

**Draft**

**FALKIRK COUNCIL**

**Minute of Meeting of the Planning Committee held in Braes High School, Newlands Road, Reddingmuirhead, Falkirk, FK2 0DA on Tuesday 30 April 2019 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.

<b><u>Councillors:</u></b>	David Alexander (convener)	Gordon Hughes
	Robert Bissett	Cecil Meiklejohn
	Jim Blackwood	Lynn Munro
	Gary Bouse	Laura Murtagh
	Joan Coombes	Malcolm Nicol
	David Grant	John Patrick

<b><u>Officers:</u></b>	Ian Dryden, Development Manager
	Jack Frawley, Committee Services Officer
	Iain Henderson, Legal Services Manager
	Jennifer McArthur, Modern Apprentice
	Adeline Orr, Committee Services Assistant
	Alistair Shaw, Development Plan Co-ordinator
	Russell Steedman, Network Co-ordinator
	Richard Teed, Senior Forward Planning Officer
	Brent Vivian, Senior Planning Officer

<b><u>Also Attending:</u></b>	Richard Holland, Taylor Wimpey Homes
	Ralston McKenzie, Peter Brett Associates
	Ewan McIntyre, EMA Architects
	Derek Scott, Derek Scott Planning

**PDH1. Apologies**

Apologies were intimated on behalf of Provost Buchanan; Depute Provost Ritchie; and Councillors Binnie, Kerr, McLuckie and Nimmo.

**PDH2. Declarations of Interest**

There were no declarations of interest.

### **PDH3. Pre-Determination Hearing Procedures**

The Convener formally welcomed those present and outlined the procedures relating to the meeting.

Councillor Bouse joined the meeting at this point.

### **PDH4. Development of Land for Residential Use with Associated Open Space, Site Development Works and Landscaping at Middlerigg Farm Reddingmuirhead Falkirk – P/19/0125/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 open space, site development work and landscaping, at Middlerigg Farm Reddingmuirhead Falkirk.

Councillor Murtagh joined the meeting at this point.

1. The Planning Officer outlined the nature of the application.
2. On behalf of the applicant, Richard Holland and Derek Scott were heard in relation to the application. Richard Holland stated that Taylor Wimpey build 50,000 homes a year including 1,200 in Scotland. Their developments generate direct employment of 500 people and a further 3,000 indirectly. To sustain the level of build they needed 30+ developments per year in Scotland. At any point in time they want to have live sites in each local authority area. They have a track record of delivering quality developments. They currently had no live sites in Falkirk. Where possible they would work with the Council through the Local Development Plan (LDP) process. There is a shortage of land in the Falkirk area for development and consider that LDP2 may not allow enough. The proposal would provide more people with the opportunity to be in a good community and to live in the area.

Derek Scott stated that under the terms of the Planning Acts, applications were to be determined in accordance with the development plan, unless material considerations indicated otherwise. The Falkirk Local Development Plan, adopted in July 2015, set out that the application site at Middlerigg Farm adjoined but lay outside the Reddingmuirhead Settlement Envelope within an area designated as Countryside. There was a presumption against most types of housing development in countryside locations, but there were exceptions. One such exception related to situations where there had been a failure to maintain a minimum five year supply of effective housing land as required in Scottish Planning Policy. In such circumstances Policy HSG01 on the subject of 'Housing Growth' applied. This policy required consideration to be given to supporting sustainable development proposals, over and above those sites presently zoned for housing, preferring firstly, Urban Capacity Sites, secondly, Other Brownfield

Sites and thirdly, Sustainable Greenfield Sites. That policy reflected and took on board the presumption in favour of sustainable development, outlined in Scottish Planning Policy. The last housing land audit by Council in June 2018 identified a 4.2 year supply of housing land - a shortfall of 482 units. He had submitted an updated housing land supply assessment, showing a 3.8 year supply – a shortfall of 985 units. Either way it was evident that the required minimum 5 year supply of housing land was not being maintained. The Council had recently argued, in its defence against an appeal lodged by the Gladman Group on a greenfield site at Stirling Road in Larbert, that the shortfall in the 5 year requirement could be met through the development of windfall sites, which, it was claimed had the potential to deliver up to 300 units. The Reporter disagreed and in deciding to grant permission for that development, stated 'The council does not claim that these are all certain to come forward, but even if they were to do so, they would deliver around 300 dwellings, significantly less than the shortfall of 482 units revealed in the 2017/18 audit'. Based on the conclusions of the Reporter in the Larbert appeal decision it was clear that the establishment of a minimum 5 year supply of housing land could only be met through the development of additional sustainable greenfield sites. He was of the view that Middlerigg Farm was a sustainable greenfield option as:-

- (1) Reddingmuirhead was an established and recognisable community enjoying good access to a range of local facilities and services. It had a community hall, a church, a pub, a secondary school and was in close proximity to a Tesco supermarket. It also enjoyed good access to the surrounding countryside via an existing network of public paths. These were all sustainable attributes which contributed to making the settlement an attractive and desirable location within which to live.
- (2) The application site represented a logical, natural and integrated extension to Reddingmuirhead. The eastern part of the site was contained on its southern side by the landscaped corridors of the Polmont Burn and on its western side by established field boundaries. These features, in association with the additional woodland planting proposed, would result in significant visual improvements and would ensure that both Reddingmuirhead and Wallacestone maintained their identities as separate settlements and would also provide opportunities for the delivery of biodiversity enhancements.
- (3) The development would deliver up to 200 houses, 25% of which would be affordable in nature. Whilst a significant number of those who attended the public consultation exercises were strongly opposed to the idea of introducing affordable housing in the settlement, it was a sector that needed to be addressed.
- (4) Based on studies undertaken, he considered that the volume of traffic generated by the development could be accommodated on the surrounding road and junction network. There were two potential points

of pedestrian and vehicular access into the site; one off Shieldhill Road via, Fairhaven Terrace, and the other off Wallacestone Brae, via Epworth Gardens. The developer was prepared to widen and improve footpath linkages on these roads, where necessary and justified; and had a useful meeting with Roads officials last week taking on board their suggestions for the introduction of a roundabout to tie in Wallacestone Brae, Epworth Gardens and Braeside Place which would result in significant benefits to the local community.

- (5) It was acknowledged and accepted that the application site was not well served by a bus based public transport system. In light of this, they would contribute to the provision of more regular services than presently offered, potentially along a different route to the existing one and including services to the train station at Polmont during peak travel times, again resulting in significant benefits to the existing community.
- (6) The development proposals for the site would provide for the establishment of a new public park on the northern side of the Polmont Burn which would address a recognised open space deficiency in the Polmont Area as outlined in the Council's Open Space Strategy. It would also provide for new play facilities which could be positioned and sized to benefit the wider community.
- (7) There was sufficient education capacity, or if not, sufficient capacity could be provided in all schools within whose catchment area the application site lay.
- (8) The development would bring significant economic benefits in terms of employment creation and increased spend in the local area – further key attributes of sustainable development.

In light of the considerations outlined he was firmly of the view that the development proposed was not only located on a sustainable greenfield site but its development would bring a range of benefits to the wider area. In light of those benefits and the very significant housing shortfall existing he stated that the application should be supported.

4. Questions were then asked by the Committee:-

- (a) It was noted that objections had been received from quite a broad geographic area. Matters and concerns had been raised with wider implications. How would issues relating to site access (particularly Fairhaven Terrace), capacity at Meadowbank Health Centre, capacity of the roads network and parking at Polmont rail station parking be addressed?

- (b) Supplementary Guidance SG10, pupil ratios and medical provision infrastructure had recently been discussed with particular regard to Kinnaird.
- (c) Was shortfall in housing land supply a main consideration?
- (d) What mitigation would be put in place to assist with significant pressures on local services, i.e. the health centre at Meadowbank.

#### Responses

- (a) D Scott advised that NHS Forth Valley had only submitted representation to the application that morning but that they stated there was an issue of capacity and they would seek developer contribution to alleviate the impact. He had received education forecasts from Richard Teed that week. There would be two primary schools used as catchment schools – Wallacestone and Shieldhill. Figures for Wallacestone showed a capacity of 651 with a roll of 464, therefore a spare capacity of 187. Shieldhill had capacity of 342 with spare capacity of 140, resulting in a combined spare capacity of 327 pupils. The development would produce 64 pupils of primary school age. The community council suggested that the ratios used were low but even with their ratios applied 124 would be generated so there was sufficient capacity to accommodate the development. There would be a contribution to Children's Services for extension of provision at Braes High School. Similar arguments relating to a Gladman application were previously rejected. There was a need to create a minimum 5 year effective land housing supply if there was a shortfall through development of sustainable greenfield sites.
- (b) Ralston Mackenzie stated that the transport assessment had been scoped with the Council and that 7 junctions had been assessed which was more than would usually be done. Information had been provided to the Roads department and there had been positive dialogue on this. The roads could cope with the additional trips generated. There would be community benefits as the existing bus service was an issue, operating only 2 hourly. A new shuttle services to the station would be created. Trends in the roads survey from 2017 were still relevant. The shuttle service would normally be maintained by the developer for 3 years.
- (c) Richard Teed, Senior Forward Planning Officer, Falkirk Council provided information on education contributions and pupil ratios. There was a cautious view taken on this. The figure of 64 mentioned by Derek Scott is based on the Council average. There could be c.80 to 90 pupils from the development as a peak figure. The primary schools straddled two catchments. Both primary schools were able to accommodate the expected pupil generation from the development. Wallacestone Primary School had a capacity of 650 theoretically but the site was constrained. A roll approaching 600 would make the school quite full. There was a

declining roll at the present time and this is expected to continue. The local nursery provision is fully utilised and will continue to increase for the increase in provision by 2020. If the application is approved, it will need to contribute to nursery provision. Braes High School was expected to grow to high occupancy over the next 5 years and contribution from the developer to mitigate this would be expected.

5. John Brown, on behalf of Reddingmuirhead and Wallacestone Community Council, an objector, was heard in relation to the application. He stated that the site was not allocated in the current LDP and that there was to be no major development in the area prior to 2024 due to previous significant growth. This position was reaffirmed in the Main Issues Report and consultation on LDP2. There had been c.2,000 houses built within a radius of Reddingmuirhead community centre since 2001. This had resulted in a significant strain on local infrastructure. Information regarding land housing supply was out of date and the dependent upon the presumption of sustainable development. It was noted that even if there was a shortfall the LDP still took primacy in Scottish Planning Policy. Having regard to the LDP, there were ample reasons to reject the application. Even if the shortfall was accepted the site was outside urban limits and constituted development in the countryside which could only be supported on narrow grounds which related to existing buildings or rural activities. The site had been promoted for LDP in 2001, 2009 and 2015 and had been excluded as unsuitable on each occasion. The Reporter had expressed concern about the potential of coalescence of settlements. There would be loss of amenity which a small footpath would not address. The development of the site was unsuitable in the greenbelt. He stated that it was not sustainable development relating to traffic generation as residents would require to rely on car. A bus service was not practical and the future provision of it would be in doubt. The current F25 service was not adequate and failed to link in with the wider network of public transport. The shuttle bus was likely to be of little attraction to people compared to the convenience of car use. The development would be outside the 800m radius which policy suggests is preferable for access to a station. In terms of wildlife the area was a gateway to the countryside. There would be a loss of greenfield land contrary to the objectives of the LDP. The site would not encourage active lifestyles. There would be mine working implications. There is a culturally significant mine shaft on the site which provided access for rescues during the Redding pit disaster of 1923 which should be protected. Historical maps showed that there was packed waste and bore shafts so further investigation would be required before mitigation could be designed. The area would either need to be grouted or avoided and it was unclear how neighbours would be protected. LDP2 was at an advanced stage and the site was not included in previous discussions. The area was not favoured for further development. The development would not be sustainable due to the pressure on infrastructure. Approval would make it difficult to refuse subsequent

applications. Approval would also undermine the role of public consultation on LDP2 so late in the process. There would be significant impact on the local community. He stated that the application should be rejected as there was a reduction in the need for housing in LDP2 and there would be a loss of greenbelt contrary to LDP2. He raised concern that this development would be the start of a larger development site.

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) Colin Heggie, an objector to the application, highlighted the Council's Strategic Outcome and Local Delivery Plan and stated that the development failed to deliver on the local outcomes within it. The development failed to deliver that the area will be a fairer and more equal place to live as the datazone in development ranked in the top 10% least deprived for SIMD for housing domain in Scotland. 91.6% of Falkirk Council datazones were classed as more deprived areas. There were numerous other areas which needed development to make Falkirk Council a more equal place to live. The development failed to deliver that the area will be a safer place to live through the increase in traffic causing far greater risk to pedestrians and road users in particular on Shieldhill Road. School children using the road would be at greater risk as they required to cross the busy road with no full footpath on either side. The average speed on traffic measured on Shieldhill Road at Fairhaven Terrace was 38mph. Children attending Shieldhill Primary school would have to cross the main road at a dangerous bend with poor visibility. The development failed to deliver that children will develop in resilient, confident and successful adults as Braes High School was already projected to be over capacity in the coming years. Existing new development even closer to Braes High was zoned to Falkirk due to capacity issues. Primary schools were under similar pressures with nursery places not included in statistics. The development failed to deliver that the area will be healthier as pollution levels would rise with additional housing and increased traffic. Risks regarding exposure to mining gases identified in coal report during and after any work on the site. There would be an impact on capacity of the local health service particularly as a drain on resources at Meadowbank Health Centre. The development failed to deliver that people live full, independent and positive lives within supportive communities as there would be a negative impact on local infrastructure. Polmont railway station did not currently have capacity for parking. Datazone in development ranked in top 30% most deprived

in SIMD for access to services domain in Scotland. Ranked in top 20% most deprived for access to services in Falkirk area. He also set out the role of Councillors in representing their wards and determining planning applications.

- (b) Kate Connochie, an objector to the application, stated that she had lived in the area for 33 years and highlighted the semi-rural nature of the area, the distinct area of villages, and the important history and heritage of the area. She also highlighted the Redding pit disaster, the site of which was part of the proposed development. She noted that the developer's report stated that there was risk associated with the mining legacy in the area. She asked, if the playpark was removed, where children would play and how long it would be until a new facility was installed. She was concerned that local children would not want to use a new playpark in a strange area. There would be an adverse impact on the mental health of the community with the impact of its environment. The local Health Centre and medical facilities would be adversely impacted upon. She expressed concern regarding the safety of children walking to school using busy roads. She highlighted that there was a local residential care home for young adults who did not have the resilience to deal with 5 years of the impact and change of this development. Regarding the proposal that the development would create an improvement in amenity, she stated that this was not needed as there was already a good footpath network in place and good facilities. There had been overdevelopment of the area over the past 20 years which had produced a negative impact in a number of factors. In the period in which 2,000 houses had been built there had been no significant improvements to the infrastructure of the area. She also stated that car parking facilities at Polmont train station were already fully utilised and resulting in overspill into the local area. She stated that the community were completely against the development and that residents implored the decision makers to refuse the application.
- (c) William Warner, an objector to the application, with reference to paragraph 4.4 of the committee report, made representation relating to water treatment and sewage works. He stated that the impact on drainage of the proposed development required to be assessed. Previous assessment had only been carried out for sites included in the LDP. There had been excessive amounts of new housing in the area which would already have added significant pressure onto the existing infrastructure. 15 to 20 years ago there had been significant issues with raw sewage running into the Polmont Burn. The sewer was close to capacity. When there was heavy rainfall there could be pollution in the burn. There was not sufficient capacity to accommodate more development in the area. Reviewing at the time of connection was surely too late. He highlighted that the existing sewers in California had serious surcharge problems. He stated that the application should be refused to comply with the LDP.



- (d) Alan Churchill, an objector to the application, highlighted the role of the LDP in determining the application and stated that there was a trend for farmers and developers to work together to build on large greenfield sites and split the profits. If there was a shortfall of housing land supply he stated this was an issue for the policy department and Councillors and should not impact on local residents. He stated that Councillors needed to determine the way forward and that if the LDP was right then the application would not have come forward. A backdoor for major development had been opened and needed to be shut. He stated that there were issues with traffic volume and visibility and that the Roads department should have provided information on the safety issues. He highlighted that there were many accidents on local roads and that some traffic calming measures had been removed.
- (e) Tracey Sinclair, a supporter of the application, stated that she lived in Rumford and had been brought up at Middlerigg as the daughter of the landowner. She advised that her father who had operated the farm was looking to retire and that there were no family in a position to take over operation of the land. Her parents wished to continue to live on the site in the farm cottage. They would be unable to do this if the farm was sold as a going concern. There were issues with trespassing as people believe they have right to take access. This has a negative impact on livestock and crops. They had carefully assessed developers and selected Taylor Wimpey as the best fit having given consideration to their track record and values. She stated that there was a demand for housing in the area particularly for parents of school aged children. People were desperate to live in the area and development of the site would help to address this. There needed to be development to provide suitable housing for the younger generation. There is very high demand and the prices are high meaning it can be hard to access good housing in the area. This development would assist that position and would have a good position between the High School and the Primary Schools. Previous developments had helped the village to thrive and generate more tax revenue. The development would also provide much needed amenity facilities. She highlighted that the burn was a unique feature which would appeal to many people and that the development should be supported.
- (f) Alison Mitchell, an objector to the application, made a statement relating to education provision within the area. She stated that there were very similar housing estates to that proposed in the catchment area, namely Wallace Brae and Sunnyside/Standrigg Estates. She used these estates in March 2018 to research and calculate pupil yields to compare with Council pupil yield figures. Using information from data zone SO1009191 extracted from the 2011 census which encompassed the Wallace Brae Estate. The pupil yields extracted were 39% higher from primary pupils and 35% for secondary pupils. Children' Services had previously noted that the 2011 census was not useful as it was potentially incomplete and out of date. If it was incomplete an even higher pupil yield would likely result. She felt the census was not out of

date for comparison as the Council's pupil ratios attempted to provide an average over the first 10 years after build, so in that case the 2011 census was relevant. She also surveyed the Sunnyside/Standrigg Estate asking how many pupils would be in each household at 7 March 2018. The estate was 14 years old in 2018 and the pupil yields were significantly higher than those expected by Children's Services who estimated that numbers would lower over time in a new housing estate but that was not true for this area. The pupil yields drawn from the survey were 83% higher for primary children and 175% higher for secondary children. The proposed development could look very similar to that development in 14 years time. She stated that the proposal to split the catchment for primary schools at the development between Shieldhill and Wallacestone would be inappropriate and artificially divide the community. Looking at the Council projected roll figures for Shieldhill and Wallacestone Primary Schools they appeared to have ample capacity for the development. However, the Council primary school roll projections gave a percentage capacity for primary 1 to 7 children only. The figures did not include the nursery children, for whom provision was doubling from 2020. She stated it would be interesting to see capacity figures which included nursery children from 2020 as these would give a more accurate representation of capacity within a primary school. She stated that there was no room at Braes High School for more pupils which would be at full capacity by 2024 based on latest roll projections. She noted that these projections included an increased capacity figure which rose by 55 pupils from 2017. Previous roll projections showed Braes High at over capacity as early as 2023. She was a parent at Braes High and was unaware of an extension in 2017 to increase capacity. She was concerned that the school would not have room to accommodate current pupils in a few years without further adding to the roll with new housing development. The existing housing estate at Redding Bank was on Braes High's doorstep however was not within the catchment area as when it was being built it was felt that there was too much pressure at Braes High. If the Redding Bank development could not attend Braes High she did not feel it would be appropriate to build more new houses within the catchment area. She noted that a pro-rata contribution would be sought for nursery provision and capacity issues at Braes High in accordance with supplementary guidance SG10. She quoted from point 7a.13 in the report 'In circumstances where a school could not be improved physically and, in a manner consistent with the Council's education policies, the development will not be permitted'. She wondered if there had been an accurate assessment of Braes High to ensure that an extension would be possible. Considering her assessment of pupil ratios would any extension provide suitable capacity for the even higher expected pupil yields. She stated that the development be refused to prevent stretching education provision in the area beyond its capabilities.

- (g) Maria Montinaro, a representative of Shieldhill and California Community Council, an objector to the application, stated that the

development should be refused as it was contrary to both LDP1 and the emerging LDP2. She stated that the area was not identified as a strategic growth area and rejected that there was a land housing supply shortfall which justified the development. She highlighted two recent applications which she felt were similar relating to Standrigg Road. She advised that a relevant material consideration was that the development was not supported by the provisions of Scottish Planning Policy. Regarding housing supply target figures she stated that there would be a reduction of 1,125 from LDP1 and that the annual target of 675 had been based on pre 2008 boom period information. The position that there was a shortfall of 985 houses was therefore not correct. LDP2 would provide a more realistic supply target for Braes and rural south of 70 new dwellinghouses, 7 a year over the lifetime of the plan. She stated that the development would change the character of the area, lead to coalescence of communities and prejudice LDP2 process making other applications difficult to resist. She expressed concern regarding the extent of infrastructure improvements required. She expressed concern this would be the first phase of a larger development and would set a precedent for further development. She highlighted that the site was not one of the ten growth areas in LDP2 and stated that developers should work with the Council to build new housing in the identified growth areas. Reddingmuirhead had seen large population change already c.177% leading to an unplanned urban sprawl. She stated that the application should be refused in line with LDP1 and LDP2 and previous decision making on sites at Standrigg Road.

- (h) Bob Moodie, an objector to the application, advised that he was a resident of Fairhaven Terrace which was quiet a diverse and mixed age residential street. All the residents opposed the development. He stated that even before any work would commence there would be a negative impact on residents' health and that many were already feeling stress and anxiety due to the potential changes. Fairhaven Terrace would be the main access to the development but was only a 5.5m wide road. He stated that construction traffic would have to mount the footways in order to pass which was a health and safety issue. He also highlighted an issue regarding plot size mix-up regarding the existing houses some of which had the footway in their title deeds. He stated that widening the footway would narrow the road further. He expressed concern that while there would be 200 houses in phase 1 of the development, phase 2 would bring a further 100 houses. He highlighted that previously in Fairhaven Terrace permission was only granted for 1 or 1 and ½ storey dwellinghouses whereas the proposal included 2 and 2 and ½ storey dwellinghouses which were not in line with existing houses. He stated that on the site to the rear of Fairhaven Terrace there were shallow mine workings including 3 historic shafts, therefore he felt development in the area was high risk. He stated that the Peter Brett Associates document advised of high risk for future site users, primarily inhalation of gases or vapour. He stated that the development was unsuitable for its countryside location and was not

sympathetic to the existing situation which would result in a loss of countryside amenity for residents. He stated that it was important to retain the village identity and that the development was not wanted or needed.

- (i) Megan Heggie, an objector to the application, stated that it was important to ensure development took place on those sites identified in the Local Development Plan, commenting that if this was not done there was no point in having a Plan. She highlighted that the LDP did not provide for any new development in the area. She stated that as a young driver she was concerned by the large increase in traffic which would result from the proposed development, commenting that an additional 2,000 road journeys would be created each day. She stated that this was a safety issue and that surveys which were undertaken were out of date or not appropriate. She highlighted the responsibility of the Council in regard to road safety. She stated concern regarding the condition of local roads which included a number of blind spots and blind accesses for housing which was challenging. She also highlighted previous construction of an electricity sub-station without planning permission. The current situation including parking in lay-bys resulted in limited visibility on roads which would be worsened by the development including the proposal for a footpath. She highlighted that walkers would have to cross a very busy main road and that this would be particularly dangerous for young people walking to school. She stated that this did not align with the Council's desire to encourage active travel. She stated that Fairhaven Terrace was unsuitable to provide access to the development. She highlighted that the pollution generated from additional vehicles would affect all local residents and particularly asthma sufferers. She stated that the area currently provided a countryside lifestyle which would be lost if the proposed development was granted and expressed concern relating to the impact on wildlife. She noted that locally there were hedgehogs and deer which would be impacted. There stated that the loss of green space and fresh air opportunities would also have a negative impact on people's mental health. She stated that in determining the application the concern of the community should be listened to and their health should be prioritised.
- (j) Paul Musgrave, an objector to the application, raised his concerns relating to playpark provision and stated that the development would result in disastrous social impact in this regard.
- (k) Danny Callaghan, an objector to the application, stated that his property fronted Sheildhill Road and that he echoed many of the comments previously made. He highlighted that a decision on LDP2 was anticipated in June which made it a material consideration in determining the application. He highlighted that developments in Rumford and Maddiston had already had an impact on local schools and services. He raised concern regarding the traffic figures highlighting that average daily movement and vehicles per household

were based on the whole Council area which did not appropriately recognise the particular circumstances of the local area. He questioned the timing and methodology of the traffic assessments. He raised frustration at the Roads Section suggesting that access be taken through a playpark. He commented that it is the community's playpark. He also questioned what may happen if the mine works were grouted and where the infill material could end up.

- (l) Dr David Herron, a representative of NHS Forth Valley, stated that he had worked as a GP in the local area for 12 years. Upgrades to the Health Centre building carried out in 2010 had been planned since 1998. Even when these improvement works were carried out the facilities remained slightly too small. He highlighted subsequent increases to the population and increased health needs accompanying demographic changes. There was an existing lack of parking at the Health Centre, there were not enough clinical rooms and both the waiting area and reception were too small. There were also workforce supply issues which would be exacerbated by further development in the area.

## 7. Response by the applicant

In response to the points raised Derek Scott stated that in the existing LDP there was a presumption against development until 2024 and that the particular policy stated that 'The existing ongoing opportunities at Overton (H40) and Redding Park (H42) form a Strategic Growth Area which will continue to be developed out over the life of the plan. Given the scale of growth in the communities over recent years, and the capacity constraints at Wallacestone Primary School, no further settlement expansion is planned at least for the period 2014-2024. The Local Centres at Redding and Brightons will be supported as part of the network of centres'. The strategic part of LDP had not been examined by a Reporter as it had not been objected to. He addressed concerns relating to capacity issues at Wallacestone Primary School with reference to previous information provided regarding there being sufficient capacity. Growth was not an issue in the Gladman appeal decision. The development credibly represented sustainable development. He stated that it was correct that LDP2 was a material consideration but that it could only be given very little weight at this stage. A large number of objections to the Plan had not yet been considered by Council or a Reporter. He advised that there were objections relating to the proposed site's status and the Land Housing Supply situation. There could be recommendations from the Scottish Government, if the Council under allocated land, to require that the Council allocate more land for housing. It would be wrong to give significant weight to LDP2. There was no planning history relating to the site but it had been promoted in previous LDPs. Therefore the history of the site did not support either grant or refusal. The presumption against development in the countryside was overridden by

the shortfall and this could be achieved through sustainable greenfield options.

Ralston McKenzie stated that in terms of mining there was a risk but there needed to be further detailed investigation and then planned mitigation. In terms of drainage, Scottish Water had not yet provided significant level of detail, it would come later. An ecological survey had been carried out along with bats, badgers and flora and fauna surveys. There were sections of footway missing and Roads ambition was to connect onto Shieldhill Road, this would comply with Scottish Planning Policy. Work was ongoing with the Council to determine the details relating to Fairhaven Terrace. Figures on vehicle trip generation had been accepted by the Council. The playpark would be relocated somewhere in close proximity to its current location.

8. Close of Meeting

The Convener concluded by thanking the parties for their attendance.