

**P27. Construction of 22 Flatted Dwellings at Land to the West of 14 King Street, Thornhill Road, Falkirk for G&N Homes (FK-L) Limited - P/21/0574/FUL**

The committee considered a report by the Director of Place Services on an application for the construction of 22 flatted dwellings at land to the west of 14 Kind Street, Thornhill Road, Falkirk for G&N Homes (FK-L) Limited – P/21/0574/FUL.

**Decision**

**The committee granted planning permission subject to the following condition(s):-**

- (a) Conclusion of a Legal Agreement in terms satisfactory to the Director of Place Services within 6 months of the date of a Minded to Grant decision and index linked from that date, as follows:-**
- **A financial contribution of £15,450 towards open space (£3,900 for play space, £8,800 for improvements to recreation space and £2,750 for natural green space/green corridor).**
  - **The provision of 15% affordable housing units at the site. The type and tenure and timing/programming of the affordable housing units to be agreed in writing before commencement on site.**
  - **The provision of No.16 vehicle parking spaces for the use of Thornhill Community Centre prior to the occupation of any of the proposed flatted dwellings.**
- (b) Thereafter planning permission should be subject to the following condition(s):-**
- 1. The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**
  - 2. No works shall take place during the months March to September inclusive unless details are submitted to and approved in writing by the Planning Authority demonstrating there would be no significant impact on nesting birds, or that any identified impact can be satisfactorily mitigated.**
  - 3. 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.**
- 1. Notwithstanding any details previously submitted, no development shall take place on site until details of on-site low and zero carbon energy generating technologies (LZCGT) necessary to meet a 12% carbon reduction of the overall energy requirements of the development have been submitted to and approved in writing by Falkirk Council as planning authority.**
  - 2. Notwithstanding any details previously submitted, the development shall not commence until such time as landscaping details, to include identification of specimen type, size and spacing and details of a maintenance schedule, have been submitted to and approved in writing by the Planning Authority.**
  - 3. No work shall commence on site until such time as details of the car park lighting have been submitted to and approved in writing by the Planning Authority.**
  - 4. No work shall commence on site until such time as details of the electric vehicle charging points have been submitted to and approved in writing by the Planning Authority.**
  - 5. Work shall not commence until such time as details to safeguard and incorporate into the development a decorative post positioned as shown on the drawing bearing the planning**

authority's reference 12 have been submitted to and approved in writing by the planning authority.

6. Notwithstanding any details previously submitted, work shall not commence on site until such time as drainage details, including confirmation of agreed Scottish Water flow rates have been submitted to and approved in writing by the Planning Authority.
7. Work shall not commence on site until such time as details of noise reduction windows have been submitted to and approved in writing by the Planning Authority. For the avoidance of doubt, the windows should be demonstrated to satisfactorily mitigate any potential noise impact on the development from the adjacent Thornhill Community Centre. Thereafter, the windows approved shall be installed at window openings at the south facing elevation of Block B.

**Reason(s):-**

1. As these drawings and details constitute the approved development.
2. To safeguard the interests of nesting birds at the site.
3. To ensure the ground is suitable for the proposed development.
4. To ensure that full consideration is given to the achievement of low and/or zero carbon development in accordance with Falkirk Local Development Plan 2 Policy IR13 and supplementary guidance SG15, and to accord with Section 59 of the Town and Country Planning (Scotland) Act 1997 as amended.
5. To ensure the implementation of a landscaping scheme to safeguard the amenity of the area nearby residential properties.
6. To ensure a satisfactory level of lighting to and provide a safe environment in accordance with Policy PE01 of the Falkirk Local Development Plan 2 "Placemaking" and the Scottish National Roads Development Guide.
7. To satisfactorily contribute to sustainable transport in accordance with Policy PE01 of the Falkirk Local Development Plan 2 "Placemaking" and the Scottish National Roads Development Guide.
8. To safeguard and preserve an existing decorative post feature at the application site.
9. To ensure that adequate drainage is provided.
10. To satisfactorily mitigate any noise impact on the development form the adjacent community centre.

**Informative(s):-**

1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02A, 03A, 04A, 05, 06, 07, 08, 09, 10A, 11B and 12.

2. **The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:**

**Monday to Friday 08:00 - 19:00 Hours**

**Saturday 08:00 - 13:00 Hours**

**Sunday / Bank Holidays No noise audible at site boundary**

**Deviation from these hours of work is not permitted unless in emergency circumstances and with the prior approval of the Environmental Protection Unit.**

3. **In accordance with section 58(1) of the Town and Country (Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.**
4. **The developer shall make contact with the Planning Authority before commencing any work on site to agree a temporary parking plan for construction vehicles and Thornhill Community Centre.**