

**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.**