

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest includes a crown with four maple leaves, a shield divided into four quadrants (top-left: a ship, top-right: a stag, bottom-left: a sailing ship, bottom-right: a grizzly bear), and a banner at the bottom with the motto "A NE FOR A".

## **Agenda Item 4**

### **Minute**

**DRAFT**

**FALKIRK COUNCIL**

**Minute of meeting of the Planning Review Committee held in the Municipal Buildings, Falkirk on Monday 4 March 2019 at 9.30 a.m.**

**Councillors:** David Alexander (Convener)  
Gary Bouse  
Gordon Hughes  
Lynn Munro

**Officers:** Douglas Blyth, Team Leader, Legal Services  
Donald Campbell, Development Management Co-ordinator  
Jack Frawley, Committee Services Officer  
Bernard Whittle, Development Management Co-ordinator

**PRC11. Apologies**

There were no apologies.

**PRC12. Declarations of Interest**

There were no declarations of interest.

**PRC13. Minute**

**The minute of meeting of the Planning Review Committee held on 29 November 2018 was approved.**

**PRC14. Planning Application P/18/0151/PPP – Land to the North of 41 Kings Seat Place, Glendevon Drive, Maddiston**

The committee considered documents which related to the Application for Review for planning application P/18/0151/PPP for the development of land to the north of 41 Kings Seat Place, Glendevon Drive, Maddiston.

The committee had previously considered the application on 29 November 2018 (ref PRC9) and had continued the matter in order to allow:-

- (1) an unaccompanied inspection of the site, and
- (2) the applicant to submit further written information.

The Committee requested and heard a short presentation from Mr Campbell, 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, further supporting statement and the representations.

After further discussion 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 CG01 – Countryside, and CG03 – Housing in the Countryside;
- (2) Supplementary Guidance (SG01) – Development in the Countryside;
- (3) Policy HSG01 - Housing Growth;
- (4) Policy INF05 - Education and New Housing Development;
- (5) Policy INF12 – Water and Drainage Infrastructure;
- (6) Policy RW06 – Flooding;
- (7) Policy INF10 – Transport Assessments;
- (8) the consultation responses received;
- (9) the representations submitted;
- (10) the site history; and
- (11) the benefit of the site inspection.

The committee gave particular consideration to issues related to flooding, access, education provision, sustainability of the site and the status of the Local Development Plan.

### **Decision**

**The committee agreed to refuse planning permission in principle for the following reasons:-**

- (1) The proposal is contrary to the terms of Policies CG01 'Countryside', CG03 'Housing in the Countryside' as well as Supplementary Guidance SG01 'Development in the Countryside' as it has not been demonstrated that a countryside location was essential for the proposed development and the proposal therefore represented unjustified development in the countryside.**
- (2) The proposal would result in undesirable growth out with the allocated sites promoted within the Falkirk Local Development Plan. It has not been demonstrated that the proposed site is sustainable or deliverable within a timeframe which would meet the current housing land supply shortfall. The proposal is therefore contrary to the terms of Policy HSG01 'Housing Growth' of the Falkirk Local Development Plan.**
- (3) The proposal would result in unplanned development within the catchment area for schools currently identified as having potential future capacity restrictions. It has not been demonstrated how these capacity issues would be overcome which would be to the potential detriment of education provision. The proposal is contrary to the terms of Policy INF05 'Education and New Housing Development' of the Falkirk Local Development Plan.**
- (4) The application does not accord with Policy INF12 'Water and Drainage Infrastructure' of the Falkirk Local Development Plan as it has not been demonstrated that the proposed development would be served by suitable surface water drainage facilities, which would include compliance with current best practice on sustainable urban drainage systems.**
- (5) The application does not accord with Policy RW06 'Flooding' of the Falkirk Local Development Plan as it has not been demonstrated, by means of a Flood Risk Assessment, that the proposed development would be free of risk of flooding, that it would not increase the risk of flooding for existing development, or that any flood risks can be managed to an acceptable level, both within and outwith the site.**
- (6) The proposal would result in a number of properties without appropriate access to bus service provision to the potential detriment of sustainability. The proposal is contrary to the terms of Policy INF08 'Bus Travel and New Development' of the Falkirk Local Development Plan.**

- (7) The application does not accord with Policy INF10 ‘Transport Assessments’ of the Falkirk Local Development Plan as it has not been demonstrated, by means of an appropriately scoped Transport Assessment, that the transport network impacts has been properly defined and that suitable mitigation measures have been identified to address road capacity, road safety and sustainable transport issues.**
- (8) The application does not accord with Policy HSG02 ‘Affordable Housing’ of the Falkirk Local Development Plan as it has not been demonstrated that the required 25% affordable housing provision would be met on the site.**

**PRC15. Planning Application P/18/0044/FUL – Erection of 4 Dwellinghouses, Land to the North East of Broadhead, Falkirk**

The committee considered documents which related to the Application for Review for planning application P/18/0044/FUL for the erection of 4 dwellinghouses at land to the north east of Broadhead, Falkirk.

The committee had previously considered the application on 29 November 2018 (ref PRC10) and had continued the matter in order to allow an unaccompanied inspection of the site.

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. He highlighted that in the applicant’s submission they had stated that they believed the original application should have been determined by the Planning Committee as the reasons for refusal included contravention of the Local Development Plan. Mr Whittle advised that the Council’s Standing Orders did not require that the application was considered by Committee and was appropriately determined by an officer under delegated authority.

After further discussion 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 Guidance (SG01) – Development in the Countryside;**
- (2) Policies CG01 - Countryside and CG03 - Housing in the Countryside;**
- (3) Policies HSG01 – Housing Growth and HSG 04 – Housing Design;**

- (4) Policy HSG05 – Infill Development and Subdivision of Plots;
- (5) The National Roads Development Guide (SCOTS 2014);
- (6) Policies D02 - Sustainable Design Principles; D03 – Urban Design and D04 – Low and Zero Carbon Development
- (7) Policies GN02 – Landscape and GN03 – Biodiversity and Geodiversity;
- (8) Policy GN04 - Trees, Woodland and Hedgerows of the Falkirk Local Development Plan and the associated supplementary guidance SG06 - Trees and Development Policy;
- (9) Policy INF04 - Open Space and New Residential Development and the supplementary guidance SG13 - Open Space and New Development and INF02 - Developer Contributions to Community Infrastructure;
- (10) Policies – INF07 – Walking and Cycling and INF11 – Parking;
- (11) Policy INF12 – Water and Drainage Infrastructure;
- (12) Policy RW07 – Air Quality;
- (13) the consultation responses received;
- (14) the representations submitted;
- (15) the site history; and
- (16) the benefit of the site inspection.

The committee gave particular consideration to issues related to access, road safety, development in the countryside, additional information previously submitted, whether the development constituted infill and the objection from SEPA.

## **Decision**

**The committee agreed to refuse planning permission for the following reasons:-**

- (1) The proposed development does not relate to housing required for the pursuance of an appropriate rural activity, it does not involve the restoration or replacement of an existing house or the conversion of non-domestic farm buildings or historic building/structure enabling development, it does not constitute appropriate infill development, or constitute a gypsy/traveller**

site. As such the proposed development was contrary to policies CG01 'Countryside' and CG03 'Housing in the Countryside' and Supplementary Guidance SG01 'Development in the Countryside' of the Falkirk Local Development Plan.

- (2) The proposed access, by reason of its location between a tight bend with poor forward visibility and a 90-degree blind corner, combined with the site's location on a single track road of restricted width and alignment, which lacked footway and lighting provision and the proposal to widen the road at the western corner (reducing the visibility splay and facilitating higher traffic speeds) would result in the development being detrimental to road safety and contrary to the National Roads Development Guide (SCOTS, 2014) and policy D02 'Sustainable Design Principles' of the Falkirk Local Development Plan.
- (3) The application was not accompanied by an adequate tree survey and a constraints plan and tree protection plan were not submitted. The trees proposed to be removed as a consequence of the development were not recorded for removal on the survey. As such the proposed development was considered contrary to policy GN04 'Trees, Woodland and Hedgerows' of the Falkirk Local Development Plan and the associated supplementary guidance SG06 'Trees and Development'.
- (4) A financial contribution to open space and play provision has not been agreed. As such the application was contrary to policy INF04 and the supplementary guidance SG13 'Open Space and New Development' and INF02 'Developer Contributions to Community Infrastructure' of the Falkirk Local Development Plan.
- (5) The applicant has failed to demonstrate that the foul water drainage could adequately be dealt with to the satisfaction of the Scottish Environment Protection Agency. Insufficient calculations had been provided in relation to sustainable urban drainage from ROAD 2, roof and driveway run-off. The proposed development is therefore contrary to policy INF12 'Water and Drainage Infrastructure' in the adopted Falkirk Local Development Plan.