

FALKIRK COUNCIL

Subject: ENGINEERING WORKS TO CREATE UNDERGROUND ATTENUATION STORAGE, ASSOCIATED INFRASTRUCTURE AND ACCESS AND BUNDING AT NORTH BROOMAGE PLAYING FIELDS, BROOMAGE CRESCENT, LARBERT FOR FALKIRK COUNCIL - P/13/0405/FUL

Meeting: PLANNING COMMITTEE

Date: 22 August 2013

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Bonnybridge and Larbert

Baillie Billy Buchanan
Councillor Tom Coleman
Councillor Linda Gow

Community Council: Larbert, Stenhousemuir and Torwood

Case Officer: Allan Finlayson (Senior Planning Officer), Ext. 4706

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The proposed development is the formation of underground surface water attenuation storage with associated access, hardstanding and infrastructure.
- 1.2 The site of the proposed development is at North Broomage Playing fields immediately to the east of Broomage Crescent, Larbert.
- 1.3 The development is proposed by Falkirk Council, the applicant, to alleviate historic flooding of the Chapel Burn which affects the surrounding area.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 Falkirk Council is the applicant and proposes to implement the development if approved.

3. SITE HISTORY

- 3.1 No relevant planning history for the site or its immediate surroundings.

4. CONSULTATIONS

4.1 No consultations were issued in relation to the proposed development.

5. COMMUNITY COUNCIL

5.1 The Larbert, Stenhousemuir and Torwood Community Council have not made comment on the application.

6. PUBLIC REPRESENTATION

6.1 No objections have been made in response to neighbour notification or press advertisement.

6.2 During assessment of the application an enquiry was received from a resident of the area. The enquiry sought clarification of the period of closure of the North Broomage Playing Fields during the period of the works, the timescale for works commencing and completion, visible above ground structures and any permanent loss of playing fields.

6.3 The applicant has responded directly to the enquirer clarifying the likely period of construction and the proposed structures.

6.4 There would be minimal changes to existing ground levels with no obvious above ground changes. No loss of the existing playing fields would result, following the completion of development.

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 There are no relevant policies within the Falkirk Council Structure Plan

Falkirk Council Local Plan

7a.2 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.3 The development is proposed on an area of overgrown passive open space cut through by footpaths to the south of the North Broomage playing fields. The footpaths would be reinstated on completion of development and no loss of open space would result. Details of proposed replacement landscaping would be required by planning condition, if permission is granted.

7a.4 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.5 The development is proposed to alleviate historic flooding of the Chapel Burn at this location. Falkirk Council, as Flooding Authority, has a responsibility for flood management and mitigation. It is considered that implementation of the development would resolve flooding occurrences at the site.

7a.6 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the policies of the emerging Falkirk Local Development Plan.

7b.2 The Proposed Falkirk Local Development Plan was approved by the Council for consultation in March 2013, with the period for representations running from April to June 2013. It is expected to be adopted in early 2015, at which point it will replace the current Structure Plan and Local Plan. It provides the most up to date indication of Falkirk Council's views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications.

7b.3 The following policies of the emerging Falkirk Local Development Plan are relevant to the assessment of the application under consideration.

7b.4 Policy INF03 - 'Protection of 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. Accordingly:

1. *Development involving the loss of urban open space will only be permitted where:*
 - *There is no adverse effect on the character or appearance of the area, particularly through the loss of amenity space planned as an integral part of a development;*
 - *There will be no significant adverse effect on the overall recreational amenity of the local area, taking account of the Council's open space standards (defined within the Open Space Strategy) and its release for development will be compensated for by qualitative improvements to other parts of the green network in the local area;*
 - *The area is not of significant ecological value (this can include areas that are not specifically designated for ecological features, but which are important in supporting the qualifying features of Natura 2000 sites); and*
 - *Connectivity within, and functionality of, the wider green network is not threatened and public access routes in or adjacent to the open space will be safeguarded.*
2. *Where development would also involve the loss of playing fields or sports pitches, it must additionally be demonstrated that:*
 - *The proposed development is ancillary to the principal use of the site as a playing field; or*
 - *The proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training; or*
 - *The playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area; or*
 - *The Council's pitch strategy has shown that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision."*

7b.5 Policy RW05 - 'The Water Environment' states:

"The Council recognises the importance of the water environment within the Council area in terms of its landscape, ecological, recreational and land drainage functions. Accordingly:

1. *The Council will support the development of measures identified within the Forth Area River Basin Management Plan designed to improve the ecological status of the water environment;*
2. *Opportunities to improve the water environment by: opening out previously culverted watercourses; removing redundant water engineering installations; and restoring the natural course of watercourses should be exploited where possible;*
3. *There will be a general presumption against development which would have a detrimental effect on the integrity and water quality of aquatic and riparian ecosystems, or the recreational amenity of the water environment, or which would lead to deterioration of the ecological status of any element of the water environment. Where appropriate, development proposals adjacent to a waterbody should provide for a substantial undeveloped and suitably*

landscaped riparian corridor to avoid such impacts;

4. *There will be a general presumption against any unnecessary engineering works in the water environment including new culverts, bridges, watercourse diversions, bank modifications or dams; and*
5. *The water environment will be promoted as a recreational resource, (subject to the requirements of policy GN03 (1) for Natura 2000 Sites), with existing riparian access safeguarded and additional opportunities for ecological enhancement, access and recreation encouraged where compatible with nature conservation objectives.”*

7b.6 Policy RW06 - ‘Flooding’ states:

- “1. *Development on the functional flood plain should be avoided. In areas where there is significant risk of flooding (including flooding up to and including a 1 in 200 year flood event) development proposals will be assessed against advice and the Risk Framework in the SPP relating to flooding and drainage. There will be a presumption against new development which would:*
 - *be likely to be at risk of flooding;*
 - *increase the level of risk of flooding for existing development;*
 - *be likely to require high levels of public expenditure on flood protection works; or*
 - *result in a use more vulnerable to flooding or with a larger footprint than any previous development on site.*
2. *Development proposals on land identified as being at risk from flooding, or where other available information suggests there may be a risk, will be required to provide a flood risk assessment that demonstrates that:*
 - *any flood risks can be adequately managed both within and outwith the site;*
 - *an adequate allowance for climate change and freeboard has been built into the flood risk assessment;*
 - *access and egress can be provided to the site which is free of flood risk; and*
 - *water resistant materials and forms of construction will be utilised where appropriate.*
3. *Where suitably robust evidence suggests that land contributes or has the potential to contribute towards sustainable flood management measures development will only be permitted where the land’s sustainable flood management function can be safeguarded.”*

7b.7 The policies of the proposed Falkirk Local Development Plan further evolve the relevant policies of the extant Falkirk Council Local Plan. The proposed development is considered to accord with all relevant policies of the proposed Falkirk Local Development Plan.

7c Conclusion

- 7c.1 The proposed development has demonstrated compliance with all relevant Development Plan policies.
- 7c.2 No objections or adverse comments have been made in relation to the proposed development.
- 7c.3 There are no material considerations which would justify setting aside policies of the Development Plan and refusing planning permission.

8. RECOMMENDATION

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

- (1) Prior to the commencement of development a phasing and implementation programme shall be submitted for the written approval of Falkirk Council including amendments as required. The phasing programme shall confirm the anticipated commencement date, duration of works and completion date. The programme shall also provide details of measures to allow continued pedestrian circulation in the vicinity of the site.**
- (2) Prior to the commencement of works details of the restoration of the site and replacement landscaping specifications, including a programme of implementation, shall be submitted for the written approval of the Planning Authority including amendment as required.**

Reason(s):-

- (1) To control the approved development.**
- (2) In the interests of environmental amenity.**

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A.**

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Director of Development Services
Date: 13 August 2013

LIST OF BACKGROUND PAPERS

- 1. Falkirk Council Structure Plan.
- 2. Falkirk Council Local Plan.
- 3. Falkirk Local Development Plan (Proposed Plan) April 2013.

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/13/0405/FUL**

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



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