



Agenda Item

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Development of Land for Residential Purposes at Land to the South of 4-7 The Bungalows, The Bungalows, Larbert for Scottish Ministers, (NHS Forth Valley) c/o Ryden - P/17/0027/PPP

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES
AT LAND TO THE SOUTH OF 4 - 7 THE BUNGALOWS, THE
BUNGALOWS, LARBERT, FOR SCOTTISH MINISTERS
(NHS FORTH VALLEY) C/O RYDEN - P/17/0027/PPP

Meeting: PLANNING COMMITTEE

Date: 27 June 2017

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Bonnybridge and Larbert

Provost Tom Coleman
Councillor Billy Buchanan
Councillor David Grant

Community Council: Larbert, Stenhousemuir and Torwood

Case Officer: John Milne (Senior Planning Officer), Ext. 4815

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application seeks to establish the principle of housing development on land to the south of 4-7 The Bungalows, Larbert. An indicative site layout submitted with the application has not been assessed as the application is for planning permission in principle.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application site, in the most part, falls within the urban area of Larbert and is identified as housing proposal H75 - Pretoria Road. Part of the application site lies to the west of the allocated site, outwith the urban limit and is therefore contrary to the Development Plan.

3. SITE HISTORY

- 3.1 No site history.

4. CONSULTATIONS

- 4.1 The Transport Planning Unit requests that adequate pedestrian and vehicular access to the site be agreed at the detailed design stage. In addition, a Traffic Impact Assessment will be required to assess the likely impact on the surrounding road network, including Larbert Cross. A Residential Travel Pack should be distributed to any new occupiers.

- 4.2 The Environmental Protection Unit advise that noise need not be considered as a determining factor in considering the application and request that a planning condition to address potentially contaminated land be imposed.
- 4.3 The Roads Development and Flooding Unit advise there is no objection to the application although a Surface Water Drainage strategy should be submitted for further review.
- 4.4 The Director of Children's Services (Education) request that, if this application is approved, the following contributions should be made:
- St Bernadette's Primary School £850 per house
 - Larbert High School £2,100 per house
 - St Mungo's High School £900 per house
 - Nursery Provision £350 per house

5. COMMUNITY COUNCIL

- 5.1 Larbert, Stenhousemuir and Torwood Community Council object to the application for the following reasons:
- The proposal is for 27 houses which is contrary to the Local Development Plan which allocated for a total of 15 houses for this site (H75). This proposal would result in over-development of the site;
 - There are already too many houses being built in Larbert, Stenhousemuir and Torwood area with more in the pipeline. The local development plan clearly states: "The focus of housing growth in Larbert and Stenhousemuir will remain to the north of the settlement at Bellsdyke and Hill of Kinnaird (H36 & H37). This Strategic Growth Area reflects existing housing commitments which focus on the development of the redundant Bellsdyke Hospital and adjacent greenfield land to the east. With the exception of two further committed housing sites at Lorne Road (H38) and Larbert House / Stables (H39), there are no further significant housing land releases, which allows the surrounding green belt to be maintained". The allocation for 2014 – 2024 was for 909 units. This proposal would add to the current agreed allocation;
 - The Main Issues Report consultation document for the Local Development Plan 2 (February 2017) states that the preferred approach is not to promote any further growth in the Larbert / Stenhousemuir area.
 - In particular, the proposal is adjacent to the Larbert House development which is not yet finished. The Community Council has also lodged its concerns in relation to this proposal for some 90 houses which is being promoted by Gladman Scotland through the pre-application consultation process.
 - The roads around Larbert Cross are already congested primarily due to recent growth of the area and the proximity of FVRH and parking on Stirling Road. The junction is now dangerous with traffic at peak times queued to the petrol station on Main Street, on Old Denny Road, and to the roundabouts at the M876 on Stirling Road. The junction cannot cope with any additional traffic.
 - The local infrastructure is at capacity. FVRH is already struggling to cope with the volume of patients. Doctors surgeries in the area are refusing new patients. Schools are already oversubscribed – primary and secondary. The proposed extension to Larbert High School will only cope with the existing planned growth, with no additional capacity to accommodate any significant further housing (Main Issues Report Consultation).

- The Community Council has received numerous reports of youth anti-social behaviour in Larbert due to lack of leisure amenities – building yet more houses and reducing green space would not improve this.
- Any reduction of green space would also be detrimental to wildlife and is contrary to the proposals within the original masterplan for the RSNH site to maintain greenspace.
- A resident whose property shares a boundary with this development complained that her garden would be overlooked by three of the two-storey houses impacting on light and privacy.
- The Community Council has also been advised of flooding issues to properties on Old Denny Road following the Larbert House development.

6. PUBLIC REPRESENTATION

6.1 There have been 23 objectors and 1 representation to the application. The objections are summarised as follows:

- High traffic volumes in the area already and this development will only exacerbate matters;
- Existing parking issues in Larbert, which would be added to;
- Increased pressure on schools and facilities;
- Potential flooding issues from the site;
- Development will spoil views of existing residents;
- Adverse impact on house prices and detract from the area;
- Homes should be local authority not private ownership;
- Negative impact on green belt area;
- Adverse impact on occupants of The Bungalows;
- Comments relating to size, scale, massing, design and location of individual houses.

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 was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development was assessed against the following policy or policies:

7a.2 Policy CG01 - Countryside states:

The Urban and Village Limits defined on the Proposals Map represent the limit to the expansion of settlements. Land outwith these boundaries is designated as countryside, within which development will be assessed in the terms of the relevant supporting countryside policies (Policies CG03 and CG04), and Supplementary Guidance SG01 'Development in the Countryside'.

7a.3 Part of the application site extends beyond the site allocated in the Development Plan. At the time of allocation, the site boundary for H75 - Pretoria Road followed the line of the access road to Larbert House. As part of the residential development which is ongoing at Larbert House, the access has been realigned further to the east. It is considered that it would therefore be appropriate to incorporate the small area of additional land into the development site that is the subject of this planning application.

7a.4 Policy HSG02 - Affordable Housing states:

New housing developments of 20 units and over will be required to provide a proportion of the units as affordable or special needs housing as set out in Figure 5.1. The approach to provision should comply with Supplementary Guidance SG12 "Affordable Housing".

Figure 5.1 Affordable Housing Requirements in Settlement Areas

Proportion of total site units required to be affordable

Larbert/Stenhousemuir, Polmont Area, Rural North and Rural South - 25%

Bo'ness, Bonnybridge/Banknock, Denny, Falkirk and Grangemouth - 15%

7a.5 The indicative layout submitted shows a total of 27 dwellings proposed although this has not been agreed. As the application seeks planning permission in principle, it is considered appropriate to apply this policy to the application through legal agreement. The applicant has agreed to this approach.

7a.6 Policy INF04 - Open Space and New Residential Development states:

Proposals for residential development of greater than 3 units will be required to contribute to open space and play provision. Provision should be informed by the Council's open space audit, and accord with the Open Space Strategy and the Supplementary Guidance SG13 on 'Open Space and New Development', based on the following principles:

- 1. New open space should be well designed; appropriately located; functionally sized and suitably diverse to meet different recreational needs in accordance with criteria set out in Supplementary Guidance SG13 'Open Space and New Development'.*

2. *Where appropriate, financial contributions to off-site provision, upgrading, and maintenance may be sought as a full or partial alternative to direct on-site provision. The circumstances under which financial contributions will be sought and the mechanism for determining the required financial contribution is set out in Supplementary Guidance SG13 'Open Space and New Development'.*
3. *Arrangements must be made for the appropriate management and maintenance of new open space.*

7a.7 The indicative layout submitted shows areas of open space. As the application seeks planning permission in principle through the current application, it is considered appropriate to apply this policy through legal agreement. The applicant has agreed to this approach.

7a.8 Policy INF10 - Transport Assessments states:

1. *The Council will require transport assessments of developments where the impact of the development on the transport network is likely to result in a significant increase in the number of trips, and is considered likely to require mitigation. The scope of transport assessments will be agreed with the Council and in the case of impact on trunk roads, also with Transport Scotland.*
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. The assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over use of the car.*
3. *The Council will only support development proposals 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.9 Given that the most part of the site is allocated in the Development Plan, a Transport Impact Assessment would be required should the site be subject to an application for full planning permission or for matters specified by condition.

7a.10 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.11 Given that most of the site is allocated in the Development Plan, a Water and Drainage assessment would be required should the site be subject to an application for full planning permission or matters specified by condition.
- 7a.12 In summary, while the application seeks the principle of development, many of the relevant Development Plan policies would more pertinently be applied on submission of further detailed proposals for the site. The proposal represents a minor departure to the Development Plan. Given that the majority of the site is allocated for residential development in the current Falkirk Local Development Plan the proposal is broadly considered to accord with its provisions.

7b Material Considerations

- 7b.1 The material considerations to be assessed are the consultation replies and representations received.

Points Raised Through Consultation

- 7b.2 There are no matters arising which cannot be addressed through appropriate planning conditions, a legal agreement or further consideration on the potential submission of a FULL (FUL) or Matters Subject to Condition (MSC) application.

Response to Community Council Comments

- 7b.3 The proposal is not subject to detailed examination of layout or house numbers. The application is only for the principle of development for housing.
- 7b.4 None of the site lies within a designated Greenbelt and is mostly within the urban limit of Larbert and is allocated for housing within the Falkirk Local Development Plan. The development of the site would not introduce any significant unforeseen housing addition to the overall planned number of housing units.
- 7b.5 This site is not a 'further growth' location but for the most part is allocated for housing through the Development Plan process.
- 7b.6 The site is mostly allocated in the Development Plan and the application is not considered to be speculative.
- 7b.7 The application site would be the subject of a Transport Impact Assessment should a detailed proposal be submitted. The number of units on the site would be subject to review at this point.
- 7b.8 Infrastructure and community facilities would be subject of detailed analysis at a further detailed application stage.
- 7b.9 It is not considered that an increase in housing numbers would give rise to anti-social behaviour. Open space provision would be considered as part of any further detailed application.

- 7b.10 The site for the most part is an allocated area for housing within the urban limit of Larbert as defined in the Falkirk Local Development Plan. The site, in terms of its status with regard to contribution to the setting of the RSNH area, has limited impact, given its placement between established housing and a major roadway approaching Larbert Cross.
- 7b.11 No detailed information has been submitted as part of the application. The layout is indicative only. Any details of development need to be examined through a more detailed planning application. There are no restrictions on storey heights in the area. This matter would be considered as part of a further detailed submission of a planning application.
- 7b.12 Flooding and drainage would be addressed through the further submission of a more detailed planning application.

Matters Raised Through Representation

- 7b.13
- The traffic generation from the site would be assessed through submission of a Traffic Impact Assessment on a further planning application. The application at present seeks to establish the principle of development;
 - Where appropriate, the applicant would be requested to make financial contribution to community infrastructure where a transparent deficiency is identified;
 - While some information regarding Sustainable Urban Drainage has been submitted, further detailed information would be required on submission of detailed proposals for the site;
 - The right to a view is not a material planning consideration;
 - Financial impacts on house prices is not a material planning consideration;
 - Falkirk Council does not own the site and therefore cannot require local authority housing. However, the applicant would be required to address the relevant Affordable Housing Policy of the Development Plan;
 - The area is not designated Green Belt. The visual impact of any development would be assessed on receipt of a more detailed planning application;
 - The impact on neighbouring residents cannot be quantified or assessed through the current application;
 - Layouts and designs submitted through the proposal are considered indicative only.

7c Conclusion

- 7c.1 The application site, in the most part, is within an area designated within the Falkirk Local Development Plan for residential development. The proposal represents a minor departure to the Development Plan. The application seeks the principle of development only and no detailed assessment of the indicative layout has been undertaken.
- 7c.2 The applicant has agreed to address policies with regard to affordable housing, education and open space through a S75 Legal Agreement. This is to ensure that these matters are addressed if an application for full planning permission or matters specified by conditions is received.
- 7c.3 Matters raised through representation are noted, but interpretation of indicative proposals within the site are of limited weight at this point, given that detailed assessment of proposals will be required at a future date. The matter of the site area exceeding the site allocation within the Falkirk Local Development Plan will also be the subject of assessment through a future detailed planning application.

8. RECOMMENDATION

8.1 It is therefore recommended that the Committee indicate that it is Minded to Grant Planning Permission in Principle subject to:

- (a) the satisfactory completion within 6 months of a Legal Agreement within the terms of Section 75 of the Local Government (Scotland) Act 1973 or 75 of the Town and Country Planning (Scotland) Act 1997, in terms satisfactory to the Director of Development Services, in respect of;**
- **Education; a pro-rata contribution (in accordance with SG10 'Education and New Housing Development')**
 - **St Bernadette's Primary School £850 per house**
 - **Larbert High School £2,100 per house**
 - **St Mungo's High School £900 per house**
 - **Nursery Provision £350 per house**
 - **Open Space - Where the development relates to over 3 units and open space generated by the development (in accordance with the figures set out in SG13 'Open Space and New Development') cannot be accommodated on site, open space contribution of £1911.00 per house and £955.50 per flat will be sought for qualitative improvements to existing open space in the surrounding area.**
 - **Affordable Housing – where the development relates to 20 units or over 25% of the site shall be affordable housing or special needs housing in accordance with supplementary guidance SG1 'Affordable Housing.'**
- (b) and thereafter, on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject the following conditions;**
- 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. i. No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.**
 - ii. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that**

the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.

- iii. Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.
 - iv. If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
3. The subsequent application for the approval of reserved matters shall be accompanied by:
- i. details of footpaths and parking areas (distinguishing, where appropriate, between private and public spaces);
 - ii. details of the phasing of development;
 - iii. details of existing and finished ground levels, and finished floor levels, in relation to a fixed datum, preferably ordnance datum.
4. Plans and particulars of the matters specified below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the authority has been given, and the development shall be carried out in accordance with that approval. The specified matters are:
- (a) The siting of the building(s);
 - (b) The design of the building(s);
 - (c) The external appearance of the building(s);
 - (d) Details of the access and parking arrangements;
 - (e) Details of the landscaping of the site;
 - (f) Details of the proposed boundary treatments;
 - (g) A drainage strategy and surface water drainage design;
 - (h) Details of proposed levels;
 - (i) Details of Low and Zero Carbon Generating Technologies in accordance with the terms of Falkirk Council Supplementary Guidance SG15 'Low and Zero Carbon Development'; and
 - (j) A Transport Assessment.

Reason(s):-

1. As these drawings and details constitute the approved development.
2. To ensure the ground is suitable for the proposed development.

3. To enable the Planning Authority to consider this/these aspect(s) in detail.
4. To enable the Planning Authority to consider this/these aspect(s) in detail.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 and 02.
2. The applicant should consult with Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.
3. It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal in respect of noise legislation which may affect this development.

e-mail - envhealth@falkirk.gov.uk

4. It is recommended that the applicant should consult with the Coal Authority concerning the proposal because of the possibility of disused mine workings under the site.
5. Plans and particulars of the matters listed above shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of Falkirk Council as planning authority has been given, and the development shall be carried out in accordance with that approval.
6. 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 - 19:00 Hours |
| Saturday | 08:00 - 13:00 Hours |
| Sunday / Bank Holidays | No noise audible at site boundary |

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

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pp Director of Development Services

Date: 16 June 2017

LIST OF BACKGROUND PAPERS

1. The Falkirk Local Development Plan.
2. Objection received from Mr Alan Rothead, 247 Main Street, Larbert, FK5 4RA on 27 January 2017.
3. Objection received from Mrs Frances Sharp, 3 Erskine Lane, Larbert, FK5 4GJ on 25 January 2017.
4. Objection received from Mrs Linda Robertson, 30 Glenbervie Drive, Larbert, FK5 4NW on 25 January 2017.
5. Objection received from Mr Chris Donnelly, 4, Fairfields, Moss Rd, Falkirk, FK28RY on 26 January 2017.
6. Objection received from Mrs Stephanie Toms, 20 Crozier Crescent, Larbert, FK5 4AR on 26 January 2017.
7. Objection received from Mr Alex Irvine, 5 Crawhall Place, The Castings, Larbert, FK5 4GD on 25 January 2017.
8. Objection received from Mrs Pamela Laing, 3 Eardley Place, Larbert, Falkirk, FK5 4AS on 26 January 2017.
9. Objection received from Mr Norman Robb, 19, Henryson crescent, Larbert, Fk54gh on 25 January 2017.
10. Objection received from Miss Amanda Dewar, 4 Bryson Place, Larbert, FK5 4FZ on 25 January 2017.
11. Objection received from Miss Clare Quinn, 8, Larbert, FK5 4ZG on 26 January 2017.
12. Objection received from Mr Gavin Brown, 5 McLachlan Street, Larbert, FK5 3HJ on 25 January 2017.
13. Objection received from Mrs Carrie Dye, 5 Young Crescent, Larbert, FK5 4XS on 26 January 2017.
14. Objection received from Mr Alan Rothead, 247 Main Street, Larbert, FK5 4RA on 26 January 2017.
15. Objection received from Mrs Clare Richardson, 69 Valeview, Stenhousemuir, Larbert, FK5 3BZ on 26 January 2017.
16. Representation received from Mrs Carole Bell, The Old Manse, 19 Denny Road, Larbert, FK5 3AB, on 6 February 2017.
17. Objection received from Miss Rosemary Cook, Flat 8, 1 Falkirk Road, Larbert, FK5 3AF on 25 January 2017.
18. Objection received from Ms Elaine Mackie, 48 Arthur's drive, Stenhousemuir, Larbert, Fk5 4DS on 26 January 2017.
19. Objection received from Fleming and Reid, 180 Hope Street, Glasgow, G2 2UE on 31 January 2017.
20. Objection received from Mr Ken Drummond, 3 Erskine Lane, Larbert, FK5 4GJ on 25 January 2017.
21. Objection received from Mrs Jocelyn Romanis, 8 South Broomage Avenue, Larbert, Falkirk, FK5 3LF on 26 January 2017.
22. Objection received from Mr George Dillet, 2 Inglis Place, Larbert, FK5 4ZJ on 25 January 2017.
23. Objection received from Mrs Linsay Ramsay, 9 Orchardson Road, Larbert, FK5 4GT on 26 January 2017.
24. Objection received from Mr Steven Parker, 1 Murray Place, Larbert, FK5 4XY on 7 February 2017.

25. Objection received from Debbie Mitchell, 3 Murray Place, Larbert, FK5 4XY, on 15 February 2017.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne, Senior Planning Officer.

