

FALKIRK COUNCIL

Subject: **VARIATION OF CONDITION 33 OF PLANNING PERMISSION P/08/0296/FUL TO ALLOW OCCUPATION OF AFFORDABLE RESIDENTIAL UNITS PRIOR TO CONSTRUCTION OF A ROUNDABOUT AT THE JUNCTION OF STIRLING STREET AND NETHERMAINS ROAD AT LAND TO THE WEST OF 21 OLD MILL WAY, KIRKLAND DRIVE, STONEYWOOD FOR MACTAGGART AND MICKEL - P/12/0364/VRC**

Meeting: **PLANNING COMMITTEE**

Date: **31 October 2012**

Author: **DIRECTOR OF DEVELOPMENT SERVICES**

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

Councillor Jim Blackwood
Councillor Brian McCabe
Councillor John McNally
Councillor Martin David Oliver

Community Council: **Denny and District**

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

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was originally considered by the Planning Committee on 19 September 2012 (copy of previous report appended), when it was agreed to continue the application for a site visit. This visit took place on 8 October 2012.
2. At the site visit, the case officer summarised the report and Local Members made comments and asked questions. The applicant was not represented at the site visit.
3. Members noted from the Roads Construction Consent (RCC) drawing that the required junction works essentially involve road markings with no realignment of the kerb lines etc required.
4. A Local Member raised a number of concerns relating to the actual development site at the former Carrongrove Paper Mill site at Stoneywood.
5. It is clarified that planning permission Ref. P/08/0296/FUL was granted in May 2012 for 129 dwellinghouses, 53 flats, 750 square metres of commercial floorspace and other works and infrastructure.

6. The recommendation in the previous report is to allow the proposed variation to enable the phase 1 affordable housing units (27 units) to be constructed prior to the new mini-roundabout. This would reflect the timing of delivery of other off-site infrastructure works agreed in the Section 75 Planning Obligation. In consequence, construction of the mini-roundabout would be required prior to occupation of any mainstream unit. "Mainstream unit" is a term used in the Section 75 Planning Obligation and means a Residential Unit that is not an Affordable Housing Unit.
7. It is considered that no matters were raised at the site visit that would alter the original recommendation to grant planning permission to allow the requested variation of condition. Accordingly, the original recommendation is reiterated as follows:-
8. It is therefore recommended that Committee grant planning permission to allow the requested variation, subject to the following condition:-
 1. No mainstream unit shall be occupied until a mini-roundabout has been constructed at the junction of Stirling Street and Nethermains Road in accordance with an approved Road Construction Consent.

Reason(s):-

1. To secure the timely provision of infrastructure required by the proposed development.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01.
2. 'Mainstream Unit' means a Residential Unit that is not an Affordable Housing Unit.
3. 'Affordable Housing Units' means those 27 Residential Units which are part of the Development, as shown on Drawing No. (SK) 201 Revision J approved as part of grant of planning permission P/08/0296/FUL.

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Director of Development Services

Date: 23 October 2012

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Plan.

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: VARIATION OF CONDITION 33 OF PLANNING PERMISSION P/08/0296/FUL TO ALLOW OCCUPATION OF AFFORDABLE RESIDENTIAL UNITS PRIOR TO CONSTRUCTION OF A ROUNDABOUT AT THE JUNCTION OF STIRLING STREET AND NETHERMAINS ROAD AT LAND TO THE WEST OF 21 OLD MILL WAY, KIRKLAND DRIVE, STONEYWOOD, FOR MACTAGGART AND MICKEL - P/12/0364/VRC

Meeting: PLANNING COMMITTEE

Date: 19 September 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Denny and Banknock

Councillor Jim Blackwood
Councillor Brian McCabe
Councillor John McNally
Councillor Martin David Oliver

Community Council: Denny and District

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

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site extends to nearly 15 hectares and lies between the B818 and the River Carron at Stoneywood. The site previously contained a paper mill but is now a cleared site and phase 1 of a new housing development has commenced.
- 1.2 The application is to vary a condition of planning permission P/08/0296/FUL to allow phase 1 of the development for affordable housing (27 units) to proceed in advance of construction of a roundabout at the junction of Stirling Street and Nethermaings Road. This (off-site) work is required in order to mitigate the impact of increased traffic as a consequence of the proposed development.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires consideration by the Planning Committee as it has been called in by Councillor McCabe.

3. SITE HISTORY

- 3.1 Planning application P/08/0296/FUL was granted in May 2012 for a mixed use development including 108 dwellinghouses, 65 flats and 5700 square feet of commercial floorspace. The development commenced in June 2012. Condition 33 of the permission required the provision of a new roundabout at the junction of Stirling Street/Nethermain Road prior to occupation of the first residential unit.

4. CONSULTATIONS

- 4.1 The Roads Development Unit have no objection in principle to the application.
- 4.2 The Transport Planning Unit have no objection to the application as the proposed approach, to tie delivery of the proposed roundabout to occupation of the mainstream units, is consistent with the agreed approach through the Section 75 Planning Obligation for planning permission P/08/0296/FUL, in respect of delivery of other off-site infrastructure works.

5. COMMUNITY COUNCIL

- 5.1 The Denny and District Community Council has not made any representations.

6. PUBLIC REPRESENTATION

- 6.1 No letters of representation have been received in relation to the application.

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 Local Plan

- 7a.1 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.2 This policy relates to housing land provision and advises that the sites contributing towards the housing land requirement are detailed in the Settlement Statements. Under the Settlement Statement for Denny and Dunipace, the application site is identified as housing opportunity site (H.DEN10). The proposed development therefore contributes to the identified housing land requirement.

7a.3 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.*
- (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.4 This policy advises that planning permission will only be granted where the transport assessment and travel plan have been properly scoped, the network impacts properly defined and suitable mitigation measures identified. The transport assessment and travel plan were accepted in consideration of planning application P/08/0296/FUL and the mitigation measures were agreed. One of these measures was the provision of a roundabout at the existing Stirling Street/Nethermain Road junction. The current application seeks to change the timing of delivery of the proposed roundabout. The proposed variation is considered to be acceptable and would ensure delivery of the infrastructure at an appropriate phase of the overall development. The application therefore accords with this policy.

7a.5 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations in respect of this application are the planning history for the development site and the consultation responses. These matters have been considered previously in this report. No concerns were raised in the consultation responses.

7c Conclusion

7c.1 The application is considered to accord with the Development Plan for the reasons detailed in this report. The proposed variation of condition is therefore considered to be acceptable and recommended for approval. There are no material considerations to justify a contrary recommendation.

8. RECOMMENDATION

8.1 It is therefore recommended that Committee grant planning permission to allow the requested variation, subject to the following condition:-

- 1. No mainstream unit shall be occupied until a mini-roundabout has been constructed at the junction of Stirling Street and Nethermains Road in accordance with an approved Road Construction Consent.**

Reason(s):-

- 1. To secure the timely provision of infrastructure required by the proposed development.**

Informative(s):-

- 1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01.**
- 2. 'Mainstream Unit' means a Residential Unit that is not an Affordable Housing Unit.**
- 3. 'Affordable Housing Units' means those 27 Residential Units which are part of the Development, as shown on Drawing No. (SK) 201 Revision J approved as part of grant of planning permission P/08/0296/FUL.**

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Director of Development Services

Date: 12 September 2012

LIST OF BACKGROUND PAPERS

- 1. Falkirk Council Local Plan.**

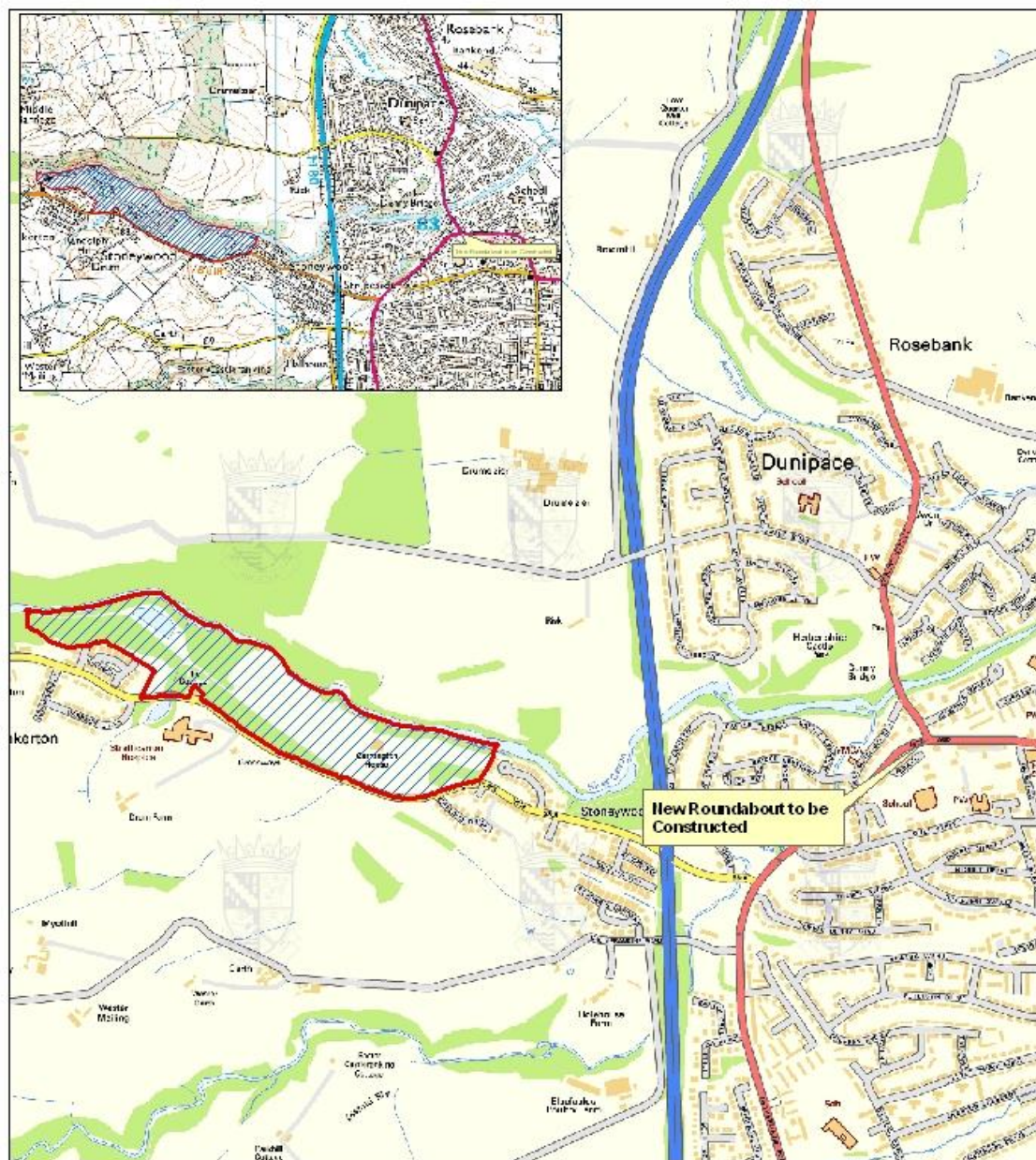
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian, Senior Planning Officer.

Planning Committee

Planning Application Location Plan

P/12/0364/VRC

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



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