

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

PROPOSAL : Erection of 2 Dwellinghouses
LOCATION : Land To The North East Of Standburn Villa, Falkirk, ,
APPLICANT : Ms D Green
APPN. NO. : P/17/0517/FUL
REGISTRATION DATE : 10 August 2017

1. SITE LOCATION / DESCRIPTION OF PROPOSAL

This detailed application proposes the erection of two detached dwellinghouses on allocated housing site H73 in the centre of Standburn. The proposal includes the formation of a new access onto the B825 Main Street. The applicant has provided an indicative sketch in support of their proposal in an effort to demonstrate that the remainder of H73 can be suitably accessed and that it would not become cut off from the main road.

2. SITE HISTORY

06/0822/OUT Application Refused 23.10.2006 Development of Land for Housing Purposes
P/07/0614/OUT Outline Refused 04.10.2007 Development of Land for Housing Purposes
P/07/1118/OUT Outline Granted 08.07.2008 Development of Land for Housing Purposes
P/09/0228/FUL Detail - Granted 25.08.2011 Erection of 3 Dwellinghouses
P/17/0309/FUL Application Withdrawn 14.07.2017 Erection of Two Dwellinghouses

3. CONSULTATIONS

The following responses to consultation were received:

Roads Development Unit	No objection to the development proposed however, on discussion regarding the potential development of the wider site, Roads have indicated that the proposed development could potentially prevent a safe access to the wider site from being achievable. Further detailed access drawings would be required to assess this in full.
The Coal Authority	No objection subject to a condition being attached to any permission to secure further investigative works.
Scottish Water	No objection.
Transport Planning Unit	No objections.
Environmental Protection Unit	No objections. Contaminated land condition requested.

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

4. PUBLIC REPRESENTATION

In the course of the application, 1 contributor(s) submitted letter(s) to the Council. The salient issues are summarised below.

The proposed development would landlock an adjacent area of land and remove a historic access to this property.

5. THE DEVELOPMENT PLAN

The Falkirk Local Development Plan was adopted on 16 July 2015. The proposed development was assessed against the following policy or policies:

HSG04 - Housing Design

INF02 - Developer Contributions to Community Infrastructure

INF04 - Open Space and New Residential Development

INF05 - Education and New Housing Development

INF07 - Walking and Cycling

HSG02 - Affordable Housing

GN04 - Trees, Woodland and Hedgerows

D01 - Placemaking

INF12 - Water and Drainage Infrastructure

5A. MATERIAL CONSIDERATIONS

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

Assessment of Public Representations

Falkirk Council Non-statutory Supplementary Guidance

6. PLANNING ASSESSMENT

The Development Plan

The Falkirk Local Development Plan (LDP) was adopted on 16 July 2015. It replaces the previous Structure Plan and Local Plan and includes a number of Supplementary Guidance documents which now have statutory status.

Local Plan Policies

The application site forms part of a wider allocated housing site (H73) which is allocated for 30 residential units. The proposed form of development, whilst not out of character with pattern of development in the surrounding area, has not been masterplanned in accordance with the supplementary guidance relating to this site and would result in piecemeal development to the potential detriment of visual amenity, urban design and placemaking. Whilst the applicant has provided an indicative plan showing how the remainder of the allocated site could be accessed, this has not been worked up in detail and it remains uncertain whether the proposed layout would stifle the development potential of the wider H73 site. In particular, the indicative site access for the remainder of the site may be unachievable in the position shown due to road safety concerns over potentially substandard visibility splays and issues relating to junction spacing.

In support of the application, a flood risk assessment and coal mining risk assessment have been undertaken. These have been assessed as being adequate and have raised no formal concerns that would influence the development of this site.

The application has failed to demonstrate that adequate landscape planting and boundary treatments could be achieved to the potential detriment of visual and landscape amenity.

Local Plan Policies

The wider H73 development site is allocated for 30 residential units and would therefore attract the need for developer contributions towards Education, Open Space and the Core Path network. In addition, the site should include 25% affordable housing. Whilst the current application is for only 2 residential units, it is considered that it should still make a proportionate contribution towards these elements to avoid a potential shortfall in future. To date, the applicant has failed to demonstrate how affordable housing could be met and has failed to agree towards the payment of developer contributions.

The proposal fails to demonstrate that the wider H73 allocated site could be adequately drained to the potential detriment of the wider area by virtue of surface water flooding.

The proposal is contrary to the terms of the Falkirk Local Development Plan.

Assessment of Public Representations

Land ownership and access rights are not a material planning consideration. It has not been demonstrated that the wider H73 development site could be suitably and safely accessed in future.

Falkirk Council Non-statutory Supplementary Guidance

Supplementary Planning Guidance - Standburn Housing Allocation - H.STA1

This guidance is referred to within the H73 site schedule within the Falkirk Local Development Plan and forms an intrinsic part of the overall housing land use allocation for this site. The guidance covers layout, design, site access, structure planting and flood risk and clearly states that the site should be masterplanned to avoid a piecemeal approach. The guidance also reiterates the need for developer contributions and affordable housing provision on the site.

By virtue of the fact that the proposed development has not been planned in conjunction with any form of masterplan for the site, the proposal fails to accord with this guidance document. The proposal does not contain sufficient detail in respect of drainage, landscaping, access provisions or boundary treatments for the wider site and it is not therefore possible to say with any certainty that the proposed development would not adversely impact upon the potential future development of the wider site or the design and visual and landscape amenity of the area as a whole.

7. CONCLUSION

The proposal is an unacceptable form of development and is contrary to the terms of the Development Plan. There are no material planning considerations that warrant a refusal of planning permission in this instance.

8. RECOMMENDATION

Refuse Planning Permission

Refusal is recommended for the following reason(s):

1. The proposal fails to demonstrate that the wider allocated housing site (H73) could be suitably and safely accessed following completion of the current application proposal to the potential detriment of road safety and contrary to the terms of policy HSG04 - Housing Design of the Falkirk Local Development Plan.
2. By virtue of a lack of detail in respect of boundary treatments, landscape planting and a wider masterplan for the H73 site, the proposal fails to achieve the proposed design and layout quality set out within the H73 site schedule and supplementary guidance 'Standburn Housing Allocation - H.STA1' to the potential detriment of urban design, residential, visual and landscape amenity and placemaking. The proposal fails to accord with the terms of policy HSG04 - Housing Design, D01 - Placemaking and GN04 - Trees, Woodland and Hedgerows of the Falkirk Local Development Plan.
3. The proposal fails to demonstrate how affordable housing requirements for the wider H73 housing site would be met with the potential consequence that a shortfall in provision would occur as a result of this proposal. The application is therefore contrary to the terms of policy HSG02 - Affordable Housing of the Falkirk Local Development Plan.
4. The proposal fails to demonstrate how developer contribution requirements relating to Education infrastructure requirements for the wider H73 housing site would be met with the potential consequence that a shortfall in provision would occur as a result of this proposal. The application is therefore contrary to the terms of policy INF05 - Education and New Housing Development and INF02 - Developer Contributions of the Falkirk Local Development Plan.
5. The proposal fails to demonstrate how developer contribution requirements relating to Open Space provision requirements for the wider H73 housing site would be met with the potential consequence that a shortfall in provision would occur as a result of this proposal. The application is therefore contrary to the terms of policy INF04 - Open

Space and New Residential Development and INF02 - Developer Contributions of the Falkirk Local Development Plan.

6. The proposal fails to demonstrate how developer contribution requirements relating to Core Path upgrade requirements in the surrounding area would be met with the potential consequence that a shortfall in provision would occur as a result of this proposal. The application is therefore contrary to the terms of policy INF07 - Walking and Cycling and INF02 - Developer Contributions of the Falkirk Local Development Plan.
7. The proposal fails to demonstrate that the wider allocated housing site (H73) could be suitably drained following completion of the current application proposal with the potential for surface water flooding to increase as a result of development. The proposal is therefore contrary to the terms of policy INF12 - Water and Drainage Infrastructure of the Falkirk Local Development Plan.

Informatives:

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 - 05 inclusive. ****

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Date

28/8/17.