

FALKIRK COUNCIL

Subject: CHANGE OF USE OF PUBLIC OPEN SPACE TO GARDEN
GROUND AT 143 - 171A & 173 - 201 (ODD) KERSIEBANK
AVENUE, GRANGEMOUTH FK3 0LX FOR FALKIRK COUNCIL
- P/11/0566/FUL

Meeting: PLANNING COMMITTEE

Date: 7 March 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Grangemouth
Depute Provost Allyson Black
Councillor Angus MacDonald
Councillor Alistair McNeill
Councillor Robert Spears

Community Council: Grangemouth

Case Officer: Kevin Brown (Planning Officer), Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located within an established residential area in the heart of Grangemouth. The site sits on the north east side of Kersiebank Avenue directly adjacent to the western corner of Grangemouth Stadium.
- 1.2 This detailed application proposes the refurbishment of two existing four storey blocks of flats and the change of use of the open space at the base of these flats to garden ground. These garden areas are proposed to be enclosed by 1.2m high metal bowtop fencing and 1.8m high timber fencing to the rear.
- 1.3 For the avoidance of doubt, the change of use of the open space to garden ground is the only aspect of the overall refurbishment which requires planning permission. The other work shown on the drawings, including demolition of garages, internal alterations, changes to the external appearance of the flats, including re-roofing, are all permitted development under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 Falkirk Council are the applicants and landowner for the application. Under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee.

3. SITE HISTORY

3.1 There is no relevant planning history for this site.

4. CONSULTATIONS

4.1 The Roads Development Unit have no objections to the proposal.

5. COMMUNITY COUNCIL

5.1 Grangemouth Community Council has made no representation.

6. PUBLIC REPRESENTATION

6.1 Eight letters of objection have been received. Six of these letters appear to have been submitted by the same individual. Concerns raised are summarised below:

- Concerns raised in relation to who will occupy the renovated properties given the history of anti social behaviour in the area.
- Impact on property values.
- Positioning of bin store to rear of 149/147 Claret Road.

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

Falkirk Council Structure Plan

7a.1 The proposed development is not considered to be of a strategic nature. The policies of the Falkirk Council Structure Plan are not therefore considered to apply.

Falkirk Council Local Plan

7a.2 The application site is within the urban limits as defined by the Falkirk Council Local Plan and given that much of the renovation work is permitted development only the following policy in relation to open space applies.

7a.3 Policy SC12 - 'Urban Open Space' states:

"The Council will protect all urban open space, including parks, playing fields and other areas of urban greenspace, which is considered to have landscape, amenity, recreational or ecological value, with particular reference to the areas identified on the Proposals Map. Development involving the loss of urban open space will only be permitted where:

- (1) There is no adverse effect on the character and appearance of the area, particularly through the loss of amenity space planned as an integral part of a development;*
- (2) In the case of recreational open space, it can be clearly demonstrated from a settlement and neighbourhood audit that the area is surplus to recreational requirements, and that its release for development will be compensated for by qualitative improvements to other open space or recreational facilities;*
- (3) The area is not of significant ecological value, having regard to Policies EQ24 and EQ25; and*
- (4) Connectivity within the overall open space network is not threatened and public access routes in or adjacent to the open space will be safeguarded."*

7a.4 The proposal would result in the loss of open space at the base of the existing flats but this space serves little in the way of recreational value and is primarily a visual amenity open space asset. As the area is currently flat grass, it is not considered to hold any significant ecological value.

7a.5 The proposal to include these areas as garden ground is considered beneficial in that it would increase a sense of ownership helping to deter the littering and fly tipping seen to the rear of the flats at present. The site would still benefit from an open space buffer between the areas of garden ground proposed and the main road whilst overall connectivity in the area is also proposed to be improved. The proposed boundary treatments are considered appropriate as is the proposal to soften these boundaries with planting.

7a.6 The proposal meets the terms of Policy SC12 and therefore the proposal is in accordance with the Falkirk Council Local Plan.

Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the submitted letters of representations.

Representations

7b.2 Concerns raised in reference to ongoing anti social behaviour issues associated with previous tenants of the flats and impacts on property values are noted, but these are not material planning considerations. The overall proposals to remove the existing lock-ups and to introduce garden ground areas are expected to improve natural surveillance in the area and increase a sense of ownership for the tenants of each property thus acting as a deterrent to the anti-social behaviour issues previously attributed to the site.

7b.3 Concerns raised in reference to the proximity of a bin store originally proposed to the rear of numbers 147 and 149 Claret Road have been addressed. The plans have been amended to move the position of the bin store further west on the application site and further away from the rear of the properties in Claret Road.

7c Conclusion

7c.1 The proposal is an acceptable form of development and is in accordance with the Development Plan. There are no material planning considerations that warrant a refusal of planning permission in this instance.

8. RECOMMENDATION

8.1 It is therefore recommended that Planning Committee grant planning permission subject to the following conditions:-

- (1) The development to which this permission relates must be begun within three years of the date of this permission.

Reason(s):-

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02A, 03A, 04B, 05, 06, 07A, 08A, 09, 10A and 11.

Pp
Director of Development Services

Date: 28 February 2012

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan
2. Letter of Objection received from Mr Scott Arbuckle, 53 Claret Road, Grangemouth, FK3 9LS on 6 January 2012.
3. Letter of Objection received from Mr Alex Charelston, 149 Claret Road, Grangemouth, FK3 9LS on 23 January 2012.
4. Letter of Objection received from Mrs Annette Niblo, 147 Claret Road, Grangemouth, FK3 9LS on 16 January 2012.
5. 5 letters of Objection received from Mr Scott Arbuckle, 153 Claret Road, Grangemouth, FK3 9LS on 6 January 2012.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

P/11/0566/FUL

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