

FALKIRK COUNCIL

Subject: ERECTION OF 32 FLATS, 8 VILLAS AND ASSOCIATED
ROADS, PARKING COURTYARDS AND SUDS POND AT
MADDISTON PRIMARY SCHOOL, MAIN ROAD, MADDISTON,
FALKIRK FK2 0LH FOR FALKIRK COUNCIL - P/12/0363/FUL
Meeting: PLANNING COMMITTEE
Date: 28 November 2012
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Upper Braes

Councillor Gordon Hughes
Councillor John McLuckie
Councillor Rosie Murray

Community Council: Maddiston

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

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This detailed application proposes the erection of 32 flats and 8 terraced dwellinghouses on the site of the former Maddiston Primary School and adjacent area of open space. The proposal comprises a 3 and 2 storey block of flats located on the corner of Parkhall Drive and Main Road with access for these units being taken from Parkhall Drive. The second phase of the development consists of 4 separate 2 storey blocks containing flats and terraced properties located on an existing area of grassed open space to the south of the community centre. This phase of development would be accessed via a second new access from Parkhall Drive that leads to a new parking court in the centre of the site.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application site is owned by Falkirk Council and Falkirk Council is also the applicant.

3. SITE HISTORY

- 3.1 None relevant to this application.

4. CONSULTATIONS

- 4.1 The Environmental Protection Unit have raised no objections to the proposal. However, they have requested that a contaminated land survey be carried out on the site and that acoustic glazing be used to protect the occupants of the properties from transportation noise. These requests can be adequately covered by way of conditions attached to any planning permission given.
- 4.2 Scottish Water has raised no objection to the proposal but initially suggested that the applicant submit a Drainage Impact Assessment. The applicant's have since obtained approval from Scottish Water to connect into their infrastructure.
- 4.3 The Transport Planning Unit has no objection to the proposal but has requested that the existing footpath link from the south of the site to the east side of Main Road be upgraded to an adoptable standard.
- 4.4 The Roads Development Unit has no objection to the proposal.
- 4.5 Education Services has confirmed that the application falls within the catchment for Maddiston Primary School, St Andrew's Primary School, Braes High School and St Mungo's High School. Having assessed the proposal with regard to the Supplementary Planning Guidance Note "Education and New Housing Developments", Education Services advises that the proposed development would have an impact on education provision at Maddiston Primary, Braes High, St Mungo's High School and nursery provision. A developer contribution totaling £146,800.00 has therefore been requested, to mitigate the impact of these proposed new dwellings on local schools' capacity.
- 4.6 The Coal Authority has no objection to the proposed development subject to the imposition of a condition attached to any permission given requiring further site investigation to be carried out.

5. COMMUNITY COUNCIL

- 5.1 Maddiston Community Council has objected to the proposed development on the following grounds.
- Lack of consultation with local community.
 - Poor layout design resulting in a poorly overlooked area of open space to the rear of properties on Main Street.
 - Loss of greenspace in Maddiston.
 - Concerns raised regarding developer contributions. Assurances sought that contributions will be provided despite this being a Council application.
 - Concerns raised regarding Education capacity issues.

- 5.2 Following receipt of comments from the Community Council, a revised layout has been submitted to address concerns relating to the area of open space to the rear of Main Road. This area of open space now has an adopted and lit footpath link proposed to run through its length and the 8 terraced properties adjacent to this area have now been re-orientated to improve natural surveillance of the area and increase security levels.
- 5.3 Concerns regarding public consultation are noted and have been passed to the applicants. Correct neighbour notification and press advertisements have been carried out in relation to the planning application stage of the design process.
- 5.4 Issues relating to loss of greenspace, developer contributions and education capacity are dealt with later in this report.

6. PUBLIC REPRESENTATION

- 6.1 In addition to the comments from the Community Council, one further letter of representation has been received in relation to this proposal. This representation raised a number of queries in relation to drainage provision and in particular in relation to the SUDS pond proposed on the south-eastern portion of the site.

7. DETAILED APPRAISAL

Under section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, the determination of planning applications for local and major developments shall be made in accordance with the Development Plan unless material considerations indicate otherwise.

Accordingly,

7a The Development Plan

Falkirk Council Structure Plan

- 7a.1 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.2 The scale of developer contributions requested and confirmed by the applicant as acceptable, is considered reasonable and relative to the scale of development proposed. The contributions requested take account of Falkirk Council standards and guidance notes. The applicant has confirmed that they will meet the requirements of these contributions and as such the proposal accords with Policy COM 5.

7a.3 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.4 The proposed development would result in the loss of a valuable area of open space. There is no on site open space provision of any substantial size proposed. However, the developer has agreed to make appropriate developer contributions towards off-site provision. Despite the willingness to enter into this off-site contribution, the development would result in the loss of an established area of open space and would have an adverse impact on visual and recreational amenity levels as a result. The application therefore fails to accord with Policy COM 6.

7a.5 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.6 The proposed development site is not identified in the Falkirk Council Local Plan as an affordable housing site. However, the site is considered to contribute towards the ongoing need for affordable housing provision in the Maddiston area. The proposal therefore accords with Policy COM.3.

Falkirk Council Local Plan

7a.7 The application site is located within the settlement boundaries as defined by the Falkirk Council Local Plan. The site has no specific land use designation within the plan, however a large portion of the site is identified as an area of open space. Policies relevant to the form of development proposed relate to design and layout matters, open space, developer contributions and affordable housing.

7a.8 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.9 An amended layout has now addressed initial concerns in relation to urban and landscape design. The proposals are now considered to accord with the terms of Policy EQ1.

7a.10 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.11 The proposed development would create a coherent structure of streets, amenity space and landscaping which respect the site’s environs and create a sense of identity. The amendments now ensure that all public spaces will have buildings fronting them and the scale, height and massing of buildings also reflects the surrounding urban fabric. Whilst the previous Maddiston Primary School building could not be retained, the stone from this building has been salvaged for use in the new development. The remaining materials to be used in the development will complement those in the local area and existing landmarks, views and skylines will be respected. The proposal therefore accords with the terms of Policy EQ3.

7a.12 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.13 Whilst the scale of development proposed on the site is not large enough to require robust structural planting areas, the proposed development is considered to be informed by the surrounding landscape and retains existing vegetation at the boundaries of the site and incorporates high quality hard landscaping, surfacing materials and boundary enclosures. The proposal is generally in accordance with the terms of Policy EQ4.

7a.14 Policy SC2 'Windfall Housing Development within the Urban/Village Limit' states:

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

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

7a.15 The development is compatible with neighbouring land uses and the site enjoys good permeability and accessibility to local community facilities. Existing physical infrastructure can cope with the level of development proposed and the applicant is willing to make developer contributions where required. Notwithstanding this the proposal would result in the loss of open space which cannot be justified in terms of Policy SC12 - 'Urban Open Space'.

7a.16 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. Higher densities may be allowed where it is clearly demonstrated that this will assist in achieving 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.17 The overall density proposed is considered appropriate for this location and adequate residential amenity levels are attained. The proposal accords with the terms of Policy SC6.

7a.18 Policy SC12 'Urban Open Space' states:

"The Council will protect all urban open space, including parks, playing fields and other areas of urban greenspace, which is considered to have landscape, amenity, recreational or ecological value, with particular reference to the areas identified on the Proposals Map. Development involving the loss of urban open space will only be permitted where:

- (1) There is no adverse effect on the character and appearance of the area, particularly through the loss of amenity space planned as an integral part of a development;*
- (2) In the case of recreational open space, it can be clearly demonstrated from the Council's open space audit, or a site-specific local audit of provision in the interim, that the area is surplus to recreational requirements, and that its release for development will be compensated for by qualitative improvements to other open space or recreational facilities;*
- (3) The area is not of significant ecological value, having regard to Policies EQ24 and EQ25; and*
- (4) Connectivity within the overall open space network is not threatened and public access routes in or adjacent to the open space will be safeguarded."*

7a.19 The existing open space on the site is considered to have recreational and visual amenity value. The loss of this open space would have an adverse impact of the character and open space of the area. This area of open space is however considered to be surplus to requirements from a recreational amenity viewpoint due to the presence of a similar informal kickabout area in the adjacent Valley Park. Criterion 2 of Policy SC12 does, however, require the loss of this area of open space to be compensated for. Falkirk Council Supplementary Planning Guidance Note - Public Open Space, Falkirk Greenspace and New Development sets out contribution rates for compensatory payments of this nature. In this instance, £236,000 is requested towards improvement of off-site open space within the vicinity of the development site. The applicant has confirmed their willingness to meet this financial contribution.

7a.20 Despite the applicant's willingness to meet the compensation requirement associated with criterion 2 of SC12, the proposal fails to meet the terms of criterion 1. The proposal therefore fails to accord with the terms of Policy SC12.

7a.21 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 accord with the Open Space Strategy and the SPG Note on Open Space and New Development, based on the following principles:

- (1) Open space and facilities for play and outdoor sport should be provided based upon the quantitative, qualitative and accessibility standards, and the priorities for improvement, set out in the Open Space Strategy.*
- (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, 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; or*
- *the Open Space Strategy indicates that there is a sufficient amount of open space in the area and that priority should be given to qualitative improvements to existing open space.*

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.22 On-site open space and play provision is not proposed as part of the proposed development and as such it is appropriate for developer contributions to be made towards off-site works. This requirement is entirely separate to the compensatory payment required under Policy SC12. In this instance the required contribution towards off-site open space and play provision is calculated to be £43,680. The applicants have confirmed their willingness to meet this requirement and therefore the proposal accords with the terms of Policy SC13.

7a.23 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 where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. 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 1/2010.”*

7a.24 The applicant has confirmed their willingness to meet the identified developer contributions in this instance. The proposal accords with Policy SC11.

7a.25 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 is set out in the SPG Note '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.26 The applicant has confirmed their willingness to meet the identified developer contribution requirement towards school related infrastructure. The proposal accords with Policy SC14.

7a.27 Policy SC4 ‘Affordable Housing’ states:

“For housing developments of 20 or more units, the Council will require a diversity of house types and tenures in order to create integrated communities. In particular there will be a requirement across the Council area for new housing sites to provide 15% or 25% of the total number of units as affordable housing. In the light of the findings of the Housing Need and Demand Assessment the percentage contribution will be applied across the settlement areas accordingly:

A requirement of 25% will apply to the housing settlement areas of:

*Larbert / Stenhousemuir
Polmont & District
Rural North
Rural South*

A requirement of 15% will apply to the housing settlement areas of:

*Bo'ness
Bonnybridge / Banknock
Denny and District
Falkirk
Grangemouth*

Acceptable approaches could include:

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

- (4) *Provision of low cost homes for sale; or*
- (5) *Provision of homes for mid-market or intermediate rent.*

The Council will apply a sequential approach to the delivery of affordable house

- *On site provision*
- *Off site provision*
- *Commuted sum payment*

Developers will be expected to work in partnership with the Council, National Housing Trust and / or Registered Social Landlords in the delivery of this policy. Further guidance is provided in the SPG Affordable Housing.

In applying the policy to secure affordable housing to development applications, consideration of the overall viability of the development will be taken into account.”

- 7a.28 The application site falls within the Polmont and District settlement area. The proposed development would create 40 affordable housing units in an area of identified need. The proposal accords with the terms of Policy SC4.
- 7a.29 The proposal fails to accord with policies COM6 of the Falkirk Council Structure Plan and policies SC2 and SC12 of the Falkirk Council Local Plan. These policies relate directly to the loss of open space provision as a result of development. The site does however meet the remaining requirements of the Falkirk Council Structure and Local Plan and provides an important affordable housing opportunity for Falkirk Council in an area with an identified need. Accordingly, it is considered in this instance that the benefits of obtaining affordable housing in this location outweigh the negative impacts relating to the loss of open space. As a result, and on balance, the proposal is therefore considered overall to accord with the provisions of the Development Plan.

7b Material Considerations

- 7b.1 The material considerations to be assessed are the Community Council comments and letters of representation received during the course of the application, Falkirk Council Supplementary Planning Guidance and consultations.

Assessment of Representations

- 7b.2 Revisions have been made to the proposed layout to address concerns relating to poor overlooking of open space areas and the poor layout of the SUDS pond and adjacent paths on the site. Issues relating to the loss of open space, developer contributions and education provision are dealt with elsewhere in this report. Following amendments to the proposed layout to address concerns, neighbour notification was repeated and a further advert placed in the Falkirk Herald. Since this further publication, no further letters of representation have been received.

Supplementary Planning Guidance

- 7b.3 Falkirk Council's suite of supplementary planning guidance includes guidance on Education provision and Open Space provision. These documents set out frameworks for developer contributions where a shortfall in provision is identified. The applicants have confirmed their willingness to meet the requirements of these contributions and as such the proposal accords with the terms of this guidance.
- 7b.4 Supplementary Planning Guidance in relation to Housing Layouts sets out required standards and design guidance for developments of this nature. The proposed layout is considered to meet the terms of this guidance.

Consultation Responses

- 7b.5 Issues raised by the Environmental Protection Unit, the Transport Planning Unit and the Coal Authority can be addressed by conditions attached to any planning permission given.
- 7b.6 It is noted that Education Services has advised that a developer contribution is appropriate towards Education provision at Maddiston Primary School, Braes High School and St Mungo's High School. St Andrews Primary School has sufficient capacity to accommodate the number of pupils that would be expected to arise from this development. The contribution can be secured by means of internal budgetary adjustments between Falkirk Council services. It is, however, considered appropriate to apply a condition to any planning permission given to ensure that a satisfactory mechanism for this transaction is achieved.

7c Conclusion

- 7c.1 The proposed development is an acceptable form of development which, overall, accords with the terms of the Development Plan. There are no material planning considerations that would outweigh this conclusion and warrant a refusal of planning permission in this instance.

8. RECOMMENDATION

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

- (1) The development to which this permission relates must be begun within three years of the date of this permission.
- (2) (i) No development shall commence on site unless otherwise agreed with the planning authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.

- (ii) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.
 - (iii) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.
 - (iv) If unexpected contamination is found after development has begun, development of the affected part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment, and undertake any necessary remediation works, before development of the affected part of the site may continue.
- (3) Acoustic glazing with a specification of 6mm/12mm/6mm or acoustic equivalent shall be installed on all windows facing onto Main Road from block E.
- (4) Before the proposed development starts, intrusive site investigations shall be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. Should these investigations confirm the need for remedial works to treat the areas of mine workings to ensure the safety and stability of the proposed development, then these remedial works shall be carried out prior to the commencement of the development.
- (5) Prior to the occupation of the first dwelling on the site, the footpath link from the south west corner of the site to the existing footway on the east side of Main Road shall be upgraded and completed to an adoptable standard.
- (6) Prior to the start of work on site, details of the mechanism for the transfer of funds and timing of payments, to cover the required developer contributions totalling £426,480, shall be submitted to and approved in writing by the Planning Authority. Details shall include a breakdown of how a portion of the open space contribution will be used to provide the upgraded footpath link as referred to in condition 5.
- (7) Before any work starts on site, a scheme of landscaping including the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges shall be submitted for approval in writing by this Planning Authority. The scheme as approved shall be implemented within the first planting season following the completion or occupation of the development, whichever is the sooner.

Reason(s): -

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2) To ensure the ground is suitable for the proposed development.
- (3-4) To ensure that the occupants of the property are safeguarded against excessive noise intrusion.
- (5) To ensure the footpath link is upgraded to an acceptable standard.
- (6) To ensure the required developer contributions are delivered.
- (7) In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03B, 04A, 05-08, 09A,10, 11A and 12- 38 inclusive.

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Pp Director of Development Services

Date: 20 November 2012

LST OF BACKGROUND PAPERS

1. Falkirk Council Structure Plan.
2. Falkirk Council Local Plan.
3. Letter of objection received from Maddiston Community Council on 23 August 2012.
4. Letter of representation received from Mr Jim Mead of 63 Windsor Crescent, Maddiston, Falkirk FK2 0AH on 31 July 2012.
5. Supplementary Planning Guidance Note - Public Open Space, Falkirk Greenspace and New Development.
6. Supplementary Planning Guidance Note - Housing Layout and Design.
7. Supplementary Planning Guidance Note - Education Contributions.

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

P/12/0363/FUL



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