



Agenda Item 12

**FORMATION OF VEHICLE ACCESS AT
138 MAIN STREET, BONNYBRIDGE, FK4
1AJ, FOR MRS MARY KINLOCH -
P/19/0298/FUL**

FALKIRK COUNCIL

Subject: FORMATION OF VEHICLE ACCESS AT
138 MAIN STREET, BONNYBRIDGE, FK4 1AJ, FOR MRS
MARY KINLOCH - P/19/0298/FUL

Meeting: PLANNING COMMITTEE

Date: 24 September 2019

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Bonnybridge and Larbert

Provost William Buchanan
Councillor Niall Coleman
Councillor David Grant

Community Council: Bonnybridge Community Council

Case Officer: Kevin Brown, Ext. 4701

[View this Application on Public Access](#)

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application proposes the formation of a new vehicular access onto the A803 Main Street, Bonnybridge to serve an existing semi detached dwellinghouse. The proposal would require the removal of an existing stone boundary wall and regrading of levels within the existing front garden area in order to facilitate the proposed driveway.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 This application has been called in by Councillor Buchanan due to road safety issues that requires scrutiny

3. SITE HISTORY

- 3.1 None relevant to this application.

4. CONSULTATIONS

4.1 The following responses to consultation were received:

Roads Development Unit	Concern is raised that the required level of visibility cannot be achieved from the proposed driveway onto the A803 due to obstructions presented by nearby boundary walls.
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5. COMMUNITY COUNCIL

5.1 Bonnybridge Community Council

6. PUBLIC REPRESENTATION

6.1 During consideration of the application, no letters of objection or representation were received.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

The Falkirk Local Development Plan was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development was assessed against the following policy or policies:

7a.1 Policy HSG07 - Residential Extensions and Alterations states:

Extensions and alterations to residential properties will be permitted where:

- 1. The scale, design and materials are sympathetic to the existing building;*
- 2. The location and scale of the extension or alterations will not significantly affect the degree of amenity, daylight or privacy enjoyed by neighbouring properties; and*
- 3. It will not result in overdevelopment of the plot, thereby giving rise to adverse impacts on the functioning of garden ground, unacceptable loss of off-street parking, or road safety issues. Proposals should comply with the detailed guidance on these criteria set out in the Supplementary Guidance SG03 'Residential Extensions and Alterations'*

- 7a.2 The proposed driveway would be consistent in design and appearance with similar driveways within the surrounding area. The required level of visibility cannot however be achieved from the proposed driveway onto the A803 due to obstructions presented by nearby boundary walls which are outwith the control of the applicant or Falkirk Council. The proposal therefore represents a danger to road safety owing to limited visibility at the point of access/egress and is contrary to the terms of policy HSG07. The proposals fails to accord with the terms of the Falkirk Local Development Plan.

7b Material Considerations

The following matters were considered to be material in the consideration of the application are Consideration of the Site in Relation to Coal Mining Legacy and Falkirk Local Development Plan 2 (Proposed Plan).

Consideration of the Site in relation to Coal Mining Legacy

- 7b.1 The application site falls within or is partially within the Development High Risk Area as defined by the Coal Authority. It is recognised that flexibility and discretion are necessary parts of the planning system and as such there may be exemptions to the requirement for a desk based Coal Mining Risk Assessment within the Development High Risk Area.
- 7b.2 Exemption can be on the grounds of the type of application or the nature of development. Only one of these needs to be met to exempt the need for a desk based Coal Mining Risk Assessment and also the consequential need for the Council to consult the Coal Authority. This proposal is considered to fall into one of these exempt groups, but ground conditions should still be considered as part of the Building Standards process, if relevant.
- 7b.3 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

Falkirk Local Development Plan 2 (Proposed Plan)

- 7b.4 The current Falkirk Local Development Plan is in the process of being replaced by a new plan, LDP2. The Proposed Falkirk Local Development Plan 2 (LDP2) has been approved by the Council for consultation. The consultation period ran from 27 September 2018 to 23 November 2018. Following consideration by Scottish Ministers of representations received it is expected that LDP2 will be adopted in 2020, at which point it will replace the current Falkirk Local Development Plan. LDP2 provides the most up to date indication of Falkirk Council's views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications. In the case of this particular application, the proposed plan in its current form does not introduce any new policy considerations or land use allocations which justify a grant of planning permission in this instance.

7c Conclusion

- 7c.1 The proposal is an unacceptable form of development which fails to accord with the Development Plan. There are no material planning considerations that warrant a grant of planning permission in this instance.

8. RECOMMENDATION

8.1 It is therefore recommended that the Committee Refuse Planning Permission subject to:

Reason(s):-

- 1. The proposed development fails to achieve suitable visibility at the junction of the site onto the A803 Main Street to the detriment of road safety levels. The proposal is contrary to the terms of policy HSG07 'Residential Extensions and Alterations' of the Falkirk Local Development Plan.**

Informative(s):-

- 1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 and 02.**

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Director of Development Services

Date: 12 September 2019

LIST OF BACKGROUND PAPERS

- 1. Falkirk Local Development Plan.**
- 2. Falkirk Local Development Plan 2 (Proposed Plan)**

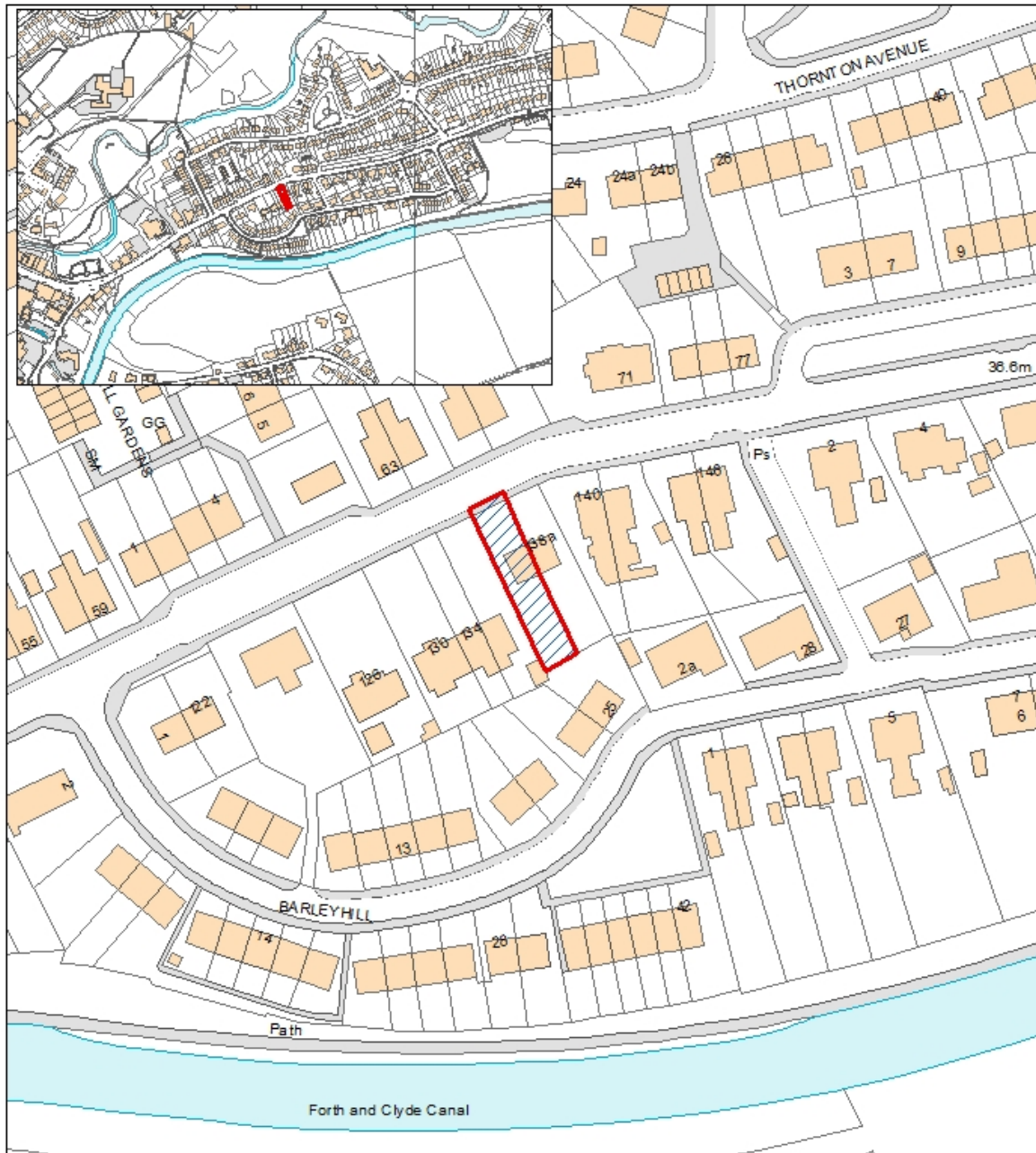
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown, Planning Officer.

Planning Committee

Planning Application Location Plan

P/19/0298/FUL

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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