

FALKIRK COUNCIL

Minute of Meeting of the Planning Committee held in Wallacestone Primary School, Braemar Drive, Brightons, Falkirk on Tuesday 30 January 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)	Adanna McCue
	David Balfour	John McLuckie
	Robert Bissett	Lynn Munro
	Allyson Black	John Patrick
	Jim Blackwood	Pat Reid
	Provost William Buchanan	
	Joan Coombes	

<u>Officers:</u>	Ian Dryden, Development Manager
	Iain Henderson, Legal Services Manager
	Stephanie McGhee, Committee Assistant
	Antonia Sobieraj, Committee Services Officer
	Brent Vivian, Senior Planning Officer

<u>Also Attending:</u>	Kevin Collins, Transport Planning Co-ordinator
	Sarah Colquhoun, Modern Apprentice (Governance)
	Steven Dean, Gladman Developments Limited
	Alexandra Lewis, Planning Officer
	Russell Steedman, Network Co-ordinator
	George Saliagopolous, Gladman Developments Limited
	Richard Teed, Senior Forward Planning Officer

P82. Apologies

Apologies were intimated on behalf of Councillors Bouse, Kerr, Collie, Murtagh and Aitchison.

P83. Declarations of Interest

Councillor Hughes declared a non financial interest in relation to the application by virtue of him, as local member concurring with the concerns of local constituents in relation to the application, in consequence of which he recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

P84. Development of Land for Residential Development with Associated Engineering Works and Landscaping on Land to the North of Wallace Lea Stables, Standrigg Road, Brightons for Gladman Developments Ltd - P/17/0519/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 development with associated engineering works and landscaping on land to the north of Wallace Lea Stables, Standrigg Road, Brightons, Falkirk.

1. The Convener formally welcomed those present and outlined the procedures relating to the meeting.
 2. The Senior Planning Officer outlined the nature of the application.
 3. The applicant's representative was heard in relation to the application. Mr S Dean thanked the Committee and the public for their engagement. He commented that the benefits of the development included dealing in part with the shortfall in housing land supply in the area and it would provide constructions jobs, spend in the area and generate additional Council Tax. There would be benefits in the provision of a footpath on Sunnyside Road and improvements for the nearby junction. The details for these roads works are being finalised. The development would be a suitable and effective housing site.
 4. No comments were made by consultees.
 5. 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) Mr D Callaghan, Convener of the former Reddingmuirhead and Wallacestone Community Council, an objector, raised concern in relation to the prevalence of major housing developments and the number of houses built in the local area which had received planning permission. He stressed that these developments had placed a strain on the local infrastructure including local schools, NHS services and roads. He believed that the LDP2 Main Issues Report had supported his concerns. There was also a continuing erosion of the countryside resulting in the area no longer being rural which would result in there being no green estates at all. He stressed that there was a significant amount of land elsewhere in the Falkirk Council area and that the applicants had failed to look at other locations for this development. He

questioned the validity of previous decisions as many developments, such as Whitecross, had failed to materialise. Whitecross was to supply 1,500 houses but that development has stalled. In the meantime there have been two recent planning applications submitted for Whitecross. In addition, there were other applications for housing developments in the pipeline for consideration by the Council including one for the development of land for residential/mixed use to the east of Gilston Farm, Polmont. If this development was to be granted then it would make other applications harder to refuse. He questioned whether house supply figures were now out of date. He stressed that the Council policy had failed to implement a robust brownfield sites policy and applicants should be looking to locate developments on brownfield sites rather than on green spaces. Moreover, each application for residential development should not be considered in isolation but rather be considered as part of a strategic approach. The cumulative impact on local communities should be recognised. He finally raised concern that NHS Forth Valley, a statutory consultee had made no comment on the proposals and that this was not acceptable. He intended to raise the matter with the local MSP. He had concern about the generation of additional patients in the area and the ability to cope with that.

- (b) Ms S Imrie, an objector to the development, asked whether the applicant would be making Sunnyside Road wider to accommodate increased traffic. The problem is not the footway but rather the volume of traffic. It would not help to narrow the road. A concern is that the traffic assessment took place when the schools were on holiday.

Response by the applicant's representative:-

Discussion is taking place with Roads and Planning. There is a solution planned to provide a footway. The footway is seen as a benefit. The comments from Roads are that the junction can deal with the anticipated volume of traffic. In relation to the point on the traffic assessment, he is not a traffic engineer able to answer the specific point.

- (c) Mr Fortune, an objector to the development,

The concern is the number of cars using the road. Most families have more than one car. The road is narrow with poor lines of sight. If anyone parks outside their homes, drivers find it hard to see.

- (d) Mr P Queen, an objector to the development, stressed that if the development is granted against the LDP, it will not take place in a sustainable way. Flooding assessment and mining assessment have only been conducted as a desktop exercise. The area is known for flooding. There has been significant mining and flooding in the past. He indicated that the pattern of development proposed was indefensible. This would create a ribbon strip and further erosion into the area. Clearly this did not comply with the LDP.

- (e) Ms C Lowe, an objector to the development, raised concern that due to the narrow width of Sunnyside Road and the large amount of traffic using that road including the school bus, there was potential that congestion would influence drivers who would drive onto the pavement.
- (f) Ms A Mitchell, an objector to the development, raised concern relating to the effect on education provision and the safety of children walking to school. She indicated that Braes High School was at 90% capacity and would soon reach overcapacity. She questioned whether there was enough space for the school to expand. She raised concern at the impact of enhanced nursery provision from 2020 and how this will affect infrastructure. She asked if there were plans to look at the projections for nursery provision and if this involves school areas. She also indicated concern that the walk to Maddiston Primary School from the proposed development was unsafe for children and asked whether there is room for the footway extension – especially by the cricket club.

Response by the Senior Forward Planning Officer:-

Braes High School would experience a high occupancy level in the mid 2020's. The Council's Children's Services had been aware for some time of a population peak for primary schools. This had resulted in a rezoning in 2009 to address the issue. It was expected that the school could be extended to meet demand and this was why a developer contribution was requested pro rata. The pupil yield was calculated across the Council area and this was currently being reviewed. Wallacestone Primary School was extended in 2007 from a 2 to a 3 stream school. It was estimated that in 5 years' time the school would have 100 less pupils. Projections from NHS Forth Valley had identified that school rolls would reduce over this period. This took account of a natural migration balance across the Council area. In short, it was expected there would be approximately 30 to 40 pupils extra for 100 new places available in the next 15 years. This was manageable.

- (g) Mrs H Sutton, an objector to the development, sought clarification on nursery provision in the next five years.

Response by the Senior Forward Planning Officer:-

The legislative requirements for the expansion of early learning and childcare up to 2020 had doubled the nursery places required for 3 to 4 year olds and eligible two year olds to 1140 hours per year. In order to reach this requirement a developer contribution was required.

- (h) Mr A McLeod, an objector to the development, raised concern at lack of adequate parking at local schools.

Response by the Senior Forward Planning Officer:-

This was an issue across the Council area.

- (i) Ms J Smith, an objector to the development, criticised the statutory requirements for the assessment of planning applications in isolation by local authorities. She indicated that dealing with applications individually and on their own merits did not take into account the cumulative effects of the increasing number of developments on local communities.
- (j) Mr S Sutton, an objector to the development, indicated the benefit of the local cricket club to the local community and how it was valued. The current drainage problems affecting the club would be exacerbated by the development. There are shallow mine workings in the area that have an adverse impact on drainage. He has concerns about the use of the existing drainage pipes as an overflow. The development and associated works could result in flooding issues for the club and new water channels being formed. He commented that he has concerns that people will use the cricket club grounds as a surrogate pavement. The Council previously did the works for the pavement at the cricket club entrance, took the verge and established the pavement. The Transport Assessment by the applicant does not seem to be correct in this regard. On the application masterplan, the soakaway is right on the edge of the cricket ground. This would attract children who would be approaching the cricket club unseen. This could be a health and safety issue particularly with machinery and equipment they may come across.
- (k) Ms W McPherson, an objector to the development, questioned why there was no requirement at this stage for an Environmental Impact Assessment (EIA) to be carried out. Given the size of the development she would normally expect this to be undertaken. She believed that had this been undertaken, the cumulative impact of the proposal would have been identified in relation to all the proposed developments. She then referred to a number of environmental issues that had to be addressed including impact of glacial till which underlies the site and the nature of the clay soil that isn't permeable. She raised concern about the creation of an attenuation pond with stagnant water as a result. She has read the geo-environmental report and there is to be an investigation for mining but it does not say when. She questioned why no intrusive investigation has yet been carried out. She also felt the issues around grouting and water in the bedrock needs to be investigated before permission is granted. She commented that the report refers to the potential for mine gas but doesn't say what is to be done in relation to it. In short, while the applicant may not have technically done anything wrong, they haven't gone far enough to look at the risks of development and how to deal with them and their impact on the area.
- (l) Mr P Norris, an objector to the development, referred to the Transport Assessment and had concerns that information was incorrect such as the frequency of trains serving the area. He then confirmed the importance of applications being considered against a background of the Council area as a whole. This was necessary because of the

significant size of the development. He made reference to the Housing Land Audit and the shortfall in housing identified therein. The shortfall would be addressed should the Whitecross and Gilston Park developments progress. He stressed the importance of building on brownfield sites and that a sustainable development approach to development was paramount. He highlighted the importance of improving a range of local facilities including areas such as health and recreation for older children.

- (m) Mr B Rooney, an objector to the development, raised concern that in the previous year he had been advised by the Planning section of Development Services that no application for a housing development had been submitted.
- (n) Mr B Fortune, an objector to the development, raised concern that there was little incentive for applicants to develop on brownfield sites due to the higher cost of development than for greenfield sites. He commented that if this had gone to an EIA, a test would have been consideration of alternatives. The alternatives are not coming forward.
- (o) Mr G Love, an objector to the development, commented that what is really needed is social housing, not the 25% affordable housing proposal. That needs to be addressed.
- (p) Ms M Montinaro, on behalf of Shieldhill and California Community Council, an objector to the development, commented that housing completions remain low. Statistics were based on 2008 housing factors and since then there had been a downturn. She raised concern that the projected housing need in the Housing Land Audit had been too high from the outset. She commented that there is no shortfall in the 5 year housing land supply. The LDP makes no provision for windfall or small sites. The projections are wrong. Planning is about responsible use of land as a resource. She commented on the inadequate capacity of the local infrastructure and that it currently could not support the development. She believed that applications should not be considered on their own merits but had to be taken as part of a wider analysis of housing need. This consideration included complying with the LDP and LDP2. She questioned the measures to be undertaken by the applicant to install pipelines under the road. Furthermore, there was a need for appropriate expertise for drilling work.

Response by Mr S Deans, the applicant's representative:-

He would not be adding anything further at this stage.

5. Questions were then asked by Members of the Committee as follows:-

Q(a) Clarification was sought on why NHS Forth Valley had submitted no comment to the proposals.

Q(b) Clarification was sought on the views of the Council's Roads Development Unit in relation to the proposals.

Response by the Roads Development Co-ordinator:-

The Roads Development Unit has raised some concerns about the width of Sunnyside Road and the junction. It has been recommended that the road be 6.25m in width with a 2m wide footway along the site frontage. It is up to the developer to also provide a 2 metre wide footway where there is a missing section of footway to the east of the site. .

Q(c) Clarification was sought on whether there was sufficient land for housing available in the Council area in the next five years.

Response by the Planning Officer (A Lewis):-

The Housing Land Audit 2016/17 had identified a shortfall of 760 units in the effective land supply over a five year period. The Main Issues Report set out preferred options and alternatives for LDP2. An annual target of 675 units is included in the current adopted 2015 Local Development Plan, and the preferred option for LDP2 is 480 units annually. Whilst a material consideration, this figure is not yet adopted Council policy, nor has it been subject to external scrutiny. There were a whole range of influences affecting these figures including changes in population demographics.

Q(e) Clarification was sought on the reason why no detailed inspections were carried out in relation to mining.

Response by Development Manager:-

The application being considered at this stage is an application for planning permission in principle. The detail which applicants must provide in a full application is not required at this stage. Should an application be approved and that this result in the submission of a later full application a comprehensive list of conditions would be attached. In relation to the Coal Authority as a statutory consultee, the Council relied upon the Desktop Risk Assessment undertaken by that Authority as a consultee. Should the Council be minded to grant permission and a later full application be approved with associated conditions placed on the applicant, only after the Council as Planning Authority was satisfied there had been full adherence (including consultation with all relevant parties) to these conditions could work commence on site.

The Convener asked members if there were any planning matters they would wish covered in the report to Council.

It was requested that information in the effective land supply be covered along with cumulative effect of development and the position in relation to the Health Board.

8. Close of Meeting

The Convener concluded by thanking the parties for their attendance and advising that the matter would be determined by Falkirk Council on 7 March 2018.