

**FALKIRK COUNCIL**

**Subject: ERECTION OF DWELLINGHOUSE AT LAND TO THE NORTH OF 53  
BO'NESS ROAD, GRANGEBURN ROAD, GRANGEMOUTH, FOR MR  
AND MRS T MUNRO P/09/0106/FUL**

**Meeting: PLANNING COMMITTEE**

**Date: 17 June 2009**

**Author: DIRECTOR OF DEVELOPMENT SERVICES**

**Local Member: Councillor Allyson Black  
Councillor Angus MacDonald  
Councillor Alistair McNeill  
Councillor Robert Spears**

**Community Council: Grangemouth**

**Case Officer: Kevin Brown, (Planning Office) Ext 4701**

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

- 1.1 This detailed application proposes the erection of a one and a half storey, detached dwellinghouse within an established residential area of Grangemouth.
- 1.2 The application site is currently used as garden ground for 57 Grangeburn Road and is currently occupied by a garage.

**2. Reason For Committee Consideration**

- 2.1 Application called in by Councillor Angus MacDonald.

**3. SITE HISTORY**

- 3.1 05/0547/OUT – Erection of Dwellinghouse (Outline), Refused 02/09/2005.
- 3.2 06/0560/OUT – Erection of Dwellinghouse (Outline), Granted 06/03/2007.

**4. CONSULTATIONS**

- 4.1 Scottish Water has no objection to the proposal.

- 4.2 The Environmental Protection Unit has no objection to the proposal however they have requested that a noise survey and a contaminated land survey be carried out. It is considered that both of these points can be adequately covered by conditions attached to any planning consent granted.
- 4.3 The Roads Development Unit has no objection to the proposal however they have suggested a number of conditions to be attached to any planning consent granted.
- 4.4 Consultation with the Health and Safety Executive through the PADHI+ system has generated a 'do not advise against' response.

## **5. COMMUNITY COUNCIL**

- 5.1 The Grangemouth Community Council has not commented on the proposal.

## **6. PUBLIC REPRESENTATION**

- 6.1 No letters of representation were received following the neighbour notification process.

## **7. DETAILED APPRAISAL**

When determining planning applications, the status of the Development Plan is emphasised in Section 25 of the Town and Country Planning (Scotland) Act 1997. This requires that:

*“the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.*

Accordingly,

### **7a The Development Plan**

- 7a.1 There are no specific policies within the approved Falkirk Council Structure Plan relevant to this application.

### ***Grangemouth Local Plan***

- 7a.2 Policy Grangemouth One 'Urban Limit' states:

*“That the boundary of the urban area as indicated on figures 1 and 3 be regarded as the desirable limit to the growth of Grangemouth for the period of the plan. Accordingly, there shall be a general presumption against proposals for development which would either extend the urban area beyond this limit or which would constitute sporadic development in the countryside.”*

- 7a.3 The application site is within the Urban Limit as defined by the Grangemouth Local Plan and as such the proposal accords with the terms of this policy.

7a.4 Policy Grangemouth Two ‘Development within the Urban Limit’ states:

*“That within the Urban Area, urban uses will generally be acceptable provided they accord with all other relevant District Council policies and standards of provision.”*

7a.5 The proposed use of the site for residential purposes is considered appropriate for this location and the proposal broadly complies with all other relevant district council policies and standards of provisions. The proposal is therefore considered to be in accordance with the terms of this policy.

7a.6 The proposal is therefore in accordance with the terms of the Grangemouth Local Plan.

## **7b Material Considerations**

7b.7 The material considerations relating to this proposal are the Falkirk Council Local Plan Finalised Draft (Deposit Version), supplementary planning guidance notes generated by Falkirk Council, consultation responses and the planning history.

### ***Finalised Draft Falkirk Local Plan***

7b.8 Policy EQ13 - ‘Areas Of Townscape Value’ states:

*“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.”*

7b.9 The proposed development is considered to fit in well with the distinctive character of the area. The proposed scale and design of the property would relate particularly well with the properties to the north of the site fronting onto Grangeburn Road. The proposal is therefore considered to be in accordance with the terms of Policy EQ13.

7b.10 Policy SC2 - ‘Windfall Housing Development Within The Urban / Village Limit’ states:

*“Housing development within the Urban and Village Limits, in addition to proposals identified within the Local Plan, will be supported where the following criteria are met:*

- (1) The site is a brownfield one, or comprises urban open space whose loss can be justified in terms of Policy SC12;*
- (2) The proposed housing use 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 physical infrastructure, such as roads and drainage, water supply, sewage capacity and community facilities, such as education and healthcare, have the capacity to accommodate the increase in use associated with the proposed development, or can be upgraded through appropriate developer contributions as required by Policy SC11;*
- (5) *In the case of small gap sites and sub-divided plots, Policy SC8 is satisfied; and*
- (6) *There is no conflict with any other Local Plan policy or proposal.”*

7b.11 It is considered that a satisfactory level of residential amenity can be achieved by the proposed development without compromising the character of the area and the proposed residential use is compatible with that of the surrounding area. The site is within easy reach of local community facilities and the existing physical infrastructure within the vicinity of the site is considered to be able to cope with the limited additional use that a single property of this size would generate.

### ***Supplementary Planning Guidance Note – Housing Layout and Design***

- 7b.12 This general guidance note offers advice to developers on the recommended standards of provision for new housing developments and can be generally applied to this application.
- 7b.13 The proposal is considered to comply with this guidance specifically in reference to the provision of garden ground, harmonious fit with adjacent properties and outlook from any new development.

### ***Planning History***

- 7b.14 Application 05/0547/OUT for the erection of a dwellinghouse was refused due to a lack of available garden ground. The next application, 06/0560/OUT, which was granted outline planning permission, related to a larger site area. It is this same area which is subject to the current application and it is considered that this area is sufficient to accommodate the proposed house whilst allowing for adequate garden ground provision.

### ***Consultation Responses***

- 7b.15 Following consultation with the Roads Development Unit it can be confirmed that the proposed vehicular access and parking provision is appropriate for a dwellinghouse of the size and location proposed. Responses from the Environmental Protection Unit and Scottish Water have also been received and no objections have been raised to the proposed development.

### **7c Conclusion**

- 7c.1 The proposed development is considered to be acceptable development as it is in accordance with the terms of Grangemouth Local Plan. There are no material planning considerations that warrant a refusal of planning permission in these circumstances.

## **8. RECOMMENDATION**

**8.1 It is recommended that detailed planning permission be granted subject to the following conditions:-**

- 1. The development to which this permission relates must be begun within five years of the date of this permission.**
- 2. (1) Unless otherwise agreed in writing no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites .**  
**(2) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.**  
**(3) Prior to the commencement of development the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.**
- 3. Development shall not begin until a scheme for protecting the proposed dwellinghouse from noise from road traffic has been submitted to and approved in writing by the Planning Authority. The dwellinghouse shall not be brought into use until the measures in the approved noise prevention scheme operate to the satisfaction of the Planning Authority.**
- 4. Vehicular access to the site shall be by means of a dropped kerb footway crossing constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.**
- 5. Any access gates shall only open inwards.**
- 6. There shall be no obstruction over 1m in height above carriageway level within 2.5m of the road channel over the full frontage of the site.**
- 7. A schedule outlining the external finishing 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.**

**Reasons:**

1. To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. To ensure the ground is suitable for the proposed development.
3. To ensure that the occupants of the property are safeguarded against excessive noise intrusion.
- 4-6. To safeguard the interests of the users of the highway.
7. To safeguard the visual amenity of the area.

**Informatives:-**

1. For the avoidance of doubt, the plans to which this decision refers bear our reference 01, 02, 03 and 04

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**Director of Development Services**

**Date:** 10<sup>th</sup> June 2009

**LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan
2. Grangemouth Local Plan
3. Falkirk Council Local Plan Finalised Draft (Deposit Version)
4. Supplementary Planning Guidance Note – Housing Layout and Design

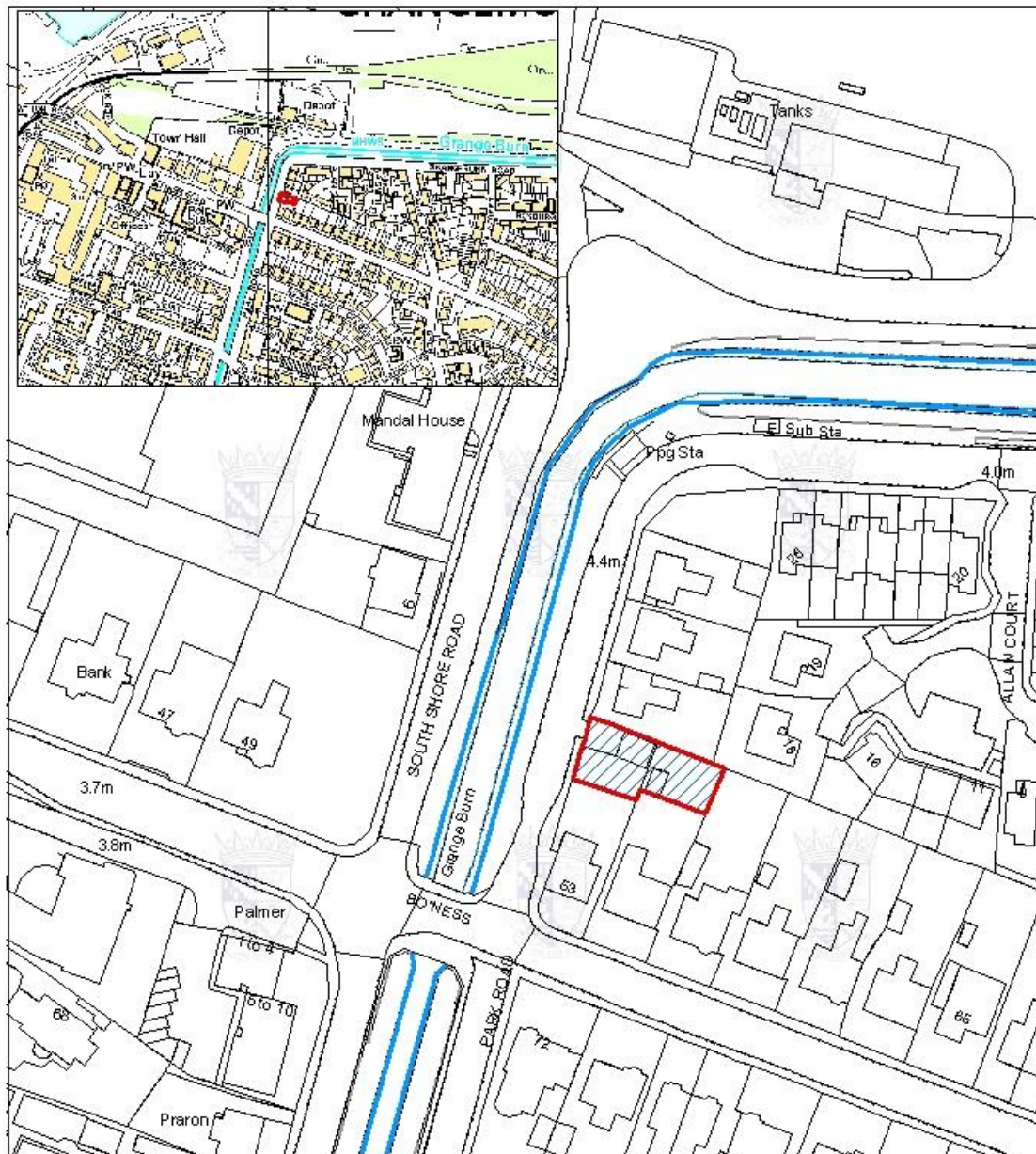
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504701 and ask for Kevin Brown (Planning Officer).

# Planning Committee

## Planning Application Location Plan

**P/09/0106/FUL**

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



Falkirk Council

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