

FALKIRK COUNCIL

Subject: **FORMATION OF NEW ACCESS ROAD (RETROSPECTIVE) AT THE COACH HOUSE, GLENBERVIE, BELLSDYKE ROAD, LARBERT, FK5 4EG, FOR MR STEVEN MCLEOD - P/11/0085/FUL**

Meeting: **PLANNING COMMITTEE**

Date: **18 May 2011**

Author: **DIRECTOR OF DEVELOPMENT SERVICES**

Local Members: **Ward - Bonnybridge and Larbert**
Councillor Billy Buchanan
Councillor Tom Coleman
Councillor Linda Gow

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

Case Officer: **Stephen McClure (Planning Officer), ext. 4702**

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The site of the recently formed access road sits between the Glenbervie House Hotel main car park and an unadopted access track which leads to the Coach House, a large detached dwellinghouse. The access road has been formed through a wooded area; however, all existing trees have been retained. The access road has been formed, with a compacted hardcore surface to be completed.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application was called in by Councillor Coleman.

3. SITE HISTORY

- 3.1 There is no history which is relevant to this particular application.

4. CONSULTATIONS

- 4.1 The Roads Development Unit has no objection to the proposal.

5. COMMUNITY COUNCIL

5.1 The Community Council has not commented on this planning application.

6. PUBLIC REPRESENTATION

6.1 In the course of the application, one contributor submitted a letter of objection to the Council. The salient issues are summarised as below:-

- The access road has already been formed.
- There is no need for the access road to the Coach House to be linked to Glenbervie Hotel.
- The new access road will lead to an increase in traffic using the existing access road to the Coach House.
- This newly formed access road will provide an alternative route to the hotel.
- There will be an increase in maintenance costs to the existing access road to the Coach House, which would have an effect on all persons that maintain the road.
- There has already been damage to fencing owned by the adjacent Golf Club.

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 There are no relevant policies within the Falkirk Council Structure Plan.

7a.2 The proposal raises no strategic issues and was therefore assessed against the Falkirk Council Local Plan alone.

Falkirk Council Local Plan

7a.3 The proposed development was assessed against the following policies:-

7a.4 Policy EQ26 - 'Trees, Woodland And Hedgerows' states:

"The Council recognises the ecological, landscape, economic and recreational importance of trees, woodland and hedgerows. Accordingly:

- (1) Felling detrimental to landscape, amenity, nature conservation or recreational interests will be discouraged. In particular ancient, long-established and semi-natural woodlands will be protected as a habitat resource of irreplaceable value;*
- (2) In an area covered by a Tree Preservation Order (TPO) or a Conservation Area, development will not be permitted unless it can be proven that the proposal will not adversely affect the longevity, stability or appearance of the trees. Where necessary, endangered trees and woodlands will be protected through the designation of further TPOs;*
- (3) Where development is permitted which will involve the loss of trees or hedgerows of amenity value, the Council will normally require replacement planting appropriate in terms of number, size, species and position;*
- (4) The enhancement and management of existing woodland and hedgerows will be encouraged. Where the retention of a woodland area is integral to a development proposal, developers will normally be required to prepare a plan and make provision for its future management; and*
- (5) There will be a preference for the use of appropriate local native species in new and replacement planting schemes, or non-native species which are integral to the historic landscape character."*

7a.5 The formation of the access road has not resulted in any trees being felled, having been routed around the existing trees. It is not considered that the access road is detrimental to the landscape or amenity of the area. The area is not covered by a Tree Preservation Order or covered by any other conservation or nature designation. The access road will have a compacted hardcore finish, this being appropriate within the countryside on access tracks. It is therefore considered that the proposal accords with Policy EQ26.

7a.6 Accordingly, the proposal accords with the Development Plan.

7b Material Considerations

7b.1 The material considerations to be assessed are the public representations received.

Assessment of Public Representations

7b.2 This application seeks to regularise the unauthorised development.

7b.3 The need for the access is not a material planning consideration.

7b.4 There is nothing to indicate that, due to the formation of the access road, traffic would increase to the Coach House.

7b.5 The access route is not being used or marketed as an alternative route to Glenbervie House Hotel.

7b.6 The access road to the Coach House is not an adopted road. Maintenance of the road is a private legal matter and is not a material planning consideration.

7b.7 Damage to private property is not a material planning consideration, and would be a matter for the police.

7c Conclusion

- 7c.1 It is considered that the proposal is acceptable development and is in accordance with Policy EQ26 of the Falkirk Council Local Plan. There are no other material planning considerations which would justify a refusal of planning permission.

8. RECOMMENDATION

- 8.1 It is recommended that the Planning Committee grant planning permission.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01 and 02.

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Director of Development Services

Date: 10 May 2011

LIST OF BACKGROUND PAPERS

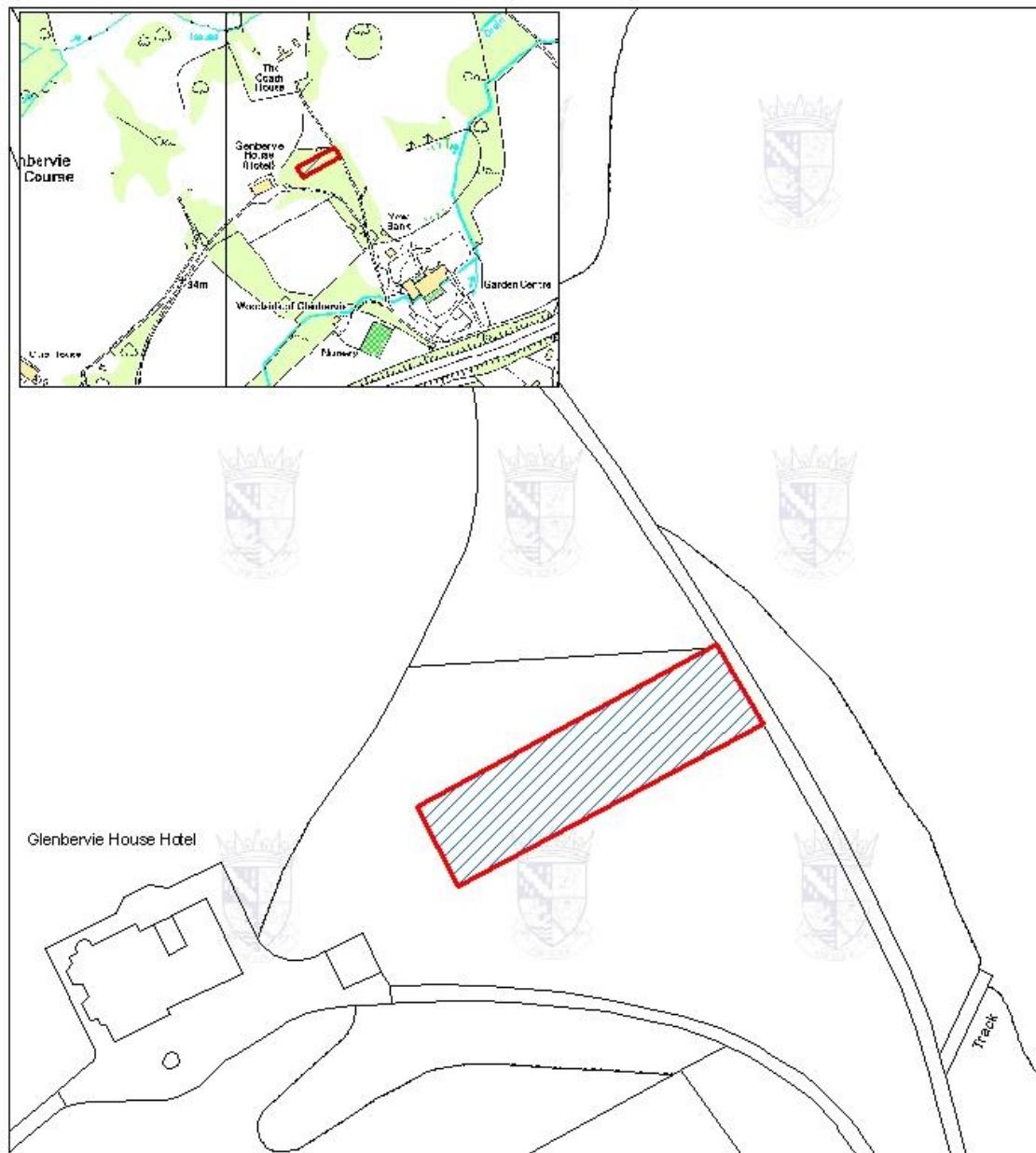
1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Letter of Objection received from Mr Alastair Bell, McLean Bell Consultants Ltd, 33 Miller Park, Polmont, Falkirk, FK2 0UJ on 28 March 2011.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504702 and ask for Stephen McClure, Planning Officer.

Planning Committee

Planning Application Location Plan **P/11/0085/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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