



Agenda Item 4

**SUBSTANTIAL DEMOLITION OF
FORMER FARM STEADING AND
REDEVELOPMENT TO FORM 12
DWELLINGHOUSES, ERECTION OF 69
DWELLINGHOUSES, 30 FLATTED
DWELLINGS, FORMATION OF
ROUNABOUT, LANDSCAPING AND
SUDS POND AT WOODEND FARM,
HALLGLEN ROAD, HALLGLEN,
FALKIRK, FK1 2AT FOR FALKIRK
COUNCIL - P/19/0453/FUL**

FALKIRK COUNCIL

Subject: SUBSTANTIAL DEMOLITION OF FORMER FARM
STEADING AND REDEVELOPMENT TO FORM 12
DWELLINGHOUSES, ERECTION OF 69
DWELLINGHOUSES, 30 FLATTED DWELLINGS,
FORMATION OF ROUNDABOUT, LANDSCAPING AND
SUDS POND AT WOODEND FARM, HALLGLEN ROAD,
HALLGLEN, FALKIRK, FK1 2AT FOR FALKIRK COUNCIL -
P/19/0453/FUL

Meeting: PRE DETERMINATION HEARING
Date: 14 November 2019
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Falkirk South

Councillor Lorna Binnie
Councillor John Patrick
Councillor Pat Reid

Community Council: Falkirk South is inactive at this time.

Case Officer: Katherine Chorley (Planning Officer), Ext. 4704

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1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application is a major development and seeks full planning permission for substantial demolition of the Grade C Listed Woodend Farm Steading and its redevelopment to form 12 houses. The surrounding land would be developed to form 69 houses and 30 flats with associated landscaping, drainage pond, access road and roundabout. The development would create 111 new affordable dwellings.
- 1.2 The application site extends to just over 7 hectares. The site is used for grazing land with the exception of Woodend Farm steading which sits at a high point within the site. Existing access is obtained along a narrow track at the eastern end of the site. This track also gives access to a Scottish Water facility, the John Muir Way and Callendar Park and Woods. The northern periphery is defined by a Grade C listed sandstone wall which forms the boundary with Callendar Park and Woods. New Hallglen Road runs along the southern and western boundaries. The change in levels between this road and the site is significant in places, resulting in a steep slope along the southern boundary.

- 1.3 Woodend Farm Steading is an attractive sandstone building with living accommodation and stable block located around a central courtyard. The building has suffered previous damage including a fire in 2018. Much of the roof is now missing and where it remains it is generally in a poor condition.
- 1.4 A central land corridor through the site is undevelopable due to a large Scottish Water water-main running through the site. This water-main has a significant stand-off zone either side.
- 1.5 The following information has been submitted in support of the application:-
- Air Quality Impact Assessment
 - Bat Species Protection Plan
 - Bat Survey
 - Coal Mining Assessment
 - Contaminated Land Statement and Survey
 - Cultural Heritage Assessment
 - Demolition Plan
 - Demolition Statement
 - Design and Access Statement
 - Drainage Strategy
 - Landscape and Visual Impact Assessment
 - Landscape Design Strategy
 - Pre-Application Consultation Report
 - Protected Species Report
 - Residential Travel Plan
 - Road Safety Audit
 - Site Survey
 - SNH Licensing Tests Statement
 - Stage 1 Road Safety Audit
 - Structural and Conditional Survey for Steading and Wall
 - Surface Water Drainage Report
 - Transport Assessment
 - Tree Survey Report
 - Winter Hibernation Surveys
 - Full Set of Existing and Proposed Plans
- 1.6 The Design and Access Statement includes details of the proposal. It indicates:-
- 111 dwellings;
 - 100% affordable homes;
 - Significant demolition of a Grade C listed building with reconstruction, repair, alteration and extension of the building;
 - A new roundabout on New Hallglen Road;
 - Foot and cycle path links;
 - A single primary vehicle access route, leading to a series of secondary streets and shared spaces;
 - Additional planting;
 - Open space;
 - Connections to the John Muir Way and nearby Core Path, and
 - A sustainable urban drainage pond.

1.7 The Pre-Application Consultation Report records the following:-

- The public event took the form of a staffed public exhibition which was held on 26th April 2018, from 10am to 1pm, 2pm to 5pm and then 6pm to 8pm at Ettrick Dochart Community Hall;
- 30-35 members of the public attended the sessions;
- A total of 24 feedback questionnaire forms were received by the applicant;
- The responses were generally in favour of putting new affordable housing on the site and refurbishing and retaining the listed building. Concerns were noted in relation to increased pressure on the existing infrastructure, including roads, healthcare and education. Concerns were raised in relation to the type of tenants who would be housed there and traffic management during construction.
- A separate meeting was also held by the applicants.
- The proposals were reviewed in the context of the feedback.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 Full Council consideration and a Pre-Determination Hearing are required for a major development that is significantly contrary to the Development Plan. The proposed development is considered to be significantly contrary to the Falkirk Local Development Plan (LDP), owing to the scale of the proposed housing within an area designated as countryside, outwith the defined settlement limits.
- 2.2 The report provides factual and background information in relation to the proposed development. No planning assessment of the proposal is included or implied.
- 2.3 The purpose of the pre-determination hearing is to provide the applicants and those who have made representations with an opportunity to be heard before a planning decision is taken at a later date, at a further meeting of the Full Council. After the predetermination hearing a further report will be prepared by officers. This report will provide an assessment of the application and a recommendation for the Council to consider before determining the application.

3. SITE HISTORY

- 3.1 Proposal of Application Notice PRE/2018/0002/PAN was received on 22nd February 2018 for the proposed development of land for residential use. The notice set out the proposals for community consultation. A pre application consultation report has been submitted with the application (see paragraph 1.7 above).
- 3.2 No Environmental Impact Assessment Screening Request was submitted by the applicant. However the proposed development has been screened and it is considered that an environmental impact assessment is not required and that the potential impacts of the proposed development can be the subject of targeted assessments as required.
- 3.3 A concurrent listed building application has been submitted for the 'Substantial Demolition of Former Farm Steading and Redevelopment to form 12 Dwellinghouses.' The reference for this application is P/19/0454/LBC.

- 3.4 The listed building was fire damaged towards the end of 2018. An application (reference P/19/0597/LBC) was submitted in September 2019 for remedial works to protect the remainder of the building in the area which has been damaged by fire. At the time of drafting this report, this application was still under consideration.

4. CONSULTATIONS

- 4.1 The Council's Roads Development Unit have advised that the development is acceptable in terms of their requirements. The site access would be from a roundabout installed on New Hallglen Road at the far north west of the site. The internal road layout is a mix of standard construction roads and shared surface areas, with associated footways, remote footpaths, visitor parking spaces and private parking courts. The current layout is designed in accordance with the National Roads Design Guidance. A new footpath link adjacent to the underpass with a controlled crossing facility on New Hallglen Road would allow for a level access from the road to the site.
- 4.2 Surface water is proposed to discharge in to the West Quarter Burn and a detention basin is proposed to treat and attenuate this water run-off to an acceptable standard. Drainage should be designed to ensure that flow routes are maintained and ponding does not occur. The proposed drainage site layout indicates that some finished floor levels are below current ground level for some properties to the North of the site.
- 4.3 SEPA flood maps indicate that the site is not at risk of fluvial (river or stream) or pluvial (rain) flooding. The site, including the access route is not in an area at risk from flooding.
- 4.4 The Council's Transport Planning Unit (TPU) offered the following comments (paras 4.5-4.18).
- 4.5 The extension of the footway network along the east and north side of New Hallglen Road to tie into the existing provision from the roundabout access is welcomed. Footways should be 2m wide.
- 4.6 To make the site more accessible, in line with current policy, the preference would be for a controlled at-grade crossing facility to be installed on New Hallglen Road, to the south of the existing northbound bus layby and underpass.
- 4.7 The proposed footpath connection to the south of plot 104 should be a minimum of 3m wide to cater for pedestrians and cyclists, and have adequate lighting.
- 4.8 The proposed connections to the Core Path Network/John Muir Way on the east side of the development should be widened to a minimum of 3m to cater for pedestrians and cyclists. This should include a suitable link between plots 37 and 58, and the connection north of plot 21.
- 4.9 The proposed cycle storage for visitors should ideally be covered.
- 4.10 The site is served by existing bus services on New Hallglen Road, but only currently in a northbound direction which will require users to cross New Hallglen Road.

- 4.11 The nearest northbound bus stop is located on New Hallglen Road between the Findhorn Place and Dochart Place junctions. This location allows the site to be served by existing bus services within the required 400m walking threshold. However, in order to make the bus stop more accessible for all users from the site, an at-grade crossing should be incorporated.
- 4.12 The proposed access roundabout onto New Hallglen Road is acceptable in capacity terms. The pedestrian crossing point will require relevant dropped kerbs and tactile paving to be incorporated, together with suitable measures on the approaching footpaths on either side of the access road to prevent pedestrians/cyclists from travelling straight across the access road.
- 4.13 The proposed Masterplan (Dwg. No. PL-AL(0)101) does not appear to incorporate the proposed widening of the nearside kerbline on the access road, nor does it include the proposed realignment of the existing footpath to the north of the access roundabout. The Masterplan should be amended to reflect current thinking.
- 4.14 A Stage 2 road safety audit should be carried out on the detailed design of the proposed access roundabout prior to implementation, followed by a Stage 3 Road Safety Audit within 1 month of opening. Any required changes to the design as a consequence of the road safety audits should be implemented by the applicant.
- 4.15 The proposed phasing plan (Dwg. No. PL-AL(0)112) suggests that the roads/drainage infrastructure will be provided in the first phase. This should include all relevant footway/footpaths through the site, connections to the wider network, the extension of the footway along New Hallglen Road and the installation of the pedestrian crossing facility on New Hallglen Road.
- 4.16 In terms of development, the proposed phasing suggests that the furthestmost part of the site will be developed first. Access to phases 2 and 3 will then need to be maintained and managed through phase 4, whilst phase 4 is being constructed.
- 4.17 The Council's Environmental Protection Unit(EPU) have advised that noise need not be considered as a determining factor in consideration of this application. A condition is recommend in relation to contaminated land, due to unknown filled ground within the site boundaries, extensive mining underlying the site and surrounding area and potentially other contaminating activities within 250m of the site.
- 4.18 EPU advise that the Air Quality Assessment is satisfactory. Increased road traffic from the development has been fully assessed with impacts at the nearest human receptors being stated as negligible. It is unlikely that air quality / dust issues would arise if the mitigation measures outlined in Appendix F of the document are fully implemented with regards to the construction phase of the development. All legislation, policies and guidance referenced within the report are current, applicable and correct.
- 4.19 The Council's Children's Services have confirmed that the site falls within the catchments for Hallglen Primary School, St Andrew's RC Primary, Graeme High School and St Mungo's RC High School.
- 4.20 Hallglen Primary School - The proposal can be expected to generate 25-30 additional pupils for Hallglen primary school. The school currently has sufficient capacity to accommodate the proposed development.

- 4.21 St Andrew's RC Primary School has sufficient capacity to accommodate the additional pupils expected to arise from the proposed development.
- 4.22 Graeme High School will experience capacity pressures in the next 5-10 years due to the collective pressure of new housing development in the catchment area. All new volume developments, such as this, are requested to contribute, pro-rata, to the necessary investment in additional capacity that will be required.
- 4.23 St Mungo's RC High School has sufficient capacity to accommodate the additional pupils expected to arise from this development.
- 4.24 Nursery provision - nursery provision in the area is currently being expanded and is expected to have sufficient capacity to accommodate this proposal.
- 4.25 In accordance with the current Supplementary Guidance the following pro-rata contributions towards local education provision are necessary –

Graeme High School	81 houses @ £2,100 per house	=	£170,100
	14 flats @ £1,050 per flat	=	£14,700
	Total Contribution		£184,800

One-bedroomed units are not included in the calculations.

- 4.26 Supplementary Guidance SG10: Educational and New Housing Development is under review. It has been approved at Executive and sent to the Scottish Government for confirmation. Once this has been formally approved, it will amend the education contributions. The total contribution required as part of this application may therefore increase.
- 4.27 Scottish Water have advised they have no objections to the proposal. There is currently sufficient capacity in the Carron Valley Water Treatment Works and Kinneil Kerse Waste Water Treatment Works. However, further investigations may be required once a formal application has been submitted to Scottish Water.
- 4.28 The site is located adjacent to an existing Scottish Water reservoir and a 27" water main runs through the site. This main requires a significant stand-off distance.
- 4.29 Scottish Water will not accept any surface water connections into the combined sewer system.
- 4.30 The Scottish Environmental Protection Agency (SEPA) advised that they have no objections to the planning application.
- 4.31 They have advised that the heat demand should be met from district heating, subject to the outcome of a feasibility statement. The development must enable connection to a heat network or heat producer, unless it can be demonstrated that this would not be feasible. An energy statement informed by a feasibility study should be provided for assessment.

- 4.32 Water quality, quantity and morphology (physical form) should be considered. Surface water from all developments should be treated by SUDS. The proposal to connect waste water to the public sewer is acceptable. There are no Controlled Activities Regulations authorised groundwater abstractions or registered groundwater-fed private water supplies (according to SEPA mapping) in the vicinity of the proposal. Space should be designated within the planning application site layout to allow for the separation and collection of waste, consistent with the type of development proposed.
- 4.33 The proposal is within a Development High Risk Area, defined by the Coal Authority, and a mine entry is mapped within around 250m of the proposed site boundary. A Coal Mining Risk Assessment would be required. The development will require a Construction Site Licence due to its size.
- 4.34 Advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters. This is also the case with local air quality management. SEPA have reviewed the Air Quality Impact Assessment. The assessment method is acceptable and the results indicate a negligible impact on local air quality and no predicted exceedances of air quality objectives with the scheme in place.
- 4.35 Historic Environment Scotland have considered the information received and do not have any comments to make on the proposals. The decision not to provide comments should not be taken as support for the proposals.
- 4.36 Falkirk Community Trust Museum Services have advised the amount of down-taking in the existing quadrangle necessary for this development is surprising and where possible the present stone margins should be used in their original positions during the rebuild. However, it is appreciated that the condition of the present steading is such that drastic action is required to retain the best elements of it.
- 4.37 The proposed layout of new blocks rather crowds the existing building and the linear arrangement with the south facades of blocks 2 and 4 aligned with it looks like town planning rather than the country setting that might be expected. Museum Services would prefer to see these blocks staggered.
- 4.38 The Coal Authority have advised that the site falls within the defined Development High Risk Area. The applicant has obtained appropriate and up-to-date coal mining information for the proposed development site and has used this information to inform the Coal Mining Risk Assessment Report. This report has concluded that probable shallow workings pose a risk to the surface stability of the application site. Therefore, the report recommends that intrusive site investigations are undertaken to determine the exact ground conditions of the application site and the presence or otherwise of shallow workings. A subsequent scheme of remedial measures may be required to consolidate workings. The Coal Authority agrees with the conclusions and recommendations in the report and recommends the use of a condition to require further site investigations and remedial works where necessary. The Coal Authority have no objections subject to the imposition of a condition.

- 4.39 Scottish Natural Heritage (SNH) have advised that bats (which are a protected species) are present within the development site. Even with the mitigation set out in the species protection plan submitted by the applicant, a licence from SNH will be required by the applicant before development can proceed. Based on the information currently available to SNH, it is likely that the tests would be met and therefore that a licence would be granted. There would be no detrimental impact on the favourable conservation status of bat populations. SNH recommend that alternative roosting sites for bats are planned and provided as part of the new housing development.
- 4.40 It is possible that the former farm steading is occupied by barn owls. Some sections of the building are inaccessible. Construction works on the farm buildings should avoid the barn owl nesting season which runs from March through to the end of August.
- 4.41 The John Muir Way runs along the eastern boundary of the site. It is proposed to retain the hedgerow and mature trees in this area and SNH is supportive of this proposal as it should help to retain the amenity value for users of the John Muir Way. It is understood that the footpath will remain open.
- 4.42 Police Scotland have completed a crime pattern analysis. There is continuing high risk of metal theft and or plant theft throughout Scotland. Appropriate security measures during construction should be considered.
- 4.43 Police Scotland would strongly recommend that consideration be given to the main principles of crime prevention through environmental design.
- 4.44 Scottish Wildlife Trust, Scottish Rights of Way and Access Society and NHS Forth Valley have not provided consultation responses at the time of writing this report. If consultation response are received following this, an update will be provided at the hearing.

5. COMMUNITY COUNCIL

- 5.1 Falkirk South Community Council is inactive at this time.

6. PUBLIC REPRESENTATION

- 6.1 At the time of writing, no public representations have been received in response to the application.

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

7a.1 The Falkirk Local Development Plan (LDP) 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. It is considered that the proposed development should be assessed against the policies set out below.

7a.2 The application site lies beyond the urban limit and within the designated countryside as defined in the LDP. The urban area is defined by the existing settlements of Falkirk, Lionthorn and Princes Park to the north and west and Lauriston and Redding to the east and south east. Hallglen and Glen Village form a small island of urban land separate from these neighbouring areas, with the countryside expanding beyond and around these boundaries.

7a.3 The LDP sets out the Council's vision for the Falkirk area. It is:-

‘A dynamic and distinctive area at the heart of Central Scotland, characterised by a network of thriving communities and greenspaces and a vibrant and growing economy which is of strategic significance in the national context, providing an attractive and sustainable place in which to live, work, visit and invest’.

7a.4 The key strategic objectives, to achieve the vision, are set out in the LDP. They are:-

Thriving Communities

- To facilitate continued population and household growth and the delivery of housing to meet the full range of housing needs;
- To build sustainable attractive communities which retain a strong identity and sense of place;
- To ensure that infrastructure is provided to meet the transport, education, recreation and healthcare needs of the growing population, and to support the growth of the economy.

Growing Economy

- To develop the area's economic potential and establish it as a major component in the Scottish economy;
- To strengthen the area's transport connections to the rest of Scotland and global markets;
- To make our town centres vibrant and economically viable focal points within our communities.

Sustainable Place

- To contribute to climate change mitigation and adaptation;
- To extend and improve the green network and protect the area's national heritage;
- To improve the sense of place in our towns and villages and to protect, enhance and promote our historic environments; and
- To manage natural resources and waste sustainably.

7a.5 The key strategic objectives inform the spatial strategy of the LDP. The spatial strategy indicates how the area is intended to grow and develop over the plan period in terms of housing, infrastructure, countryside and green belt, business development, town centres and the green network. The overall strategy will continue to be one of sustainable growth, and the key elements will be:-

- 675 new homes each year on average, distributed around the area, but with a focus on 12 Strategic Growth Areas;
- A diverse portfolio of business sites at 4 Strategic Business Locations, focused on the M9/M876/A801 corridor;
- A range of strategic transport, education, drainage, flood management and healthcare infrastructure to support growth;
- A continuing green belt to maintain the identity of settlements and manage growth;
- A network of Principal, District and Local Centres as the focus for retailing, commercial leisure and services; and
- A multi-functional Falkirk Green Network comprising a number of interconnected components and corridors.

7a.6 In response to the Spatial Strategy, the LDP contains a range of strategic policies and supporting policies. The strategic policies of relevance to this application are:-

- Policy HSG01 'Housing Growth';
- Policy CG01 'Countryside';
- Policy GN01 'Falkirk Green Network'; and
- Policy D01 'Placemaking'.

The relevant strategic policies and supporting policies are set out in paragraphs 7a.8 onwards.

7a.7 The Settlement Statement for Falkirk includes the following:-

'The theme of housing led urban renewal will continue, with a corridor of regeneration identified along the Forth & Clyde Canal...There are also housing opportunities in and around the Town Centre..'

'The other major focus for housing growth in Falkirk will be the continued development of the Mungla/Cauldhame Farm area of north Falkirk...Green belt on the eastern, northern and western boundaries of the town will remain an important tool in the settlement strategy. Greenfield development to the south of the town will also be resisted.'

7a.8 Policy HSG01 - Housing Growth states:-

1. *The Council will aim to achieve an average housing growth of 675 dwellings per year across the Council area over the Plan period, and will ensure that a five year effective land supply is maintained;*
2. *The Council will monitor and update the effective housing land supply figures annually to make sure that a minimum five year supply is maintained at all times. If this Housing Land Audit process identifies a shortfall in the effective land supply, the Council will consider supporting sustainable development proposals that are effective, in the following order of preference:*

- Urban Capacity sites*
- Additional brownfield sites*
- Sustainable greenfield sites*

In doing so, account will be taken of other local development plan policies and of any adverse impacts that would significantly and demonstrably outweigh the benefits of the proposal.

3. *The overall scale of housing allocations in each settlement area to meet the target level of growth, including flexibility, will be as shown in Figure 3.1.*
4. *The specific sites where new housing will be promoted are listed in the Settlement Statements, and detailed in the Site Schedule in Appendix 1.*
5. *The locations for most significant growth are identified as Strategic Growth Areas (SGAs). Within these areas, the preparation of development frameworks, masterplans and briefs, as appropriate, and the co-ordination of social and physical infrastructure provision, will be a particular priority. Site requirements are set out in Appendix 2.*

7a.9 Policy HSG02 - Affordable Housing states:-

New housing developments of 20 units and over will be required to provide a proportion of the units as affordable or special needs housing as set out in Figure 5.1. The approach to provision should comply with Supplementary Guidance SG12 "Affordable Housing".

Proportion of total site units required to be affordable

Larbert/Stenhousemuir, Polmont Area, Rural North and Rural South - 25%

Bo'ness, Bonnybridge/Banknock, Denny, Falkirk and Grangemouth - 15%

Copy of Figure 5.1 Affordable Housing Requirements in Settlement Areas

7a.10 Policy HSG04 - Housing Design states:-

The layout, design and density of the new housing development should conform with any relevant site-specific design guidance, Supplementary Guidance SG02 'Neighbourhood Design' and the Scottish Government's policy on 'Designing Streets'. Indicative site capacities in the site schedules may be exceeded where a detailed layout demonstrates that a high quality design solution, which delivers the requisite level of residential amenity, has been achieved.

7a.11 Policy INF02 - Developer Contributions to Community Infrastructure states:-

Developers will be required to contribute towards the provision, upgrading and maintenance of community infrastructure where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The nature and scale of developer contributions will be determined by the following factors:

- 1. Specific requirements identified against proposals in the LDP or in development briefs;*
- 2. In respect of open space, recreational, education and healthcare provision, the general requirements set out in Policies INF04, INF05 and INF06;*
- 3. In respect of physical infrastructure any requirements to ensure that the development meets sustainability criteria;*
- 4. In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*
- 5. Where a planning obligation is the intended mechanism for securing contributions, the principles contained in Circular 3/2012.*

In applying the policy, consideration of the overall viability of the development will be taken into account in setting the timing and phasing of payments.

7a.12 Policy INF04 - Open Space and New Residential Development states:-

Proposals for residential development of greater than 3 units will be required to contribute to open space and play provision. Provision should be informed by the Council's open space audit, and accord with the Open Space Strategy and the Supplementary Guidance SG13 on 'Open Space and New Development', based on the following principles:

- 1. New open space should be well designed; appropriately located; functionally sized and suitably diverse to meet different recreational needs in accordance with criteria set out in Supplementary Guidance SG13 'Open Space and New Development'.*

2. *Where appropriate, financial contributions to off-site provision, upgrading, and maintenance may be sought as a full or partial alternative to direct on-site provision. The circumstances under which financial contributions will be sought and the mechanism for determining the required financial contribution is set out in Supplementary Guidance SG13 'Open Space and New Development'.*
3. *Arrangements must be made for the appropriate management and maintenance of new open space.*

7a.13 Policy INF05 - Education and New Housing Development states:-

Where there is insufficient capacity within the catchment school(s) to accommodate children from new housing development, developer contributions will be sought in cases where improvements to the school are capable of being carried out and do not prejudice the Council's education policies. The contribution will be a proportionate one, the basis of which is set out in Supplementary Guidance SG10 'Education and New Housing Development'. Where proposed development impacts adversely on Council nursery provision, the resourcing of improvements is also addressed through the Supplementary Guidance.

In circumstances where a school cannot be improved physically and in a manner consistent with the Council's education policies, the development will not be permitted.

7a.14 Policy INF06 - Healthcare and New Housing Development states:-

In locations where there is a deficiency in the provision of health care facilities identified by NHS Forth Valley, developer contributions will be sought to improve the quantity and quality of such provision commensurate with the impact of the new development. The approach to the improvement of primary healthcare provision will be set out in Supplementary Guidance SG11 'Healthcare and New Housing Development'.

7a.15 Policy INF07 - Walking and Cycling states:-

1. *The Council will safeguard and promote the development of the core path network. Where appropriate, developer contributions to the implementation of the network will be sought.*
2. *New development will be required to provide an appropriate standard of pedestrian and cycle infrastructure, including cycle parking, which complies with current Council guidelines and meets the following criteria:*
 - *Where appropriate, infrastructure supporting the two modes of walking and cycling should be combined and support objectives in agreed Travel Plans helping to support active travel;*
 - *Pedestrian and cycle facilities in new developments should offer appropriate links to existing networks in surrounding areas, in particular to facilitate school journeys and provide connections to public transport, as well as links to other amenities and community facilities;*

- *The surfacing, lighting, design, maintenance and location of pedestrian and cycle routes should promote their safe use. Particular emphasis should be given to the provision of suitable lighting, and the provision of suitably designed and located crossing facilities where routes meet the public road network;*
- *Where practical, no pedestrian route should be obstructed by features that render it unsuitable for the mobility impaired.*

7a.16 Policy INF08 - Bus Travel and New Development states:-

1. *New development will be required to provide appropriate levels of bus infrastructure or suitable links to existing bus stops or services, as identified within travel plans, taking account of the 400m maximum walking distance required by SPP. This provision will be delivered through direct funding of infrastructure and/ or the provision of sums to support the delivery of bus services serving the development.*
2. *Bus infrastructure should be provided at locations and to phasing agreed with the Council, and designed in accordance with the standards set out in current Council guidelines.*
3. *New development, where appropriate, should incorporate routes suitable for the provision of bus services. Bus facilities within new developments should offer appropriate links to existing pedestrian networks in surrounding areas. Alternatively, new development should be linked to existing bus infrastructure via pedestrian links as described in Policy INF07.*

7a.17 Policy INF10 - Transport Assessments states:-

1. *The Council will require transport assessments of developments where the impact of the development on the transport network is likely to result in a significant increase in the number of trips, and is considered likely to require mitigation. The scope of transport assessments will be agreed with the Council and in the case of impact on trunk roads, also with Transport Scotland.*
2. *Transport assessments will include travel plans and, where necessary, safety audits of proposed mitigation measures and assessment of the likely impacts on air quality as a result of proposed development. The assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over use of the car.*
3. *The Council will only support development proposals where it is satisfied that the transport assessment and travel plan has been appropriately scoped, the network impacts properly defined and suitable mitigation measures identified.*

7a.18 Policy INF11 - Parking states:-

The Council will manage parking provision as an integral part of wider transport planning policy to ensure that road traffic reduction, public transport, walking, cycling and safety objectives are met.

- 1. The scale of public parking provision in Falkirk Town Centre will be maintained broadly at its current level and any proposed change to parking provision will be assessed against its effect on the vitality and viability of the centre.*
- 2. The feasibility of promoting Park and Ride facilities on the road corridors into Falkirk Town Centre will continue to be investigated.*
- 3. Parking in District and Local Centres will be managed to promote sustainable travel and the role of the centres.*
- 4. New parking will be provided to support the strategic role of railway stations, with priority given to new provision at Falkirk High. Where possible, the provision of new off street parking facilities will be associated with traffic management and other measures to reduce uncontrolled on-street parking.*
- 5. The maximum parking standards set out in the SPP will be applied to new development, where relevant, in tandem with the Council's minimum standards. Where the minimum standards cannot be met, developer contributions to enhance travel plan resources may be required in compensation.*

7a.19 Policy INF12 - Water and Drainage Infrastructure states:-

- 1. New development will only be permitted if necessary sewerage infrastructure is adopted by Scottish Water or alternative maintenance arrangements are acceptable to SEPA.*
- 2. Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation.*
- 3. A drainage strategy, as set out in PAN61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment.*

7a.20 Policy CG01 - Countryside states:-

The Urban and Village Limits defined on the Proposals Map represent the limit to the expansion of settlements. Land outwith these boundaries is designated as countryside, within which development will be assessed in the terms of the relevant supporting countryside policies (Policies CG03 and CG04), and Supplementary Guidance SG01 'Development in the Countryside'.

7a.21 Policy CG03 - Housing in the Countryside states:-

Proposals for housing development in the countryside of a scale, layout and design suitable for its intended location will be supported in the following circumstances:

- 1. Housing required for the pursuance of agriculture, horticulture, or forestry, or the management of a business for which a countryside location is essential;*
- 2. Restoration or replacement of houses which are still substantially intact, provided the restored/replacement house is of a comparable size to the original;*
- 3. Conversion or restoration of non-domestic farm buildings to residential use, including the sensitive redevelopment of redundant farm steadings;*
- 4. Appropriate infill development;*
- 5. Limited enabling development to secure the restoration of historic buildings or structures; or*
- 6. Small, privately owned gypsy/traveller sites which comply with Policy HSG08.*

Detailed guidance on the application of these criteria will be contained in Supplementary Guidance SG01 'Development in the Countryside'. Proposals will be subject to a rigorous assessment of their impact on the rural environment, having particular regard to policies protecting natural heritage and the historic environment.

7a.22 Policy GN01 - Falkirk Green Network states:-

- 1. The Council will support the Central Scotland Green Network in the Falkirk area through the development and enhancement of a multi-functional network of green components and corridors as defined in Map 3.5.*
- 2. Within the green network, biodiversity, habitat connectivity, active travel, recreational opportunities, landscape quality, placemaking, sustainable economic development and climate change adaptation will be promoted, with particular reference to the opportunities set out in the Settlement Statements, and detailed in the Site Schedule in Appendix 1.*
- 3. New development, and in particular the strategic growth areas and strategic business locations, should contribute to the green network, where appropriate, through the integration of green infrastructure into masterplans or through enabling opportunities for green network improvement on nearby land.*

7a.23 Policy GN02 - Landscape states:-

1. *The Council will seek to protect and enhance landscape character and quality throughout the Council area in accordance with Supplementary Guidance SG09 'Landscape Character Assessment and Landscape Designations.*
2. *Priority will be given to safeguarding the distinctive landscape quality of the Special Landscape Areas identified on the Proposals Map.*
3. *Development proposals which are likely to have a significant landscape impact must be accompanied by a landscape and visual assessment demonstrating that, with appropriate mitigation, a satisfactory landscape fit will be achieved.*

7a.24 Policy GN03 - Biodiversity and Geodiversity states:-

The Council will protect and enhance habitats and species of importance, and will promote biodiversity and geodiversity through the planning process. Accordingly:

1. *Development likely to have a significant effect on Natura 2000 sites (including Special Protection Areas, Special Areas of Conservation, and Ramsar Sites) will be subject to an appropriate assessment. Qualifying features of a Natura 2000 site may not be confined to the boundary of a designated site. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions, and there are imperative reasons of overriding public interest. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers).*
2. *Development affecting Sites of Special Scientific Interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of national importance.*
3. *Development likely to have an adverse effect on European protected species, a species listed in Schedules 5, 5A, 6, 6A and 8 of Wildlife and Countryside Act 1981 (as amended), or a species of bird protected under the Wildlife and Countryside Act 1981 (as amended) will only be permitted where the applicant can demonstrate that a species licence is likely to be granted.*

4. *Development affecting Local Nature Reserves, Wildlife Sites, Sites of Importance for Nature Conservation and Geodiversity Sites (as identified in Supplementary Guidance SG08 'Local Nature Conservation and Geodiversity Sites'), and national and local priority habitats and species (as identified in the Falkirk Local Biodiversity Action Plan) will not be permitted unless it can be demonstrated that the overall integrity of the site, habitat or species will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance.*
5. *Where development is to be approved which could adversely affect any site or species of significant nature conservation value, the Council will require appropriate mitigating measures to conserve and secure future management of the relevant natural heritage interest. Where habitat loss is unavoidable, the creation of replacement habitat to compensate for any losses will be required, along with provision for its future management.*
6. *All development proposals should conform to Supplementary Guidance SG05 'Biodiversity and Development'.*

7a.25 Policy GN04 - Trees, Woodland and Hedgerows states: -

The Council recognises the ecological, landscape, economic and recreational importance of trees, woodland and hedgerows. Accordingly:

1. *Felling detrimental to landscape, amenity, nature conservation or recreational interests will be discouraged. In particular ancient, long-established and semi-natural woodlands will be protected as a habitat resource of irreplaceable value;*
2. *In an area covered by a Tree Preservation Order (TPO) or a Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, stability or appearance of the trees. Where necessary, endangered trees and woodlands will be protected through the designation of further TPOs;*
3. *Development which is likely to affect trees should comply with Supplementary Guidance SG06 'Trees and Development', including the preparation where appropriate of a Tree Survey, Constraints Plan, and Tree Protection Plan. Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting appropriate in terms of number, size, species and position;*
4. *The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a woodland area is integral to a development proposal, developers will normally be required to prepare and implement an appropriate Management Plan; and*
5. *There will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to the historic landscape character.*

7a.26 Policy GN05 - Outdoor Access states:-

The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network, and routes which support the development of the Green Network. When considering development proposals, the Council will:

- 1. Safeguard the line of any existing or proposed access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;*
- 2. Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and*
- 3. Where an access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.*

7a.27 Policy D01 - Placemaking states: -

The following locations are regarded as key opportunities for placemaking within the area, within which there will be a particular emphasis on high quality design and environmental enhancement:

- 1. Strategic Housing Growth Areas & Business Locations*
- 2. Town and Village Centres*
- 3. Town Gateways and Major Urban Road Corridors*
- 4. Canal Corridor*
- 5. Central Scotland Green Network*

7a.28 Policy D02 - Sustainable Design Principles states:-

New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:

- 1. Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;*
- 2. Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create buildings and spaces that are attractive, distinctive, welcoming, adaptable, safe and easy to use;*
- 3. Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;*
- 4. Climate Change & Resource Use. Development should promote the efficient use of natural resources and the minimisation of greenhouse gas emissions through energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;*

5. *Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and*
6. *Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.*

Masterplans will be required for significant development proposals requiring a co-ordinated approach to design and infrastructure, and should demonstrate how the above principles have been incorporated into the proposals.

Masterplans should be informed by a development framework or brief where relevant.

7a.29 Policy D03 - Urban Design states:-

New development should create attractive and safe places for people to live, work and visit. Accordingly:

1. *Development proposals should conform with any relevant development framework, brief or masterplan covering the site. Residential proposals should conform with Supplementary Guidance SG02 'Neighbourhood Design';*
2. *The siting, density and design of new development should create a coherent structure of streets, public spaces and buildings which respects and complements the site's context, and creates a sense of identity within the development;*
3. *Street layout and design should generally conform with the Scottish Government's policy document 'Designing Streets';*
4. *Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality architectural or landscape treatment;*
5. *Development proposals should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, and contributes, where appropriate, to the wider green network;*
6. *Development proposals should create a safe and secure environment for all users through the provision of high levels of natural surveillance for access routes and public spaces; and*
7. *Major development proposals should make provision for public art in the design of buildings and the public realm.*

7a.30 Policy D04 - Low and Zero Carbon Development states: -

1. *All new buildings should incorporate on-site low and zero carbon-generating technologies (LZCGT) to meet a proportion of the overall energy requirements. Applicants must demonstrate that 10% of the overall reduction in CO2 emissions as required by Building Standards has been achieved via on-site LZCGT. This proportion will be increased as part of subsequent reviews of the LDP. All proposals must be accompanied by an Energy Statement which demonstrates compliance with this policy. Should proposals not include LZCGT, the Energy Statement must set out the technical or practical constraints which limit the application of LZCGT. Further guidance will be contained in Supplementary Guidance SG15 'Low and Zero Carbon Development'. Exclusions from the requirements of this policy are:*
 - *Proposals for change of use or conversion of buildings;*
 - *Alterations and extensions to buildings;*
 - *Stand-alone buildings that are ancillary and have an area less than 50 square metres;*
 - *Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection;*
 - *Temporary buildings with consent for 2 years or less; and*
 - *Where implementation of the requirement would have an adverse impact on the historic environment as detailed in the Energy Statement or accompanying Design Statement.*
2. *The design and layout of development should, as far as possible, seek to minimise energy requirements through harnessing solar gain and shelter;*
3. *Decentralised energy generation with heat recycling schemes (combined heat and power and district heating) will be encouraged in major new developments, subject to the satisfactory location and design of associated plant. Energy Statements for major developments should include an assessment of the potential for such schemes.*

7a.31 Policy D08 - Sites of Archaeological Interest states:-

1. *Scheduled ancient monuments and other identified nationally important archaeological resources will be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting will not be permitted unless there are exceptional circumstances;*
2. *All other archaeological resources will be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications; and*
3. *Developers may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development.*

7a.32 Policy D09 - Listed Buildings states:-

The Council supports the sustainable re-use and management of the historic built environment, and on that basis there is a presumption against demolition or any other works that would adversely affect the special interest or setting of a listed building. The Council recognises, however, that listed buildings will require alteration, extension and adaptation from time to time to remain in beneficial use and encourages creative and sensitive development where there are no such adverse effects. Accordingly:

- 1. The layout, design, materials, scale, siting and use of any development affecting a listed building, or its setting, including extensions, replacement windows, doors, roofs, rainwater goods, boundary treatments and other features, shall be appropriate to the character and appearance of the building and its setting, and should conform to Supplementary Guidance SG16 'Design Guidance for Listed Buildings and Non-Listed Buildings in Conservation Areas'.*
- 2. Proposals for the total or substantial demolition of a listed building will only be supported where it is demonstrated beyond reasonable doubt that every effort has been made by all concerned to find practical ways of keeping it. In particular it should be demonstrated that:*
 - the existing building is no longer of special interest;*
 - the existing building is incapable of physical repair and re-use, as shown by the submission and verification of a thorough structural condition report;*
 - the costs of repair and re-use are such that it is not economically viable. Supporting evidence should include a full economic appraisal, evidence that grant aid is not able to meet any funding deficit, and evidence that the building has been actively marketed at a reasonable price and for a period reflecting its location, condition and possible viable uses without finding a restoring purchaser; or*
 - the demolition of the building is essential for the delivery of significant economic benefits for the local or wider community.*
- 3. RCAHMS will be formally notified of all proposals to demolish listed buildings to enable features to be recorded.*

7a.33 Policy D12 - Historic Gardens and Designed Landscapes states:-

- 1. There will be a presumption against development which would adversely affect the character or setting of sites identified in the 'Inventory of Gardens and Designed Landscapes in Scotland', as identified on the Proposals Map.*
- 2. The value of other historic gardens and designed landscapes not listed in the Inventory will be given due weight in the planning process, having regard to their historical significance, integrity and condition. Non-inventory sites will be identified within Supplementary Guidance SG09 'Landscape Character Assessment and Landscape Designations'.*
- 3. The Council will seek to encourage sensitive restoration and management of historic gardens and designed landscapes.*

7a.34 Policy RW04 - Agricultural Land, Carbon Rich Soils and Rare Soils states:-

1. *Development involving the significant permanent loss of prime quality agricultural land (Classes 1, 2 and 3.1), carbon rich soils (basin peat, blanket bog, peat alluvium complex, peaty podzols and peaty gleys) and rare soils (podzols, humus iron podzols and saltings) will not be permitted unless:*
 - *The site is specifically allocated for development in the LDP; or*
 - *Development of the site is necessary to meet an overriding local or national need where no other suitable site is available.*
2. *Planning applications for development which is likely to disturb areas of carbon rich or rare soil will be required to submit a soil or peat management plan which demonstrates that:*
 - *the areas of highest quality soil or deepest peat have been avoided;*
 - *any disturbance, degradation or erosion has been minimised through mitigation; and*
 - *any likely release of greenhouse gas emissions caused by disturbance is offset*

7a.35 Policy RW06 - Flooding states:-

1. *Development on the functional flood plain should be avoided. In areas where there is significant risk of flooding from any source (including flooding up to and including a 0.5% (1 in 200 year) flood event), development proposals will be assessed against advice and the Flood Risk Framework in the SPP. There will be a presumption against new development which would:*
 - *be likely to be at risk of flooding;*
 - *increase the level of risk of flooding for existing development; or*
 - *result in a use more vulnerable to flooding or with a larger footprint than any previous development on site.*
2. *Development proposals on land identified as being at risk from flooding, or where other available information suggests there may be a risk, will be required to provide a flood risk assessment that demonstrates that:*
 - *any flood risks can be adequately managed both within and outwith the site;*
 - *an adequate allowance for climate change and freeboard has been built into the flood risk assessment;*
 - *access and egress can be provided to the site which is free of flood risk; and*
 - *water resistant materials and forms of construction will be utilised where appropriate.*

3. *Where suitably robust evidence suggests that land contributes or has the potential to contribute towards sustainable flood management measures development will only be permitted where the land's sustainable flood management function can be safeguarded.*

7a.36 Policy RW07 - Air Quality states:-

The Council will seek to contribute to the improvement of air quality. Impacts on air quality will be taken into account in assessing development proposals, particularly within Air Quality Management Areas (AQMA's). An Air Quality Assessment may be required for developments that are within AQMA's or where the proposed development may cause or significantly contribute towards a breach of National Air Quality Standards. Development proposals that result in either a breach of National Air Quality Standards or a significant increase in concentrations within an existing AQMA will not be permitted unless there are over-riding issues of national or local importance.

7a.37 Policy RW09 - Waste Reduction in New Development states:-

All new development (including residential, commercial, business and industrial uses) should seek to minimise the production of construction waste and seek to recycle as much waste as possible, in accordance with the Zero Waste Plan. Proposals should:

1. *Identify the amount of construction waste to be produced and recycled;*
2. *Identify what measures are proposed to reduce the production of construction waste and to maximise the use of recycled materials on site;*
3. *Include appropriate provision for the collection and storage of waste and recyclable materials, including composting facilities.*
4. *Locate communal recycling facilities in an accessible and convenient location.*

7a.38 Policy RW10 - Vacant, Derelict Unstable and Contaminated Land states:-

Proposals that reduce the incidence of vacant, derelict, unstable and contaminated land will be supported, subject to compliance with other LDP policies, particularly those relating to development in the countryside. Where proposals involve the development of unstable or contaminated land, they will only be permitted where appropriate remediation or mitigation measures have been undertaken.

Falkirk Council Supplementary Guidance Forming Part of the LDP

7a.39 The following Falkirk Council Supplementary Guidance is relevant to the application:-

- SG01 'Development in the Countryside';
- SG02 'Neighbourhood Design';
- SG05 'Biodiversity and Development';
- SG06 'Trees and Development';
- SG09 'Landscape Character Assessment and Landscape Designations';
- SG10 'Education and New Housing Development';

- SG11 'Healthcare and New Housing Development';
- SG12 'Affordable Housing';
- SG13 'Open Space and New Development'; and
- SG15 'Low and Zero Carbon Development'.

7b Material Considerations

7b.1 The following considerations are considered to be relevant or potentially relevant to the determination of the application:-

Scottish Planning Policy

7b.2 Scottish Planning Policy (SPP) 2014 sets out national planning policies for the development and use of land. SPP recognises that the planning system has a vital role to play in delivering high quality places for Scotland and contributing towards sustainable economic growth. It contains the following two principal policies:-

- There is a presumption in favour of development that contributes to sustainable development; and
- Planning should take every opportunity to create high quality places by taking a design-led approach.

7b.3 In terms of 'sustainable development', SPP advises that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost. This means that policies and decisions should be guided by the following principles:-

- Giving due weight to net economic benefit;
- Responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- Supporting good design and the six qualities of successful places;
- Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- Supporting delivery of accessible housing, business, retailing and leisure development;
- Supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- Supporting climate change mitigation and adaptation including taking account of flood risk;
- Improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- Having regard to the principles for sustainable land use set out in the Land Use Strategy;

- Protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- Reducing waste, facilitating its management and promoting resource recovery; and
- Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Development Management

- 7b.4 SPP advises that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date development plans, the primacy of this plan is maintained, and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.
- 7b.5 Where relevant policies in a development plan are out-of date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration. Decision making should also take into account any adverse impacts that would significantly and demonstrably outweigh the benefits when assessed against the wider policies of the SPP. The same principles should be applied where a development plan is more than 5 years old.
- 7b.6 SPP advises that where a shortfall in the 5 year effective housing land supply emerges, development plan policies for the supply of housing will not be considered up-to-date. The Council's 2018/19 Housing Land Audit, dated August 2019, indicates that there is a 4.1 year effective housing land supply in the Falkirk Council area. This amounts to a shortfall of 599 units in terms of the requirement for a 5 year supply. The presumption in favour of development that contributes to sustainable development will therefore be a significant material consideration in determining this planning application. The principles of sustainable development are set out in paragraph 7b.3 above. Policy HSG01 of the LDP reflects the requirements of SPP and sets out the order of preference for sustainable development proposals as being urban capacity sites, then brownfield sites, and lastly sustainable greenfield sites.
- 7b.7 Where a plan is under review, SPP advises that it may be appropriate in some circumstances to consider whether granting planning permission would prejudice the emerging plan. Such circumstances are only likely to apply where the development proposed is so substantial or its cumulative effect would be so significant, that to grant planning permission would undermine the plan-making process by pre-determining decisions about the scale, location or phasing of new developments that are central to the emerging plan. Prematurity will be more relevant as a consideration the closer the plan is to adoption or approval.

Rural Development

7b.8 SPP advises that in pressurised areas (easily accessible from Scotland's cities and main towns) where ongoing development pressures are likely to continue, it is important to protect against unsustainable growth in car-based community and the suburbanisation of the countryside. This is particularly so when there are environmental assets such as sensitive landscapes or good quality agricultural land. In such circumstances, a more restrictive approach to new housing development is appropriate, and plans and decision making should generally:-

- Guide most new development to locations within or adjacent to settlements, and
- Set out the circumstances in which new housing outwith settlements may be appropriate.

Enabling Delivery of New Homes

7b.9 SPP advises that the planning system should:-

- Facilitate new housing development by identifying a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5 year supply of effective housing land at all times;
- Enable provision of a range of attractive, well designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- Have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stake-holders.

Sustainable Transport

7b.10 Paragraph 287 of SPP indicates that planning permission should not be granted for significant travel generating uses at locations which could increase reliance on the car and where:-

- Direct links to local facilities via walking and cycling networks are not available or cannot be made available;
- Access to local facilities via public transport would involve walking more than 400 metres; or
- The transport assessment does not identify satisfactory ways of meeting sustainable transport requirements.

7b.11 'Creating Places' is a policy statement on architecture and place making. 'Designing Streets' is a policy statement putting street design at the centre of place making.

Falkirk Council Housing Land Audit, August 2019

- 7b.12 As stated in paragraph 7b.6 of this report, the Council's 2018/19 Housing Land Audit, dated August 2019, indicates that there is a 4.1 year effective housing land supply. This amounts to a shortfall of 599 units in terms of the requirement for a 5 year effective supply. The shortfall reflects the difference between the 5 year housing land target (3,375 units) and the effective land supply (2,776 units). In addition to the effective land supply (2,776 units), private windfall and small sites may also make a contribution to the housing land supply.

Falkirk Local Development Plan 2 (LDP2)

- 7b.13 LDP2 is advancing towards adoption which is currently expected in July 2020. The Main Issues Report (MIR) was published in February 2017 and the MIR consultation concluded in May 2017. Proposed LDP2 was published in September 2018 and the consultation period ran from 27 September 2018 to 23 November 2018. The representations on proposed LDP2 were considered by the Council on 26 June 2019, following which the plan was submitted to Scottish Ministers in July 2019. The Examination into unresolved representations has recently commenced. LDP2 is expected to be adopted in autumn 2020 following conclusion of the Examination and the incorporation of recommended modifications arising from it.
- 7b.14 Proposed LDP2 provides the most recent indication of the Council's views in relation to Development Plan policy and constitutes a material consideration in determination of planning applications.
- 7b.15 LDP2 sets out a housing land requirement of 5130 units between 2020 and 2030 as opposed to the housing land requirement of 7907 units between 2014 and 2024 in the LDP. The housing land requirement may therefore reduce from 2020, with additional allocations being added to the supply and a consequential positive impact on any shortfall. However the situation will only be confirmed once the Proposed Plan has been through the Examination process and LDP2 is adopted.
- 7b.16 Under LDP2, the application site is within the boundary of the urban limit. It is allocated for housing under site H42 with an indicative capacity of 90 units and a site area of 4.7ha. The description reads as follows;

'New housing supply site. Greenfield site for Council housing forming extension to Hallglen. Masterplan required, supported by Landscape and Visual Assessment. Access to be taken off New Hallglen Road. Sensitive restoration of C-listed Woodend Farm building is required with setting safeguarded. Callendar Wood and boundary wall to be sensitively treated with suitable buffer, bearing in mind status as Inventory Garden and Designed Landscape. Comprehensive planting scheme required to screen new housing on exposed southern edge of site and mitigate landscape and visual impacts. Screen planting also required, to safeguard amenity of John Muir Way to the east. Linear central open space following water main should provide path connection from Woodend Walk to John Muir Trail. Education contributions required.'

Planning History

- 7b.17 The planning history for the site is summarised in section 3 of the report. This is a material consideration in the assessment of the application.

Consultation Responses

7b.18 The consultation responses are summarised in section 4 of the report. These responses are a material consideration in the assessment of the application.

Representations Received

7b.19 No representations have been received at the time of writing this report. If any representations are received they will be reported at the hearing.

8. SUMMARY

8.1 This report provides factual and background information in relation to the proposed development and no assessment is included or implied in the report. A full assessment of the planning issues raised will be presented to a subsequent meeting of the Council, following consideration of the matters discussed at this Hearing.

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pp Director of Development Services

Date: 05 November 2019

LIST OF BACKGROUND PAPERS

1. Falkirk Council Local Development Plan, July 2015.
2. SG01 'Development in the Countryside'.
3. SG02 'Neighbourhood Design'.
4. SG05 'Biodiversity and Development'.
5. SG06 'Trees and Development'.
6. SG09 'Landscape Character Assessment and Landscape Designations'.
7. SG10 'Education and New Housing Development'.
8. SG11 'Healthcare and New Housing Development'.
9. SG12 'Affordable Housing'.
10. SG13 'Open Space and New Development'.
11. SG15 'Low and Zero Carbon Development'.
12. Scottish Planning Policy 2014.
13. Creating Places Policy Statement.
14. Designing Streets Policy Statement.
15. Proposed Falkirk Local Development Plan 2, September 2018.
16. Falkirk Council Housing Land Audit, August 2019.

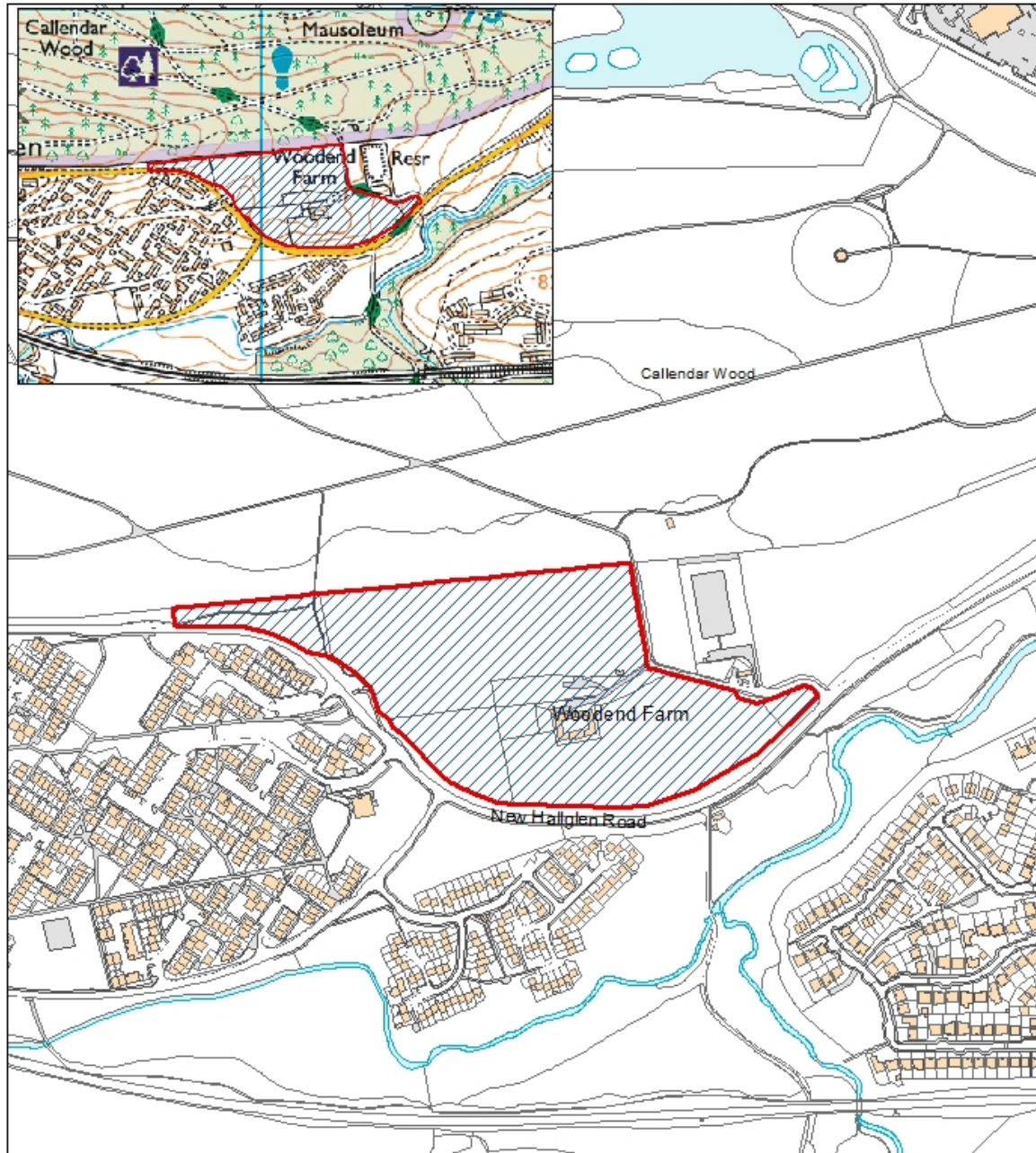
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504704 and ask for Katherine Chorley, Planning Officer.

Pre-determination Hearing

Planning Application Location Plan

P/19/0453/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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