

**FALKIRK COUNCIL**

**Subject:** **ERECTION OF PRIMARY SCHOOL AND NURSERY SCHOOL, FORMATION OF MULTI USE GAMES AREA, CAR PARKING AND ANCILLARY DEVELOPMENT AT LAND TO THE SOUTH OF 49 EDWARD AVENUE, STENHOUSEMUIR FOR FALKIRK COUNCIL - P/10/0502/FUL**

**Meeting:** **FALKIRK COUNCIL**

**Date:** **8 December 2010**

**Author:** **DIRECTOR OF DEVELOPMENT SERVICES**

**Local Members:** **Ward - Carse, Kinnaird and Tryst**

**Councillor Steven Carleschi**  
**Councillor Lynda Kenna**  
**Councillor Charles MacDonald**  
**Councillor Craig Martin**

**Community Council:** **Larbert, Stenhousemuir and Torwood**

**Case Officer:** **David Paterson (Planning Officer), ext. 4757**

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

- 1.1 The application site comprises part of an area of open space on the south side of Edward Avenue, Stenhousemuir. The existing area of open space at Edward Avenue measures 3.12 hectares in total. The westernmost section, measuring 0.9 hectares in area, is maintained and has goalposts installed on it. The remainder of the open space is less well maintained. There are no playing pitch markings, or leisure equipment installed on the open space, although an informal footpath desire line passes through it.
- 1.2 The application site measures 2.27 hectares in area. As a result of the proposed development, the more regularly maintained area of open space would be reduced to 0.6 hectares in area. The goalposts would be renewed and relocated to a central position within this reduced area. A strip of the existing area of open space at the south side would remain outwith the grounds of the proposed school, measuring 0.25 hectares in area.
- 1.3 The application proposes the erection of a single stream primary school, providing for a maximum of 217 pupils, incorporating a 40/40 nursery school, i.e. 40 children attending in the morning and 40 children attending in the afternoon. The application also proposes the formation of a new roundabout on Edward Avenue, playing fields, a multi-use games area (MUGA) and car parking and ancillary development.

- 1.4 The proposed primary school building is predominantly single storey, with a central dividing spine wall running the entire length of the building. The spine wall would measure 10.4 metres in height at the north end, reducing to 7.7 metres in height at the south end. The proposal includes an outdoor rooftop teaching area at the east side of the building. Vehicular access to the site would be taken from two locations at Edward Avenue. Access to the main visitor parking area would be taken from the proposed new roundabout. Separate staff parking at the east side of the application site would be accessed from the north-east corner of the application site. Pedestrian access to the building is proposed via the north-facing elevation, fronting Edward Avenue.
- 1.5 The playing fields would include the formation of a multi-use games area (MUGA pitch) at the west side of the application site. The application includes boundary fencing and floodlighting. Site perimeter fencing would be 2.4 metres in height. The MUGA pitch fencing would be 5 metres in height.
- 1.6 There would be 80 car parking spaces providing for visitors, nursery drop-off and disabled parking, taking access from the proposed new roundabout at Edward Avenue. Separate staff parking would comprise 27 spaces plus 2 disabled spaces. It is proposed to form a 3 metre wide public footway/cycleway at the south side of Edward Avenue running the entire length of the application site and at the adjacent open space to the west, connecting to the public footpath network.
- 1.7 The application is supported by a design and access statement, a contamination investigation, a transport assessment, a school travel plan and a statement detailing the proposed community use of the gym hall and MUGA pitch.
- 1.8 The application is also supported by plans detailing proposed traffic management measures and footpath connections at Edward Avenue and in the wider Stenhousemuir community.
- 1.9 Edward Avenue is a main bus route, accommodating at present approximately 64 single bus journeys per day. The proposed development would generate an additional 4 single bus journeys per day for pupil drop-off and uplift. A bus lay-by is proposed, adjacent to the main entrance.
- 1.10 It is noted that plans submitted with the application identifies land outwith the application site, which is within Council ownership/control. The application proposes upgrading of footpaths and formation of traffic calming features in the Antonshill area. It is further noted that these proposals are also on land within Council ownership/control.
- 1.11 Paragraph 7b.10 summarises the changes since the previous application.

## **2. REASON FOR CONSIDERATION BY COUNCIL**

- 2.1 The proposed development is a major development, as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, which is significantly contrary to the Development Plan.

- 2.2 A Pre-Determination Hearing is required for a major development proposal that is significantly contrary to the Development Plan. The hearing was held in Larbert High School on Wednesday 17 November 2010 at 7 pm. A site visit by Members was undertaken prior to the Pre-Determination Hearing, at 4 pm. At the hearing, the applicant spoke in support of the proposed development, and highlighted its benefits to the local community. Falkirk Council's Planning and Environmental Unit commented on the Falkirk Council Open Space Strategy. Representatives of the Parents' Councils of St Francis Xavier's and St Andrew's RC Primary Schools, the Catholic Church education authority, the Parish Council of Our Lady of Lourdes and St Bernadette's Church and the Larbert, Stenhousemuir and Torwood Community Council spoke in support of the application. Local residents spoke in both support of and objection to the application.

### **3. SITE HISTORY**

- 3.1 Planning application P/08/0750/FUL for the erection of school, formation of playing fields, car parking and ancillary development was withdrawn. Further detailed information was required to enable a detailed assessment to be made. Consequently, planning application P/08/0875/FUL was submitted.
- 3.2 Planning application P/08/0875/FUL for the erection of a school, formation of playing fields, car parking and ancillary development was refused planning permission at a special meeting of Falkirk Council on 27 October 2009. Planning permission was refused on grounds that:-
- The application site is identified in the Larbert and Stenhousemuir Local Plan as an opportunity for the safeguarded provision of playing fields and a children's play area. The proposed development does not accord with Policy COM.6 of the Falkirk Council Structure Plan "Open Space and Recreational Facilities", opportunity REC 3 of the Larbert and Stenhousemuir Local Plan "Edward Avenue 1, Stenhousemuir", Policy LAR 49 of the Larbert and Stenhousemuir Local Plan "Protection of Open Space" and Policy SC12 of the Falkirk Council Local Plan Finalised Draft (Deposit Version) "Urban Open Space".
  - The proposed development would result in an increased volume of traffic at Edward Avenue and the surrounding area. The resultant increase in traffic volume would be detrimental to the safety of pupils of the proposed primary school and residents of the Antonshill area.

### **4. CONSULTATIONS**

- 4.1 The Roads Development Unit has raised no objections.
- 4.2 Scottish Water has raised no objections.
- 4.3 The Environmental Protection Unit (EPU) has concluded that, as a result of the contamination investigation, the site is fit for the purpose proposed. The Environmental Protection Unit has also confirmed that the proposed odour extraction equipment is suitable for purpose, the proposed MUGA pitch floodlighting would satisfactorily minimise any potential light pollution, and that there are no relevant former mineral workings which would render the application site unstable and not suitable for development.

- 4.4 The Transport Planning Unit has advised that, on the basis of the transport assessment and school travel plan, issues relating to travel to school and traffic management have been suitably addressed.
- 4.5 No objections have been received from Central Scotland Police.
- 4.6 The Scottish Environmental Protection Agency (SEPA) has raised no objections. SEPA has highlighted that surface water drainage should be treated using sustainable drainage principles. It is noted that the Roads Development Unit has raised no objections in respect of drainage.
- 4.7 Sportscotland has raised no objections.
- 4.8 Scottish Natural Heritage has raised no objections.

## **5. COMMUNITY COUNCIL**

- 5.1 The Larbert, Stenhousemuir and Torwood Community Council has raised no objections. However, the Community Council has recommended that the Council monitors traffic and travel arrangements once the proposed primary school is brought into use.

## **6. PUBLIC REPRESENTATION**

- 6.1 879 representations have been received in response to this application. (The applicant also carried out a separate consultation process). Of the 879 representations, 26 are objections, 849 are letters of support and 2 letters make general comments. In addition, one petition has been received, showing 8 names in support of the proposed development.
- 6.2 Letters of support cite overcrowding at current denominational primary schools as the main reason for support. Persons supporting the proposed development also comment that children in the Antonshill area who would attend a denominational primary school should have the opportunity to do so locally.
- 6.3 Letters of objection include the following comments:-
- 6.4 The proposed development would generate significant levels of additional traffic at Edward Avenue, both car and bus journeys and, as a result road safety would be compromised.
- 6.5 As a result of the proposed development, vehicular access and visitor parking in respect of residential properties at Edward Avenue would be significantly restricted.
- 6.6 The proposed development does not accord with the Development Plan.
- 6.7 The existing area of open space is an asset to the community. Its loss would be significantly detrimental to the amenity of, and recreational opportunities available to, the local community. The loss of a significant part of the existing area of open space is not acceptable.
- 6.8 The proposed development would result in excessive noise from the MUGA pitch and other areas of the proposed development, which would be detrimental to the amenity of surrounding residents.

- 6.9 The proposed development would result in a significant lack of privacy, and overshadowing, in respect of existing residential properties at Corrie Avenue.
- 6.10 The proposed development would encourage anti-social behaviour.
- 6.11 Parents awaiting children are likely to cause damage to existing residential properties, e.g. leaning on fencing.
- 6.12 Light spillage from the proposed MUGA pitch would be excessive, and would be detrimental to the amenity of surrounding residents.
- 6.13 There are recreational areas in the Stenhousemuir area which are underused. There is no justification therefore to develop the application site to provide additional recreational facilities for community use.
- 6.14 The hours during which the community would have the use of the proposed school facilities is not clear.
- 6.15 It is not appropriate to build a new school in an established residential area. A more suitable site should be identified on the edge of the urban limit, or in an area of proposed new housing.
- 6.16 The proposed development would result in a significant loss of wildlife habitat.
- 6.17 There are residents in the Antonshill area who would lose their view of the Ochil Hills as a result of the proposed development.
- 6.18 The application site has previously been gifted to the residents of the Antonshill area. Developing the site would be an unacceptable reversal of this previous gesture.
- 6.19 The proposed development is not a necessity. Funding could be more appropriately utilised.
- 6.20 The capacity of the proposed school is not sufficient to provide for pupil numbers in the long-term. There is no opportunity to extend the proposed school when the need arises. An alternative site should be identified.
- 6.21 The proposed development would generate excessive levels of litter.
- 6.22 Developing the site for a primary school would reduce house prices in the area.
- 6.23 It is not appropriate that the Council may charge to use the proposed car parking.
- 6.24 It is not appropriate for the Council to consider comments made by persons from outwith the Antonshill area.
- 6.25 It is noted that the Council refused planning permission in 2009 to develop the site for a primary school. The current proposal is not significantly different from the proposal refused permission in 2009. An alternative site should be identified.
- 6.26 It is noted that some representations which have been made to the Council refer to the application site as waste ground. The application site is not waste ground.

- 6.27 It is proposed to relocate the existing goalposts at the open space closer to residential properties at Linlithgow Place. As a result, persons using the goalposts would be in close proximity to existing dwellinghouses, to the extent that amenity and safety would be compromised.
- 6.28 There has been little, if any, consultation with the Antonshill community.
- 6.29 The proposed development would contribute to the unacceptable separation of children in the education system.
- 6.30 It is not accepted that the ground at the application site is sufficiently stable to sustain development.
- 6.31 The proposed outdoor teaching area would have a detrimental impact on the amenity of adjacent residents.
- 6.32 It is not clear why the application site is safeguarded for the development an RC Primary School in the emerging Falkirk Council Local Plan, when previously the Larbert and Stenhousemuir Local Plan identified a local deficiency in active open space and, consequently, safeguarded the site for playing fields and a children's play area.

## **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.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.2 The findings of the Falkirk Council Open Space Audit are that issues relating to open space in the Falkirk area are largely qualitative rather than quantitative. The Open Space Strategy is detailed in sections 7b.69-7b.79 of this report. It is noted that there are many areas of open space in the Falkirk area, but not all are considered fit for purpose. In the case of the area of open space at Edward Avenue, of which the application site forms part, notwithstanding the loss of open space, the proposed retention and improvement of the western kickabout pitch area, and the proposed provision of the MUGA pitch and sports hall for community access, would support the aim of the Open Space Strategy.
- 7a.3 It is noted that the application site is less well maintained than the area to the west, which would retain the presence of goalposts. The current leisure amenity value of the site is limited. The site principally has visual amenity value.
- 7a.4 The sports pitch use to be retained to the west of the application site would be better defined than at present, and would complement the community use of the new MUGA adjacent.
- 7a.5 It is not considered that the proposed development would have a significant adverse impact on the recreational amenity of the area.
- 7a.6 It is also considered, however, that the proposal would have an impact on the visual amenity of the area.
- 7a.7 The proposed development does not fully accord with Policy COM.6.
- 7a.8 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.9 It is noted that the proposed development would have a visual impact on the site and its surroundings.
- 7a.10 The application is supported by a design statement. The design of the building is considered to be of high quality. The building would be formed around an internal circulation "street". A feature spine wall separates the teaching and nursery areas from the administrative and utility zones. Features include a fully glazed roof to the circulation "street", designed in conjunction with solar control brise soleil and roof garden, which would accommodate outdoor teaching. The north-west/south-east orientation of the school means teaching areas can take advantage of the late afternoon sunlight.

- 7a.11 The design incorporates sustainable development principles including ground source heat pump technology, low temperature water underfloor heating, intelligent lighting controls and rainwater harvesting.
- 7a.12 It is considered that the design of the proposed development is of high quality.
- 7a.13 The proposed development accords with Policy ENV.7.
- 7a.14 Accordingly, the proposed development does not fully accord with the Falkirk Council Structure Plan.

***Larbert and Stenhousemuir Local Plan 1<sup>st</sup> Review (Adopted August 1998)***

- 7a.15 The application site is identified as an opportunity, “REC3 Edward Avenue 1, Stenhousemuir” for the provision of playing fields and children's play area. The associated comment states, “In recognition of the local deficiency in active open space, the Council will investigate means of implementing this opportunity”.
- 7a.16 Opportunity C2 is noted. Opportunity C2 relates to the identification of a need for a community facility at the north-west corner of the area of open space at Edward Avenue. The associated comment states, "to meet a recognised deficiency in provision in the north-east end of Stenhousemuir". There are no details of any specific type of community facility to be provided.
- 7a.17 Policy LAR 49 - ‘Protection of Open Space’ states:
- “The Council will generally protect parks, playing fields and other areas of public open space from unrelated development which would diminish their recreational or amenity value. Proposals involving the loss of any area of public open space, whether through built development or incorporation as private garden ground, will normally be resisted where the proposal 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 surrounding area;*
  - (ii) result in the loss of amenity open space such that the character or appearance of the area or its setting will be adversely affected; and*
  - (iii) set an undesirable precedent for further incremental loss of public open space such that the provision of amenity or recreation open space in the area would be eroded.”*
- 7a.18 The Falkirk Council Open Space Strategy is noted. (see sections 7b.69-7b.79 of this report). In the case of the open space at Edward Avenue, of which the application site forms part, notwithstanding the loss of open space, the proposed retention and improvement of the western kickabout pitch area, and the proposed provision of the MUGA pitch and sports hall for community access, would support the aim of the Open Space Audit to improve the quality and accessibility of open space. It is not therefore considered that the proposed development would adversely affect the recreation value of the open space at Edward Avenue.
- 7a.19 It is not considered that the proposed development would set an undesirable precedent for further incremental loss of open space.



7a.20 It is accepted, however, that the proposed development would have an impact on the character and setting of the open space at Edward Avenue.

7a.21 The proposal does not fully accord with Policy LAR 49.

7a.22 Policy LAR 10 - 'Non Housing Uses in Residential Areas' states:

*"Within established residential areas, there will be a general presumption against the introduction of uses which would be incompatible with the residential character and amenity of the area. Proposals for appropriate ancillary services (e.g. surgeries, nurseries and corner shops) will be welcomed where it can be demonstrated that the quality of the residential environment would be safeguarded."*

7a.23 The proposed use of the site is considered to be compatible with the amenity and character of the area. There are many examples across the district of primary schools being located in residential areas. It is not considered that the proposed use would be detrimental to the amenity of residents. Furthermore, the proposed development is of a high design standard. The recreation facilities and car parking areas are isolated and screened from residential properties. Boundary treatments are designed to minimise the visual impact of the proposed school. It is considered that the quality of the residential environment would be safeguarded.

7a.24 The proposed development accords with Policy LAR 10.

7a.25 Policy LAR 32 - 'Roads and New Development' states:

*"Road layout, access and parking provision in new developments should generally conform with the Council's standards entitled "Design Guidelines and Construction Standards for Roads in the Falkirk Council Area". In the case of major development proposals likely to generate significant volumes of additional traffic, a Transport Impact Assessment will be required."*

7a.26 The Transport Assessment and School Travel Plan have demonstrated that there would be sufficient traffic and travel management infrastructure and procedures put in place to ensure that the proposed development would not prejudice the community's access to the local area and ensure accessibility to the proposed development. It is noted that the Roads Development Unit has raised no objections.

7a.27 The proposed development accords with Policy LAR 32.

7a.28 Policy LAR 34 - 'Traffic Calming' states:

*"The Council will promote the introduction of traffic calming schemes, where these will bring environmental, community or road safety benefits particularly in relation to:*

- (i) main through routes;*
- (ii) schools and other community facilities; and*
- (iii) new residential areas."*

7a.29 The Transport and School Travel Plan have demonstrated that the proposed development would provide for a range of facilities for public transport users and promote the interests of cyclists and pedestrians. The proposal incorporates a scheme of traffic calming measures, and the Roads Development Unit and the Transport Planning Unit have raised no objections.

7a.30 The proposed development accords with Policy LAR 34.

7a.31 Policy LAR 37 - 'Design and the Local Context' states:

*"Development should accord with good principles of urban design and contribute to the enhancement of the built environment. Proposals should respect and complement the character of the local townscape and landscape setting in terms of the following:*

- (i) the siting, layout and density of new development should create an attractive and coherent structure of public spaces and built forms which integrates well with the surrounding townscape, natural features and landforms;*
- (ii) consideration should be given to creating a safe and secure environment for all users through the application of the general principles contained in PAN46 "Planning for Crime Prevention";*
- (iii) the design of new buildings should respond to that of the surrounding urban fabric in terms of scale, height, massing, building line, architectural style and detailing;*
- (iv) building materials and finishes should be chosen to complement those prevailing in the local area;*
- (v) opportunities should be taken within the development to incorporate new public spaces and other focal points, and to enhance existing ones; and*
- (vi) the contribution to the townscape of existing buildings, natural features, important landmarks, skylines and views should be respected."*

7a.32 The proposed development is considered to be of a high standard of design. The design statement supporting the application is noted.

7a.33 The proposed development integrates well with the surrounding townscape. The quality of the design of the proposed school building would enhance the character of the local area.

7a.34 It is noted that Central Scotland Police have raised no objections in terms of safety. It is not considered that the safety of pupils at the school or residents in the surrounding area would be compromised as a result of the proposed development.

7a.35 The proposed development accords with Policy LAR 37.

7a.36 Policy LAR 38 - 'Landscape Design' states:

*"Proposals for development should include a scheme of hard and soft landscaping as an integral part of the submission for planning permission. The landscaping scheme should:*

- (i) respect the setting and character of the site;*
- (ii) retain, where practical, existing vegetation and natural features;*
- (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.37 The landscaping associated with the proposed development respects the setting and character of the site. Existing trees at the south boundary would be retained, and new planting is designed to minimise the impact of the proposal on the amenity of adjacent residents. Whilst further improvements could be achieved by condition, the proposed level of landscaping as existing would be acceptable.

7a.38 The proposed development accords with Policy LAR 38.

7a.39 It is noted that although there are planning considerations which give merit to the proposed development, the proposal does not accord with opportunity REC3 detailed in section 7a.15 of this report. Accordingly, the proposed development does not accord with the Larbert and Stenhousemuir Local Plan.

7a.40 It is not considered that the proposed development would compromise opportunity C2 for a community facility as detailed in section 7a.16 of this report.

7a.41 Accordingly, however, the proposed development does not accord with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations are the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010), Scottish Planning Policy, Planning Advice Note 65 “Planning and Open Space”, the Falkirk Council Open Space Strategy, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009, consultation responses and letters of representation received, and the planning history.

### ***Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010)***

7b.2 The application site is identified as opportunity RCL&S7 “Antonshill Playing Fields” safeguarding the site for a RC Primary School. The associated comment states, “land safeguarded as potential location for new denominational primary school to serve Larbert and Stenhousemuir area”.

7b.3 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, 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.4 An assessment of the open space at Edward Avenue has been carried out as part of the Council's Open Space Strategy. In qualitative terms, it is considered that the design and aesthetic quality of the open space is currently poor. Whilst there are visual benefits of the greenspace for neighbouring housing, the replacement of the majority of this greenspace of poor design quality with a new school of high design quality and a landscaped playground is not considered to have an adverse effect on the character and appearance of the area.
- 7b.5 The Falkirk Council Open Space Strategy requires that communities should have access to 5 hectares/1,000 people of different types of public open space. Within the Larbert and Stenhousemuir settlement boundary there are currently 191.17 hectares of public open space. This equates to 8.4 hectares/1,000 people.
- 7b.6 The proposed development will reduce the open space available to the residents of Larbert and Stenhousemuir to 188.90 hectares, or 8.3 hectares/1,000 people. This is still in excess of the 5 hectares/1,000 standard. In quantitative terms, the loss of this open space is justified.
- 7b.7 The Qualitative Assessment of Open Space notes that Antonshill playing field is a public park and a sports area, which is not considered to be fit for purpose in its current condition. It is noted that the Open Space Strategy sets standards in relation to walking distances to open space. It is considered that households should be within 400 metres of a public park and within 800 metres of a sports area.
- 7b.8 The extent to which the park function of Antonshill playing field will be lost is arguable. There would be a reduced space for general activities such as dog walking, but space would, nevertheless, remain for such passive activities. The area has few facilities which would normally be expected in a park (paths, trees, planting, shrub beds, etc.). Chapbelburn Park is the major park in the area which is fit for purpose, serving the local area, with a further park located approximately 200 metres to the east of Antonshill playing field, complementing provision in the area. If the park function at Antonshill playing field is lost, this would only marginally reduce the amount of households with access to a public park within 400 metres.
- 7b.9 The sports area at Antonshill is strategically important to the area, with the nearest other sports areas at Stenhousemuir Sports Centre, Crownest Park and North Broomage Park, which are all over 1 km from Antonshill playing field. The retention of the sports area function is therefore vital. The Antonshill playing field is not currently in a good condition, with a distinct lack of facilities which would be expected at a sports area. The only current facilities are at the western end of the open space at Edward Avenue, where there is a kickabout pitch.

- 7b.10 The proposed development would provide a floodlit Multi Use Games Area (MUGA) for community use outwith school hours, upgraded football goals to the west of the site, and a new sports hall also available for community use outwith school hours. Although the proposed development would reduce the overall size of the Antonshill playing field, it would also improve sporting facilities available to the public. It is considered that the sports area function of the Antonshill playing field would be retained and enhanced.
- 7b.11 In overall terms, the Open Space Audit and Strategy conclude that the issue with open space in the Council area is qualitative. In the case of Antonshill playing field, notwithstanding the loss of open space, the retention and improvement of the western sports area, and the provision of the MUGA pitch and sports hall with community access, would support the general aim to improve the qualitative provision of open space.
- 7b.12 The application site is not considered to be of significant ecological value.
- 7b.13 The proposed development does not threaten connectivity with the overall open space network.
- 7b.14 Whilst it is noted that the Open Space Audit confirms that the loss of open space as a result of the proposal would not have an adverse impact on the amount of quality open space available to the residents of Stenhousemuir, the development of the site would have an impact on character and setting of the site.
- 7b.15 The proposal therefore, does accord with Policy SC12.
- 7b.16 Policy SC10 – ‘Existing Community Facilities’ states;
- “(1) *There will be a presumption against the loss of existing community facilities unless the Council is satisfied that there is no longer a need for the facility or an acceptable alternative facility is available; and*
- (2) *The provision of new community facilities, including churches and places of worship, will generally be supported provided that:*
- \* *The proposal is compatible in terms of scale, character and design with the surrounding area;*
- \* *There is no adverse impact on local amenity*
- \* *There is good access by public transport, on foot and by cycle; and*
- \* *It complies with other Local Plan policies.”*
- 7b.17 The Falkirk Council Open Space Strategy advises that the quality of the existing open space at Antonshill is poor. It is also noted that it is considered that whilst the proposed development would result in the loss of open space, the development would increase the amount of quality recreational facilities available to the community.
- 7b.18 It is considered that there would be acceptable alternative recreation facilities available to the community as a result of the proposal.
- 7b.19 The proposal accords with Policy SC10.

7b.20 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.21 Sections 7a.31-7a.35 of this report, detailing Policy LAR 37 of the Larbert and Stenhousemuir Local Plan "Design and the Local Context", address the points raised.

7b.22 The proposed development incorporates sustainable energy technology including ground source heat pump technology, low temperature underfloor heating, intelligent lighting controls and rainwater harvesting.

7b.23 The Transport Assessment and School Travel Plan have demonstrated that there would be an integrated transport approach taken in respect of travel to school issues. It is considered that the safety of the pupils of the school, and residents to the area, would not be compromised as a result of the integrated transport approach proposed.

7b.24 The proposed development accords with Policy EQ1.

7b.25 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.26 Section 7a.31-7a.35 of this report, detailing Policy LAR 37 of the Larbert and Stenhousemuir Local Plan, "Design and Local Context", address the points raised.

7b.27 The proposed development accords with Policy EQ3.

7b.28 Policy EQ4 - 'Landscape Design' states:

*"Development proposals should include a landscape framework which enhances the development and assists integration with its surroundings. The landscape scheme should:*

- (1) Be informed by the surrounding landscape;*
- (2) Retain and incorporate existing vegetation, natural and cultural features where they contribute to the amenity and biodiversity of the site, with provision for replacement planting where removal is authorised;*
- (3) Integrate with strategies for the provision of open space, pedestrian access, and sustainable urban drainage systems on the site;*
- (4) Promote biodiversity, including the use of native tree and plant species (see Policy EQ25);*
- (5) Incorporate robust structure planting to provide structure in larger developments, and screen the edge of developments where necessary;*
- (6) Incorporate street trees and informal open space planting to assist in structuring and unifying streets and spaces;*
- (7) Incorporate high quality hard landscaping, including surface materials, boundary enclosures and street furniture which are robust and complement the development; and*
- (8) Demonstrate that satisfactory arrangements have been made for the future maintenance and management of all landscaped areas."*

7b.29 Sections 7a.36-7a.38 of this report, detailing LAR 38 of the Larbert and Stenhousemuir Local Plan, "Landscape Design", address the points raised.

7b.30 There have been no concerns in terms of drainage raised as a result of the consultation process. It is noted that the Roads Development Unit has raised no objections.

7b.31 There is no evidence to suggest there are significant biodiversity issues to be addressed as a result of the proposed development. Biodiversity issues are not a concern, and that Scottish Natural Heritage has raised no objection.

7b.32 The proposed development accords with Policy EQ4.

7b.33 Policy EQ5 'Design and Community Safety' states:

*"Development proposals should create a safe and secure environment for all users through the application of the following principles:*

- (1) Buildings, public spaces, access routes and parking areas should benefit from a high level of natural surveillance;*
- (2) Boundaries between public and private space should be clearly defined;*
- (3) Access routes should be direct, clearly defined and well lit, with recognised points of entry; and*

(4) *Contributions to the provision of CCTV may be sought, where appropriate.”*

7b.34 The proposed development clearly defines the boundary between public and private open space. It is proposed to incorporate CCTV equipment, which shall be installed in a manner to ensure the safeguarding of the privacy of surrounding residents. It is noted that Central Scotland Police have not objected to the proposal.

7b.35 The proposal accords with Policy EQ5.

7b.36 Policy EQ6 ‘Design and Energy Use’ states:

*“Developers should demonstrate how they have assessed and pursued opportunities for sustainable energy use in new developments. In particular:*

- (1) Local climatic factors should be taken into account, and opportunities taken to maximise solar gain and minimise wind chill in the layout and orientation of buildings;*
- (2) The utilisation of renewable energy sources in meeting the energy needs of developments will be encouraged where appropriate in terms of type, scale and impact; and*
- (3) Combined heat and power and community heating schemes as part of new developments will be encouraged.”*

7b.37 It is noted that the proposed development incorporates sustainable energy technology including high efficiency condensing boilers, low temperature water underfloor heating, intelligent lighting controls and rainwater harvesting.

7b.38 The proposed development accords with Policy EQ6.

7b.39 Policy ST2 – ‘Pedestrian Travel And Cycling’ states;

*“New development will be required to provide an appropriate standard of pedestrian and cycle infrastructure. This will consist of on- and where appropriate off-site measures that allow pedestrian and cycle movements within and beyond developments, and ensure that those wishing to use pedestrian/cycle networks are not dissuaded from doing so through the absence of suitable infrastructure.*

- (1) All pedestrian and cycle routes will comply with the standards set out in the Design Guidelines and Construction Standards for Roads in the Falkirk Council Area. Where appropriate, infrastructure supporting the two modes will be combined.*
- (2) Pedestrian and cycle facilities in new developments should offer appropriate links to existing networks in surrounding areas, to other amenities and community facilities and support objectives in agreed Travel Plans where relevant.*
- (3) Pedestrian and cycle movement within developments should be allowed for via direct routes without barriers.*
- (4) Pedestrian and cycle links should be provided that offer connections to public transport connections in the surrounding area. For guidance, in new developments, no pedestrian should have to walk more than 400m to the nearest bus stop.*
- (5) Where practical, no pedestrian route should be obstructed by features that render it unsuitable for the mobility impaired.*



- (6) *The surfacing, lighting, design, maintenance and location of pedestrian and cycle routes should promote their safe use. Particular emphasis should be given to the provision of suitable lighting, and the provision of suitably designed and located crossing facilities where routes meet the public road network.*
- (7) *Pedestrian and cycle routes for school journeys should be provided in residential development where a need to do so is identified. In all cases, the aim should be to provide an overall walking/cycling distance between home and school of not more than 2 miles wherever practical, or not more than 1 mile for pedestrian journeys to primary school.*
- (8) *Cycle parking should be provided in accordance with the standards set out in Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area."*

7b.40 The Transport Assessment and School Travel Plan have demonstrated that the proposed development would provide for a range of facilities for public transport users and promote the interests of cyclists and pedestrians. It is considered that the interests of pedestrians and cyclists are adequately addressed and that the safety of pedestrians and cyclists would not be compromised.

7b.41 The proposed development accords with Policy ST2.

7b.42 Policy ST3 - 'Bus Travel And New Development' states:

*"New development will be required to provide appropriate levels of bus infrastructure or suitable links to existing bus stops, services or stations, as identified within travel plans. This provision will be delivered through direct funding of infrastructure and / or the provision of sums to support the delivery of bus services serving the development.*

- (1) *Bus infrastructure should be provided at locations and to phasing agreed with Falkirk Council, and designed in accordance with the standards set out in Falkirk Council's Design Guidelines and Construction Standards for Roads in the Falkirk Council Area.*
- (2) *Bus facilities within new developments should offer appropriate links to existing pedestrian or cycle networks in surrounding areas. Alternatively, new development should be linked to existing bus infrastructure via pedestrian or cycle links as described in Policy ST2.*
- (3) *New development should incorporate routes suitable for the provision of bus services. Where bus services already exist, new developments should not be designed or constructed in ways that impede the routing of these services.*
- (4) *New developments may require bus links to rail stations or other public transport infrastructure."*

7b.43 The Transport Assessment and School Travel Plan have demonstrated that the proposed development would provide appropriate travel and bus infrastructure links.

7b.44 The proposed development accords with Policy ST3.

7b.45 Policy ST7 – 'Transport Assessments' states;

- (1) *Falkirk Council will require transport assessments of developments where the impact of that development on the transport network is considered likely to require mitigation.*
- (2) *Transport assessments will include travel plans and, where necessary, safety audits of proposed mitigation measures and assessment of the likely impacts on air quality as a result of proposed development.*

- (3) *Developers will agree the scope of the assessment with Falkirk Council, then undertake the assessment in accordance with the scoping. In all cases, the assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over unnecessary use of the car.*
- (4) *The Council will only grant planning permission where it is satisfied that the transport assessment and travel plan has been appropriately scoped, the network impacts properly defined and suitable mitigation measures identified.”*

7b.46 The Transport Assessment and School Travel Plan have demonstrated that travel to school and traffic management issues have been suitably addressed. It is noted that the Roads Development Unit and the Transport Planning Unit have raised no objections.

7b.47 The proposed development accords with Policy ST7.

7b.48 Policy ST10 - ‘Parking’ states:

*“The Council will manage parking provision as an integral part of wider transport planning policy to ensure that road traffic reduction, public transport, walking, cycling and safety objectives are met.*

- (1) *There will be a presumption against significant additional public parking in Falkirk Town Centre.*
- (2) *There will be a presumption against the removal of existing parking provision in Falkirk Town Centre where this would adversely affect the vitality and viability of the centre.*
- (3) *Park and ride facilities will be promoted at Westfield, Falkirk. The feasibility of providing facilities on the B902 Stenhousemuir-Falkirk corridor will be investigated.*
- (4) *Parking in District and Local Centres will be managed to promote sustainable travel and the role of the centres.*
- (5) *The maximum parking standards set out in SPP 17 will be applied where relevant, in tandem with the Council’s minimum standards. Where the minimum standards cannot be met, then enhanced travel plan resources may be required in compensation.”*

7b.49 A denominational school has a wider catchment area than a non-denominational school and, consequently, generates a greater number of car journeys to school. It is considered that the Transport Assessment and School Travel Plan have demonstrated that the level of car parking is the minimum provision which is required to safeguard against unacceptable parking in the streets adjacent to the application site. The proposed traffic management infrastructure and procedures, in conjunction with the School Travel Plan, would maximise provision of, and connection to, non-private car transport infrastructure.

7b.50 The proposed development accords with Policy ST10.

7b.51 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.52 The Roads Development Unit has advised that drainage provision is adequate and meets the standards required by the Council.

7b.53 The proposed development accords with Policy ST11.

7b.54 The proposed development does accord with the Falkirk Council Local Plan Finalised Draft (Deposit Version).

### ***Scottish Planning Policy***

#### ***Open Space and Physical Activity***

7b.55 Scottish Planning Policy states that access to good quality open spaces can encourage people to be physically active, and aid health and wellbeing. In settlements, networks of linked, good quality open space are important for their contribution to amenity and their role in nature, biodiversity, recreation and physical activity. Planning Authorities should support, protect and enhance open space and opportunities for sport and recreation.

7b.56 Planning Authorities should take a strategic and long-term approach to managing the open space in their area, assessing both current and future needs, and protecting all spaces which can help to meet them. Authorities should undertake an audit of the open space resource in their area, and how well it meets the needs of the community. The audit should take account of the quality, community value, accessibility and use of existing open space, not just the quantity. Using the information from the audit, authorities should prepare an open space strategy which sets out the vision for new and improved open space.

7b.57 Playing fields are an important resource for sport and should be provided in sufficient quantity, quality and accessibility to satisfy current and likely future community demand. Local authorities are expected to develop a playing field strategy. Playing fields should not be redeveloped except where:-

- the proposed development is ancillary to the principal use of the site as a playing field;
- the proposed development involves a minor part of the playing field which would not affect its use and potential for sport and training;
- the playing field which would be lost would be replaced by a new playing field of comparable or greater benefit for sport and in a location which is convenient for its users, or by the upgrading of an existing playing field to provide a better quality facility either within the same site or at another location which is convenient for its users and which maintains or improves the overall playing capacity in the area; or
- a playing field strategy prepared in consultation with Sportscotland has demonstrated that there is a clear excess of sports pitches to meet current and anticipated future demand in the area, and that the site could be developed without detriment to the overall quality of provision.

7b.58 It is noted that the thrust of the Scottish Planning Policy is that existing open space should be protected and enhanced. Sections 7b.3-7b.15, Policy SC12 'Urban Open Space' and 7b.69-7b.79 'Falkirk Council Open Space Strategy' are relevant. It is noted that as a result of the proposed development, the sports area function of the Antonshill playing field would be retained and the quality of recreation facilities available for community use would be improved.

### ***Planning for Transport***

- 7b.59 Scottish Planning Policy states that the planning system should support a pattern of development which reduces the need to travel, facilitates travel by public transport and provides safe and convenient opportunities for walking and cycling.
- 7b.60 Development should be supported in locations that are accessible by walking, cycling and public transport, making best use of, or adding to, existing networks and creating new networks.
- 7b.61 A transport assessment should be carried out where a change of use or new development is likely to result in a significant increase in the number of trips. The output from transport assessments can also identify potential cumulative effects of development which need to be addressed. Planning permission should not be granted for significant travel generating uses in locations which would encourage reliance on the private car and where:-
- direct links to walking and cycling networks are not available or cannot be made available;
  - access to public transport networks would involve walking more than 400m;
  - it would have a detrimental effect on the capacity of the strategic road and/or rail network; or
  - the transport assessment does not identify satisfactory mechanisms for meeting sustainable transport requirements.
- 7b.62 It is also noted that a Transport Assessment has been submitted.
- 7b.63 It is not considered that the proposal would have a detrimental impact on the road network at Antonshill. It is noted that the Roads Development Unit and the Transport Planning Unit have raised no objections to the proposal.
- 7b.64 The proposed development accords with Scottish Planning Policy.

### ***Planning Advice Note (PAN) 65 “Planning and Open Space”***

- 7b.65 Planning Advice Note 65 recognises the importance of creating successful places and promotes effective links between the planning, design and management of open space. The importance of creating opportunities for sport and recreation for local groups, schools and individuals and promoting active lifestyles is emphasised. The importance of local authorities preparing an open space strategy is also emphasised.
- 7b.66 Sections 7b.69-7b.79 of this report in respect of the Falkirk Council Open Space Audit and Strategy are relevant.
- 7b.67 It is considered that the circumstances of the application are in compliance with the Falkirk Council Open Space Strategy.
- 7b.68 The proposed development accords with PAN 65.

## ***Falkirk Council Open Space Strategy***

- 7b.69 The Council, in partnership with the Central Forest Trust, NHS Forth Valley and Scottish Natural Heritage, has produced an Open Space Strategy for 2010-2015. The Strategy was formulated through analysis of the quantitative audit of open space and the qualitative assessment of a representative range of open spaces within towns and villages in the Falkirk Council area.
- 7b.70 The Open Space Strategy was approved at a meeting of Falkirk Council on 28 April 2010. The Strategy sets out a Council-wide standard for provision of open space.
- 7b.71 The Open Space Strategy requires that communities should have access to 5 hectares/1,000 people of different types of public open space. Within the Larbert and Stenhousemuir settlement boundary there are currently 191.17 hectares of public open space, this equates to 8.4 hectares/1,000 people.
- 7b.72 The proposed development at Antonshill will effectively annex 2.27 hectares of the site. This will reduce the open space available to the residents of Larbert and Stenhousemuir to 188.90 hectares or 8.3 hectares/1,000 people. This is still well above the 5 hectares/1,000 people standard. In quantitative terms, therefore, the loss of this open space is justified.
- 7b.73 The Qualitative Assessment of Open Space notes that the Antonshill playing field is a public park and a sports area, which is not considered to be fit for purpose in its current state. The Open Space Strategy sets standards in relation to walking distances to open space. It indicates that households should be within 400 metres of a public park and within 800 metres of a sports area.
- 7b.74 The extent to which the park function of Antonshill playing field will be lost is arguable. There will be a reduced space for general activities such as dog walking, but space will nonetheless remain for such passive recreation. The area has few facilities that would normally be expected in a park (paths, tree planting, shrub beds, etc.). Chapelburn Park is the major park, which is fit for purpose, serving the local area, with a further small park approximately 200 metres to the east of the Antonshill playing field complementing provision in the area. Even if it is assumed that the park function at Antonshill playing field is lost, this would only marginally reduce the amount of households with access to a public park within 400 metres (39 properties).
- 7b.75 The sports area at Antonshill playing field is strategically important to the area, with the nearest other sports areas at Stenhousemuir Sports Centre, Crownest Park and North Broomage Park, which are all over 1 km from Antonshill playing field. The retention of the sports area function is therefore vital. The Antonshill playing field is not currently in a good condition, with a distinct lack of facilities one might expect at a sports area. The only current facilities are at the western end of the site, where there is a kickabout pitch. The land is predominantly rough ground and is intermittently maintained to control the surface texture.
- 7b.76 The proposed development would provide: a floodlit Multi Use Games Area for use outwith school hours; upgraded football goals to the west of the site; and a new sports hall will also be available for community use outside of school hours.
- 7b.77 Although the proposed development would reduce the overall size of the Antonshill playing field, it also improves the sporting facilities available to the public. It is considered, therefore, that the sports area function of the Antonshill playing field has been retained and enhanced.

- 7b.78 The Falkirk Council Open Space Audit and Strategy concluded that, generally speaking, the issue with open space in the Council area is a qualitative, rather than a quantitative, issue. There are many areas of open space, but not all are fit for purpose. The policy emphasis is therefore on improving the quality and functionality of open space. In the case of Antonshill playing field, notwithstanding the loss of open space, the retention and improvement of the western sports area, and the provision of the MUGA pitch and sports hall with community access, supports the aim of the Open Space Strategy to improve quality, functionality and access to open space and recreation areas.
- 7b.79 The proposed development accords with the Falkirk Council Open Space Strategy.

### ***The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009***

- 7b.80 This Direction sets out circumstances in which planning authorities must notify Scottish Ministers where they are intending to grant planning permission. In relation to local authority interest developments, before granting planning permission, planning authorities must notify Ministers where the planning authority is the applicant/developer, has a financial or other interest, or where the development is on land wholly or partly in the planning authority's ownership or in which it has an interest, in circumstances where the proposed development would be significantly contrary to the Development Plan for the area. Accordingly, this application falls into this category and will require to be notified to Ministers.

### ***Consultation Responses***

- 7b.81 It is noted that no objections have been received from consultees. It has been satisfactorily demonstrated that the proposed development is fit for purpose in terms of road traffic and travel issues, drainage and contamination.

### ***Letters of Representation***

- 7b.82 It is noted that 30 letters of objection have been received.
- 7b.83 It is noted that the Roads Development Unit and the Transport Planning Unit have raised no objections in terms of traffic management, road safety, travel and parking issues.
- 7b.84 It is noted that the proposal does not accord with the Development Plan. It is also noted, however, that the Larbert and Stenhousemuir Local Plan 1<sup>st</sup> Review was adopted in August 1998. It is further noted that the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010) is to be submitted to the Council for final approval in December 2010. The emerging local plan must be considered to be a strong material consideration in respect of this application.
- 7b.85 In terms of the loss of open space, the following sections of this report are relevant. Sections 7a.1-7a.7, Policy COM.6 of the Falkirk Council Local Plan 'Open Space and Recreational Facilities', sections 7a.17-7a.21, Policy LAR 49 of the Larbert and Stenhousemuir Local Plan 'Protection of Open Space', sections 7b.3-7b.15, Policy SC12 of the emerging Falkirk Council Local Plan 'Urban Open Space' and sections 7b.68-7b.79 'Falkirk Council Open Space Strategy'.

- 7b.86 Accordingly, it is noted that the proposed development accords with the Falkirk Council Open Space Strategy.
- 7b.87 There is no evidence to support the view that there would be excessive noise from the proposed MUGA pitch. It is noted that the Environmental Protection Unit has raised no objections in terms of this issue.
- 7b.88 It is not considered that the proposed development would have a significant impact on residential properties at Corrie Avenue in terms of privacy and overshadowing. It is noted that the proposed school building would be erected at a distance of 17 metres from the nearest dwellinghouse at Corrie Avenue.
- 7b.89 There is no evidence to support the view that the proposed development would encourage anti-social behaviour or encourage parents awaiting children to damage residential properties.
- 7b.90 It is not considered that the proposed lighting for the MUGA pitch would cause light pollution to nearby residential property. It is noted that the Environmental Protection Unit has advised that the light fittings proposed would sufficiently minimise light spillage.
- 7b.91 In terms of other areas of open space in the Antonshill area, sections 7b.69-7b.79 'Falkirk Council Open Space Strategy' are relevant.
- 7b.92 The proposed MUGA pitch and sports hall would be made available for community use through the Council's adopted booking process.
- 7b.93 It is considered that a residential area is a suitable location for the erection of a primary school.
- 7b.94 There is no evidence to support the view that there would be a significant loss of wildlife habitat as a result of the proposal. It is noted that Scottish Natural Heritage has raised no objection.
- 7b.95 Loss of view is not a material planning consideration.
- 7b.96 There is no evidence to support the view that the application site has at any time been gifted to the residents of Antonshill.
- 7b.97 The applicant has advised that the proposed development is necessary to alleviate overcrowding at other RC primary schools.
- 7b.98 There is no evidence to support the view that the proposed development cannot serve the community in the long term.
- 7b.99 There is no evidence to support the view that the proposed development would cause an excess litter nuisance.
- 7b.100 The issue of house prices is not a material planning consideration.
- 7b.101 There is no proposal to charge for use the proposed car parking areas.

- 7b.102 There is no legislative restriction in respect of the geographical location of persons who are entitled to make representation in terms of planning applications. In any case, only material planning considerations would be considered.
- 7b.103 The applicant has indicated that the current application differs from the proposal for which planning permission was refused in October 2009 (P/08/0875/FUL). It is indicated that amendments have been made in response to concerns raised in respect of the previous proposal. The amendments which have been made are details in section 7b.110 of this report.
- 7b.104 The comment regarding the application site being referred to as "waste ground" is noted.
- 7b.105 It is noted that the existing goalposts at Antonshill playing field are to be renewed and relocated 18 metres closer to properties at Linlithgow Place. There would be no pitch markings. However, it is considered that the goalposts serve for informal kickabout purposes. It is not envisaged that informal kickabout activities at the relocated goalposts would have a significant impact on the amenity of properties at Linlithgow Place.
- 7b.106 A full public consultation process has been carried out in accordance with legislation relating to major developments. Furthermore, the application was advertised in the Falkirk Herald on 15 July 2010.
- 7b.107 The emerging Falkirk Council Local Plan takes into consideration changing community needs since the adoption of the Falkirk and Stenhousemuir Local Plan. Furthermore, the emerging Falkirk Council Local Plan reflects the Council's Open Space Strategy.
- 7b.108 The operation of the education system, segregated or otherwise, is not a material planning consideration.
- 7b.109 There is no evidence to suggest that the application site is not sufficiently stable to accommodate the proposed development. It is noted that the Environmental Protection Unit has advised that there is no record of any historical mineral workings in significant proximity to the application site.

### ***Planning History***

- 7b.110 It is noted that the current application incorporates amendments from planning application P/08/0875/FUL in respect of which planning permission was refused in October 2009 for a development similar to the current proposal. The principal differences are as follows:-
- > The proposed school building is located further north and the boiler room has been relocated and, as a result, the building is now proposed to be a further 6 metres from the nearest property at Corrie Avenue. The building would now be located 17 metres from the nearest dwellinghouse at Corrie Avenue.
  - > The proposed nursery would now be a 40/40 pupil am/pm split. (Previously 30/30 split)
  - > The proposed MUGA pitch would be relocated a further 15 metres from dwellinghouses at Corrie Avenue. There would be additional landscaping and mounding at the south side of the MUGA pitch to minimise the impact on the amenity of properties at Corrie Avenue.



- > The central spine wall feature of the proposed school building has been reduced. The spine wall would now measure 10.4 metres in height at the north end and 7.7 metres in height at the south end.
- > There would now be a new dedicated bus lay-by for use as a dropping-off point.
- > A new roundabout, crossing points, traffic calming measures and parking restrictions are planned to improve road safety.
- > The car park layout and access have been re-designed to improve traffic flow for pupil drop-off.
- > The car parking provision for drop-off, visitors and nursery parking has risen from 75 to 80 spaces. Car parking is not now proposed to be phased. All car parking would be provided prior to the opening of the proposed school.

## **7c Conclusion**

- 7c.1 The proposed development does not accord with the Development Plan.
- 7c.2 However, the proposed development accords with opportunity RC.L&S7 "Antonshill Playing Fields" of the Falkirk Council Local Plan Finalised Draft (Deposit Version) (April 2007) as amended by the Final Proposed Modifications (June 2010), which would safeguard the application site for the erection of a denominational primary school.
- 7c.3 The proposed development is of a high standard of design. The recreational facilities and car parking facilities are isolated and screened to safeguard the amenity of adjacent residents. The proposal is compatible with the character of the area. Whilst it is acknowledged that there would, be an impact on the visual amenity of the area this is not considered to have an adverse impact. Furthermore the proposed has been altered from the previous application as detailed in paragraph 7b.110.
- 7c.4 It is noted that the Transport Assessment, School Travel Plan and traffic management proposals demonstrate that there would be sufficient measures to ensure adequate parking associated with the catchment area of a denominational primary school and make adequate provision for, and encourage, non-private car travel to school.
- 7c.5 It is noted, however, that the proposed development would result in the loss of an area of open space measuring 2.27 hectares. It is noted that opportunity REC3 identified in the Larbert and Stenhousemuir Local Plan makes provision for the safeguarding of the site for recreational use.
- 7c.6 The following material considerations are relevant to the issue of loss of open space:-
- The Council's Open Space Strategy requires that communities should have access to 5 hectares/1,000 people of different types of public open space. As a result of the proposed development, the open space available to residents of Larbert and Stenhousemuir would be reduced to 8.3 hectares/1,000 people. This is still in excess of the standard required by the Open Space Strategy.

- The principal issue in respect of open space is qualitative rather than quantitative. In the case of the Antonshill playing field, notwithstanding the loss of open space, the retention and improvement of the western sports area and provision of the MUGA pitch and sports hall with community access would support the aim of the Open Space Strategy to retain, and improve the quality and accessibility to, open space.
- The proposed development accords with the Falkirk Council Open Space Strategy.

7c.7 It is also noted that Falkirk Council Local Plan Finalised Draft (Deposit Version) identifies the application site as an opportunity to develop a denominational primary school. The proposed development accords with opportunity RC.L&S7 of the Plan. It is noted that there were no objections submitted by the public to this Local Plan in respect of this proposal. The proposal was not subject to a modification of the Plan prior to the Local Plan public inquiry procedure.

7c.8 It is accepted that there would be an impact on visual amenity of the site as a result of the proposed development. It is not considered that the impact on visual amenity is sufficient to merit refusal of planning permission. On balance there is justification to recommend a departure from the Development Plan in this case.

7c.9 If Members were minded to grant planning permission, the application would require to be referred to Scottish Ministers in accordance with the requirements of The Town and Country Planning (Notification of Applications) (Scotland) Direction 2009. Section 7b.80 of this report addresses this issue.

## **8. RECOMMENDATION**

**8.1 It is recommended that the Council be minded to grant planning permission subject to notification of the application to Scottish Ministers and thereafter, on satisfactory conclusion of the foregoing matter, remit to the Director of Development Services to grant planning permission subject to the following conditions: -**

- (1) The development to which this permission relates must be begun within three years from the date of this permission.**
- (2) The proposed development shall not be brought into use until such time as the scheme of traffic management measures proposed has been implemented in full.**
- (3) The proposed development shall not be brought into use until such time as the proposed car parking areas have been formed with a wearing bituminous surface, and lined, with the written approval of the planning authority.**
- (4) Notwithstanding any details previously submitted, there shall be no work on site until such time as a detailed landscaping scheme has been approved in writing. The landscaping scheme shall include timescales for planting and details of a maintenance schedule.**
- (5) The proposed development shall not be brought into use until such time as the proposed improvements to public footpaths have been carried out in full.**

- (6) The proposed development shall be implemented in accordance with the approved drawings and any submitted details which have been approved in writing by the Planning Authority.

**Reason(s):-**

- (1) To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2 & 5) To safeguard the interests of users of the highway and the safety of persons travelling to and from the proposed development by both vehicular and pedestrian means.
- (3) To ensure that adequate car parking is provided.
- (4) To ensure that the amenity of adjacent residents is safeguarded.
- (6) To ensure that the development is carried out to the satisfaction and approval of the planning authority.

**Informative(s):-**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04-26 (inc.), 27A, 28, 29, 30, 31A, 32, 33A, 34-37, 38A, 39-48.

.....  
**Director of Development Services**

**Date:** 25 November 2010

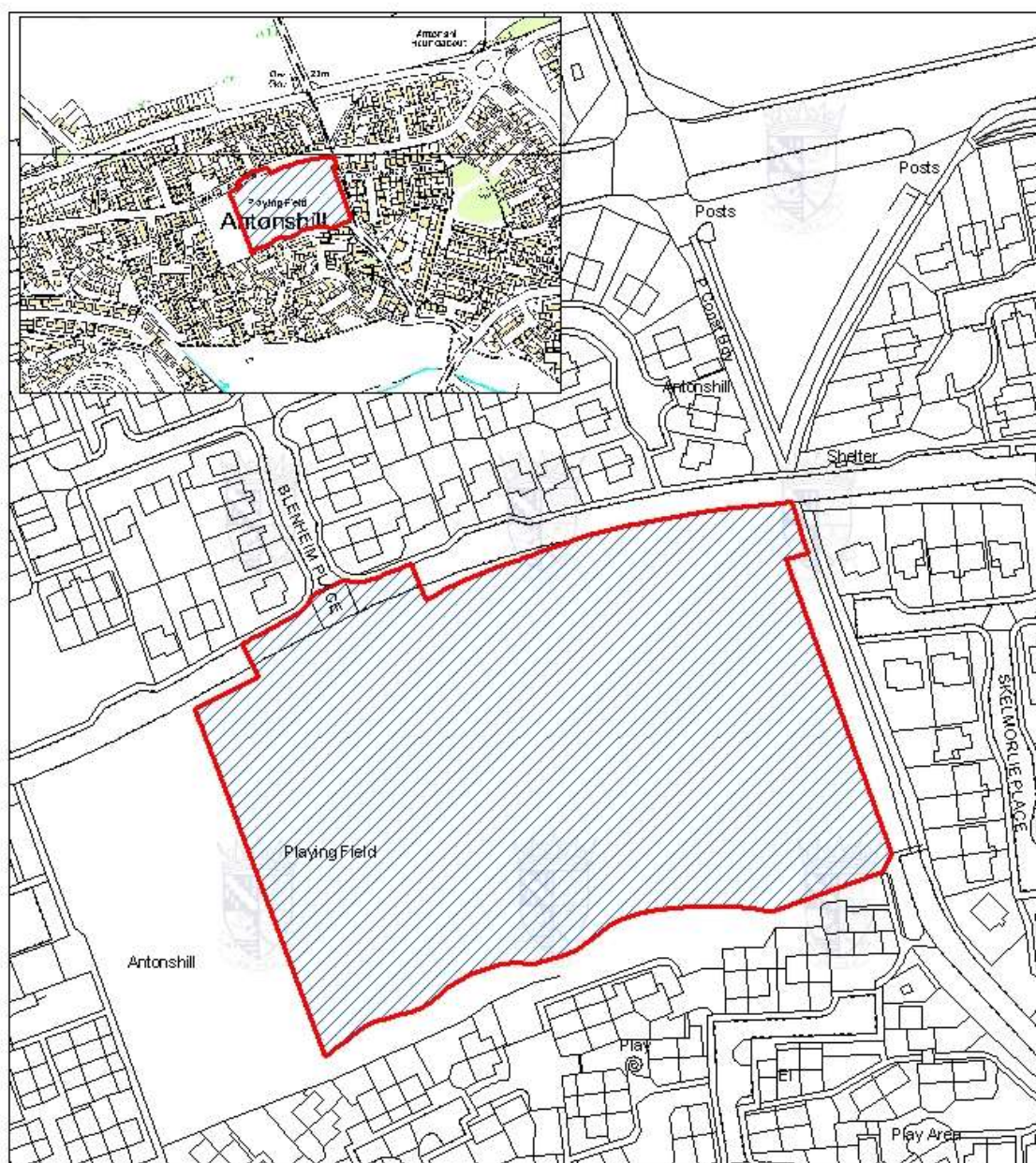
**LIST OF BACKGROUND PAPERS**

# Planning Committee

## Planning Application Location Plan

**P/10/0502/FUL**

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



Falkirk Council



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