

FALKIRK COUNCIL

Subject: DEVELOPMENT OF LAND FOR HOUSING PURPOSES AT
GLEN ROMA, SHIELDHILL ROAD, REDDINGMUIRHEAD,
FALKIRK FK2 0DU FOR IAIN GIFFEN – P/10/0776/PPP

Meeting: PLANNING COMMITTEE

Date: 23 February 2011

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Lower Braes
Councillor Steven Jackson
Councillor Malcolm Nicol
Councillor Alan Nimmo

Community Council: Reddingmuirhead and Wallacestone

Case Officer: Kevin Brown, (Planning Officer) Ext. 4701

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application for planning permission in principle proposes the development of an existing single house plot in Reddingmuirhead for residential purposes. An indicative layout plan has been submitted showing the site being developed for two detached dwellinghouses.
- 1.2 The application site is located in the centre of Reddingmuirhead on the northern side of Shieldhill Road. The application site was previously occupied by a detached dwellinghouse but, during the course of this application, this dwellinghouse has been demolished and the site cleared.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application was called in by Councillor Jackson.

3. SITE HISTORY

- 3.1 None relevant to this application.

4. CONSULTATIONS

- 4.1 Scottish Water – no objections.

- 4.2 Environmental Protection Unit – No objection has been raised however a request has been made for a noise and contaminated land survey to be carried out. This request can be adequately covered by way of conditions attached to any permission granted.
- 4.3 Roads Development Unit – No objections.

5. COMMUNITY COUNCIL

- 5.1 The Reddingmuirhead and Wallacestone Community Council has objected to the proposal on the grounds of overlooking road safety and parking issues, sewerage limitations, overdevelopment issues, impact on surrounding character of the area and construction traffic disturbance.

6. PUBLIC REPRESENTATION

- 6.1 11 letters of representation were received following the neighbour notification process. One of these letters was submitted by the applicant in support of the application. Three of the letters were submitted by the Community Council/Community Councillors objecting to the application as is outlined in section 5 of this report. The remaining 7 letters were submitted by 3 individuals and raised the following concerns: -

- Overdevelopment.
- Overshadowing.
- Impact on privacy.
- Road Safety i.e. parking.
- Flooding from surface water run off.
- Asbestos in existing building.
- Construction work disturbance.
- Impact on character of the 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 This development does not raise any strategic considerations.

Falkirk Council Local Plan

7a.2 Policy SC2 – ‘Windfall Housing Development within the Urban/Village Limit’ states;

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

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

7a.3 The application site is located within the urban limit and the proposed residential land use is considered to be compatible with the surrounding area. The location of the site enjoys good accessibility to public transport, shops, recreational and community facilities and the existing physical infrastructure and network of community facilities is considered to be able to cope with the additional unit at the site.

7a.4 The proposal accords with Policy SC2 of the Falkirk Council Local Plan.

7a.5 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.”*

- 7a.6 The application is for planning permission in principle and therefore the submitted layout plan and house designs are entirely indicative at this stage. The layout plan, which was revised during the assessment of the application, shows two detached dwellinghouses taking access from and directly fronting onto Shieldhill Road. The plan shows two typical housetypes which, whilst indicative at this stage, would respect the scale, density, disposition and design of the area. It is demonstrated that rear garden ground in excess of 13 metres in length could be achieved with sufficient space to the front of each property for access and parking provision. This stretch of Shieldhill Road benefits from good levels of visibility in both directions. Based on consideration of the indicative layout and the surrounding townscape, it is considered that adequate privacy levels can be achieved and existing levels of residential amenity can be maintained.
- 7a.7 The proposal accords with Policy SC8 of the Falkirk Council Local Plan.
- 7a.8 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations relating to this proposal are the representations received.

Representations Received

- 7b.2 Issues relating to overdevelopment, overshadowing, privacy and character are assessed in paragraph 7a.6 of this report. It is considered that the submitted indicative layout demonstrates that each of these issues can be overcome by good design. These issues can be further assessed on submission of a detailed planning application should Members grant the application for planning permission in principle.
- 7b.3 The method of demolition, presence of asbestos and disturbance, damage or road safety associated with the construction process are not material planning considerations, but Members may wish to note that a Warrant was granted by Building Standards for demolition of the existing house.
- 7b.4 The Roads Development Unit have assessed the proposal and are satisfied that road safety and parking standards can be met.
- 7b.5 Surface water run-off and drainage can be assessed on submission of further detailed proposals. It is not considered that they are a determining factor in the assessment of this application.
- 7b.6 In relation to sewer limitation, Scottish Water has raised no objection to the proposed development. Separate consent is required to be sought from Scottish Water for any new connections into the sewer network. It is not therefore considered that this is a determining factor in the assessment of this application.

7c Conclusion

- 7c.1 The proposal is an acceptable form of development and is in accordance with the Development Plan. There are no material planning considerations that warrant a refusal of planning permission in this instance.

8. RECOMMENDATION

8.1 It is therefore recommended that planning permission be granted subject to the following condition(s):-

- (1) This permission is granted under the provisions of paragraph 10(1) of the Town and Country Planning (Development Management Procedure) (Scotland) Order 2009 on an application for planning permission in principle, and the further approval of the Council or of the Scottish Ministers on appeal shall be required in respect of the undermentioned matters hereby specified before any development is commenced:**
 - (a) the siting, size, height, design & external appearance of the proposed development;**
 - (b) details of the access and parking arrangements;**
 - (c) details of landscaping of the site and future maintenance of landscaping;**
 - (d) details of drainage arrangements;**
 - (e) details of all boundary treatments.**
- (2) That in order to comply with Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006, in the case of the matters specified, application for approval must be made before:**
 - (a) the expiration of 3 years from the date of the grant of planning permission in principle; or**
 - (b) the expiration of 6 months from the date on which an earlier application for such approval was refused; or**
 - (c) the expiration of 6 months from the date on which an appeal against such refusal was dismissed.**
- (3) That the development to which this permission relates must be begun not later than whichever is the later of the following dates:**
 - (a) the expiration of 5 years from the date of the grant of this planning permission in principle; or**
 - (b) the expiration of 2 years from the final approval of the specified matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.**

whichever is the latest.

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

- (4) (i) Unless otherwise agreed in writing, no development shall commence on site until a contaminated land assessment in accordance with current guidance has been submitted and approved by the Planning Authority. The assessment shall determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere, and also identify any potential risks to human health, property, the water environment or designated ecological sites .
- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy shall be submitted to and approved in writing by the Planning Authority. The strategy shall demonstrate how the site shall be made suitable for its intended use by the removal of any unacceptable risks caused by the contamination.
- (iii) Prior to the commencement of development, the remediation works shall be carried out in accordance with the terms and conditions of the remediation scheme as approved in writing by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate has been submitted to and approved in writing by the Planning Authority.
- (5) Development shall not begin until a scheme for protecting the dwellinghouses from noise from transportation has been submitted to and approved in writing by the Planning Authority. The dwellinghouses shall not be brought into use until the measures in the approved noise prevention scheme operate to the satisfaction of the Planning Authority.

Reason(s):-

- (1) To comply with paragraph 4(1) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.
- (2,3) To comply with Section 59 of the Town and Country Planning (Scotland) Act 1997.
- (4) To ensure the ground is suitable for the proposed development.
- (5) To ensure that the occupants of the property are safeguarded against excessive noise intrusion.

Informative:-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01.

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Director of Development Services

Date: 16 February 2011

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Letter of Objection received from Mr. Alexander Whyte, 9 Nobel View, Reddingmuirhead, Falkirk, FK2 0EF on 6 November 2010.
4. Letters of Objection received from Mr Walter Campbell, Masetta, Sheildhill Road, Reddingmuirhead, FK2 0DU on 16 November 2010 and 28 January 2011.
5. Letters of Objection received from Mr Danny Callaghan, Reddingmuirhead & Wallacestone Community Council, 2 Nobel View, Reddingmuirhead, Falkirk, FK2 0EF on 8 November 2010 and 18 November 2010.
6. Letters of Objection received from Mrs Sarah Muir, Mayben View, Shieldhill Road, Reddingmuirhead, Falkirk, FK2 0DU on 16 November 2010 and 24 January 2011.
7. Two Letters of Objection received from Mr James McGovern, 1 Nobel View, Falkirk, FK2 0EF - two on 14 November 2010 and one additional letter on 14 January 2011.
8. Letter of Support received from Mr Iain Giffen, 57 Glengarry Crescent, Falkirk, FK1 5UE on 24 January 2011.

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

Planning Committee

Planning Application Location Plan **P/10/0776/PPP**

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



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