

FALKIRK COUNCIL

Subject: MIXED USE DEVELOPMENT COMPRISING 71 NO. DWELLINGHOUSES (TO INCLUDE 11 AFFORDABLE DWELLINGHOUSES), FOOTBALL PITCH AND CHANGING FACILITIES (TO INCLUDE MEETING ROOM), VETERINARY HOSPITAL, A SEMI DETACHED 2 STOREY OFFICE BLOCK (CLASS 4), PUBLIC OPEN SPACE AND ASSOCIATED ENGINEERING OPERATIONS AT LAND TO THE SOUTH OF ALLANDALE BOWLING CLUB, THORNDAL GARDENS, ALLANDALE FOR ALLANDALE PROPERTIES LTD - P/11/0759/FUL

Meeting: PLANNING COMMITTEE

Date: 19 April 2012

Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Denny and Banknock
Councillor Jim Blackwood
Councillor John McNally
Councillor Martin David Oliver
Councillor Alexander John Waddell

Community Council: Bonnybridge Community Council

Case Officer: David Paterson (Planning Officer), Ext. 4757

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site consists of the former Stein's Brickwork site, also known as Castlecary Brickworks. None of the former buildings associated with the brickworks remain and the site is vacant. The application site measures approximately 8.6 hectares in area.
- 1.2 The application site is located at the south side of the B816 road through Allandale village and takes access from the B816 by means of a bridge under the Stirling to Cumbernauld railway line at the north-east corner of the site. The roadway under the railway line is a single track carriageway with no footways. The road forms part of the Allandale to Lochgreen Road from which there is an access to the application site and an existing stone wholesaler business, at the south side of the application site. The application site is bounded to the north and south by railway lines, the Stirling to Cumbernauld railway to the north and the Edinburgh to Glasgow railway line to the south. The existing stone wholesaler business is also located to the south side of the application site. The site is bounded to the west by a public right of way footpath, beyond which there is an existing group of four dwellinghouses. Both the footpath and dwellinghouses take access from the B816 by means of a bridge under the Stirling to Cumbernauld railway line at the north west corner of the application site, outwith the site

boundary. The bridge at the north west corner of the application site is not suitable for large vehicles. The footpath and roadway to the west of the site is in the ownership of the applicant.

- 1.3 It is not proposed to widen the existing single track roadway through the bridge under the Stirling to Cumbernauld railway from which the site would take access. It is proposed to install traffic lights to control the movement of pedestrians and vehicles through the bridge. This would include the formation of a 1.25 metre footway through the bridge as a pedestrian refuge and a reduction in the roadway to 3 metre wide. It is proposed that traffic lights would provide pedestrians with a dedicated pedestrian phase with demand buttons and sensors to identify the presence of pedestrians under the tunnel. This may require Scottish Government approval. The traffic lights controlling traffic and pedestrians through the tunnel would control traffic on the B816, Lochgreen Road, the access to the proposed development and the access to the existing stone wholesaler business. Residential properties on the B816 opposite the tunnel might have demand equipment installed within driveways to ensure a phase of the traffic lights allowing access and egress from these properties, but the applicant has yet to provide details.
- 1.4 The site is mainly level, however there is a rise in level at the south west corner of the site. The vehicular access under the railway line sits lower than the main application site.
- 1.5 The proposed development includes the erection of 71 dwellinghouses, 11 of which would be "affordable". The remainder, 60 units, would be large detached mainstream 2 storey villas. The 60 detached villas would be located at the western section of the site. The 11 affordable units would be located at the north east part of the site. It is proposed that the affordable housing element would be provided as serviced land to be transferred to a registered social landlord and delivered as social rented housing. The application is supported by an indicative layout to demonstrate that 11 affordable units can be accommodated. The house type and mix of the affordable units would be determined on the basis of need nearer the time of delivery and would require the submission of a further detailed planning application.
- 1.6 The proposed development also includes the formation of a new football pitch enclosed by a 3 metre high fence and erection of a pavilion for the use of Stein's Thistle Football Club. The football club currently have a pitch and facilities at the north side of the B816 at Allandale village. The club propose to continue to use the existing pitch. The applicant indicates the existing pitch could be made available for public access. There would, however, be no guarantee of future public use of this facility. Public access would be prohibited if there were any damage or misuse of the pitch. The proposed new football club facility would be located at the eastern part of the application site at the south side of the new access road. There is no proposal to include floodlighting at the new pitch. Any such proposal at a future date would require the submission of a further detailed planning application.
- 1.7 It is proposed to erect a semi detached 2 storey office block, consisting of 8 small Class 4 office units each of 39 sqm floor area. Furthermore, it is proposed to erect a 1½ storey veterinary surgery measuring approximately 400 sqm in floor area. The proposed office accommodation and veterinary surgery would be located adjacent to the south boundary of the site between the new football pitch and the mainstream residential development.
- 1.8 It is proposed to erect acoustic fencing at the north and south boundaries of the site adjacent to the existing railway lines and the existing stone wholesaler business to protect the site from noise from these sources. The application is supported by reports in respect of noise from these sources.

- 1.9 Access for emergency vehicles to the existing dwellinghouses located to the west of the site is currently taken through the application site from the bridge under the Stirling to Cumbernauld railway line at the north east corner of the application site. It is proposed that vehicular access at the west boundary of the development would be restricted to emergency vehicles taking access to these existing residential properties to the west of the site through the development.
- 1.10 Pedestrian access from the application site to the public right of way footpath at the west boundary of the site is also proposed. It is noted that the applicant proposes to upgrade the access road at the west of the application site to adoptable standards in order that it could serve as an access to the proposed development by cars and light vehicles as an emergency measure should there be a structural failure of the bridge at the access to the site or other problems blocking that location.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The Director of Development Services considers it inappropriate to determine this application under delegated powers due to the scale and nature of the proposal, conformity to Development Plan issues and the level of interest from the public which the proposal has generated.

3. SITE HISTORY

- 3.1 F/2000/0204 - change of use of industrial land and dwellinghouse to form vehicle auction site and office accommodation. On 25 October 2000, the Regulatory Committee determined to be minded to grant planning permission subject to the completion of a Section 75 Agreement:
- (a) ensuring that the use of the land for vehicle auction purposes and as a vehicle storage facility at the site belonging to Universal Salvage Ltd at Stoneywood, Denny is extinguished within 3 months of the commencement of the use on the land at Allandale,
 - (b) restricting auction sales to the sale of salvage vehicles only, with no more than 1 auction per week, and
 - (c) ensuring satisfactory maintenance of the diverted section of right of way and the landscaping of the area of open space to the west and south of the site as said areas are shown marked on the approved plan.

The Section 75 Agreement was not concluded and, consequently, planning permission was not issued and the application was withdrawn.

- 3.2 F/2002/0954 - change of use from class 5 (General Industrial) to public auction - refused 12 November 2003. The refusal was on the grounds that insufficient information was submitted to enable the Council to assess the effect that additional traffic likely to be generated by the proposal would have on road safety and the capacity of the existing road network and road junctions.
- 3.3 F/2003/0443 - change of use of industrial land to form a motor transfer station - refused 20 August 2004. The refusal was on the same grounds as application F/2002/0954. In addition, insufficient information had been submitted to enable the Council to assess the environmental impact of the proposal in relation to Development Plan policy.

- 3.4 It is noted that the application site is located within the Allandale village limit as defined in the Falkirk Council Local Plan (FCLP). As part of the FCLP process, an objection seeking the allocation of the site for residential use was considered at the Local Plan Inquiry in 2009. In their conclusions, the Reporters noted the access constraints relating to the site and concurred with the Council's view that the site should be brought within the village limit, but not specifically allocated for housing. This position is reflected in the Local Plan as adopted.

4. CONSULTATIONS

- 4.1 The Environmental Protection Unit has advised that there should not be any significant noise intrusion experienced within the site from the adjacent railway lines and the existing stone wholesaler business. It is considered that the window specification and boundary acoustic fencing within the proposed development is satisfactory. It is noted that the application is supported by statements related to the impact of noise from the adjacent rail network and the existing stone wholesaler business and an air quality assessment. It is not envisaged that there should be a significant impact in terms of air quality. However, it is advised that the application site is located close to a designated Air Quality Management Area and, consequently, it would be appropriate to request a developer contribution towards the cost of the monitoring of air quality. The appropriate level of contribution would be £250 per annum for a period of five years. The payment of this contribution would require the applicant to enter into a planning obligation with the Council under Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended. It is further noted that the application is supported by a ground investigation report. Notwithstanding the ground investigation report submitted, it is advised that there remain issues to be addressed and that contamination can be addressed by planning condition if Members are minded to grant planning permission.
- 4.2 Education Services has advised that the proposed development would have an impact on the delivery of education services at Antonine Primary School, St Joseph's RC Primary School, Denny High School, St Mungo's RC High School and on nursery provision in the area. It is advised that Denny High School and St Mungo's RC High School are expected to experience capacity pressures in the next 5-10 years. There are plans to replace modular classrooms with a permanent two classroom extension at St Joseph's RC Primary School in 2014/15, but pressure on capacity means that the ability to accommodate the proposed residential development is limited. In the case of Antonine Primary School, the school roll has grown beyond its core capacity and there is over-crowding throughout. An extension to the school is planned for 2013/14 to meet existing and known projected demand to resolve current overcrowding, but it is not planned or financed to accommodate demand generated by the proposed residential development.
- 4.3 Education Services advise that a developer contribution would be appropriate in this case to mitigate pressure on capacity as a result of this development, but only just in the case of Antonine Primary School. It is advised that a developer contribution should be set at a rate of £6,800 per dwellinghouse to mitigate capacity pressures and contribute towards the delivery of education services. This contribution consists of £2,600 per dwelling in the case of Antonine Primary School, £850 in the case of St Joseph's RC Primary School, £2,100 in the case of Denny High School, £900 in the case of St Mungo's RC High School and £350 in the case of nursery provision. The payment of this contribution would require the applicant to enter into a planning obligation with the Council under Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended.

- 4.4 Education Services advise that, due to physical site constraints, it would not be possible to further extend Antonine Primary School beyond the proposed extension planned for 2013/14. Consequently, any further residential development in the catchment area would put the delivery of education services at Antonine Primary School under significant risk and could not be mitigated.
- 4.5 The Roads Development Unit has raised significant concern in respect of the access strategy. The Council's Design Guidelines and Construction Standards for Roads in the Falkirk Area (DGCS) requires the provision of a 5.5 metre wide general access road together with two, 2 metre wide footways, to serve a development of this magnitude. The available space under the railway bridge at the proposed access is 4.5 metres. There is, therefore, insufficient space available to allow the construction of the required carriageway and footways. It is noted that the proposed development proposes a compromise by the provision of a 1.25 metre footway and 3 metre wide carriageway through the access tunnel. This compromise does not accord with the DGCS. Furthermore, it is noted that this standard of provision through the bridge does not accord with Transport Scotland's advice relating to footway widths, whereby it is advised that "the minimum width of a footway is to be 2 metres in normal circumstances since this allows 2 wheelchair users to pass". Without sufficient carriageway width, two vehicles could not pass each other within the confines of the bridge from the B816.
- 4.6 Furthermore, in the event that there is an incident under the bridge which prevents any access, i.e. structural or infrastructure failure, access to the site would have to be taken from Delnair Road and Lochgreen Road, a near 4 mile diversion. These are typical rural roads of restricted width and geometry, with height and weight restrictions. There is limited opportunity along the route of sufficient width to allow vehicles to pass. Both roads are unsuitable for HGVs and certainly unsuitable to service the scale of development proposed. Furthermore, in the case of a closure of the access to the site, there may be significant on-street parking on the B816. Also, the restricted carriageway width through the bridge could present future maintenance difficulties. There would be insufficient carriageway width to carry out routine and maintenance tasks such as resurfacing and drainage maintenance whilst allowing access to the application site. It is advised that the use of restricted width carriageway under the bridge is not acceptable and would not be suitable for adoption. The proposal by the applicant to use the road adjacent to the western boundary of the site (serving 4 existing dwellinghouses) for use as an emergency access, *by car only*, to the proposed development, is noted. The Roads Development Unit has advised that this road is in private ownership and that the arrangements for ongoing maintenance of the access and any services/drainage infrastructure, etc., within its boundary are unknown. There is no guarantee that the emergency access would remain in a usable state in the future. The Roads Development Unit would not support the emergency car access proposal.

4.7 The Transport Planning Unit has advised that the proposed use of a pedestrian phase within a traffic light controlled junction to control the movement of pedestrians at single carriageway bridges has been advised against previously, and such an arrangement cannot be supported in this case. As a result of relatively long intergreen times, which would be necessary due to pedestrian phases of the proposed traffic lights at the junction through the railway bridge at the north east corner of the site, pedestrians could become frustrated waiting for their opportunity to move through the bridge and choose to move through without waiting for the pedestrian phase. This could result in a conflict between pedestrians and motorists. Likewise, if there are exceptionally long all red periods with no apparent movements, motorists may be tempted to ignore the red lights and proceed through the access junction which, again, could lead to conflict between motorists and/or pedestrians. Frustration could be heightened by the fact that there is little, or no, visibility between some of the traffic signal heads and so pedestrians and motorists are unable to see what is happening at other legs of the junction. It is not accepted that the provision of a 1.25 metre footway through the access junction tunnel addresses the above concerns. Furthermore, it has not been demonstrated that residents at the north side of the B816 opposite the proposed access junction would be able to access and egress their properties by vehicular means in a safe manner.

4.8 It is noted that two safety audits have been submitted by the applicant in respect of the proposed development. The first audit highlighted concerns with regard to how the pedestrian phase of the traffic lights at the access junction would operate. Concerns included:

- The safe operation of the junction for children, elderly, mobility impaired users and persons with pushchairs.
- Possible conflicts between motorists and pedestrians should either partly proceed through the access junction without waiting for the relevant phase of the traffic lights.

The second safety audit did not raise these concerns. It is the conclusion of the applicant that further clarification and submission of details regarding the junction layout since the submission of the first safety audit address any concerns raised. The Transport Planning Unit does not agree that the concerns regarding the pedestrian phasing of the access junction traffic lights highlighted in the first safety audit have been addressed by the clarified proposed junction layout.

4.9 The Transport Planning Unit has also raised concerns regarding the movement of vehicles, primarily emergency and refuse vehicles, through the proposed development and the potential conflict with parked vehicles. If Members are minded to grant planning permission, it is recommended that no parking, “keep clear”, markings should be adopted throughout the development. Furthermore, a travel pack should be provided for each dwelling incorporating advice in respect of the nearest bus service/stop locations, the nearest railway stations/frequency of services, the nearest walking and cycling networks and local community services.

4.10 Corporate and Neighbourhood Services has advised the mix of affordable units which would currently be required to be delivered. It is also noted that the affordable housing could be more integrated into the overall development and that the development of the access to the affordable housing should not constitute a significant burden to the social rented housing provider.

- 4.11 Scottish Water has raised no objections. It is considered that there is capacity in the drainage infrastructure network to service the waste and surface water runoff from the proposed development. The treatment of surface water by the formation of swales adjacent to the internal road network is considered to be a satisfactory method of sustainable urban drainage.
- 4.12 The Falkirk Community Trust has not commented in respect of open space provision. It is noted, however, that the proposed provision of open space within the site meets the Council's standards of provision.
- 4.13 The Coal Authority has advised that there are three former mine entries at the site. The Coal Authority does not object to the proposed development provided that a condition is attached ensuring that the three former mine entries are grouted and capped to a standard satisfactory to the Coal Authority.
- 4.14 Network Rail have objected to the proposed development on two grounds. First, there is concern that the increase in traffic using the roadway under the Stirling to Cumbernauld railway bridge giving access to the site could result in damage to the structure of the bridge and Network Rail property. Network Rail also advise that if the Council is satisfied that steps can be taken to control traffic using the roadway at the railway bridge to ensure the safe passage of vehicles and pedestrians without damage to the bridge structure, this ground for objection would be withdrawn. Network Rail have also advised that there are advanced plans in place to electrify the railway network adjacent to the application site. The application site constitutes the most appropriate land on which to locate a yard/compound to facilitate the electrification works. The second ground for objection is that the proposed development could compromise the use of the site for this purpose. Network Rail have confirmed, however, that there are alternative sites, if less suited, to locate the compound area and that the proposed railway electrification works are not wholly dependent on the availability of the application site to locate a compound area.
- 4.15 The Scottish Environment Protection Agency has raised no objection to the proposed development.

5. COMMUNITY COUNCIL

- 5.1 Bonnybridge Community Council has made representation generally supporting the proposed development.
- 5.2 Banknock, Haggs and Longcroft Community Council has made representation in support of the proposed development. It is considered that the proposed development would be of benefit to the local community both by the provision of leisure facilities and as a boost to the local economy.

6. PUBLIC REPRESENTATION

- 6.1 19 letters of representation have been received. 15 letters have been submitted in support of the proposed development and four are objections. Included in the representations submitted in support of the proposed development are two petitions submitted by Stein Thistle Football Club of 1174 signatories and 329 signatories (1503 signatories in total).

6.2 Letters submitted in support of the proposed development comment that:-

- The mix of uses are much needed and would benefit the local community. The football pitch would be of particular benefit in helping to develop youth football players. At present youth teams associated with Stein's Thistle Football Club have played matches outwith the local area.
- The proposal would create employment opportunities and provide social outlets for the community.
- Efforts to enhance or expand the village amenities or quality of housing have been minimal in the 30 years since the brickworks ceased to operate. New housing, particularly affordable housing, is desperately needed. The provision of overall business units should be encouraged.
- The proposed development would help sustain the community shop and bowling club.

6.3 Letters of objection commented that:-

- The access to the site by means of the roadway under the railway bridge at the north east corner of the site is not suitable.
- The site is not appropriate for residential development. The site is well screened from the village and for this reason it is more suited to industrial use. Residents of the proposed housing units would be subject to noise and dust nuisance from the existing stone masonry business adjacent to the south boundary of the site.
- The proposed development does not accord with Policy SC2 of the Falkirk Council Local Plan "Windfall Housing Development within the Urban/Village Limit". There would not be a satisfactory level of residential amenity afforded to the residents of the proposed housing and the access to the site from the B816 is not suitable.
- Residents of the village were not aware of the proposed development, many not being aware of, or attending, the public meeting held prior to the submission of the planning application.
- The submission of the application was timed to coincide with a time when members of the public would be on holiday.
- There is at present a risk to the safety of pupils at Antonine Primary School due to traffic issues. The proposed development would increase the level of traffic at the school and consequently increase the risk to the safety of pupils.
- It is noted that there would be a pedestrian access to the site at the western boundary of the site. This access would provide access to the B816 via a road under the Cumbernauld railway line adjacent to Antonine Gate. The roadway under the railway line regularly floods and would be unsuitable for pedestrian access, particularly children.

- The roadway under the Cumbernauld railway line adjacent to the western boundary of the site has a poor standard of turning facility for vehicles. This would compromise the safety of pedestrians using the road for pedestrian access to the proposed development site.
- Drainage ponds associated with surface water drainage systems are not conducive to the safety of children. Such ponds also attract vermin.
- Increased levels of traffic, particularly of vehicles which are stopped at traffic lights, would increase air pollution in Allandale village.
- The proposed football pitch would be of little benefit to the community. It is unlikely that the public would gain access to Stein Thistles existing football pitch at the north side of the B816.
- The application site is not identified in the Local Plan as an opportunity for residential development. The proposed housing would be a significant increase in the number of houses in Allandale and is not considered to constitute sustainable development.
- The application consultation report in respect of the proposed development suggests there is general support for the proposal in Allandale. This is not the case.
- The water and drainage infrastructure in Allandale cannot service the proposed development.
- The impact on the age structure of the population of Allandale from younger people occupying the proposed dwellinghouses would not be beneficial to the community.

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.2 'Implementation of Housing Land Requirement' states:

"In implementing the housing land requirement set out in Schedule COM.1a, Local Plans will:

- 1 take into account completions since 30th June 2001 and the current effective and established housing land supply;*
- 2 make an assessment of the likely output from windfall and small sites in arriving at the amount of land to be allocated and add to that amount a 10% flexibility allowance;*

- 3 *adopt an approach to site selection whereby priority is given to brownfield sites and to sites which enjoy a high level of accessibility by public transport, walking and cycling to shopping, recreational and other community facilities;*
- 4 *ensure the housing land allocation is based on the phasing guidelines set out in Schedule COM.1a;*
- 5 *ensure that there are adequate community facilities and physical infrastructure to accommodate the allocation;*
- 6 *ensure that the location, scale, and design of allocated sites is sympathetic to the character of settlements and that significant land releases are accompanied by the preparation of masterplans; and*
- 7 *take into account the location and firm development proposals of business and industrial premises including chemical and petrochemical facilities.*
- 8 *Local Plans will also identify the site or area of search of the general locations listed in Schedule Com.1b taking into account the avoidance of adverse impact on European sites and specific requirements for new social and physical infrastructure.”*

7a.2 It is noted that the application site is not identified in the Falkirk Council Local Plan as an opportunity for residential development. The proposed development would constitute windfall residential development. It is not considered that the residential character of the proposal would have an impact on formal housing land allocation in the area beyond the 10% flexibility allowance specified in Policy COM.2. It is considered that the proposed development accords with Policy COM.2.

7a.3 Policy COM.3 ‘Special Needs and Affordable Housing’ states:

“The Council will support the provision of affordable and special needs housing, based on housing needs assessments for each community. Local Plans will identify suitable sites and where appropriate, stipulate the proportion of larger housing sites which should be reserved to meet specific housing needs.”

7a.4 It is noted that the residential element of the proposed development consists of 71 units, 11 of which would be affordable housing to be allocated by means of a social rented landlord. Sections 7a.45-7a.46 and 7b.4 of this report detail this issue. It is considered that the proposed development accords with Policy COM.3.

7a.5 Policy COM.5 ‘Developer Contributions’ states:

“The Council will ensure that proper provision is made to meet the physical and social infrastructure needs of new development and to mitigate the impact of such development on the locality. Where it is required to make a proposal acceptable in land use planning terms, serve a planning purpose and is directly related to the proposed development, developer funding for on- or off-site works will be sought in respect of:

- (1) *environmental enhancement required to mitigate, or compensate for landscape, townscape or ecological impacts;*
- (2) *physical infrastructure required to make the development acceptable, particularly transport provision required to ensure that the development meets sustainability criteria;*
- (3) *community and recreational facilities required to meet demand generated by the development.*

The required provision will be reasonable and related to the scale and nature of the proposed development, taking into account the relevant Council standards and will be specified within Local Plans and development briefs as appropriate. Examples of the range of matters which developers may be asked to address are provided in Schedule COM.5.”

7a.6 It is noted that Education Services has advised that whilst the proposal would extend education provision in the area to its maximum capacity, the proposed development can be accommodated. However, a developer contribution would be applicable. Paragraphs 4.2-4.4 of this report detail this issue. Furthermore, it is noted that the Environmental Protection Unit has advised that there would be no significant impact on air quality. However, it is advised that a developer contribution towards monitoring air quality would mitigate any potential air quality issues. It is considered that the proposed development accords with Policy COM.5.

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

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

7a.8 It is considered that a developer contribution would be sufficient to mitigate any potential impact of the proposed development on education provision. Paragraph 4.3 of this report details the developer contribution which would be required. The proposed development accords with Policy COM.7.

7a.9 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.10 It is considered that the proposed development would provide adequate on site open space provision both in terms of active and passive open space. The proposed development accords with Policy COM.6.

7a.11 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.12 It is noted that the application is supported by a design and access statement. It is noted that the application site is located at the south side of the Stirling to Cumbernauld railway line. Due to the topography of the area, it is considered that the site is significantly isolated from the existing built up area of Allandale village to merit a significant degree of individual consideration in terms of design.

7a.13 In terms of design, it is considered that the proposed development would constitute an adequate fit into the existing landscape. It is considered that the proposed development accords with Policy ENV.7.

7a.14 Policy ENV.16 'Contaminated Land' states:

"The Council will support the rehabilitation of vacant, derelict and contaminated land through the promotion of redevelopment on specific sites and investment, in partnerships with other agencies, in a prioritised programme of site investigation and remediation measures. Detailed proposals will be incorporated in Local Plans."

7a.15 It is noted that a ground investigation report is submitted in support of the proposed development. Notwithstanding, it is advised that there remain issues to be addressed and that contamination can be addressed by condition. The proposed development accords with Policy ENV.16.

7a.16 Policy TRANS.3 'Transport Assessment' states:

"Proposals which could result in a significant increase in travel demand will be required to submit a Transport Assessment and where appropriate a Green Transport Plan. These should demonstrate how the impact of the development on the surrounding traffic network can be minimised and how other modes of travel rather than the car will be encouraged."

7a.17 It is noted that the proposed development is supported by a Transport Assessment. The Transport Planning Unit has advised that the proposed development would not significantly impact on the existing transport network. However, there are other issues described in paragraph 2 onwards. The proposed development does not accord with Policy TRANS.3.

Falkirk Council Local Plan

7a.18 The application site lies within the settlement boundary of Allandale as defined on the Falkirk Council Local Plan proposals map. Local Plan proposal EN.ALL01 "Castlecary Brickworks" identifies an opportunity for tree planting along the northern boundary of the former brickworks to help screen the site from the village. It is considered that it is unlikely that the site can be viewed very readily from the village to the north. However, it is noted that the proposed development includes improved landscaping at the north boundary of the site. Together with the impact of the development on the amenity of the existing brownfield vacant/derelict former brickworks site, it is considered that the principles of Proposal EN.ALL01 would be achieved.

7a.19 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."*

7a.20 The site is a vacant and derelict former brickworks brownfield site. There are no existing natural, built or cultural features which could be incorporated into the design of the proposed development which would link the development to the site's former use. It is considered that the proposal responds positively and sympathetically to the site and its surroundings. It is considered that the site is sufficiently isolated from the existing built up area of Allandale village to merit a significant degree of individual consideration. The proposed development is supported by energy and waste management statements. Whilst it is considered that the issue of energy has been satisfactorily addressed, it is considered that the issue of waste management can be addressed by condition. Apart from the main access, the Transport Planning Unit has advised that the proposed development can be satisfactorily integrated into the existing transport network. It is considered that open space provision is satisfactory and that landscaping details and maintenance can be addressed by condition. It is noted that the proposed development is supported by noise impact assessments with respect to railway noise and noise from the existing stone wholesaler business to the south of the application site. The Environmental Protection Unit have advised that there should be no significant impact on the proposed development in terms of noise from these sources.

7a.21 It is also noted, however, that the Roads Development Unit and the Transport Planning Unit have advised that the proposed single track access from the B816 road under the Stirling to Cumbernauld railway would not satisfactorily safeguard road users, particularly pedestrians, from the increased traffic which would be generated as a result of the proposed development.

7a.22 It is not considered that the proposed development fully accords with Policy EQ1.

7a.23 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."*

7a.24 It is considered that the layout of the proposed development in terms of density, form and amenity would complement and enhance the environs of the site. The adoption of principles of "Designing Streets - A Policy Statement for Scotland" would result in a development of particular identity in the area. The roads and open space areas within the proposed development would be satisfactorily fronted and overlooked by the proposed buildings. It is considered that the site is sufficiently isolated from the existing built up area of Allandale village to merit individual consideration in terms of design and built fabric. It is considered that the proposed building finishing materials would create a development which would both complement the site's environs and create a development of particular identity. There are no existing buildings or structures at the site which could be incorporated into the proposed development. It is considered that the proposed development accords with Policy EQ3.

7a.25 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."*

7a.26 The application site comprises a vacant/derelict former brickworks brownfield site. The site enjoys an element of screening from the railway lines to north and south by means of the landscaped railway embankments. The proposed development would provide additional landscape screen planting at the north and south boundaries of the site adjacent to the railway lines. In addition it is proposed to provide boundary and acoustic fencing to safeguard the proposed development from railway noise and noise from the existing stone wholesalers business yard to the south. The proposed open space provision within the development is satisfactory in terms of both active and passive open space. It is also noted that there would be landscaped areas around the proposed football pitches.

7a.27 Furthermore, it is considered that the proposed landscaping framework would achieve a satisfactory level of visual amenity within the site and between the site and adjacent land uses. The proposed landscaping at the north and south boundaries, supplementing the existing planting at railway embankments, would be beneficial to wildlife and biodiversity. Details of the landscaping and a maintenance schedule can be addressed by conditions. The proposed development accords with Policy EQ4.

7a.28 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."*

7a.29 The application is supported by an energy strategy which is considered to be satisfactory. The proposed development accords with Policy EQ6.

7a.30 Policy EQ8 - 'Vacant, Derelict And Contaminated Land' states:

"The Council will seek to reduce the incidence of vacant, derelict and contaminated land, particularly within the priority areas for enhancement set out in Policy EQ7. Subject to compliance with other local plan policies, development involving the rehabilitation and re-use of derelict land will be encouraged."

7a.31 It is noted that the application site consists of a vacant and derelict former brickworks. It is also noted that the site is included in the Scottish Vacant and Derelict Land Register.

7a.32 Furthermore, Policy EQ8 refers also to Policy EQ7 ‘Area Enhancement Priorities’, which details instances where the Council will give priority to improving the environment through high quality environmental improvements. The instances where this should be considered include principal transport corridors. The railway lines adjacent to the application site could be considered as such.

7a.33 In terms of the condition of the site alone, Policy EQ8 could be considered to support high quality environmental improvements at the site. Whether the proposed development could strictly be considered as environmental improvement is subjective.

7a.34 However, Policy EQ8 also specifies that in order to accord, a proposed development should also accord with other Local Plan policies. It is noted that this report concludes that the proposed development does not fully accord with the Development Plan. Consequently, the proposal cannot be considered to fully accord with Policy EQ8.

7a.35 Policy EQ9 - ‘Public Art’ states:

“The Council will encourage the incorporation of public art in the design of buildings and the public realm. Developers will be required to adopt ‘Percent for Art’ schemes in respect of major commercial development schemes.”

7a.36 It is proposed to provide public art at the central/open space/play area of the proposed development. The form of the public art can be addressed by condition. The proposed development accords with Policy EQ9.

7a.37 Policy EQ16 ‘Sites of Archaeological Interest’ states:

- “(1) Scheduled ancient monuments and other identified nationally important archaeological resources shall be preserved in situ, and within an appropriate setting. Developments which have an adverse effect on scheduled monuments or the integrity of their setting shall not be permitted unless there are exceptional circumstances;*
- (2) all Other archaeological resources shall be preserved in situ wherever feasible. The Council will weigh the significance of any impacts on archaeological resources and their settings against other merits of the development proposals in the determination of planning applications; and*
- (3) Developers may be requested to supply a report of an archaeological evaluation prior to determination of the planning application. Where the case for preservation does not prevail, the developer shall be required to make appropriate and satisfactory provision for archaeological excavation, recording, analysis and publication, in advance of development.”*

7a.38 It is noted that the proposed development would have no impact on the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site. Furthermore, the Museums Service has advised there is little likelihood of the presence of any significant remains in terms of the historic use of the site. The Museums Service has not objected to the proposal. The proposed development accords with Policy EQ16.

7a.39 Policy EQ21 - ‘Falkirk Greenspace’ states:

“Through the Falkirk Greenspace Initiative, the Council will work with its partners to improve the landscape, habitat quality and recreational potential of the network of urban fringe and urban open space around and within settlements. Priority will be given to:

- (1) *Appropriate woodland creation and management, where landscape quality, access, biodiversity, and connectivity across the Greenspace can be promoted;*
- (2) *The creation of an interlinked network of paths within the Greenspace, with particular emphasis on a principal circular route, as a key part of the core path network, complemented by secondary routes where appropriate; and*
- (3) *Requiring developers in urban fringe locations to contribute to landscape and/or access improvements in association with new development.”*

7a.40 It is considered that the proposed provision of landscaping and open space would both provide enhanced wildlife corridors at the north and south boundaries of the site and provide a level of connectivity across the site which is lacking at present. Furthermore, it is considered that the provision of an access to the core path network at the west boundary of the site would both maximise the use of the network and improve security/overlooking footpath users. It is considered that the proposed development accords with Policy EQ21.

7a.41 Policy EQ25 ‘Biodiversity’ states:

“The Council will promote the biodiversity of the Council area and ensure that the aims and objectives of the Falkirk Area Biodiversity Action Plan are promoted through the planning process. Accordingly:

- (1) *Developments which would have an adverse effect on the national and local priority habitats and species identified in the Falkirk Area Biodiversity Action Plan will not be permitted unless it can be demonstrated that there are overriding national or local circumstances;*
- (2) *The safeguarding, enhancement and extension of the broad and key habitats and the species of conservation concern identified in ‘The Biodiversity of Falkirk’ will be given particular attention in the consideration of development proposals;*
- (3) *Development proposals should incorporate measures to promote, enhance and add to biodiversity, through overall site planning, and infrastructure, landscape and building design, having reference to the Supplementary Planning Guidance Note on ‘Biodiversity and Development’; and*
- (4) *Priority will be given to securing appropriate access to and interpretation of areas of local nature conservation interest. The designation of Local Nature Reserves, in consultation with communities, local wildlife groups and statutory bodies will be pursued.”*

7a.42 It is considered that the proposed landscaping at the north and south boundaries of the site would enhance the existing landscaping at the existing railway embankments to provide corridors for wildlife movement. Furthermore, it is considered that the proposed landscaping framework within the site would provide a coherent network of greenspaces throughout the site and provide a level of connectivity across the site which is lacking at present. It is noted that the proposed surface water drainage swales across the site would provide additional greenspace connectivity and provide areas of open space at the areas where the subterranean storage facilities are located. It is considered that the proposed development accords with Policy EQ25.

7a.43 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, 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.44 It is noted that the entirety of the site is brownfield. The proposed uses included in the proposal are compatible with the existing uses adjacent and nearby. It is considered that there would be a satisfactory level of amenity afforded. The main shopping and community facilities serving Allandale are located in Bonnybridge. Although the site is within reasonable walking distance of bus services providing an hourly service to Bonnybridge, it is not considered that the site enjoys good accessibility by public transport, walking and cycling to shopping and other community facilities. Apart from the main access, the Transport Planning Unit has advised that the proposed development can satisfactorily be integrated into the transport network. Education Services has advised that education services can be provided although a developer contribution would be applicable. It is also noted that the proposal does not accord with all relevant Development Plan policies. The proposed development does not fully accord with Policy SC2.

7a.45 Policy SC4 ‘Special Needs and Affordable Housing’ states:

“For large new housing developments, the Council will require a diversity of house types and tenures in order to create mixed communities. In particular there will be a requirement across the Council area for new housing sites of 100 units and over to provide 15% of the total number of units as affordable or special needs housing. In the settlement areas of Larbert/Stenhousemuir, Polmont and District and Rural North, where there is an identified shortfall in affordable housing provision, there will be a requirement for sites of 60 units and over to provide 25% of the total number of units as affordable or special needs housing. Acceptable approaches could include:

- (1) *Provision of general needs social rented houses;*
- (2) *Provision of social housing for people with particular needs (specifically the elderly and physically disabled); or*
- (3) *Provision of shared equity or shared ownership housing*

Developers will be expected to work in partnership with the Council, Communities Scotland and Registered Social Landlords to comply with this policy.”

7a.46 It is noted that under the terms of Policy SC4 any proposed new residential development in the area of the application site should include a minimum 15% affordable housing. It is noted that in this case the applicant has demonstrated that there is land at the site which can accommodate 11 affordable housing units which would be achieved by transferring the land as serviced land to a registered social landlord to deliver 11 social rented houses. The type and mix would be finalised at a later date. The provision of the affordable units would be secured by means of an Obligation, under the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended. This constitutes 15.5% affordable housing provision and therefore the terms of Policy SC4 would be met. The proposed development accords with Policy SC4.

7a.47 Policy SC6 - 'Housing Density And Amenity' states:

- “(1) Overall density in new residential developments should conform to the indicative capacity shown for allocated sites or, in the case of windfall sites, be dictated by the character of the surrounding area and the design objectives for the site, as established in the Design Concept Statement. Higher densities may be allowed where this helps to achieve design excellence.*
- (2) On large sites, housing density should be varied to create areas of different character, reflecting the structure of streets and spaces in the development. A mix of housing types will be required.*
- (3) Adequate properly screened private amenity space should be provided for dwellinghouses. In flatted developments, communal space for clothes drying and private amenity should be provided.*
- (4) Housing layouts should be designed to ensure adequate privacy and to avoid excessive overshadowing of houses or garden ground. A minimum distance between overlooking windows of 18 metres will generally be required.”*

7a.48 It is noted that the density of the residential element of the proposal is low, the density being below 9 units per hectare. Whilst this is lower than the density of the housing at the existing built up area of Allandale village, it is considered that the application site is sufficiently isolated to merit individual consideration. It is considered that the scale and design of the proposed layout would result in a development of individual character and would fit satisfactorily into the site and its environs. Furthermore it is considered that the mix of mainstream and affordable housing is satisfactory and that the proposed development would provide sufficient private amenity ground and safeguard the privacy and amenity of residents. The proposed development accords with Policy SC6.

7a.49 Policy SC13 'Open Space and Play Provision in New Development' states:

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

- (1) Open space and facilities for play and outdoor sport should be provided in broad accordance with the guidance in Table 4.2. These requirements may be increased where the extent and quality of facilities in the area are proven by the open space audit to be below a suitable standard. Above ground SUDS features, small incidental amenity areas, structure planting and road verges will not count towards requirements.*

- (2) *Financial contributions to off-site provision, upgrading, and maintenance, as a full or partial alternative to direct on-site provision, will be sought where*
 - *existing open space or play facilities are located nearby and are able to serve the development through suitable upgrading;*
 - *in residential developments, the size of the development falls below the threshold of 10 houses indicated in Table 4.2, or where it is otherwise not practical, reasonable or desirable to provide facilities on site; or*
 - *as part of a co-ordinated approach, a centralised facility is the optimum solution to serving a number of different developments in an area;*
 - *The required financial contribution per house will be set out in the SPG Note on ‘Open Space and New Development’.*
- (3) *The location and design of open space should be such that it:*
 - *forms an integral part of the development layout, contributing to its character and identity;*
 - *is accessible and otherwise fit for its designated purpose;*
 - *links into the wider network of open space and pedestrian/ cycle routes in the area;*
 - *sensitively incorporates existing biodiversity and natural features within the site;”*
 - *promotes biodiversity through appropriate landscape design and maintenance regimes; and*
 - *enjoys good natural surveillance;*
- (4) *Developers must demonstrate to the Council that arrangements are in place for the management and maintenance of open space, including any trees, paths, walls, structures, and play areas which form part of it.”*

7a.50 The proposed development includes a landscape/open space framework. Under the terms of Policy SC13, which is supported by the Supplementary Planning Guidance Note “Public Open Space, Falkirk Greenspace and New Development”, open space should be provided at a rate of 70sqm per dwelling (1/3 active, 2/3 passive) and 17.5% of the total non-residential areas to be passive open space. The level of open space provision proposed accords with Policy SC13.

7a.51 Policy SC14 ‘Education and New Housing Development’ states:

“Where there is insufficient capacity within the catchment school to accommodate children from new housing development, developer contributions will be sought in cases where improvements to the school are capable of being carried out and do not prejudice the Council’s education policies. The contribution will be a proportionate one, the basis of which will be set out in the SPG Note on ‘Developer Contributions; Education and New Housing Development’. In cases where the school cannot be improved in a manner consistent with the Council’s education policies, the development will not be permitted.”

7a.52 The proposed development would have an impact on education provision at four schools, Antonine Primary School, St Joseph’s RC Primary School, Denny High School and St Mungo’s RC High School. Furthermore, the proposal would have an impact on nursery provision in the main area of the application site.

7a.53 The consultation response of Education Services detailed in paragraphs 4.2-4.4 of this report is noted. It is noted that the impact of the proposed development on education provision can be mitigated against by means of a developer contribution. It is also noted, however, that due to physical site constraints, it would not be possible to further extend Antonine Primary School beyond the proposed extension planned for 2013/14. Consequently, any further development in the catchment area would put the provision of education services at the school under significant risk, and could not be mitigated against. The proposed development accords with Policy SC14.

7a.54 Policy EP4 'Business and Industrial Development within the Urban and Village Limits' states:

- "(1) New business and industrial development, or extensions to such uses, will be supported within the business areas highlighted in Policy EP2 and EP3(1), where it accords with the use specified for the area, is compatible with the established level of amenity in the business area, and protected habitats and species are safeguarded in accordance with Policy EQ24. Office development will also be supported within the Town and District Centres, providing it is also consistent with the specific policies for the relevant centre, particularly with regard to the safeguarding of the centre's retail function.*
- (2) Outwith these areas, proposals within the Urban Limit will only be permitted where the nature and scale of the activity will be compatible with the surrounding area, there will be no adverse impact on neighbouring uses or residential amenity, and the proposal is satisfactory in terms of access, parking and traffic generation."*

7a.55 It is considered that the proposed veterinary surgery and office buildings are compatible with both the existing environs of the application site and the mix of uses of the proposed development. Furthermore, it is considered that there would be no adverse impact on amenity of any existing neighbouring uses or the proposed residents/users of the proposed development. It has not, however, been demonstrated that adequate access can be provided to the site from the B816 road which safeguards road users. The proposed development does not fully accord with Policy EP4.

7a.56 Policy ST1 - 'Core Path Network' states:

"The Council will safeguard and promote the development of the core path network as and when this is defined. Where appropriate, developer contributions to the implementation of the network will be sought."

7a.57 It is considered that the proposed development would improve access to the core path at the west boundary of the site and improve safety to path users due to additional overlooking from the proposed development. The proposed development accords with Policy ST1.

7a.58 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 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 less 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."*

7a.59 It is considered that the road and footpath infrastructure of the proposed development is satisfactory to allow ease of movement through the development for both pedestrians and cyclists. Furthermore, there would be improved access to the core path network to the west of the application site. Consultation responses from the Roads Development Unit and the Transport Planning Unit detailed in section 4 of this report are noted. It is not considered that the proposed single track access to the site through the bridge under the Cumbernauld to Stirling railway at the south east corner of the site ensures safety of additional road users, including pedestrians and cyclists, which would be generated by the proposed development. It is not considered that a dedicated traffic light phase would satisfactorily mitigate this. The proposed development does not accord with Policy ST2.

7a.60 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. In all cases, this mitigation will be delivered to a level that achieves no net detriment to the capacity of the network.*
- (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.”*

7a.61 It is noted that the proposed development is supported by a Transport Assessment and a Stage 2 Safety Audit in terms of the functioning of the proposed traffic light junction between the B816 road and the application site.

7a.62 The Transport Planning Unit has advised that the applicant has failed to demonstrate that the proposed traffic signalled junction between the B816 road and the application site would safeguard the additional road users whether vehicular, pedestrians or cyclists, generated or affected by the proposed development. It is not considered that a dedicated traffic signal phase would satisfactorily mitigate these concerns. The proposed development does not accord with Policy ST7.

7a.63 Policy ST8 - ‘Transport Safety’ states:

- (1) *Falkirk Council will require safety audits of new schemes where appropriate. These will be undertaken in line with the Institute of Highway and Transportation’s “Guidelines for the Safety Audit of Highways”.*
- (2) *Developers will provide or contribute to the provision of safety based infrastructure where this is agreed through the scoping for Transport Assessments, Freight Partnerships or other appropriate processes.”*

7a.64 The proposed development is supported by a Stage 2 Safety Audit in respect of the functioning of the proposed traffic signalled junction between the B816 road and the application site. The Transport Planning Unit advised that the applicant has failed to demonstrate that the proposed signalled junction would safeguard the increased number of road users whether vehicular, pedestrian or cyclists, generated and affected by the proposed development. It is not considered that the inclusion of a dedicated phase for pedestrians would satisfactorily mitigate these concerns. The proposed development does not accord with Policy ST8.

7a.65 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.”

7a.66 It is noted that the proposed development proposes a Sustainable Urban Drainage System (SUDS) consisting of road verge swales connecting to subterranean water attenuation facilities at the northern boundary of the site. Road verge swales constitutes a 2 stage treatment of surface water. The Roads Development Unit has advised that the proposed SUDS scheme is satisfactory. The proposed development accords with Policy ST11.

7a.67 Policy ST12 - 'Flooding' states:

"In areas where there is significant risk of flooding, there will be a presumption against new development which would be likely to be at risk, would increase the level of risk for existing development or would be likely to require high levels of public expenditure on flood protection works. Applicants will be required to provide information demonstrating that any flood risks can be adequately managed both within and outwith the site."

7a.68 The proposed development is supported by a Flood Risk Assessment. The Roads Development Unit has advised that the Flood Risk Assessment sufficiently demonstrates that any flood risks can be adequately managed both within and outwith the application site. The proposed development accords with Policy ST12.

7a.69 Policy ST12A - 'Sewerage Infrastructure' states:

"New development will only be permitted if necessary sewerage infrastructure is adopted by Scottish Water or alternative maintenance arrangements are acceptable to SEPA."

7a.70 The Roads Development Unit has advised that there would be adequate provision for the disposal of waste water. Scottish Water has raised no objection to the proposal. The proposed development accords with Policy ST12A.

7a.71 Policy ST16A 'Light Pollution' states:

"All proposals involving the installation or replacement of external lighting should seek to minimise intrusive light spillage and light pollution. The use of locations and lighting equipment that limit light spillage and light pollution together with methods to control the period of usage will be required."

7a.72 It is not proposed that the new playing pitch would be lit. If this were proposed at a later date, the lighting would have to be subject to a planning application. All street lighting would have to accord with Council standards. The proposed development accords with Policy ST16A.

7a.73 Policy ST19 - 'Waste Reduction In New Development' states:

"Proposals for new housing and commercial developments must demonstrate that they have maximised the use of recycled or reused materials and minimised the generation of waste during construction and that appropriate recycling facilities are accommodated in the completed development."

7a.74 The proposed development is supported by a Waste Reduction Statement. It is not considered that the issue of waste reduction is satisfactorily addressed by the statement submitted. It is, however, considered that this issue can be addressed by condition if Members are minded to grant planning permission. The proposed development accords with Policy ST19.

7a.75 Policy SC11 - 'Developer Contributions to Community Infrastructure' states:

"Developers will be required to contribute towards the provision, upgrading and maintenance of community and recreational facilities required to meet demand generated from new development. The nature and scale of developer contributions will be determined by the following factors:

(1) Specific requirements identified against proposals in the Local Plan or in development briefs;

- (2) *In respect of open space, recreational, and education provision, the general requirements set out in Policies SC13 and SC14;*
- (3) *In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*
- (4) *Where a planning agreement is the intended mechanism for securing contributions, the principles contained in Circular 12/1996.”*

7a.76 Sections 7a.5-7a.6 of this report in respect of Policy COM.5 “Developer Contributions” of the Falkirk Council Structure Plan are noted. The proposed development accords with Policy SC11.

7a.77 Accordingly, the proposed development does not accord with the Development Plan.

7b Material Considerations

7b.1 Material considerations are Supplementary Planning Guidance Notes (SPG’s) “Education and New Housing Development”, “Affordable Housing”, “Contaminated Land”, “Public Open Space -Falkirk Greenspace and New Development”, “Biodiversity and Planning”, “Housing Layout and Design”, “Design Statements” and “Flooding and Sustainable Urban Drainage”, Scottish Planning Policy, Designing Streets - A Policy Statement for Scotland, Circular 01/2010 “Planning Agreements”, consultation responses, representations (objections/letters of support), planning history and statements of support submitted by the applicant.

SPG “Education and New Housing Development”

7b.2 The principles of the SPG seek to ensure that financial contributions from developers will be sought when new housing is proposed in the catchment area of schools which will have inadequate, or no, capacity for additional pupils likely to be generated by such housing. Situations when developer contributions would apply include windfall infill proposals that come forward in the catchment area of schools at or near capacity. The proposed development constitutes such a situation.

7b.3 The consultation responses from Education Services detailed in sections 4.2-4.4 onwards of this report are noted. The proposed development accords with the SPG.

SPG “Affordable Housing”

7b.4 The SPG provides a framework for the delivery of affordable housing in support of Policy COM.3 of the Falkirk Council Structure Plan “Special Needs and Affordable Housing” and Policy SC4 of the Falkirk Council Local Plan “Special Needs and Affordable Housing”. Sections 7a.3-7a.4 and 7a.45-7a.46 of this report detailing the policies of the Development Plan are noted. The proposed development accords with the SPG.

SPG “Contaminated Land”

- 7b.5 The SPG provides a framework and guidance in respect of the preparation and submission of reports with the view of identifying contamination at sites which it is suspected may be contaminated, and detailing appropriate mitigation measures. It is noted that the applicant has submitted a ground investigation report in support of the application. The Environmental Protection Unit has advised that further information will be required to be submitted. However, it is advised that contamination can be addressed by condition. The proposal accords with the SPG.

SPG “Public Open Space - Falkirk Greenspace and New Development”

- 7b.6 Sections 7a.49-7a.50 of this report in respect of Policy SC13 of the Falkirk Council Local Plan “Open Space and Play Provision in New Development” are noted. The proposed development accords with the SPG.

SPG “Biodiversity and Planning”

- 7b.7 Sections 7a.41-7a.42 of this report in respect of Policy EQ25 of the Falkirk Council Local Plan “Biodiversity” are noted. The proposed development accords with the SPG.

SPG “Housing Layout and Design”

- 7b.8 Sections 7a.23-7a.24 of this report in respect of Policy EQ3 “Townscape Design” of the Falkirk Council Local Plan are noted. The SPG provides a framework and advice in support of the policy above for the achievement of developments which fit well into the environs of an application site in terms of character, design and amenity. The proposed development accords with the SPG.

SPG “Design Statements”

- 7b.9 It is noted that the application is supported by a design and access statement and a planning statement. It is considered that the design and access statement, supplemented by the planning statement is sufficiently detailed, and has been prepared in a manner, to achieve the purpose of the SPG which is to improve standards of design and to foster a collaborative approach. The proposal accords with the SPG.

SPG “Flooding and Sustainable Urban Drainage”

- 7b.10 Sections 7a.65-7a.68 of this report in respect of policies ST11 “Sustainable Urban Drainage” and ST12 “Flooding” of the Falkirk Council Local Plan are noted. The proposed development accords with the SPG.

Scottish Planning Policy (SPP)

- 7b.11 In terms of “Location and Design of New Development” the principles of SPP are to ensure that new developments are designed to ensure the sustainability of settlements. This requires that new developments are of appropriate land use, type and amenity, that developments fit well into the landscape in terms of character and design, that developments are achieved within a proposed timeframe and that there would be no detrimental impact in terms of cumulative effects. The principles of the SPP in terms of location and design standards conclude that the development should have satisfactory links to infrastructure, including transport links for all types of transport movements. It is noted that the Roads Development Unit and the Transport Planning Unit have expressed concern that the applicant has failed to demonstrate that the safety of users of the proposed new traffic signalled junction at the railway bridge at the north east corner of the site, particularly pedestrians, would be secured. The proposed development does not fully accord with SPP in terms of location and design of new development.
- 7b.12 In terms of “Affordable Housing”, the principles of SPP seek a percentage of affordable housing contribution from developers of new housing developments where this is justified by housing need and that such a contribution accords with housing strategy and the Development Plan. Sections 4.10, 7a.3-7a.4, 7a.45-7a.46 and 7b.4 of this report in respect of Corporate and Neighbourhood Services consultation response and policies COM.3 of the Falkirk Council Structure Plan “Special Needs and Affordable Housing” and SC4 of the Falkirk Council Local Plan “Special Needs and Affordable Housing” are noted. The proposed development accords with SPP in terms of affordable housing.
- 7b.13 The principles of SPP in terms of “Open Space and Physical Activity” seek to ensure that open space and play space is sufficiently provided for physical wellbeing and to provide opportunities for children to play, discover and explore. Sections 7a.49-7a.50 of this report in respect of Policy SC13 of the Falkirk Council Local Plan “Open Space and Play Provision in New Development” are noted. The proposed development accords with SPP in terms of open space and physical activity.
- 7b.14 In terms of “Flooding and Drainage” the principles of SPP are to ensure that the risk of flooding is minimised to reduce its social and economic consequences and safeguard the continuing functioning of services and infrastructure. Sections 7a.65-7a.68 of this report in respect of policies ST11 “Sustainable urban Drainage” and ST12 “Flooding” of the Falkirk Council Local Plan are noted. The proposed development accords with SPP in terms of flooding and drainage.
- 7b.15 The proposed development does not fully accord with Scottish Planning Policy.

Designing Streets - A Policy Statement For Scotland

- 7b.16 “Designing Streets - A Policy Statement for Scotland” represents a shift in policy away from a primarily functional focus and moving towards a collaborative focus of function, a sense of place and quality of life. Developments must address issues of place before movement, visual quality and encouragement of social and economic activity. Key to achieving the aims of the policy is to move away from principally focusing on ease of vehicle movement and towards a regime focusing on provision for all forms of movement within a context of character of place. In order to achieve this change in focus it is necessary to be more flexible in street form, giving consideration to the pedestrian before the motorist. This may result in a reduction in visibility and a more free form of vehicle movement and parking. However, the aim of such focus is to reduce traffic speeds allowing more free pedestrian movements and to provide more varied and interesting places in which to live and work in terms of character and amenity. It is considered that the proposed development is designed in accordance with the principles of the Policy. The proposed development accords with “Designing Streets - A Policy Statement for Scotland”.

Circular 01/2010 “Planning Agreements”

- 7b.17 The principles of the Circular are that planning agreements have a limited but useful role when they can be used to overcome obstacles to the grant of planning permission. An agreement may mean that a development can be permitted or enhanced whilst potentially negative impacts on land use, the environment or infrastructure could be reduced, eliminated or compensated for. However, in order that agreements are relevant, and the regime not abused, an agreement must meet a specified test under the terms of provision set out in The Planning etc (Scotland) Act 2006. Planning Agreements should only be sought where they are deemed to be necessary to make the proposed development acceptable in planning terms, serve a planning purpose, relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development, related to the proposed development reasonably and fairly in terms of scale and land and reasonable in all other respects.
- 7b.18 In the case of the proposed development, it is noted that, should planning permission be granted, the developer should have to conclude a planning obligation under the terms of Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, to provide a financial contribution towards education provision, a financial contribution towards the monitoring of air quality over a period of 5 years and secure the transfer of serviced land to a registered social landlord to provide 11 social rented dwellings, the mix of which would meet social need as prescribed by Corporate and Neighbourhood Services. It is considered that the agreement(s) which would be required meet the tests detailed above. It is also noted that the applicant has agreed to meet the terms of the agreement(s) required. The proposed development accords with the Circular.

Consultation Responses

- 7b.19 The concerns raised by the Roads Development Unit detailed in section 4 of this report are noted. It is not considered that the concerns raised by the Unit can be addressed by condition, mitigated fully by a planning obligation or considered to be outweighed by any environmental or community benefit which may be gained. The concerns raised would merit consideration as grounds to refuse planning permission.

- 7b.20 The safety concerns raised by the Transport Planning Unit detailed in section 4 of this report are noted. It is not considered that the concerns raised by the Unit can be addressed by redesign of the traffic light layout at the proposed access junction, condition, mitigated by planning obligation or considered to be outweighed by any environmental or community benefit which may be gained. The concerns raised would merit consideration as grounds to refuse planning permission. Additional advice provided by the Unit with respect to the provision of travel packs can be addressed by condition.
- 7b.21 The comments of Corporate and Neighbourhood Services detailed in section 4 of this report are noted. The applicant proposes to construct the access road which would serve the "affordable" units and provide the affordable houses by means of transfer of serviced land to a registered social landlord to provide 11 affordable units, the mix of which would be determined on advice from Corporate and Neighbourhood Services. It is considered that the land to be provided for affordable housing is sufficiently integrated into the overall proposal.
- 7b.22 Issues raised by the Coal Authority can be addressed by condition.
- 7b.23 Comments of Network Rail detailed in section 4 of this report are noted. It is considered that the proposal to install traffic signals at the access junction bridge to the site would be sufficient to safeguard the structural integrity of the bridge. It is also noted that the application site is not the only site identified as a compound ancillary to the rail network electrification works. It is not considered that the proposed development would jeopardise the rail network electrification project. It should be noted that the issues raised by Network Rail are not material planning considerations.
- 7b.24 The concerns raised by Education Services in respect of impact on school capacity are noted. Education Services advise that subject to a developer contribution of £6,800 per dwellinghouse, the impact on school capacity of this development can be addressed. However, due to physical and environmental constraints, further housing development in this area would cause serious school capacity problems that would be problematic to address.
- 7b.25 Consultation responses from the Scottish Environmental Protection Agency, the Falkirk Community Trust, Scottish Water and the Environmental Protection Unit are detailed in section 4.

Representations

Objections

- 7b.26 Comments regarding the unsuitability of the roadway at the railway bridge, by which it is proposed to take access, are noted. Concerns raised by the Roads Development Unit and the Transport Planning Unit are also noted.
- 7b.27 There is no evidence that the proposed residential development would suffer from significant noise and dust. The consultation response from the Environmental Protection Unit is noted.
- 7b.28 Comment that the proposed development does not accord with Policy SC2 of the Falkirk Council Local Plan "Windfall Housing Development Within the Urban/Village Limit" is supported in this report in terms of the standard of access to the site.

- 7b.29 Steps taken by the applicant in terms of the pre-application public consultation process are considered to be satisfactory.
- 7b.30 The submission date of the planning application is not a material planning consideration.
- 7b.31 The Roads Development Unit has not raised any concerns in respect of road safety at Antonine Primary School.
- 7b.32 It is not considered that the proposed development constitutes a flood risk. The application is supported by a drainage strategy which is considered to be satisfactory. The consultation response of the Roads Development Unit is noted.
- 7b.33 The Roads Development Unit has not raised any concern regarding the pedestrian access at the western boundary of the site onto the public footpath right of way.
- 7b.34 There is no proposal to form sustainable urban drainage ponds. Surface water attenuation would be underground.
- 7b.35 There is no evidence to support the view that the proposed development would be a significant risk to air quality. The consultation response of the Environmental Protection unit is noted.
- 7b.36 The applicant does not propose to provide public use of the proposed playing pitch. Proposed open space and play provision is exclusive of the proposed new football pitch. Furthermore, the applicant has not guaranteed public access to the existing football pitch at the north side of the B816. Public access to this pitch has not, therefore, been considered as part of the proposed development.
- 7b.37 The development of residential properties at the application site is considered to be a compatible use, subject to all other material considerations.
- 7b.38 Support, or otherwise, has been demonstrated by the representations received in respect of the proposed development. All comments have been considered.
- 7b.39 There is no evidence to support the view that the impact of the proposed development on the population structure of the village would be detrimental to the sustainability of the village.

Representations of Support

- 7b.40 Letters of support detailed in section 6.2 of this report are noted.

Planning History

- 7b.41 The applicant has highlighted planning application F/2000/0204, detailed in section 3 of this report, as constituting support for the proposed development. The application proposed to use the application site as a vehicle auction which included the erection of office accommodation. The applicant has noted that the proposal under the terms of application F/2000/0204 proposed to utilise the same access as the current proposal and that the application was reported to the Regulatory Committee with a recommendation that the Committee be minded to grant planning permission subject to the conclusion of a planning agreement to ensure the closure of the vehicle auction operators existing provision. The applicant's grounds for citing the former application is that access issues are similar to the current proposal.
- 7b.42 In response, the Roads Development Unit has advised that the current application differs significantly from the previous application in terms of the proposal and, fundamentally, in terms of the potential levels of vehicular and pedestrian traffic which would be generated. The Transport Planning Unit has advised that this view is shared, commenting that the previous proposal would not generate much in terms of pedestrian traffic, whereas the current proposal would be expected to generate a considerable amount of pedestrian traffic.
- 7b.43 The applicant's view that both proposals raise similar access issues is not considered to be robust.
- 7b.44 The history of the site in respect of the Development Plan detailed in section 3.4 of this report is noted.

Applicant's Statement of Support

- 7b.45 The applicant has cited the following as being supportive of the proposed development.
- There are existing examples of single track roadways at bridges where pedestrians and vehicles share the single track roadway, without footway(s), by means of pedestrian phased traffic lights. The applicant has highlighted examples at Glenyards Road (High Bonnybridge), Thorn Road (Bellshill), which is located in close proximity to a superstore and a high school, Crofthead Road (Kilmaurs), which is located adjacent to a railway station, and at Craighleith Drive (Edinburgh), which is located in close proximity to a retail park. It is cited that these examples of single track shared carriageway have good safety records, which support the proposed junction access to the proposed development.
 - The application site is an existing brownfield site. The proposed housing use is compatible with neighbouring uses, and a satisfactory level of residential amenity can be achieved. The proposed development would deliver environmental and community benefits, including removal of contamination, provision of enhanced sports recreation facilities and provision of employment opportunities.
 - The proposed development accords with the Development Plan.

- 7b.46 The existing examples of single track roadways at bridge junctions are noted. However, it is considered that these examples are, to a significant degree, historic and that there are site specific characteristics relevant to each. In the case of Glenyards Road, High Bonnybridge, there is a height restriction of 9 feet, which would limit the type of vehicle which could use this section of road. The junction is also considerably simpler in terms of its operation in comparison to the junction in respect of the proposed development, which means that intergreen times will be considerably shorter.
- 7b.47 Furthermore, North Lanarkshire Council has advised that in respect of the example highlighted at Thorn Road, Bellshill, there have been 3 damage only accidents recorded in the last 3 years, one directly at the junction and 2 in the vicinity of the junction. It is further advised that at this junction there is very light traffic flow in the area, as most residents use other routes in the locale to access the town centre and other facilities. The route tends to be used as a "rat-run" by locals. Notwithstanding, it is not considered that the characteristics of the examples quoted are comparable with the junction at the proposed development in terms of scale, design, complexity and the density of vehicles and pedestrians which the junction would have to accommodate safely.
- 7b.48 North Lanarkshire Council has also highlighted another example at Main Street (Glenboig) where, in the last three years, there have been 1 serious personal injury accident and 3 damage only accidents recorded in the vicinity of the bridge. The Transport Planning Unit has requested accident details from Strathclyde Police and awaits this information. The main residential area in Glenboig has an alternative route to Coatbridge.
- 7b.49 It is noted that the application site is an existing brownfield site, located within the village limit, which would benefit from environmental enhancements. The residential development proposed, however, would generate a significant increase in traffic movements, particularly pedestrian movements. The concerns raised by the Roads Development Unit and the Transport Planning Unit in respect of traffic, particularly pedestrian safety, at the proposed junction access to the site are considered to be material. It is not considered that any envisaged environmental or community benefits which may be gained outweigh the concerns raised in respect of the safety of motorists and pedestrians. The proposed development does not accord fully with policies of the Development Plan, which are detailed in section 7a of this report. It is not considered that residential development is essential to the successful future use of the site and the removal of contamination at the land. It is considered that the site could accommodate development more relative of its historic use, which would not generate such high levels of traffic, particularly pedestrian movements, and which could more safely be accommodated at the junction access to the site.
- 7b.50 It is not considered that statements submitted as being supportive of the proposed development demonstrate a robust case which outweighs traffic safety concerns, particularly pedestrian traffic at the proposed junction access to the site. It is not considered that residential development is essential to the successful future development of the site.

7c Conclusion

- 7c.1 On balance, the proposed development does not accord with the Development Plan.

- 7c.2 The applicant has failed to demonstrate that the proposed access at the bridge under the Cumbernauld to Stirling railway at the north east corner of the site can safely accommodate the increased number of vehicles which would be generated by the proposed development. Furthermore, it is considered that the proposed development would generate a significant increase in the number of pedestrian movements at the proposed access bridge, and that the proposed use of a dedicated pedestrian phase of traffic lights would not ensure adequate safety of pedestrians.
- 7c.3 It is not considered that any environmental or community benefits which may be achieved outweigh the concerns raised by the Roads Development Unit and the Transport Planning Unit in respect of this safety issue.
- 7c.4 It is not considered that residential development is essential to the successful redevelopment of the brownfield site. It is considered that a use more reflective of the historic use of the site would be more appropriate.
- 7c.5 However, if Members are minded to grant planning permission, Members are advised that planning permission would be required to be subject to:-
- Obligation(s) under Section 75 of the Town and Country Planning (Scotland) Act 1997, as amended, to secure:-
 - (i) the development of 11 affordable housing units to be delivered by a Registered Social Landlord as social rented housing;
 - (ii) a developer contribution towards the provision and enhancement of education provision in the area; the developer contribution to be set at a rate of £6,800 per applicable dwellinghouse; and
 - (iii) a developer contribution of £250 per annum, for a period of 5 years, towards the monitoring of air quality in the area.
 - Conditions considered to be appropriate by the Director of Development Services.

8. RECOMMENDATION

It is recommended that the application be refused for the following reason(s):-

- (1) The proposed access junction to the application site via a bridge under the Cumbernauld to Stirling railway at the north-east corner of the site would not be of adequate standard to ensure the safety of motorists and pedestrians, the numbers of which using the junction would significantly increase, particularly pedestrians, as a result of the proposed development. It is not considered that the installation of traffic lights, incorporating a dedicated pedestrian phase, would successfully mitigate safety concerns. The proposed development does not therefore accord with Falkirk Council Structure Plan Policy TRANS.3 'Transport Assessment', Falkirk Council Local Plan Policies EQ1 'Sustainable Design Principles', SC2 'Windfall Housing Development Within The Urban / Village Limit', EP4 'Business and Industrial Development within the Urban and Village Limits', ST2 'Pedestrian Travel And Cycling', ST7 'Transport Assessments', ST8 'Transport Safety' and Scottish Planning Policy.

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Director of Development Services

Date: 12 April 2012

LIST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Scottish Planning Policy.
4. Designing Streets - A Policy Statement for Scotland.
5. Circular 01/2010 "Planning Agreements".
6. Supplementary Planning Guidance Note "Education and New Housing Development".
7. Supplementary Planning Guidance Note "Affordable Housing".
8. Supplementary Planning Guidance Note "Contaminated Land".
9. Supplementary Planning Guidance Note "Public Open Space, Falkirk Greenspace and New Development".
10. Supplementary Planning Guidance Note "Biodiversity and Planning".
11. Supplementary Planning Guidance Note "Housing Layout & Design".
12. Supplementary Planning Guidance Note "Design Statements".
13. Supplementary Planning Guidance Note "Flooding and Sustainable Urban Drainage".
14. Letter of Objection from Mrs Winifred Burke, 3 Woodburn Crescent, Bonnybridge, FK4 2DJ on 13 February 2012.
15. Letter of Support from Mr Drew Scobbie, 15 McVean Place, Longcroft, Bonnybridge, FK4 1QZ on 20 February 2012.
16. Letter of Support from The Owner/Occupier, 22 Ardgay Drive, Bonnybridge, FK4 2FH on 20 February 2012.
17. Letter of Support from Mr Graham Rae, 8 Morrison Avenue, Bonnybridge, FK4 1ET on 1 March 2012.

18. Letter of Support from Steins Thistle Club, Station Cottage, Braeface Road, Banknock, Bonnybridge, FK1 1UE on 22 February 2012 (includes a petition with 1174 names in support).
19. Letter of Support from Mr Tom Young, 104 Hazel Road, Banknock, Bonnybridge, FK4 1LQ on 14 February 2012.
20. Letter of Objection from CED Ltd, 728 London Road, West Thurrock, Grays, Essex, RM20 3LU on 29 December 2011.
21. Letter of Objection from Miss Yvonne Holloway, Nettle House, Bonnybridge, FK4 2HN on 27 January 2012.
22. Letter of Objection from CED Ltd, 728 London Road, West Thurrock, Grays, Essex, RM20 3LU on 28 December 2011.
23. Letter of Support from Graham H Wright, Station Cottage, Braeface Road, Banknock, Bonnybridge, FK1 1UE on 15 February 2012.
24. Letter of Support from Steins Thistle Club, Graham H Wright, Station Cottage, Braeface Road, Banknock, Bonnybridge, FK1 1UE.
25. Letter of Support from Mr David Ivory, 26 Queen Street, Grangemouth, FK3 9AU on 14 February 2012.
26. Letter of Support from Steins Thistle Club, c/o Graham H Wright, Station Cottage, Braeface Road, Banknock, Bonnybridge, FK1 1UE on 7 March 2012 (includes a petition with 329 names in support).
27. Letter of Support from Mrs Blair Robertson, 17 Glen View, Dennyloanhead, Bonnybridge, FK4 1RJ on 7 March 2012.
28. Letter of Support from Mr Alexander Tonner, Alemi, Coneypark Crescent, Banknock, Bonnybridge, FK4 1TU on 16 February 2012.
29. Letter of Support from Mr David Brawley, 17 Ard Court, Grangemouth, FK3 0HL on 16 February 2012.
30. Letter of Support from Mr Malcolm Warham, 9 Afton Drive, Head of Muir, Denny, FK6 5PD on 16 February 2012.
31. Letter of Support from Mr Thomas Milligan, 1 Cherry Lane, Banknock, Bonnybridge, FK4 1JY on 6 February 2012.
32. Letter of Support from Mr David Wilson, 4 Dumbreck Terrace, Queenzieburn, Kilsyth, G65 9EA on 20 February 2012.

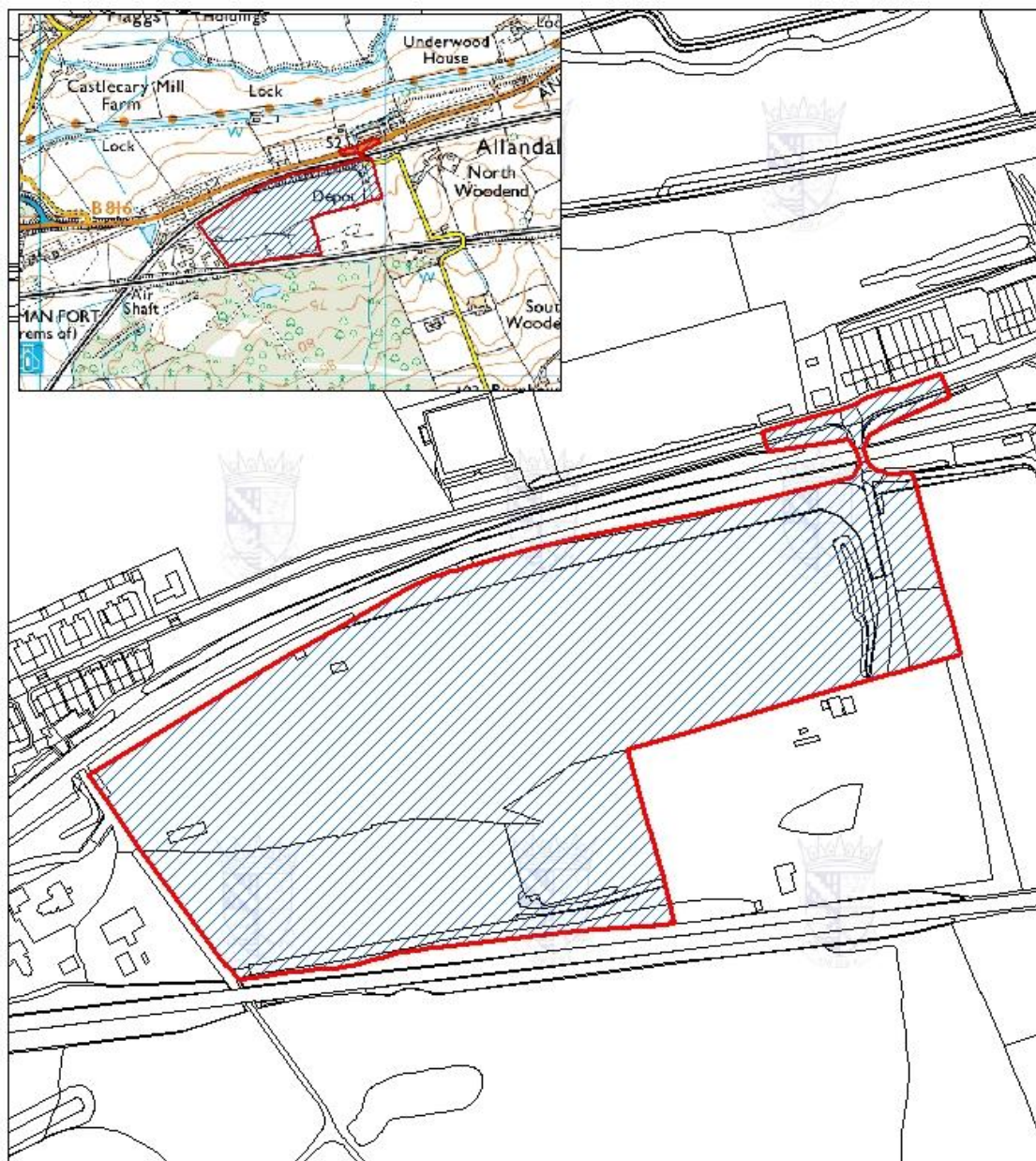
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson, Planning Officer.

Planning Committee

Planning Application Location Plan

P/11/0759/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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