

**FALKIRK COUNCIL**

**Subject:**        **ERECTION OF 72 FLATS AND PROVISION OF ANCILLARY CAR PARKING, LANDSCAPING AND INFRASTRUCTURE AT LORNE ROAD, LARBERT FOR CARRONVALE HOMES LTD – P/08/0827/FUL**  
**Meeting:**       **PLANNING COMMITTEE**  
**Date:**           **22 April 2009**  
**Author:**        **DIRECTOR OF DEVELOPMENT SERVICES**

**Local Members:**        **Councillor Billy Buchanan**  
                                 **Councillor Tom Coleman**  
                                 **Councillor Linda Gow**

**Community Council:**    Larbert, Stenhousemuir & Torwood

**Case Officer:**           Allan Finlayson (Senior Planning Officer), ext 4706

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

- 1.1       The site of the application is vacant industrial land at Lorne Road, Larbert.
- 1.2       The site is bounded to the north and east by 1½ and 2 storey Victorian housing, to the south by 1½ storey Victorian housing and a commercial garage and to the west by occupied industrial units.
- 1.3       The site is generally level although has been raised in past years with the formation of hardstanding. A raised earth bank with mature tree planting exists to the east and south of the site.
- 1.4       The proposed development is for the erection of 72 two bedroom flats with associated access (from Lorne Road to the west), car parking, open space and landscaping. The proposed units are concentrated in the north east of the site.
- 1.5       An area reserved for future development of an unspecified number of residential units is highlighted in the south west of the site.
- 1.6       The proposed housing layout is 4 storey flatted blocks arranged around car parking areas and open space.

**2.        REASON FOR COMMITTEE CONSIDERATION**

- 2.1       Called to Planning Committee by Councillor John Constable.

### **3. SITE HISTORY**

- 3.1 P/07/0188/FUL – erection of 72 flats of 2½, 3 and 4 storey height, ancillary car parking, landscaping and infrastructure – approved 14 September 2007.
- 3.2 06/0925/FUL – residential development comprising 25 detached and semi-detached 2 storey dwellinghouses, 24 storey flats, access road, toddlers play area and open space – withdrawn, 23 February 2007 following design and landscaping concerns.

### **4. CONSULTATIONS**

- 4.1 The Transport Planning Unit has requested the submission of a Transport Assessment for the site. A Transport Assessment has been requested on the basis of the potential unknown increase above 72 residential units as a result of an area for future residential development highlighted on the proposed layout.
- 4.2 The Roads and Design Unit has objected to the proposed development on the basis of a shortfall of 22 car parking spaces for the proposed number of flatted dwellings. Improvements to vehicular access, junction visibility, internal parking arrangements and bin store locations are required in order to comply with established Falkirk Council standards.
- 4.3 The Environmental Protection Unit has no objections to the proposed development subject to the provision and approval of further information in relation to the mitigation of potential ground contaminants arising from previous industrial uses on the site.
- 4.4 Scottish Water has no objections to the proposed development.
- 4.5 SEPA has no objection to the proposed development.
- 4.6 Central Scotland Police has provided comments on site safety and security.

### **5. COMMUNITY COUNCIL**

- 5.1 The Larbert and Stenhousemuir Community Council objects to the proposed development on the grounds of the increase in building heights over the previously approved development (ref: P/07/0188/FUL).

### **6. PUBLIC REPRESENTATION**

- 6.1 A total of 13 objections have been received from residents adjacent to the application site.
- 6.2 Six representations from residents of Allanbank Road to the north of the site object on the grounds of loss of trees, adverse impact on privacy and amenity, inadequate drainage and increased building heights from the previously approved proposal (ref: P/07/0188/FUL).

- 6.3 Three representations have been received from residents of Main Street to the south of the application site on the grounds of increased building height, noise impacts from construction and subsequent occupation of flatted dwellings, loss of trees, increased traffic generation and the role of Falkirk Council as landowner in assessing the proposal.
- 6.4 Four objections have been received from residents of Burnhead Road on grounds of increased building heights, overlooking and privacy.
- 6.5 General concerns have been raised by all objectors regarding the proposed building height and materials of construction being out of keeping with the surrounding area.

## **7. DETAILED APPRAISAL**

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

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

Accordingly: -

### **7a The Development Plan**

#### ***Falkirk Structure Plan***

- 7a.1 The proposed development raises no strategic issues. The policies of the Falkirk Council Structure Plan do not therefore apply.

#### ***Larbert & Stenhousemuir Local Plan***

- 7a.2 The application site lies centrally within the urban limit of the Larbert settlement area as identified by Larbert and Stenhousemuir Local Plan, 1998.

- 7a.3 Policy LAR 5 - ‘New Residential Development’ states:

*“New residential development is directed towards sites H1 to H20 identified on the Policies, Proposals and Opportunities Map and other appropriate brownfield sites which become available within the Urban Limit.”*

- 7a.4 The site is considered to be an appropriate brownfield site within the urban limit.

- 7a.5 Policy LAR 32 - ‘Roads and New Development’ states:

*“Road layout, access and parking provision in new developments should generally conform with the Council’s standards entitled “Design Guidelines and Construction Standards for Roads in the Falkirk Council Area”. In the case of major development proposals likely to generate significant volumes of additional traffic, a Transport Impact Assessment will be required.”*

- 7a.6 The proposed vehicular access and internal road layout do not conform to Falkirk Council Roads Design Guidelines and a shortfall of 22 car parking spaces would result if the proposal were to be approved. In addition, the applicant has declined to submit a Transport Assessment requested as a result of the number of residential units proposed and the unknown final site capacity in terms of housing numbers.
- 7a.7 The proposed development does not therefore comply with Policy LAR 32.
- 7a.8 Policy LAR 37 - 'Design and the Local Context' states:
- "Development should accord with good principles of urban design and contribute to the enhancement of the built environment. Proposals should respect and complement the character of the local townscape and landscape setting in terms of the following:*
- (i) the siting, layout and density of new development should create an attractive and coherent structure of public spaces and built forms which integrates well with the surrounding townscape, natural features and landforms;*
  - (ii) consideration should be given to creating a safe and secure environment for all users through the application of the general principles contained in PAN46 "Planning for Crime Prevention";*
  - (iii) the design of new buildings should respond to that of the surrounding urban fabric in terms of scale, height, massing, building line, architectural style and detailing;*
  - (iv) building materials and finishes should be chosen to complement those prevailing in the local area;*
  - (v) opportunities should be taken within the development to incorporate new public spaces and other focal points, and to enhance existing ones; and*
  - (vi) the contribution to the townscape of existing buildings, natural features, important landmarks, skylines and views should be respected."*
- 7a.9 The proposed development of blocks of 4 storey flatted units is considered to be unrelated in design, scale and massing with the generous proportions and layout of existing adjacent Victorian housing.
- 7a.10 Given the backland character of the site, a high rise and high density development is not considered to be acceptable. The proposed arrangement of flatted dwellings over four storeys is out of context with existing townscape character and the height and mass of surrounding buildings which are predominantly one and a half or two storey.
- 7a.11 The previously approved development (ref: P/07/0188/FUL) consisted of a range of two and a half, three and four storey dwellinghouses and flatted dwellings which achieved an acceptable relationship of buildings within the site and in the context of surrounding existing development. The use of four storeys in the previous approval was limited to a part section of one block of flatted dwellings located adjacent to existing commercial and industrial uses in a less prominent position in the townscape and with no significant impacts on the amenity of surrounding houses.
- 7a.12 The proposed four storey heights are considered to be unacceptably prominent when viewed from existing site levels to the south of the site where an open aspect exists over lower lying one and a half storey housing and the Overland Garage and associated petrol filling station.

- 7a.13 Four storey buildings do not exist in the proximity of the site and the proposed building storey heights would exceed that of architecturally important buildings such as the Dobbie Hall and Larbert West Church to the east of the site.
- 7a.14 The proposed use of brick and roughcast finish and featureless elevations are inconsistent with the surrounding sandstone buildings.
- 7a.15 The proposed development does not therefore comply with Policy LAR 37.
- 7a.16 Policy LAR 38 - 'Landscape Design' states:

*"Proposals for development should include a scheme of hard and soft landscaping as an integral part of the submission for planning permission. The landscaping scheme should:*

- (i) respect the setting and character of the site;*
- (ii) retain, where practical, existing vegetation and natural features;*
- (iii) incorporate structure planting, street trees and informal open space planting, as appropriate to the nature and location of the proposal;*
- (iv) make use of native tree and plant species;*
- (v) incorporate high quality hard landscaping, including surfacing materials, boundary enclosures and street furniture which complement the development and the local townscape; and*
- (vi) demonstrate that satisfactory arrangements have been made for the future maintenance and management of landscaped areas."*

- 7a.17 The applicant has submitted a landscape scheme which maintains the existing mature indigenous planting to the north, east and south of the site. Selective removal of non-indigenous species (leylandii conifers) to the south west of the site is proposed. More appropriate replacement planting at this location is proposed. In addition internal planting compliments the proposed development.

- 7a.18 The proposed development complies with Policy LAR 38.

- 7a.19 Accordingly, the proposal accords/does not accord with the Development Plan.

## **7b Material Considerations**

- 7b.1 The material considerations to be assessed are the Falkirk Council Local Plan Finalised Draft (Deposit Version), the views of consultees, site history and the submitted objections.
- 7b.2 The Finalised Draft Local Plan identifies the site as an opportunity for housing development (HL&S10).
- 7b.3 The proposal has been assessed against policies EC13 (Open Space and Play Provision), EQ3 (Townscape Design) and SC6 (Housing Density and Amenity). These policies are considered to affirm policies of the extant Larbert and Stenhousemuir Local Plan regarding open space provision, townscape design and housing density and amenity. The proposed development is considered to have insufficient open space, an unacceptably high residential density with associated adverse impacts on the amenity of adjacent residential properties.

7b.4 The proposal is considered to provide inadequate levels of open space, proposes a design at odds with the townscape character of the surrounding area and represents over development of the site.

7b5. The views of objectors are considered as follows:-

- In response to the concerns regarding landscaping it should be noted that no trees on the northern boundary would be removed.
- Drainage arrangements are acceptable to SEPA and Scottish Water.
- The concerns of residents of Burnhead Road regarding building heights are noted. The originally proposed 2½ storey flatted blocks have been increased to 4 storey at this location. The existing raised earth banking and mature trees are retained along the entire boundary with Burnhead Road. Impacts on privacy and overshadowing are considered to exist on the basis of increased storey heights. Boundary enclosures are considered to be acceptable in the context of existing landscape and rear garden fences.
- In response to the concerns of Main Street residents the proposed 4 storey building height represents an increase to the 2½ storey block previously approved. The concerns in relation to construction and occupation noise are considered unsubstantiated in the context of the previous industrial use of the site. Concerns over traffic generation have been substantiated by the consultation response from the Roads and Development Unit which identifies a parking shortfall and access/layout concerns.

7b.6 Falkirk Council does not own the land to which the application relates and there is no conflict of interest in the assessment of the proposed development.

7b.7 The concerns of objectors regarding landscaping, boundary treatments and land ownership are not substantiated. Concerns regarding building heights and associated amenity impacts, architectural design and townscape character are however substantiated.

## **7c Conclusion**

7c.1 The proposed development represents an unacceptable form of infill development which does not comply with Development Plan policy and represents overdevelopment of the site. There are no material considerations which would justify the approval of planning permission in this case.

## **8. RECOMMENDATION**

8.1 It is recommended that Committee refuse planning permission for the following reasons:-

1. The development is contrary to Policy LAR 37 of the Larbert and Stenhousemuir Local Plan in that the layout proposed and density of development does not accord with the established design, density and disposition of existing adjacent housing and does not respect the architectural and townscape character of the area.

2. The development is contrary to Policy LAR 32 of the Larbert and Stenhousemuir Local Plan in that the proposed vehicular access, road layout and number and arrangement of car parking spaces does not conform to Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Areas, and the failure to submit a Transport Assessment has not permitted detailed assessment of traffic impacts on the site and the surrounding area.

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For Director of Development Services

Date: 15 April 2009

#### **LIST OF BACKGROUND PAPERS**

1. Letter of representation from Robert Cole, Burnbank House, 8 Allanbank Road, Larbert FK5 4AU on 14 October 2008
2. Letter of representation from Myra and Jim Campbell, 1A Burnhead Road, Larbert FK5 4AX on 23 October 2008
3. Letter of representation from W Grant, 5 Burnhead Road, Larbert FK5 4AY on 10 October 2008
4. Letter of representation from David Grant, 5 Burnhead Road, Larbert FK5 4AY on 23 October 2008
5. Letter of representation from Mr & Mrs Wolanski, 7 Burnhead Road, Larbert FK5 4AY on 23 October 2008
6. Letter of representation from Jeanette M Retson, 4 Allanbank Road, Larbert FK5 4AU on 23 October 2008
7. Letter of representation from Mr Francis C Rae, 261 Main Street, Larbert FK5 4PU on 28 October 2008
8. Letter of representation from Mr Francis C Rae, 261 Main Street, Larbert FK5 4PU on 28 October 2008
9. Letter of representation from Andrew J Monaghan, 12 Allanbank Road Larbert FK5 4AU on 4 November 2008
10. Letter of representation from Stephen and Tracey Shaw, 249 Main Street, Larbert FK5 4RA on 13 October 2008
11. Letter of representation from Mr and Mrs C McGuckin, 251 Main Street, Larbert FK5 4RA on 13 October 2008
12. Letter of representation from Sonia Thom, Muirbank, 6 Allanbank Road, Larbert FK5 4AU on 11 November 2008
13. Letter of representation from Larbert, Stenhousemuir & Torwood Community Council, Norvia, 92 Stirling Road, Larbert FK5 4NF on 9 December 2008
14. Larbert and Stenhousemuir Local Plan
15. Falkirk Council Local Plan Finalised Draft

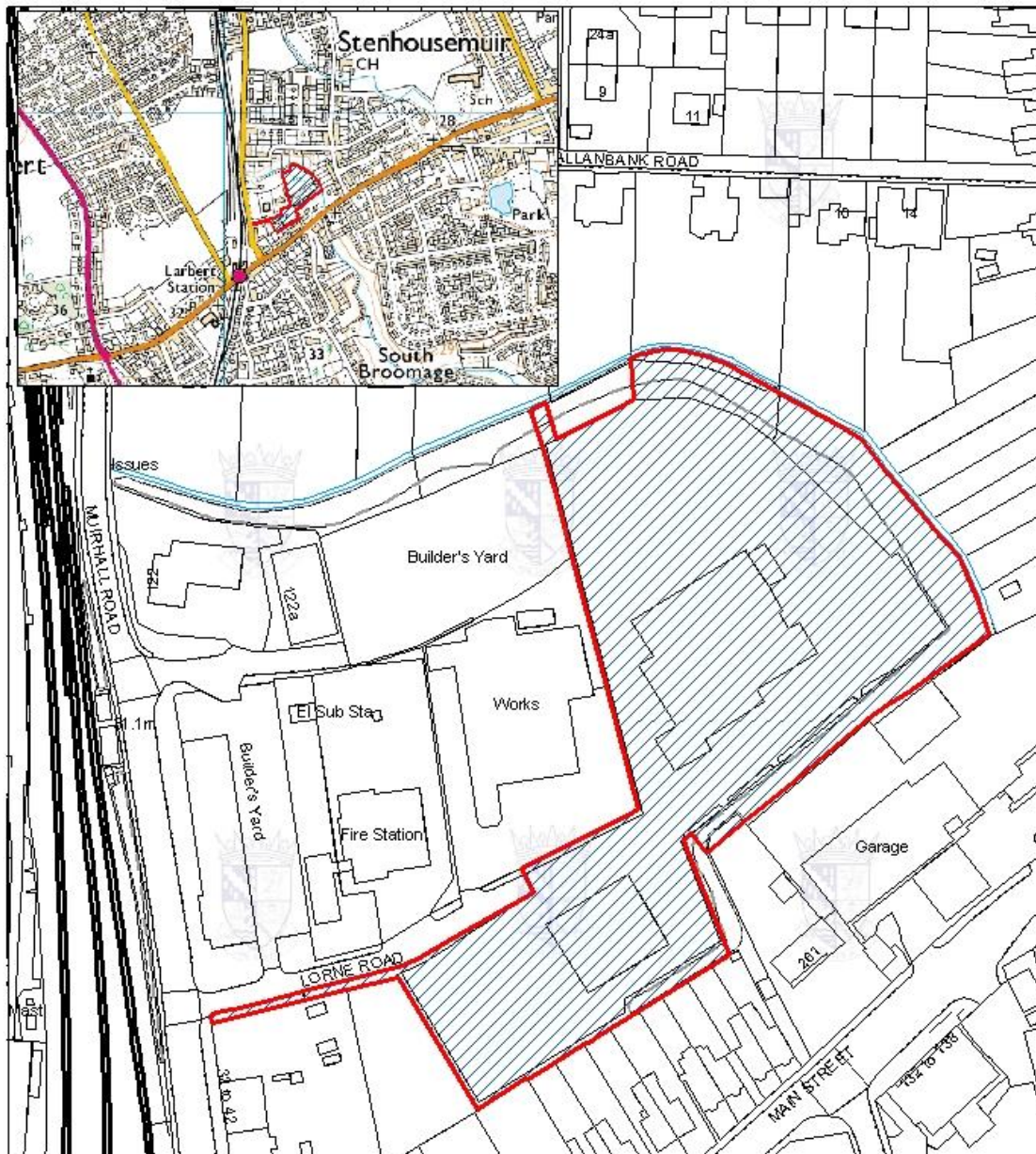
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504706 and ask for Allan Finlayson (Senior Planning Officer).

# Planning Committee

## Planning Application Location Plan

**P/08/0827/FUL**

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



Falkirk Council

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