

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES INCLUDING OPEN SPACE, ACCESS, LANDSCAPING AND ASSOCIATED ENGINEERING WORKS AT PARKHALL FARM, MADDISTON, FALKIRK FK2 0BN FOR GLADMAN DEVELOPMENTS LIMITED - P/14/0707/PPP

Meeting: FALKIRK COUNCIL

Date: 13 May 2015

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward – Upper Braes
Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: Maddiston Community Council

Case Officer: Julie Seidel (Planning Officer), Ext. 4880

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application for planning permission in principle relates to a proposed residential development at Parkhall Farm, Maddiston. The application site takes the form of two relatively distinct areas of land, as follows:
- A northern site measuring 15.4 hectares. This site bounds the established residential development at Cleuch Place, Gannel Drive and Kings Seat Place to the south and Nicolton Road to the north. An indicative site layout shows vehicular access being taken from Nicolton Road, the Glendevon Drive roundabout and two accesses to the east of the site across open countryside; and
 - A southern site measuring 4.3 hectares. This site is bounded by residential development at Innerdouny Drive and Mellock Crescent to the west, the Manuel Burn to the south and Parkhall Farm to the proposed eastern boundary. Vehicular access to this site is shown as being taken from the roundabout at Glendevon Drive.
- 1.2 The submitted plans, although indicative at this stage, show a proposed residential development with a mixture of 2 storey detached and semi-detached houses, lower density 1, 1½ and 2 storey detached houses and 2½ and 3 storey flats. The indicative layout identifies areas for built development, open space, landscaping, footpath network and Sustainable Urban Drainage System (SUDS) in the form of 2 retention ponds. The indicative plan also shows provision of a possible recreational or community facility, although this is not included in the application description.
- 1.3 The applicant has indicated that the proposal relates to up to 212 dwellings, of which 25% would be affordable housing.

1.4 In addition to the location and indicative plans, the applicant has submitted the following information in support of the application:

- Phase 1, Habitat and Protected Species Survey;
- Air Quality Assessment;
- Design and Access Statement;
- Drainage and Flood Risk Assessment;
- Drainage Impact Assessment;
- Historic Environment Assessment;
- Coal Mining Search Report;
- Phase 1, Environmental Risk Assessment;
- Planning Statement;
- Pre-Application Consultation Report;
- Road Safety Audit;
- Socio-Economic Report;
- Transport Assessment;
- Tree Survey and Arboriculture Constraints;
- Landscape and Visual Impact Assessment;
- Noise Assessment;
- Coal Mining Risk Assessment;
- Utilities and Infrastructure Report; and
- Water Impact Assessment.

2. REASON FOR COUNCIL CONSIDERATION

2.1 Council consideration is required for a major development that is significantly contrary to the Development Plan. The proposed development is considered to be significantly contrary to the approved Falkirk Council Structure Plan and the adopted Falkirk Council Local Plan, due the site's countryside designation and its scale and nature within the context of the local area.

2.2 A pre-determination hearing is required for a major development that is significantly contrary to the Development Plan and this was held at Maddiston Primary School on 30 March 2015. This report now provides a planning assessment of the proposed development.

3. SITE HISTORY

3.1 Proposal of application notice Ref: PRE/2013/0017/PAN, for proposed residential development at the site was submitted to the Council on 11 December 2014.

3.2 An Environmental Impact Assessment (EIA) screening opinion (Ref: PRE/2013/0018/SCREEN) was submitted. An EIA is not required for the development.

- 3.3 Planning application Ref: P/14/0483/PPP for a local distributor road and associated earthworks would link the eastern access of the application site to the A801. This application is pending consideration and is relevant to this application as the northern section of the application site shows vehicular access to the east across open countryside.
- 3.4 Planning application Ref: 06/0457/FUL approved the SUDS system located in the southern application site. This included associated drains, manholes and outfalls. The development is constructed and serves the existing residential development adjacent to the site.

4. CONSULTATIONS

- 4.1 The Roads Development Unit make general comments in relation to access to the site and its impact on the surrounding road network, flooding and drainage. The Unit make comment in relation to pressure on the junction of Nicolton Road and the B805 Main Road, as a result of the development.
- 4.2 The Transport Planning Unit consider the application premature as the 'next phase' of development at Parkhall Farm, noting allocated sites within the Proposed Falkirk Local Development Plan (FLDP). The Unit are not satisfied that Nicolton Road could be upgraded to a suitable standard in order to operate as a secondary access into the proposed development.
- 4.3 The Environmental Protection Unit advise of conditions relating to ground contamination.
- 4.4 Education Services object to the proposed development and recommend that the application is refused. The proposed development would put an unacceptable pressure in particular on Maddiston Primary School. The proposed development would also put pressure on the Braes High School, St Mungos RC High School and St Andrews RC Primary School. Should the application be approved contrary to their advice, Education Services advise that they would seek a considerable commuted payment for local school provision and the provision of a new primary school.
- 4.5 The Coal Authority do not object to the proposed development, subject to a condition requiring intrusive site investigations.
- 4.6 The Scottish Environmental Protection Agency (SEPA), do not object to the application, subject to planning conditions relating to flooding and SUDS provision.
- 4.7 Scottish Water do not object to the application.
- 4.8 Scottish Natural Heritage (SNH) do not object to the application.
- 4.9 Following a request at the pre-determination hearing, the NHS were consulted and a response is anticipated.

5. COMMUNITY COUNCIL

- 5.1 Since the pre-determination hearing, Maddiston Community Council have updated their response and now object to the application. The Community Council consider that any new development in the area should come with supported infrastructure. They are concerned that the proposed development would lead to:

- The unfortunate loss of further green space;
- An unacceptable increase in traffic levels, that the existing roads network could not accommodate. The use of Nicolson Road is questionable, given its width and height limitations in relation to the canal and road bridges;
- Local catchments schools, in particular Maddiston Primary School, could not accommodate the proposed development;
- The proposal does not include any social infrastructure including doctor, health care, social centre and activities for the young and old. The proposed development would compound the lack of facilities in the community;
- The developer's proposal to restructure the local community centre, would not off-set the impact of the development;
- The proposed development would put additional pressure on medical services at Meadowbank. The NHS should be consulted on the application; and
- The proposed development would create more problems than it would resolve.

6. PUBLIC REPRESENTATION

- 6.1 A total of 106 objections from local residents have been received in respect of the application. Two of the local residents submitted more than one letter of representation. The matters raised in the objections can be summarised as follows:-

Policy

- The northern section of the application site is within the countryside and is not allocated for development;
- There are other sites more suitable for residential development in the area;
- Previous planning applications in the area have been refused;
- Brownfield sites should be developed before countryside;
- This application is premature to adoption of the Proposed Falkirk Local Development Plan (FLDP);

Amenity

- The local area has a lack of amenities and infrastructure to serve the proposed development;
- The Parkhall Farm development has been a building site for many years, this application would unacceptably impact the amenity of existing residents;
- The development would unacceptably affect the landscape setting of existing properties and their view into open countryside;
- The application site is currently used for informal recreation;

- Loss of a view. Residents were sold their homes on the basis of there being no further development in the northern section of the application site;
- Loss of green space / countryside;
- Unacceptable impact on noise for existing residents;
- Maddiston is overpopulated;
- The proposal will overlook existing properties;
- Impact on drainage, flooding and subsidence of surrounding properties;

Roads and Safety

- The proposal would generate traffic to levels that the road network could not accommodate. This includes during construction;
- Nicolton Road could not accommodate the likely increase in traffic. The road is substandard, unlit and has two tight bridge crossings (over the railway and under the canal);
- The proposed upgrading of Nicolton Road would result in the loss of mature trees, hedgerow and wildlife. Any proposed upgrading would damage the fragile drainage system and lead to flooding;
- Traffic is heavy near the school causing a road safety hazard for children and the roundabout is at capacity;
- The carpark at Polmont station is too small to meet current demand for parking;
- The proposed development could cause a delay in the adoption of existing roads by the Council, this means roads will not be maintained or gritted;
- Glendevon Drive would become a by-pass road;

Other

- Impact on the capacity at Maddiston Primary school, children are already accommodated in temporary accommodation in the playground;
- The nursery class also has accommodation pressures, with pre-school children not being able to get the full 2 years of pre-school education;
- The proposal would unacceptably impact habitats including reedbeds, hedgerows, mature trees, birds, badgers, fox, deer, Common Buzzard and Kestrel;
- Concerns in relation to building under or adjacent to power lines;
- The local health centre (Meadowbank and St Margarets) has capacity issues and could not accommodate the proposed development;
- The application should be subject to an EIA;
- The current drainage and water system could not cope with the proposed development;
- The proposed SUDS would be a danger to local children; and
- Impact on the property value of existing houses.

6.2 At the pre-determination hearing, objectors spoke in relation to the application, raising issues detailed above and in particular in relation to the impact on Maddiston Primary School, healthcare provision and the local road network.

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

- 7a.1 The following policies of the Development Plan are relevant to the determination of this application.

Falkirk Council Structure Plan

- 7a.2 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.3 This policy indicates that the Council will maintain an effective 5 year supply of housing land within the Falkirk Council housing market area. The effective housing land supply is defined in the Structure Plan as "the part of the established land supply that is expected to be free of constraints in the 5 year period under consideration and will therefore be available for construction of houses". The established housing land supply is defined as "all land with agreed potential for housing development by virtue of having planning permission or being identified in an adopted Local Plan or other relevant planning documents".

- 7a.4 Housing land supply will be examined in detail in section 7b.33 - 7b.36 of this report. It is considered that the proposed development is not required in order to maintain an effective 5 year housing land supply. Accordingly, the proposed development cannot be justified by a need for housing land.

- 7a.5 Policy COM.3 'Special Needs and Affordable Housing' states:

"The Council will support the provision of affordable and special needs housing, based on housing needs assessments for each community. Local Plans will identify suitable sites and where appropriate, stipulate the proportion of larger housing sites which should be reserved to meet specific housing needs."

7a.6 The applicant proposes 25% of the development would be affordable housing. This ratio is in accordance with the Falkirk Council Local Plan and supplementary planning guidance. The scale and nature of affordable housing provision would require discussion in consultation with Corporate and Neighbourhood Services, having regard to housing needs assessments for the local community. Subject to agreement on these matters, the proposed development accords with this policy.

7a.7 Policy COM.5 ‘Developer Contributions’ states:

“The Council will ensure that proper provision is made to meet the physical and social infrastructure needs of new development and to mitigate the impact of such development on the locality. Where it is required to make a proposal acceptable in land use planning terms, serve a planning purpose and is directly related to the proposed development, developer funding for on- or off-site works will be sought in respect of:

- (1) environmental enhancement required to mitigate, or compensate for landscape, townscape or ecological impacts;*
- (2) physical infrastructure required to make the development acceptable, particularly transport provision required to ensure that the development meets sustainability criteria;*
- (3) community and recreational facilities required to meet demand generated by the development.*

The required provision will be reasonable and related to the scale and nature of the proposed development, taking into account the relevant Council standards and will be specified within Local Plans and development briefs as appropriate. Examples of the range of matters which developers may be asked to address are provided in Schedule COM.5.”

7a.8 It is considered that developer funding would be required in order to meet the infrastructure needs of the proposed development and mitigate its impact on the locality. While the applicants have indicated their willingness to mitigate the proposed development, it is considered that it has not been demonstrated that developer contributions could mitigate the impact on transport infrastructure or Maddiston Primary School, and this will be discussed in greater detail in Section 7b of this report.

7a.9 Accordingly, it has not been demonstrated that the infrastructure needs of the proposed development would be properly met or that the impacts of the proposed development would be adequately mitigated. The proposed development is contrary to this policy.

7a.10 Policy COM.6 ‘Open Space and Recreational Facilities’ states:

“The Council will seek to ensure that a satisfactory distribution and quality of open space and recreational facilities exists across the Council area. Accordingly:

- (1) the loss of open space and recreational facilities will not normally be permitted except where, as part of a community-wide assessment of provision, it is demonstrated that the loss will have no adverse impact on visual or recreational amenity and will release resources for qualitative improvements to facilities in the community as a whole;*
- (2) Local Plans will identify and seek to address any remaining localised deficiencies in provision;*

- (3) *resources will generally be concentrated on improving the quality, management and accessibility of existing provision; and*
- (4) *all new housing development must contribute to the provision and maintenance of open space and recreational facilities either through on-site provision or contributions to off-site provision. Standards will be set out in Local Plans based on the provision of 2.8ha per 1000 persons.”*

7a.11 This policy seeks to ensure that a satisfactory distribution and quality of open space and recreational facilities exist across the Council area. Clause 4 of the policy states that all new housing development must contribute to the provision and maintenance of open space and recreational facilities and that standards will be set out in Local Plans. In that regard, Policy SC13 of the Falkirk Council Local Plan indicates that open space and play provision in new developments should be informed by the Council’s open space audit and the Supplementary Planning Guidance Note on Open Space and New Development.

7a.12 The indicative plans submitted with the application indicate a distribution of amenity, play and recreational open space throughout the application site. The detailed provision, location and design would be the subject of any subsequent application for Matters Specified in Conditions. This would include consideration of provision of on-site play facilities to serve the proposed development.

7a.13 Subject to the imposition of appropriate conditions on any grant of permission and/or the satisfactory completion of an appropriate legal agreement, the proposed development accords with this policy.

7a.14 Policy COM.7 ‘School Provision’ states:

“New housing development will not be permitted unless adequate school capacity is available or will be made available.”

7a.15 The application has been assessed as putting an unacceptable impact on catchment schools, in particular Maddiston Primary School, which could not accommodate the proposed development. The application is contrary to policy COM.7.

7a.16 Policy ENV.1 ‘Countryside and Protected Areas’ states:

“(1) There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.

(2) The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.”

7a.17 The application site lies outwith the urban limit, within the countryside, as identified in the Falkirk Council Local Plan. Under this policy there is a general presumption against development unless it can be demonstrated that a countryside location is essential or the proposed development is an appropriate form of agricultural diversification. In this instance, the essential need for a countryside location has not been demonstrated and the proposal is not a form of agricultural diversification. The proposed development therefore does not accord with this policy.

7a.18 Policy ENV.3 ‘Nature Conservation’ states:

- “The protection and promotion of nature conservation interests will be an important consideration in assessing all development proposals. Accordingly:*
- (1) Any development likely to have a significant effect on a designated or potential European Site under the Habitats or Birds Directives (Special Areas of Conservation and Special Protection Areas) or on a Ramsar or Site of Special Scientific Interest (see Schedule Env.3), must be subject to an appropriate assessment of the implications for the sites conservation objectives. The development will only be permitted where the appropriate assessment demonstrates that:*
 - (a) it will not adversely affect the integrity of the site, or;*
 - (b) there are no alternative solutions and there are imperative reasons of overriding national public interest.*
 - (2) Sites of local or regional importance, including Wildlife Sites and Sites of Importance for Nature Conservation, will be defined in Local Plans. The designation of Sites will be based on Scottish Wildlife Trust criteria. Development likely to have an adverse impact on any such site or feature will not be granted planning permission unless it can be clearly demonstrated that there are reasons which outweigh the need to safeguard the site or feature. Until such areas are defined in Local Plans, identified or potential sites will be afforded the same protection.*
 - (3) Local Plans will identify opportunities for enhancing the natural heritage including new habitat creation, the identification of ‘wildlife corridors’ and measures to ensure the protection of priority local habitats and species as identified in the forthcoming Falkirk Local Biodiversity Action Plan.*
 - (4) The aims and objectives of the forthcoming Falkirk Local Biodiversity Action Plan and any associated Species Action Plans and Habitat Action Plans will be a material consideration in assessing any development proposal likely to impact on local priority species and habitats.”*

7a.19 The applicant has submitted a Phase 1, Habitat and Protected Species Survey, which demonstrates that the proposed development would not adversely impact any nature conservation interests at the application site. The application does not offend the terms of this policy.

7a.20 Policy ENV.7 ‘Quality of Development’ states:

- “(1) Priority is attached to the achievement of high standards of design in all new development. Proposals for development which would have significant visual and physical impact on a site and its surroundings must be accompanied by a "design concept statement" incorporating the relevant factors outlined in Schedule ENV.7 which sets out how design principles have been addressed and how quality objectives will be achieved.*

- (2) *Local Plans and Supplementary Planning Guidance will provide detailed guidance on how significant impact will be assessed and the details to be included in such design concept statements.”*

7a.21 It is considered that the proposal could be designed to a high standard in accordance with the Local Plan and supplementary planning guidance in relation to design principles. The application does not offend the terms of this policy.

7a.22 Policy 'TRANS.1 'Core Path Networks' states:

“The Council through consultation will identify a network of strategic paths and core path networks based on the main communities of the area. In particular the Council will make provision for the identification, safeguarding and development of the following:

- (1) National Cycle Network route between Edinburgh and Stirling through the Falkirk Council area;*
- (2) Strategic walking and cycling routes utilising the Union and Forth and Clyde Canal towpaths; and*
- (3) Local Core Path networks in line with the Council's Countryside Access Strategy.*

The Council in its Local Plans will contain policies that protect identified paths from development and ensure that wherever possible new development proposals create linkages and strategic routes to the identified core path network.”

7a.23 There are no core paths running through the application site. There is a core path to the east of the southern section of the application site which would be unaffected by the proposed development. The application does not offend the terms of policy TRANS.1.

7a.24 Policy 'TRANS.3 'Transport Assessment' states:

“Proposals which could result in a significant increase in travel demand will be required to submit a Transport Assessment and where appropriate a Green Transport Plan. These should demonstrate how the impact of the development on the surrounding traffic network can be minimised and how other modes of travel rather than the car will be encouraged.”

7a.25 The applicant has submitted a Transport Assessment. At this time, it has not been demonstrated that impact of the proposed development on the surrounding network could be minimised and adequately mitigated and this is discussed in greater detail in section 7b of this report. The proposed development is contrary to this policy.

Falkirk Council Local Plan

7a.26 The application site lies outwith the urban limit of Maddiston, within the countryside, as identified in the Falkirk Council Local Plan.

7a.27 There are a number of policies in the Falkirk Council Local Plan which relate to the detailed design and landscaping of the site. The application is for Planning Permission in Principle only at this stage and as such it is considered that the development, in principle, could be designed to accord with these policies including Policy EQ1 'Sustainable Design Principles', EQ3 'Townscape Design', EQ4 'Landscape Design', EQ6 'Design and Energy Use' and SC6 'Housing Density And Amenity'.

7a.28 Policy EQ19 - 'Countryside' states:

“(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:

- it can be demonstrated that they require a countryside location;*
- they constitute appropriate infill development; or*
- they utilise suitable existing buildings.*

(2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:

- the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
- building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council's 'Design Guide for Buildings in the Rural Areas'; and*
- boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.29 The issues raised by this policy have been assessed under Policy ENV.1 of the Falkirk Council Structure Plan (see paragraph 7a.16 of this report). For the same reasons as detailed in paragraph 7a.17, the proposed development does not accord with this policy.

7a.30 Policy EQ21 - 'Falkirk Greenspace' states:

“Through the Falkirk Greenspace Initiative, the Council will work with its partners to improve the landscape, habitat quality and recreational potential of the network of urban fringe and urban open space around and within settlements. Priority will be given to:

- (1) Appropriate woodland creation and management, where landscape quality, access, biodiversity, and connectivity across the Greenspace can be promoted;*
- (2) The creation of an interlinked network of paths within the Greenspace, with particular emphasis on a principal circular route, as a key part of the core path network, complemented by secondary routes where appropriate; and*
- (3) Requiring developers in urban fringe locations to contribute to landscape and/or access improvements in association with new development.”*

7a.31 The application site is located in an urban fringe location and as such landscape and access improvements are required to ensure compliance with this policy. Subject to the imposition of appropriate conditions on any grant of permission and/or the satisfactory completion of an appropriate legal agreement, the proposed development accords with this policy.

7a.32 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.33 The application was accompanied by a Landscape and Visual Impact Assessment in accordance with this policy.

7a.34 Policy EQ24 – 'Ecological Sites and Features' states:

- "(1) Development likely to have a significant effect on Natura 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 effect 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 along with provision for its future management.*
- (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.35 The application was accompanied by a Phase 1 Habitat and Protected Species Survey which adequately demonstrates that there would not be a significant impact on any nature conservation interests in accordance with this policy.

7a.36 Policy EQ30 – ‘Agricultural Land’ states:

Development involving the loss of prime quality agricultural land (Classes 1, 2 and 3.1) will not be permitted unless the site is allocated for development in the Local Plan or there are overriding local or national circumstances.’

7a.37 The proposed development lies on land which is classified as Class 3.1 as defined in the Macaulay Land Use Research Institute “Land Capability for Agricultural” classification. This class of land is considered to be prime quality agricultural land. In accordance with this policy, the use of this land shall be restricted to the pursuance of agriculture unless allocated for development in the Local Plan or where there are overriding national or local circumstances. In this instance, it is not considered that there are any overriding national or local circumstances. Accordingly, the proposed development does not accord with this policy.

7a.38 Policy SC3 - ‘Housing Development In The Countryside’ states:

“Housing development in the countryside will only be permitted in the following circumstances:

- (1) Housing essential to the pursuance of agriculture, horticulture or forestry, or the management of a business for which a countryside location is essential. In these instances, the applicant must demonstrate:*
 - The operational need for the additional house in association with the business*
 - That no existing dwelling which might have served that need has been sold or otherwise alienated from the holding*
 - That there are no reasonable opportunities for reusing or converting redundant buildings rather than building a new dwellinghouse*
 - That the business as a whole is capable of providing the main source of income for the occupant;*
- (2) Proposals involving the rehabilitation of former residential properties, or the conversion of farm and other buildings to residential use, where*
 - The building, by virtue of its existing character, makes a positive contribution to the rural landscape*
 - The building is in a reasonable state of repair, still stands substantially intact and is capable of beneficial restoration, as verified by a report and certificate from a qualified structural engineer*
 - The restored or converted building is of comparable scale and character to the original building*
 - In the case of former non-residential buildings, the building is no longer required for the purpose for which it was built; or*
- (3) Appropriate infill opportunities within the envelope of an existing group of buildings, where the development would not result in ribbon, backland or sporadic residential development, and the proposal satisfies Policy SC8.”*

7a.39 The issues raised by this policy have been assessed in the context of Policy ENV.1 of the Falkirk Council Structure Plan (see paragraph 7a.16 of this report). For the same reasons as detailed in paragraph 7a.17, the proposed development does not accord with this policy. The proposed development does not satisfy any of the circumstances detailed above which would permit housing development in the countryside.

7a.40 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.41 The applicant has indicated that 25% of the total number of units proposed would be affordable housing in accordance with this policy.

7a.42 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.43 It is considered that developer contributions would be required to address the demand on services generated by the development. In the case of education provision, however it has not been demonstrated where or by what mechanism a new primary school could be accommodated and as such the proposed development fails to accord with this policy.

7a.44 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.45 The issues raised by this policy have been assessed under Policy COM.6 of the Falkirk Council Structure Plan (see paragraph 7a.10 of this report). For the same reasons as detailed in paragraph 7a.11, the proposed development would accord with this policy, subject to conditions and/ or a Legal Agreement.

7a.46 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.47 There is insufficient capacity within catchment schools, in particular Maddiston Primary School, to accommodate the proposed development. Education Services object to the application and recommend refusal as a result of the impact of development on catchment schools. Whilst Education Services advise against development, they recommend substantial developer contributions and the provision of a new primary school would be required. The applicant has not advised if they would be agreeable or where a new school could be accommodated. As such the application is considered to be contrary to this policy.

7a.48 Policy ST1 - 'Core Path Network' states:

"The Council will safeguard and promote the development of the core path network as and when this is defined. Where appropriate, developer contributions to the implementation of the network will be sought."

7a.49 The proposed development would safeguard the core path network in the area and does not offend the terms of policy ST1.

7a.50 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.51 The applicant has submitted a Transport Assessment in support of the application, but failed to demonstrate that the impact of the development could be accommodated in the surrounding network or suitably mitigated. The application is contrary to this policy.

7a.52 Accordingly, and on balance, the application is considered to be contrary to the Development Plan.

7b Material Considerations

- 7b.1 The material considerations in respect of this application are Scottish Planning Policy 2014, Supplementary Planning Guidance, the Proposed Falkirk Local Development Plan (FDLP), the consultation responses, the representations received, outcome of the pre-determination hearing, the justification for the application and the impact on education, the surrounding road network and healthcare.

Scottish Planning Policy

- 7b.2 Scottish Planning Policy (SPP) 2014 reinforces the Development Plan as the effective mechanism for the identification of appropriate housing sites. Strategic and local development plans should be based on spatial strategies that are deliverable and take into account the scale and type of development pressure and need for growth and regeneration. Planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Management

- 7b.3 SPP advises that where a plan is under review, it may be appropriate to consider whether granting planning permission would prejudice the emerging plan. This is particularly relevant where a development is considered to be significant or its cumulative effect would be so significant, that to grant planning permission would undermine the plan making process.

Rural Development

- 7b.4 In pressurised rural areas (easily accessible from Scotland's cities and main towns), where there are on-going development pressures, SPP reinforces the importance of protecting the countryside from unsustainable growth and the suburbanisation of the countryside. This is particularly relevant where it relates to environmental assets such as sensitive landscapes or good quality agricultural land. Plans should make provision for most new urban development to take place within, or in planned extensions to existing settlements. In pressurised areas a more restrictive approach to new housing is appropriate, and plans and decision making should:

- guide most new development to locations within or adjacent to settlements; and
- set out the circumstances in which new housing outwith settlements may be appropriate.

Enabling the Delivery of New Homes

- 7b.5 SPP advises that the planning system should:
- Identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenure, maintaining at least a 5 years supply of effective housing at all times;
 - Enable the provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
 - Have a sharp focus on the delivery of allocated sites imbedded in actions programmes, informed by strong engagement with stakeholders.

- 7b.6 The proposed development is significantly contrary to the Development Plan. There are no material considerations that justify a departure from the Development Plan and therefore the development is contrary to SPP.

Falkirk Council Supplementary Planning Guidance

- 7b.7 The following supplementary guidance is relevant to the determination of this application:

- Supplementary Planning Guidance Note (SPG) 'Flooding and Sustainable Urban Drainage Systems' – sets out the Council's requirements in relation to flooding and drainage;
- SPG 'Affordable Housing' – sets out the Council's requirements in relation to affordable housing in Falkirk District;
- SPG 'Biodiversity and Development' – sets out the Council's biodiversity objectives;
- SPG 'Contaminated Land' – details the Council's planning process in relation to contamination and provides information on submissions and potential liabilities;
- SPG 'Design Statements' – describes design statements and the planning 'toolkit', its purpose and operation, what it should contain and how it should be presented;
- SPG 'Education and New Housing Development' – elaborates on key education policies to provide advice and ensure that new development does not burden existing facilities;
- SPG 'Housing Layout and Design' – provides advice on how a high standard of design can be achieved in estate layout and architecture;
- SPG 'Public Open Space, Falkirk Greenspace and New Development' – ensures the provision of open space in conjunction with new development.

- 7b.8 It is considered that the application accords with the general thrust of supplementary guidance at this stage. The proposed development conflicts with the SPG on 'Education and New Housing Development' and this will be discussed in greater detail later in this report.

- 7b.9 In addition the following draft supplementary guidance is of note and will be approved when the FLDP is adopted:

- SG01 'Development in the Countryside' – elaborates on key countryside policies and gives detailed guidance on proposals within the countryside;

- SG02 'Neighbourhood Design' – contains design guidance to ensure that new development meets the 6 qualities of successful places identified in SPP as being distinctive, safe and pleasant, easy to move around, welcoming, adaptable and resource efficient;
- SG05 'Biodiversity and Development' – ensures planning applications meet the Council's biodiversity objectives;
- SG09 'Landscape Character Assessment & Landscape Designations' – seeks to ensure that Falkirk's rural landscape is protected, enhanced and well managed;
- SG10 'Education and New Housing Development' – elaborates on key education policies to provide advice and ensure that new development does not burden existing facilities;
- SG12 'Affordable Housing' – establishes a framework for the implementation of affordable housing policy and sets out a procedure for assisting the delivery of affordable housing through the planning system;
- SG13 'Open Space and New Development' – provides guidance on the provision of open space in new development.

7b.10 It is considered that the application also accords with the general thrust of the draft supplementary guidance mentioned above, except for SG10 on 'Education and New Housing Development' and SG01 'Development in the Countryside'. The application conflicts with these two SGs.

Falkirk Local Development Plan (Proposed Plan)

7b.11 The Proposed Falkirk Local Development Plan (FLDP) 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 this year, 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.

7b.12 The Scottish Government FLDP examination report was published on 4 March 2015. There are no changes proposed by the Reporter in relation to settlement boundaries affecting this application. It should be noted that there may, however, be modifications to the wording of policies as detailed.

- Policies CG01 'Countryside',
- HSG04 'Housing Design',
- INF02 'Developer Contributions to Community Infrastructure',
- INF04 'Open Space and New Residential Development',
- INF05 'Education and New Housing Development',
- INF10 'Transport Assessments',
- GN01 'Falkirk Green Network',
- GN02 'Landscape',
- HSG02 'Affordable Housing'
- GN03 'Biodiversity and Geodiversity',

- D03 ‘Urban Design’,
- CG03 ‘Housing in the Countryside’ and
- RW04 ‘Agricultural Land, Carbon Rich Soils and Rare Soils’ generally reinforce the relevant policies of the Development Plan.

The Proposed FLDP is a material planning consideration at this stage and the above policies do not alter the assessment of the application.

7b.13 Policy INF06 ‘Healthcare and New Housing Development’ is a new policy and it states:

“In locations where there is a deficiency in the provision of health care facilities identified by NHS Forth Valley, developer contributions will be sought to improve the quantity and quality of such provision commensurate with the impact of the new development. The approach to the improvement of primary healthcare provision will be set out in Supplementary Guidance SG11 ‘Healthcare and New Housing Development’.”

- 7b.14 Consultation has been carried out with the NHS in relation to the impact on health care facilities as a result of the development (as requested at the pre-determination hearing). Whilst there is a local perception that there are capacity issues at health care facilities serving the development, this should be clarified by the NHS.
- 7b.15 In the Proposed FLDP the northern site (15.4 hectares) is maintained as being within the countryside and outwith the urban limit of Maddiston. The southern site (4.3 hectares) (as described in section 1.1 of this report) is identified as a housing opportunity H44 ‘Parkhall Farm 2’. This allocation forms part of the Maddiston East Strategic Growth Area.
- 7b.16 It is considered that the allocation of the southern section of the site does not give any comfort to the principle of development on the site, the larger area remaining within the countryside. It should also be noted that any proposal for the southern section of the site is premature, pending adoption of the Proposed FLDP.
- 7b.17 Accordingly, the application is considered contrary to the Proposed Falkirk Local Development Plan.

Consultation Responses

- 7b.18 The consultation responses are summarised in Section 4 of this report. The main issues requiring to be addressed through consultation relates to the proposed impact on the surrounding road network and catchment schools.
- 7b.19 Both the Roads Development Unit and Transport Planning Unit have raised concerns in their consultation response in relation to the impact on the surrounding road network and, in particular, to use of Nicolton Road as a secondary access into the site. The Transport Planning Unit have raised issues in relation to the content of the Transport Assessment and do not agree that Nicolton Road could be upgraded to a suitable standard. To date the applicant has not attempted to address roads concerns and as such it is considered that the road network could not accommodate the proposed development.

- 7b.20 Education Services object to the application and recommend that the application is refused on the basis of the impact on local catchment schools, in particular Maddiston Primary School. They advise that the proposal would take Maddiston Primary School above a 3-stream school, contrary to current education policies. The Service also note that there are no rezoning options available due to the high occupancies of nearby schools. The risks and implications for local school provision are outlined in their response. Should Members decide to grant planning permission in principle a planning obligation to provide funds for a new primary school in addition to considerable contributions for existing affected schools would be required. As the applicant has not commented on this consultation response or demonstrated how a new school could be accommodated, it is considered that local school provision could not accommodate the proposed development.
- 7b.21 Following the pre-determination hearing a consultation response was sent to the NHS in relation to healthcare provision serving the area and a response is anticipated. A consultation response has now been received from the Coal Authority in relation to the submission of a Coal Mining Risk Assessment. The Coal Authority have now withdrawn their objection, subject to the imposition of a condition requiring intrusive site investigations.
- 7b.22 A number of other matters raised in consultation responses would be the subject of conditions of any grant of planning permission in principle. These include the submission of a site specific surface water drainage scheme and contaminated land assessment.

Third Party Representation

- 7b.23 The representations received are summarised in Section 6 of this report. The following comments are considered to be relevant in respect of those representations: -
- The policy analysis of the proposed development is contained in Sections 7a and 7b of this report;
 - The impact on amenities, specifically transportation and education are discussed in Section 7b. 30 – 7b.32 of this report; and
 - The loss of a view and impact on property values are not material planning considerations.

Pre-determination Hearing

- 7b.24 A pre-determination hearing was held at Maddiston Primary School on 30 March 2015. The purpose of the hearing was to allow the applicant and members of the community to be heard by the Council, before a decision is taken.
- 7b.25 At the hearing, the applicant spoke in support of the application, describing the application site as effective and deliverable and being able to bring community benefits to the local area. Thereafter, third party objectors were invited to speak to the terms of their representations. The comments raised on the night, reinforced those representations received by the Council.

- 7b.26 A representative of Hansteen Land spoke against the application, commenting that the application site is not identified for housing in the Local Plan. There are issues with the site in relation to drainage and access and there are other developable sites within the urban area. Hansteen Land also noted the content of the Proposed FLDP Examination Report, which did not support the whole of the application site.
- 7b.27 A representative of the Maddiston Community Council spoke, raising concerns in relation to the pressure the proposed development would put on existing community facilities, specifically mentioning the impact on existing healthcare facilities.
- 7b.28 Following questions from Members, officers of the Council spoke in relation to effective housing land supply, impact on the surrounding road network and education.
- 7b.29 Members requested that consultation be carried out with the NHS in relation to healthcare.

Education

- 7b.30 Education Services have raised fundamental concerns in relation to the impact of the proposed development on local catchment schools. St Andrews RC Primary School, the Braes High School and St Mungos RC High School are all facing high occupancies and would be impacted as a result of the development. Maddiston Primary School, in particular, is operating at high occupancies and the largest number of generated pupils from the development would be expected to go to this school.
- 7b.31 If the application were approved, Education Services warn that there could be a considerable risk that even an extended Maddiston Primary school with a 3 stream capacity could not meet demand. Given the current site constraint and education policies, going beyond 3 stream would not be possible. There are also no clear re-zoning options as nearby schools are also at high occupancies or too small to accommodate the proposed development. Owing to the risks and implications for local school provision Education Services object to the application and recommend that it is refused.

Transport Impact

- 7b.32 The Transport Planning Unit and Roads Development Unit are not satisfied that Nicolton Road could be upgraded to a suitable standard to serve the proposed development, as a second primary access point. If the application were granted, it would be necessary for improvement works to be carried out to the whole of Nicolton Road as it does not conform to the minimum requirements for such a route. The Unit raise concerns in relation to the content of the Transport Assessment and to date the applicant has not addressed the concern raised in relation to the surrounding road network or demonstrated suitable mitigation.

Justification / Assessment of Supporting Information

- 7b.33 The applicant acknowledges the countryside location of the proposed development and seeks to justify the proposed development on the basis of Falkirk Council failing to maintain an effective supply of housing land, within the Falkirk Council housing market area.

- 7b.34 Since submission of the application, the Council have now received the Scottish Government FLDP Examination Report. The Examination Report concludes that the FLDP demonstrates enough generosity of housing land supply to accord with National Policy requirements.
- 7b.35 There is a mechanism in SPP to allow new sites to contribute to sustainable development where a shortfall in the 5 year effective housing land supply emerges. In such circumstances SPP presumes in favour of development which contributes to sustainable development. SPP ensures that decision makers should take into account significant adverse impacts that might outweigh the benefits of a proposal. Whilst it is not accepted that there is a shortfall in the effective housing land supply, the sustainability credentials of the site could be questioned, particularly in relation to education, transportation infrastructure and the loss of greenfield land which would not make the application an appropriate candidate. It should also be noted that where a shortfall is identified, urban capacity sites and additional brownfield sited will be progressed before greenfield sites are considered.
- 7b.36 The Proposed FLDP will be adopted later this year and the Reporter has endorsed Falkirk Council's approach to housing land supply and is happy with the Council's assessment of the effectiveness of relevant sites. It is therefore considered that the proposed development is not required in order to maintain an effective 5 year housing land supply. Accordingly, the proposed development cannot be justified by a need for housing land.

8. CONCLUSION

- 8.1 The proposed development is considered to be contrary to the Development Plan, for the reasons detailed in this report. These reasons are considered to be reinforced by Scottish Planning Policy 2014. Whilst it is noted that the smaller southern section of the application site is allocated for housing in the Proposed FLDP, it is considered that this element is premature to adoption of the Plan and the majority of the site being within the countryside maintains a presumption against development of the site.
- 8.2 Accordingly, the application is recommended for refusal. However, should the Council wish to grant the application contrary to the Development Plan, it is recommended that the Council indicate that it is minded to grant planning permission in principle subject to:
- (a) Further consideration in respect of the means by which to mitigate the potential impact of the proposed development on local school capacity.
 - (b) The submission of an updated Transport Assessment with gives further consideration in respect of the impact on the surrounding road network and required mitigation.
 - (c) Conclusion of a Legal Agreement in relation to education, open space and play provision, landscape improvements, affordable housing provision and transportation / road improvements.

9. RECOMMENDATION

9.1 It is recommended that Council refuse the application for the following reasons:-

- (1) The proposed development is contrary to Policy ENV.1 ‘Countryside and Protected Areas’ of the Falkirk Council Structure Plan and Policies EQ19 ‘Countryside’ and SC3 ‘Housing Development in the Countryside’ of the Falkirk Council Local Plan as it has not been demonstrated that a countryside location is essential for the proposed development. It therefore represents unjustified development in the countryside.**
- (2) The application site has not been identified as a housing opportunity site under the Falkirk Council Local Plan to contribute towards meeting the Housing Land Requirement, and the proposed development is not required to maintain an effective 5 year housing land supply. Therefore, the proposed development is not required in order to achieve the development strategy of the Falkirk Council Structure Plan and cannot be justified by the need for housing land.**
- (3) The proposed development is contrary to Policies COM.5 ‘Developer Contributions’ and COM.7 ‘School Provision’ of the Falkirk Council Structure Plan and Policies SC11 ‘Developer Contributions to Community Infrastructure’ and SC14 ‘Education and New Housing Development’ of the Falkirk Council Local Plan as it has not been demonstrated that proper provision has been made to mitigate the potential impact of the proposed development on school capacity and local roads infrastructure.**
- (4) The proposed development is contrary to Policy TRANS.3 ‘Transport Assessment’ of the Falkirk Council Structure Plan and Policy ST7 ‘Transport Assessment’ of the Falkirk Council Local Plan as it has not been demonstrated how the impact of the proposed development on the surrounding road network would be mitigated.**
- (5) The proposed development is contrary to Policy EQ30 ‘Agricultural Land’ of the Falkirk Council Local Plan as the proposed development would result in the loss of Class 3.1 prime quality agricultural land which is not allocated for development in the Local Plan.**
- (6) The proposed development is contrary to Policies CG01 ‘Countryside’ and CG03 ‘Housing in the Countryside’ of the Proposed Falkirk Local Development Plan as it has not been demonstrated that a countryside location is essential for the proposed development. It therefore represents unjustified development in the countryside.**
- (7) The proposed development is contrary to Policies INF02 ‘Developer Contributions to Community Infrastructure’ and INF05 ‘Education and New Housing Development’ of the Proposed Falkirk Local Development Plan as it has not been demonstrated that proper provision has been made to mitigate the potential impact of the proposed development on school capacity and local roads infrastructure.**

- (8) The proposed development is contrary Policy INF10 'Transport Assessment' of the Proposed Falkirk Local Development Plan as it has not been demonstrated how the impact of the proposed development on the surrounding road network would be mitigated.
- (9) The proposed development is contrary to Policy RW04 'Agricultural Land, Carbon Rich Soils and Rare Soils' of the Proposed Falkirk Local Development Plan as the proposed development would result in the loss of Class 3.1 prime quality agricultural land which is not allocated for development in the Local Plan.

Pp

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Director of Development Services

Date: 1 May 2015

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Falkirk Council Local Development Plan (Proposed Plan).
4. Scottish Planning Policy 2014
5. Creating Places Policy Statement
6. Designing Streets Policy Statement
7. Supplementary Planning Guidance Note 'Flooding and Sustainable Urban Drainage Systems'
8. Supplementary Planning Guidance Note 'Affordable Housing'
9. Supplementary Planning Guidance Note 'Biodiversity and Development'
10. Supplementary Planning Guidance Note 'Contaminated Land'
11. Supplementary Planning Guidance Note 'Design Statements'
12. Supplementary Planning Guidance Note 'Education and New Housing Development'
13. Supplementary Planning Guidance Note 'Housing Layout and Design'
14. Supplementary Planning Guidance Note 'Public Open Space, Falkirk Greenspace and New Development'
15. Supplementary Planning Guidance Note 'Trees and Development'
16. SG01 'Development in the Countryside'
17. SG02 'Neighbourhood Design'
18. SG05 'Biodiversity and Development'
19. SG06 'Trees and Development'
20. SG09 'Landscape Character Assessment & Landscape Designations'
21. SG10 'Education and New Housing Development'
22. SG12 'Affordable Housing'
23. SG13 'Open Space and New Development'

	Name	Address	Received	Status
24.	Miss Sarah-Jane McMahon	20 Kingseat Place Maddiston FK2 0JG	29 December 2014	Objector
25.	Mr Martin Quinn	10 Glendevon Drive The Meadows Maddiston FK2 0GT	29 December 2014	Objector
26.	Mr Craig Rowan	6 King Seat Place Maddiston Falkirk FK2 0JG	30 December 2014	Objector
27.	Dr Dixcee Spencer	34 Mellock Crescent Maddiston FK2 0RH	31 December 2014	Objector
28.	Mr Eric Hamilton	26 Cleuch Place Maddiston Falkirk FK2 0HF	24 December 2014	Objector
29.	Mr Paul McPhail	10 Mellock Crescent Maddiston FK2 0RH	28 December 2014	Objector

30.	Mrs Claire Blair	29 Kings Seat Place Maddiston FK2 0J	28 December 2014	Objector
31.	Mr Peter Willett	13 Gannell Drive Maddiston FALKIRK FK2 0AL	28 December 2014	Objector
32.	Mr John Kenny	39 Kingseat Place Maddiston Falkirk FK2 0JG	28 December 2014	Objector
33.	Mr & Mrs Gavin & Fiona Johnston	19 Gannell Drive Maddiston Falkirk FK2 0AL	29 December 2014	Objector
34.	Ms Kathleen Anderson	22 Kingseat Place Maddiston Falkirk FK2 0JG	29 December 2014	Objector
35.	Mr Steven Jardine	2 Innerdouny Drive Maddiston Falkirk FK2 0LW	31 December 2014	Objector
36.	Mr John Stuart	5 Innerdouny Drive The Meadows Maddiston FK2 0LW	29 December 2014	Objector
37.	Mr Shane Holmes	15 Innerdouny Drive Maddiston Falkirk FK2 0LW	29 December 2014	Objector
38.	Ms Carol Crawford	37 Kings Seat Place Maddiston Falkirk FK2 0EN	29 December 2014	Objector
39.	Mr Stephen McNee	26 Gannell Drive Maddison Falkirk FK2 0AL	30 December 2014	Objector
40.	Mr Andrew Reid (Managing Director Lochay Homes)	28 Stafford Street Edinburgh EH3 7BD	8 January 2015	Objector
41.	Mr & Mr Moffat-Kyle	50 Mellock Crescent Maddiston Falkirk FK2 0RH	29 December 2014	Objector
42.	Mr Joseph Alexander Woods Whitelaw	Parkhall Nursery Maddiston Falkirk FK2 0BN	3 April 2015	Objector

43.	Mrs Rhiannon Ferguson	25 Kings Seat Place Maddiston Falkirk FK2 0JG	28 December 2014	Objector
44.	Ms Kirsteen Ramsay	62 Mellock Crescent The Meadows Maddiston FK2 0RH	30 December 2014	Objector
45.	Miss Louise Brown	14 Kings Seat Place Maddiston Falkirk FK2 0JG	30 December 2014	Objector
46.	Mrs Linzi Madden	60 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
47.	Mr Andrew Madden	60 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
48.	Mr Andrew Medlycott	14 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
49.	Mrs Diane Barbero	58 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
50.	Mr Steven Baxter	54 Cleuch Place Maddiston FK2 0HF	31 December 2014	Objector
51.	Willie and Sheila Crow	6 Gardrum Place Brightons Falkirk FK2 0EX	9 January 2015	Objector
52.	Harley Rudge	7 Gardrum Place Brightons Falkirk FK2 0EX	9 January 2015	Objector
53.	Mrs Jacqueline Duncan	32 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
54.	Mr Euan Mckie	17 Gannel Drive Maddiston Falkirk FK2 0AL	13 December 2014	Objector
55.	Miss Beatrice Perrot	65 Craigs Crescent Rumford Falkirk FK2 0ET	13 December 2014	Objector

56.	Mrs Cheryl Penman	1 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
57.	Mrs Lisa Wilson	48 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
58.	Mr Deepak AG	13 Mellock Crescent Maddiston Falkirk FK2 0RH	28 December 2014	Objector
59.	Mr Duncan Alexander	20 Mellock Crescent Falkirk FK2 0RH	28 December 2014	Objector
60.	Mr Bryce Tillie	28 Kings Seat Place Falkirk FK2 0JG	28 December 2014	Objector
61.	Mr Ashley Ainslie	3 Glendevon Drive Maddiston Falkirk FK2 0GT	28 December 2014	Objector
62.	Mr Scott Baxter	24 Cleuch Place Maddiston Falkirk FK2 0HF	28 December 2014	Objector
63.	Dr Matthew Taylor	9 Innerdouny Drive Maddiston Falkirk FK2 0LW	5 January 2015	Objector
64.	Mrs Denise Ralston	3 Innerdouny Drive Maddiston FALKIRK FK2 0LW	28 December 2014	Objector
65.	Mr Alan MacNab	25 Gannel Drive Maddiston Falkirk FK2 0AL	28 December 2014	Objector
66.	Miss Selena Carruthers	8 Cleuch Place Maddiston FK2 0HF	29 December 2014	Objector
67.	Mr Liam Melville	13 Cleuch Place Falkirk FK2 0HF	29 December 2014	Objector
68.	Mr Andrew Birchall	1 Innerdouny Drive Maddiston Falkirk FK2 0LW	30 December 2014	Objector

69.	Mr John Crawford	36 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
70.	Miss Charlotte Hallows	22 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
71.	Mr Craig Ferguson	23 Gannel Drive Maddiston Falkirk FK2 0AL	31 December 2014	Objector
72.	Mrs Leanne Baxter	54 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
73.	Mrs Doreen McGowan	30 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
74.	Mr Peter Jamieson	4 Gardrum Place Brightons Falkirk FK2 0EX	9 January 2015	Objector
75.	Mrs Elaine Reid	27 Craigs Crescent Rumford FALKIRK FK2 0ET	11 January 2015	Objector
76.	Becky and Gordon McHugh	61 Craigs Crescent Rumford Falkirk FK2 0ET	12 January 2015	Objector
77.	Mrs Laura Cook	18 Cleuch Place Maddiston Falkirk FK2 0HF	12 December 2014	Objector
78.	Mrs Sarah MacNab	25 Gannel Drive Maddiston Falkirk FK2 0AL	12 December 2014	Objector
79.	Mr Terence Cassidy	12 Gannel Drive Maddiston Falkirk Fk2 0AL	27 December 2014	Objector
80.	Mr Des Irwin	18 Glendevon Drive Maddiston Falkirk FK2 0GT	30 December 2014	Objector

81.	Mr Steven Morrison	12 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
82.	Mrs Jennifer Laurie	50 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
83.	Dr Fiona Morrison	12 Cleuch Place Maddiston FK2 0HF	31 December 2014	Objector
84.	McInally Associates Ltd.	FAO Scott Graham 16 Robertson Street Glasgow G2 8DS	8 January 2015	Objector
85.	Felsham Planning and Development	FAO Philip Neaves (Director) 1 Western Terrace Edinburgh EH12 5QF	28 January 2015	Objector
86.	Mr Scott MacDonald	Mellock Crescent Maddiston FK2 0RH	12 December 2014	Objector
87.	Mr Euan Mckie	17 Gannel Drive Maddiston Falkirk FK2 0AL	13 December 2014	Objector
88.	Mr Mark Smith	35 Kings Seat Place Falkirk Fk2 0JG	15 December 2014	Objector
89.	Mr Alex McGregor	35 Gannel Drive Maddiston Falkirk FK2 0AL	29 December 2014	Objector
90.	Mr Simon Herring	9 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
91.	Mr Des Irwin	18 Glendevon Drive Maddiston Falkirk FK2 0GT	6 January 2015	Objector
92.	Susan Macaulay	11 Gardrum Place Brightons Falkirk FK2 0EX	9 January 2015	Objector
93.	Rachel Hoggan	9 Gardrum Place Brightons Falkirk FK2 0EX	19 January 2015	Objector

94.	Mr Martin Penman	1 Cleuch Place Maddiston Falkirk FK2 0HF	30 December 2014	Objector
95.	Mrs Cecilia Anderson	35 Craig's Crescent Rumford Falkirk FK2 0ET	1 February 2015	Objector
96.	Mrs Leeanne Wilson	10 Gannel Drive Maddiston FK2 0AL	28 December 2014	Objector
97.	Mrs Linda Stott	22 Gannel Drive Maddiston Falkirk FK2 0AL	28 December 2014	Objector
98.	Mr Grahame Crawford	58 Mellock Crescent Maddiston Falkirk FK2 0RH	31 December 2014	Objector
99.	Mr Bruce Drummond	20 Cleuch Place Maddiston Falkirk FK2 0HF	28 December 2014	Objector
100.	Miss Laurie Morris	28 Mellock Crescent Maddiston FK2 0RH	28 December 2014	Objector
101.	Mr William Lapsley	41 Kingseat Place Maddiston Falkirk FK2 0JG	28 December 2014	Objector
102.	Mrs Alison Melville	13 Cleuch Place Maddiston FK2 0HF	29 December 2014	Objector
103.	Mr Ryan St John	1 Mellock Crescent Maddiston Falkirk FK2 0RH	29 December 2014	Objector
104.	Mrs Jacqueline Ormsby	42 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
105.	Mr David O'Donnell	8 Cleuch Place Maddiston Falkirk FK2 0HF	2 January 2015	Objector
106.	Mrs Mary Horsburgh	7 Innerdouny Drive Maddiston Fk2 0LW	4 January 2015	Objector

107.	Mrs Jeanette Paterson	13 Innerdouny Drive Maddiston Falkirk FK2 0LW	29 December 2014	Objector
108.	Mrs Angela Cassidy	12 Gannel Drive Maddiston Falkirk FK2 0AL	31 December 2014	Objector
109.	Mr Euan Mckie	17 Gannel Drive Maddiston FK2 0AL	28 December 2014	Objector
110.	Mr Kenneth Anderson	35 Craigs Crescent Rumford FK2 0ET	10 January 2015	Objector
111.	Dr Andrew Davie	65 Craigs Crescent Rumford FK2 0ET	30 December 2014	Objector
112.	Mr James Smith	5 Gardrum Place Brightons FALKIRK FK2 0EX	14 & 15 January 2015	Objector
113.	Mr Tony Gallacher	39 Gannel Drive Maddiston FK2 0AL	20 January 2015	Objector
114.	Mr John McPherson	20 Kingsteat Avenue Maddiston Falkirk FK2 9LQ	29 December 2014	Objector
115.	Mr Kevin Sneddon	4 Cleuch Place Maddiston Falkirk FK2 0HF	31 December 2014	Objector
116.	Mr Scott Johnston	33 Craigs Crescent Rumford Grange Falkirk FK2 0ET	9 March 2015	Objector
117.	Mr Ian Storrar	23 Craig's Crescent Falkirk FK2 0ET	11 March 2015	Objector
118.	Mrs Melanie McGuire	21 Craigs Crescent Rumford Falkirk FK2 0ET	9 March 2015	Objector
119.	Mrs Jacqueline McDevitt	Magdalene Vellore Road Maddiston FK2 0NQ	16 March 2015	Letter of Representation
120.	Walter & Diane Muir	7 Craigs Crescent Rumford Falkirk FK2 0ET	8 April 2015	Objector

121.	Ms Eileen McCulloch	81 Craigs Crescent Rumford Falkirk FK2 0ET	8 March 2015	Objector
122.	Mr Allan Brisbane	75 Craigs Crescent Rumford Falkirk FK2 0ET	8 March 2015	Objector
123.	Mr Darryl Pitts	1 Craigs Crescent Rumford Falkirk FK2 0ET	8 March 2015	Objector
124.	Mr Tom Denovan	51 Craig's Crescent Rumford Falkirk FK2 0ET	19 March 2015	Objector
125.	Mr Edward Camlin	31 Craigs Crescent Rumford Falkirk FK2 0ET	24 March 2015	Objector
126.	Mrs Susan Storrar	23 Craig's Crescent Falkirk FK2 0ET	11 March 2015	Objector
127.	Mr Liam Mitchell	55 Craigs Crescent Rumford Falkirk FK2 0ET	30 March 2015	Objector

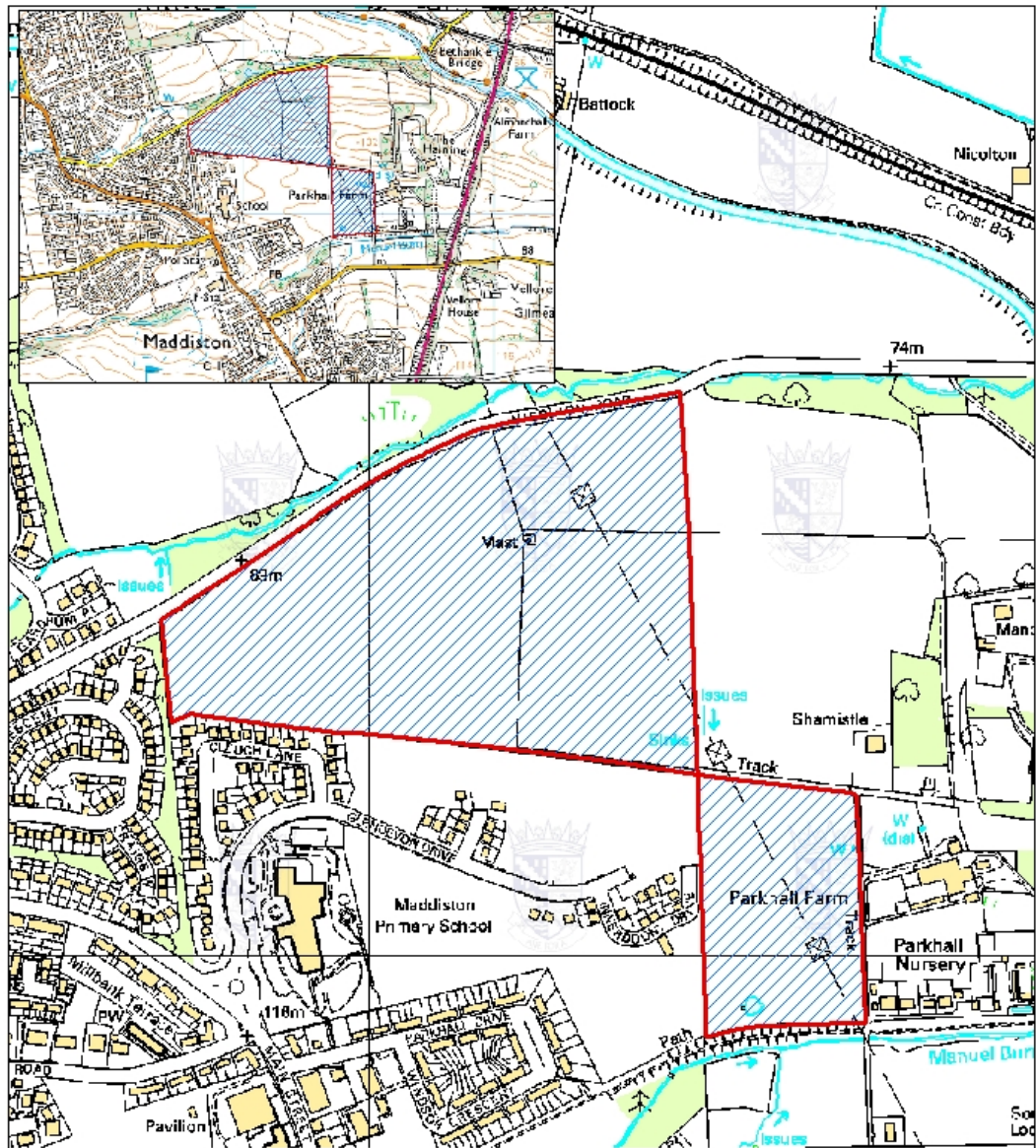
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

Planning Committee

Planning Application Location Plan

P/14/0707/PPP

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



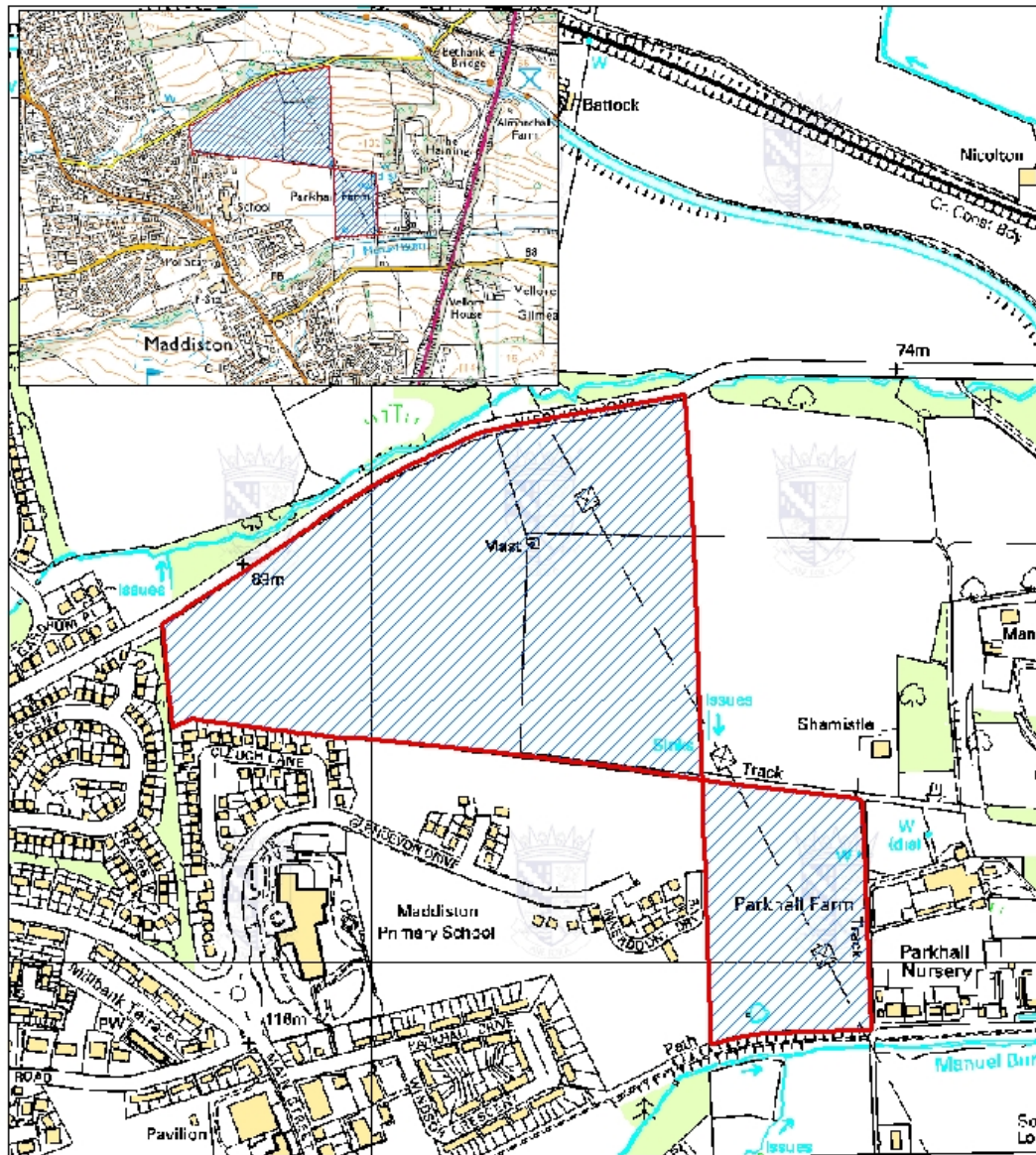
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Planning Committee

Planning Application Location Plan

P/14/0707/PPP

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