local catchment. New food retail floorspace will be directed to the District Centres and other established local centres, and only to new local centres where they meet the criteria set out in Policy ECON.6;*
- 3 new food retail floorspace in Falkirk will be restricted to existing commitments, neighbourhood stores of less than 1,000 sq. m. gross floorspace, and limited extensions to existing stores; and*
- 4 commercial leisure developments will be directed to Falkirk Town Centre, the District Centres and those other Strategic Development Opportunities for which such uses are specified in Schedule ECON.1.”*

7a.2 The proposed development incorporates a commercial development block at the western entrance to the site. The block is proposed to accommodate two units, including a 1000m2 convenience store. Retail development at this scale is considered to be commensurate with the local catchment and with maintaining the hierarchy of shopping centres in the Falkirk Council area, and would serve a local need. It is below the threshold size where a retail impact assessment is required. The proposed retail development therefore accords with this policy.

7a.3 Policy COM.1 ‘Housing Land Allocations’ states:

*“The Council will:*

- 1 support the phased provision of land for new housing as detailed in Schedule COM.1a to which a flexibility allowance of 10% will be added under Policy COM.2;*
- 2 maintain an effective 5 year supply of the housing land set out in Schedule 1a;*
- 3 review the housing calculations and allocations at intervals of no more than 5 years; and*
- 4 In delivering the requirement in Schedule Com.1a the Council will support special initiatives for residential led regeneration at the location listed in Schedule Com.1b, provided that action plans and masterplans/ development frameworks are prepared in accordance with the local plan. In particular these must address phasing, social and physical infrastructure provision, the avoidance of adverse impacts on European sites, the removal of significant restraints and land acquisition as appropriate.”*

7a.4 The application site is allocated for housing in the adopted Falkirk Council Local Plan. The Local Plan indicates that, due to faster building rates than expected through the early years of the Structure Plan, there is a need to allocate additional sites to maintain a continuity of housing land supply in the Local Plan period and beyond. The allocation of the application site responds to this need. Accordingly, the proposed development supports the Structure Plan housing land requirement and maintenance of an effective 5 year supply of housing land. The proposed development therefore accords with this policy.

### ***Adopted Falkirk Council Local Plan***

7a.5 The Bonnybridge and Banknock Village Statement identifies the application site as new housing allocation H.B&B07 (Longcroft/Dennyloanhead). The accompanying text indicates the following:-

- A capacity of 500 units;
- A development brief and masterplan is required;
- The design will have to address access issues and the visual impact of the development on the rising ground;
- There may be a history of poor ground instability and land contamination;
- Provision will have to be made for social and physical infrastructure;
- Developer contributions will be raised in accordance with the tests set out in national planning policy guidance;
- A proportionate contribution will be required towards the Denny Eastern Access Road.

7a.6 These matters are considered in the context of the relevant Local Plan policies as detailed in this report. A masterplan has been prepared by the applicant in consultation with the local community and in collaboration with the Council's planning service. This collaborative approach to produce a masterplan was agreed as an alternative to the Council first producing a development brief.

7a.7 Policy EQ3 'Townscape Design' states:

*"New development will be required to contribute positively to the quality of the built environment. Proposals should accord with the following criteria:*

- (1) The siting, layout and density of new development should create a coherent structure of streets, amenity space and buildings which respects and complements the site's environs and creates a sense of identity within the development;*
- (2) Streets and public spaces should have buildings fronting them, and where this is not possible, a high quality architectural or landscape treatment will be required as an alternative;*
- (3) The design of new buildings should reflect the surrounding urban fabric in terms of scale, height, massing and building line;*
- (4) Building materials, finishes and colours should be chosen to complement those prevailing in the local area;*

- (5) *Existing buildings or structures which contribute to the local townscape should be retained and integrated sensitively into the layout; and*
- (6) *The contribution to the townscape of important landmarks, skylines and views should be respected.”*

7a.8 The masterplan sets out a comprehensive framework to inform the detailed applications and achieve design quality. It includes general design principles, identifies the key generators of character and has drawings which illustrate the overall urban structure, the road hierarchy, the landscape framework and the key frontages and views. The various elements have been carefully designed to work with the rising landform and are well connected to create a coherent structure. The design principle of ‘place making’ has informed the road hierarchy and proposed street standards. The fronting of buildings onto streets and public spaces is promoted and the key locations for landmark buildings are identified. Low, medium and high density areas are identified, which respond to the landform and would guide the creation of different character areas. Lower densities occupy the more visible higher land. The detailed design and materials would be considered at detailed planning stage. In principle, the proposed development is considered to accord with this policy.

7a.9 Policy EQ4 - ‘Landscape Design’ states:

*“Development proposals should include a landscape framework which enhances the development and assists integration with its surroundings. The landscape scheme should:*

- (1) *Be informed by the surrounding landscape;*
- (2) *Retain and incorporate existing vegetation, natural and cultural features where they contribute to the amenity and biodiversity of the site, with provision for replacement planting where removal is authorised;*
- (3) *Integrate with strategies for the provision of open space, pedestrian access, and sustainable urban drainage systems on the site;*
- (4) *Promote biodiversity, including the use of native tree and plant species (see Policy EQ25);*
- (5) *Incorporate robust structure planting to provide structure in larger developments, and screen the edge of developments where necessary;*
- (6) *Incorporate street trees and informal open space planting to assist in structuring and unifying streets and spaces;*
- (7) *Incorporate high quality hard landscaping, including surface materials, boundary enclosures and street furniture which are robust and complement the development; and*
- (8) *Demonstrate that satisfactory arrangements have been made for the future maintenance and management of all landscaped areas.”*

7a.10 The masterplan includes a landscape framework, which comprises a connected network of amenity open space, woodland planting, a park with an equipped play area, sustainable urban drainage features, avenue planting and paths. The network has been informed by the surrounding landscape and existing woodland would be retained and the elevated northern edge of the site would be planted in woodland to screen and integrate the development into its surroundings. The proposed landscape framework provides a significant opportunity to enhance local biodiversity. The detailed soft and hard landscaping proposals and maintenance arrangements would be considered at detailed planning stage. In principle, the proposed development is considered to accord with this policy.

7a.11 Policy EQ5 'Design and Community Safety' states:

*"Development proposals should create a safe and secure environment for all users through the application of the following principles:*

- (1) Buildings, public spaces, access routes and parking areas should benefit from a high level of natural surveillance;*
- (2) Boundaries between public and private space should be clearly defined;*
- (3) Access routes should be direct, clearly defined and well lit, with recognised points of entry; and*
- (4) Contributions to the provision of CCTV may be sought, where appropriate."*

7a.12 The fronting of buildings onto public spaces and creating well defined open spaces is promoted in the masterplan and reflected in the general design principles. In principle, the proposed development is therefore considered to accord with this policy. Detailed consideration of safety and security in design would be considered at detailed planning stage.

7a.13 Policy EQ6 'Design and Energy Use' states:

*"Developers should demonstrate how they have assessed and pursued opportunities for sustainable energy use in new developments. In particular:*

- (1) Local climatic factors should be taken into account, and opportunities taken to maximise solar gain and minimise wind chill in the layout and orientation of buildings;*
- (2) The utilisation of renewable energy sources in meeting the energy needs of developments will be encouraged where appropriate in terms of type, scale and impact; and*
- (3) Combined heat and power and community heating schemes as part of new developments will be encouraged."*

7a.14 The masterplan promotes a sustainable approach to development and therefore, in principle, the proposed development is considered to accord with this policy. An energy strategy would need to be prepared to consider in detail the opportunities for embedding sustainable energy use into the proposed development, for example, through site and building design and the utilisation of renewable energy sources.

7a.15 Policy EQ9 - 'Public Art' states:

*"The Council will encourage the incorporation of public art in the design of buildings and the public realm. Developers will be required to adopt 'Percent for Art' schemes in respect of major commercial development schemes."*

7a.16 The masterplan indicates that a public realm area would be created at the proposed commercial development. It has been agreed that this area would be the most suitable for public artwork. In principle, the proposed development is therefore considered to accord with this policy. The applicant proposes to commission the work and the detail would be subject to further consideration and community consultation.

7a.17 Policy EQ16 'Sites of Archaeological Interest' states:

- “(1) Scheduled ancient monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances;*
- (2) all Other archaeological resources shall be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications; and*
- (3) Developers may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development.”*

7a.18 The site does not contain any ancient monuments and is not known to contain any other nationally important archaeological resources. The line of the former Kilsyth and Bonnybridge railway, which skirts the southern edge of the site, would be preserved where feasible. There is no strong case to preserve the standing remains of Easter Shielyards Farm however an archaeological investigation would be required to provide for excavation, analysis and recording. The proposed development is considered to accord with this policy.

7a.19 Policy EQ22 'Landscape and Visual Assessment' states:

*“Development proposals which are likely to have a significant landscape impact must be accompanied by a comprehensive landscape and visual assessment as part of the Design Statement, which demonstrates that the setting is capable of absorbing the development, in conjunction with suitable landscape mitigation measures, and that best environmental fit has been achieved, in terms of the landscape character of the area.”*

7a.20 A Landscape Appraisal has been submitted with the application. The appraisal recognises that the proposed development would change a principally open area of farmland into a residential area but this would be seen as an extension to the existing residential area to the east. No significant landscape impacts are identified subject to mitigation measures. One significant visual impact is identified locally, being views from Station Road. Proposed mitigation measures, to minimise landscape and visual effects, include preservation of prominent landform features, such as the open ridge along the northern boundary, the setting down of the built form to avoid the skyline and the establishment of a substantial landscape framework. These measures are reflected in the masterplan. The findings and recommendations of the appraisal are accepted. Accordingly, it is considered that the setting is capable of absorbing the proposed development subject to mitigation. The proposed development therefore accords with this policy.



7a.21 Policy EQ24 'Ecological Sites and Features' states:

- “(1) Development likely to have a significant effect on Natural 2000 sites (including Special Protection Areas, Special Areas of Conservation, and Ramsar Sites) will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions; and there are imperative reasons of overriding public interest, including those of a social or economic nature. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers)..*
- (2) Development affecting Sites of Special Scientific interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of national importance.*
- (3) Development affecting Wildlife Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, wildlife corridors and other nature conservation sites of regional or local importance will not be permitted unless it can be demonstrated that the overall integrity of the site will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance.*
- (4) Development likely to have an adverse affect on species which are protected under the Wildlife and Countryside Act 1981, as amended, the Habitats and Birds Directives, or the Protection of Badgers Act 1992, will not be permitted.*
- (5) Where development is to be approved which could adversely affect any site of significant nature conservation value, the Council will require mitigating measures to conserve and secure future management of the site's natural heritage interest. Where habitat loss is unavoidable, the creation of replacement habitat to compensate for any losses will be required.*
- (6) The Council, in partnership with landowners and other relevant interests, will seek the preparation and implementation of management plans for sites of nature conservation interest.”*

7a.22 The proposed development would not affect any Natura 2000 site or Site of Special Scientific Interest. Parts 1 and 2 of this policy are therefore not relevant.

7a.23 Part 3 of the policy is relevant as the Parkfoot Marsh Wildlife Site lies to the south of the application site, on the opposite side of the A803. The potential for the proposed development to impact on the hydrology of this wildlife site would need to be considered in a comprehensive Ecological Impact Assessment. The assessment would identify any necessary mitigation measures to protect the overall integrity of the wildlife site and inform the detailed layout.

7a.24 With regard to Part 4 of the policy, the species surveys undertaken to date have not found any evidence of bats, great crested newts or badgers. Further protected species surveys would be required, at a suitable time of year, to update the situation and inform any necessary mitigation.

7a.25 It is considered that there are no fundamental issues within the terms of this policy. In principle, the proposed development therefore accords with this policy. Any necessary mitigation would be identified at detailed planning stage.

7a.26 Policy EQ25 'Biodiversity' states:

*"The Council will promote the biodiversity of the Council area and ensure that the aims and objectives of the Falkirk Area Biodiversity Action Plan are promoted through the planning process. Accordingly:*

- (1) Developments which would have an adverse effect on the national and local priority habitats and species identified in the Falkirk Area Biodiversity Action Plan will not be permitted unless it can be demonstrated that there are overriding national or local circumstances;*
- (2) The safeguarding, enhancement and extension of the broad and key habitats and the species of conservation concern identified in 'The Biodiversity of Falkirk' will be given particular attention in the consideration of development proposals;*
- (3) Development proposals should incorporate measures to promote, enhance and add to biodiversity, through overall site planning, and infrastructure, landscape and building design, having reference to the Supplementary Planning Guidance Note on 'Biodiversity and Development'; and*
- (4) Priority will be given to securing appropriate access to and interpretation of areas of local nature conservation interest. The designation of Local Nature Reserves, in consultation with communities, local wildlife groups and statutory bodies will be pursued."*

7a.27 A phase 1 habitat survey and site walkovers have identified six habitat types including semi-natural broadleaved woodland, improved grassland, standing water and hedges. It was concluded that the habitat resource of the site is restricted and most the land is grassland habitat of low habitat value. The surveys were undertaken during January and March when many plant and animal species are difficult to detect and identify or are not present. A breeding bird survey has not been undertaken. Further surveys, at a suitable time of year, would therefore be required, to the satisfaction of the Council's Biodiversity Officer. The assessment would inform the detailed mitigation, compensatory and enhancement measures to promote local biodiversity, which would be detailed in a Site Biodiversity Action Plan.

7a.28 The masterplan has taken biodiversity interests into account as existing woodland areas and ponds are to be retained and included within an extensive green network. The ponds would be incorporated within the proposed SUDS facilities. It is evident that the extensive green network would provide opportunities to compensate for any loss of valuable local priority habitats and species.

7a.29 It is considered that there are no fundamental issues within the terms of this policy. In principle, the proposed development therefore accords with this policy.

7a.30 Policy EQ29 'Outdoor Access' states:

- "(1) The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network once it is defined.*
- (2) In promoting new routes particular emphasis will be placed on*
  - opportunities specified on the Proposals Map*
  - other opportunities which support and provide linkages in respect of the Falkirk Greenspace Initiative, the recreational use of the major river corridors, including the Forth Estuary, and sustainable travel within and between settlements;*
  - other areas of proven demand as identified through community consultation; and*

- *the need to safeguard protected habitats and species in accordance with Policies EQ24 and EQ25.*
- (3) *When considering planning applications, the Council will*
- *Safeguard the line of any existing or proposed access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed.*
  - *Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development, particularly where they relate to the priority areas identified in sub-section (2) above.*
  - *Where an access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development."*

7a.31 The masterplan indicates an extensive path network that safeguards existing informal routes on the site and improves and extends opportunities for public access. The path network provides a perimeter route and a central north-south link. In addition, a financial contribution would be payable to help fund the provision of a link from the north east corner of the site to Denny Road, adjacent to the northern edge of Rankin Crescent and Glen View. This would provide a shorter walking distance to Head of Muir Primary School and the Archibald Russell Centre for new and existing residents. An existing Core Path is proposed to be diverted and this would be subject to a formal request under the Land Reform (Scotland) Act 2003. This is considered to be acceptable in principle. Suitable arrangements to use the Core Path network would need to be in place during construction works. In principle, the proposed development is considered to accord with this policy. The details regarding exact path location and specification would be subject to consideration at detailed planning stage.

7a.32 EQ30A – ‘Air Quality’ states:

*The Council will seek to contribute to the improvement of air quality. Impacts on air quality will be taken into account in assessing development proposals, particularly within Air Quality Management Areas (AQMAs). Air Quality Assessments may be required for development within AQMAs.*

7a.33 The application site does not currently fall within an Air Quality Management Area (AQMA) but mean annual nitrogen dioxide objectives are exceeded within the proximity of the A/M80 in the local area. An Air Quality Assessment has been submitted with the application which recommends that the new dwellinghouses be located greater than 23 metres from the M80 carriageway, in order to meet the statutory objective. The masterplan indicates a setback from the M80 substantially greater than 23 metres. In addition, the Air Quality Assessment concluded that impacts during the construction phase, due to particulate matter, would be minor adverse and the impact of traffic flows associated with the proposed development would be minor adverse to insignificant in respect of nitrogen oxide and insignificant in respect of particulate matter. It is considered that air quality impacts have been satisfactorily taken into account in assessing the proposed development. The proposed development therefore accords with this policy.

7a.34 Policy SC1 - 'Housing Land Provision' states:

- “(1) Through the Local Plan, the Council will aim to meet the housing land requirements of the Falkirk Council Structure Plan for at least the period up to 2012, as detailed in Table 4.1. Sites contributing towards the requirement are detailed under the relevant Settlement Statements.*
- (2) Sites identified as long-term development opportunities on the Proposals map will be the preferred locations for residential growth within the relevant settlements for the period 2012 - 2020. Consideration will only be given to bringing forward these sites for development prior to 2012 where clearly justified by supply, phasing and infrastructure factors.*
- (3) Within the areas identified as Special Initiatives for Residential-Led Regeneration (SIRRs) on the Proposals Map, housing development in addition to the base requirement will be supported subject to:*
  - the preparation of a satisfactory masterplan or development framework for the area; and*
  - demonstration that the necessary social and physical infrastructure requirements for the area will be met through a co-ordinated approach to developer contributions.”*

7a.35 The application site is identified in the adopted Local Plan as an allocated housing site to contribute towards meeting the housing land requirement and allowing a continuity of housing land supply up to 2020 and beyond. The proposed development therefore accords with this policy.

7a.36 Policy SC4 'Special Needs and Affordable Housing' states:

*“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, Communities Scotland and Registered Social Landlords to comply with this policy.”*

7a.37 The proposed development would provide for 15% of the total number of units as affordable or special needs housing, in accordance with the requirements of this policy. The applicant has indicated that the affordable and special needs housing could include accommodation for private rent, low cost private ownership, shared-ownership/equity as well as key worker accommodation, sheltered housing and special needs accommodation. This matter would be subject to a Section 75 Legal Agreement and the specific details of the location and nature of provision would be considered at detailed planning stage. In principle, the proposed development accords with this policy.

7a.38 Policy SC6 - 'Housing Density And Amenity' states:

- “(1) Overall density in new residential developments should conform to the indicative capacity shown for allocated sites or, in the case of windfall sites, be dictated by the character of the surrounding area and the design objectives for the site, as established in the Design Concept Statement. Higher densities may be allowed where this helps to achieve design excellence.*
- (2) On large sites, housing density should be varied to create areas of different character, reflecting the structure of streets and spaces in the development. A mix of housing types will be required.*
- (3) Adequate properly screened private amenity space should be provided for dwellinghouses. In flatted developments, communal space for clothes drying and private amenity should be provided.*
- (4) Housing layouts should be designed to ensure adequate privacy and to avoid excessive overshadowing of houses or garden ground. A minimum distance between overlooking windows of 18 metres will generally be required.”*

7a.39 The indicative capacity for this allocated housing site (H.B&B07) is 500 units whilst the proposed development is for up to 550 units. It is recognised that the capacities identified in the adopted Local Plan are indicative only and that the actual numbers of units would be informed by detailed analysis. The applicant considers that the site could accommodate a 10% increase in units, to provide for a mix of house types and densities whilst respecting the character of the area and incorporating sufficient open space. However, it is not necessarily the case that an increase to 550 units is needed to help achieve design excellence, which is the test under part 1 of the policy, to support a higher density. The masterplan indicates low, medium and higher density areas, which would support a range of house types and areas of different character, therefore part 2 of the policy is satisfied. The matters referred to in parts 3 and 4 of the policy would be considered at detailed planning stage. These matters relate to the provision of suitable private amenity space and adequate privacy, and to avoiding excessive overshadowing. On balance, in principle, taking all relevant matters into account, the proposed development is considered to accord with this policy.

7a.40 Policy SC11 - 'Developer Contributions To Community Infrastructure' states:

*“Developers will be required to contribute towards the provision, upgrading and maintenance of community and recreational facilities required to meet demand generated from new development. 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 12/1996.”*

7a.41 The scale and nature of the proposed development requires the applicant to contribute to the provision, upgrade and maintenance of community infrastructure. The infrastructure needs relate to roads and access improvements, bus service enhancements, increasing capacity at local schools and new and improved recreational facilities at Head of Muir Primary School. These matters are discussed in further detail in respect of the relevant policies. In some cases, developer contributions would be sought, whilst in other cases, the applicant may deliver the necessary works. The contributions are considered reasonable and necessary to mitigate the impact of the proposed development and satisfy the principles set out in Circular 1/2010. Subject to the satisfactory completion of a Section 75 Legal Agreement, the proposed development accords with this policy.

7a.42 Policy SC13 'Open Space and Play Provision in New Development' states:

*"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 strategy and the SPG Note on 'Open Space and New Development', once available, or a site-specific local audit of provision in the interim, and should accord with the following principles:*

- (1) Open space and facilities for play and outdoor sport should be provided in broad accordance with the guidance in Table 4.2. These requirements may be increased where the extent and quality of facilities in the area are proven by the open space audit to be below a suitable standard. Above ground SUDS features, small incidental amenity areas, structure planting and road verges will not count towards requirements.*
- (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 indicated in Table 4.2, 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;*
  - 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."*

7a.43 The Council's Open Space Strategy indicates that access to a range of types of open space should be provided at a rate of 5 hectares per 1000 people. The masterplan indicates woodland, amenity open space and a centralised play facility, which in total amounts to nearly 9 hectares, whilst the estimated population is some 1200 people. The overall access standard is therefore clearly met.

- 7a.44 The Open Space Strategy sets out further accessibility thresholds indicating that households should have access to parks or play space within 400 metres, sports areas within 800 metres and semi-natural open space within 1200 metres. The applicant proposes a centralised play facility which would be beyond 400 metres of peripheral eastern and western parts of the site. On balance, however, a larger, centralised facility, rather than several smaller facilities, is supported. The application site is not within 800 metres of a sports area and the provision of a sports field within the application site is constrained by topography. The applicant proposes to upgrade existing facilities at Head of Muir Primary School, which lies some 1200 metres from the eastern edge of the application site. This would entail the provision of a 7 aside all weather football pitch, with lighting, and the availability to the community of the gym, changing area and kitchen within the proposed extension to the primary school. On balance, the proposed recreational enhancements at Head of Muir Primary School are supported. They would enhance a centralised facility within the Head of Muir/Dennyloanhead area and reinforce the primary school as the hub of the local community. The proposed development would be within 1200 metres of natural/semi-natural open space.
- 7a.45 The detailed design of the proposed centralised play facility would be considered at detailed planning stage, to ensure it is fit for its intended neighbourhood wide purpose and integrates with the open space and path network. The specification and timescales/phasing of delivery of the recreational enhancements to Head of Muir Primary School would be subject to a Section 75 Legal Agreement.
- 7a.46 In light of these comments, it is considered that the proposed development would satisfactorily contribute to open space and play provision. Subject to the satisfactory completion of a Section 75 Legal Agreement, the proposed development accords with this policy.
- 7a.47 Policy SC14 'Education and New Housing Development' 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 on 'Developer Contributions; 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."*
- 7a.48 The proposed development would result in the need to expand the capacity of Head of Muir Primary School. This matter has been subject to detailed consideration and draft design and delivery timescales have been agreed. The proposal is to alter the existing building, to provide for new classrooms, and extend the school. The extension would provide facilities displaced by the alterations such as a new gym/dining hall. The detailed costs and delivery mechanism would require further consideration as part of a Section 75 Legal Agreement. A financial contribution may be taken or the applicant may undertake the works in accordance with an approved specification. A financial contribution would be required towards increasing future capacity at Denny High School, in accordance with the rates specified in the Council's Supplementary Planning Guidance Note for Education and New Housing Development. Subject to the satisfactory conclusion of a Section 75 Legal Agreement, the proposed development accords with this policy.

7a.49 Policy SC15 - 'Nursery And Child Care Facilities' states:

*"New proposals or the change of use of premises for nursery and child care facilities will be permitted, provided that:*

- (1) The site affords a suitable environment for child care, including the provision of outdoor play space;*
- (2) Properties in residential areas are detached;*
- (3) Areas used as play space are enclosed and demonstrate the ability to minimise disturbance to neighbouring properties; and*
- (4) The proposal is satisfactory in access, parking and road safety terms."*

7a.50 The masterplan indicates a 315m<sup>2</sup> nursery within the proposed commercial block. The detailed design, access and parking arrangements would be considered at detailed planning stage. The applicant has advised that there would be sufficient space to provide for outdoor play space. The provision of a nursery would enhance local facilities and, in principle, is considered to accord with this policy.

7a.51 Policy EP7 - 'New Retail Development' states:

- "(1) New retail development in excess of 250 sq.m. gross will be permitted where it is consistent with Policies ECON.5 and ECON.6 of the Structure Plan, and specific policies for individual centres in the Settlement Statements.*
- (2) Retail developments smaller than 250 sq.m. serving neighbourhood needs will be permitted within the urban area, subject to other Local Plan policies.*
- (3) Retail development must demonstrate a high level of design quality, compatibility with adjacent land uses and an ability to integrate functionally and visually with any centre of which it is to form part."*

7a.52 The masterplan indicates a 1000m<sup>2</sup> convenience store within the proposed commercial block. This proposal has been assessed as commensurate with the local catchment, in accordance with Policy ECON.5 of the approved Structure Plan. The detailed design and relationship to adjoining properties would be assessed at detailed planning stage. The masterplan indicates that the commercial building would have frontage to the A803 and a public façade and public realm area. In principle, the proposed development accords with this policy.

7a.53 Policy ST2 - 'Pedestrian Travel And Cycling' states:

*"New development will be required to provide an appropriate standard of pedestrian and cycle infrastructure. This will consist of on- and off-site measures that allow pedestrian and cycle movements within and beyond developments, and ensure that those wishing to use pedestrian/cycle networks are not dissuaded from doing so through the absence of suitable infrastructure.*

- (1) All pedestrian and cycle routes will comply with the standards set out in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area. Where appropriate, infrastructure supporting the two modes will be combined.*
- (2) Pedestrian and cycle facilities in new developments should offer appropriate links to existing networks in surrounding areas, to other amenities and community facilities and support objectives in agreed Travel Plans where relevant.*



- (3) *Pedestrian and cycle movement within developments should be allowed for via direct routes without barriers.*
- (4) *Pedestrian and cycle links should be provided that offer connections to public transport connections in the surrounding area. For guidance, in new developments, no pedestrian should have to walk more than 400m to the nearest bus stop.*
- (5) *Where practical, no pedestrian route should be obstructed by features that render it unsuitable for the mobility impaired.*
- (6) *The surfacing, lighting, design, maintenance and location of pedestrian and cycle routes should promote their safe use. Particular emphasis should be given to the provision of suitable lighting, and the provision of suitably designed and located crossing facilities where routes meet the public road network.*
- (7) *Pedestrian and cycle routes for school journeys should be provided in residential development where a need to do so is identified. In all cases, the aim should be to provide an overall walking/cycling distance between home and school of not more than 2 miles wherever practical, or less than 1 mile for pedestrian journeys to primary school.*
- (8) *Cycle parking should be provided in accordance with the standards set out in Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area."*

7a.54 The masterplan indicates a comprehensive and integrated network of pedestrian routes, with links to the A803, Station Road and the north-east corner of the site, where a financial contribution would be payable towards the provision of a possible footpath link to Denny Road. The majority of the development site lies within 400 metres of existing bus infrastructure on the A803, thereby satisfying the Council's threshold walking distance. The applicant proposes to mark an advisory cycle lane, where practicable, along the A803 and Bonnyside Road, to link with existing cycle routes leading to the Forth and Clyde Canal towpath. The proposed primary road within the site would have a 3 metre wide shared cycle/footway on one side. As a matter of principle, the proposed development is considered to provide an appropriate standard of pedestrian and cycle infrastructure and accords with this policy.

7a.55 Policy ST3 - 'Bus Travel And New Development' states:

*"New development will be required to provide appropriate levels of bus infrastructure or suitable links to existing bus stops, services or stations, as identified within travel plans. This provision will be delivered through direct funding of infrastructure and / or the provision of sums to support the delivery of bus services serving the development.*

- (1) *Bus infrastructure should be provided at locations and to phasing agreed with Falkirk Council, and designed in accordance with the standards set out in Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.*
- (2) *Bus facilities within new developments should offer appropriate links to existing pedestrian or cycle networks in surrounding areas. Alternatively, new development should be linked to existing bus infrastructure via pedestrian or cycle links as described in Policy ST2.*
- (3) *New development should incorporate routes suitable for the provision of bus services. Where bus services already exist, new developments should not be designed or constructed in ways that impede the routing of these services.*
- (4) *New developments may require bus links to rail stations or other public transport infrastructure."*

7a.56 The majority of the application site lies within convenient walking distance of bus stops on the A803, which would need to be upgraded/relocated as part of the proposed development. The details regarding pedestrian linkages to the existing bus facilities would be considered at detailed planning stage. In addition, the new primary road within the site would be designed to accommodate buses, to provide the opportunity for buses to serve the site in the future. In principle, the proposed development is considered to accord with this policy.

7a.57 Policy ST7 - 'Transport Assessments' states:

- “(1) Falkirk Council will require transport assessments of developments where the impact of that development on the transport network is considered likely to require mitigation. In all cases, this mitigation will be delivered to a level that achieves no net detriment to the capacity of the network.*
- (2) Transport assessments will include travel plans and, where necessary, safety audits of proposed mitigation measures and assessment of the likely impacts on air quality as a result of proposed development.*
- (3) Developers will agree the scope of the assessment with Falkirk Council, then undertake the assessment in accordance with the scoping. In all cases, the assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over unnecessary use of the car.*
- (4) The Council will only grant planning permission where it is satisfied that the transport assessment and travel plan has been appropriately scoped, the network impacts properly defined and suitable mitigation measures identified.”*

7a.58 A Transport Assessment has been submitted with the application. The Transport Planning Unit is satisfied with the traffic modeling and proposed arrangements in respect of the two new junctions to access the site from the A803. Traffic modeling information for the M80/A80 slip road junction on the A803, which reflects the requirements of the Transport Planning Unit in respect of trip generation rates and trip distribution, is outstanding. Therefore, the measures to mitigate the impact of the proposed development on these junctions (combined with other development proposals), and the delivery mechanism and phasing/timing for delivery, have not been agreed. The measures would include significant upgrades to the junctions, and may include a financial contribution towards enhancements to local bus services. These matters would need to be satisfactorily resolved prior to planning permission being granted, at which time it would be concluded that the proposed development accords with this policy.

7a.59 Policy ST11 - 'Sustainable Urban Drainage' states:

*“Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation. A drainage strategy, as set out in PAN 61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment.”*

7a.60 A Drainage Overview report has been submitted with the application, which outlines a drainage strategy. The strategy consists of a first level of treatment consisting of source control via road side swales and porous surfacing and a second level of treatment consisting of four detention basins. Two possible outfalls have been identified being, firstly, an historical culvert on the southern boundary which is assumed to discharge to a ditch (with eventually outfall to Bonny Water) and, secondly, existing surface water sewers. Bonny Water is known to have flooding issues therefore surface water discharge would need to be controlled. The proposed drainage strategy reflects a SUDS approach and the proposed basins form part of the open space network and offer opportunities to enhance local biodiversity. The detailed SUDS design and maintenance arrangements would be considered at detailed planning stage. In principle, the proposed development is considered to accord with this policy.

7a.61 Policy ST12 - 'Flooding' states:

*"In areas where there is significant risk of flooding, there will be a presumption against new development which would be likely to be at risk, would increase the level of risk for existing development or would be likely to require high levels of public expenditure on flood protection works. Applicants will be required to provide information demonstrating that any flood risks can be adequately managed both within and outwith the site."*

7a.62 The Drainage Overview report submitted with the application acknowledges that Bonny Water is prone to flooding. Any discharge from the site which eventually outfalls to Bonny Water would therefore need to be carefully considered in respect of the rate of discharge. The Roads Development Unit has indicated that a discharge rate of 3.2 litres per second per hectare may be stipulated and that surface water drainage systems would need to be designed to accommodate a 1 in 100 storm event. In addition, the potential for overland flooding on the site from uphill areas would require consideration. These matters would be considered in a Flood Risk Assessment submitted at detailed planning stage. Fundamentally, however, it is anticipated that any flood risk, both within and outwith the site, could be adequately managed. In principle, the proposed development is therefore considered to accord with this policy.

7a.63 In principle, subject to the satisfactory conclusion of a Section 75 Legal Agreement, and resolution of the outstanding transportation matters, the proposed development is considered to accord with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations in respect of this application are National Planning Policies and Guidance, Falkirk Council's Supplementary Planning Guidance, the consultation responses and the representations received.

### ***National Planning Policies and Guidance***

7b.2 Designing Places (2001) is a national policy statement to promote design quality. It identifies six key qualities of successful places, being: identity; safe and pleasant spaces; ease of movement; a sense of welcome; adaptability; and good use of resources.

7b.3 Designing Streets (2010) is a national policy statement to promote quality in street design. It is based on the premise that good street design derives from creating successful places, rather than from the application of rigid standards with no appreciation of context.

- 7b.4 Scottish Planning Policy (2010) is a statement of Scottish Planning policy on land use planning and indicates the following:-

### **Housing**

- The planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures.

### **Historic Environment**

- Development that would have an adverse effect on a scheduled ancient monument or the integrity of its setting should not be permitted, unless there are exceptional circumstances. Archaeological sites are an important, finite resource. Where preservation in situ is not possible, appropriate excavation and recording should be undertaken.

### **Landscape and Natural Heritage**

- Landscape and natural heritage are sensitive to inappropriate development and planning authorities should ensure that potential effects are considered when deciding planning applications. A strategic approach to natural heritage in which wildlife sites and corridors, landscape features, watercourses and areas of open space are linked together in integrated habitat networks can make an important contribution to biodiversity.

### **Open Space and Natural Heritage**

- Access to good quality open space and opportunities for sport and recreation make important contributions to a healthier Scotland. Planning authorities should support, protect and enhance open space and opportunities for sport and recreation. New development should incorporate new and enhanced access opportunities, linked to wider access networks.

### **Transport**

- The planning system should support a pattern of development that reduces the need to travel, facilitates travel by public transport and provides safe and convenient opportunities for cycling and walking.

### **Flooding and Drainage**

- Planning authorities must take the probability of flooding from all sources and the risk involved into account in deciding planning applications. Development which would have a significant probability of flooding or would increase the probability of flooding elsewhere should not be permitted. The Water Environment (Controlled Activities) (Scotland) Regulations 2005 require all surface water for new development to be treated by SUDS before it is discharged into the water environment.

7b.5 The proposed development is considered to be supported by national planning policy and guidance. Its aims, as detailed above, have informed the masterplan process and are reflected in the policies of the Development Plan, which the application is considered, in principle, to accord with.

### ***Falkirk Council Supplementary Planning Guidance***

7b.6 The following Falkirk Council supplementary planning guidance is relevant to the proposed development:-

- Housing Layout and Design;
- Design Statements;
- Education and New Housing Developments;
- Flooding and Sustainable Urban Drainage Systems;
- Biodiversity and Development;
- Trees and Development;
- Affordable Housing; and
- Sustainable Design and Construction (Draft)

7b.7 The proposed development is considered to be supported by this guidance. The considerations under the guidance would be reflected in conditions of any approval of the application and the Section 75 Legal Agreement, as appropriate, and would be applied at the detailed planning stage.

7b.8 The proposed development is considered to be supported by this guidance. The considerations under the guidance would be reflected in conditions of any grant or planning permission and a Section 75 Legal Agreement, as appropriate, and would be applied at detailed planning stage.

### ***Consultation Responses***

7b.9 The consultation responses are summarised in Section 4 of this report.

7b.10 The matters raised in the consultation responses would be the subject of conditions of any grant of planning permission or a Section 75 Legal Agreement, as appropriate.

- 7b.11 The Transport Planning Unit has advised that all the necessary traffic modeling information has not been submitted for the M80/A803 slip road junctions and, therefore, the measures to mitigate the capacity issue at these junctions have not been agreed. In addition, the means of delivery of the junction upgrades and the phasing/timing for the works have not been agreed. These matters would need to be agreed prior to the application being determined. In addition, the junction upgrade works would need to be completed prior to the first dwellinghouse being completed, unless otherwise agreed. This would be the subject of a condition of any grant of permission. The application would need to be referred to Scottish Ministers should the slip road capacity issue not be resolved to the satisfaction of Transport Scotland and they formally respond by recommending refusal of the application.
- 7b.12 Community Services (Parks and Recreation) are satisfied that the proposed on and off-site works would amount to a value which satisfies their benchmark figure of £750 per unit. In calculating this, an allowance has been made to recognise that the new dining room/gym and changing facilities at Head of Muir Primary School are proposed to be available for community use after school hours and therefore represent a community benefit.

### ***Representations Received***

- 7b.13 A total of 163 representations have been received to the application. Of these, 98 are letters of support and 62 are objections. The remaining 3 are representations raising concerns or queries.
- 7b.14 The representations are summarised in Section 6 of this report. In response to the concerns raised, and the reasons in support, the following comments are considered to be relevant:-
- The application site is a new allocated site for housing in the adopted Local Plan (H.B & B07). The size of the allocated site was increased as a consequence of the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010). The indicative capacity was maintained at 500 units. The increase in size of the allocated site is reflected in the adopted Local Plan;
  - The new allocation responds to the need to allocate additional sites to maintain a continuity of housing land supply up to and beyond 2020;
  - The proposed housing would inevitably reduce the existing open space character of the site however this is anticipated by the new housing allocation;
  - Substantial open space and landscaping is proposed in the masterplan to mitigate the visual impact of the development;
  - The site lies outwith the Antonine Wall Buffer Zone and would appear as an extension to the existing settlement which extends to a similar height;
  - A Construction Environmental Management Plan would set out measures to mitigate construction related impacts;
  - Specific amenity considerations in relation to privacy, overshadowing and levels would be considered at detailed planning stage when housing layouts are brought forward;
  - The habitat survey has concluded that the site has low habit value;

- The existing woodland areas would be retained and the opportunities to retain other features such as field hedges would be considered at detailed planning stage;
- The proposed green network provides a substantial area within which to enhance local biodiversity and a Site Biodiversity Action Plan would be prepared;
- The surveys undertaken to date have not found any evidence of protected species. Updated surveys, including a breeding bird survey, would be required to inform any necessary mitigation;
- A Japanese Knotweed Management Plan would be required;
- A Transport Assessment has been submitted with the application. The Transport Planning Unit is satisfied with the traffic modelling for the proposed junction arrangements to access the site from the A803 (a signalised western junction and a priority eastern junction);
- The signalised junction and an additional new pedestrian crossing would enhance pedestrian and cyclist safety by providing safe and direct crossing facilities on the A803;
- A Road Safety Audit would need to be submitted prior to the application being determined, to demonstrate that there would be no potential road safety issues arising from possible queuing on the A803 at peak times when the pedestrian crossing is activated;
- No vehicular access is proposed to be taken from Station Road;
- Upgrades of the existing M80/A80 junctions on the A803 would be required to increase their capacity to cope with the traffic generated by proposed new development in the area;
- A financial contribution towards enhancing local bus services may form part of the measures to mitigate the impact of an increase in traffic in the area;
- A Travel Plan Framework would be required to promote alternative modes of transport to the private car;
- A Drainage Overview Report has been submitted as detailed in this report and detailed considerations with regard to drainage and any flooding issues would be considered at detailed planning stage;
- The reasons in support of the proposed development are noted and the provision of new community facilities and infrastructure would be subject to conditions regarding the detail of provision, including the timing/phasing of delivery;
- The proposals include the provision of community facilities at Head of Muir Primary School, a commercial block, which would be available for retail use, and new play facilities;

- The masterplan indicates that space would be set aside for a Health Centre should the NHS identify a need in the area for a new facility;
- The exact nature of affordable housing provision would be subject to detailed consideration;
- Extension of the nursery at Head of Muir Primary School is subject to consideration involving the Council's Education Service;
- The site would be subject to intrusive surveys to identify any contaminated land and any necessary mitigation measures to make the ground suitable for the proposed development;
- Concerns regarding property valuation are not a material planning consideration.

## **7c Conclusion**

- 7c.1 The proposed development represents a substantial opportunity to extend the housing supply in the local area and enhance community facilities and infrastructure. A comprehensive and high quality masterplanning process has been undertaken, which provides a framework to inform the subsequent detailed design and layout. The site is an allocated housing site in the adopted Falkirk Council Local Plan and is considered, overall, to accord with the Development Plan, subject to outstanding transportation matters being resolved and the satisfactory conclusion of a Section 75 Legal Agreement. Detailed comments have been made in this report in response to the public representations, which include a substantial number of letters of support and objection.
- 7c.2 Accordingly, it is recommended that the Committee indicates that it is minded to Grant the application, subject to the satisfactory conclusion of a Section 75 Legal Agreement and resolution of the outstanding transportation related matters as detailed in the terms of the recommendation. These terms, and the recommended conditions, are considered to address the matters raised in the consultation responses.
- 7c.3 Should Transport Scotland recommend refusal of the application, due to the capacity issues at the M80/A80 slip road junctions on the A803 not being resolved to their satisfaction, the application would need to be referred to Scottish Ministers, and only if the issue is satisfactorily resolved could the application be granted planning permission.



## **8. RECOMMENDATION**

**8.1 It is recommended that Committee indicate that it is minded to grant Planning Permission in Principle subject to:-**

- (a) The submission of further traffic modeling information and the subsequent approval in writing by this Planning Authority of the location, design, timing/phasing of provision and means of delivery, and Roads Safety Audit(s), in respect of the proposed upgrade works to the M80/A80 slip road junctions on the A803; and/or the satisfactory conclusion of an Agreement within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of any matter, as appropriate, relative to these proposed upgrade works;**
- (b) The submission and approval in writing by this Planning Authority of a Stage 1 Safety Audit for the proposed western and eastern access junctions on the A803; and the imposition of conditions by the Director of Development Services on grant of planning permission in respect of any matter, as appropriate, relative to this Safety Audit;**
- (c) The satisfactory conclusion of an Agreement within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of:-**
  - (i) The provision of an extension to Head of Muir Primary School;**
  - (ii) The payment of a financial contribution towards increasing the future capacity of Denny High School, at a rate of £1000 per dwellinghouse and £550 per flat;**
  - (iii) The provision of enhanced nursery facilities;**
  - (iv) The provision of enhanced community recreational facilities at Head of Muir Primary School, including an all-weather, lit, sports pitch;**
  - (v) The payment of a financial contribution towards the provision of the Denny Eastern Access Road (DEAR);**
  - (vi) The payment of a financial contribution towards the provision of a footpath link from the north-east corner of the site to Denny Road;**
  - (vii) The payment of a financial contribution towards enhancing local bus services, if it is agreed by this Planning Authority that enhancing bus services would form part of the measures to mitigate the impact of the proposed development on the M80/A80 slip road junctions on the A803 or for other reasons;**
  - (viii) The preparation of a Travel Plan Framework; and**
  - (ix) The details, as appropriate, of the exact location, specification, timing/phasing of provision and means of delivery in respect of the above matters;**
- (d) Referral of the application to Scottish Ministers should Transport Scotland fail to respond or formally respond by recommending refusal.**
- (e) And thereafter, subject to the satisfactory conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission in principle subject to the following conditions:-**

- (1) This permission is granted under the provisions of paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2009 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified 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 and future maintenance of landscaping.
- (2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:
  - (a) the expiration of 3 years from the date of the grant of planning permission in principle; 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 planning permission in principle; or
  - (b) the expiration of 2 years from the final approval of the specified matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

#### *Approval of Further Details*

- (4) Prior to, or with, submission of the first application for the approval of Matters Specified in Conditions, the following details shall be submitted for the written approval of this Planning Authority:-
  - (a) An Energy Strategy;
  - (b) An Ecological Impact Assessment;
  - (c) A Site Biodiversity Action Plan; and
  - (d) Stage 2 Safety Audits for the proposed western and eastern access junctions on the A803.

- (5) Each application for the approval of Matters Specified in Conditions shall be accompanied by the following details (where relevant) for consideration for approval in writing by this Planning Authority:-
- (a) Detailed site layout and design information, which accords with the land uses, site layout, landscape framework, road hierarchy and design principles set out in the Masterplan, dated 11 February 2011, submitted with the PPP application, unless otherwise agreed in writing by this Planning Authority or a variation is required by a condition of this permission;
  - (b) A detailed Phasing Plan showing the exact sequence of development for the proposed land uses, provision of infrastructure, landscaping and open space;
  - (c) A Construction Environmental Management Plan;
  - (d) Detailed proposals for embedding sustainable energy use into the proposed development through, for example, site and building design and the utilisation of renewable energy sources, which accord with the approved Energy Strategy;
  - (e) A detailed scheme of proposed soft landscaping works and measures to promote, enhance and add to biodiversity, which accords with the approved Site Biodiversity Action Plan and the Ecological Impact Assessment. The scheme shall include: an indication of existing trees and hedges proposed to be retained or removed (accompanied by a tree survey); the location of all proposed new trees, shrubs, hedges and grass areas; and a schedule of plants to comprise species, plant sizes and proposed numbers/densities;
  - (f) A Japanese Knotweed Management Plan;
  - (g) A detailed scheme of proposed hard landscaping works, which includes: the specification and colour of all proposed surface materials; and the location and design of all other proposed artefacts and structures e.g. street furniture, lighting, walls, fences and gates;
  - (h) Updated surveys for badgers, bats and breeding birds, and species protection plans (where necessary);
  - (i) A full site-specific surface water drainage scheme, which accords with SUDS principles;
  - (j) A Flood Risk Assessment/Statement;
  - (k) A Contaminated Land Assessment;
  - (l) A scheme for the protection of the proposed dwellinghouses from transportation noise, which ensures that the internal levels, with windows closed, do not exceed 45dB daytime and 35dB night-time when measured as LAeqT, and provides for permanent ventilation so that windows can be kept closed without the loss of ventilation;
  - (m) The exact location and specification of all proposed foot / cycle paths, including connections to the wider path network;
  - (n) The exact details with regard to the proposals for retention and any removal of the former railway line;
  - (o) The exact location and design of all proposed waste management facilities, which accords with the Council's guidance for refuse and recycling collection in new housing and commercial developments; and

- (p) The proposed management and maintenance arrangements in respect of the matters specified in this condition (where relevant).

#### *Natural Heritage*

- (6) All areas of existing vegetation which are to be retained shall be fenced off and signposted as 'exclusion areas' prior to the relevant development phase commencing, in accordance with details approved in writing by this Planning Authority, and shall not be used for the storage of soils, materials, plant or machinery, or as a compound area.
- (7) Where the proposed development has not commenced within 12 months of the last survey of the site for badgers, bats and breeding birds, further walkover survey(s) and any necessary species protection plan shall be submitted to and approved in writing by this Planning Authority prior to the relevant phase of the development commencing.
- (8) Vegetation removal shall be carried out in the months of August to April, in order to avoid disturbance to breeding birds, unless otherwise agreed in writing by this Planning Authority.

#### *Cultural Heritage*

- (9) No development shall take place until a scheme of archaeological investigation (including a timetable) in respect of Easter Shielyards Farm has been submitted to and approved in writing by this Planning Authority.
- (10) During the undertaking of the scheme approved under Condition 9, access at all reasonable times shall be afforded to any archaeologist nominated by this Planning Authority, to allow that person to observe work in progress and record items of interest and finds. Notification of the commencement date of ground breaking works, the site contact person and the name of the archaeologist retained by the applicant shall be submitted in writing to the Planning Authority not less than 14 days prior to the development commencing.

#### *Commercial Development Block*

- (11) Prior to completion of the 100<sup>th</sup> residential unit, or any other timescale that may be agreed in writing by this Planning Authority, the proposed commercial development block shall be fully completed and available for occupancy, in accordance with details approved in writing by this Planning Authority.
- (12) Prior to completion of the 100<sup>th</sup> residential unit, or any other timescale that may be agreed in writing by this Planning Authority, a public realm area at the commercial development block, incorporating public artwork, shall be provided, in accordance with details approved in writing by this Planning Authority.

### *Equipped Play Area*

- (13) Prior to completion of the 250<sup>th</sup> residential unit, the proposed equipped play area shall be fully completed in accordance with details approved in writing by this Planning Authority in respect of the type of play equipment, seating, fences and walls, litter bins and surface finishes.

### *Surface Water Drainage*

- (14) The proposed surface water drainage scheme shall be designed to accommodate 1 in 100 storm events.
- (15) Surface water discharge to watercourses shall be limited to 3.2 litres/second/hectare unless otherwise agreed in writing by this Planning Authority.

### *Core Path*

- (16) The existing Core Path located within the application site shall be protected during construction works or temporarily diverted, in accordance with details approved in writing by this Planning Authority, and shall be reinstated to its original position unless a request for a formal diversion is approved.
- (17) In the event of a request for formal diversion of the Core Path being approved, a footpath shall be provided along the east side of Station Road, to link the Core Path across Station Road, in accordance with details and a timescale for implementation approved in writing by this Planning Authority.

### *Transportation*

- (18) The proposed western and eastern access junctions shall be designed and constructed in accordance with the Design Manual for Road and Bridges and the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (19) Within one month of the opening of the western and eastern access junctions, a Stage 3 Road Safety Audit shall be submitted for the written approval of this Planning Authority.
- (20) Prior to the completion of the first dwellinghouse, the proposed pedestrian crossing of the A803 shall be completed in accordance with details approved in writing by this Planning Authority in respect of the exact design and location.
- (21) The primary road shall be designed in order to accommodate bus use, and shall incorporate stopping points and shelter facilities, in accordance with details and approved in writing by this Planning Authority.
- (22) Prior to the completion of the first dwellinghouse, the existing bus stops on the A803 shall be upgraded or relocated in accordance with details approved in writing by this Planning Authority.

- (23) Prior to the completion of the first dwellinghouse, an on-road cycle route shall be marked on Glasgow Road/Bonnybridge Road, at the location indicated on Figure 4 of the Updated Transport Assessment, dated December 2010, in accordance with details approved in writing by this Planning Authority.
- (24) Prior to the completion of the first dwellinghouse, the approved upgrade works to the M80/A80 slip road junctions on the A803 shall be fully completed, unless otherwise agreed in writing by this Planning Authority.
- (25) The proposed signage in respect of the surrounding road network and the footpath/cycle route network shall be submitted for the written approval of this Planning Authority and shall be erected prior to the completion of the first dwellinghouse, unless otherwise agreed in writing by this Planning Authority.

#### *Roads*

- (26) The maximum gradient of the proposed primary road shall accord with the maximum gradient specified for a local distributor road in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, unless otherwise agreed in writing by this Planning Authority.
- (27) The maximum gradients of the proposed secondary and tertiary roads and the provision of visibility splays shall accord with the relevant standards as specified in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, unless otherwise agreed in writing by this Planning Authority.
- (28) All roads and associated infrastructure shall be designed and constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, unless otherwise agreed in writing by this Planning Authority.
- (29) Upon request by this Planning Authority, autotrack layouts shall be submitted for the approval in writing by this Planning Authority, to demonstrate the effective operation of the road layout.
- (30) Vehicle and cycle parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.

#### *Implementation of Approved Details*

- (31) The proposed development shall be implemented in full accordance with the details approved within the terms of the conditions of this permission and in accordance with agreed timescales unless a non-material change has been approved in writing by this 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.
- (4-5) To enable the respective matters to be considered in detail at the appropriate time following grant of planning permission in principle.
- (6-8) To protect and mitigate potential impacts on natural heritage and protected species interests.
- (9-10) To ensure that archaeological remains are safeguarded.
- (11-13) To secure the delivery of new facilities in accordance with appropriate timescales.
- (14-15) To mitigate the potential for flood risk to an acceptable level.
- (16-17) To safeguard the local Core Path Network.
- (18-19) To safeguard the interests of the users of the highway.
- (20-23) To provide appropriate infrastructure in the interests of transport alternatives to the private car.
- (24-25) To secure the delivery of the necessary infrastructure in accordance with appropriate timescales.
- (26-29) To safeguard the interests of the users of the highway.
- (30) To ensure that adequate parking is provided.
- (31) To ensure that the development is carried out in accordance with the approved details and appropriate timescales.

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which this permission refers bear our on line reference number(s) 01.

.....  
Director of Development Services

Date: 16 March 2011

## **LIST OF BACKGROUND PAPERS**

1. Approved Falkirk Council Structure Plan
2. Adopted Falkirk Council Local Plan
3. Scottish National Planning Statement: Designing Places (2001)
4. Scottish National Planning Statement: Designing Streets (2010)
5. Scottish Planning Policy (2010)
6. Falkirk Council Supplementary Planning Guidance
7. Letter of Objection from Mr and Mrs Maurice & Dorothy Cunningham, Broomridge Cottage 31 Glasgow Road Dennyloanhead Bonnybridge FK4 1QS on
8. Letter of Representation from W Watson & A Thomson, Knowehead 17 Station Road Longcroft Bonnybridge on
9. Letter of Objection from Mr Graham Marr, 71 Glasgow Road Dennyloanhead Bonnybridge FK4 1QT on
10. Letter of Objection from Mrs Margaret Kane, Springbank, Station Road, Longcroft, Bonnybridge on
11. Letter of Objection from Mr Mark Rooney, 25 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
12. Letter of Representation from Mr Thomas Hopkins, 2 High Street Bonnybridge, FK4 1DA on 3 November 2009
13. Letter of Objection from Pamela Forbes, 6 Watson Place Longcroft Bonnybridge FK4 2BG on
14. Letter of Objection from Mr Bruce Perry, 19 Lind Place, Dennyloanhead Bonnybridge FK4 1NQ on
15. Letter of Objection from Mr Bill Campbell, Bramblebank, Station Road, Longcroft Bonnybridge
16. Letter of Objection from Mr Richard Boyd, 153 Glasgow Road, Dennyloanhead, Bonnybridge FK4 1QX on
17. Letter of Objection from Mr Colin Mitchell, Mitchell652@btinternet.com on
18. Letter of Objection from Mr Andrew Moon, 187 Glasgow Road, Dennyloanhead, Bonnybridge FK4 1QY on
19. Letter of Objection from Mr and Mrs D McCabe, 4 Watson Place Longcroft Bonnybridge FK4 2BG on
20. Letter of Objection from Lesley Granton, 25 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
21. Letter of Objection from Mrs Angela Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
22. Letter of Objection from Malcolm and Alison Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on
23. Letter of Objection from Louise Hagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
24. Letter of Objection from Graham Hagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
25. Letter of Objection from Dominique Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
26. Letter of Objection from Kenny Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on
27. Letter of Objection from Mr Paul McFarlane, 29 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
28. Letter of Objection from Mrs Wendy MacNeill, 23 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on



29. Letter of Objection from Tracey MacNeill, 23 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on
30. Letter of Support from Mrs E Kerr, 81 Braes View Denny FK6 5NG on 26 April 2010
31. Letter of Support from Miss N Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
32. Letter of Support from Mr McColl, 17 Solway Drive Head Of Muir Denny FK6 5NS on 26 April 2010
33. Letter of Support from Mr Michael Kane, 91 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
34. Letter of Objection from Mr Alistair Waters, 3 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
35. Letter of Support from Owner/Occupier, 10 Caledonia Terrace Bonnybridge FK4 1DQ on 27 April 2010
36. Letter of Support from Nadine McMenamy, 97 Dryburgh Avenue Denny FK6 6AF on 27 April 2010
37. Letter of Support from Mr T Bryson, 9 Hayfield Terrace Head Of Muir Denny FK6 5LA on 27 April 2010
38. Letter of Support from Miss C L Smith, 31 Annet Road Head Of Muir Denny FK6 5LQ on 27 April 2010
39. Letter of Support from Lisa and Steven Marr, 118 Dick Crescent Burntisland Fife KY3 0BT on 27 April 2010
40. Letter of Support from Mr Eric Milne, 10 Cowan Street Bonnybridge FK4 1ND on 27 April 2010
41. Letter of Support from Mrs Keay Annette, 49 Fairfield Avenue Bonnybridge FK4 1LX on 27 April 2010
42. Letter of from Mr Alex Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 27 April 2010
43. Letter of Support from Miss E Boyd, 15 Park Street High Bonnybridge Bonnybridge FK4 2AS on 27 April 2010
44. Letter of Support from Mr Craig Riddle, 72 Chacefield Street Bonnybridge FK4 1PS on 27 April 2010
45. Letter of Support from Mr M Gallagher, 10 Carronside Place Denny FK6 6LP on 27 April 2010
46. Letter of Support from Owner/Occupier, 5 Duncarron Place Denny FK6 6HL on 27 April 2010
47. Letter of Support from Mr James Riddle, 72 Chacefield Street Bonnybridge FK4 1PS on 27 April 2010
48. Letter of Support from Miss C Irvine, 86 Woodburn Crescent Bonnybridge FK4 2DL on 27 April 2010
49. Letter of Support from Debbie McNeil, 63 Reedlands Drive Denny FK6 5NX on 27 April 2010
50. Letter of Support from Mr Andy Dick, Bankhead House Bankhead Crescent Dennyloanhead Bonnybridge on 27 April 2010
51. Letter of Support from Mr Johnstone Duncan, 38 Garvald Road Head Of Muir Denny FK6 5NR on 27 April 2010
52. Letter of Support from Mr Ian Johnston, 42 Greenhill Road Bonnybridge FK4 2DN on 27 April 2010
53. Letter of Support from Owner/Occupier, 9 Milton Place Dunipace Denny FK6 6NE on 27 April 2010
54. Letter of Support from W Brennan, 11 Tullibody Road Alloa FK10 2LN on 27 April 2010

55. Letter of Support from Mr Ronnie Higgins, 1 St. Johns Grove Stoneywood Denny FK6 5HQ on 27 April 2010
56. Letter of Support from J Morrison, 12 Hollandbush Avenue Banknock Bonnybridge FK4 1JB on 27 April 2010
57. Letter of Support from Rosslyn Petale, 65 Ferguson Drive Denny FK6 5AF on 27 April 2010
58. Letter of Support from Miss M Thacker, 8 Park Avenue Dennyloanhead Bonnybridge FK4 1SB on 27 April 2010
59. Letter of Support from Janet Buchanan, 15 Dunure Crescent Bonnybridge FK4 1EG on 27 April 2010
60. Letter of Support from Jade Stokes, 18 Lithgow Place Denny FK6 5BF on 27 April 2010
61. Letter of Support from Claire Ogilvie, 17 Wallace Place Cambusbarron Stirling FK7 9PB on 27 April 2010
62. Letter of Support from Miss Gemma Tulloch, 75 Sutherland Drive Denny FK6 5EP on 27 April 2010
63. Letter of Support from Owner/Occupier, 10 Johnston Place Denny FK6 5HD on
64. Letter of Support from J R Hamilton, 58 Hayfield Terrace Head Of Muir Denny FK6 5PB on 26 April 2010
65. Letter of Support from Mr and Mrs J Boyle, 83 Braes View Denny FK6 5NG on 27 April 2010
66. Letter of Objection from Julia McNulty, [Julia.mcnulty@hotmail.com](mailto:Julia.mcnulty@hotmail.com) on
67. Letter of Objection from Ms Pamela Forbes, 6 Watson Place Dennyloanhead Bonnybridge on 9 May 2010
68. Letter of Objection from Mr Stephen Crookston, 30 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on 19 April 2010
69. Letter of Support from Margaret Cleland, 52 Main Street Bainsford Falkirk FK2 7PA on
70. Letter of Support from Charlene Kilpatrick, 1 Castle Terrace Denny FK6 6PH on 26 April 2010
71. Letter of Support from Mrs Louise Sutherland, 34 Hillhouse Road Head Of Muir Denny FK6 5PG on 26 April 2010
72. Letter of Support from Mrs Lyndsey Buchanan, 82 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 26 April 2010
73. Letter of Support from Jacqueline Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 26 April 2010
74. Letter of Support from MR P Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
75. Letter of Support from Owner/Occupier, Glen Far House Bankhead Crescent Dennyloanhead Bonnybridge on 26 April 2010
76. Letter of Support from Mr and Mrs Lawrence, Glen Far House Bankhead Crescent Dennyloanhead Bonnybridge on 26 April 2010
77. Letter of Support from Mrs Janet Cleland, 2 Highland Dykes Crescent Bonnybridge FK4 1ES on 26 April 2010
78. Letter of Support from Mr George MacFarlane, 46 Larbert Road Bonnybridge FK4 1EE on 26 April 2010
79. Letter of Support from Mrs D Cunningham, 11 Peathill Road Bonnybridge FK4 1LS on 26 April 2010
80. Letter of Support from Mrs C McKintosh, 6 Ferguson Drive Denny FK6 5AE on 26 April 2010
81. Letter of Support from Ryan Kelly, 22 Haughs Way Denny FK6 6HQ on 26 April 2010
82. Letter of Support from Mrs J E Ashby, 80 Chacefield Street Bonnybridge FK4 1PS on 26 April 2010
83. Letter of Support from Mrs V Kelly, 22 Haughs Way Denny FK6 6HQ on 26 April 2010

84. Letter of Support from Mrs Agnes Kane, 91 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
85. Letter of Support from Mr and Mrs Ross, 12 Bairns Ford Drive Falkirk FK2 7JD on 26 April 2010
86. Letter of Support from Mr B Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 26 April 2010
87. Letter of Support from Mr M Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 26 April 2010
88. Letter of Support from Owner/Occupier, 37B Main Street Bonnybridge FK4 1AF on 26 April 2010
89. Letter of Support from Mr and Mrs Fitzpatrick, 66 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 26 April 2010
90. Letter of Support from Jim and Helen Stirling, 30 Bonnywood Avenue Bonnybridge FK4 1NT on 26 April 2010
91. Letter of Support from Mr Marc Young, NO ADDRESS GIVEN on 28 April 2010
92. Letter of Support from Owner/Occupier, 37B Main Street Bonnybridge FK4 1AF on 27 April 2010
93. Letter of Support from Owner/Occupier, 21 Sawers Avenue Denny FK6 5BS on 27 April 2010
94. Letter of Support from Owner/Occupier, 41 Park Avenue Dennyloanhead Bonnybridge FK4 1SD on 27 April 2010
95. Letter of Support from Mrs Dorothy Dick, Bankhead House Bankhead Crescent Dennyloanhead Bonnybridge on 27 April 2010
96. Letter of Support from Vikki Morrison, 12 Hollandbush Avenue Banknock Bonnybridge FK4 1JB on 27 April 2010
97. Letter of Support from Miss Michelle Lawrence, 23 Hayfield Terrace Head Of Muir Denny FK6 5LA on 27 April 2010
98. Letter of Support from Mrs J Bryson, 13 Johnston Place Denny FK6 5HD on 27 April 2010
99. Letter of Support from Mr A McLaurin, 49 Glenbo Drive Head Of Muir Denny FK6 5PQ on 27 April 2010
100. Letter of Support from Janet Fraser, 15 Dunure Crescent Bonnybridge FK4 1EG on 27 April 2010
101. Letter of Support from Mr William Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 27 April 2010
102. Letter of Objection from Mr R Bryde, 5 Solway Drive Head Of Muir Denny FK6 5NS on 27 April 2010
103. Letter of Support from Mr G Kerr, 81 Braes View Denny FK6 5NG on 27 April 2010
104. Letter of Support from Owner/Occupier, 17 Castle Terrace Denny FK6 6PH on 26 April 2010
105. Letter of Support from Mr John Cummins, Glenruane 1 Robertson Avenue Bonnybridge FK4 1PA on 26 April 2010
106. Letter of Support from Malissa Gaston, 19 West Boreland Road Denny FK6 6PA on 26 April 2010
107. Letter of Support from Mr Andrew Cunningham, 3 Fairways Place Bonnybridge FK4 1PZ on 26 April 2010
108. Letter of Support from Mr Michael Livingstone, 16 Hogan Place Dennyloanhead Bonnybridge FK4 1FB on 26 April 2010
109. Letter of Support from Mr Ewan Marshall, 69 Main Street Bonnybridge FK4 1AL on
110. Letter of Support from Mr James Tripney, 6 Bankview Terrace Denny Road Dennyloanhead Bonnybridge on

111. Letter of Support from Mr & Mrs Vint, 9 Whithorn Crescent Moodiesburn G69 0HR on
112. Letter of Support from Jane Winters, No Address Given on
113. Letter of Representation from Mrs Lisa McDonald, 27 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on
114. Letter of Support from Miss J Hall, 25 Brewster Place Denny FK6 6PS on 28 April 2010
115. Letter of Support from Mr Stuart Buchanan, 82 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 28 April 2010
116. Letter of Support from Margaret Kerr, 3 Auchincairn Gardens Bishopbriggs Glasgow G64 1DZ on 28 April 2010
117. Letter of Support from Owner/Occupier, 108 Ure Crescent Bonnybridge FK4 1NR on 28 April 2010
118. Letter of Support from R Campbell, 4 Glenbo Drive Head Of Muir Denny FK6 5PQ on 28 April 2010
119. Letter of Support from T Hardie, 48 Spence Street Bonnybridge FK4 1NH on 28 April 2010
120. Letter of Support from Mr J Brennan, 11 Kerr Crescent Haggs Bonnybridge FK4 1HH on 28 April 2010
121. Letter of Support from Jay Tonner, 9 Cairnoch Walk Denny FK6 5DD on 28 April 2010
122. Letter of Support from I Mrs McCool, 19 Sawers Avenue Denny FK6 5BS on 28 April 2010
123. Letter of Support from Lesley Kane, 1 Highland Dykes Crescent Bonnybridge FK4 1ES on 28 April 2010
124. Letter of Support from Lisa Young, 66 Westquarter Avenue Westquarter Falkirk FK2 9RF on 28 April 2010
125. Letter of Support from Mrs M Buchanan, 75 Wheatlands Avenue Bonnybridge FK4 1PJ on 28 April 2010
126. Letter of Support from Owner/Occupier, 80 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RZ on 28 April 2010
127. Letter of Support from Mr Craig Riddell, 73 Chacefield Street Bonnybridge FK4 1PS on 28 April 2010
128. Letter of Support from Jean Binnie, 12 Bog Road Banknock Bonnybridge FK4 1TL on 28 April 2010
129. Letter of Support from Jane Healy, 7 Hillhead Avenue Banknock Bonnybridge FK4 1JN on 28 April 2010
130. Letter of Support from Mr and Mrs H Young, 16 Hallglen Terrace Glen Village Falkirk FK1 2AP on 28 April 2010
131. Letter of Support from Mr Gary Bond, 27 Alloway Crescent Bonnybridge FK4 1EY on 28 April 2010
132. Letter of Support from Louise Cleland, 8 Princess Street Bonnybridge FK4 1BJ on 28 April 2010
133. Letter of Support from Mrs Rosemary Leitch, 22 Ferguson Drive Denny FK6 5AE on 28 April 2010
134. Letter of Objection from Mr Mike Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 18 October 2010
135. Letter of Objection from Mr David Dunn, 25 Rankin Crescent Dennyloanhead Fk4 1RA on 25 October 2010
136. Letter of Objection from Ian Binnie, Colians House Glasgow Road Longcroft on
137. Letter of Objection from June Waters, 3 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
138. Letter of Objection from Mr A Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010

139. Letter of Objection from Mrs A Shanks, 7 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
140. Letter of Objection from Mr and Mrs C Morton, 15 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
141. Letter of Objection from Mrs Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
142. Letter of Objection from Mr Bowie, 1 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
143. Letter of Objection from Karen Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
144. Letter of Objection from Mr Mike Smith, 4 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
145. Letter of Objection from AGH Munn, 6 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
146. Letter of Objection from A MacGregor, 31 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
147. Letter of Objection from Mr John Harris, 27 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
148. Letter of Objection from Elizabeth Harris, 27 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
149. Letter of Objection from Mr Stephen Wheatley, 29 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
150. Letter of Objection from Donna Wheatley, 29 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
151. Letter of Objection from Mr Martin Sievwright, 23 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
152. Letter of Objection from Ms Carole Campbell, 25 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
153. Letter of Objection from Mr Daniel Campbell, 25 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
154. Letter of Objection from Mr Raymond Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
155. Letter of Objection from Ms Wilma Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
156. Letter of Objection from Mr Graham Paulley, 3 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
157. Letter of Objection from Mr B Duffy, 7 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
158. Letter of Objection from Mrs Duffy, 7 Walker Drive Dennyloanhead Bonnybridge FK4 1RW on 23 November 2010
159. Letter of Objection from Mr David Buchanan, 37 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
160. Letter of Objection from Mr Graham Wagen, 2 Montrose Way Dennyloanhead Bonnybridge FK4 1SJ on 23 November 2010
161. Letter of Objection from Councillor Martin Oliver, Municipal Buildings West Bridge Street Falkirk FK1 5RS on 23 November 2010
162. Letter of Objection from Mr G Walker, 1 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
163. Letter of Objection from Mr D Sneddon, Address Incomplete on 23 November 2010

164. Letter of Objection from Ms Alison Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
165. Letter of Objection from Ms Laura Sneddon, Incomplete Address on 23 November 2010
160. Letter of Objection from Mrs Angela Sneddon, Incomplete Address on 23 November 2010
167. Letter of Objection from Mrs M Walker, 1 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
168. Letter of Objection from Mr Malcolm Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 23 November 2010
169. Letter of Objection from Mr Malcolm Jolly, 5 Rankin Crescent Dennyloanhead Bonnybridge FK4 1RA on 14 October 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

**AGREED** to **RELEASE** the Section 75 Agreement to the Keeper of the Registers of Scotland thus resulting in the issue of planning permission and such planning permission to be subject to appropriate conditions as determined by the Director of Development Services.

**P213. USE OF LAND FOR BUS PARKING AND INSTALLATION OF PLANT AND MACHINERY FOR REFUELLING AND WASHING DEPOT AT D J MANNING AUCTIONEERS, BRIDGENESS ROAD, BO'NESS EH51 9SF FOR FIRST SCOTLAND EAST LTD – P/10/0848/FUL**

There was submitted Report (circulated) dated 15 March 2011 by the Director of Development Services on an application for full planning permission for the use of an existing industrial yard for bus parking including the erection of plant and machinery for refuelling and washing on a site located on the north side of Bridgeness Road, Bo'ness and within an established D J Manning Auctioneers site behind an existing office block building and car park.

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

**P214. DEVELOPMENT OF LAND AS ANIMAL SANCTUARY, (INCORPORATING SHELTERS, STABLES AND STORES) AND SITING OF TEMPORARY RESIDENTIAL ACCOMMODATION (PART RETROSPECTIVE) ON LAND TO THE SOUTH WEST OF AN CALA, CALIFORNIA ROAD, MADDISTON FOR MR PAUL BORG GRECH - P/10/0197/FUL**

There was submitted Report (circulated) dated 15 March 2011 by the Director of Development Services on an application for full planning permission for the change of use for the development of land as an animal sanctuary (incorporating shelters, stables and stores) and siting of temporary residential accommodation (part in retrospect) on a site to the west of Greenwells Farm, Rumford and accessed from the C66 California Road into a loose surface access and parking area on land to the south west of An Cala, California Road, Maddiston.

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

Councillor Oliver left the meeting prior to consideration of the following item of business.

**P215. DEVELOPMENT OF LAND FOR UP TO 550 HOUSES, A COMMERCIAL BLOCK INCLUDING A CONVENIENCE STORE AND NURSERY, AND ASSOCIATED INFRASTRUCTURE INCLUDING ACCESS JUNCTION WORKS, NEW ROADS AND PATHS, OPEN SPACE, WOODLAND PLANTING, SURFACE WATER DRAINAGE PONDS AND PLAY FACILITIES ON LAND TO THE NORTH OF WATSON PLACE, GLASGOW**

**ROAD, LONGCROFT FOR MACTAGGART AND MICKEL -  
P/09/0508/OUT**

There was submitted Report (circulated) dated 16 March 2011 by the Director of Development Services on an application for planning permission in principle (formerly outline planning permission) for the development of land for up to 550 dwellinghouses and a commercial block and associated infrastructure including an access junction works, new roads and paths, open space, woodland planting, surface water drainage ponds and play facilities on a site extending approximately 31.5 hectares and bounded by an established housing area to the east, a disused railway line to the south, Station Road to the west and field boundaries and the natural contours of the land to the north of Watson Place, Glasgow Road, Longcroft. The site extended across the A803 (Glasgow Road) at two locations, where junctions to access the site were proposed. The M80 is located to the north of the site.

Councillor Buchanan, seconded by Councillor McLuckie, moved that Committee be minded to grant planning permission in principle as detailed in recommendations in the Report, subject to the amendments to conditions within the Report as detailed by the Acting Head of Planning and Transportation at the meeting being:-

- (1) the replacement of the word 'imposition' with the word 'application' at recommendation 8.1(b);
- (2) the amendments at recommendation 8.1 (c)(iii) to read 'the provision of nursery facilities on the site';
- (3) the addition of the word 'proportionate' before the words 'financial contribution' at recommendation 8.1 (c)(v);
- (4) the introduction of a new condition to read 'the provision of affordable housing' at recommendation 8.1(c);
- (5) the amendment of the figure '3' to the figure '10' where it occurs twice at recommendation 8.1 (e)(2); and
- (6) the replacement of the word 'completion' with the word 'occupancy' at recommendation 8.1 (e)(23).

By way of an Amendment, Councillor A MacDonald, seconded by Councillor Carleschi, moved that consideration of the application be continued to allow an inspection of the site by Committee.

Councillor Nicol abstained from taking a decision on this item.

On a division, 5 Members voted for the Motion and 2 voted for the Amendment.

Accordingly, **AGREED** that Committee is **MINDED** to **GRANT** planning permission in principle subject to the following conditions which incorporated the amendments detailed at the meeting by the Acting Head of Planning and Transportation:-

- (a) The submission of further traffic modelling information and the subsequent approval in writing by the Planning Authority of the location, design, timing/phasing of provision and means of delivery, and Roads Safety Audit(s), in respect of the proposed upgrade works to the M80/A80 slip road junctions on the A803; and/or the satisfactory conclusion of an Agreement within the terms



of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of any matter, as appropriate, relative to these proposed upgrade works;

- (b) The submission and approval in writing by the Planning Authority of a Stage 1 Safety Audit for the proposed western and eastern access junctions on the A803; and the application of conditions by the Director of Development Services on grant of planning permission in respect of any matter, as appropriate, relative to this Safety Audit;
- (c) The satisfactory conclusion of an Agreement within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of:-
  - (i) The provision of an extension to Head of Muir Primary School;
  - (ii) The payment of a financial contribution towards increasing the future capacity of Denny High School, at a rate of £1000 per dwellinghouse and £550 per flat;
  - (iii) The provision of nursery facilities on the site;
  - (iv) The provision of enhanced community recreational facilities at Head of Muir Primary School, including an all-weather, lit, sports pitch;
  - (v) The payment of a proportionate financial contribution towards the provision of the Denny Eastern Access Road (DEAR);
  - (vi) The payment of a financial contribution towards the provision of a footpath link from the north-east corner of the site to Denny Road;
  - (vii) The payment of a financial contribution towards enhancing local bus services, if it is agreed by this Planning Authority that enhancing bus services would form part of the measures to mitigate the impact of the proposed development on the M80/A80 slip road junctions on the A803 or for other reasons;
  - (viii) The preparation of a Travel Plan Framework;
  - (ix) The provision of affordable housing; and
  - (ix) The details, as appropriate, of the exact location, specification, timing/phasing of provision and means of delivery in respect of the above matters;
- (d) Referral of the application to Scottish Ministers should Transport Scotland fail to respond or formally respond by recommending refusal.
- (e) And thereafter, subject to the satisfactory conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission in principle subject to the following conditions:-
  - (1) The permission is granted under the provisions of Paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2009 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified before any development is commenced:-
    - (a) the siting, size, height, design and external appearance of the proposed development;
    - (b) details of the access arrangements; and

- (c) details of landscaping of the site and future maintenance of landscaping.
- (2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:-
  - (a) the expiration of 10 years from the date of the grant of planning permission in principle; 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 10 year period mentioned in sub-paragraph (a) above.

- (3) That the development to which the 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 the planning permission in principle; or
  - (b) the expiration of 2 years from the final approval of the specified matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

#### *Approval of Further Details*

- (4) Prior to, or with, submission of the first application for the approval of Matters Specified in Conditions, the following details shall be submitted for the written approval of the Planning Authority:-
  - (a) An Energy Strategy;
  - (b) An Ecological Impact Assessment;
  - (c) A Site Biodiversity Action Plan; and
  - (d) Stage 2 Safety Audits for the proposed western and eastern access junctions on the A803.
- (5) Each application for the approval of Matters Specified in Conditions shall be accompanied by the following details (where relevant) for consideration for approval in writing by the Planning Authority:-
  - (a) Detailed site layout and design information, which accords with the land uses, site layout, landscape framework, road hierarchy and design principles set out in the Masterplan, dated 11 February 2011, submitted with the PPP application, unless otherwise agreed in writing by this Planning Authority or a variation is required by a condition of this permission;

- (b) A detailed Phasing Plan showing the exact sequence of development for the proposed land uses, provision of infrastructure, landscaping and open space;
- (c) A Construction Environmental Management Plan;
- (d) Detailed proposals for embedding sustainable energy use into the proposed development through, for example, site and building design and the utilisation of renewable energy sources, which accord with the approved Energy Strategy;
- (e) A detailed scheme of proposed soft landscaping works and measures to promote, enhance and add to biodiversity, which accords with the approved Site Biodiversity Action Plan and the Ecological Impact Assessment. The scheme shall include: an indication of existing trees and hedges proposed to be retained or removed (accompanied by a tree survey); the location of all proposed new trees, shrubs, hedges and grass areas; and a schedule of plants to comprise species, plant sizes and proposed numbers/densities;
- (f) A Japanese Knotweed Management Plan;
- (g) A detailed scheme of proposed hard landscaping works, which includes: the specification and colour of all proposed surface materials; and the location and design of all other proposed artefacts and structures e.g. street furniture, lighting, walls, fences and gates;
- (h) Updated surveys for badgers, bats and breeding birds, and species protection plans (where necessary);
- (i) A full site-specific surface water drainage scheme, which accords with SUDS principles;
- (j) A Flood Risk Assessment/Statement;
- (k) A Contaminated Land Assessment;
- (l) A scheme for the protection of the proposed dwellinghouses from transportation noise, which ensures that the internal levels, with windows closed, do not exceed 45dB daytime and 35dB night-time when measured as LAeqT, and provides for permanent ventilation so that windows can be kept closed without the loss of ventilation;
- (m) The exact location and specification of all proposed foot/cycle paths, including connections to the wider path network;
- (n) The exact details with regard to the proposals for retention and any removal of the former railway line;

- (o) The exact location and design of all proposed waste management facilities, which accords with the Council's guidance for refuse and recycling collection in new housing and commercial developments; and
- (p) The proposed management and maintenance arrangements in respect of the matters specified in this condition (where relevant).

*Natural Heritage*

- (6) All areas of existing vegetation which are to be retained shall be fenced off and signposted as 'exclusion areas' prior to the relevant development phase commencing, in accordance with details approved in writing by the Planning Authority, and shall not be used for the storage of soils, materials, plant or machinery, or as a compound area.
- (7) Where the proposed development has not commenced within 12 months of the last survey of the site for badgers, bats and breeding birds, further walkover survey(s) and any necessary species protection plan shall be submitted to and approved in writing by the Planning Authority prior to the relevant phase of the development commencing.
- (8) Vegetation removal shall be carried out in the months of August to April, in order to avoid disturbance to breeding birds, unless otherwise agreed in writing by the Planning Authority.

*Cultural Heritage*

- (9) No development shall take place until a scheme of archaeological investigation (including a timetable) in respect of Easter Shielyards Farm has been submitted to and approved in writing by the Planning Authority.
- (10) During the undertaking of the scheme approved under Condition 9, access at all reasonable times shall be afforded to any archaeologist nominated by the Planning Authority, to allow that person to observe work in progress and record items of interest and finds. Notification of the commencement date of ground breaking works, the site contact person and the name of the archaeologist retained by the applicant shall be submitted in writing to the Planning Authority not less than 14 days prior to the development commencing.

*Commercial Development Block*

- (11) Prior to completion of the 100<sup>th</sup> residential unit, or any other timescale that may be agreed in writing by the Planning Authority, the proposed commercial development block shall be fully completed and available for occupancy, in accordance with details approved in writing by the Planning Authority.
- (12) Prior to completion of the 100<sup>th</sup> residential unit, or any other timescale that may be agreed in writing by the Planning Authority, a public realm area at the commercial development block, incorporating public artwork, shall be provided, in accordance with details approved in writing by the Planning Authority.

#### *Equipped Play Area*

- (13) Prior to completion of the 250<sup>th</sup> residential unit, the proposed equipped play area shall be fully completed in accordance with details approved in writing by the Planning Authority in respect of the type of play equipment, seating, fences and walls, litter bins and surface finishes.

#### *Surface Water Drainage*

- (14) The proposed surface water drainage scheme shall be designed to accommodate 1 in 100 storm events.
- (15) Surface water discharge to watercourses shall be limited to 3.2 litres/second/hectare unless otherwise agreed in writing by the Planning Authority.

#### *Core Path*

- (16) The existing Core Path located within the application site shall be protected during construction works or temporarily diverted, in accordance with details approved in writing by the Planning Authority, and shall be reinstated to its original position unless a request for a formal diversion is approved.
- (17) In the event of a request for formal diversion of the Core Path being approved, a footpath shall be provided along the east side of Station Road, to link the Core Path across Station Road, in accordance with details and a timescale for implementation approved in writing by the Planning Authority.

#### *Transportation*

- (18) The proposed western and eastern access junctions shall be designed and constructed in accordance with the Design Manual for Road and Bridges and the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (19) Within one month of the opening of the western and eastern access junctions, a Stage 3 Road Safety Audit shall be submitted for the written approval of the Planning Authority.
- (20) Prior to the completion of the first dwellinghouse, the proposed pedestrian crossing of the A803 shall be completed in accordance with details approved in writing by the Planning Authority in respect of the exact design and location.
- (21) The primary road shall be designed in order to accommodate bus use, and shall incorporate stopping points and shelter facilities, in accordance with details and approved in writing by the Planning Authority.
- (22) Prior to the completion of the first dwellinghouse, the existing bus stops on the A803 shall be upgraded or relocated in accordance with details approved in writing by the Planning Authority.

- (23) Prior to the occupancy of the first dwellinghouse, an on-road cycle route shall be marked on Glasgow Road/Bonnybridge Road, at the location indicated on Figure 4 of the Updated Transport Assessment, dated December 2010, in accordance with details approved in writing by the Planning Authority.
- (24) Prior to the completion of the first dwellinghouse, the approved upgrade works to the M80/A80 slip road junctions on the A803 shall be fully completed, unless otherwise agreed in writing by the Planning Authority.
- (25) The proposed signage in respect of the surrounding road network and the footpath/cycle route network shall be submitted for the written approval of this Planning Authority and shall be erected prior to the completion of the first dwellinghouse, unless otherwise agreed in writing by the Planning Authority.

#### *Roads*

- (26) The maximum gradient of the proposed primary road shall accord with the maximum gradient specified for a local distributor road in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, unless otherwise agreed in writing by the Planning Authority.
- (27) The maximum gradients of the proposed secondary and tertiary roads and the provision of visibility splays shall accord with the relevant standards as specified in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, unless otherwise agreed in writing by the Planning Authority.
- (28) All roads and associated infrastructure shall be designed and constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, unless otherwise agreed in writing by the Planning Authority.
- (29) Upon request by the Planning Authority, autotrack layouts shall be submitted for the approval in writing by the Planning Authority, to demonstrate the effective operation of the road layout.
- (30) Vehicle and cycle parking shall be provided in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.

#### *Implementation of Approved Details*

- (31) The proposed development shall be implemented in full accordance with the details approved within the terms of the conditions of this permission and in accordance with agreed timescales unless a non-material change has 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.
- (4-5) To enable the respective matters to be considered in detail at the appropriate time following grant of planning permission in principle.
- (6-8) To protect and mitigate potential impacts on natural heritage and protected species interests.
- (9-10) To ensure that archaeological remains are safeguarded.
- (11-13) To secure the delivery of new facilities in accordance with appropriate timescales.
- (14-15) To mitigate the potential for flood risk to an acceptable level.
- (16-17) To safeguard the local Core Path Network.
- (18-19) To safeguard the interests of the users of the highway.
- (20-23) To provide appropriate infrastructure in the interests of transport alternatives to the private car.
- (24-25) To secure the delivery of the necessary infrastructure in accordance with appropriate timescales.
- (26-29) To safeguard the interests of the users of the highway.
- (30) To ensure that adequate parking is provided.
- (31) To ensure that the development is carried out in accordance with the approved details and appropriate timescales.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which the permission refer(s) bear(s) the online reference number 01.

**P216. CHANGE OF USE OF PUBLIC HOUSE TO (CLASS 1) RETAIL UNITS AT THE PINES, 5 FLEMING COURT, DENNY FK6 5HA FOR MR STEPHEN CARR – P/10/0869/FUL**

There was submitted Report (circulated) dated 15 March 2011 by the Director of Development Services on an application for full planning permission for the change of use of a public house to three (Class 1) retail units including internal alterations to subdivide the building and external alterations to remove existing windows on the west elevation, replacing existing windows on the east elevation to form glazed doors, removing windows on the south elevation and forming new access ramps to the proposed units at the Pines, 5 Fleming Court, Denny.

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

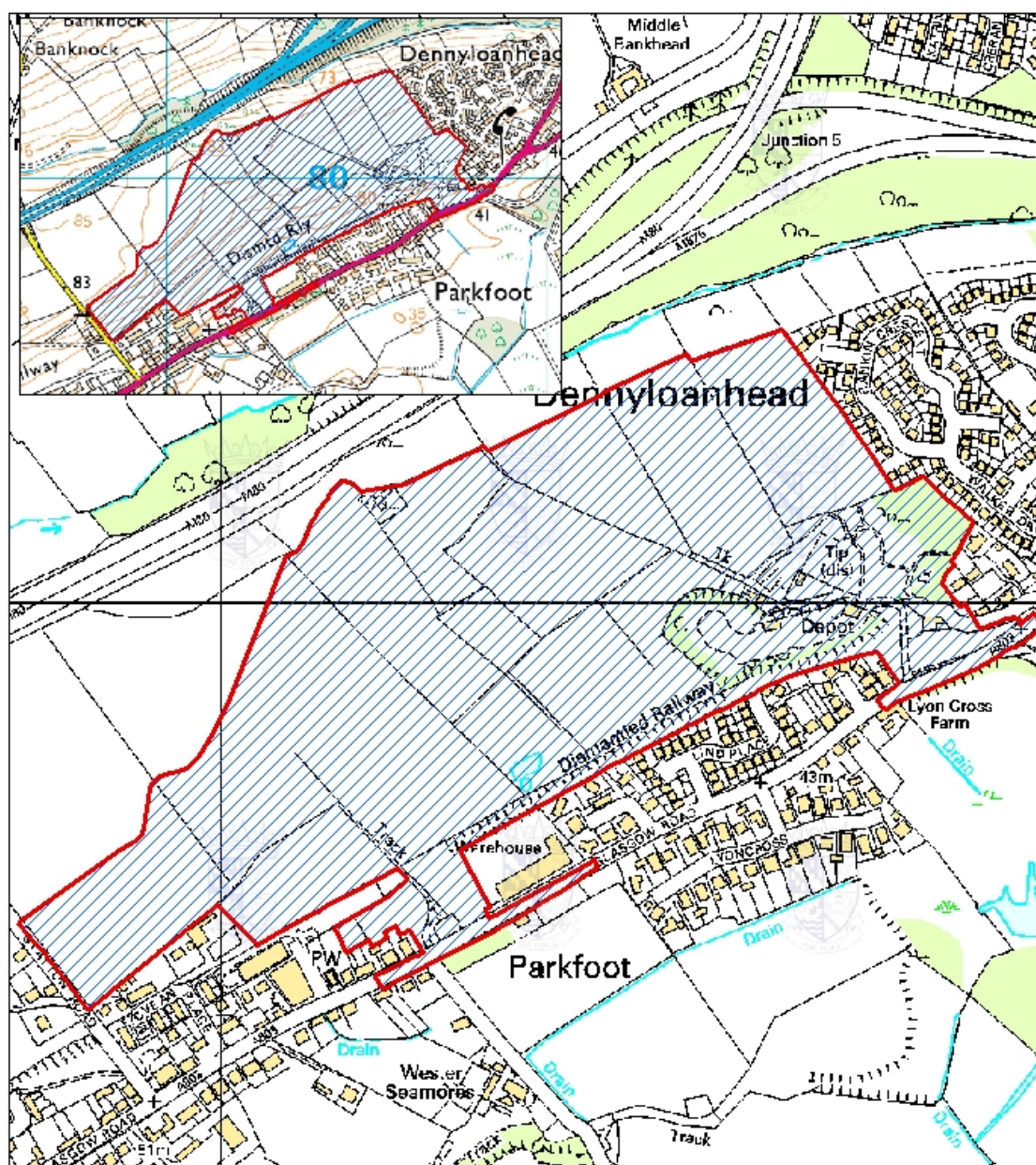


# Planning Committee

## Planning Application Location Plan

**P/09/0508/OUT**

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



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