



Agenda Item

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**FORMATION OF VEHICULAR ACCESS AT 42
LARBERT ROAD, BONNYBRIDGE, FK4 1EE
FOR MISS NICOLA FOSTER - P/17/0208/FUL**

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FALKIRK COUNCIL

Subject: FORMATION OF VEHICULAR ACCESS AT 42 LARBERT ROAD, BONNYBRIDGE, FK4 1EE FOR MISS NICOLA FOSTER - P/17/0208/FUL
Meeting: PLANNING COMMITTEE
Date: 16 August 2017
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Bonnybridge and Larbert

Councillor Billy Buchanan
Councillor Tom Coleman
Councillor David Grant

Community Council: Bonnybridge Community Council

Case Officer: Kevin Brown (Planning Officer), Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application proposes the formation of a vehicular access and parking area in the front garden of an end terrace property at 42 Larbert Road, Larbert. The proposed driveway would take access directly from a lay-by parking area on the south side of Larbert Road.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 Called in by Councillor Buchanan to allow further consideration of road safety concerns.

3. SITE HISTORY

- 3.1 There is no history relevant to this application

4. CONSULTATIONS

- 4.1 The Roads Development Unit has raised concerns that a vehicle emerging from the driveway onto Larbert Road would have restricted visibility in both directions due to the obstruction of vehicles parked in the layby. The proposal also makes no provision for an in-curtilage parking area to enable a vehicle to enter and exit the site in a forward gear. This would therefore not be in the best interests of road safety.

5. COMMUNITY COUNCIL

- 5.1 The Bonnybridge Community Council has not commented on this application.

6. PUBLIC REPRESENTATION

- 6.1 During consideration of the application, no letters of objection or representation were received.

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

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:

- 7a.1 Policy HSG07 - Residential Extensions and Alterations state:

Extensions and alterations to residential properties will be permitted where:

- 1. The scale, design and materials are sympathetic to the existing building;*
- 2. The location and scale of the extension or alterations will not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties; and*
- 3. It will not result in overdevelopment of the plot, thereby giving rise to adverse impacts on the functioning of garden ground, unacceptable loss of off-street parking, or road safety issues.*

Proposals should comply with the detailed guidance on these criteria set out in the Supplementary Guidance SG03 'Residential Extensions and Alterations'

- 7a.2 The proposal would have a minimal impact on the visual amenity of the area and would not impact adversely upon residential amenity levels. The Roads Development Unit has expressed concerns over the potential road safety impact of the proposal. The proposal would lead to vehicles accessing the property between parked cars in an existing layby with limited visibility. Of particular concern is the likely scenario of the sudden egress of a vehicle between vehicles parked in the layby onto Larbert Road. On the basis of the advice from the Roads Development Unit, it is therefore considered the proposal is contrary to Policy HSG07 as it raises unacceptable road safety concerns.

7a.3 Accordingly, the proposal fails to accord with the Development Plan.

7b Material Considerations

The material considerations to be assessed are considerations of the site in relation to coal mining legacy and responses to consultation.

Responses to Consultation

- 7b.1 The Roads Development Unit has advised that they would not favour the development proposed as it would mean vehicles would be accessing/egressing the site onto the public road between parked vehicles and with reduced visibility to the potential detriment of road safety.
- 7b.2 The applicant has expressed the view that the proposal would however reflect a number of similar dropped kerb vehicular accesses across the district where access is provided between parked cars, both in layby arrangements or through informal on street parking arrangements. The applicant has referred to similar parking arrangements further along Larbert Road to the east. The applicant has also advised that the layby parking area is regularly full and that one of the reasons for the application is the fact that she is currently pregnant.
- 7b.3 Whilst the proposed parking area would increase parking provision at the site by providing in curtilage provision, the property would not benefit from an in-curtilage turning provision to allow vehicles to enter and leave the site in a forward gear. The Roads Unit have advised that the driveways within a layby to the east of the site are historic and have not been the subject of planning assessment or minor roadworks consent applications. Assessment of records also indicate that there are very few instances where support has been given to this type of driveway arrangement on such a busy road.

Consideration of the Site in Relation to Coal Mining Legacy

- 7b.4 The form of development proposed is exempt from any requirement to carry out a Coal Mining Risk Assessment.
- 7b.5 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

7c Conclusion

- 7c.1 The proposal represents an unacceptable form of development that would not be in the best interests of road safety. It is contrary to the terms of policy HSG07 of Falkirk Local Development Plan. There are no material planning considerations that would justify a grant of planning permission in this instance.

8. RECOMMENDATION

- 8.1 **It is therefore recommended that Committee Refuse Planning Permission for the following reason(s):-**

- 1) The proposal would result in the formation of a driveway access without a suitable vehicle in-curtilage turning area and with poor / limited visibility to the detriment of road safety. The proposal is contrary to the terms of Policy HSG07 - Residential Extensions and Alterations of the Falkirk Local Development Plan.

Informative(s):-

- 1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A, 02 and 03.

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Director of Development Services

Date: 8 August 2017

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.

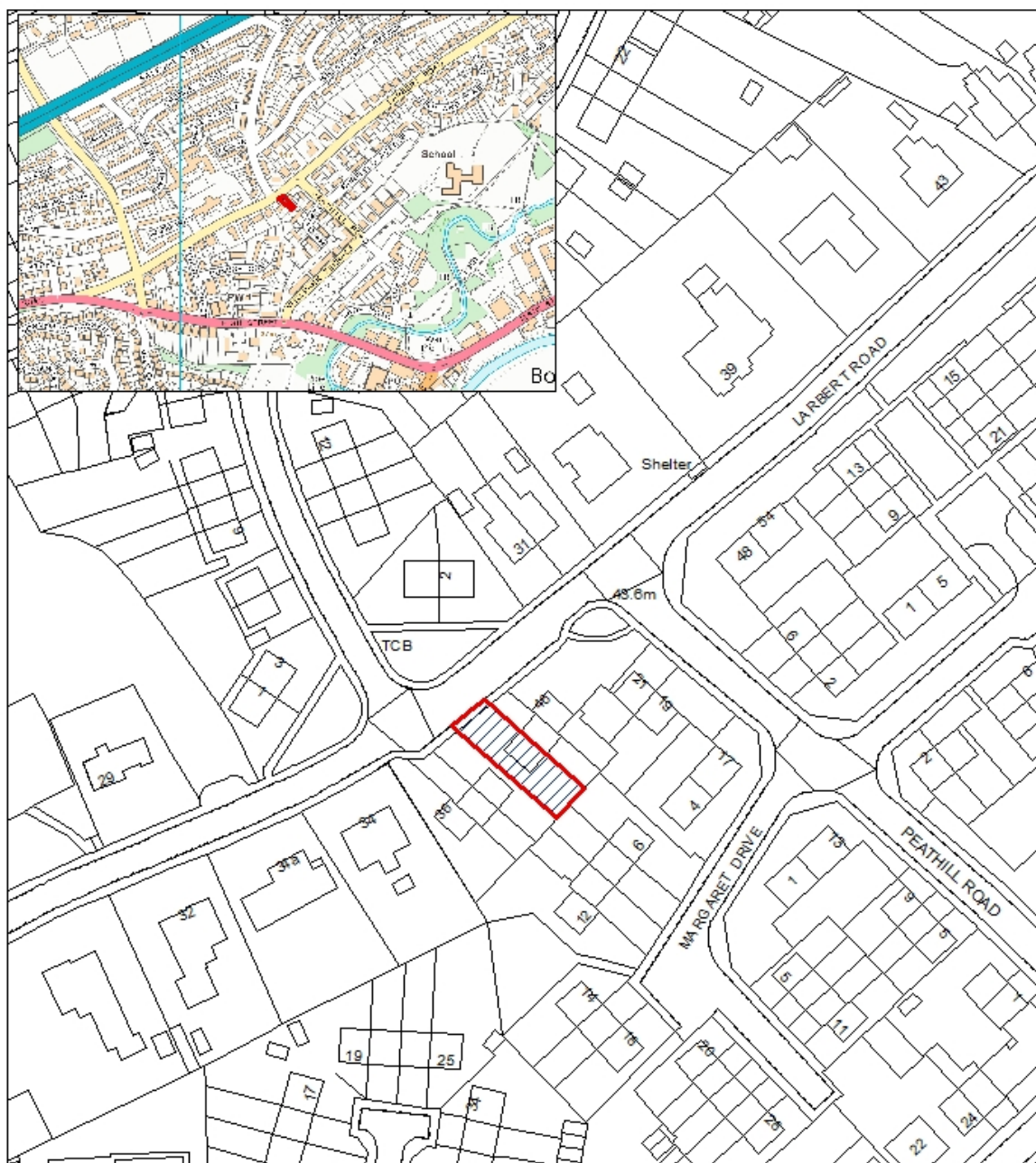
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

Planning Committee

Planning Application Location Plan

P/16/0644/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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