

FALKIRK COUNCIL

Subject: RESIDENTIAL DEVELOPMENT, VEHICULAR ACCESS, OPEN SPACE AND LANDSCAPING AT LAND AT AIRTH CASTLE, AIRTH, FALKIRK, FOR COUNTY HOMES – F/2004/0178

Meeting: PLANNING COMMITTEE

Date: 19 August 2015

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward – Carse, Kinnaird & Tryst

Councillor Stephen Bird
Councillor Steven Carleschi
Councillor Charles MacDonald
Councillor Craig Martin

Community Council: Airth Parish

Case Officer: Donald Campbell (Development Management Co-ordinator), Ext. 4707

UPDATE REPORT

1. Members will recall that this application was considered at the meeting of the Planning Committee on 25 February 2015 as part of the report on Undetermined 'Legacy' Applications for Planning Permission for Housing. It was agreed that if the application remained undetermined or had not been withdrawn by 24 June 2015 then it would be reported to a future meeting of the Committee.
2. This application had received a minded to grant decision under delegated powers on 15 April 2011, subject to a Section 75 Planning Obligation to secure Education contributions. (Copy of Report of Handling attached).
3. Despite regular reminders to the applicant, little progress had been made until recently. However, it now seems likely that it will be possible to conclude the Section 75 Obligation.
4. **Recommendation**
 - 4.1 It is recommended that the Planning Committee agree to continue the application and that if the required Section 75 Obligation is not concluded and the application determined by 30 October 2015, the Director of Development Services be authorised to refuse planning permission.

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pp Director of Development Services

Date: 7th August 2015

LIST OF BACKGROUND PAPERS

- 1) Report to the Planning Committee on Undetermined Legacy Applications for Planning Permission for Housing, 25 February 2015.

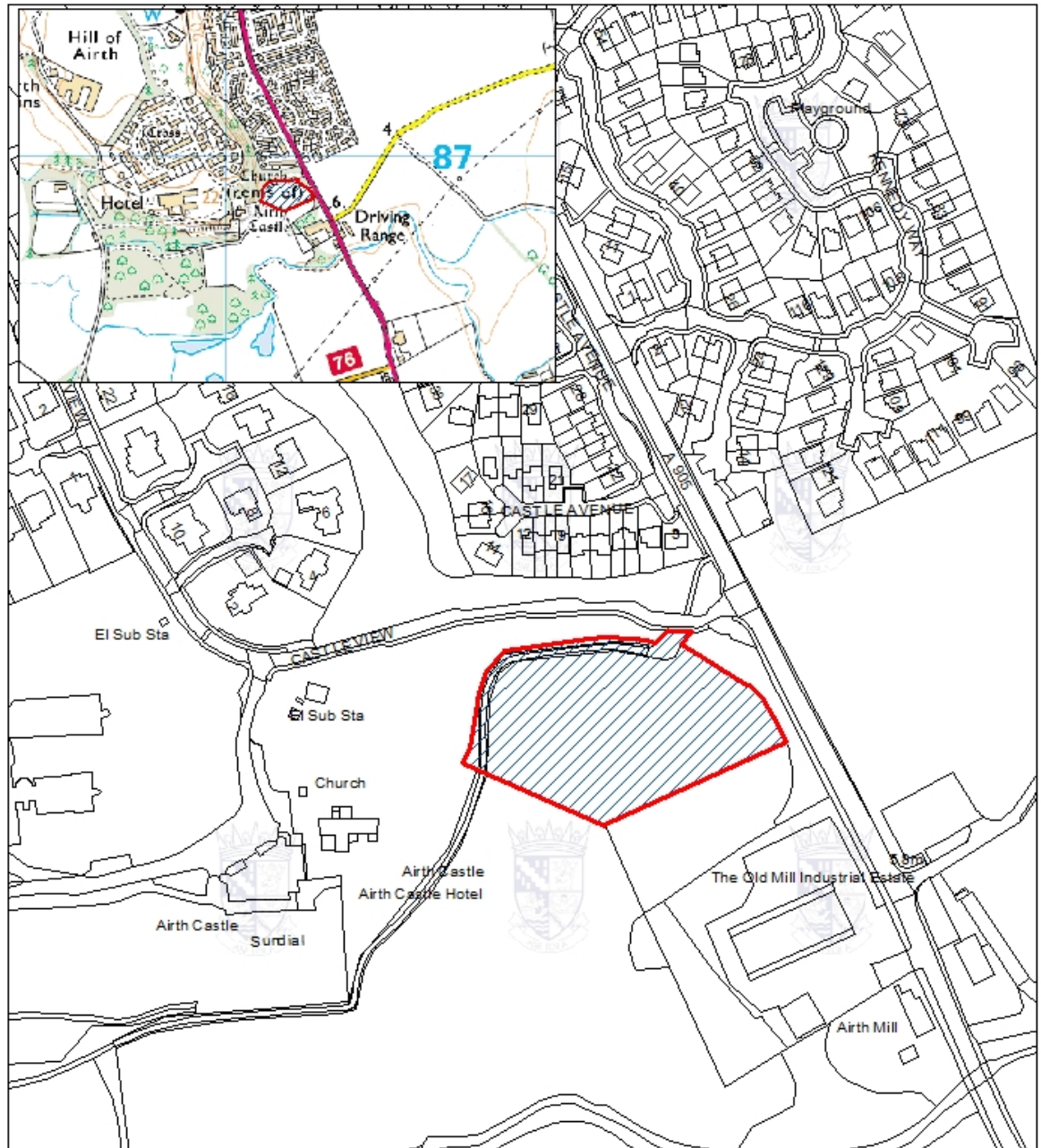
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504707 and ask for Donald Campbell, Development Management Co-ordinator

Planning Committee

Planning Application Location Plan

F/2004/0178

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 APPLICATION DETERMINED BY DIRECTOR OF DEVELOPMENT SERVICES UNDER DELEGATED POWERS – REPORT OF HANDLING

PROPOSAL : Residential Development, Vehicular Access, Open Space and Landscaping
LOCATION : Land At Airth Castle, Airth, Falkirk, ,
APPLICANT : County Homes
APPN. NO. : F/2004/0178
REGISTRATION DATE : 1 March 2004

1. SITE LOCATION / DESCRIPTION OF PROPOSAL

Low-lying area of agricultural land extending to some 0.8ha, sitting below Airth Castle hotel and ruined church, and adjacent to a former distribution depot (Blueband Motors) that now appears used for business/industrial purposes. The application was made in outline, now planning in principle, and the applicant's agent has indicated that the site could be development for 15 units. Access to the site is proposed from the aces to Airth Castle, close to it's junction with the A905. A footpath, outwith the site, follows the northern site boundary. The Pow Burn lies some distance to the south.

The site area has been reduced from that originally proposed to that allocated in the Falkirk Council Local Plan. Re-consultation and notification procedures were carried out in relation to the site now proposed.

2. SITE HISTORY

F/2001/0295 - Development of Land for Housing Purposes [82 Dwellings] (outline) for a much larger site was withdrawn.

F/2002/0296 - Development of Land for Housing Purposes (outline), again for a much larger site, was refused planning permission in July 2003.

3. CONSULTATIONS

The following responses to consultation were received:

Airth Community Council	No comment on revised proposal.
Roads Development Unit	Advise that junction spacing and visibility accord with Falkirk Council's Design Guidelines. An achievable surface water drainage strategy would be required at the detailed planning stage limiting discharge to adjacent watercourses and with no risk to property during a 1in 200 storm event.
Education Services	Recommend financial contribution of £2150 towards Airth Primary School, £1000 towards Larbert High School and £650 towards St Mungo's High School. If the number of units is less than 17 the contribution for St Mungo's would not be required.

Historic Scotland	No comment.
Museum Service	Condition relating to archaeological investigation suggested.
Scottish Environment Protection Agency	No objection subject to a condition in relation to SUDS
Scottish Natural Heritage	No comment.
Transport Planning Unit	Comments in relation to junction arrangements and relationship with conditions of a separate application (P/9/0529/FUL)
Scottish Water	No objection. Scottish Water will assess the impact of proposed development on existing infrastructure.

Where the local Community Council requested consultation, their comments appear above.

4. PUBLIC REPRESENTATION

One letter signed by 5 residents of Castle Avenue was received in relation to the revised proposal. The salient issues are summarised below;

It was understood that this site would never be developed

Presence of wildlife

No need for further housing in Airth

Possibility that further development will follow

Limitations of vehicle access.

5. THE DEVELOPMENT PLAN

The proposed development was assessed against the undernoted Development Plan(s):

Falkirk Council Structure Plan.

There are no relevant policies within the Falkirk Council Structure Plan.

Falkirk Council Local Plan.

EQ16 - Sites of Archaeological Interest

EQ02 - Implementation of Sustainable Design Principles

EQ26 - Trees, Woodland and Hedgerows

ST11 - Sustainable Urban Drainage

5A. MATERIAL CONSIDERATIONS

The following matters were considered to be material in the consideration of the application:

Assessment of Public Representations

6. PLANNING ASSESSMENT

The Development Plan

The proposal raises no strategic issues and was therefore assessed against the Falkirk Council Local Plan alone.

Local Plan Policies

The site is identified in the Falkirk Council Local Plan as H.AIR03 for housing purposes and states "This site forms a rounding off of the southern boundary of the village, suitable for a sensitive development of high quality housing. Careful consideration required to minimise the impact of development on the setting of Airth".

Given that this is a planning in principle application, the requirements of these policies can be addressed by condition /legal agreement, or be considered once more detail is submitted at a future date.

The site is allocated for housing in the development plan and in principle the proposal is acceptable.

Assessment of Public Representations

The site is allocated in the development plan for housing purposes; there are no issues in relation to wildlife raised by SNH or through the application process. Any further applications received would require to be assessed on their own merits. The Roads Development Unit has not raised any concerns in relation to the access, which is as shown in the Development Plan.

7. CONCLUSION

The site is identified for housing in the development plan, and no issues have been raised which would indicate anything other than a favourable recommendation. A number of matters can be dealt with by condition and Education contributions secured by way of a S75 Agreement, to which the applicant accepted.

8. RECOMMENDATION

Minded to Grant Planning Permission in Principle

Permission should be subject to the following condition(s):-

1. Minded to Grant Planning Permission in Principle subject to appropriate conditions including those relating to access, surface water drainage strategy, landscaping, archaeological investigations, design and layout; and subject to the conclusion of a S75 Obligation to secure developer contributions towards education contributions as follows:

£2,150 per unit towards Airth Primary School

£1,000 per unit towards Larbert High School

£ 650 per unit towards St Mungo's High School

If the number of units is below 17, Education Services advise that the contribution towards St Mungo's High School would not be required.

Director of Development Services

Date

**Contact Officer : Donald Campbell
(Development Management Co-ordinator)
01324 504707**