

FALKIRK COUNCIL

Subject: ERECTION OF DWELLINGHOUSE AT 2 SCOTT AVENUE, POLMONT,
FALKIRK, FK2 0PN FOR MR E SOMERVILLE – P/09/0449/FUL
Meeting: PLANNING COMMITTEE
Date: 19 May 2010
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: David Paterson (Planning Officer) ext: 4757

UPDATE REPORT FOLLOWING FURTHER CONSIDERATION

1. Members will recall that this application was originally considered at the meeting of the Planning Committee on 24 March 2010, when it was agreed to continue the application and undertake a site visit. The application was further considered at the meeting of the Planning Committee on 21 April 2010 following a Committee site visit (copy of report appended). It was agreed at the Planning Committee meeting of 21 April 2010 to continue the application to allow dialogue to take place with the applicant concerning the large scale of the dwellinghouse and the position of the proposed driveway access in relation to the bend on Scott Avenue.
2. Following dialogue with the applicant, a supporting statement has been submitted in response to the continuation of the application. The applicant wishes the application to be considered on the basis of the information previously submitted. The applicant has given the following reasons for taking this decision:-
 - 2.1 Outline planning application P/08/0598/OUT, detailed in the copy report of 21 April 2010, includes indicative information that a 2 storey dwellinghouse could be accommodated at the site. The outline planning consent does not include any condition limiting the design of dwellinghouse at the site in terms of storey height. The applicant has purchased the site on this basis. In any case, the request for a “1½ storey building in a street of mixed and eclectic design is questionable. Of the 7 dwellings (2 under construction) actually on Scott Avenue, 5 are two storey, one is a mix of single storey and two storey and just one is single storey”. Given this mix of dwelling types, the applicant can see “no legitimate reason under applicable planning policy to request the height to be reduced”.

2.2 “The proposal has been assessed by the Council's Roads Department and deemed acceptable in terms of road safety. Again, there is little departure from the access arrangements in the approved outline consent”. “Scott Avenue is at the end of a long cul-de-sac and is essentially used for access only. Vehicle movements are very low”. The applicant proposes that the driveway remain in its current location but, to assist with clear visibility splays, that “no boundary wall or fence is erected to the south of the driveway”. The applicant suggests that the minimal traffic movement encountered during the duration of the Committee site visit is typical.

3. The applicant's reasons for wishing the application to be determined on the basis of information previously submitted are duly noted. It is also noted that any details in respect of storey height in the outline application P/08/0598/OUT are indicative only.
4. The applicant's view that a two storey dwellinghouse at the site would be consistent with the mix of house types at Scott Avenue is considered to be valid.
5. There is no evidence that the position of the driveway, where it is proposed to meet Scott Avenue, would be detrimental to road safety. The consultation response of the Roads Development Unit is noted. Notwithstanding the applicant's request that the Planning Committee give further consideration to boundary treatments, it is considered that condition no. 5 of the recommendation addresses this issue.
7. In conclusion, a valid outline planning permission exists which has established the principle of the development. It is considered that there would be no significant impact on the amenity of adjacent properties at Millfield Drive and that the proposal would fit well into the street scene. Furthermore, it is not considered that there is evidence to support the view that the proposed driveway would be detrimental to road safety.

8. RECOMMENDATION

8.1 It is therefore recommended that Committee grant planning permission subject to the following conditions:-

- (1) The development to which this permission relates must be begun within three years of the date of this permission.**
- (2) Notwithstanding any details previously submitted, and prior to the occupation of the dwellinghouse, the access to the site shall be formed as a standard footway crossing, designed and constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.**
- (3) Prior to the occupation of the dwellinghouse, the driveway shall be formed at a minimum width of 3 metres and at a gradient no greater than 10%.**
- (4) Any gate to the driveway shall open in an inward direction only.**
- (5) There shall not at any time be any obstruction to visibility greater than 1 metre in height above carriageway level within a distance of 2.5 metres from the carriageway edge along the entire frontage of the site.**

Reason(s)

(1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.

(2-5) To safeguard the interests of the users of the highway.

Informative(s):

(1) For the avoidance of doubt, the plans to which this application refers bear our reference 01, 02B, 03A, 04B, 05, 06 and 07.

(2) Should the developer at any time encounter contamination, as defined in Part 11a of the Environmental Protection Act 1990, the developer should contact the Falkirk Council Environmental Protection Unit for advise.



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pp Director of Development Services
Date: 11/05/10

LIST OF BACKGROUND PAPERS

1. Polmont and District Local Plan
2. Falkirk Council Local Plan
3. Supplementary Planning Guidance "Housing Layout and Design"
4. Outline Planning permission P/08/0598/OUT
5. Letter of objection from Mr & Mrs G Cowie, 13 Millfield Drive, Polmont FK2 0PH on 9 July 2009.
6. Letter of objection from Miss Evelyn Buttifant, 11 Millfield Drive, Polmont FK2 0PH on 10 July 2009.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

FALKIRK COUNCIL

Subject: ERECTION OF DWELLINGHOUSE AT 2 SCOTT AVENUE, POLMONT,
FALKIRK, FK2 0PN FOR MR E SOMERVILLE – P/09/0449/FUL
Meeting: PLANNING COMMITTEE
Date: 21 April 2010
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: David Paterson (Planning Officer) ext: 4757

UPDATE REPORT FOLLOWING COMMITTEE SITE VISIT

1. Members will recall that this application was originally considered at the meeting of the Planning Committee on 24 March 2010 (copy of report appended), when it was agreed to continue the application and undertake a site visit. This visit took place on 15 April 2010.
2. The applicant's agent related the extent of the footprint of the proposed dwellinghouse to the footprint of the indicative layout in respect of outline planning permission P/08/0598/OUT (detailed in part 3 of the appended report). Furthermore, the agent outlined the design principles of the proposal, including the provision of rear garden ground, the approach taken to safeguard the amenity and privacy of properties at Millfield Drive, and the design of the proposal in relation to the street scene at Scott Avenue.
3. An objector to the proposed development, together with a representative of a further objector, highlighted concerns that, due to the two storey nature of the design, the proposed dwellinghouse would overlook adjacent properties at Millfield Drive to the extent that the privacy of the residents of these properties would be compromised. Further concerns raised were that the public sewer system is not adequate to service the proposed dwellinghouse, the proposed dwellinghouse does not fit well with the existing street scene at Scott Avenue and that development traffic is likely to cause damage to the private roadway and kerbing at Scott Avenue.
4. Furthermore, concern was also raised by a Member as to whether there was adequate visibility at the proposed driveway entrance.

5. In response to concerns raised, the planning case officer advised that:-
- In respect of the issue of drainage, Scottish Water had raised no objections to the proposal. Furthermore, the applicant has submitted details of a proposed soakaway, which includes porosity tests, which would treat surface water run off. It is noted that the Council's term consultant has advised that surface water drainage provision is satisfactory.
 - The proposed development would not be significantly detrimental to the amenity of properties at Millfield Drive. There is one first floor window in line with the dwellinghouse at no. 11 Millfield Drive. This window is angled, however, to secure the privacy of residents at no. 11. Furthermore, the case officer advised that a day lighting calculation was undertaken to ensure that there would be no significant loss of daylight to no. 11. The existing hedging adjacent to no. 13 Millfield Drive would protect the privacy and amenity of the residents at no. 13. It is noted the proposed dwellinghouse reduces to single storey at the north side of the site adjacent to no. 13.
 - There is a mix of 2 storey, 1 ½ storey and bungalow house types at Scott Avenue. The proposed dwellinghouse would fit well into the street scene and would not look out of place.
 - No objections or concerns were raised by the Roads Development Unit in respect of road traffic as this is a private road. The issue of potential damage to the road way from construction traffic is not a material planning consideration.
6. The Roads Development Coordinator advised that:-
- A condition ensuring that there should be no obstruction to visibility in excess of 1 metre in height above carriageway level within a distance of 2.5 metres from the carriageway edge along the entire frontage of the site, would ensure sufficient visibility at the driveway entrance. Furthermore, in terms of drainage, it is noted that Scottish Water have taken steps to mitigate a problem in the combined sewer system. It is considered that the combined sewer system can facilitate the foul waste from the proposed development. The Roads Development Officer noted that surface water run off would be treated by a soakaway arrangement and would not be discharged to the combined sewer system.
7. The applicant's agent advised that surface water run off would not be discharged to the combined sewer system and that only foul waste would discharge to the combined sewer. It was again noted that Scottish Water has carried out mitigation to negate a previous problem in the area.
8. In conclusion, a valid outline planning permission exists which has established the principle of the development. It is considered that there would be no significant impact on the amenity of adjacent properties at Millfield Drive and that the proposed development would fit well into the street scene. There is no evidence to support the view that there is not sufficient capacity on the combined sewer system to service the proposal.

9. RECOMMENDATION

It is recommended that Committee approve planning permission subject to the following conditions:-

- (1) The development to which this permission relates must be begun within three years of the date of this permission.
- (2) Notwithstanding any details previously submitted, and prior to the occupation of the dwellinghouse, the access to the site shall be formed as a standard footway crossing, designed and constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.
- (3) Prior to the occupation of the dwellinghouse, the driveway shall be formed at a minimum width of 3 metres and at a gradient no greater than 10%.
- (4) Any gate to the driveway shall open in an inward direction only.
- (5) There shall not at any time be any obstruction to visibility greater than 1 metre in height above carriageway level within a distance of 2.5 metres from the carriageway edge along the entire frontage of the site.

Reason(s)

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2-5) To safeguard the interests of the users of the highway.

Informative(s):

- (1) For the avoidance of doubt, the plans to which this application refers bear our reference 01, 02B, 03A, 04B, 05, 06 and 07.
- (2) Should the developer at any time encounter contamination, as defined in Part 11a of the Environmental Protection Act 1990, the developer should contact the Falkirk Council Environmental Protection Unit for advice.

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pp Director of Development Services

Date: 20 April 2010

LIST OF BACKGROUND PAPERS

1. Polmont and District Local Plan
2. Falkirk Council Local Plan
3. Supplementary Planning Guidance “Housing Layout and Design”
4. Outline Planning permission P/08/0598/OUT
5. Letter of objection from Mr & Mrs G Cowie, 13 Millfield Drive, Polmont FK2 0PH on 9 July 2009.
6. Letter of objection from Miss Evelyn Buttifant, 11 Millfield Drive, Polmont FK2 0PH on 10 July 2009.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson (Planning Officer).

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Subject: ERECTION OF DWELLINGHOUSE AT 2 SCOTT AVENUE, POLMONT,
FALKIRK, FK2 0PN FOR MR E SOMERVILLE – P/09/0449/FUL
Meeting: PLANNING COMMITTEE
Date: 24 March 2010
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Polmont

Case Officer: David Paterson (Planning Officer) ext: 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located on the west side of Scott Avenue, Polmont and consists of the southern part of what was previously the garden ground of 2 Scott Avenue.
- 1.2 It is proposed to erect a 2 storey detached dwellinghouse and double garage.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been called to Committee by Councillor Malcolm Nicol.

3. SITE HISTORY

- 3.1 Planning application P/08/0598/OUT was granted outline planning permission on 11 December 2008 for the subdivision of garden ground, erection of dwellinghouse and erection of double garage to existing dwellinghouse at 2 Scott Avenue, Polmont.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has advised that conditions be attached in respect of the formation of the access and driveway, erection of gates and safeguarding visibility. The Roads Development Unit has assessed the drainage strategy and subsequently determined that drainage arrangements are satisfactory.

4.2 The Environmental Protection Unit has advised that an informative be attached advising the applicant of steps to be taken should contamination be encountered during the course of the development.

4.3 Scottish Water has raised no objections.

5. COMMUNITY COUNCIL

5.1 No representation received.

6. PUBLIC REPRESENTATION

6.1 Two letters of objection have been received. Concerns include:-

- A two storey house does not respect the street scene or character of Scott Avenue.
- There are existing foul water drainage problems at Scott Avenue. Increasing the number of dwellinghouses will exacerbate existing problems.
- The site is not adequate to accommodate a 2 storey dwellinghouse.
- Construction vehicles and noise should be minimised to respect the amenity of existing residents.
- Any deliveries to the site should not be made during hours when children would be walking to school.
- The proposed development would compromise the privacy of residents at 11 Millfield Drive, Polmont to the rear of the application site.

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

Polmont and District Local Plan

7a.1 Policy POL 3.6 'Infill Development and Subdivision of Plots' states:

"Proposals for the erection of additional dwellinghouses within the curtilage of existing properties or on small gap sites will only be considered favourably where:

- (i) *the scale, density, disposition and design of the proposed houses respect the architectural and townscape character of the area;*
- (ii) *adequate garden ground can be provided to serve the proposed houses without an unacceptable impact upon the size or functioning of existing gardens;*
- (iii) *adequate privacy will be afforded to both the proposed houses and neighbouring properties;*
- (iv) *the proposal would not result in the loss of features such as trees, vegetation or walls, such that the character or amenity of the area would be adversely affected;*
- (v) *the proposed houses would have a direct street frontage; and*
- (vi) *the proposed vehicular access and other infrastructure is of an adequate standard.”*

- 7a.2 The proposal would respect the townscape character of Scott Avenue in terms of scale, design and disposition.
- 7a.3 The proposed dwellinghouse would have an adequate standard of garden ground, as would the resultant property at 2 Scott Avenue following subdivision.
- 7a.4 It is considered that the design of the dwellinghouse affords adequate privacy in respect of the proposed dwellinghouse and existing dwellinghouses adjacent.
- 7a.5 The proposed dwellinghouse would have a direct street frontage and an adequate standard of vehicular access.
- 7a.6 It is not considered that the character or amenity of the area would be adversely affected.
- 7a.7 The proposal accords with policy POL 3.6.
- 7a.8 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

- 7b.1 Material considerations are the Falkirk Council Local Plan Finalised Draft (Deposit Version), Supplementary Planning Guidance Note (SPG) “Housing Layout and Design”, letters of objection and the planning history.

Falkirk Council Local Plan Finalised Draft (Deposit Version)

- 7b.2 Policy SC8 ‘Infill Development and Subdivision of Plots’ states:

“Proposals for the erection of additional dwellinghouses within the curtilage of existing properties or on small gap sites will only be considered favourably where:

- (1) *the scale, density, disposition and design of the proposed houses respect the architectural and townscape character of the area;*
- (2) *adequate garden ground can be provided to serve the proposed houses without an unacceptable impact upon the size or functioning of existing gardens;*
- (3) *adequate privacy will be afforded to both the proposed houses and neighbouring properties;*
- (4) *the proposal would not result in the loss of features such as trees, vegetation or walls, such that the character or amenity of the area would be adversely affected;*
- (5) *the proposed vehicular access and other infrastructure is of an adequate standard; and*
- (6) *the proposal complies with other Local Plan policies.”*

- 7b.3 Policy SC8 reflects the issues detailed in section 7a.1- 7a.7 above.
- 7b.4 It is considered that the proposal accords with Policy SC8.
- 7b.5 Accordingly, the proposed development accords with the Falkirk Council Local Plan Finalised Draft (Deposit Version)

SPG Housing Layout and Design

- 7b.6 In terms of the subdivision of plots and infill development, the SPG emphasises that it is important to achieve a harmonious “fit” of new and existing. This should pay attention to the adjacent building line, height, scale, windows and other door arrangements, proportions, decoration and materials.
- 7b.7 It is considered that the proposal would achieve a harmonious “fit” under the criteria emphasised in the SPG.
- 7b.8 Accordingly, the proposed development accords with the SPG.

Letters of Objection

- 7b.9 It is considered that the application site is suitable for erection of a 2 storey dwellinghouse. It is noted that the proposed dwellinghouse has been designed, in terms of levels and the relationship with existing boundary treatments, to minimise the impact on adjacent properties in terms of overshadowing and privacy.
- 7b.10 It is also considered that the proposed dwellinghouse would achieve a harmonious fit in terms of streetscape and amenity.
- 7b.11 It is noted that there have been no concerns raised, as a result of the consultation process, in terms of drainage, vehicular movements or noise.

Planning History

- 7b.12 It is noted that the principle of the development is established under the terms of planning permission P/08/0398/OUT detailed in section 3 of this report. It is also noted, however, that the current application is for full planning permission and does not directly relate to the outline planning permission. The outline planning permission reflects, however, that the Council has previously accepted the principle of the development.

7c Conclusion

- 7c.1 The proposed development accords with the Development Plan and the Falkirk Council Local Plan Finalised Draft (Deposit Version).
- 7c.2 It is noted that the principle of the development has been established under the terms of planning permission P/08/0398/OUT. It is also noted, however, that the current application is for full planning permission and does not directly relate to the outline planning permission.
- 7c.3 The proposed development would achieve a harmonious “fit” in the townscape in terms of scale, design, disposition and character.

- 7c.4 It is not considered that there would be a significant impact on adjacent properties in terms of overshadowing or privacy.

8. RECOMMENDATION

8.1 It is therefore recommended that Committee grant planning permission subject to the following conditions:-

- (1) The development to which this permission relates must be begun within three years of the date of this permission.**
- (2) Notwithstanding any details previously submitted, and prior to the occupation of the dwellinghouse, the access to the site shall be formed as a standard footway crossing, designed and constructed in accordance with the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.**
- (3) Prior to the occupation of the dwellinghouse, the driveway shall be formed at a minimum width of 3 metres and at a gradient no greater than 10%.**
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Reason(s)

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.**
- (2-5) To safeguard the interests of the users of the highway.**

Informative(s):

- (1) For the avoidance of doubt, the plans to which this application refers bear our reference 01, 02B, 03A, 04B, 05, 06 and 07.**
- (2) Should the developer at any time encounter contamination, as defined in Part 11a of the Environmental Protection Act 1990, the developer should contact the Falkirk Council Environmental Protection Unit for advise.**



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pp Director of Development Services
Date: 17 March 2010

LIST OF BACKGROUND PAPERS

1. Polmont and District Local Plan
2. Falkirk Council Local Plan
3. Supplementary Planning Guidance "Housing Layout and Design"
4. Outline Planning permission P/08/0598/OUT
5. Letter of objection from Mr & Mrs G Cowie, 13 Millfield Drive, Polmont FK2 0PH on 9 July 2009.
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Planning Committee

Planning Application Location Plan

P/09/0449/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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