



Agenda Item 7

**ERECTION OF DWELLINGHOUSE
(RENEWAL OF PLANNING PERMISSION
P/16/0215/FUL) AT LAND TO THE SOUTH
EAST OF TAPPERNAIL FARM,
HILLCREST SQUARE,
REDDINGMUIRHEAD FOR MR PHILIP
MACFARLANE - P/20/0628/FUL**

FALKIRK COUNCIL

Subject: ERECTION OF DWELLINGHOUSE (RENEWAL OF PLANNING PERMISSION P/16/0215/FUL) AT LAND TO THE SOUTH EAST OF TAPPERNAIL FARM, HILLCREST SQUARE, REDDINGMUIRHEAD FOR MR PHILIP MACFARLANE - P/20/0628/FUL

Meeting: PLANNING COMMITTEE

Date: 16 November 2022

Author: DIRECTOR OF PLACE SERVICES

Local Members: Ward - Lower Braes

Councillor Gordon Forrest
Councillor Anne Hannah
Councillor James Kerr

Community Council: Reddingmuirhead and Wallacestone

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

[View this Application on Public Access](#)

UPDATE REPORT

1. Members will recall that the Planning Committee considered this application on 16 February 2022 (copy of committee report appended). The Planning Committee were minded to grant planning permission, subject to conclusion of a legal agreement in relation to open space and education contributions. The decision of the Planning Committee required the legal agreement to be concluded within 6 months.
2. The legal agreement is now in fully agreed terms and has been signed by the applicant. Unfortunately it was not possible to conclude the legal agreement within 6 months. This was due to an initial delay by the applicant to provide details of his solicitor.
3. It is requested that the Planning Committee agree to a short extension of one month from the date of this committee for the legal agreement to be concluded and to allow the decision notice to be issued thereafter.

4. RECOMMENDATION

- 4.1 It is recommended that the Committee agree a one month extension of time for concluding the legal agreement following on which the decision notice can be issued.**

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pp Director of Place Services

Date: 4 November 2022

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan 2
2. SG01 'Development in the Countryside (adopted)
3. SG05 'Green Infrastructure and New Development' (adopted)
4. SG13 'Developer Contributions (adopted)
5. SG14 'Renewable and Low Carbon Energy' (draft)
6. LDP1 SG10 'Education and New Housing Development
7. Objection from Mr K Bunning, 5 Dryburgh Way, Grangemouth FK3 9LL on 3 February 2022.

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

FALKIRK COUNCIL

Subject: ERECTION OF DWELLINGHOUSE (RENEWAL OF PLANNING PERMISSION P/16/0215/FUL) AT LAND TO THE SOUTH EAST OF TAPPERNAIL FARM, HILLCREST SQUARE, REDDINGMUIRHEAD FOR MR PHILIP MACFARLANE - P/20/0628/FUL

Meeting: PLANNING COMMITTEE

Date: 16 February 2022

Author: DIRECTOR OF PLACE SERVICES

Local Members: Ward - Lower Braes

Councillor Adanna McCue
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Reddingmuirhead and Wallacestone

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

[View this Application on Public Access](#)

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application relates to the erection of a detached dwellinghouse at land to the south-east of Hillcrest Square. The application site sits at the corner of the B810, Shieldhill Road and the access road to Hillcrest Square.
- 1.2 This application is a renewal of planning permission P/16/0215/FUL, which was approved on 10 July 2017 by the Planning Review Committee.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application is referred to the Planning Committee for determination, as the application is assessed as being contrary to the Development Plan.

3. SITE HISTORY

3.1 Planning application P/16/0215/FUL was refused on 1 July 2016 for the following reasons:

1. *Residential opportunity H69 of the Falkirk Local Development Plan "Hillcrest, Shieldhill" requires a site wide environmental, landscape and habitat assessment approach. Consideration of incremental development proposals prior to full site wide assessment is not appropriate. The proposed development is considered to be premature and does not accord with housing opportunity H69.*
2. *The disposition of the proposed development would not respect the setting of the application site. It has not been demonstrated that satisfactory visibility would be achieved at the junction of Hillcrest Square and the B810 Shieldhill Road. The proposed roof terrace would be detrimental to the privacy of residents at Hillcrest Square. It has not been demonstrated that boundary treatments would respect the rural setting of the application site. The proposed development does not accord with Policy D02 of the Falkirk Local Development Plan "Sustainable Design Principles".*

3.2 The Planning Review Committee overturned the delegated decision and agreed it was minded to grant planning permission. Following conclusion of a legal agreement, the application was subsequently granted planning permission on 10 July 2017.

4. CONSULTATIONS

4.1 The Council's Environmental Protection Unit has not objected to the application, subject to a planning condition in relation to ground contamination.

4.2 The Council's Roads Development Unit has not objected to the application. They request that the existing fence and hedge line on the B810 Shieldhill Road be retained in grass, to maintain adequate visibility at the road junction from Hillcrest Square. The applicant has submitted an updated plan showing the required visibility.

4.3 The Council's Children's Services (Education) advise that this application falls within the catchments for Shieldhill Primary School, St Andrew's RC Primary, Braes High School and St Mungo's RC High School. Children's Services are not normally consulted on applications for individual dwellings, however, in this instance the application is considered within the context of other planning applications in the wider area, which could result in a quantifiable impact on local school capacity. Braes High School is expected to face capacity issues as a result of development and a contribution of £2,334 is sought.

- 4.4 The Coal Authority have not objected to the proposed development, subject to a condition in relation to intrusive site investigations.
- 4.5 Scottish Water have not objected to the proposed development. They advise that there is sufficient capacity in Carron Valley Water Treatment Works and Kinneil Kerse Waste Water Treatment works to serve the development.

5. COMMUNITY COUNCIL

- 5.1 The Reddingmuirhead and Wallacestone Community Council did not make comment.

6. PUBLIC REPRESENTATION

- 6.1 In the course of the application, one letter of representation was submitted to the Council., raising the following issues:
- This application should be refused on the basis that the Persimmon Homes application was refused and there should be no housing due to the clear outrage of houses being built on land that the public allegedly used during lockdown.

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.
- 7a.2 The application site lies within the countryside, as defined in LDP2.
- 7a.3 The policies of relevance to this application are outlined in the policy schedule at the end of this report. The assessment of the application against relevant policies is outlined as follows: -

Policy PE01 - Placemaking

- 7a.4 There are no natural or historic environment features which require to be conserved. It is considered that the scale, siting and design of the proposed development would not respond positively and sympathetically to the site's surroundings. It is considered that the proposed house would not harmonise with the existing houses at Hillcrest Square or the character of the wider rural area. The application is contrary to policy PE01.

Policy PE14 - Countryside

- 7a.5 The application site lies within the countryside and therefore requires assessment against the relevant countryside policy. In this case the relevant countryside policy is Policy HC05 'Housing in the Countryside'.
- 7a.6 Policy PE14 (3) additionally requires development proposals to demonstrate that the scale, siting and design is such that there would not be a significant adverse impact on the rural environment. It is considered that the scale, disposition and design of the proposed house would not respect the character of existing houses at Hillcrest Square or the local distinctiveness of the wider rural area. The application is contrary to policy PE14.

HC05 - Housing in the Countryside

- 7a.7 The proposed development does not meet any of the circumstances prescribed in policy HC05, where housing development in the countryside is supported. Of specific note, the development is not classed as a gap site, as neighbouring development which benefits from planning permission has not been constructed. The application is contrary to policy HC05.

IR02 - Developer Contributions

- 7a.8 There are no specific requirements set out in LDP2 or in Falkirk Council Supplementary Guidance which would apply to the development of a single house. It is considered that the site should be considered as part of a larger grouping of residential development (including housing opportunity H21 and neighbouring development which benefits from planning permission), where the combined number of residential units trigger the need for developer contributions. This includes the single house plot to the north of the application site (P/18/0726/PPP), three houses to the west of the site (P/18/0015/FUL) and the proposed 96 houses for Persimmon Homes (P/17/0504/FUL, currently subject to Scottish Government appeal). This approach is consistent with the assessment of the surrounding development mentioned and P/16/0215/FUL, which this application seeks to renew. Developer contributions as set out in Table 4.1 of LDP2 would therefore apply as appropriate.

IR03 - Education and New Housing Development

- 7a.9 As discussed above, this application should be considered as part of a larger site, where deficiencies in community infrastructure would be exacerbated and trigger the need for developer contributions. Braes High school is identified as having insufficient capacity to accommodate children from the proposed development. Developer contributions of £2,334 are sought to mitigate the impact of development on education. The applicant agrees with the contributions and the application is in accordance with policy IR03.

IR13 - Low and Zero Carbon Development

- 7a.10 The details in respect of the provision of on-site low and zero generating technologies (LZCGT) could be the subject of a condition attached to any grant of planning permission. The application accords with policy IR13.

Policy PE17 - Open Space and New Development

- 7a.11 As discussed above, the application should be considered as part of a larger site, where deficiencies in community infrastructure would be exacerbated and trigger the need for developer contributions. New development is required to contribute positively to the provisions of open space and support the objectives of the open space strategy. In this instance, the site is not large enough to accommodate on-site provision. Contributions to the improvement of off-site open space can be sought in accordance with policy PE17, where the quantity, quality or accessibility of existing open space is insufficient to meet the needs of the development.
- 7a.12 It is considered that open space, which could serve the development, is insufficient. There are no play spaces within the accessibility standard of 800m from the application site and Shieldhill is identified as having a play space deficiency within the Open Space Strategy. Whilst it is acknowledged that play provision may be provided in the future (as part of LDP2 housing opportunity H21), there is no approved planning permission for the site at the time of writing this report. As such, contributions of £600 towards off-site play space improvements should be sought. The nearby play space at Main Street, Shieldhill was identified as needing investment in the 2019 Playspace Audit. Similarly, passive open space is assessed as being insufficient. There are passive open spaces in Shieldhill, including at Main Street, which could benefit from improved landscaping. As such, £800 towards passive open space investment is sought. The applicant agrees with open space contributions of £1400, in accordance with policy PE17.

- 7a.13 Accordingly, the application is assessed as being contrary to the Development Plan in relation to the principle of development within the countryside and proposed design.

7b Material Considerations

- 7b.1 The material consideration to be assessed are Falkirk Council Supplementary Guidance, the consultation responses and the planning history for the site and assessment of public representation.

Falkirk Council Supplementary Guidance

- 7b.2 Supplementary Guidance in association with LDP2 is at various stages of preparation. This largely consists of the updating and consolidation of Supplementary Guidance prepared alongside LDP1, a number of Supplementary Guidance notes have been adopted, while the others are being finalised or consulted on prior to adoption. The following supplementary guidance considerations are of relevance.
- 7b.3 The application does not accord with SG01 'Development in the Countryside' (adopted), because the development does not meet any of the circumstances where housing development in the countryside is supported.
- 7b.4 The applicant has agreed to developer contributions towards education and open space, in accordance SG13 'Developer Contributions' (adopted), SG05 'Green Infrastructure and New Development'(draft) and LDP1 Supplementary Guidance SG10 'Education and New Housing Development'.
- 7b.5 It is considered appropriate to progress the application with a condition in relation to low and zero carbon generating technologies, in accordance with SG14 'Renewable and Low Carbon Energy'.

Consultation Responses

- 7b.6 The consultation responses are summarised in Section No.4 of this report. No issues in principle are raised by consultation. The applicant has updated the submitted site plan to ensure that the required visibility from Hillcrest Square onto the B810 is maintained.

Planning History

- 7b.7 The proposed development does not accord with the Development Plan. Primarily this is in relation to the principle of housing development in the countryside. Additionally, it is considered that the scale, massing and design of the proposed house would not reflect the character of the surrounding rural area. It is considered that the proposed house would be suburban in character, which would be a dominating addition to the prominent corner site. The proposed fenestration would be poorly articulated, with a mix of window proportions and styles, and the principal elevation to the south lacks architectural interest.

- 7b.8 Notwithstanding the above concerns, planning permission P/16/0215/FUL is extant, which means that development can be implemented. The Coronavirus Act 2020 has extended the time period for some planning applications which would have otherwise expired during the emergency period. This means that the planning application, which would have expired on 1 July 2020, now has until 30 September 2022 to commence development. This gives the applicant a reasonable amount of time to address suspensive planning conditions and make a start on site. The planning history of the site adds weight to the principle of the development as presented. There would be no merit in refusing planning permission in this instance, given that the extant planning permission for the same design can be developed.
- 7b.9 P/16/0215/FUL was granted subject to a Section 69 Legal Agreement in relation to open space and education. The moneys were paid by the applicant but were not spent by the Council. The moneys should be returned to the applicant and a new legal agreement concluded in relation to this application.

Assessment of Public Representation

- 7b.10 As discussed in Section 7b.8 above planning permission P/16/0215/FUL is extant. The comments in relation to the decision of the Persimmon Homes application is not considered relevant, because the development can be implemented.

7c Conclusion

- 7c.1 The application does not accord with the Development Plan for the reasons detailed in this report. It is considered that the planning history of the site provides sufficient justification and weight to the development being approved planning permission in this instance.

8. HUMAN RIGHTS ASSESSMENT

- 8.1 Officers have considered the Human Rights Act 1998 in making this recommendation. It is considered that the proposed recommendation would not adversely impact on any protected characteristic groups as identified within the Equality Act 2010.

9. RECOMMENDATION

**9.1 It is therefore recommended that the Committee indicate that it is
Minded to Grant Planning Permission subject to:-**

**(a) Conclusion of a Legal Agreement in terms satisfactory to the
Director of Development Services within 6 months of the date of a
Minded to Grant decision and index linked from that date, as
follows:**

- A financial contribution of £1,400 towards open space provision in Shieldhill; and**
- A financial contribution of £2,334 for Braes High School.**

**(b) Thereafter, remit to the Director of Development Services, to
approve the application 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. i. No development shall commence on site unless otherwise
agreed with the planning authority until a contaminated
land assessment has been submitted and approved. The
assessment must determine the nature and extent of any
contamination on the site, including contamination that
may have originated from elsewhere. Any potential risks to
human health, property, the water environment and
designated ecological sites should be determined. The
contaminated land assessment must be approved in writing
by the Planning Authority.**

**ii. Where contamination (as defined by Part IIA of the
Environmental Protection Act 1990) is encountered, a
detailed remediation strategy should be submitted to the
Planning Authority demonstrating that the site will be made
suitable for its intended use by removing any unacceptable
risks, caused by the contamination. The scheme must be
approved in writing by the Planning Authority.**

- iii. **Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.**
 - iv. **If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.**
- 3. **No development shall commence on site until an appropriate scheme of intrusive site investigation works has been undertaken to confirm coal mining conditions, including mine entries on site. The findings and details of any necessary remedial or other mitigation measures to ensure safety and stability of the proposed development shall be submitted to and approved in writing by the Planning Authority. The approved mitigation measures shall be implemented prior to the development commencing.**
- 4. **No development shall commence on site until a material schedule, of all external materials, has been submitted to and approved in writing by the Planning Authority. Thereafter, only the approved materials shall be used, unless otherwise agreed in writing.**
- 5. **No development shall commence on site until the following documents have been submitted to and approved in writing by the Planning Authority:**
 - i) **a copy of the appropriate sustainability label (i.e. at least Bronze Active); and**
 - ii) **a Statement of Conformity which confirms that 12%, of the required CO₂ emissions reduction is achieved through the installation of low and zero carbon generating technologies.**

Details and a timetable of how this is to be achieved, including details of physical works on site, shall be submitted to and approved in writing by Falkirk Council. The approved details shall be implemented in accordance with the approved timetable and retained as operational thereafter, unless otherwise agreed in writing by the Local Planning Authority.

6. No development shall commence on site until details (including the location, height, design and materials) of all boundary treatments are agreed in writing by the planning Authority. Thereafter, development shall proceed in accordance with the approved details.
7. No development shall commence on site until the proposed site levels, including finished floor level for the house, are submitted to and approved in writing by the Planning Authority. Thereafter, development shall proceed in accordance with the approved details.
8. For the avoidance of doubt, the visibility splay shown on the approved plan (our online reference No. 02A) shall be maintained free from obstruction in perpetuity.

Reason(s):-

1. As these drawings and details constitute the approved development.
- 2,3 To ensure the ground is suitable for the approved development.
- 4,6,7. To safeguard the visual amenity of the area.
5. To ensure the development achieves the required CO₂ emission reduction as a result of development.
8. To ensure that adequate visibility from Hillcrest Square onto the B810 is maintained.

Informative(s):-

1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.
2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01B, 02A, 03 and 04.

3. The applicant shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

Monday to Friday	08:00 - 19:00 Hours
Saturday	08:00 - 13:00 Hours
Sunday / Bank Holidays	No noise audible at site boundary

Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Protection Unit.

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pp Director of Place Services

Date: 4 February 2022

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan 2
2. SG01 'Development in the Countryside (adopted)
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5. SG14 'Renewable and Low Carbon Energy' (draft)
6. LDP1 SG10 'Education and New Housing Development
7. Objection from Mr k Bunning, 5 Dryburgh Way, Grangemouth FK3 9LL on 3 February 2022.

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

PE14 Countryside

1. 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. Development in the countryside will be assessed in terms of the relevant countryside policies for specific uses (HC05 and JE05);
2. Development proposals in the countryside for uses not covered by policies for specific uses will only be permitted where:
 - It can be demonstrated that they require a countryside location;
 - They constitute infill development; or
 - They utilise appropriate existing buildings.

Detailed guidance on the application of these criteria will be contained in Supplementary Guidance SG01 Development in the Countryside;

3. Development proposals in the countryside should additionally demonstrate that their scale, siting and design is such that there will be no significant adverse impact on the rural environment, having regard to other policies on the natural and historic environment, and design guidance in Supplementary Guidance SG01 'Development in the Countryside'.

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'.

HC05 Housing in the Countryside

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 that the restored/ replacement house is of a suitable size and design;
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 HC09.

Detailed guidance on the application of these criteria will be contained in Supplementary Guidance SG01 'Development in the Countryside'.

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.

IR03 Education and New Housing Development

Where there will be insufficient capacity within catchment schools to accommodate children from proposed new housing development, or where Council nursery provision will be adversely affected, developer contributions will be sought in line with Policy IR02 to mitigate these impacts. In the rare circumstances where such mitigation cannot be achieved in a manner which is consistent with the Council's education policies, the proposed development will not be supported.

IR13 Low and Zero Carbon Development

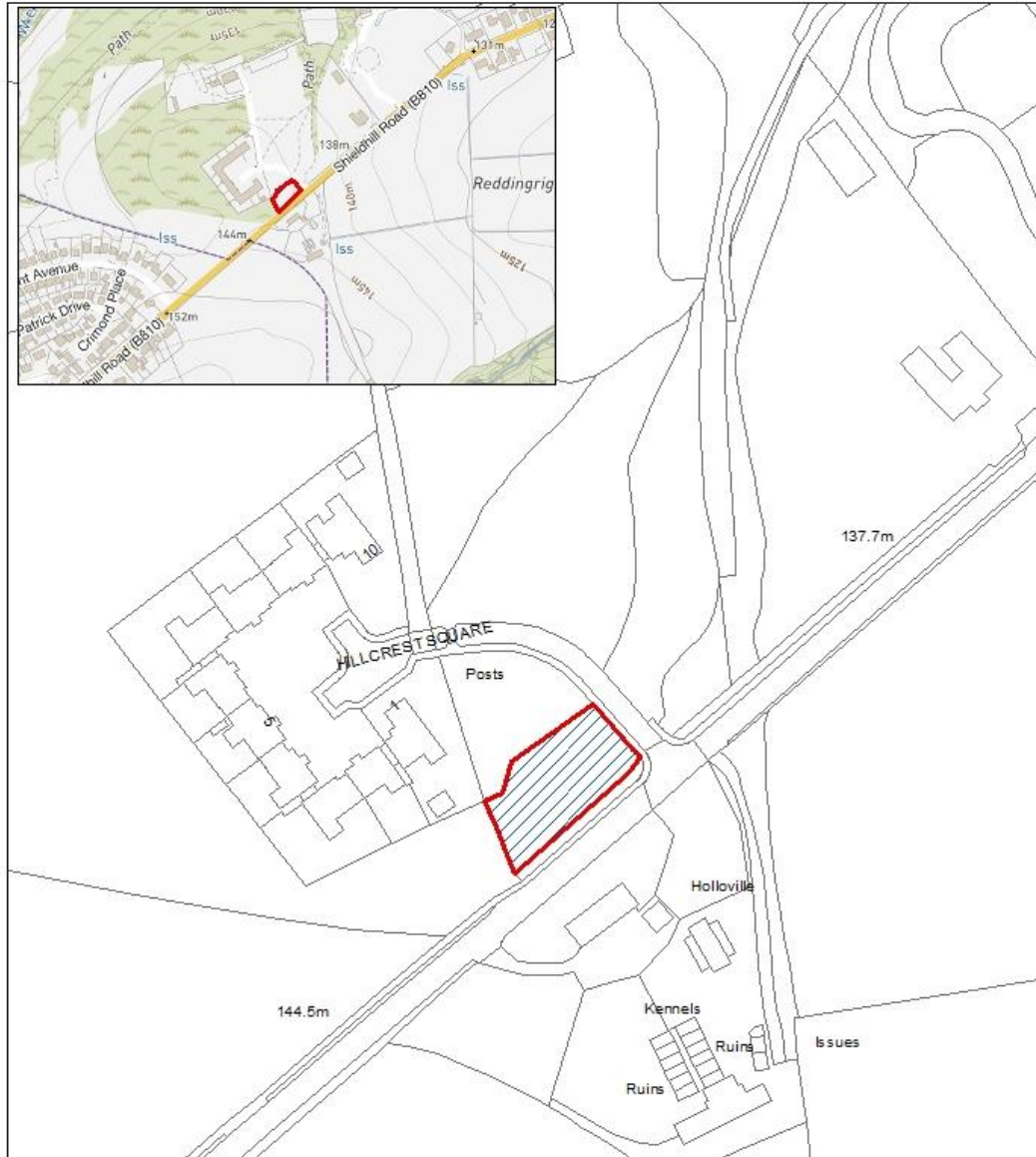
1. All new buildings should incorporate on-site low and zero carbon-generating technologies (LZCGT) to meet a proportion of the overall energy requirements. Applicants must demonstrate that 12% of the overall reduction in CO2 emissions as required by Building Standards has been achieved via on-site LZCGT. 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.

Planning Committee

Planning Application Location Plan

P/20/0628/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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