

P14. Erection of 18 Dwellinghouses, 21 Flatted 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

The committee considered a report by the Director of Development Services on an application for planning permission for the erection of 18 dwellinghouses, 21 flatted dwellings, associated landscaping, roads and drainage infrastructure at Land To The South of Hill of Kinnaird Farmhouse, Falkirk for CALA Homes (West) Ltd.

Decision

The committee agreed to grant 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. i. No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.**
 - ii. Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.**
 - iii. Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.**

- iv. **If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.**
- 3. **Notwithstanding any details previously submitted, there shall be no work on any dwelling house or flatted block above foundation level until such time as details of the play area have been submitted to, and approved in writing by, this Planning Authority.**
- 4. **Notwithstanding any details previously submitted, no development shall commence until the precise details of the proposed low and zero carbon development (LZCGT) measures have been submitted to and approved in writing by this Planning Authority. For the avoidance of doubt, details to be submitted shall include calculations relating to the Standard Assessment Procedure Energy rating (SAP) and demonstrate accordance with policy D04 "Low and Zero Carbon Development" and Supplementary Guidance SG15 "Low and Zero Carbon Development" of the Falkirk Local Development Plan. Thereafter, the development shall be carried out in accordance with the approved details.**

Reason(s):-

- 1. **As these drawings and details constitute the approved development.**
- 2. **To ensure the ground is suitable for the proposed development.**
- 3. **To ensure the provision of a satisfactory standard of play equipment.**
- 4. **To ensure that a satisfactory level of low and zero carbon development is achieved by the inclusion of on site low and zero carbon generating technologies.**

Informative(s):-

- 1. **For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02C, 03A, 04A and 05-15.**
- 2. **If any coaling mining feature is encountered during the development, the applicant is advised to contact The Coal Authority (tel 0345 762 6848).**

3. 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.
4. 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.