

FALKIRK COUNCIL

Subject: ERECTION OF SUPPORT NEEDS SECONDARY SCHOOL,
ASSOCIATED LANDSCAPING, CAR PARKING AND PUPIL
DROP-OFF FACILITIES AT MORAY PRIMARY SCHOOL,
MORAY PLACE, GRANGEMOUTH, FK3 9DL FOR FALKIRK
COUNCIL - P/15/0476/FUL

Meeting: PLANNING COMMITTEE

Date: 25 November 2015

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Grangemouth

Councillor Allyson Black

Councillor David Balfour

Baillie Joan Paterson

Councillor Robert Spears

Community Council: Grangemouth (No Community Council)

Case Officer: David Paterson (Planning Officer), Ext. 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located at the west side of Oxbang Road, Grangemouth and comprises 1.97 hectares of private open space forming part of the grounds of the Moray Primary School and Oxbang School and Support Service complex. The application site is a grassed area which is not marked out as a sports facility. There is no formal access to the open space for members of the public. The open space is enclosed by fencing and gates, preventing public access.
- 1.2 This application proposes the erection of a new support needs secondary school. The new school would relocate Carrongrange School which is currently based in Larbert.
- 1.3 The proposed new school would be a two storey building with roof garden, 6,100 square metres in floor area. The school would have capacity to accommodate 190 pupils and 75-80 teaching staff. Carrongrange School currently has a role of 165 pupils. In addition to the proposed development, details have been submitted of additional and upgraded sports, play and recreation facilities to be scheduled across the wider Moray Primary School complex, which would complement the proposed development.
- 1.4 The floor area of the proposed new school exceeds 5,000 square metres in floor area and, therefore, constitutes a major development under the terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulation 2009. Appropriate pre-application procedures have been followed. A pre-application consultation report has been submitted in support of the proposed development.

- 1.5 The new support needs secondary school would incorporate:-
- A new cycle track.
 - A sensory garden.
 - External seating/teaching areas.
 - Swimming and hydrology pools.
- 1.6 Additional and upgraded sports, play and recreation facilities to be scheduled within the wider Moray Primary School complex, comprising:-
- A new grassed 7-a-side football pitch 60 metres x 40 metres, incorporating a 3 metre run-off all round.
 - Resurfacing and improvements to an existing hard surfaced games area to a formal multi use games area (MUGA).
 - A new trim trail.
 - A new tarmac skipping/jump rope area.
 - A new active play area of mounds and tunnels.
 - An additional new play area at the front of Moray Primary School.
 - Two new "messy kitchen" areas to encourage water play.
- 1.7 It is proposed that, where appropriate, facilities will be shared across the wider Moray Primary School complex.
- 1.8 The applicant has made a written commitment to form the new grassed 7-a-side football pitch and MUGA within one year of the opening of the proposed new school. Formal marked out playing pitches would be available at nearby Zetland Park during this period although it is not envisaged that this would be necessary.
- 1.9 Access to the proposed new school would be from Oxgang Road, with separate access and egress points being formed.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires consideration by the Planning Committee as granting permission would be contrary to the Falkirk Local Development Plan.

3. SITE HISTORY

- 3.1 One previous application is relevant to the Moray Primary School campus. Application 06/0029/LA was approved on 3 April 2006 for the erection of a modular classroom building.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has raised no objections and it is considered that the proposal accords with National Roads Development Guidelines.
- 4.2 The Environmental Protection Unit has raised no objections.
- 4.3 The Transport Planning Unit has raised no objections. It recommends that the applicant be advised to seek the approval of the Roads Authority for an extension to the 20 mph zone along the frontage of the new school and any traffic signage required.

- 4.4 The application site does not lie within the consultation zones of any hazardous, industrial or commercial site. It has been advised that the Health and Safety Executive has "no interest" in the proposed development.
- 4.5 Sportsotland has raised no objections. Sportsotland has advised that this advice is based on the commitment of the applicant to form the proposed 7-a-side grassed pitch and the improved MUGA detailed in section 1.6 of this report, within one year of the opening of the new school.

5. COMMUNITY COUNCIL

- 5.1 There is no community council acting in the Grangemouth area.

6. PUBLIC REPRESENTATION

- 6.1 One letter of objection has been received. Concerns raised are:-
- An access point to the proposed new school would be located opposite a roadside disabled access bay.
 - The proposed development would be at risk from incidents occurring at the Grangemouth petrochemical complex.

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 Falkirk Local Development Plan (FLDP) was adopted on 16 July 2015. It replaces the previous Structure Plan and Local Plan and includes a number of supplementary Planning Guidance documents which now have statutory status.
- 7a.2 Under the FDLP, the application site lies within the urban limits for Grangemouth.
- 7a.3 Part of the application site is identified in the FLDP as an opportunity for residential development, opportunity H.35 "Oxgang Road". The FLDP proposes that the site could accommodate approximately 20 housing units and comments that any proposal should consider loss of sports area, major hazard zones, flood risk and should include consideration for affordable housing.
- 7a.4 The one hectare site which constitutes residential development opportunity H.35 has been marketed since 2002/03. There has been no interest shown in developing the site for housing since that time. The site is not now considered an effective housing land supply site, given the lack of market interest since 2002/03. Accordingly, the site does not contribute to the housing land supply in the 2014/15 Housing Land Audit.
- 7a.5 However, although housing opportunity H.35 is no longer considered effective, the proposed development does not accord with the housing proposal in the FLDP.

7a.6 Policy D02 - 'Sustainable Design Principles' states:

"New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:

1. Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;
2. Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create buildings and spaces that are attractive, distinctive, welcoming, adaptable, safe and easy to use;
3. Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;
4. Climate Change & Resource Use. Development should promote the efficient use of natural resources and the minimisation of greenhouse gas emissions through energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;
5. Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and
6. Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.

Masterplans will be required for significant development proposals requiring a co-ordinated approach to design and infrastructure, and should demonstrate how the above principles have been incorporated into the proposals. Masterplans should be informed by a development framework or brief where relevant.

7a.7 It is considered that the proposed development would be sympathetic to the application site and its setting, providing a distinctive, high quality design building which is safely accessible. The proposed development would incorporate low and zero carbon technologies/biomass boiler and is supported by a statement demonstrating how the generation of waste would be reduced during the development. It is considered that infrastructure issues have been satisfactorily addressed or can be addressed by condition. The proposed development accords with Policy D02.

7a.8 Policy D03 - 'Urban Design' states:

"New development should create attractive and safe places for people to live, work and visit. Accordingly:

1. Development proposals should conform with any relevant development framework, brief or masterplan covering the site. Residential proposals should conform with Supplementary Guidance SG02 'Housing Layout and Design';
2. The siting, density and design of new development should create a coherent structure of streets, public spaces and buildings which respects and complements the site's context, and creates a sense of identity within the development;
3. Street layout and design should generally conform with the Scottish Government's policy document 'Designing Streets';
4. Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality architectural or landscape treatment;
5. Development proposals should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, and contributes, where appropriate, to the wider green network;
6. Development proposals should create a safe and secure environment for all users through the provision of high levels of natural surveillance for access routes and public spaces; and
7. Major development proposals should make provision for public art in the design of buildings and the public realm."

7a.9 It is considered that the proposed development would complement the site's setting and context, create a sense of identity and contribute positively to a cohesive street structure. Proposed landscaping would integrate the proposed development with the setting of the application site. The proposed development is considered to be of high quality design. The proposed development accords with the principles of Policy D03.

7a.10 Policy D04 - 'Low and Zero Carbon Development' states:

- "1. All new buildings should incorporate on-site low and zero carbon-generating technologies (LZCGT) to meet a proportion of the overall energy requirements. Applicants must demonstrate that 10% of the overall reduction in CO₂ emissions as required by Building Standards has been achieved via on-site LZCGT. This proportion will be increased as part of subsequent reviews of the LDP. All proposals must be accompanied by an Energy Statement which demonstrates compliance with this policy. Should proposals not include LZCGT, the Energy Statement must set out the technical or practical constraints which limit the application of LZCGT. Further guidance will be contained in Supplementary Guidance SG15 'Low and Zero Carbon Development'. Exclusions from the requirements of this policy are:*
 - *Proposals for change of use or conversion of buildings;*
 - *Alterations and extensions to buildings;*
 - *Stand-alone buildings that are ancillary and have an area less than 50 square metres;*
 - *Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection;*
 - *Temporary buildings with consent for 2 years or less; and*
 - *Where implementation of the requirement would have an adverse impact on the historic environment as detailed in the Energy Statement or accompanying Design Statement.*
- 2. The design and layout of development should, as far as possible, seek to minimise energy requirements through harnessing solar gain and shelter;*
- 3. Decentralised energy generation with heat recycling schemes (combined heat and power and district heating) will be encouraged in major new developments, subject to the satisfactory location and design of associated plant. Energy Statements for major developments should include an assessment of the potential for such schemes."*

7a.11 The proposed development incorporates low and zero carbon technologies/biomass boiler. It is considered that these technologies would achieve a 10% reduction in carbon dioxide (CO₂) emissions. The proposed development accords with Policy D04.

7a.12 Policy INF12 - 'Water and Drainage Infrastructure' states:

- "1. New development will only be permitted if necessary sewerage infrastructure is adopted by Scottish Water or alternative maintenance arrangements are acceptable to SEPA.*
- 2. Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation.*
- 3. A drainage strategy, as set out in PAN61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment."*

7a.13 The proposed development is supported by a drainage strategy. It is considered that the strategy demonstrates that the proposed drainage would be satisfactory. The proposed development accords with Policy INF12.

7a.14 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."*

7a.15 The proposed development is supported by a flood risk assessment. It is considered that the assessment satisfactorily demonstrates that there would be no significant risk to flooding at the application site or beyond in the site's environs as a result of the proposed development. The proposed development accords with Policy RW06.

7a.16 Policy INF11 - 'Parking' states:

"The Council will manage parking provision as an integral part of wider transport planning policy to ensure that road traffic reduction, public transport, walking, cycling and safety objectives are met.

- 1. The scale of public parking provision in Falkirk Town Centre will be maintained broadly at its current level and any proposed change to parking provision will be assessed against its effect on the vitality and viability of the centre.*
- 2. The feasibility of promoting Park and Ride facilities on the road corridors into Falkirk Town Centre will continue to be investigated.*
- 3. Parking in District and Local Centres will be managed to promote sustainable travel and the role of the centres.*
- 4. New parking will be provided to support the strategic role of railway stations, with priority given to new provision at Falkirk High. Where possible, the provision of new off street parking facilities will be associated with traffic management and other measures to reduce uncontrolled on-street parking.*
- 5. The maximum parking standards set out in the SPP will be applied to new development, where relevant, in tandem with the Council's minimum standards. Where the minimum standards cannot be met, developer contributions to enhance travel plan resources may be required in compensation."*

7a.17 It is noted that the Roads Development Unit has raised no objections. It is considered that the proposed development accords with National Roads Development Guidelines. The proposed development accords with Policy INF11.

7a.18 Policy RW09 - 'Waste Reduction in New Development' states:

"All new development (including residential, commercial, business and industrial uses) should seek to minimise the production of construction waste and seek to recycle as much waste as possible, in accordance with the Zero Waste Plan. Proposals should:

- 1. Identify the amount of construction waste to be produced and recycled;*
- 2. Identify what measures are proposed to reduce the production of construction waste and to maximise the use of recycled materials on site;*
- 3. Include appropriate provision for the collection and storage of waste and recyclable materials, including composting facilities.*
- 4. Locate communal recycling facilities in an accessible and convenient location."*

7a.19 The application is supported by a statement which satisfactorily demonstrates that there would be a reduction in the generation of waste during the development. The proposed development accords with Policy RW09.

7a.20 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."*

7a.21 It is noted that the application site comprises private open space within the curtilage of Moray Primary School and Oxbang School and Support Service. There is no formal public access to the site and there is no connectivity from the site to any areas of public open space in the area. The application site is not marked out for sports use and its use for any sporting activity ancillary to the school complex is infrequent. However, the proposed development would result in the loss of the private open space.

- 7a.22 There are five principal issues material to the consideration of the potential loss of the area of private open space. The use of the site by the public for recreational purposes, the use of the site as a sport and recreation area ancillary to the function of the school complex, the net impact of the proposed development in terms of quality of facilities, visual amenity and ecological impact.
- 7a.23 Although there is no formal access to the site for members of the public, it is accepted that there is informal use of the site by the public for recreational purposes. However, Zetland Park lies within 150 metres of the school complex. Zetland Park extends to 17.5 hectares in area and provides both extensive recreational public open space and formal sports facilities. Zetland Park includes 3 marked out football pitches and modernised tennis facilities. Furthermore, Inchyra Park lies within 400 metres of the school complex. Inchyra Park extends to 16.25 hectares, providing both extensive public recreational open space and formal sports facilities. Inchyra Park includes 4 marked out football pitches and a MUGA. It is not considered that the loss of the private open space, used informally by the public, would have a significant impact on the provision of passive and active open space available to the public in the area of the application site.
- 7a.24 Whilst the application site extends to almost 2 hectares in area, its use ancillary to the function of the school complex for recreational and play use is considered to be disproportionate to its size. It is not extensively used and it is not marked out for formal sports use. Whilst there is historic evidence that the site has been formally marked out for sports use in the past, it is unclear how many years it has been since that time.
- 7a.25 The proposed development is supported by an "On and Off Site Sport and Active Play Improvement Report". The report highlights the proposed improved and additional facilities detailed in section 1.6 of this report. It is considered that, despite the loss of the private open space, the sports and recreational facilities which would be provided by the proposed development would constitute a significant improvement to the facilities available to the functioning of the school complex.
- 7a.26 It is considered that the proposed development provides a mix of high quality building design and landscaping. The proposal would integrate well with the character and amenity of the area. It is not considered that the proposed development would be significantly detrimental to visual amenity.
- 7a.27 The proposed development is supported by an "Ecology Report". It is concluded that there would not be a significant impact in terms of wildlife habitat. It is advised, however, that trees to be retained on site should be protected during development works and that bat roosting and bird nesting boxes are installed at the site. It is considered that these measures can be secured by condition.
- 7a.28 The proposed development accords with Policy INF03.
- 7a.29 Policy INF02 - 'Developer Contributions to Community Infrastructure' states:

"Developers will be required to contribute towards the provision, upgrading and maintenance of community infrastructure where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The nature and scale of developer contributions will be determined by the following factors:

1. *Specific requirements identified against proposals in the LDP or in development briefs;*
2. *In respect of open space, recreational, education and healthcare provision, the general requirements set out in Policies INF04, INF05 and INF06;*
3. *In respect of physical infrastructure any requirements to ensure that the development meets sustainability criteria;*
4. *In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*

5. *Where a planning obligation is the intended mechanism for securing contributions, the principles contained in Circular 3/2012.*

In applying the policy, consideration of the overall viability of the development will be taken into account in setting the timing and phasing of payments.”

7a.30 It is not considered that there would be a significant impact on the provision of open space for the enjoyment of the public as a result of the proposed development. Furthermore, it is considered that there would be a significant improvement to the recreation, play and sports facilities available for the function of the school complex.

7a.31 It is not considered that a developer contribution towards community recreation and sports facilities in the area of the application site is appropriate in this case. The proposed development does not conflict with Policy INF02.

7a.32 Policy GN04 - ‘Trees, Woodland and Hedgerows’ states:

“The Council recognises the ecological, landscape, economic and recreational importance of trees, woodland and hedgerows. Accordingly:

- 1. Felling detrimental to landscape, amenity, nature conservation or recreational interests will be discouraged. In particular ancient, long-established and semi-natural woodlands will be protected as a habitat resource of irreplaceable value;*
- 2. In an area covered by a Tree Preservation Order (TPO) or a Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, stability or appearance of the trees. Where necessary, endangered trees and woodlands will be protected through the designation of further TPOs;*
- 3. Development which is likely to affect trees should comply with Supplementary Guidance SG06 ‘Trees and Development’, including the preparation where appropriate of a Tree Survey, Constraints Plan, and Tree Protection Plan. Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting appropriate in terms of number, size, species and position;*
- 4. The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a woodland area is integral to a development proposal, developers will normally be required to prepare and implement an appropriate Management Plan; and*
- 5. There will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to the historic landscape character.”*

7a.33 There are existing trees at the south boundary of the site which will have to be removed to accommodate the proposed development. However, the loss of trees would be compensated by new landscaping at the site. It is considered that the new landscaping plan would complement the character of the area and safeguard wildlife habitat. It is noted that the proposed development includes a landscape maintenance schedule. Adherence to the maintenance schedule can be secured by condition. The proposed development accords with Policy GN04.

7a.34 Policy GN03 - 'Biodiversity and Geodiversity' states:

"The Council will protect and enhance habitats and species of importance, and will promote biodiversity and geodiversity through the planning process Accordingly:

- 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. Qualifying features of a Natura 2000 site may not be confined to the boundary of a designated site. 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. 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 likely to have an adverse effect on European protected species, a species listed in Schedules 5, 5A, 6, 6A and 8 of Wildlife and Countryside Act 1981 (as amended), or a species of bird protected under the Wildlife and Countryside Act 1981 (as amended) will only be permitted where the applicant can demonstrate that a species licence is likely to be granted.*
- 4. Development affecting Local Nature Reserves, Wildlife Sites, Sites of Importance for Nature Conservation and Geodiversity Sites (as identified in Supplementary Guidance SG08 'Local Nature Conservation and Geodiversity Sites'), and national and local priority habitats and species (as identified in the Falkirk Local Biodiversity Action Plan) will not be permitted unless it can be demonstrated that the overall integrity of the site, habitat or species will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance.*
- 5. Where development is to be approved which could adversely affect any site or species of significant nature conservation value, the Council will require appropriate mitigating measures to conserve and secure future management of the relevant 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. All development proposals should conform to Supplementary Guidance SG05 'Biodiversity and Development'."*

7a.35 It is noted that the proposed development is supported by an "Ecology Report". The report concludes that there would not be a significant impact on wildlife habitat at the application site. The report advises measures to be adopted during development to safeguard any possible badger activity, although no such activity is noted at the site, and make provision for additional bat roosting and bird nesting long term. It is considered that the proposed landscaping scheme satisfactorily mitigates for loss of trees and habitat. It is considered that the findings of the supporting ecology report are robust and that any mitigating measures proposed can be secured by means of conditions and informatives. The proposed development accords with Policy GN03.

7a.36 Supplementary Guidance SG05 "Biodiversity and Geodiversity" is noted. SG05 seeks to safeguard biodiversity in the Council area. The principles of SG05 include the protection of wildlife habitat and secure satisfactory mitigation measures where necessary to safeguard and enhance habitat. Sections 7a.34-7a.35 of this report in respect of Policy GN03 are noted. The proposed development accords with SG05.

- 7a.37 Supplementary Guidance SG06 "Trees and Development" is noted. The principles of SG06 include that new planting is required to mitigate in circumstances in cases where trees would be lost and that new planting secures an appropriate range of species to complement and safeguard the character of an application site and its setting. Sections 7a.32-7a.33 of this report in respect of Policy GN04 are noted.
- 7a.38 The proposed development accords with policies and supplementary guidance of the FLDP. However, the proposal does not accord with housing opportunity H.35 "Oxgang Road" as detailed in sections 7a.3-7a.5 of this report. Accordingly, the proposed development does not fully accord with the Falkirk Local Development Plan.

7b Material Considerations

- 7b.1 The material considerations in respect of the proposed development are Scottish Planning Policy, consultation responses and the letter of objection.

Scottish Planning Policy

- 7b.2 The principles of Scottish Planning Policy include a movement towards low or zero carbon development to reduce CO² emissions. It has been satisfactorily demonstrated that the proposed development would include low and zero carbon technologies which would achieve a 10% reduction of CO², in accordance with Policy D04 detailed in sections 7a.10-7a.11 of the report. The proposed development accords with the principles of Scottish Planning Policy.

Consultation Responses

- 7b.3 It is noted that no objections have been raised by consultees. It is noted, however, that Sportscotland has raised no objection on the basis that the applicant has made commitment to provide the proposed 7-a-side grassed pitch and the MUGA within one year of the opening of the proposed new school. This can be secured by condition. Furthermore, the Transport Planning Unit has advised that the applicant should be advised to seek the approval of the Roads Authority for an extension to the 20 mph zone along the frontage of the new school and the display of any traffic signage required. It is considered that this can be addressed by means of an informative.

Letter of Objection

- 7b.4 It is noted that the Roads Development Unit has raised no objections. It is considered that the proposed development accords with National Roads Development Guidelines. It is not considered that disabled parking spaces delineated at the east side of Oxgang Road would prejudice the proposed development. The presence of such parking spaces would not prevent satisfactory access to the proposed development or prejudice the security of vehicles parked in the disabled spaces.
- 7b.5 It is noted that the application site does not fall within the catchment zone of Policy BUS05 of the FDLP - 'Major Hazards and Pipelines'. Furthermore, the application site does not fall within consultation zones of any hazardous site. The Health and Safety Executive has indicated "no interest" in the proposed development.

7c Conclusion

- 7c.1 It is noted that the proposed development accords with the policies and guidance of the FLDP. However, the proposal does not accord with housing opportunity H.35 "Oxgang Road" as identified in the FLDP. It is considered material to the determination of this application that there has been no market interest shown in the H.35 site since first marketed in 2002/03, and for this reason the site is not now considered an effective housing land supply site to the extent that it is not included in the 2014/15 Housing Land Audit. On balance, it is considered that a departure from the Development Plan is justified in this case. For the avoidance of doubt, the departure from the Development Plan is not considered to be a significant departure.
- 7c.2 The proposed development accords with Scottish Planning Policy.
- 7c.3 The proposed development is considered to be of high quality building and landscape design. The proposed new school would be sympathetic to the character of the application site and its setting and the proposed landscaping would integrate well with the landscape character of the site.
- 7c.4 It is considered that satisfactorily ecological mitigation measures can be taken to ensure the protection of trees to be retained and wildlife habitat. The proposed landscaping would satisfactorily mitigate the loss of trees at the south boundary of the site.
- 7c.5 The proposed development is considered to be satisfactory in terms of access and parking.
- 7c.6 The proposed development would not have a significant impact on the provision of public open space, or the connectivity of public open space, in the area.
- 7c.7 The proposed development would significantly improve the range and quality of recreation, play and sports facilities available for the function of the wider school complex.

8. RECOMMENDATION

- 8.1 It is therefore recommended that the Committee grant planning permission subject to the following condition(s):-
- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
 - (2) The proposed 7-a-side football pitch measuring 60 metres x 4 metres plus 3 metres run-off areas and the proposed Multi Use Games Area (MUGA) measuring 36 metres x 18 metres, formed to include football and basketball use, shall be completed and available for use within one calendar year of the date of the opening of the new school. Prior to commencement of the proposed development on site, full details of the proposed football pitch and MUGA (to include specification and contractor details) shall be submitted to, and be approved in writing by, the Planning Authority. For the avoidance of doubt, the new grass football pitch shall be designed and constructed by a Sports and Play Construction Association (SAPCA) registered pitch contractor or similarly recognised pitch contractor.

- (3) Before any trees or vegetation is removed from the site, steps shall be taken to ensure that any trees to be retained shall be protected in accordance with British Standards 5837 : 2012 "Trees in Relation to Design, Demolition and Construction - Recommendations". Thereafter, the trees shall remain so protected during the course of the development hereby approved. Furthermore, before any trees or vegetation is removed from the site the applicant shall notify the Planning Authority that the steps referred to in this condition have been carried out and the Planning Authority shall confirm satisfaction in writing.
- (4) The removal of vegetation and trees from the application site shall take place between the months of March through to September inclusive. If this is not deemed to be possible, any proposal to remove trees and/or vegetation outwith this timeframe shall be submitted to the Planning Authority, and have the written approval of the Planning Authority prior to the removal of the trees and/or vegetation, and that any such proposal is verified by a qualified ecologist.
- (5) Before any trees or vegetation are removed from the site, the applicant shall submit to, and have approved in writing by, the Planning Authority, details of bat roosting and bird nesting boxes to be installed at trees to remain on site. For the avoidance of doubt, these details shall include construction details of the boxes, numbers of boxes, placement height and location and timescales for the installation of the boxes.
- (6) The landscaping works shall be as detailed on the drawing bearing the Planning Authority's reference 11B shall be completed within one calendar year of the date of the opening of the proposed development and shall thereafter be maintained in accordance with the approved landscape maintenance schedule.
- (7) Notwithstanding any details previously submitted, there shall be no work carried out to construct the proposed new school building until such time as samples of finishing materials have been submitted to, and approved in writing by, the Planning Authority.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure that there is adequate recreation, play and sports facilities for the functioning of the proposed new school and the wider Moray Primary School and Oxbang School and Support Service campus.
- (3) To ensure that trees to be retained at the site are satisfactorily protected during the course of the proposed development.
- (4) To ensure satisfactory protection of roosting bats and nesting birds and their habitat.
- (5) To ensure satisfactory protection of roosting bats and nesting birds and their habitat.
- (6) To safeguard the landscape amenity of the application site and its setting.
- (7) In the interests of visual amenity.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03A, 04A, 05A, 06A, 07A, 08A, 09, 10, 11B, 12, 13A, 14, 15, 16, 17 and 18.
- (2) The proposed development should be carried out in accordance with Section 5 of the supporting document "Ecology Report".
- (3) The applicant is advised to seek the advice of the Roads Authority in respect of the extension of the 20 mph zone along the frontage of the proposed development and any traffic signage which may be required.
- (4) The applicant shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Health Manager.

- (5) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.

PP

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Director of Development Services

Date: 13 November 2015

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. Scottish Planning Policy.
3. Planning permission 06/0029/LA.
4. Objection received from Mr Thomas Monument, 121 Oxbang Road, Grangemouth, FK3 9HL on 11 August 2015.

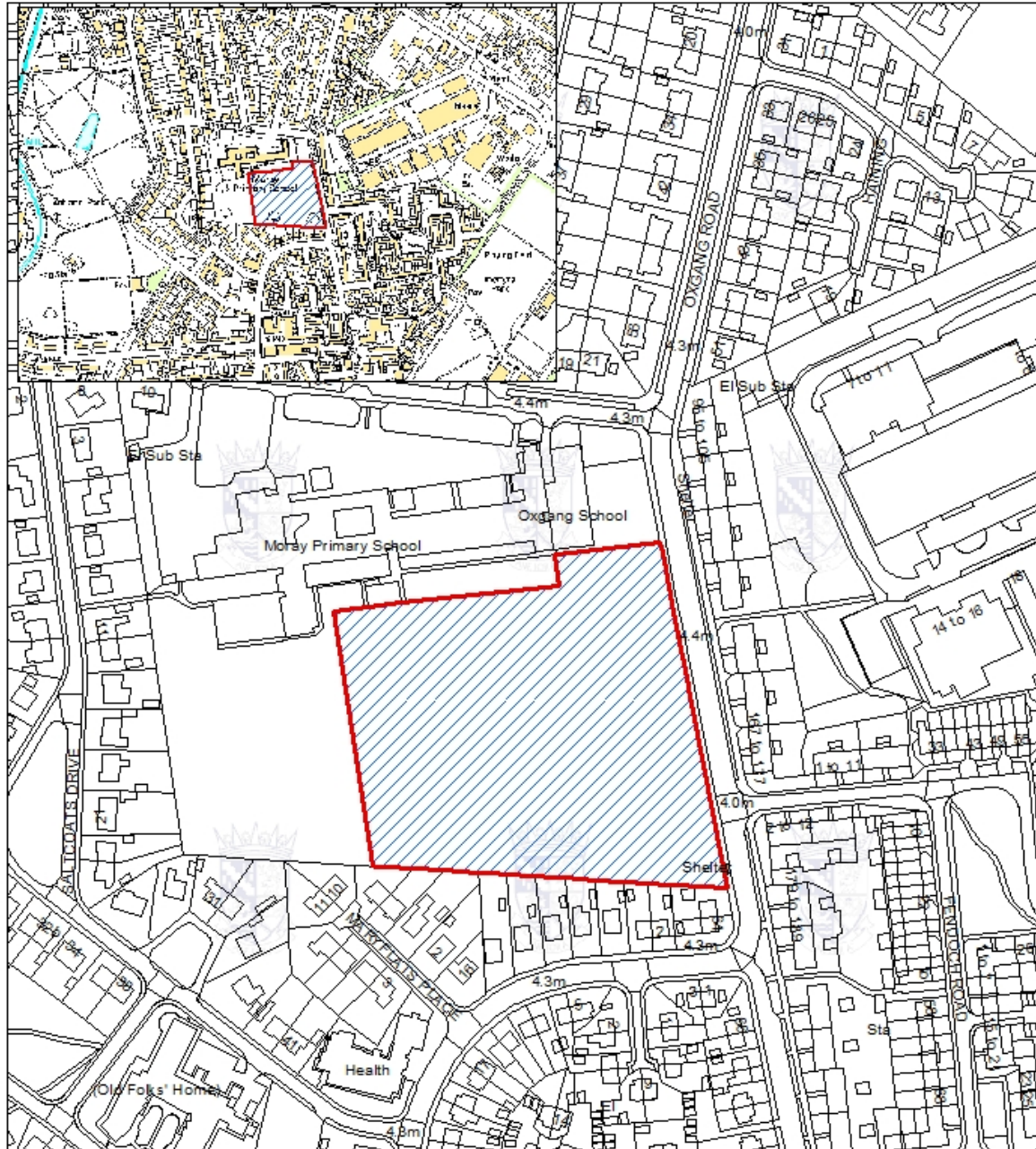
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson, Planning Officer.

Planning Committee

Planning Application Location Plan

P/15/0476/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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