

**FALKIRK COUNCIL**

**Subject:** ERECTION 18 FLATTED DWELLINGS AND ASSOCIATED ROADS, FOOTWAYS AND PARKING AREAS AT LAND TO THE NORTH OF HALLGLEN SPORTS CENTRE, ISLANDS CRESCENT, FALKIRK FOR FALKIRK COUNCIL – P/10/0037/FUL

**Meeting:** PLANNING COMMITTEE

**Date:** 24 March 2010

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Councillor Gerry Goldie  
Councillor Joe Lemetti  
Councillor John Patrick  
Councillor Georgie Thomson

**Community Council:** Falkirk South

**Case Officer:** John Milne (Senior Planning Officer) ext 4815

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

- 1.1 The application site comprises an area of 0.21 ha encompassing an existing vacant building and neighbouring open space adjoining Hallglen Sports Centre, Falkirk.
- 1.2 The existing vacant building comprises a former nightclub, set adjacent to the Hallglen Sports Centre and a row of retail units.
- 1.3 The area of open space to the rear of the nightclub is neighboured by the service yard of the retail units and fronts existing residential property.
- 1.4 Part of the open space is dedicated to an existing kickabout football area of limited standard.
- 1.5 The development area is in close proximity to the Glasgow/Edinburgh railway tunnel which runs below the site.
- 1.6 The applicant intends to utilise the footprint of the demolished nightclub and adjoining open space to provide 3 blocks of 3 storey flats, totaling 18 units. In addition, it is intended to provide a total of 23 parking spaces dedicated to the development, along with a dedicated access roadway.

## **2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The application has been made by Falkirk Council and, under the Council's amended Scheme of Delegation, such applications require consideration by the Planning Committee. It is also a departure to the Development Plan.

## **3. SITE HISTORY**

- 3.1 No relevant site history.

## **4. CONSULTATIONS**

- 4.1 Scottish Water do not object to the proposal. However, it should be noted that any planning approval granted by the local authority does not guarantee a connection to infrastructure.
- 4.2 The Scottish Environment Protection Agency have provided standard advice applicable to this type of small scale development.
- 4.3 Falkirk Council's Transport Planning Unit have no objection subject to conditions regarding reinstatement of footpaths and type/location of cycle racks.
- 4.4 Falkirk Council's Roads Development Unit advise that the proposal would be acceptable subject to conditions regarding the adequate provision of roads, footpaths and visibility splays, along with a sustainable Urban Drainage System.
- 4.5 Falkirk Council's Environmental Protection Unit advise that a standard condition regarding contaminated land investigation be imposed.
- 4.6 Falkirk Council's Education Services advise that this small flatted development can easily be accommodated in the local schools and would not be expected to have any significant impact on the RC school.
- 4.7 Central Scotland Police advise that the development should be built to 'Secure by Design' standards.
- 4.8 Network Rail object to the proposals, as the applicant has failed to satisfactorily demonstrate to Network Rail that the development will have no adverse effect on the tunnel structure and therefore could impact on the traveling public.
- 4.9 Falkirk Council's Parks and Recreation raised concern regarding a loss of car parking provision to the Hallglen Sports centre. The application has been revised to ensure no detriment to the sports centre parking.

## **5. COMMUNITY COUNCIL**

- 5.1 Falkirk South Community Council has not made any representation.

## **6. PUBLIC REPRESENTATION**

6.1 Four letters of objection have been received from three parties commenting that the proposal:-

- Will create unacceptable levels of noise from traffic and increased overshadowing from the 3 storey structures.
- Will have detrimental impact on adjoining occupants, a proportion of whom are elderly or disabled.
- Will greatly reduce the playing area for children, moving the available area nearer existing residential property.
- Will increase vehicular traffic to an area used by children as a play area.
- Will add to the problem of parking in the area, as the sport centre experiences 'peak period parking problems'.
- Have insufficient amenity ground associated with them, most notably the flats adjacent to the shops.
- Have an architectural style which is unimaginative and lacks any style or architectural detailing.
- Have a roof layout which is contrived and does not correspond to the surrounding houses.
- Have a housing density which is excessive.
- Will have a detrimental impact on noise during construction, being built in close proximity to a railway tunnel.

## **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**

#### ***Falkirk Council Structure Plan***

7a.1 Policy COM.3 'Special Needs and Affordable Housing' states:

*"The Council will support the provision of affordable and special needs housing, based on housing needs assessments for each community. Local Plans will identify suitable sites and where appropriate, stipulate the proportion of larger housing sites which should be reserved to meet specific housing needs."*

7a.2 The property is considered affordable rented provision not associated with any general needs development scheme, but dedicated for such purpose by the applicant.

7a.3 Policy COM.6 ‘Open Space and Recreational Facilities’ states:

*“The Council will seek to ensure that a satisfactory distribution and quality of open space and recreational facilities exists across the Council area. Accordingly:*

- (1) the loss of open space and recreational facilities will not normally be permitted except where, as part of a community-wide assessment of provision, it is demonstrated that the loss will have no adverse impact on visual or recreational amenity and will release resources for qualitative improvements to facilities in the community as a whole;*
- (2) Local Plans will identify and seek to address any remaining localised deficiencies in provision;*
- (3) resources will generally be concentrated on improving the quality, management and accessibility of existing provision; and*
- (4) all new housing development must contribute to the provision and maintenance of open space and recreational facilities either through on-site provision or contributions to off-site provision. Standards will be set out in Local Plans based on the provision of 2.8ha per 1000 persons.”*

7a.4 The loss of the existing open space has not been evaluated as part of any community-wide assessment of provision nor will release resources for qualitative improvements to facilities in the community as a whole.

7a.5 Policy ENV.7 ‘Quality of Development’ states:

- “(1) Priority is attached to the achievement of high standards of design in all new development. Proposals for development which would have significant visual and physical impact on a site and its surroundings must be accompanied by a "design concept statement" incorporating the relevant factors outlined in Schedule ENV.7 which sets out how design principles have been addressed and how quality objectives will be achieved.*
- (2) Local Plans and Supplementary Planning Guidance will provide detailed guidance on how significant impact will be assessed and the details to be included in such design concept statements.”*

7a.6 The proposal is not considered of a significant scale as to merit a ‘design concept statement’ but reference should be made to Supplementary Planning Guidance as to the merits of the scheme.

### ***Falkirk Local Plan***

7a.7 Part of the site is allocated Major Open Space (FAL 4.5, 4.6) and is in close proximity to the underground Glasgow/Edinburgh railway tunnel.

7a.8 Policy FAL 3.1 ‘Design and Townscape’ states:

*“New development will be required to achieve a high standard of design and amenity, and should contribute positively to the visual quality of the built environment. Proposals should accord with the following principles:*

- (i) the siting, layout and density of new development should create an attractive and coherent structure of spaces and built forms which integrates well with the pattern of the local townscape/landscape, and fosters a sense of place;*
- (ii) the design of new buildings should blend with that of the surrounding urban fabric in terms of scale, height, massing, building line, architectural style and detailing;*
- (iii) building materials and finishes should be chosen to reflect those prevailing in, or traditional to, the local area;*
- (iv) opportunities should be taken within the development to incorporate new public spaces, enhance existing ones or create other focal points;*
- (v) existing buildings or natural features which contribute to the local townscape should be retained, where possible, and incorporated as an integral part of the design; and*
- (vi) the contribution to the townscape of important landmarks, skylines and views should be respected.”*

7a.9 The development proposed would be a modest residential development adjacent to remaining open space provision.

7a.10 Policy FAL 3.2 ‘Design and Landscaping’ states:

*“Development proposals should incorporate appropriate hard and soft landscaping which enhances the character of the development and the local area. The landscaping scheme should:*

- (i) respect the setting and character of the development site;*
- (ii) retain, where practical, existing vegetation and natural features such as ponds, wildflower meadows/verges, and scrub;*
- (iii) incorporate structure planting, street trees and informal open space planting, as appropriate to the nature and location of the proposal;*
- (iv) make use of native tree and plant species;*
- (v) incorporate high quality hard landscaping, including surfacing materials, boundary enclosures and street furniture which complement the development and the local townscape; and*
- (vi) demonstrate that satisfactory arrangements have been made for the future maintenance and management of landscaped areas.”*

7a.11 The development is subject to a suspensive condition regarding specification, implementation and maintenance of landscaping provision.

7a.12 Policy FAL 3.3 ‘Design and Accessibility’ states:

*“Development proposals should incorporate, where appropriate, safe and attractive access for all users, particularly pedestrians, cyclists and public transport users. In particular, they should ensure:*

- (i) the provision and protection of pedestrian/cycle routes through the site, linking into the wider strategic network of routes beyond, and particularly to public transport stops and community facilities; and*
- (ii) the provision, as far as possible, of a barrier-free environment for those with access difficulties*

*such as disabled persons and the elderly.”*

7a.13 The proposed development would introduce footpaths linking the existing footpath network to the scheme. No supporting information on barrier free access or adaptability for disabled persons or the elderly has been submitted.

7a.14 Policy FAL 3.4 ‘Design and Crime Prevention’ states:

*“Development proposals should create a safe and secure environment for all users, through the application of the general principles contained in the Planning Advice Note (PAN 46) on Planning and Crime Prevention. In particular:*

- (i) buildings, public spaces, access routes and parking areas should benefit from a good level of natural surveillance and, where appropriate, should be covered by extensions to the Town Centre Closed Circuit Television System;*
- (ii) boundaries between public and private space should be clearly defined; and*
- (iii) access routes should be direct, clearly defined and well lit, with recognised points of entry.”*

7a.15 The proposal would introduce a degree of natural surveillance to the rear of the existing Hallglen sports hall as well as overlooking the adjoining footpath network. The option to approach Central Scotland Police to endeavour to achieve 'Secure by Design' status lies with the applicant. Boundaries between public and private open space, along with defined access routes, are considered acceptable.

7a.16 Policy FAL 4.5 ‘Protection of Open Space’ states:

*“The Council will protect parks, playing fields and other areas of open space and urban greenspace from any development which would diminish their recreational, amenity or ecological value. The Council will generally resist proposals for development or changes of use where they would:*

- (i) adversely affect the recreational value of any area of active or passive open space, considered in relation to overall standards of provision in the locality;*
- (ii) result in a loss of amenity open space which would have a detrimental impact upon the character and appearance of the area;*
- (iii) weaken an existing wildlife corridor or otherwise adversely affect any ecological value which the open space may have; or*
- (iv) set an undesirable precedent for further incremental loss of public open space such that the amenity, recreational or ecological value of the area will be adversely affected.”*

7a.17 Part of the application site comprises part of a small kickabout playing field and area of passive open space. However, it is considered that the loss of such provision will not have a significant detrimental impact on the character or appearance of the area. In terms of recreational value, no provision to offset the partial loss of the kickabout area forms part of the current proposals, nor is requested by colleagues in Parks and Recreation.

7a.18 Policy FAL 4.6 ‘Enhancement of Open Space’ states:

*“The Council will seek to improve the amenity, recreational and ecological value of existing open space where opportunities arise. In association with the Culture & Leisure Strategy, the Council will produce management plans for public parks within the Local Plan area as a means of prioritising and implementing improvements.”*

7a.19 No enhancement provision of the remaining open space has been forwarded by the applicant, although landscaping provision on the application site would be ensured.

7a.20 Policy FAL 5.4 ‘Affordable Housing’ states:

*“The Council will support proposals for the provision of low cost and affordable housing for rent or purchase. Particular emphasis will be placed on meeting the needs of:*

- (i) young single people;*
- (ii) newly formed households and first time buyers; and*
- (iii) tenure diversification in Bainsford/Langlees and other areas covered by the Community Urban Regeneration Strategy.*

*The Council will consult with Scottish Homes and developers of major housing developments on the means of providing affordable housing, taking account of evidence of need, site and market conditions at that time.”*

7a.21 It is confirmed that the development will be allocated for affordable housing for rent, although no supporting evidence as to need, site or market conditions has been submitted.

7a.22 Policy FAL 5.5 ‘Open Space Provision’ states:

*“The Council will require the provision of public open space and play areas in new residential developments and that adequate arrangements are made for their future maintenance. The extent of provision should relate to the size, form and location of the development, and generally accord with the Council’s Guidance Note on ‘Play Areas and Open Space’. In appropriate circumstances, the Council may seek contributions to the upgrading of existing facilities in the area in lieu of on-site provision. The location, design and landscaping of open space should be such that:*

- (i) it forms an attractive and integral part of the development, contributing to its character and identity;*
- (ii) existing natural features in, or adjacent to, the site are incorporated; and*
- (iii) play areas are convenient, safe and easily supervised.”*

7a.23 The level of open space is considered adequate for the proposed development, given the available adjoining open space provision. A condition regarding the provision and maintenance of landscaping is considered appropriate.

7a.24 Policy FAL 8.2 ‘Roads and New Development’ states:

*“Road layout, access and parking provision in new developments should generally conform to Falkirk Council’s ‘Design Guidelines and Construction Standards for Roads’. Major development proposals likely to generate significant traffic volumes will require a multi-modal Transport Impact Assessment.”*

7a.25 The proposed development complies with the above policy.

7a.26 Accordingly, the proposal does not accord with the Development Plan in that the development would result in loss of allocated open space provision.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are the policies within the Falkirk Council Local Plan Finalised Draft (Deposit Version), the views of consultees and the objections raised.

### ***Falkirk Council Local Plan Finalised Draft (Deposit Version)***

7b.2 Policy EQ1 ‘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, 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) Resource Use. Development should promote the efficient use of natural resources, and take account of life cycle costs, in terms of 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.”*

7b.3 The application endeavors to address the issues of scale, siting and design of new development and creates a building grouping that is safe and easy to use. The issue of drainage and surface water requires to be addressed, while maintenance of landscaping areas is subject to planning condition. No supporting information on Accessibility or Resource Use has been lodged.

7b.4 Policy EQ3 ‘Townscape Design’ states:

*“New development will be required to contribute positively to the quality of the built environment. Proposals should accord with the following criteria:*

- (1) The siting, layout and density of new development should create a coherent structure of streets, amenity space and buildings which respects and complements the site’s environs and creates a sense of identity within the development;*
- (2) Streets and public spaces should have buildings fronting them, and where this is not possible, a high quality architectural or landscape treatment will be required as an alternative;*
- (3) The design of new buildings should reflect the surrounding urban fabric in terms of scale, height, massing and building line;*
- (4) Building materials, finishes and colours should be chosen to complement those prevailing in the local area;*



- (5) *Existing buildings or structures which contribute to the local townscape should be retained and integrated sensitively into the layout; and*
- (6) *The contribution to the townscape of important landmarks, skylines and views should be respected.”*

7b.5 In terms of scale, height and massing, the proposed 3 storey structures are not considered an incongruous feature within a housing area already containing a mix of 2 and 3 storey properties.

7b.6 Policy SC1 - ‘Housing Land Provision’ states:

- “(1) Through the Local Plan, the Council will aim to meet the housing land requirements of the Falkirk Council Structure Plan for at least the period up to 2015, as detailed in Table 4.1. Sites contributing towards the requirement are detailed under the relevant Settlement Statements.*
- (2) Within the areas identified as Special Initiatives for Residential-Led Regeneration (SIRRs) on the Proposals Map, housing development in addition to the base requirement will be supported subject to:*
  - the preparation of a satisfactory masterplan or development framework for the area; and*
  - demonstration that the necessary social and physical infrastructure requirements for the area will be met through a co-ordinated approach to developer contributions.”*

7b.7 The site is not allocated or identified as a potential housing site.

7b.8 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.9 The site comprises a mix of urban open space and brownfield land, set adjacent to existing residential/retail development where a satisfactory level of residential amenity can be achieved. While the redevelopment of the former nightclub area can be considered to be brownfield development, the utilization of adjoining open space provision is considered contrary to Development Plan policy.

7b.10 Policy SC4 ‘Special Needs and Affordable Housing’ states:

*“For large new housing developments, the Council will require a diversity of house types and tenures in order to create mixed communities. In particular there will be a requirement across the Council*

*area for new housing sites of 100 units and over to provide 15% of the total number of units as affordable or special needs housing. In the settlement areas of Larbert/Stenhousemuir, Polmont and District and Rural North, where there is an identified shortfall in affordable housing provision, there will be a requirement for sites of 60 units and over to provide 25% of the total number of units as affordable or special needs housing. Acceptable approaches could include:*

- (1) Provision of general needs social rented houses;*
- (2) Provision of social housing for people with particular needs (specifically the elderly and physically disabled); or*
- (3) Provision of shared equity or shared ownership housing. Developers will be expected to work in partnership with the Council, Communities Scotland and Registered Social Landlords to comply with this policy.”*

7b.11 The site is dedicated towards affordable rented accommodation funded by the applicant.

7b.12 Policy SC6 - ‘Housing Density And Amenity’ states:

- “(1) Overall density in new residential developments should conform to the indicative capacity shown for allocated sites or, in the case of windfall sites, be dictated by the character of the surrounding area and the design objectives for the site, as established in the Design Concept Statement. Higher densities may be allowed where this helps to achieve design excellence.*
- (2) On large sites, housing density should be varied to create areas of different character, reflecting the structure of streets and spaces in the development. A mix of housing types will be required.*
- (3) Adequate properly screened private amenity space should be provided for dwellinghouses. In flatted developments, communal space for clothes drying and private amenity should be provided.*
- (4) Housing layouts should be designed to ensure adequate privacy and to avoid excessive overshadowing of houses or garden ground. A minimum distance between overlooking windows of 18 metres will generally be required.”*

7b.13 The density, private amenity space and privacy provision of the scheme is considered acceptable.

7b.14 Policy SC12 - ‘Urban Open Space’ states:

*“The Council will protect all urban open space, including parks, playing fields and other areas of urban greenspace, which is considered to have landscape, amenity, recreational or ecological value, with particular reference to the areas identified on the Proposals Map. Development involving the loss of urban open space will only be permitted where:*

- (1) There is no adverse effect on the character and appearance of the area, particularly through the loss of amenity space planned as an integral part of a development;*
- (2) In the case of recreational open space, it can be clearly demonstrated from the Council’s open space audit and strategy, or a site specific local audit of provision in the interim, that the area is surplus to recreational requirements, and that its release for development will be compensated for by qualitative improvements to other open space or recreational facilities;*
- (3) The area is not of significant ecological value, having regard to Policies EQ24 and EQ25; and*
- (4) Connectivity within the overall open space network is not threatened and public access routes in or adjacent to the open space will be safeguarded.”*

7b.15 It is considered that part of the application site is clearly identified as open space, although there would be no significant adverse effect on the character and appearance of the area as a result of the proposals. The recreational element of the open space is limited to an informal kickabout pitch, which is restricted in standard.

7b.16 Policy SC14 'Education and New Housing Development' states:

*"Where there is insufficient capacity within the catchment school 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 will be set out in the SPG Note on 'Developer Contributions; Education and New Housing Development'. In cases where the school cannot be improved in a manner consistent with the Council's education policies, the development will not be permitted."*

7b.17 Education Services have no objection to the proposals nor require any form of commuted payment towards existing school facilities.

### **Response to Objectors**

7b.18 The level of increased traffic generated by 18 residential units is not considered to be as significant as to represent an adverse impact on existing residential amenity.

7b.19 The proposal will result in a loss of passive open space, but a proportion will remain for continued use.

7b.20 The proposal of 18 units is considered to be adequately served by the 23 car parking spaces allocated.

7b.21 The architectural style, housing density, and form of layout would not merit the refusal of the application.

7b.22 The impact of the proposal on the nearby railway tunnel will be reviewed and monitored by Network Rail.

### **7c Conclusion**

7c.1 It is considered that the proposal is contrary to the Development Plan as it would result in a partial loss of allocated open space within the adopted Falkirk Council Local Plan and emerging Falkirk Council Local Plan Finalised Draft (Deposit Version). However, given that the proposed housing development would not introduce any conflict in terms of land use and would integrate within existing housing provision in the area, it is considered that the loss of open space is not significant. The objection raised by Network Rail is considered a technical matter to be resolved by the applicant.

7c.2 The proposed development is not considered a significant departure to the Development Plan, and, as such, would not require to be referred to Ministers under the terms of Circular 3/2009 Notification of Planning Applications.

## 8. RECOMMENDATION

8.1 It is therefore recommended that Committee approve planning permission with the following conditions-

- (1) The development to which this permission relates must be begun within three years of the date of this permission.
- (2)
  - (i) 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.
  - (ii) Where contamination (as defined by Part 11A 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.
  - (iii) 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) Prior to the commencement of works on site, details of the materials to be used on the external surfaces of the buildings, and in the construction of any hard standings/walls/fences, shall be submitted to and approved in writing by the Planning Authority. The development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the Planning Authority.
- (4) All road and footway construction shall be carried out in accordance with the "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area, as amended January 2000".
- (5) Provision shall be made for the parking of bicycles in appropriate racks to the satisfaction of the Planning Authority. Details, including number and location, shall be submitted to and approved by the Planning Authority prior to the commencement of works. Thereafter the facilities approved will be provided before the use of the premises commences.

- (6) Before the building is occupied, the car parking shown on the Approved Plan shall be completed.
- (7) Prior to any works on site, details of the surface water drainage strategy including SUDS shall be submitted to and approved in writing by the planning authority.
- (8) At any junctions within the site, a visibility splay of 2.4m by 30.0m shall be maintained, within which there shall be no obstruction to visibility over 0.6, in height.
- (9) Development shall not begin until details of the scheme of soft landscaping works has been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):
  - (i) indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
  - (ii) location of new trees, shrubs, hedges and grassed areas;
  - (iii) schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - (iv) programme for completion and subsequent maintenance.

**Reason(s):**

- (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.
- (3,9) To safeguard the visual amenity of the area.
- (4,8) To safeguard the interests of the users of the highway.
- (5,7) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (6) To ensure that adequate car parking is provided.

**Informative(s):**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02a, 03a, 4, 5, 6, 7, 8, 9, 10.

Pp

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Director of Development Services

Date: 16 March 2010

**LIST OF BACKGROUND PAPERS**

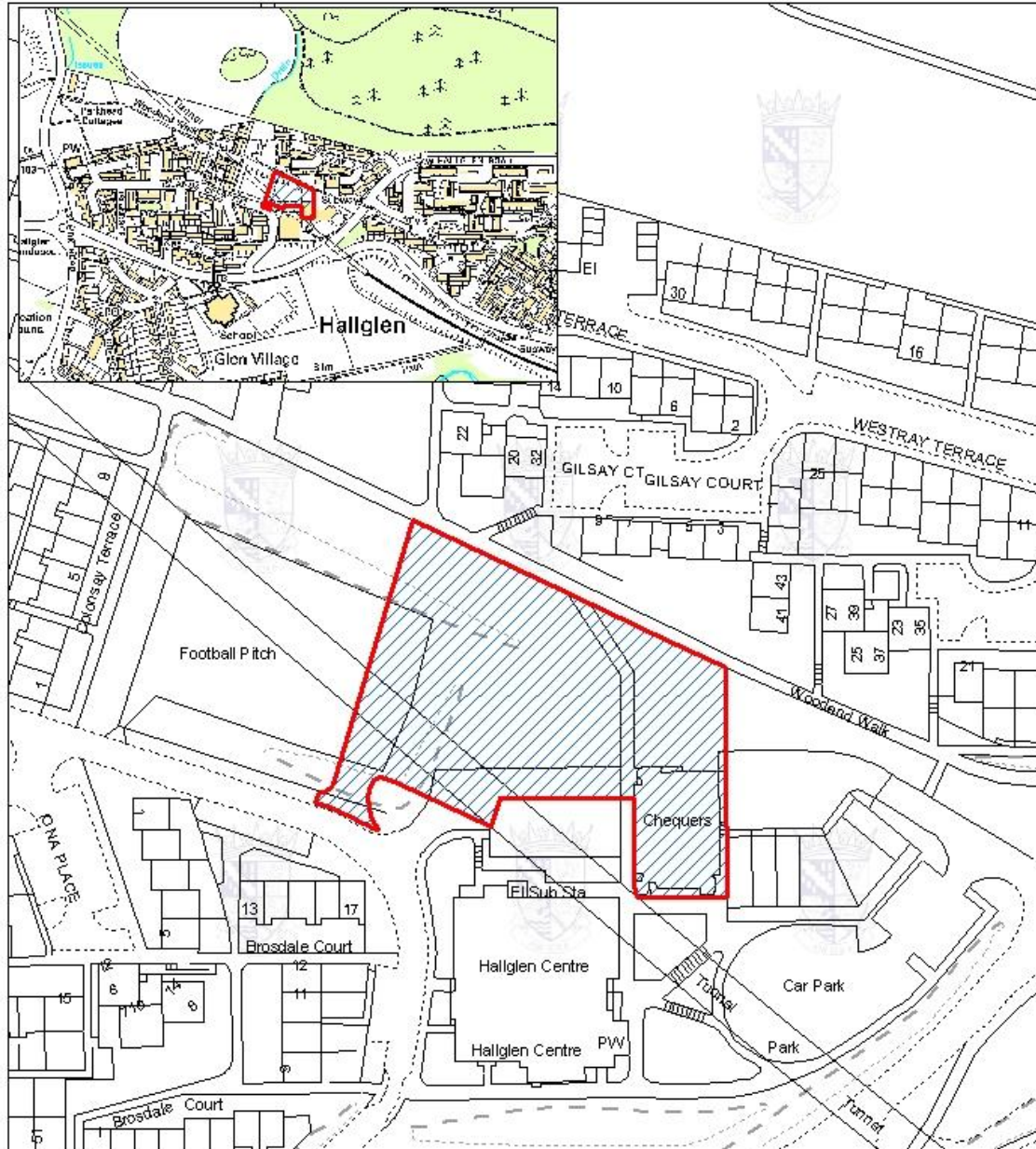
1. Falkirk Council Structure Plan
2. Falkirk Council Local Plan Finalised Draft (Deposit Version)
3. Letter of Objection from Mary Love, 7 Gilsay Court, Falkirk FK1 2PX on 2 March 2010
4. Letter of Objection from Mr William Smith, 44 Tanera Court Falkirk FK1 2PQ on 5 February 2010
5. Letters of Objection from Mrs Elizabeth Bell, 5 Colonsay Terrace, Hallglen, Falkirk FK1 2PN on 18 and 19 February 2010

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne (Senior Planning Officer).

# Planning Committee

## Planning Application Location Plan P/10/0037/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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