

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in Wallacestone Primary School, Braemar Drive, Brightons on Thursday 7 June 2018 commencing at 7.00 p.m.

The purpose of the meeting was to hold a pre-determination hearing in terms of the Planning etc. (Scotland) Act 2006. When sitting in this capacity, the Planning Committee comprises all members of the Council.

<u>Councillors:</u>	David Alexander (Convener)	Gordon Hughes
	David Balfour	John McLuckie
	Robert Bissett	Lynn Munro
	Gary Bouse	Alan Nimmo

<u>Officers:</u>	Katherine Chorley, Planning Officer
	Kevin Collins, Transport Planning Co-ordinator
	Sarah Colquhoun, Modern Apprentice (Governance)
	Ian Dryden, Development Manager
	Jack Frawley, Committee Services Officer
	David Gray, Environmental Protection Co-ordinator
	Iain Henderson, Legal Services Manager
	Brian Pirie, Democratic Services Manager
	Alistair Shaw, Development Plan Co-ordinator
	Russell Steedman, Network Co-ordinator
	Richard Teed, Senior Forward Planning Officer
	Bernard Whittle, Development Manager Co-ordinator

<u>Also Attending:</u>	Rick Finc, on behalf of Persimmon Homes Ltd
	Alex Snedden, on behalf of Persimmon Homes Ltd
	Stuart Szylak, on behalf of Persimmon Homes Ltd
	Bruce Walker, on behalf of Persimmon Homes Ltd

P29. Apologies

Apologies were intimated on behalf of Provost Buchanan and Councillors Black, Blackwood, Collie, Coombes, Flynn, Kerr, McCue, Murtagh, Patrick and Reid.

P30. Declarations of Interest

There were no declarations of interest.

P32. Development of Land for Residential Use, Including Land for a Community Facility, Associated Supporting Infrastructure and Landscaping at Land to the North West of Burnside Cottage, Standrigg Road, Wallacestone for Persimmon Homes LTD - P/18/0126/PPP

The Committee considered a report by the Director of Development Services on an application for planning permission in principle for the development of land for residential purposes with associated infrastructure works and landscaping, at land to the north west of Burnside Cottage, Standrigg Road, Wallacestone for Persimmon Homes LTD.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
2. The Planning Officer outlined the nature of the application.
3. The applicant was heard in relation to the application. It was stated that there was a need for new housing in the Falkirk area and that this was supported by the increase in local house prices. It was stated that there was recognition that new housing was required but there was not agreement on where this should be located. A pass the parcel approach doesn't work. A site at Gilston was highlighted as an alternative where community councils had also submitted objections. An HSBC survey was quoted which found that one in eight people would consider buying a home with a stranger to get on the property ladder. The applicant considered the Standrigg Road site to be suitable for development as there was a good landscape fit. It was highlighted that 50 affordable homes would be included in the development. It was stated that the applicant had tried to engage with the local community and there had been 141 letters of support from residents and 17 from businesses. The applicant stated that they wanted to work in conjunction with the Council and communities. It was recognised that housing was a priority for the Scottish Government. It was stated that there was not a 5 year effective land supply in Falkirk. It was stated that Falkirk needs family and affordable housing and Scottish Planning Policy wants the system to deliver housing at the right time and the right place. While the site was not an allocated site within the Local Development Plan (LDP) the applicant felt it broadly met the aims and objectives contained within the plan and would assist the integrity of the special strategy.. It was stated that the promotion of this site was not premature due to the shortfall in housing land supply. There is a presumption in favour of sustainable development. It was stated that the development would bring improvements in local facilities that otherwise would not be available. The applicant stated that the site was a higher quality than that of competing sites which would improve local facilities through planning obligations. It was stated that the development is deliverable. The site is suitable for development and is of higher quality than competing land. It was recognised that the community wished to protect the countryside but that this should be balanced against other benefits. In relation to traffic and flooding

concerns, the applicant stated that the flooding issues had been dealt with while discussions were ongoing with the Roads department.

4. Mr D Callaghan, on behalf of Reddingmuirhead and Wallacestone Community Council was heard in relation to the application:-

He advised that the community council had carried out a considerable consultation with residents and that they were against the proposed development. He stated that the site was not included in the LDP. In relation to the 5 year effective land supply, he stated that even if there was a shortfall he totally refuted the need for this development as there were a number of other large development applications already identified. He highlighted the recent refusal of permission for a nearby development by Gladman. He considered that the reasons for that refusal are even more relevant in this case being a larger site. He stated that as there was a lack of sustainable transport there would be an increase in car use. He made reference to Scottish Planning Policy which outlined the maximum acceptable walking distances for bus services, which this application was outwith. There was required to be a viable alternative and the current bus service did not provide this as only limited locations were served and the service commenced too late for commuters. He stated that the site was also too far from Polmont Railway Station and that there were already car parking issues there. Further, there was a lack of suitable footpath to the east which could not be suitably addressed. Mr Callaghan made reference to paragraph 4.4 of the report which stated that:-

“Beyond the site no improvement or upgrading is proposed to the surrounding roads and footways, and it would seem unlikely that any would be achievable. It is therefore, not appropriate for a development of this size to be served by the existing road network”.

In relation to existing infrastructure, he stated that the health and education services would not be able to cope with the impact of this development. He highlighted the capacity pressures already being felt at Braes High School. He stated that there are issues over how capacities and pupil numbers are assessed. He also highlighted that in light of the introduction of additional early years provision that nurseries would be unable to cope with the additional pressure. He stated that Scottish Ministers were considering a neighbouring application on appeal and that the totality of development should be considered. It was anticipated that LDP2 would not include the application site as an allocated site. Finally, he stated that under the current LDP the site was not allocated while the preferred option is no development beyond allocated sites. He stated that the application should therefore be refused.

5. There were no questions by Committee at this stage.

6. Section 38A of the Town and Planning (Scotland) Act 1997 together with Regulation 27 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 give those persons who have submitted representations on relevant planning applications the right to be heard before a Committee of the Council before the application is determined. On this occasion, in addition to those persons who had submitted representations, some other members of the public in attendance at the meeting were permitted to address the Committee.
- (a) John Brown, an objector to the application, stated that the proposed development did not complement the existing setting and that the level of traffic generated would be too great. There was additional risk which would be generated by the presence of cars reversing out onto the main road. He highlighted that the Roads department had stated there were roads concerns with the applications. He stated that the development was too intrusive, overbearing and out of character. It would turn the area from rural to urban. He highlighted the impact on local farming including the loss of land used for cattle grazing. He stated that the developer had been misleading on who they had consulted. 250 people had taken the trouble to respond to the planning application and 245 had objected. He highlighted that the application site was outwith the LDP.
- (b) Frank Fortune, an objector to the application, highlighted that the current LDP had been approved by Council, which made it the outcome of a democratic process. He raised concern that granting applications on sites not included in the LDP subverted the entire democratic process. He raised concerns with transport and access relating to the site and highlighted that walking and cycling would be increasingly dangerous. He stated that there was a particular issue near the cricket club relating to visibility. He highlighted concern over the lack of an environmental impact assessment and stated that other Councils would carry an assessment out for a similar development. By cherry picking when to conduct assessments he stated that a balanced picture could not be obtained to make reasonable comparisons with alternative sites. This had resulted, in his opinion, in the application not being subject to the appropriate level of scrutiny.
- (c) Hugh Hunter, an objector to the application, raised concern that the application site was outwith the LDP. He also highlighted that the supporting infrastructure was insufficient to accommodate such a development and made reference to recent bad weather where snow had resulted in the community being cut off for three days. He raised concern regarding site drainage issues. He echoed the previous comments regarding the lack of environmental assessment and highlighted that there were significant old mine workings under the application site. He had personally witnessed significant subsidence locally. He also stated that current residents would suffer a loss of views and blocking of light through proposed tree planting. He stated

that there should be more consultation on the site boundaries and location. He agreed the need for affordable housing but did not understand why it would be situated remotely and further away from viable transport links. Finally, as the application undermined the LDP he urged refusal of the application.

- (d) Roddy Keith, an objector to the application, highlighted the nature of Wallacestone as a stable, well established, close knit community. He stated that he felt that scale of the proposed development was too large and would change the character of the village. There would also be a significant impact on wildlife and rural character relating to farming. He highlighted that there were numerous alternative sites within the LDP and that the local infrastructure could not cope with the development.
- (e) Alison Mitchell, an objector to the application, highlighted concerns relating to education provision. She stated that she had concerns relating to the accuracy of pupil yield figures. The local area was a popular choice for schooling. She stated that Wallacestone Primary School's pupil ratios were higher than the rest of the area and that the primary roll did not include nursery numbers. She highlighted the pressures which would result from the expansion of early years provision. There were also traffic concerns relating to access of the school. She stated that Braes High School would be over capacity by 2023 even if there was no new housing developed.
- (f) Stewart Moss, an objector to the application, stated that he agreed with the comments made previously regarding infrastructure and that services would be further stretched resulting in a decline in standards. He highlighted the impact on wildlife and that the current situation would be lost.
- (g) Carole Jones, an objector to the application, stated that while she was aware of the pressure for new housing, the application site was not within the LDP nor was it a preferred option for LDP2. She commented that the area provides the best of rural and urban living which could be lost. She stated that once the wildlife was lost it could not be recovered without serious investment. She highlighted that alternative sites did exist. She stated that she felt it was a disgrace that no environmental assessment had been carried out for the application. She highlighted infrastructure issues and, in particular, the impact on the local health centre. She commented that the views of the NHS are needed. She asked if Badgerwatch Scotland would be included in the consultation.
- (h) Maria Montinaro, a representative of Shieldhill and California Community Council, made reference to a representation provided by Sir Crispin Agnew of Lochnaw QC on another application relating to the Council's housing need and demand being out of date. She stated that there was not a 5 year shortfall in the effective housing land supply. She stated that the most recent housing land supply information needs

to be used in assessing the application. The LDP was based on a Housing Needs and Demand Assessment from 2011. She indicated that, based on the Main Issue Report's (MIR) preferred option, there would be a housing land requirement of 5,520 from 2020 to 2030 in LDP2, as opposed to a housing land requirement of 7,907 from 2014 to 2024 in LDP which showed a significant discrepancy. She raised concern that the effective land housing supply made no allowance for windfall or small sites and stated that such allowance was required to be made. She stated that due to this there was an overestimate of additional requirements and that although the population was due to grow sites already allocated could deliver what was required. She stated that the Community Council had requested the applicant consult with them but the applicant would only meet in closed session. She stated that the applicant had already benefitted from the grant of permission at Tappernail which allowed 60 houses more than provided for in the LDP with the overall figure possibly increasing as the rest of the site is developed. She requested that the application be refused.

- (i) James Craig, a local resident, stated that there did need to be new housing built and that change must be embraced. In light of the loss of heavy industry he stated that Falkirk had become a commuter base. Locally roads would require upgrading but he stated that the applicant would pay for this. He stated that the community should trust the developer.
- (j) Diane Kane, an objector to the application, stated that she was a relatively new resident to the area and had moved from Larbert after it had been swamped in overdevelopment. This had resulted in a loss of community identity. She highlighted that the application would destroy the current community and idyllic surrounds.
- (k) Response by the applicant. The applicant stated that he was aware of the issues raised regarding roads and agreed with a number of the points made. He stated that across the Falkirk the road network was piecemeal and therefore similar concerns were present in relation to a number of allocated sites. The applicant stated that they were willing to make improvements to the pedestrian network and had submitted a scheme for such. Improvements through development help everyone. They were also willing to make financial contributions to the bus service – housing development drives patronage on buses. It was also stated that the installation of a roundabout to service the site would result in vehicles entering the existing village at lower speeds which would benefit all.

7. Questions were then asked by the Committee, as follows:-

- (a) Clarification was sought on what work had been done to ascertain the extent of old mine workings in the area and also what investigations the applicant had carried out into the presence of wildlife on the application site.

Response by the applicant:-

The applicant stated that as the application was for planning permission in principle. A desk based assessment was sufficient at this stage. It was stated that, if approved, there would be conditions requiring intrusive checks. In relation to wildlife, an extended phase 1 habitat specialist report supported development. Scottish Natural Heritage has that report. Due process has been followed and if it was felt that further mitigation was needed than that would be required to be undertaken.

- (b) Clarification on pupil yield ratios and capacity matters at local schools was sought.

Response by the Senior Forward Planning Officer:-

Wallacestone Primary School was extended in 2006 to cater for a capacity of around 600 pupils and there was no scope to extend it further. The school roll had peaked at 520 in 2014/15 and was expected to reduce to less than 400 over the next 5 years based on the data held on pre-school pupils living in the catchment from the Health Board. In this context, even the highest estimate of pupil yield from this new development could be accommodated within available capacity and there would still be some flexibility to extend nursery provision, as required. The primary school could accommodate the proposal without the need for further investment and it was expected that 50-80 pupils would attend Wallacestone PS from the development. If a number of large proposals coincided he stated that he would take a different view. In relation to secondary school rolls they were set to peak in the mid-2020s and capacity pressures were expected. Some investment would be required at Braes High School. All housing developments in the area were asked to contribute as a result.

- (c) Clarification was sought as to whether or not other applications could be considered in determining this application.

The Development Manager stated that each application is considered on its own merits. The appeal will follow due process.

- (d) Clarification of the substance of the letters of support was sought and the addresses of those who had submitted them.

- (e) Clarification was sought on the Roads department's position.

The Network Co-ordinator stated that the roads are unsuitable and substandard for development. There were significant challenges relating to carriageway and footpath width.

- (f) It was requested that an update on the situation regarding the F25 bus service was included in the update report to Council.

8. Close of Meeting

The Convener concluded by thanking the parties for their attendance.