



Agenda Item 3

Minute

Draft

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in the Municipal Buildings, Falkirk on Thursday 24 January 2019 at 9.30 a.m.

COUNCILLORS: Robert Bissett
Jim Blackwood
Gary Bouse
Provost William Buchanan (Depute Convener)
Joan Coombes
David Grant
Gordon Hughes
Adanna McCue
Lynne Munro
Laura Murtagh

OFFICERS: Kevin Collins, Transport Planning Co-ordinator
Ian Dryden, Development Manager
Arlene Fraser, Committee Services Officer
David Gray, Environmental Protection Co-ordinator
Iain Henderson, Legal Services Manager
Craig Russell, Senior Roads Development Officer
Russell Steedman, Network Co-ordinator
Richard Teed, Senior Forward Planning Officer

P95. Apologies

Apologies were intimated on behalf of Councillors Alexander and Black.

P96. Chair

In the absence of the Convener, Provost Buchanan assumed the Chair.

P97. Declarations of Interest

There were no declarations at this point.

P98. Minutes

Decision

- (a) **The minute of meeting of the Planning Committee held on 21 November 2018 was approved, and**

- (b) The minute of meeting of the Planning Committee On-Site held on 3 December 2018 was approved.

P99. Erection of 4 Dwellinghouses and Access Road at Home Farm, Drove Loan, Head of Muir, Denny, FK6 5LH for Mr Stephen Russell - P/18/0461/PPP - Continuation

With reference to Minute of Meeting of the Planning Committee held on 21 November 2018 (Paragraph P86 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the erection of 4 dwellinghouses and access road at Home Farm, Drove Loan, Head of Muir, Denny.

Decision

The Committee refused planning permission for the following reasons:-

- 1. The development proposed represents undesirable and unjustified development within the countryside to the detriment of environmental quality and the established rural character of the area. The proposal is contrary to the terms of policies CG01 'Countryside' and CG03 'Housing in the Countryside' of the Falkirk Local Development Plan as well as Supplementary Guidance SG01 'Development in the Countryside'.**
- 2. The proposal represents undesirable and unjustified development within the Greenbelt which would undermine the primary function of the Greenbelt by reducing visual separation between settlements and eroding settlement identity. The proposal is contrary to policy CG02 'Greenbelt' of the Falkirk Local Development Plan.**
- 3. The proposal represents a pedestrian and road safety hazard due to the increased traffic which would be generated on an existing private access road of restricted width and alignment and which does not benefit from street lighting or footpath provision. The proposal is contrary to the terms of the National Roads Development Guide.**

Informative(s):-

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

Councillor Hughes entered the meeting prior to consideration of the previous item.

P100. Formation of Vehicular Access at 42 Larbert Road, Bonnybridge, FK4 1EE for Miss Nicola Foster - P/18/0479/FUL - Continuation

With reference to Minute of Meeting of the Planning Committee held on 21 November 2018 (Paragraph P89 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for full planning permission for the formation of vehicular access at 42 Larbert Road, Bonnybridge.

Councillor Murtagh, seconded by Councillor Munro, moved that the Committee:-

refuse planning permission for the following reasons:-

1. the proposal would result in the formation of a driveway access with poor visibility to the detriment of road safety. The proposal is contrary to the terms of Policy HSG07(3) - Residential Extensions and Alterations of the Falkirk Local Development Plan.

Informative(s):-

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

As an amendment, Provost Buchanan, seconded by Councillor Grant, moved:-

that Committee grant planning permission, subject to conditions determined by the Director of Development Services, for the development as the proposal would take cars off the road and, having viewed the site, the Committee was satisfied in relation to visibility.

In terms of Standing Order 22.1, a vote was taken by roll call, there being 10 members present with voting as undernoted:-

For the Motion (5) – Councillors Bouse, Coombes, McCue, Munro and Murtagh.

For the Amendment (5) – Provost Buchanan; Councillors Bissett, Blackwood, Grant and Hughes.

There being an equality of votes and in terms of Standing Order 22.6 the convener used his casting vote in favour of the Amendment.

Decision

The Amendment was carried.

P101. Erection of 18 Dwellinghouses, 21 Flattened Dwellings, Associated Landscaping, Roads and Drainage Infrastructure at Land to the South of Hill of Kinnaird Farmhouse, Falkirk for Cala Homes (West) Ltd - P/18/0311/FUL - Continuation

With reference to Minute of Meeting of the Planning Committee held on 21 November 2018 (Paragraph P90 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for full planning permission for the erection of 18 dwellinghouses, 21 flattened dwellings, associated landscaping, roads and drainage infrastructure at Land to the South of Hill of Kinnaird Farmhouse, Falkirk.

Decision

The committee agreed to continue consideration of the application to a future meeting of the Planning Committee to enable officers to consult with and seek representations from the developer on the potential for agreement on additional education contributions to those already paid/provided in kind.

The committee had regard to the considerations set out in the report and, in particular, those at paragraph 6 and Circular 3/2012. It noted that there are existing pressures on education infrastructure and that there has been an increase in the ratio of pupil numbers per house in both policy terms and in practice since the grant of the outline planning permission for the larger development site. It expressed concern that there may be infrastructure deficiencies connected with the development proposed in this planning application noting also that there are other parts of the outline planning permission site for which new permission has still to be granted.

Members also sought further information from officers in relation to the traffic impact of the proposed development.

Councillor Hughes declared a non-financial interest in the following item as he had acted in a ward representative role on this and previous applications for the same substantive development and stated that he considered that this required him to recuse himself from consideration of the item having regard to the objective test in the Code of Conduct.

Councillor Hughes left the meeting prior to consideration of the item.

P102. Erection of 2 Dwellinghouses at Land to the North East of Standburn Villa, Falkirk for Ms D Green – P/18/0541/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of 2 dwellinghouses at land to the north east of Standburn Villa, Falkirk.

Decision

The Committee refused planning permission for the following reasons:-

- 1. 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.**
- 2. 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.**
- 3. 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.**
- 4. 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.**
- 5. 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.

6. 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.

Informative(s):-

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01-06 inclusive.

Councillor Hughes re-joined the meeting following consideration of the previous item.

P103. Erection of Sub Station at Land to the East of Parklea, Maddiston, Falkirk for Persimmon Homes East Scotland – P/18/0573/FUL

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of a sub station at land to the east of Parklea, Maddiston, Falkirk.

Decision

The committee granted planning permission subject to 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. The proposed planting and landscaping works as shown on approved planning drawing 04A (DWA Landscape Architects Ltd drawing number 143.103.04b) shall be completed within the first available planting season following construction of the substation. Thereafter, the hedge and landscape planting shall be retained in perpetuity and maintained in accordance with the details set out on approved planning drawing 04A (DWA Landscape Architects Ltd drawing number 143.103.04b).

Reason(s):-

- 1. As these drawings and details constitute the approved development.**
- 2. To ensure that the proposed landscaping works are completed within an appropriate timescale, maintained to an acceptable standard and to protect visual amenity levels.**

Informative(s):-

- 1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02A, 03, 04A.**
- 2. In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.**
- 3. 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.

- 4. 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.**