

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES AT LAND TO THE EAST OF AGRICULTURAL HOLDINGS NO 9, KILSYTH ROAD, HAGGS FOR MR DUNCAN – P/10/0064/PPP

Meeting: PLANNING COMMITTEE

Date: 21 April 2010

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Jim Blackwood
Councillor John McNally
Councillor Martin David Oliver
Councillor Alexander John Waddell

Community Council: Banknock, Haggs and Longcroft

Case Officer: Brent Vivian (Senior Planning Officer) Ext, 4935

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application seeks planning permission in principle for the development of land for residential purposes. A supporting Planning Statement has been submitted with the application which indicates that the site could accommodate up to 25 units.
- 1.2 The application site extends to 1.58 hectares and lies between the settlements of Haggs and Longcroft. Residential properties adjoin the site to the west and east. The site has two road frontages being Kilsyth Road to the north and Cumbernauld Road to the south. The site levels fall steeply to Cumbernauld Road. There is mature tree planting along the Cumbernauld Road boundary.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires Committee consideration as granting it would be contrary to the Development Plan.

3. SITE HISTORY

- 3.1 Planning application ref: F/2004/1107 for the development of land for housing purposes was refused in 2005.
- 3.2 Planning application ref: 06/0361/OUT for the development of land for housing purposes was refused in 2006.

- 3.3 Planning application ref: P/09/0522/OUT for the development of land for housing purposes was refused in January 2010.
- 3.4 The grounds for refusal on each occasion are detailed in paragraphs 7b.12 to 7b.14.

4. CONSULTATIONS

- 4.1 The Roads and Development Unit has detailed its requirements in respect of vehicular access, roads and footways and has accepted the conclusions and recommendations of the Surface Water Drainage Strategy submitted with the application. It is advised that vehicular access could be via a new junction to either Kilsyth Road or Cumbernauld Road.
- 4.2 The Transport Planning Unit has requested the provision of a footpath/cycle link to Cumbernauld Road, footpath links to the existing facilities on Kilsyth Road and the payment of a financial contribution at a rate of £800 per unit towards upgrade of the A80/M80 slip road junctions with the A803.
- 4.3 Scottish Water has no objection to the application.
- 4.4 SEPA has no objection to the application if a condition is imposed on any grant of permission to require two levels of sustainable surface water drainage treatment (SUDS).
- 4.5 The Environmental Protection Unit has requested the submission of a Contaminated Land Assessment and a scheme to ensure that the proposed dwellinghouses would be adequately protected from transportation noise.
- 4.6 Education Services has requested the payment of a financial contribution at a rate of £1,000 per unit towards addressing future anticipated capacity issues at Denny High School as a consequence of new housing growth in the area. In addition, Education Services has acknowledged that a contribution at a rate of £2,150 per unit towards addressing future anticipated capacity issues at Bankier Primary School may not be required if the cost of upgrading this school would be met by the development proposals within the Banknock SIRR area (Special Initiative for Residential Regeneration).
- 4.7 Community Services (Parks and Recreation) has reviewed its previous advice for the payment of a financial contribution towards the provision, upgrade and maintenance of recreational facilities in the local area. It now advises that the preferred option would be for the provision of a play facility on the site due to safety issues in crossing the A803 to access the nearest existing facility (Anderson Terrace, Longcroft). The value of the new facility would equate to a rate of £750 per unit.

5. COMMUNITY COUNCIL

- 5.1 The Banknock, Haggs and Longcroft Community Council has raised concerns which can be summarised as follows:-
- Housing of this type and scale does not provide any community benefit.

- The site forms a natural barrier separating the communities of Haggs and Longcroft. Without this barrier, these communities lose their identity and become part of a continuous stream of linear housing.
- Lack of infrastructure support for the scale of housing proposed.

6. PUBLIC REPRESENTATION

6.1 Three letters of objection have been received to the application. The concerns raised in these objections can be summarised as follows:

- Contrary to Local Plan (the site is outwith the current village limits).
- Granting the application would be premature.
- Setting of precedent for further development of the Green Belt.
- Detrimental impact to local area with no benefit to local residents.
- Detriment to privacy.
- Detrimental effect on outlook.
- Increase in noise and pollution.
- The current road is unsuitable and already very dangerous.
- Increase in danger to pedestrians crossing the main road.
- Old Cumbernauld Road would be unacceptable for access.
- Lack of maintenance of pavements and verges.
- Inadequate roads and drainage infrastructure.
- Present outfall from utility pipe on Cumbernauld Road causes flooding.
- Adverse effect on property values.

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

Approved Falkirk Council Structure Plan

7a.1 Policy ENV.1 ‘Countryside and Protected Areas’ states:

“(1) There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.

(2) The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.”

7a.2 The application site lies in the Countryside as defined in the adopted Local Plan. Within the Countryside there is a general presumption against new development unless it can be demonstrated that a countryside location is essential. In this instance, this has not been demonstrated. Accordingly, the proposed development does not accord with this policy.

7a.3 Policy COM.7 ‘School Provision’ states:

“New housing development will not be permitted unless adequate school capacity is available or will be made available.”

7a.4 Education Services has advised that there are no current capacity issues at any of the schools within the local catchment. However, future capacity issues are anticipated at Bankier Primary School and Denny High School as a consequence of new housing growth in the catchment areas. It is recognised that the capacity issue at Bankier Primary School would be caused by the large scale Banknock SIRR development and it is anticipated that this development would fund the required upgrades to this school. Denny High School is projected to reach capacity within the next 10 years as a consequence of the cumulative impact of developments in the area. Accordingly, and in line with current practice, it is considered that a pro-rata contribution should be sought to meet this longer term need. Subject to payment of the contribution, the proposed development accords with this policy.

Adopted Bonnybridge and Banknock Local Plan

7a.5 The application site lies outwith the urban limit as defined in the adopted Bonnybridge and Banknock Local Plan (2nd Alteration), within the Countryside and an Area of Visual Separation.

7a.6 Policy BON 1 states:

“That the boundary of the urban area is regarded as the desirable limit to the growth of the Bonnybridge and Banknock area for the period of the Local 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. (Figures 1,2 and 3).”

7a.7 The proposed development would extend the urban area beyond its current limits at Haggs and Longcroft. Under this policy there is a general presumption against development that would extend the urban limits. The proposed development is considered to be contrary to this policy.

7a.8 Policy BON 5 states:

“That to retain the visual separation between settlements there will be a general presumption against all proposals for development within the relevant areas unless it can be shown to be absolutely necessary in that particular location. (Figures 1, 2 and 3).”

7a.9 The majority of the application site falls within an Area of Visual Separation between Haggs and Longcroft. Under this policy there is a general presumption against new development in order to prevent urban extension that would lead to the coalescence of settlements. This Area of Visual Separation is considered to be effective as it is predominantly open in character with limited housing. It is therefore considered that there is no justification for the proposed development and that it is not absolutely necessary within the terms of this policy. Accordingly it is contrary to this policy.

Adopted Rural Local Plan

7a.10 The application site lies within the Countryside under the adopted Rural Local Plan.

7a.11 Policy RURAL 1 ‘New Development in the Countryside’ states:

“That within the countryside (as defined in paragraph 3.19), there will be a general presumption against new development except in the following circumstances :-

- 1. Housing development absolutely essential to the pursuance of agriculture, forestry or other economic activity appropriate to a rural location. The occupation of new houses shall be limited to persons employed in agriculture as defined in Section 275(1) of the Town and Country Planning (Scotland) Act 1972, or to persons employed in forestry or other appropriate rural activities and the dependants of such persons.*
- 2. On the Slamannan Plateau as indicated on the Policies and Proposals Map, single dwellinghouses developed in conjunction with significant tree planting schemes. Such proposals will be considered on merit with due regard to the provisions of the District Council’s “Guide to Tree Planting/Housing Proposals on Slamannan Plateau”.*
- 3. Appropriate infill development where a clear gap site exists which would not contribute to ribbon, backland or sporadic development forms.*
- 4. Industrial/business development where there is an overriding national or local need and a rural site is the only suitable location.*
- 5. Development for tourism and countryside recreation purposes where the District Council is satisfied that the proposal requires a rural setting, is appropriate in terms of its type, scale and location and that it would enhance the image of the District. Proposals which accord with the District Council’s Tourism Strategy are particularly welcomed.*

6. *Telecommunications development and development relating to the temporary use of land particularly for the working of minerals. Such proposals will be considered on merit, with due regard to the relevant specialised policies of the District Council.*

The scale, siting and design of those developments which are granted permission will be strictly controlled. Building designs compatible with the District Council's "Design Guide For Buildings In The Rural Areas" and sympathetic to vernacular architectural forms will be expected."

7a.12 Under this policy there is a general presumption against new development in the Countryside except in limited circumstances. In this instance it is considered that the proposed development does not satisfy any of these circumstances. In particular, the proposed housing is not essential for the pursuance of economic activity requiring a rural location (circumstance 1) and the proposal, by virtue of its scale and its contribution to ribbon development, would not represent appropriate infill development (circumstance 4) within the context of this policy. The proposed development is therefore contrary to this policy.

7a.13 Accordingly, the proposal does not accord with the Development Plan.

7b Material Considerations

7b.1 The material considerations in respect of this application are the Falkirk Council Local Plan Finalised Draft (Deposit Version), the planning history for the site, the consultation responses and the representations received.

Falkirk Council Local Plan Finalised Draft (Deposit Version)

7b.2 The application site lies within the urban limits under the Falkirk Council Local Finalised Draft (Deposit Version) and is allocated as a housing opportunity site (H.B & B11). The accompanying text indicates that H.B & B11 has the capacity for up to 25 units and that the views from both street frontages, the significant changes in levels, existing vegetation and adjoining properties raise issues that would need to be addressed.

7b.3 The proposed allocation of this site for housing (H.B & B11) is not the subject of any objection under consideration in the Local Plan inquiry process. Accordingly, it is considered that significant weight can now be afforded to this new housing allocation.

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 The application seeks planning permission in principle and therefore detailed information in relation to site layout and design has not been submitted. In general terms, it is considered that vehicular access should be taken from Kilsyth Road, that houses should front Kilsyth Road and the mature planting along the Cumbernauld Road frontage should be retained. The detailed design and layout would be the subject of any subsequent application for detailed planning permission or matters specified in conditions. Subject to the securing of a high quality design, the proposed development would make a positive contribution to the area and accord with this policy.

7b.6 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.7 The capacity indicated for H.B & B11 is for up to 25 units. The applicant has advised that a development commensurate with this number of units is anticipated. The site density and other aspects of the policy relating to house type, amenity and privacy would be the subject of detailed consideration in respect of any application for detailed planning permission or matters specified in conditions. Subject to these matters being satisfactorily addressed, the proposed development would accord with this policy.

7b.8 Policy SC13 ‘Open Space and Play Provision in New Development’ states:

“New development will be required to contribute to open space and play provision. Provision should accord with the Council’s open space audit and strategy and the SPG Note on ‘Open Space and New Development’, once available, or a site-specific local audit of provision in the interim, and should accord with the following principles:

- (1) The baseline standard for open space development in new residential development is 60 m² per dwelling, any alternative standard that may be set by the open space strategy, or any site-specific standard that may be set in a development brief;*
- (2) Financial contributions to off-site provision, upgrading, and maintenance, as a full or partial alternative to direct on-site provision, will be sought where:*
 - *existing open space or play facilities are located nearby and are able to serve the development through suitable upgrading;*

- *in residential developments, the size of the development falls below the threshold of 10 houses, or where it is otherwise not practical, reasonable or desirable to provide facilities on site; or*
 - *as part of a co-ordinated approach, a centralised facility is the optimum solution to serving a number of different developments in an area;*
 - *The required financial contribution per house will be set out in the SPG Note on ‘Open Space and New Development’.*
 - *The open space strategy indicates that there is a sufficient amount of open space in the area, and that priority should be given to qualitative improvements to existing open space;*
- (3) *The location and design of open space should be such that it:*
- *forms an integral part of the development layout, contributing to its character and identity;*
 - *is accessible and otherwise fit for its designated purpose;*
 - *links into the wider network of open space and pedestrian/cycle routes in the area;*
 - *sensitively incorporates existing biodiversity and natural features within the site;”*
 - *promotes biodiversity through appropriate landscape design and maintenance regimes; and*
 - *enjoys good natural surveillance;*
- (4) *Developers must demonstrate to the Council that arrangements are in place for the management and maintenance of open space, including any trees, paths, walls, structures, and play areas which form part of it.”*

7b.9 The provision of open space to satisfy the terms of this policy would be considered as part of any subsequent application for detailed planning permission or matters specified in conditions. The provision of a suitable play facility would be required within the open space for the proposed development. Subject to the provision of appropriate open space, the proposed development would accord with this policy.

7b.10 Policy ST11 - ‘Sustainable Urban Drainage’ states:

“Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation. A drainage strategy, as set out in PAN 61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment.”

7b.11 The Surface Water Drainage Strategy submitted with this application has recommended the provision of Sustainable Urban Drainage System (SUDs) in the form of on-site treatment (filter drains and a detention basin) prior to outfall to the Bonny Water. These recommendations have been informed by the size of the development and capacity constraints in the existing Scottish Water combined sewer system for the area. The Roads and Development Unit has accepted the Surface Water Drainage Strategy in principle. Subject to the detailed design of the surface water drainage scheme being satisfactory, the proposed development would accord with this policy.

Planning History

- 7b.12 As detailed in this report, planning application refs: F/2004/1107, 06/0361/OUT and P/09/0522/OUT for the development of this site for housing purposes were refused. The reasons for refusal of application refs: F/2004/1107 and 06/0361/OUT were due to the site being outwith the urban limits as defined in the adopted Local Plan and contrary to Countryside policies, and because granting the application would be prejudicial to the approved Falkirk Council Structure Plan (Finalised Alteration) and the Falkirk Council Local Plan (Finalised Draft). At the time of consideration of the 06/0361/OUT application, the Finalised Alteration to the Structure Plan was pending approval by the Scottish Executive and the emerging Local Plan had not yet been placed on deposit for the receiving of public submissions.
- 7b.13 The situation now is that the Finalised Alteration to the Structure Plan has been approved, thereby finalising the housing land requirement for the Bonnybridge and Banknock area, and the recommendations of the Scottish Government Reporter in respect of the Public Local Inquiry into the Falkirk Council Local Plan Finalised Draft (Deposit Version) has just been received. No objections to housing opportunity area H.B & B11 are under consideration in the Local Plan Inquiry process therefore it is considered that significant weight can now be afforded to H.B & B11 as an allocated housing site to contribute to the housing land requirement for the local area. On this basis, planning application ref: P/09/0522/OUT was recommended by this Planning Service for approval.
- 7b.14 Planning application ref: P/09/0522/OUT was refused by the Planning Committee at its meeting of 2 December 2009, on the grounds that it was contrary to the adopted Local Plan policies relating to development in the Countryside and an Area of Visual Separation. However, the previous recommendation to approve this proposed development can continue to be supported as significant weight can be given to the new housing allocation for the site under the Falkirk Council Local Plan Finalised Draft (Deposit Version). The Committee can weigh the respective merits of these alternative views.

Consultation Responses

- 7b.15 The consultation responses are summarised in Section 4 of this report. No issues have been raised that could not be the subject of a legal agreement or conditions of any grant of planning permission. Financial contributions are required in respect of education (Denny High School) and traffic impacts. The payment of the contributions would be tied to any subsequent application for matters specified in conditions and could potentially be phased. The payments would be secured by a Section 75 Agreement.

Representations Received

- 7b.16 The concerns raised in the representations are summarised in Sections 5 and 6 of this report. In response to these concerns, the following comments are considered to be relevant:
- It is acknowledged that the proposed development is contrary to the adopted Local Plan as it lies outwith the current urban limits. However, as detailed in this report, the application site lies within the urban limits and is designated for housing under the emerging Local Plan and significant weight can now be afforded to this new designation as it is not the subject of any objections in the Local Plan inquiry process.

- The detailed design and layout and potential amenity and privacy impacts would be considered as part of any subsequent application for detailed planning permission or matters specified in conditions.
- Vehicular access from Kilsyth Road is considered to be more suitable than access from Cumbernauld Road.
- This part of Kilsyth Road now has a 30 mph speed limit.
- The applicant has agreed to make financial contributions towards the enhancement of local infrastructure encompassing the upgrade of the A80/M80 slip road junctions with A803 and educational facilities.
- In recognition of potential capacity constraints in the combined sewer, the Surface Water Drainage Strategy has recommended on-site surface water attenuation followed by outfall to the Bonny Water. The detailed design, including consideration of potential flooding impacts, would be required as part of any subsequent application for detailed planning permission or matters specified in conditions.
- It is understood that the National Health Service is currently reviewing the provision of medical facilities in the local area in light of housing land allocations and projected population increase.
- Potential impacts on property values are not a material planning consideration.

7c Conclusion

- 7c.1 This application, for the development of land for residential purposes, is considered to be contrary to the Development Plan for the reasons detailed in this report. However, the application site is allocated for housing under the emerging Falkirk Council Local Plan Finalised Draft (Deposit Version) and therefore the principle of the proposed development is acceptable under this Plan. This new allocation is not the subject of any objections under consideration in the Local Plan Inquiry process and therefore it is considered that significant weight can be afforded to it as an expression of the Council's most up-to-date intention for this land. The emerging Local Plan position is a significant material consideration to justify setting aside the terms of the Development Plan.
- 7c.2 It is recommended that the Committee indicate that it is minded to grant the application subject to satisfactory completion of a Section 75 Agreement in respect of the matters detailed in this report. It is considered that there are no material considerations to justify a contrary recommendation. The detailed design and layout for the site would be the subject of any subsequent application for detailed planning permission or matters specified in conditions.
- 7c.3 This recommendation reiterates the recommendation by this Planning Service to approve planning application ref: P/09/0522/OUT for the same development which was refused by the Planning Committee at its meeting of 2 December 2009.

8. RECOMMENDATION

8.1 It is recommended that the Committee indicate that it is minded to grant planning permission in principle subject to:

(a) the satisfactory completion of an agreement within the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997 in respect of the payment of financial contributions towards:

- (i) the upgrade of the A80/M80 slip road junction onto A803 Kilsyth Road, calculated at the rate of £800 per unit;
- (ii) the provision and upgrade of educational facilities at Denny High School, calculated at the rate of £1,000 per unit;

(b) and thereafter on the conclusion of the foregoing matters, remit to the Director of Development Services to grant planning permission subject to the following conditions:

(1) This permission is granted under the provisions of paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2009 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified before any development is commenced:

- (a) the siting, size, height, design & external appearance of the proposed development;
- (b) details of the access arrangements;
- (c) details of landscaping of the site.

(2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:

- (a) the expiration of 3 years from the date of the planning permission in principle; or
- (b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or
- (c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed,

whichever is the latest.

Provided that only one such application may be made in the case after the expiration of the 3 year period mentioned in sub-paragraph (a) above.

(3) That the development to which this permission relates must be begun not later than whichever is the later of the following dates:

- (a) the expiration of 5 years from the date of the grant of this planning permission in principle;

- (b) the expiration of 2 years from the final approval of the specified matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- (4) The construction and layout of all roads and footways shall comply with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (5) The vehicular access to the site shall be from Kilsyth Road, at a location to be approved in writing by this Planning Authority, and constructed as a bellmouth junction, in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (6) Visibility splays of 4.5 metres x 70 metres shall be provided in both directions of the new vehicular access, within which there shall be no obstruction to visibility above carriageway level.
- (7) There shall be no individual driveway access onto Cumbernauld Road unless otherwise agreed in writing by this Planning Authority. Any provision of driveway access onto Cumbernauld Road shall necessitate the provision of a 2 metre wide footway along the entire site frontage to Cumbernauld Road, constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (8) A pedestrian cycleway link shall be provided from the site to Cumbernauld Road, constructed in accordance with the Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (9) The development shall be carried out in accordance with the recommendations of the Outline SUDs and Surface Water Drainage Strategy prepared by Sir Frederick Snow and Partners Limited, dated October 2009. Before the development commences, design calculations and surface water drainage details, which shall include a Flood Risk Assessment for any watercourse receiving the surface water discharge, shall be submitted to and approved in writing by this Planning Authority.
- (10) Before the development commences, a Contaminated Land Assessment shall be submitted to and approved in writing by this Planning Authority. Before the development is brought into use, any necessary remedial works to make the ground safe shall be carried out in accordance with an approved remediation strategy, and any necessary remediation completion reports/validation certificates shall be submitted to and approved in writing by this Planning Authority.
- (11) Before the development commences, a scheme for protecting the proposed dwellinghouses from transportation noise, which shall ensure that the internal levels with the windows closed do not exceed 45 dB daytime and 35 dB night time, when measured as LAeqT, and which includes ventilation measures, shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be completed and maintained in accordance with the approved details.

- (12) The existing mature trees along the Cumbernauld Road boundary shall be retained unless otherwise agreed in writing by this Planning Authority.
- (13) The existing stone wall along the Kilsyth Road frontage shall be made good and relocated where it is required to be removed to accommodate the proposed vehicular access and visibility splays.
- (14) A play facility shall be provided on the site, in accordance with details to be approved in writing by this Planning Authority. The details shall include the type and location of play equipment, seating, fences, walls, litter bins and surface treatment of the play area.

Reason(s):

- (1) To comply with paragraph 4(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.
- (2-3) To comply with Section 39 of the Town and Country Planning (Scotland) Act 1997.
- (4,6) To safeguard the interests of the users of the public highway.
- (5,7) To safeguard the interests of the users of the public highway and the visual amenity of the area.
- (8) To provide infrastructure to promote sustainable modes of transport, e.g. cycling and walking.
- (9) To ensure the provision of adequate and sustainable drainage.
- (10) To ensure the ground is suitable for the proposed development.
- (11) To ensure the occupants of the properties are safeguarded against excessive noise intrusion.
- (12-13) To safeguard the visual amenity of the area.
- (14) To ensure that adequate play facilities are provided.

Informative(s):

- (1) A travel pack should be provided for each dwellinghouse, advising of the nearest bus services/stop locations, the nearest cycling and walking routes, safer routes to schools and local facilities, etc.
- (2) A fully completed Development Impact Assessment form will require to be submitted to Scottish Water. Capacity at the water and wastewater treatment works is unable to be reserved in advance of formal agreement with Scottish Water.

- (3) Disposal of surface water from the site is required to comply with General Binding Rules (GBR's) 10 and 11 of the Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) (as amended).

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Director of Development Services

Date: 13 April 2010

LIST OF BACKGROUND PAPERS

1. Approved Falkirk Council Structure Plan
2. Adopted Bonnybridge and Banknock Local Plan
3. Adopted Rural Local Plan
4. Falkirk Council Local Plan Finalised Draft (Deposit Version)
5. Falkirk Council "SPG Education and New Housing Development"
6. Letter of Objection from Mr and Mrs Gallacher, 6 Longcroft Holdings, Haggs, Bonnybridge FK4 1SZ on 03 March 2010.
7. Letter of Objection from Mr & Mrs Beith, 5 Longcroft Holdings, Cumbernauld Road, Longcroft, Bonnybridge on 2 March 2010
8. Letter of Objection from Mrs Elizabeth Crosbie, Glen Etive, Haggs, Bonnybridge FK4 1QB on 8 March 2010
9. Letter of Representation from Mr Melvin Millar, Banknock, Haggs and Longcroft Community Council on 24 March 2010

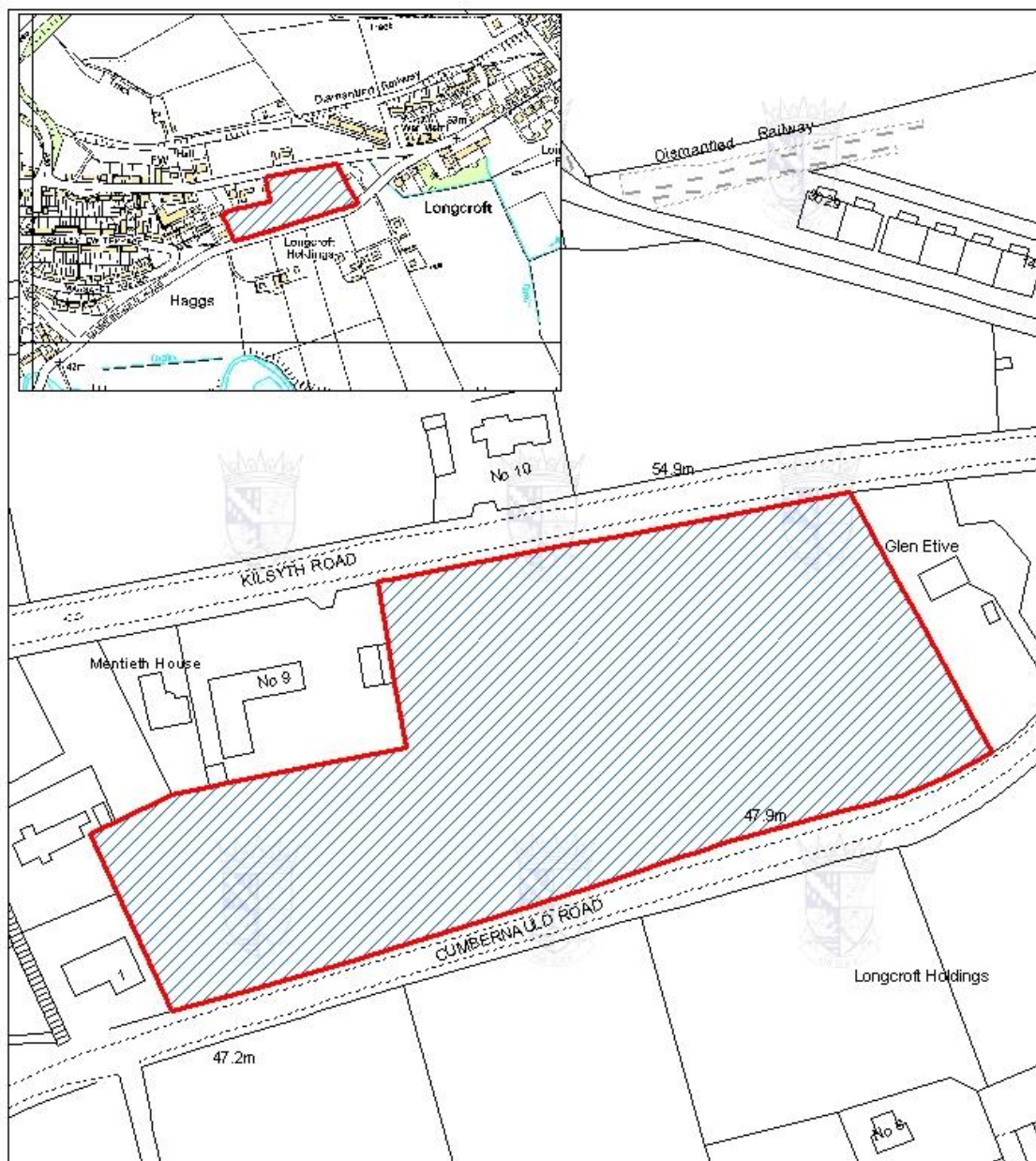
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian (Senior Planning Officer).

Planning Committee

Planning Application Location Plan

P/10/0064/PPP

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



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