



## **Agenda Item 8**

**PART-DEMOLITION, EXTENSION AND  
CONVERSION OF CHURCH  
(CLASS,10) TO FORM 15 FLATTED  
DWELLINGS WITH ASSOCIATED  
INFRASTRUCTURE AT  
ERSKINE CHURCH, HODGE STREET,  
FALKIRK, FK1 1BL, FOR ERSKINE  
COMMUNITY HALLS LTD -  
P/20/0364/FUL**

**FALKIRK COUNCIL**

**Subject:** PART-DEMOLITION, EXTENSION AND CONVERSION OF CHURCH (CLASS,10) TO FORM 15 FLATTED DWELLINGS WITH ASSOCIATED INFRASTRUCTURE AT ERSKINE CHURCH, HODGE STREET, FALKIRK, FK1 1BL, FOR ERSKINE COMMUNITY HALLS LTD - P/20/0364/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 21 January 2021

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Falkirk South

Councillor Lorna Binnie  
Councillor John Patrick  
Councillor Pat Reid

**Community Council:** No Community Council

**Case Officer:** Julie Seidel (Planning Officer), Ext. 4880

[View this Application on Public Access](#)

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 This application relates to the conversion of Erskine Church to form 15 flatted dwellings. The gothic church is a Category 'C' Listed building, near Falkirk Town Centre at Hodge Street.
- 1.2 The development includes the demolition of a single storey kitchen annexe at the rear elevation, replacement extension to the first and second floors, internal and external works to facilitate conversion and the formation of a new vehicular access and parking.

**2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application was called in by Councillor John Patrick, for the following reason:
  - The parking provision for 15 flats is not sufficient and access to and from the site by additional traffic is a potential danger at the road junction. The application requires review by committee.

**3. SITE HISTORY**

- 3.1 An application for Listed Building Consent (P/20/0361/LBC) for the same development is pending decision.

## **4. CONSULTATIONS**

- 4.1 Falkirk Council's Roads Development Unit note that the development would provide access via a one way system from Cockburn Street, exiting on to Hodge Street. Parking would be provided within the grounds of the church, off the one way access/exit route.
- 4.2 Parking provision for the proposed development should be 29 spaces, however, 15 spaces are shown within the application site. Whilst the site is not within the boundary of Falkirk Town Centre, as identified in the Development Plan (LDP2), the development is so close to the town centre boundary that the Unit are minded to accept a reduction in parking provision if the applicant could gain a few more spaces within the grounds of the development.
- 4.3 Falkirk Council's Environmental Protection Unit has not objected to the application.
- 4.4 Falkirk Council's Children's Services (Education) has not objected to the application. Local Catchment schools and nursery can accommodate the proposed development and contributions are not required
- 4.5 Scottish Water do not object to the application. There is sufficient capacity in Carron Valley water treatment works and Dalderse waste water treatment works to serve the proposed development.

## **5. COMMUNITY COUNCIL**

- 5.1 There is no active community council serving the application site area.

## **6. PUBLIC REPRESENTATION**

- 6.1 In the course of the application, 7 objections and 1 neutral representation were received, raising the following issues:
- Conversion of the church is supported, as it would preserve the building and stop it falling into disrepair;
  - The development may increase footfall in the town centre;
  - 15 flats is an over development of the site;
  - The development would conflict with the context of homes as described in LDP2 PE01;
  - Only one parking space per flat is proposed which is an under provision, contrary to policy LDP2 policy HC08 'Residential Extensions and Alterations';
  - There is an under provision of on-street parking in the area and the application would see the loss of two well used on-street spaces;
  - The entrance into the site is at a blind corner, with a busy road and roundabout;
  - The increased number of vehicles exiting through South Pleasance Lane could be a road safety hazard;
  - Pedestrian safety would also be affected. The site is close to schools and crossing points are used by children;
  - During construction there will be issues with contractors and lorries;
  - If this application is granted, double yellow lines should be added to South Pleasance Lane to ensure the footpath is maintained and to prevent parking;

- The proposed demolition and extension are not in keeping with the character of the listed building or conservation area;
- The placement of bins would increase litter in the area; and
- The proposed new windows would impact the privacy of neighbouring properties.

6.2 The Architectural Heritage Society of Scotland objected as follows:

- The adaptation of the building would ensure its survival, however, modern interventions to the exterior impact the historic aspects of the church and its character. The proposed glass turrets would not respect the gothic character of the building and would create a new silhouette which emphasises the turrets over the existing tower and roof;
- The development does not accord with supplementary guidance on residential extensions or development in conservation areas;
- The loss of traditional slate is unnecessary. The use of zinc and glass is inappropriate; and
- Professional relocation of the stained glass windows and church organ should be secured as part of the planning 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 \(LDP2\)](#) was adopted on 7 August 2020. The proposed development was assessed against the following policy or policies:

#### PE01 - Placemaking

7a.2 The application is supported by policy PE01 'Placemaking' as the development would promote the six qualities of successful places as defined in Scottish Planning Policy. The development would conserve and enhance a historic environment feature, securing its long term future. The scale, siting and design of the converted and extended church would respond positively to the site's surroundings and the townscape character of the area.

#### PE07 - Listed Buildings

7a.3 The Council supports, in principle, the sustainable re-use of the historic built environment. It is considered that the proposed development would result in the sensitive re-use of the listed building. The proposed alterations and extension would not adversely affect the character and appearance of the building or its special architectural or historical interest. The application accords with policy PE07 'Listed Buildings'.

#### PE09 - Areas of Townscape Value

7a.4 The re-use of the church would respect and maintain the distinctive character of the area, in accordance with policy PE09 'Areas of Townscape Value'.

PE20 - Trees, Woodland and Hedgerows

7a.5 The application site is covered by a Tree Preservation Order (TPO). The reuse of the building would not affect existing trees at the site. It is noted that existing trees to the front of the site are to be retained. The application does not offend policy PE20 'Trees', provided the landscaped frontage is maintained.

HC01 - Housing Land

7a.6 The application is supported by policy HC01 'Housing Land', as the development would make a modest contribution to the Council's effective 5 year supply of housing.

HC02 - Windfall Housing

7a.7 The development is considered to be brownfield as it would re-use an existing building. The proposed residential development would be compatible with neighbouring uses and a high level of residential amenity would be achieved. The site enjoys good accessibility by public transport, walking and cycling to shopping, recreation and other community facilities. Existing infrastructure can accommodate the proposed development and the site is not at risk from flooding. The application accords with policy HC02 'Windfall Housing'.

IR02 - Developer Contributions

7a.8 Policy IR02 'Developer Contributions' waives developer contributions for education and open space, for conversions of buildings to residential use (up to 50 units) within town centre boundaries. The application site is just outside Falkirk town centre boundary (as identified by the LDP2), the edge being defined by the 'Howgate' Shopping Centre. Contributions for education are not sought as local catchment schools and nursery provision can accommodate the proposed development. Open space contributions are not sought as the quantity, quality and accessibility of open space resources serving the development are considered to be sufficient.

IR09 - Parking

7a.9 Policy IR09 'Parking' advises that parking standards are applied to new development in accordance with the standards set in the National Roads Development Guide (NRDG). The NRDG (Section 3.5.4) advises that in main urban areas, a reduction in parking standard may be considered. Main urban areas are defined as those having frequent and extensive public transport and cycling and walking links, accessing education, healthcare, food shopping and employment. The application site is considered to be in a main urban area, where a reduction in parking is considered acceptable.

IR13 - Low and Zero Carbon Development

7a.10 The application is exempt from the requirements of policy IR13 'Low and Zero Carbon Development', as it relates to the conversion of an existing building.

PE17 - Open Space and New Development

7a.11 New development should generally incorporate open space where appropriate. In this instance, the development relates to the conversion of an existing church within a town centre location. There are no opportunities within the site to accommodate open space proposals. A landscape area to the front of the building, with existing mature trees, is to be retained which is considered acceptable within the context of the town centre location and setting of the listed building.

7a.12 Contributions for off-site open space will be sought where the quantity, quality or accessibility of open space is insufficient. Open space resources serving the development are assessed as follows:

#### Playspace

- The nearest playspace is Dollar Park which is 0.75km away from the site. The playspace is not listed as an investment priority in the Council's Open Space Strategy and no off-site playspace contributions are required.

#### Park/informal open space

- There is an open space area directly across from the application site at Falkirk Hospital. It is noted that there is likely to be development in this area in the future and the open space may or may not be retained. It is considered unreasonable to seek contributions for other further away informal open space (i.e. at Blinkbonny Park), because the hospital open space may be temporary. No informal open space contributions are required

#### Sports

- There is ample choice of sports areas in the locality to meet the needs of this development including Woodland Games Hall and Sunnyside Playing Fields. Sports open space contributions are not required

#### Natural greenspace

- Erskine Church is approximately 2km away from the nearest natural greenspace at Callendar Wood. No contributions are sought for natural greenspace.

7a.13 It is considered that a deficiency in open space has not been identified that would justify developer contributions in accordance with policy PE17 'Open Space and New Development'.

### **Supplementary Guidance forming part of Local Development Plan**

7a.14 Adopted Supplementary Guidance SG10 'Trees and Development' supports the retention of the TPO trees to the front of the site.

7a.15 Accordingly, the application is assessed as being in accordance with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are national policies and guidance, non-statutory supplementary planning guidance, consultation responses, response to third party representations and consideration of the site in relation to coal mining legacy.

## **National Planning Policies and Guidance**

- 7b.2 Historic Environment Scotland's Managing Change Guidance note on the 'Use and Adaptation of Listed Buildings' advises that decisions affecting the historic environment should ensure that its benefits are secured for present and future generations. It notes that for a building to stay in use in the long term, change will be necessary and this reflects changes over time in how we use our buildings and what we expect of them.
- 7b.3 In this instance the community church use is no longer viable. A change of use to residential was identified as a viable and sustainable use by the applicant and one which could retain many of the key characteristics and features of the church building, with minimal alteration to the external fabric.
- 7b.4 Proposed changes to the building include the partial demolition of the kitchen annexe and first / second floor extension to the rear elevation, new internal floor structures, glass turret extensions, dormer windows, roof lights and roof extension. Materials of zinc, timber cladding and aluminium are proposed.
- 7b.5 It is considered that the proposed changes to the building are required to facilitate the conversion to residential use, with a high level of residential amenity achieved (i.e. in relation to architectural design, space and outlook etc). The scale, design and materials are considered to be sensitive interventions which will sit well with existing historic fabric without dominating. The proposed alterations and extensions to the building are considered to be acceptable.

## **Falkirk Council Non-statutory Supplementary Guidance**

- 7b.6 Falkirk Council Supplementary Guidance is in the process of being updated. Until such time that supplementary guidance for LDP2 has been adopted, LDP1 supplementary guidance continues to provide more detailed guidance on planning policies contained in LDP2.
- 7b.7 The application accords with the general advice contained in SG16 'Listed Buildings and Unlisted Properties in Conservation Areas'.

## **Responses to Consultation**

- 7b.8 The Roads Development Unit advise that they can accept reduced parking requirements on the basis the application site is in very close proximity to a town centre location (as identifies in the LDP2). They did, however, ask if additional parking could be sought within the site.
- 7b.9 The only area of the site which has not been taken up by parking or hard standing is an area of landscaping to the front of the site. It is considered desirable to retain this area as to maintain some of the setting of the listed building and to give a modest garden area for residents. The trees are covered by a TPO and they make a contribution to the surrounding area of townscape value. If the application was refused on the basis of a lack of parking, it may result in the building be undevelopable and a historic asset could be lost. The National Roads Development Guide advises a reduction in parking standard may be considered in main urban areas. The application site is considered to be in a main urban area and as such the reduction in parking is considered to be acceptable.

## **Assessment of Public Representations**

- 7b.10 General support for the conversion of the church is noted.
- 7b.11 It is accepted that additional residential development in and around the town centre could increase footfall to existing shops and community facilities.
- 7b.12 It is not considered that 15 flats is an over development of the site. The church is a large building set within a wider town centre location, where higher densities of development are supported.
- 7b.13 The application is assessed as being in accordance with policy PE01.
- 7b.14 It is noted that there is an under provision of parking for the development, however, one space per flat is considered acceptable on the basis of the town centre location and the desirability of ensuring the continued use of a historic building.
- 7b.15 It is noted that on-street parking would be lost to allow access into the site. The Roads Development Unit do not raise any concerns about the proposed access arrangements.
- 7b.16 The Roads Development Unit do not raise any concerns in relation to road safety for pedestrians or drivers.
- 7b.17 The proposed demolition relates to a modest single storey kitchen annexe to the rear elevation. Its loss would not adversely affect the character of the building and the contemporary first and second floor extension would harmonise with the architectural character of the building. Being on the rear elevation, it would not be a dominating addition.
- 7b.18 The private bin arrangements are considered acceptable. It is not considered that they would give rise to litter complaints more than any other residential property.
- 7b.19 The location of windows in relation to existing surrounding properties would not result in a significant impact on privacy.

## **Consideration of the Site in relation to Coal Mining Legacy**

- 7b.20 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.21 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.22 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.



## **Human Rights Assessment**

7b.23 The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed. The Human Rights Act 1998 adds a new test of proportionality to local authorities' decision making and in its assessment of development proposals the planning authority should be satisfied that it had acted proportionately, whether the action is proportionate to its aim. The Human Rights Act 1998 has been considered in reaching a recommendation to Planning Committee.

### **7c Conclusion**

7c.1 The application is assessed as being in accordance with the Development Plan. The merits of retaining a historic asset which contributes to the townscape character of the area are noted. The reduction in parking is assessed as being acceptable within a wider town centre (main urban area). No issues in principle are raised by third party representation and consultees. There are no material planning considerations to warrant the refusal of planning permission, contrary to the provisions of the Development Plan.

## **8. RECOMMENDATION**

**8.1 It is therefore recommended that the Committee grant planning permission subject to the following condition(s):-**

- 1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
- 2. Samples of all external materials to be used in the development shall be submitted for the consideration of the Planning Authority and no work shall begin until written approval of the Planning Authority has been given.**
- 3. The access and parking arrangements shown on the approved plan (our online reference No. 19) shall be completed and available for use, prior to the occupation of any of the flatted dwellings hereby approved.**
- 4. Prior to the commencement of development on site the applicant shall submit information on the proposed future location/use of stained glass and the church organ.**

**Reason(s):-**

- 1. As these drawings and details constitute the approved development.**
- 2. To protect the character and appearance of the listed building.**
- 3. To ensure that adequate car parking is provided.**

4. To ensure that church features are reused / retained on or off site.

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pp Acting Director of Development Services

Date: 12 January 2021

**LIST OF BACKGROUND PAPERS**

1. Falkirk Local Development Plan 2.
2. Historic Environment Scotland's Managing Change Guidance note on the 'Use and Adaptation of Listed Buildings'.
3. Objection received from Mrs Elizabeth Wilson, 9 Neilson Street, FALKIRK, FK1 5AQ on 2 October 2020.
4. Objection received from Dr The Architectural Heritage Society of Scotland, RIAS, 15 Rutland Square, Edinburgh, EH1 2BB on 21 September 2020.
5. Objection received from Mr Colin Chalmers, 24 Falkirk Road, Falkirk, FK12AG on 12 September 2020.
6. Representation received from Miss Judy Lockhart, 4 Hodge Street, Falkirk, FK1 1BN on 10 September 2020.
7. Objection received from Mr John Galloway, 7 Hodge Street, Falkirk, FK15AA on 29 September 2020.
8. Objection received from Mrs Briony Nimmo, 27 Neilson Street, Falkirk, FK15AQ on 28 September 2020.
9. Objection received from Mr Andrew Rennie, 5 Neilson Street, Falkirk, FK1 5AQ on 28 September 2020.
10. Objection received from Dr Sue Krause, 7 Neilson Street, Falkirk, FK1 5AQ on 2 October 2020.
11. Objection received from Miss Lesley Meikle, 5 Neilson Street, Falkirk, Fk1 5AQ on 28 September 2020.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

## **Policy Schedule**

### **PE01 Placemaking**

Development proposals should promote the six qualities of successful places as defined in Scottish Planning Policy by addressing the following principles:

#### **1. Distinctive**

- Existing natural and historic environment features should be identified, conserved, enhanced and integrated sensitively into development. Further guidance is set out in Policies PE05-PE27, and accompanying Supplementary Guidance SG07- SG12;
- The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create a coherent structure of buildings, streets and public spaces that are attractive, distinctive and create a sense of identity within the development. Further guidance is set out in SG02 'Neighbourhood Design';
- Development should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, manages surface water sustainably, and contributes, where appropriate, to the wider green network. Further guidance is set out in SG05 'Green Infrastructure and New Development';
- Developments of a significant scale should contribute to public art either through a contribution to an existing local project, or through provision of public art within the development, guided by a strategy prepared by the developer in consultation with the Council and Falkirk Community Trust. Further guidance is set out within SG13 'Developer Contributions' and the public art procurement guide produced by Falkirk Community Trust.

#### **2. Safe and pleasant**

- Development 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 provision of safe access for all. Further guidance is set out in SG02 'Neighbourhood Design';
- Development should not exacerbate existing air quality issues or introduce new sources of pollution which impact on local air quality without appropriate mitigation.

#### **3. Easy to move around and beyond**

- Development should be designed to encourage the use of active travel and sustainable, integrated transport. Further guidance is set out in Policies IR05-IR07;
- Development should build on the existing network of paths, edges, nodes, districts and landmarks to create places that people can navigate easily around.

#### **4. Welcoming**

- Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality hard or soft landscape treatment. Further guidance is set out in SG02 'Neighbourhood Design'.

## **5. Adaptable**

- Development should be designed to consider how people use places differently, for example depending on age or degree of personal mobility;
- Where appropriate, development should provide a mix of building densities, tenures and typologies where a variety of diverse but compatible uses can be integrated.

## **6. Resource efficient**

- In support of climate change mitigation, 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 incorporating space to separate materials at source; incorporation of low and zero carbon generating technologies and integration into neighbourhood and district heating networks. Further guidance is set out in Policies IR12-IR14;
- In support of climate change adaptation, 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;
- Provision should be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.

## **PE07 Listed Buildings**

The Council supports the sustainable re-use and management of the historic built environment. Accordingly:

1. The sensitive restoration and re-use of listed buildings will be supported;
2. Proposals to alter or extend a listed building should not adversely affect the character, appearance, or special architectural or historic interest of the building;
3. Development proposals within the curtilage or affecting the setting of a listed building should not adversely affect the character, appearance, special architectural or historic interest of the building, or its setting;
4. Proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances where it is demonstrated beyond reasonable doubt 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; or
  - The demolition of the building is essential for the delivery of significant economic benefits for the local or wider community.

5. Proposals affecting listed buildings or their setting should conform with SG12 'Listed Buildings and Unlisted Properties in Conservation Areas'.

### **PE09 Areas of Townscape Value**

The Council recognises the architectural and historic merit and potential of the additional areas of townscape value identified on the Proposals Map, which do not currently have Conservation Area status. Within these areas:

1. The Council will undertake Character Appraisals to determine whether the areas merit designation as Conservation Areas, either as new Conservation Areas, or as extensions to existing ones; and
2. Development proposals will be required to fit with the distinctive character of the area with particular reference to the historic pattern and density of development; its setting; the architectural style, massing and materials of buildings; landscape treatments; and boundary features.

### **PE20 Trees, Woodland and Hedgerows**

1. There will be a presumption against the removal of safe and healthy trees, non-commercial woodlands or hedgerows, where such removal would be detrimental to landscape, local amenity, nature conservation, recreation or historic environment interests, or erosion and natural flood management. Criteria in the Scottish Government's policy on Control of Woodland Removal will be used to determine the acceptability of woodland removal;
2. Ancient, long-established and semi-natural woodland, including sites identified in the Scottish Ancient Woodland Inventory, will be protected as a resource of irreplaceable value;
3. In areas covered by a Tree Preservation Order (TPO) or Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, health or stability of trees, or their landscape, biodiversity or historic value. Where appropriate, other endangered trees or woodlands which have amenity, cultural or historic importance will be protected through the designation of further TPOs;
4. Development which is likely to affect trees should comply with Supplementary Guidance SG06 'Trees and Development'. A Tree Survey and Tree Constraints Plan will be required to inform the design, together with a 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 on site comprising similar species and numbers to the trees and hedgerows removed;
5. The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a tree group or woodland area is integral to a development proposal, developers will be required to prepare and implement an appropriate Management Plan;
6. The provision of new trees and woodland in association with new development will be encouraged in accordance with Supplementary Guidance SG05 'Green Infrastructure and New Development'; and

7. There will be a preference for the use of locally native species in new and replacement planting schemes, or other species where these are integral to an historic landscape.

### **HC01 Housing Land**

1. The housing supply target is 6,894 homes for the period 2017–2030. To meet this target, the Council will support residential development as indicated generally in the Spatial Strategy and as detailed in the Proposals and Opportunities Schedule and Settlement Statements, and on suitable windfall sites which satisfy Policy HC02.
2. The Council will maintain at least 5 years' supply of effective housing land to ensure that the Housing Supply Target is met in full over the development plan period. The Housing Land Audit is the primary source of evidence for monitoring the availability of effective housing land. If, during the period of the plan, a shortfall in the 5 year supply of effective land emerges, additional sites for housing will be supported where the proposal would constitute sustainable development, having regard to the relevant criteria in Scottish Planning Policy and other LDP policies. In such circumstances, the scale of the proposed development relative to the scale of the shortfall will be a material consideration. The Council may also impose specific time limits on any planning permissions granted, to ensure that housing is delivered to a timescale that will address the identified shortfall.

### **HC02 Windfall Housing**

Housing development on sites within the Urban and Village Limits, which are not identified as LDP proposals, will be supported where:

1. The site is brownfield or, if greenfield, will meet the terms of the Policy PE16 on protection of open space;
2. Housing is compatible with neighbouring uses and a satisfactory level of residential amenity can be achieved;
3. The site enjoys good accessibility by public transport, walking and cycling to shopping, recreational and other community facilities;
4. Existing infrastructure, such as transport, drainage, education and healthcare has the capacity to accommodate the proposed development, or can be upgraded through appropriate developer contributions, as required by Policy IR02;
5. The site is not at risk of flooding in terms of Policy PE24; and
6. The proposed development complies with other LDP policies.

### **IR02 Developer Contributions**

Developers will be required to contribute to the provision, upgrading and, where appropriate, the maintenance of infrastructure where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The types of infrastructure where contributions may be required are set out in Table 4.1. The nature, scale and phasing of developer contributions will be determined by:

1. Guidance and contribution rates set out in SG13 'Developer Contributions';
2. Site specific requirements set out in the LDP or relevant development brief; and
3. The principles contained in Circular 3/2012 'Planning Obligations and Good Neighbour Agreements'.

In assessing applications where developer contributions are required, the economic viability of proposals will be taken into account as a material consideration where supported by a Development Viability Statement. Developer contributions for education and open space will be waived for flatted residential development, or conversions of buildings for residential use, of up to 50 units within town centre boundaries.

### **IR09 Parking**

1. The parking standards in the National Roads Development Guide will be applied to new development, subject to the local variations approved by the Council.
2. Parking in town and local centres will be managed to support the role of the centres whilst promoting sustainable travel. Proposed changes to parking provision in centres will be assessed against the effect on their vitality and viability.
3. New car parking provided as part of significant new commercial or community uses should incorporate electric vehicle charging points.

### **IR13 Low and Zero Carbon Development**

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 12% 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 is contained in Supplementary Guidance SG14 Renewable and Low Carbon Energy. 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 the other sustainability aspects of the current Sections 6 and 7 of the current Building Standards Technical Handbook.

### **PE17 Open Space and New Development**

New development should contribute positively to the provision of open space in the area and support the objectives of the Open Space Strategy. Accordingly:

1. Where appropriate, proposals for new development should include public open space to create a sense of place, integrate the site with the wider green network, promote physical activity, sport and active travel, enhance biodiversity, and manage water within the site; and
2. Where the quantity, quality or accessibility of recreational and sport open space and play facilities in the locality is insufficient to meet the recreational needs of proposed new residential development, as informed by the standards in the Open Space Strategy, the proposal should address the identified deficiencies through either the provision of new on-site recreational and sport open space, or contributions to the improvement of off-site open space.

The detailed planning and design of new open space within new developments, including the methodology for determining and addressing recreational open space deficiencies, should accord with SG05 'Green Infrastructure and New Development'.

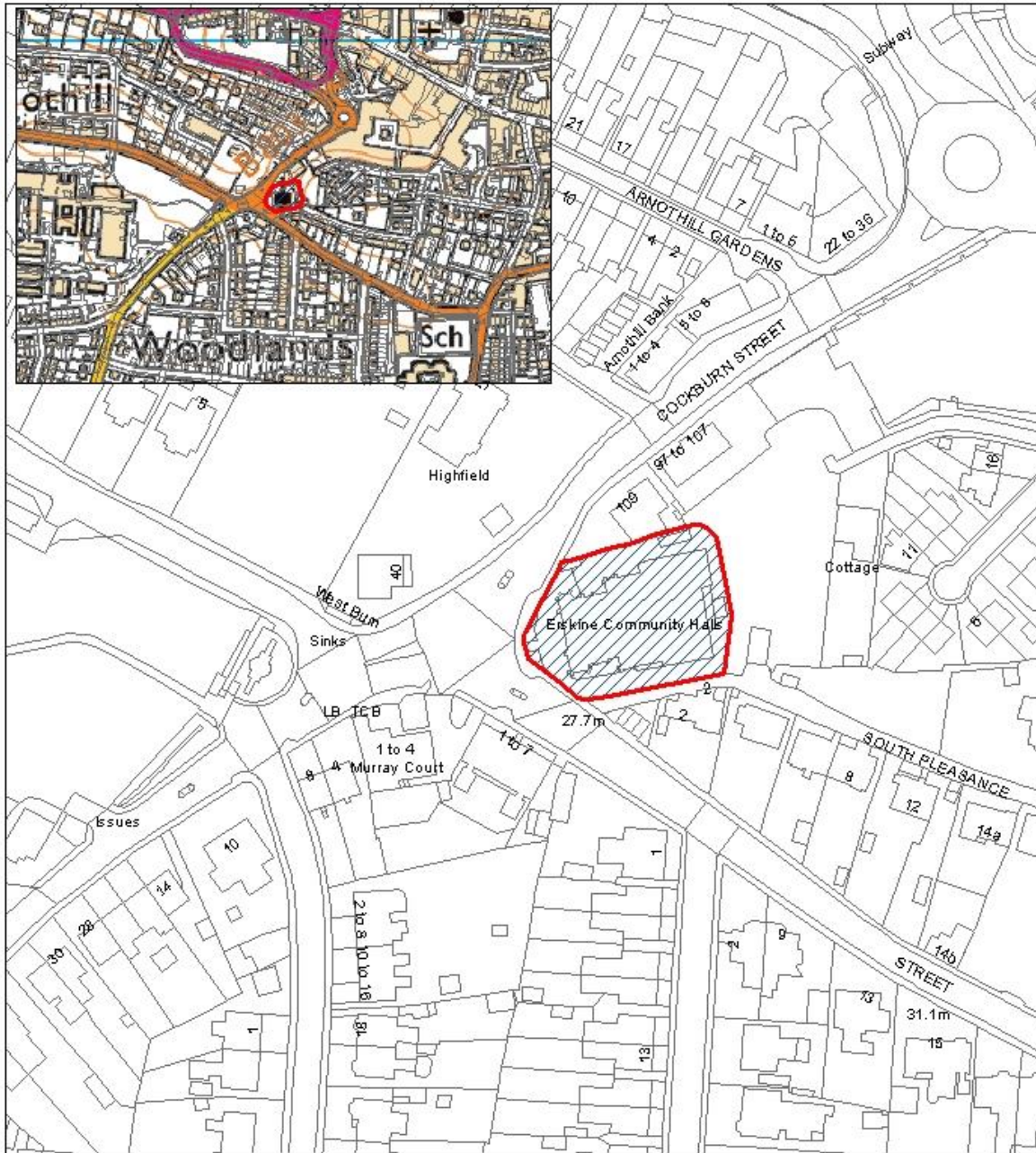


# Planning Committee

## Planning Application Location Plan

# P/20/0364/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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