

**DRAFT**

**FALKIRK COUNCIL**

**Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Wednesday 28 March 2018 at 9.30 A.M.**

**Councillors:** David Alexander (Convener)  
Robert Bissett  
Jim Blackwood  
John McLuckie

**Officers:** Douglas Blyth, Team Leader, Legal Services  
Antonia Sobieraj, Committee Services Officer  
Bernard Whittle, Development Management Co-ordinator

**PRC56. Apologies**

No apologies were intimated.

**PRC57. Declarations of Interest**

No declarations were made.

**PRC58. Minute**

**The minute of meeting of the Planning Review Committee held on 26 January 2018 was approved.**

**PRC59. Opening Remarks**

The Convener welcomed everyone in attendance to the meeting of the Planning Review Committee and following a short introduction asked Mr Blyth, Team Leader, Legal Services, to provide a summary of the procedure to be followed at the Committee.

**PRC60. Planning Application P/17/0517/FUL - Erection of 2 Dwellinghouses on Land to the North East of Standburn Villa, Falkirk**

The Committee considered documents which related to the Application for Review for planning application P/17/0517/FUL for the erection of two detached dwellinghouses on land to the north east of Standburn Villa, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement, the representations and the further written submissions from the Director of Development Services and the applicant.

After further discussion and having sought and heard advice from Mr Blyth and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Supplementary Planning Guidance H.STA1 - Standburn Housing Allocation;
- (2) Policies D01, GN04, HSG02, HSG04, INF02, INF04, INF05, INF07 and INF12 of the Falkirk Local Development Plan;
- (3) Allocated Housing Site H73 of the Falkirk Local Development Plan;
- (4) the consultation responses received;
- (5) the representations submitted;
- (6) the site history;
- (7) the benefit of the site inspection; and
- (8) the further written submissions.

### **Decision**

After discussion, and having sought and heard advice from Mr Blyth and Mr Whittle, the Committee **AGREED**:-

- (1) That the decision of the decision of the Director of Development Services to **REFUSE** planning permission be **UPHELD** for the reasons set out in the original notice of decision, being:-
  - The proposal fails to demonstrate that the wider allocated 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;

- By virtue of the 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;
- 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;
- 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 the 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;
- 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;
- 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 of the Falkirk Local Development Plan; and
- The proposal fails to demonstrate how developer contribution requirements relating to the wider 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 application is therefore contrary

to the terms of policy INF12 - Water and drainage Infrastructure of the Falkirk Local Development Plan.

- (2) That the preparation of the decision notice be delegated to the Chief Governance Officer.

**PRC61. Planning Application P/17/0567/FUL - Erection of Fence (Retrospective) at 42 and 44 Mansionhouse Road, Falkirk FK1 4PS**

The Committee considered documents which related to the Application for Review for planning application P/17/0567/FUL for the erection of a fence (in retrospect) at 42 and 44 Mansionhouse Road, Falkirk.

After discussion, the Committee **AGREED** that it did not have sufficient information to allow it to make a determination and that the meeting would be adjourned to allow Members to conduct an unaccompanied inspection of the site.

The meeting adjourned at 10.10 a.m. for the purpose of conducting a site inspection and reconvened at 11.00 a.m., with all those present as per the sederunt.

**PRC62. Planning Application P/17/0567/FUL - Erection of Fence (Retrospective) at 42 and 44 Mansionhouse Road, Falkirk FK1 4PS**

The Committee reconvened to give consideration to documents which related to the Application for Review for planning application P/17/0567/FUL for the erection of a fence (in retrospect) at 42 and 44 Mansionhouse Road, Falkirk.

The Committee requested and heard a short presentation from Mr Whittle, who provided a summary of the application and the papers before the Committee, including reference to the Report of Handling, the reasons for refusal of the application now being reviewed, the applicant's supporting statement and the representations.

After further discussion and having sought and heard advice from Mr Blyth and Mr Whittle, and having given consideration to the material contained within the documentation, the Committee considered that it had sufficient information within the papers provided in relation to the application for Review, and considered:-

- (1) Policies D03 and HSG07 of the Falkirk Local Development Plan;
- (2) the consultation responses received;
- (3) the site history; and

- (4) the benefit of the site inspection.

After further discussion and having heard advice from Mr Blyth and Mr Whittle, and having given consideration to the benefit of the unaccompanied site inspection and to the material contained within the documentation, the Committee considered that it did not have sufficient information to allow it to make a determination. Therefore, the Committee **AGREED:-**

- (1) that the matter be continued to a future meeting of the Committee on a date to be agreed;
- (2) to conduct a hearing in accordance with the terms of Schedule 1 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 and in relation to the following specified matter:-
  - (a) Whether the roads safety concerns of the Roads Development Unit would be overcome if the height of the fence adjacent to Carmuir Avenue were reduced to 1 metre for a distance of 5 metres in an easterly direction measured from the driveway to the west of the site and by a distance of 5 metres in a westerly direction measured from the point adjacent to the junction of Carmuir Avenue and Mansionhouse Road;
- (3) that in terms of the Regulations, the applicant and all interested parties be given written notice of the intention to hold a hearing and specifying the matters referred to above;
- (4) that the Director of Development Services or her nominee be given notice of the intention to hold a hearing and requesting her or her nominee to provide further representation or information at the hearing session in relation to the specified matter;
- (5) that those parties notified would have a period of 14 days of the date of the notice to advise in writing of their intention to appear at the hearing session;
- (6) that the date, time and place at which the hearing session is advised to those parties who have indicated their intention to appear at the hearing session; and
- (7) that those parties who have indicated that they intend to appear at the hearing session should supply within the prescribed timescale a hearing statement, which should include any relevant documentation that they wish to make reference to in their submission.