

## **APPENDIX 2**

### **FALKIRK LOCAL DEVELOPMENT PLAN**

#### **PROPOSED SUMMARY OF UNRESOLVED ISSUES (SCHEDULE 4)**

**DRAFT FOR COUNCIL MEETING  
JANUARY 2014**



Issue 1	Vision	
<b>Development plan reference:</b>	<u>Chapter 1 Vision</u> (pages 3 – 7)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>AWG Property (00906)  Woodland Trust Scotland (00549)  Scottish Natural Heritage (00646)  Ogilvie Homes Ltd (00614)  Scottish Enterprise (00447)  New River Retail &amp; Cabri 3 Ltd (01265)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The vision for the area set out in Chapter 2, including the strategic objectives, current position and aspirations for 2034 set out in Figure 2.2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b>AWG Property (00906/2001/001):-</b> Whilst the Council's vision is supported, the anticipated growth on some sites is unlikely to materialise in the foreseeable future, and this should be planned for. Some communities can absorb further growth. A further sentence should be added to the vision emphasising the provision of sufficient land for housing.</p> <p><b>Woodland Trust Scotland (00549/2001//001):-</b> The Woodland Trust believes that the natural environment is intrinsically linked to the future wealth, health, and wellbeing of Falkirk. A strong statement to this effect from the outset would set the tone for the entire plan, and leave no ambiguity as to the relative importance that both the Scottish Government and Falkirk Council place on its environmental, biodiversity and landscape assets, not to mention the intrinsic value of quality natural environments. There should also be a brief definition of sustainable development at the outset which would be helpful and aid understanding of the Local Development Plan, e.g. sustainable development "should help build a growing economy, but at the same time protect our environment for future generations and make sure that communities can enjoy a better quality of life".</p> <p><b>Scottish Natural Heritage (00646/2001/001):-</b> SNH support the vision presented in the proposed plan and welcome the emphasis on the role of greenspaces in thriving communities. The vision, themes and key strategic objectives are clearly presented with diagrams, maps and colour-coding. The vision themes include strategic objectives which outline where Falkirk is now and where it will be in 2034. In general, these are clearly presented and the use of colour-coding allows the reader to relate them to specific policies. They welcome the strong thematic approach taken throughout the proposed plan. While SNH support the strategic objectives, they would welcome further opportunity to discuss presentation of inter-related issues, particularly climate change. As it currently stands, the plan does not discuss climate change as might be expected, resting instead on</p>		

renewable energy and flood defence measures as key measures. This could be expanded, in line with 'Planning and Climate Change: Key Agency and Scottish Government Resources and Guidance' which outlines the ways in which planning can contribute to mitigation and adaptation.

**Ogilvie Homes Ltd (00614/2001/002):-** The first Strategic Objective in Figure 2.2 in the Vision Chapter of the Proposed Plan should be amended to make it clear that the Council is committed to providing for effective and generous housing opportunities within 'all communities' across the plan area. It is considered that opportunities for future residential growth in the form of effective housing sites should be provided for within all towns and villages within the plan area.

**Scottish Enterprise (00447/2001/001):-** Scottish Enterprise supports the Vision stated at paragraph 2.3, Figure 2.1. It considers, however, that insufficient status and priority is given to the particular economic opportunities of Grangemouth, and particularly its identification as a National Development in NPF2 and within the recently issued NPF3 MIR (proposed National Developments 2, 4 and 10).

**New River Retail & Cabri 3 Ltd (01265/2001/001):-** Figure 2.2 should reflect a more ambitious vision for Grangemouth as an established and largely independent town with the opportunity for residents to find a new home within their community. A clear explanation of the Falkirk-Grangemouth Investment Zone should also be provided.

#### **Modifications sought by those submitting representations:**

**AWG Property (00906/2001/001):-** Amend the Vision (paragraph 2.3) to include the following statement: 'The Council will work with the public and private sectors to ensure that sufficient land for new, well designed housing in sustainable locations is provided in tandem with employment opportunities in communities to ensure that the vision is achieved'.

**Woodland Trust Scotland (00549/2001/001):-** Amend supporting text to the Vision chapter to reflect that the importance of the natural environment to the sustainable development of Falkirk's economy should be a key overarching principle. A definition of sustainable development should be stated.

**Scottish Natural Heritage (00646/2001/001):-** A potential approach to the presentation of inter-related issues, which would not result in substantial change to the plan, would be to include a matrix which shows the contribution policies make to strategic objectives, either in full or in part. For example, strategic objective 7 (climate change) has some obvious cross references with strategic objective 8 (green network), not least of which is the green network's role in climate change adaptation.

**Ogilvie Homes Ltd (00614/2001/002):-** Amend the first objective of Figure 2.2 to make it clear that the Council is committed to providing for effective and generous housing opportunities within 'all communities' across the plan area.

**Scottish Enterprise (00447/2001/001):-** Amend the Growing Economy section of Figure 2.2 to highlight the importance of Grangemouth as a National Development (in NPF2 and the emerging NPF3) and the need to prioritise its economic growth.

**New River Retail & Cabri 3 Ltd (01265/2001/001):-** Amend the supporting information in Fig. 2.2 to reflect a more ambitious vision for Grangemouth, which seeks to sustain and enhance its role as an established and largely independent town. Clarify the Falkirk/Grangemouth investment zone.

**Summary of responses (including reasons) by planning authority:**

**AWG Property (00906/2001/001):-** The additional sentence suggested would be inappropriate and out of place in paragraph 2.3 which is intended to be a concise statement of the overall vision. Figure 2.2 (Strategic Objectives and Vision) of the LDP already acknowledges the importance of a good housing land supply to support the intended population and household growth. Further information on housing land supply and the maintenance of a 5 year supply is included in the Housing section of the Spatial Strategy, and the adequacy of housing land provision is dealt with under a separate issue (Issue 2 Strategic Housing Land). For these reasons, the Council does not agree to modify the plan in response to this representation.

**Woodland Trust Scotland (00549/2001/001):-** There is sufficient emphasis on the importance of the natural environment in the Vision chapter through the identification of 'Sustainable Place' as a key theme, and the associated strategic objectives listed in Figure 2.2 (Strategic Objectives and Vision). A definition of 'sustainable development' is unnecessary; a definition is available in the SPP and does not need to be repeated in the LDP. For this reason, the Council does not agree to modify the plan in response to this representation.

**Scottish Natural Heritage (00646/2001/001):-** It is recognised that cross cutting issues such as climate change have wider connections across the different themes of the plan than is shown in Figure 2.2. Indeed the cross-cutting nature of climate change was specifically acknowledged and represented in the Main Issues Report. Whilst a matrix showing these interconnections could be created, it is not considered essential to the expression of the vision of the plan, and would not be in the interests of brevity and conciseness. For this reason, the Council does not agree to modify the plan in response to this representation.

**Ogilvie Homes Ltd (00614/2001/002):-** There is no need to alter or expand the strategic objective of facilitating continued population and housing growth in Figure 2.2 (Strategic Objectives and Vision) of the LDP. The statement as currently drafted expresses the vision succinctly. The provision of a generous and effective land supply concerns 'how' the vision will be delivered, and is dealt with more appropriately in the Housing section of the Spatial Strategy. The Spatial Strategy also deals with the issue of distribution of housing across communities. For this reason, the Council does not agree to modify the plan in response to this representation.

**Scottish Enterprise (00447/2001/001):-** The Growing Economy and Thriving Communities sections of Figure 2.2 already make appropriate and adequate reference to the Grangemouth port and chemical/petrochemical cluster, and their potential. Further reference to the importance of Grangemouth to the local and national economy is contained in the Business section of the Spatial Strategy and in the Grangemouth Settlement Statement. For this reason, the Council does not

agree to modify the plan in response to this representation.

**New River Retail & Cabri 3 Ltd (01265/2001/001):-** Figure 2.2 already reflects a positive and ambitious vision for Grangemouth in terms of enhanced infrastructure, the unlocking of the economic potential of the town, and its adaptation to changing technologies and markets, and the regeneration of the town centre. The Falkirk-Grangemouth Investment Zone is clarified as one of the Strategic Business Locations within the Business section of the Spatial Strategy and detailed within the Grangemouth and Falkirk Settlement Statements. For this reason, the Council does not agree to modify the plan in response to this representation.

<b>Issue 2</b>	<b>Strategic Housing Land</b>	
<b>Development plan reference:</b>	Chapter 3 Spatial Strategy Housing (pages 9 – 11) Figure 3.1 Housing Land Allocations by Settlement Area Map 3.1 Housing & Green Belt	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
AWG Property (00906) Cala Management Ltd. (00512) Muir Homes Ltd (01160) I and H Brown Limited (00609) Ecosse Regeneration (00713) Heartlands (Central) Ltd (01255) Land Options West (00851) Mactaggart and Mickel Ltd (00011) Ogilvie Homes Ltd (00614) Morston Assets (00265) Hansteen Land Ltd (00772)		Mr George Steel (00869) Springfield Properties plc (00852) Manor Forrest Ltd (00455) George Russell Construction Ltd (00313) Mrs Sutherland (01234) Craigrossie Properties (00904) Persimmon Homes (East Scotland) Ltd (00712) Gladman Developments Ltd (01258)
<b>Provision of the development plan to which the issue relates:</b>	The housing elements of the Spatial Strategy, as set out in Chapter 3, including the overall housing targets, the overall provision of land to meet those targets, and the overall effectiveness and phasing of the supply.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Housing Growth Target &amp; Flexibility Allowance</u></b></p> <p><b>AWG Property (00906/2001/002):-</b> In the light of the guidance from NPF2, SPP and the Chief Planner on housing land supply, the Council should pursue a higher rate of growth in order to ensure that sufficient effective land is identified. The identification of additional housing land allocations of only 1,747 units will not speed up the delivery of the existing supply. The Council should also consider the introduction of a policy which would allow the rephasing of allocations to bring them forward in the 2014-2024 period.</p> <p><b>Cala Management Ltd. (00512/2001/001):-</b> The Proposed Plan has departed from the recommendations of the HNDA without giving adequate justification for this. This action has resulted in a shortfall of over 1000 homes in the initial Local Development Plan period. It is considered that this shortfall is exacerbated by the inclusion of Proposal H70 Hillend Farm, a constrained site which is unlikely to make a significant contribution to housing delivery. It is suggested that a site at Kinnaird 3, Stenhousemuir (MIR Ref L&amp;S/B/05) is allocated to meet the identified housing land requirement post 2020.</p> <p><b>Muir Homes Ltd (01160/2001/001):-</b> The basis for the housing land calculations</p>		

underpinning the LDP is unclear and underestimates the level of allocations required to meet effective land requirements. The target of 675 units/annum is well below that set out in the MIR, which used figures from the HNDA. At the very least a figure of 709 units/annum should be used, with an additional margin of 20%. The effectiveness of all presently allocated/LDP proposed sites has not been demonstrated through a proper assessment. The Council's presently allocated land supply is inadequate, and the LDP will fail to deliver even the reduced targets set in the Policy HSG01. There is a need for greater emphasis on deliverability, through marketable sites in areas of market demand, in accessible locations with available facilities.

**I and H Brown Limited (00609/2001/002):-** The average housing growth target in Policy HSG01 should be increased. The MIR set out a target completion rate of 725 dwellings per annum, but the proposed LDP only proposes 675. It is unclear what the justification is for this reduction when the housing market is slowly improving and demand is likely to increase for the foreseeable future. The latest Housing Need and Demand Assessment (HNDA) identifies that between 2010 and 2020 there will be 763 new households forming per year. To ensure that the anticipated new household growth can be met with housing stock from within the Falkirk Council area the Council should aim to achieve a higher average housing growth target.

**Ecosse Regeneration (00713/2001/001); Heartlands (Central) Ltd (01255/2002/001); Land Options West (00851/2003/001):-** Objection is made to Policy HSG01 and the proposed level of growth over the Plan period, which amounts to planning for decline. The figure of 675 units per annum is less than that set out in the MIR which sought an average figure of 725 units per annum. A higher rate of growth rate of 899 units per annum must be adopted in order to ensure an adequate number of sites are brought forward during the plan period to deliver housing completions on the ground. By adopting a 'moderate rate of growth' of 675 units per annum development potential is restricted due to the combination of the small number of housing sites allocated and current economic and market pressures. Land Options West's response to MIR is submitted as additional supporting information. Objection is also made to the fact that the allocation of land for the period 2024-2034 is not site-specific. If identified, longer-term sites could be brought forward if existing sites become ineffective. East Renfrewshire Council's Proposed LDP is presented as a positive example of where this has been done elsewhere, whilst North Lanarkshire Local Plan is presented as an example of not planning effectively for future housing growth.

**Mactaggart and Mickel Ltd (00011/2004/001):-** The housing target set out in the LDP of 675 units per annum is insufficient. The HNDA indicates a requirement of 763 units per annum and as reported in Technical Report 3 accompanying the MIR, this increases to 899 with backlog. The MIR proposed a figure of 725. There is a concern that the Council are pursuing a strategy at the low end of the growth spectrum, contrary to the strategic objective of the LDP to facilitate growth. It is suggested that, taking the HNDA figure and adding 15% flexibility, 8,774 units should be provided. The need for increased allocations is emphasised by the fact that the Council does not have an effective five year supply. A share of the increased land supply could be provided by various sites being promoted by Mactaggart & Mickel.

**Ogilvie Homes Ltd (00614/2001/003):-** The plan has failed to identify sufficient housing opportunities to meet the needs of the Council area, and additional housing allocations will need to be identified and brought forward. The supply of future housing land should not be constrained by the Council's perception of prevailing and future economic conditions. The annual housing target of 675 units per annum is below the stated completion rate of 738 units stated in the MIR. The plan has failed to identify sufficient housing land within the Rural North area.

**I and H Brown Limited (00609/2001/006):-** Policy HSG01 does not make it clear how the 18% flexibility allowance is applied and clarification is sought. It is not clear whether the 18% flexibility allowance identified in figure 3.1 has been incorporated into the housing growth figures or whether it can be applied to the figures set out within the table.

**Mr George Steel (00869/2001/004):-** The strategy of moderate housing growth is supported. The review of the former SRRs is noted, and in particular the discounting of the Slamannan and Bo'ness Foreshore from the 2014-2024 housing land supply. The higher level of housing provided for in Falkirk, compared with the MIR, is supported.

### **Housing Land Supply**

**Springfield Properties plc (00852/2002/002):-** The existing approach to meeting housing requirements contains an over-reliance on technically ineffective sites. Falkirk Council has failed to allocate sufficient effective housing sites to address the current shortfall in housing supply and maintain the minimum 5 year effective land supply. As such, there is a need to allocate additional effective sites with marketable areas, such as Roughlands Farm, Stenhousemuir (MIR Ref L&S/B/02) which are capable of delivering house completions in the short term.

**Ecosse Regeneration (00713/2001/002); Heartlands (Central) Ltd (01255/2002/002); Land Options West (00851/2001/001 & 00851/2003/002); Manor Forrest Ltd (00455/2001/001); George Russell Construction Ltd (00313/2001/001); Mrs Sutherland (01234/2001/001) :-** The Council's assessment of housing land supply for the period 2014-2024 set out in Fig. 3.1 of the LDP and in Technical Report 3 (Housing Requirements and Provision) is over-optimistic in terms of likely output. For the purposes of the objection, the household and population projections set out in Technical Report 3 are accepted, although these projections are not necessarily accepted as an appropriate basis for the LDP. SPP requires Councils to identify a generous supply of land. This would require a minimum of 10% flexibility, giving an overall target of 7425 units for 2014-2024. An alternative assessment of Figure 3.1 and Technical Report 3, Appendix 1, is presented, showing that there is a significant shortfall of sites. Further alternative sites should be allocated.

**Persimmon Homes (East Scotland) Ltd (00712/2001/002):-** The Council has not followed the guidance in PAN 2/2010 in determining the effective land supply for the period 2014-2024. The effective housing land supply has not been agreed with the housebuilding sector through Homes for Scotland. The existing supply of 6,217 homes is considered to be an overestimate. The Council owns land on a number of sites and these sites need to be demonstrated as effective. The existing supply needs to be reassessed in conjunction with Homes for Scotland

prior to the examination to remove non-effective sites. The housing land shortfall is not proven because the effectiveness of the supply has not been agreed.

**Persimmon Homes (East Scotland) Ltd (00712/2001/003):-** The LDP does not include a mechanism for maintaining a 5 years effective land supply as required by the SPP. Policy HSG03 on Windfall Sites does not apply to greenfield sites and so is unnecessarily restrictive. A new policy is proposed on housing land flexibility which would allow additional housing sites, including greenfield sites, to be granted planning permission in order to maintain the 5 year effective land supply, subject to certain criteria.

**Gladman Developments Ltd (01258/2001/003):-** The proposed housing allocations fall short of securing adequate supply and would result in an under provision of housing. The target of 675 dwellings per year is an arbitrary figure. Based upon the programmed completions for the remainder of the plan period, Falkirk Council would reach a housing shortfall of 2353 units by 2020, and 1020 units within the 5 year supply period. The successful delivery of housing must be based on an over provision of sites. No evidence has been provided to demonstrate the deliverability of sites in the LDP. A site at Parkhall Farm is put forward as an effective site which can help to address this situation.

**Hansteen Land Ltd (00772/2001/005):-** Concern is expressed over the deliverability and effectiveness of a number of large sites in the Proposed Plan including Whitecross and Bo'ness Foreshore. There should not be an assumption that non-effective sites will become effective over the plan period. An additional allowance of 30% should be made, as advocated by the revised draft SPP. There should be an additional policy mechanism put in place to allow sites to come forward outside the development plan process if allocated sites do not come forward.

**Craigrossie Properties (00904/2001/002):-** Objection is made to the lack of new housing sites in the Polmont area, and the over reliance on a small number of large existing supply sites which have failed to deliver a range and choice of housing locations. The very limited number of new housing sites are effectively extensions of existing sites, and do not provide the required range, choice and distribution of sites. There is too great a reliance on two locations within the Polmont Area at Overton/Redding area and the Parkhall Farm/Toravon Farm area. The stated capacities and delivery times for the new housing sites are unrealistic and unachievable. In order to address these deficiencies, a site at Greenwells Farm should be included as a housing allocation.

**Morston Assets (00265/2001/001):-** As the lead developer for the new community at Whitecross, Morston Assets is fully committed to delivering this mixed use development. However, it is considered that 900 houses could be developed in the initial plan period of 2014-2024, rather than the 500 units which the Council are understood to have assumed as part the of total 'Existing Supply Sites' figure of 1,018 for the Rural South in Figure 3.1 of the LDP. Therefore the Rural South figure should be increased to 1,518. Figure 3.1 should also be amended to specifically refer to the Whitecross Strategic Growth Area in terms of delivering the proposed high level of growth in the period 2024-2034.

### **Policy HSG01 Wording**

**AWG Property (00906/2001/003):-** The words 'at all times' should be inserted at the end of the first sentence of Policy HSG01 to ensure compliance with the SPP.

**Morston Assets (00265/2001/002):-** Policy HSG01 should be amended to refer to the aim of delivering a minimum level of housing growth of 675 units, rather than an average. There is no reason to limit the total figure in this way.

### **Long Term Growth**

**AWG Property (00906/2001/009):-** It is noted that the LDP gives a general indication of the long-term growth potential of settlements in Figure 3.1, and the identification of Bo'ness as having 'high' growth potential is supported. However, a clearer indication of where the growth potential actually is should be provided, potentially through a schematic drawing.

### **Strategic Growth Areas/Distribution of Allocations**

**Muir Homes Ltd (01160/2001/002):-** The Strategic Growth Area strategy is not fully explained or justified. It is not clear why a certain scale of development is to be supported in certain areas and not others. There appear to be new allocations of a scale disproportionate to the size/function of settlements e.g. Denny. A number of locations fail to identify the best location for truly sustainable development.

### **Modifications sought by those submitting representations:**

#### **Housing Growth Target & Flexibility Allowance**

**AWG Property (00906/2001/002):-** Introduce a higher rate of housing growth within Policy HSG01, in order to ensure that sufficient effective land is identified and can come forward for development on a realistic timescale.

**Cala Management Ltd. (00512/2001/001):-** The Proposed Plan should be amended to accommodate the findings of the HNDA, amending the household projection figure of 675 units per annum to 899 per annum. H70 Hillend Farm should be deleted, and Kinnaird 3 allocated for housing development.

**Muir Homes Ltd (01160/2001/001):-** The housing growth planned for (Policy HSG01 Housing Growth – part 1) should be increased from 675 to not less than 709 units/annum. The LDP text and strategy, in order to provide a generous land supply (SPP), should add 20% to this 709 unit figure, giving an annualised land requirement of 850 units. Each proposed site should be subjected to a full assessment of effectiveness.

**I and H Brown Limited (00609/2001/002):-** Amend policy HSG01(1) by increasing the level of average housing growth the Council will aim to achieve across the Council area over the Plan period.

**Ecosse Regeneration (00713/2001/001); Heartlands (Central) Ltd (01255/2002/001); Land Options West (00851/2003/001):-:-** Amend Policy

HSG01 to set out a higher rate of growth rate of 899 units per annum. Identify specific sites for the 2024-2034 period by a star or asterisk.

**Mactaggart and Mickel Ltd (00011/2004/001):-** Increase the housing target for the first 10 years of the plan to 7630 units, with 15% of flexibility added to bring the requirement to 8,774.

**Ogilvie Homes Ltd (00614/2001/003):-** Amend the plan to identify sufficient housing opportunities to meet the future needs of the Council area during the period covered by the plan. Eastfield, Airth should be identified as a housing proposal to help meet the shortfall.

**I and H Brown Limited (00609/2001/006):-** Amend supporting information to Policy HSG01 to clarify how the 18% flexibility allowance has been applied in Figure 3.1.

**Hansteen Land Ltd (00772/2001/002):-** Amend policy HSG01, Figure 3.1 and consequentially Technical Report 3 to allow for a 30% flexibility allowance.

### **Housing Land Supply**

**Springfield Properties plc (00852/2002/002):-** Insert additional site at Roughlands Farm as a housing proposal.

**Ecosse Regeneration (00713/2001/002); Heartlands (Central) Ltd (01255/2002/002); Land Options West (00851/2003/002):-** Amendment of figure 3.1 and Technical Report 3(Housing Requirements and Provision) to reflect an alternative projection set out in Supporting Document: Appendix 1.

**Manor Forrest Ltd (00455/2001/001); Land Options West (00851/2001/001); George Russell Construction Ltd (00313/2001/001); Mrs Sutherland (01234/2001/001):-** Replace Figure 3.1 of the LDP and Technical Report 3, Appendix 1, with alternative proposed versions, along with consequential text alterations. Identify additional housing sites to make up the shortfall in housing land provision 2014-2024.

**Persimmon Homes (East Scotland) Ltd (00712/2001/002):-** Reassessment and updating of the Existing Supply Sites as set out in Figure 3.1, delivery of New Proposals as set out in Figure 3.1, the housing land shortfall, and generous land supply in accordance with the SPP.

**Persimmon Homes (East Scotland) Ltd (00712/2001/003):-** Insert additional policy on housing land flexibility which would allow additional housing sites, including greenfield sites, to be granted planning permission in order to maintain the 5 year effective land supply, subject to certain criteria

**Gladman Developments Ltd (01258/2001/003):-** Allocate additional sites, such as the site at Parkhall Farm, to address the under provision of housing land.

**Hansteen Land Ltd (00772/2001/005):-** Insert a new policy on 'Housing land Supply – Additional Land' which states that the Council will address any significant shortfall in the housing land supply through:

- Earlier release of reserve or safeguarded sites provided that infrastructure and other constraints can be addressed;
- Bringing forward new sites in a further alteration to the Local Development Plan;
- Where the above cannot be achieved timeously the Council will consider favourably proposals for unallocated sites that satisfy other development plan policy objectives.

**Craigrossie Properties (00904/2001/001):-** Provide additional housing allocations in the Polmont area, notably a site at Greenwells Farm.

**Morston Assets (00265/2001/001):-** Amend Figure 3.1 to increase the Rural South 'Existing Supply Sites' figure to 1,518, and to include reference to the Whitecross Strategic Growth Area in terms of delivering the proposed high level of growth for the Rural South in the period 2024-2034.

### **Policy HSG01 Wording**

**AWG Property (00906/2001/003):-** Insert the words 'at all times' at the end of the first sentence of Policy HSG01.

**Morston Assets (00265/2001/002):-** Amend Policy HSG01 to refer to a minimum housing growth of 675 dwellings per year, rather than an average housing growth of 675 dwellings per year.

### **Long Term Growth**

**AWG Property (00906/2001/009):-** Provide a clearer indication of where the long term growth potential actually is, potentially through a schematic drawing.

### **Strategic Growth Areas/Distribution of Allocations**

**Muir Homes Ltd (01160/2001/002):-** Provide justification for the Strategic Growth Area strategy and the distribution of allocations.

## **Summary of responses (including reasons) by planning authority:**

### **Housing Growth Target & Flexibility Allowance**

#### Growth Target

**AWG Property (00906/2001/002):-** Cala Management Ltd. (00512/2001/001):-  
**Muir Homes Ltd (01160/2001/001):-** I and H Brown Limited (00609/2001/002):-  
**Ecosse Regeneration (00713/2001/001):-** Heartlands (Central) Ltd (01255/2002/001):-  
**Land Options West (00851/2003/001); Mactaggart and Mickel Ltd (00011/2004/001):-** Ogilvie Homes Ltd (00614/2001/003):-  
 The main contention of these representations is that the housing target is too low, that it deviates from that put forward in the Main Issues Report and that this change has not been adequately explained.

The consideration of the housing target has evolved since the start of the LDP preparation process in 2009, and this is explained at length in Revised Technical

Report 3 (CD22 section 3). When the Council prepared its Housing Needs and Demand Assessment (HNDA) (CD38), a 2008-based household projection from General Registers Office Scotland (GROS) was used to provide a figure for new household formation of 763 households per annum for the period 2008-2018. HNDA preparation took place before the MIR was prepared; the projection period also differed substantially from what was required for the LDP i.e. 2014-34. In recognition of this considerable difference in timescales a revised housing projection for the MIR was calculated which, including allowances for demolitions, empty homes and a projected early years backlog, raised the projected requirement to 899 new houses per annum (or 17,974 in total) for the full period of the plan to 2034. This figure was heavily caveated in the MIR (CD13 paragraph 3.7) as it was based on past trends and did not take account of the effects of the economic downturn on household formation rates, such that future projections would likely show a slower rate of household formation. The Council decided that its preferred strategic growth option for the first 10 year period (2014-24) should reflect a more realistic, median position and a requirement of 725 completions per annum was chosen in the MIR.

By the time the Proposed Plan was being put together a new set of household projections had been published by National Records of Scotland (successor to GROS), on a 2010 base. The Council was keen that the Proposed Plan should reflect the most up to date situation. The 2010 projections reduced the projected increase in households for the 20 year period from 17,974 to 13,630. The constrained housing projection used is more up to date and more accurately reflects the economic downturn since 2008, while at the same time continuing to take into account long term trends (CD22 paragraph 3.4). This has allowed the Council to consider a reduction of the annual housing growth target to 675 per annum (CD22 paragraphs 3.10 - 3.11). The backlog element, which had been included in the calculations for the MIR requirement, has also been substantially reduced to a figure of around 10 per annum, which can easily be absorbed into the flexibility of housing supply from allocated sites and windfall development. This allowance is not now considered to be significant and has not been added to the total requirement.

It is worth noting that when the Council's Local Housing Strategy (LHS) was published it adopted the MIR proposed medium level of growth of 725 units per annum rather than the HNDA figure of 763 units per annum as its housing supply target (CD 39, page 57, paragraph 3.7). Out of this total it was indicated that 233 units should be for affordable housing with 100 of those units likely to be new build and the remainder to be released through better use of existing stock. Thus the actual new build requirement in the LHS is 592 (725-133) units per annum.

The Proposed Plan makes no distinction between affordable or open market housing in the total housing requirement. Reflecting the need for flexibility and the fluidity in the affordable housing market where funding streams alter frequently, there is no reduction in the overall requirement to take account of the 133 unit per annum need being met by the management of existing stock, nor is a specific value applied to the number of affordable units to be delivered. There is therefore an additional level of flexibility within the 675 annual requirement between the open market and affordable housing sectors.

The Council believes that the annual housing target of 675 has been justified and

derived through an iterative consideration of changes in household projections and prudent judgement of the challenges facing the housing sector over the period of the Plan. The target is considered to be achievable based on past trends with the average completion rate over the last 15 years (1997-2012) being 661 units per annum. In the light of the recent completion rate of only 315 for year 2011-12 (CD40 Appendix 4) it is acknowledged that this may appear optimistic in the wake of the economic downturn but the Council believes that the historic average completion rate can be returned to in the longer term as constraints on the housing market outwith the control of the planning system are gradually overcome.

### Flexibility Allowance

#### **I and H Brown Limited (00609/2001/006); Hansteen Land Ltd**

**(00772/2001/002):-** I and H Brown seek clarification is sought as to how the flexibility allowance within the plan has been derived, whilst Hanteen Land state that a flexibility allowance of 30% should be provided through site allocations.

The broad approach to the flexibility allowance is described in section 5 of Revised Technical Report 3 (CD22). The Council has been guided by the SPP's requirement for the provision of a 'generous' supply of land for housing, and has sought to provide a flexibility allowance to allow for any sites which are delayed or cease to be effective.

The current SPP does not quantify the term 'generous' and the Council did not start with a specific flexibility target. Rather it has adopted a bottom up approach, with appropriate new sites selected to augment the existing land supply in the FCLP, with the broad aim of achieving a generous supply, as required by SPP. In determining appropriate allocations, choices have been informed by the overall capacity of settlements to accept growth, the site assessment exercise (CD21), and site deliverability. This resulted in 23 sites being chosen as new allocations, estimated to deliver 1,747 homes over the period 2014-2024. Added to the existing supply of 6,217, this gave a total supply of 7,964, as set out in Figure 3.1 of the proposed LDP. The flexibility allowance is the excess of housing land supply over the housing land target, expressed as a percentage of the target, i.e.  $(7,964 - 6,750)/6,750 \times 100\% = 18\%$ . The 18% flexibility provision is at the upper end of the 10% to 20% range recommended in the new draft SPP (CD02 paragraph 85). The housing supply figures have since been updated (CD23) in the light of the latest Housing Land Audit (CD40), showing an increase in the capacity of existing supply sites to 6,346, giving an enhanced flexibility allowance of 20%. There is no justification or basis in national guidance for a flexibility allowance of 30%, as sought by Hanteen Land.

It should be noted that the housing supply total of 7,964 units takes no account of output from windfall or small sites. A review of completions from non local plan sites in the Housing Land Audit over the last 5 years (2007-12) (CD22 paragraphs 6.2 - 6.5) indicates that the FCLP estimate of around 100 windfall/small site units per annum continues to be robust. Over 10 years this could provide 1,000 units, providing an additional 15% flexibility of supply.

For these reasons, the Council considers the flexibility allowance is properly

addressed and does not agree to modify the plan in response to these representation.

## **Housing Land Supply**

### **General Supply and Effectiveness**

**Springfield Properties plc (00852/2002/002);- Ecosse Regeneration (00713/2001/002); Heartlands (Central) Ltd (01255/2002/002); Land Options West (00851/2003/001 & 00851/2003/002); Manor Forrest Ltd (00455/2001/001); George Russell Construction Ltd (00313/2001/001); Mrs Sutherland (01234/2001/001); Persimmon Homes (East Scotland) Ltd (00712/2001/002); Gladman Developments Ltd (01258/2001/003):-** A number of representations question the effectiveness of the existing housing land supply as set out in the Proposed LDP, and the capacity of this supply to deliver the stated number of houses in the initial 2014-2024 period. It is claimed that no proper assessment has been made of the effectiveness of the existing supply sites, that the approach to considering effectiveness set out in PAN 2/2010 has not been complied with, and that assumptions about the delivery of housing from such sites are over-optimistic. It is asserted that this will create a shortfall in housing land provision in the plan and that this should be addressed through additional new allocations. Some representations have attempted to quantify the shortfall. The representations go on to propose sites which they consider are effective and would help to address the shortfall.

The Council considers that its approach to identifying the contribution which existing supply sites will make to meeting housing requirements is robust and complies with the SPP and PAN 2/2010. The approach is described in section 4 of Revised Technical Report 3 (CD22, pages 8 -11).The proposed LDP estimated that existing supply sites would yield some 6,217 units in the period 2014-2024 (Table 3.1, page 10). Information from the most recent Housing Land Audit 2012/13 (CD40) has increased this figure to 6,346 (CD40). The Council believes that this is a realistic figure, based on a cautious view of site effectiveness and phasing.

The foundation of the Council's estimate of output from existing supply sites is the annual housing land audit (HLA) process. The HLA is prepared in accordance with the guidance in PAN 2/2010, informed by developer returns on site programming and subject to consultation with Homes for Scotland. The 2010/2011 HLA was used as the basis of estimating the output of existing supply at the MIR stage of the LDP. The estimate at this stage was 7,307 units in the period 2014-2024. Following consultation on the MIR, and queries as to the effectiveness of sites from housebuilders, the Council carried out an in-depth review of phasing and effectiveness during the summer of 2012. This subjected the 2011/2012 HLA to further scrutiny, in the light of the continuing depressed market conditions. The review resulted in the discounting of some 20 sites from the supply, and the rephasing of others to reflect longer lead times, so that some 1,646 units were removed from the 2014-2024 supply. Housebuilders had particularly queried the effectiveness of the large SIRR sites (Special Initiatives for Residential Led Regeneration) included in the current development plan. As a result of the review, two of the SIRRs (Bo'ness Foreshore and Slamannan) have been discounted from the 2014-2024 period. The remaining two (Whitecross and

Banknock) are still being actively progressed by developers, but have been programmed realistically to reflect where these proposals are in the development process. This review resulted in the reduced estimate of output of 6,217 units presented in the Proposed LDP. The output estimates for each of the sites in the supply are identified in Appendix 1 of Technical Report 3 (Revised) (CD22, pages 16-18). As noted above the 2012/13 HLA has revised this upwards to 6,346 units.

In undertaking the HLA and the interim review of effectiveness, the Council has attempted to apply the criteria in paragraph 55 of PAN 2/2010, using its knowledge of the sites, their history, ownership, constraints, developer/landowner intentions and the local housing market to inform the assessment of effectiveness. The same criteria and knowledge base have been applied to the new allocations in the Proposed LDP. The SPP states that sites should be 'effective or capable of becoming effective' (CD01, paragraph 73) so that they can deliver houses over the initial 10 year period of the plan. Even with the best knowledge, this involves a considerable amount of guesswork, with difficulties compounded by current economic conditions, and uncertainty about the rate of recovery of the housing market, and the future availability of funding for infrastructure. The Council has generally taken a cautious view of the likelihood and speed of sites coming forward, whilst assuming a gradual upturn in the housing sector over the initial plan period.

It is precisely to address the level of uncertainty in the delivery of the existing supply sites and the new allocations that the flexibility allowance exists. The flexibility of 20% (increased from the Proposed LDP figure of 18% following the most recent HLA) amounts to an over allocation of some 1,343 units. This is built in as a proportionate response to the level of uncertainty which remains over the sites in the Proposed LDP.

As noted previously, the HLA is subject to consultation with Homes for Scotland (HfS). HfS did not formally respond to the latest 2012/2013 HLA. However, in their response to the 2011/12 HLA, they welcomed the Council's cautious approach to programming and the fact that the Council has taken the current economic context into account in preparing the audit (CD41). It is noted that HfS has not submitted any representation with regard to the effectiveness of the housing land supply in the Proposed LDP. It is also worth noting that Morston Assets, the developer of the Whitecross development, has criticised the Council for being too conservative in its estimate of the output from its development (Morston Assets (00265/2001/001)). This again indicates that the Council has taken a conservative view of the programming of sites.

Settlement by settlement commentary on the existing supply sites, including progress of the major sites and their current status, is included in Appendix 2 of Revised Technical Report 3 (CD22, pages 19-30).

Several representations present an alternative assessment of the output of the housing supply sites listed in Appendix 1 of Technical Report 3 (CD23). However, there is no basis for the revised outputs for the sites, and the Council regards this assessment as overly pessimistic.

As regards concerns over the ability of the housing land supply to maintain a 5-year effective land supply, the Council is confident that the phasing of existing

supply sites and new allocations will allow this to be achieved. Over the initial 5 year period of the plan, some 743 units/per annum can be achieved, the vast majority of which will be existing supply sites. A significant proportion of this will be output from large sites such as Hill of Kinnaird, Overton, Redding Park which are already ongoing, and where necessary infrastructure has already been put in place. As noted previously, it is expected that there will be a continuing supply of windfall sites coming forward over the period of the plan. Whilst no allowance has been made for these in the LDP's housing land calculations, these will nonetheless contribute to the 5 year supply over the period of the plan.

### Supply in Polmont Area

**Craigrossie Properties (00904/2001/001):-** A specific objection is made to the lack of new housing sites in the Polmont area. The Council would contend that significant provision has been made for new housing in the Polmont area, on a range of sites which are varied both in their size, type and geographical spread. Figure 3,1 of the Proposed LDP shows that existing supply sites are expected to contribute some 840 units over the period 2014-2024. The updated figure derived from the most recent Housing Land Audit is 969. The majority of these are on large sites currently under construction at Overton (H40), Redding Park (H42) and Parkhall Farm 1 (H43). Other smaller existing supply sites are identified at Redding House (H41), Toravon Farm (H48), Old Redding Road (H49), and Lathallan House (H51). Additional allocations totalling 175 units have been made at Parkhall Farm 2-4 (H44-46), the Haining (H47) and Whyteside Hotel (H50). The rationale for the housing strategy in the Polmont Area is described in Revised Technical Report 3 (CD22, pages 26-27). This highlights the reasons for the level and distribution of housing, and how this has been influenced by environmental and infrastructure constraints.

### Housing Output from Whitecross Site

**Morston Assets (00265/2001/001):-** The Council's estimated phasing for the Whitecross new settlement, as indicated in the 2012/13 HLA, envisages some 500 houses being delivered over the initial 10 year period of the LDP. This is based on an average annual built rate across the site of 50 units. The figure of 500 has been used in calculating the 'Existing Supply Sites' figure for Rural South of 1,018 in Figure 3.1 of the LDP. This is considered a reasonable and cautious estimate, notwithstanding that, as this multi-phase development gains momentum in the latter part of the period, a higher annual figure may then be achieved. The LDP does not provide any constraint on the rate at which the site is built out. For this reason, the Council does not agree to modify the plan in response to this representation.

### Additional Sites Policy

**Persimmon Homes (East Scotland) Ltd (00712/2001/003); Hansteen Land Ltd (00772/2001/005):-** It is suggested that the Council should introduce a policy which would cover situations where a 5 year housing land supply is not being maintained, and would allow either the earlier release of long-term sites, or the granting of planning permission for additional sites outwith the LDP process.

The Council does not favour such a policy, or consider that it is necessary. The

Proposed LDP does not identify any sites for phased release, which can only be developed after a certain date. Developers have been given flexibility as to when sites can be brought forward, subject, of course, to satisfying infrastructure requirements.

The Council believes that it has met the SPP's requirements in terms of providing a generous supply of housing, including a 20% flexibility allowance, and the further flexibility which can be provided by windfall sites. A 5 year housing land supply has historically been maintained in the area, without the need for any such policy, and there is no reason to believe that, if the housing market continues to improve, that this will not continue to be the case. Future problems are only likely to arise if the market does not recover, in which case failure to maintain a 5 year land supply is likely to be attributable to economic conditions rather than a lack of effective sites.

Legislation requires that LDPs are reviewed on a 5 year cycle. This allows any potential land supply issues to be assessed and addressed in a planned way, on a regular basis. The introduction of the suggested policy would encourage developers to promote sites outwith the development plan process and allow them to be approved in an ad-hoc way, with no proper assessment of options and choices across the Council as a whole. This would undermine the plan-led system.

### **HSG01 Policy Wording**

**AWG Property (00906/2001/003):-** The introduction of the words 'at all times' at the end of sub-section (1) of Policy HSG01 would mirror the wording used in paragraph 75 of the SPP (CD01). In practice, the effective housing land supply, and planning authorities' compliance with the requirement, is worked out on an annual basis, rather than as a continuous ongoing monitoring exercise. However, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

**Morston Assets (00265/2001/002):-** The overall target for housing growth over the initial 10 year period of the LDP is 6750 units (13,500 units over the 20 life of the plan). To achieve this will require an average of 675 units per annum. This is the key objective, rather than achieving a particular minimum figure every year. Expressing the total requirements as a yearly average is therefore appropriate. As regards the overall figure of 6,750, the LDP does not present this as a cap or constraint, and it is quite possible that, with the inclusion of the flexibility allowance and the potential for windfall sites, it could ultimately be exceeded. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Long Term Growth**

**AWG Property (00906/2001/009):-** The representation contends that the LDP should be more specific about the sites which will accommodate long term growth. The SPP does not require development plans to set out detailed proposals for the second 10 year period but expects an 'indication of the possible scale and location of housing land up to year 20' to be given (CD01 paragraph 73). The Council believes that Figure 3.1 fulfils this requirement, where each

settlement area is rated for its growth potential. Further discussion of this issue is made in the settlement based housing assessments in Appendix 2 of Technical Report 3 (CD22).

Notwithstanding this, construction on a number of allocated sites is expected to continue into the second period of the plan and the distribution of this second period growth around the settlements is shown in Figure 4 of Technical Report 3 (CD22). This totals around 2,800 units, about one third of the housing requirement post 2024.

The Council considers it prudent to be cautious in committing to further large sites at this stage. In some areas long term growth potential is uncertain due to such issues as long term school rolls projections and investment decisions on infrastructure.

For these reasons, the Council considers it has met the requirements for indicating long term growth in the plan and does not agree to modify the plan in response to this representation.

### **Strategic Growth Areas/Distribution of Allocations**

**Muir Homes Ltd (01160/2001/002):-** The Council has clearly explained the basis for the scale of allocations in each settlement in Section 5 and Appendix 2 of Revised Technical Report 3 (CD22, page 11-12, 19-30). The approach has been one of providing for modest additional growth, where possible, in settlements, to top up existing commitments. Environmental and infrastructure capacity have been considered on a settlement by settlement basis. Some settlements are more constrained than others, and in two settlements in particular – Grangemouth and Larbert/Stenhousemuir – constraints have precluded additional growth. The ‘Strategic Growth Area’ label has been given to the most significant concentrations of housing growth, and these are well distributed across the Council area.

<b>Issue 3</b>	<b>Bo'ness &amp; Muirhouses Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Bo'ness (pages 24 – 25) <u>Appendix 1 Site Schedule</u> Housing – Bo'ness (page a1-01) Mixed Use – Bo'ness (page a1-12) <u>Appendix 2 Strategic Growth Area Guidance</u> Bo'ness South East (page a2-02) <u>Proposals Map 6</u> Bo'ness, Muirhouses and Blackness	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr and Mrs George Duncan (01139) Mr Martin Handyside (01093) Mrs Lindsay Pullan (01087) Charlotte Fortune (01094) Ms Jill Dempsey (01113) Mr Paul Harvey (01114) Ms Maureen Dempster (01124) Mr Harry Jackson (01135) M's Elizabeth Hannah (01171) Ms Lesley Buchanan (01148) Ms Chelsey Buchanan (01149) Mr Robert Wright (01150) Mr & Mrs David & Gwendoline Cunningham (01152) Mr George Willis (01154) Mr Aaron Saunders (01155) Mr Brian Bernard (01202) Ms Alison Cross (01203) Mr Alan D K Logan (01204) Mr & Mrs David & Marilyn Taylor (01176) Mrs Isobel Chirray (01091) Mr Ian Goodall (01090) Mr Franco Ostacchini (01088) Mr Brian Howlett (01117) Mr Mark Pullan (01122) Mr Donald MacLeod (01115) Ms Christine Anne Neilson (01106) Ms Elaine Hughes (01107) Ms Rachel Jones (01108) BP North Sea Infrastructure (00897) Mr and Mrs Martin and P Cameron (01199) Miss Helen Williamson (01179) Mr Robert Duncan (01158)	Mr David McClure (01183) Ms Donna Gillooly (01184) Mrs Karen Scherczer (01185) Mr Robert H Black (01186) Ms Margaret Craig (01187) A Nimmo (00094) Mr and Mrs Andrew and Barbara Ure (01188) Mr Ian Whigham (01104) Ms Elizabeth Somerville (01110) Mr John Cruickshanks (01157) Chris McLeish (01162) Mr Andrew Potter Cogan (01163) Mr David Wevling (01164) Ms Jan Whigham (01165) Mr Craig Cruickshanks (01167) Mrs Ann Marie Cruickshanks (01168) Mr and Mrs Ian and Lorna Irvine (01169) Ms Anne Drysdale (01170) Mr Peter Aitken (01172) Mr Jim Hawthorne (01173) Mrs Gloria Watt (01174) Mrs W Potter (01177) Mr Ewan Robertson (01192) Mr Neil Leslie (01195) Angus MacDonald MSP (00909) Mrs Paula Alexander (01197) Mr Kevin Alexander (01138) M's Caroline Glyde (01147) M's Anne Travers (01140) Mr Robert Saxby (01259) Ms Briony Sedgwick (01260) MsCarolynn Macleod (01261) Ms Louise McReight (01262)	

<p>Ms Geraldine Strauss (01159)  Mr Ronnie Shanks (01101)  Ms Barbara Hunter (01141)  Mr and Mrs A P Black (01074)  Graeme and Pam Cormack (01100)  Stephen and Barbara-Ann Hogarth (01142)  Mr Frank McFadden (01143)  Ms Lynn M Preston (01144)  Mr James Preston (01145)  Agnes and Thomas Campbell (01146)  Mrs M Cruickshanks (01161)  Mr Geoffrey P Stell (01127)  Thomas and Elizabeth Smith (01128)  Mr Gary Watson (01131)  Mr Hamish Stevenson (01132)  Ms Anne Cross (01133)  Mr Robert Stuart (01134)  Ms Gwyneth McBride (01136)  Mr Jim Hume MSP (01137)  Ms Elaine McClure (01178)  Mr Graeme McClure (01181)  Ms Sarah McClure (01182)</p>	<p>Mr Gordon Buchanan (01075)  Ms Jean McGlashan (01287)  Ms Liana Canavan (01288)  AWG Property (00906)  Robert Fleming (01278)  Mr &amp; Mrs Margaret &amp; Andrew Rodger (01268)  Ms Joanne Milligan (01269)  Ms Susan Rodger (01272)  Mr John Glyde (01273)  Mr &amp; Mrs Simon &amp; Elizabeth Clegg (01277)  Dr Andrew Ashworth (01283)  Leslie and Helen Grant (01293)  Grange Estate (00588)  Mactaggart and Mickel Ltd (00011)  RSPB Scotland (00648)  Mr Anthony Moore (01236)  Stepehn and Maureen Blake (01282)  Scott McKenzie (01220)  Catherine Elliot (01224)  Mr Trevor Batty (01297)</p>
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**Provision of the development plan to which the issue relates:**

The allocation of specific sites for housing in Bo'ness and the adjacent village of Muirhouses, as identified in the Bo'ness Settlement Statement, and detailed in Appendices 1 and 2.

**Planning authority's summary of the representation(s):**

**Allocated Housing Site H01 – Drum Farm North, Bo'ness**

**Ms Liana Canavan (01288/2001/001):-** Objection is made to the site at Drum Farm North (H01). The site is unsuitable and ineffective given significant constraints including ground conditions, habitat, topography and access. The site has been allocated for some time and no development has taken place. It has been marketed with no development interest. The topography of the site requires split level houses. The development would have an adverse impact on the amenity of adjacent properties, and will increase traffic within the Drum Estate, creating road safety and capacity issues. There may be drainage issues. There is evidence of protected species on the site including bats.

**Mr & Mrs Simon & Elizabeth Clegg (01277/2001/001):-** Objection is made to the site at Drum Farm North (H01). The scale of the proposed housing developments in the Bo'ness area will place a heavy burden on local facilities, including healthcare, schools and roads. The countryside setting of the community will be destroyed. The development of this site will cause issues for emergency services, in particular in the event of fire. The increase in traffic on Muirhouses Avenue will present road safety risks and congestion problems.

**Mr Trevor Batty (01297/2001/001):-** Objection is made to the site at Drum Farm

North (H01). The site supports a range of wildlife including birds, bats and possibly badgers. Increase in traffic will increase congestion, pollution and road safety issues. The town centres and the Foreshore would benefit more from development.

**Grange Estate (00588/2001/003):-** In Appendix 2, the guidance on the Bo'ness South East Strategic Growth Area in respect of the Drum Farm North site (H01) should be amended. Reference under the last bullet point to the pedestrian/cycle route should have the word 'cycle' removed since there is already a cycle route from Muirhouses Crescent via Acre Road to Carriden Brae. The route through the cemetery is unsuitable for cycle access as it is too steep.

**Grange Estate (00588/2001/005):-** In Appendix 4 (Schedule of Council Land Ownership), the indication that the Council owns land at site H01 (Drum Farm North) is incorrect. Grange Estate owns all the land within this site.

**Grange Estate (00588/2001/001):-** The priority given to the completion of the masterplanned Drum Farm development is welcomed.

#### **Allocated Housing Site H02 – Kinglass Farm 1, Bo'ness**

**Mr and Mrs George Duncan (01139/2001/001); Mr Martin Handyside (01093/2001/001); Mrs Lindsay Pullan (01087/2001/001); Charlotte Fortune (01094/2001/001); Ms Jill Dempsey (01113/2001/001); Mr Paul Harvey (01114/2001/001); Ms Maureen Dempster (01124/2001/001); Mr Harry Jackson (01135/2001/001); Ms Elizabeth Hannah (01171/2001/001); Ms Lesley Buchanan (01148/2001/001); Ms Chelsey Buchanan (01149/2001/001); Mr Robert Wright (01150/2001/001); Mr & Mrs David & Gwendoline Cunningham (01152/2001/001); Mr George Willis (01154/2001/001); Mr Aaron Saunders (01155/2001/001); Mr Brian Bernard (01202/2001/001); Ms Alison Cross (01203/2001/001); Mr Alan D K Logan (01204/2001/001); Mr & Mrs David & Marilyn Taylor (01176/2001/001); Mrs Isobel Chirray (01091/2001/001); Mr Ian Goodall (01090/2001/001); Mr Franco Ostacchini (01088/2001/001); Mr Brian Howlett (01117/2001/001); Mr Mark Pullan (01122/2001/001); Mr Donald MacLeod (01115/2001/001); Ms Christine Anne Neilson (01106/2001/001); Ms Elaine Hughes (01107/2001/001); Ms Rachel Jones (01108/2001/001); Mr and Mrs Martin and P Cameron (01199/2001/001); Miss Helen Williamson (01179/2001/001); Mr Robert Duncan (01158/2001/001); Ms Geraldine Strauss (01159/2001/001); Mr Ronnie Shanks (01101/2001/001); Ms Barbara Hunter (01141/2001/001); Mr and Mrs A P Black (01074/2001/001); Graeme and Pam Cormack (01100/2001/001); Stephen and Barbara-Ann Hogarth (01142/2001/001); Mr Frank McFadden (01143/2001/001); Ms Lynn M Preston (01144/2001/001); Mr James Preston (01145/2001/001); Agnes and Thomas Campbell (01146/2001/001); Mrs M Cruickshanks (01161/2001/001); Mr Geoffrey P Stell (01127/2001/001); Thomas and Elizabeth Smith (01128/2001/001); Mr Gary Watson (01131/2001/001); Mr Hamish Stevenson (01132/2001/001); Ms Anne Cross (01133/2001/001); Mr Robert Stuart (01134/2001/001); Ms Gwyneth McBride (01136/2001/001); Mr Jim Hume MSP (01137/2001/001); Ms Elaine McClure (01178/2001/001); Mr Graeme McClure (01181/2001/001); Ms Sarah McClure (01182/2001/001); Mr David McClure (01183/2001/001); Ms Donna Gillooly (01184/2001/001); Mrs Karen Scherczer (01185/2001/001); Mr Robert**

**H Black (01186/2001/001); Ms Margaret Craig (01187/2001/001); A Nimmo (00094/2001/001); Mr and Mrs Andrew and Barbara Ure (01188/2001/001); Mr Ian Whigham (01104/2001/001); Ms Elizabeth Somerville (01110/2001/001); Mr John Cruickshanks (01157/2001/001); Chris McLeish (01162/2001/001); Mr Andrew Potter Cogan (01163/2001/001); Mr David Wevling (01164/2001/001); Ms Jan Whigham (01165/2001/001); Mr Craig Cruickshanks (01167/2001/001); Mrs Ann Marie Cruickshanks (01168/2001/001); Mr and Mrs Ian and Lorna Irvine (01169/2001/001); Mr Jim Hawthorne (01173/2001/001); Mrs Gloria Watt (01174/2001/001); Mrs W Potter (01177/2001/001); Mr Ewan Robertson (01192/2001/001); Mr Neil Leslie (01195/2001/001); Angus MacDonald MSP (00909/2001/001); Mrs Paula Alexander (01197/2001/001); Mr Kevin Alexander (01138/2001/001); Ms Caroline Glyde (01147/2001/001); Ms Anne Travers (01140/2001/001); Mr Robert Saxby (01259/2001/001); Ms Carolynn Macleod (01261/2001/001); Ms Louise McReight (01262/2001/001); Mr Gordon Buchanan (01075/2001/001); Ms Jean McGlashan (01287/2001/001); Robert Fleming (01278/2001/001); Mr & Mrs Margaret & Andrew Rodger (01268/2001/001); Ms Joanne Milligan (01269/2001/001); Ms Susan Rodger (01272/2001/001); Mr John Glyde (01273/2001/001); Mr & Mrs Simon & Elizabeth Clegg (01277/2001/002); Dr Andrew Ashworth (01283/2001/001); Leslie and Helen Grant (01293/2001/001); Mr Anthony Moore (01236/2001/001); Stephen and Maureen Blake (01282/2001/001); Scott McKenzie (01220/2001/001); Catherine Elliot (01224/2001/001):-**

Objection is made to the site at Kinglass Farm 1, Boness (H02) for one or more of the following reasons:

- Loss of Green Belt. The site is within the green belt and its release for development is unjustified as there are other sites within the town which can and should be developed first. Rezoning of green belt is contrary to Scottish Government policy, and to the Council's vision in the plan. The green belt was designated only 10 years ago. Promises were made that it would not change. Green belt in the town has been progressively lost over the years. Reference is made to SPICE briefing paper on Green Belt.
- Loss of Prime Agricultural Land. The proposal would result in the loss of prime agricultural land, which is contrary to the SPP.
- Impact on Countryside Setting of Bo'ness. The site currently provides an attractive backdrop to Bo'ness. Development of the site would destroy the countryside and landscape setting of the town, resulting in loss of character and identity. The skyline would be urbanised.
- Impact on Recreational Amenity. The site is used extensively by walkers for recreational purposes. Two rights of way, one through the site and the other to the east, would be lost.
- Lack of Need for Additional Housing. There is a lack of need or demand for additional housing. This is demonstrated by the fact that the Foreshore site and other approved sites in the town have not been taken forward by a developer, and there are a lot of houses for sale in the town. What demand there is can be met on the existing approved sites.
- Availability of Alternative Sites. There are alternative sites within the town which should be developed in preference to the site at Kinglass Farm. These include the Bo'ness Foreshore site, which has planning permission for 750 units, sites at the Drum and other brownfield sites within the town such as the former Russell Athletic site. In particular, priority should be given to the

Foreshore site whose development would be more beneficial to the town.

- Access and the Local Road Network. The site is accessed from Borrowstoun Road, which is a narrow and dangerous road which is unsuitable for the existing level of use. It is poorly maintained, subject to flooding and treacherous in winter conditions. It is used as a rat run for cars to the A904/M9 at Champany, but also by walkers and cyclists. It crosses a national cycle route. This road cannot support the increased use arising from the development, which will exacerbate road safety issues. Concern is also expressed about increased traffic on Gauze Road, which is traffic calmed and has two schools, a health centre and a recreation centre on it.
- Inadequacy of Local Infrastructure. The proposed development would place an increased burden on local infrastructure, which is already under pressure, including schools, healthcare, police and fire services, transport, and sewerage and water services.
- Lack of Benefit to Bo'ness. The site is on the periphery of the town, rather than integrated with it. Hence the proposal will do nothing to benefit the town centre (unlike the Foreshore proposal). Residents of the development will commute elsewhere for jobs and shopping due to the lack of local jobs and supermarkets. The housing would not be affordable to local people.
- Sustainability. The site is not a sustainable one. Bo'ness has no railway station and bus links are poor. It is located away from the town centre, shops and services, thereby generating car journeys.
- Ground Conditions. The site is affected by past mine workings and mine shafts. Its geological integrity and suitability for development is therefore questioned. It was previously considered unsuitable for building due to undermining.
- Flooding. There are flooding issues associated with a burn that runs the length of the field. The proposal will increase flood risk for residents of the Kinglass Estate to the north.
- Archaeology. There are five pre-Roman archaeological sites within 500 metres of the site.
- Impact on the Green Network and Wildlife. There will be impacts on the site's wildlife. The site supports populations of farmland birds. Hedgerows in and adjacent to the site are important for biodiversity and will be lost. The development will constrict the South Bo'ness green corridor, impacting on deer movement and the badger population, with consequent impacts on road safety and health.
- Impact on Adjacent Residents' Amenity. Some residents living adjacent to the site state that their outlook over greenfield land will be affected, that privacy will be affected, that there will be problems of construction and traffic noise, and house values will be reduced. A resident highlights difficulties in accessing her property which will be exacerbated by the development.
- Planning History. A planning application for the site was refused in 1999. If it was previously deemed unsuitable for development, it is unclear what has changed to warrant the proposed allocation.
- Consultation. The consultation associated with the allocation of the site was inadequate.

**Ms Anne Drysdale (01170/2001/001):-** The site at Kinglass Farm 1 (H02) is supported. The site is an opportunity to serve the younger generation through the provision of affordable local housing. Most points of objection raised at the local

meeting would not be difficult to overcome. Bo'ness has been growing for years, and it is hoped that this will continue.

**Mr Peter Aitken (01172/2001/001):-** The site at Kinglass Farm 1 (H02) is supported. Affordable new housing would help the town. Points made in the flyer distributed around the area are disputed. The Foreshore development was scrapped due to the world economic situation, not lack of demand. Regarding increased traffic on Borrowstoun Road, part of the road would surely be widened. The main issue is 'boy racers' on this road. The area has been subject to mining in the past, but so has most of Bo'ness.

**AWG Property (00906/2001/006):-** The site at Kinglass Farm 1 (H02) is supported. A conceptual masterplan has been prepared showing how the site might integrate with the existing settlement and how development could be accommodated without adverse impact on the surrounding area. A supporting statement has also been submitted. It is estimated that the site could accommodate 165 units (compared to the LDP's estimate of 160), taking account of the landscape framework, open space, recreation access and circulation. However, a precise capacity cannot be confirmed until detailed masterplanning has taken place.

**AWG Property (00906/2001/007):-** Site H02 (Kinglass Farm 1) should be amended in the Site Schedule (Appendix 1) and on the Proposals Map (Map 6) to reflect the correct site boundary, as shown on AWG Property's site plan. This would give a site size of 8.15 hectares. The proposed site boundary would allow for an additional area of structural planting to be incorporated. In addition, a note should be placed in the Site Schedule stating that the housing capacity is indicative at this stage, and the precise number of units will be determined following a detailed masterplanning exercise.

### **Allocated Housing Site H03 – Kinglass Farm 3, Bo'ness**

**Dr Andrew Ashworth (01283/2001/002):-** Objection is made to the site at Kinglass Farm 2 (H03). The proposed development will constrict the South Bo'ness green corridor. This will divert deer to the north where they will stray onto the M9 causing a road safety hazard, and the golf course causing a health hazard. There will be an impact on the badger population, causing overcrowding and increased bovine TB. There will be impacts on local infrastructure. There are other brownfield sites in the town which could be used instead. The consultation exercise undertaken by the Council is questioned.

### **Allocated Housing Site H04 – South Street/Main Street, Bo'ness**

**BP North Sea Infrastructure (00897/2001/004):-** Objection is made to the wording in the comments section of Appendix 1 for site H04. While the pipeline consultation zone affecting the site is identified, the proposed density would be likely to generate an 'advise against' from the HSE as the site would have more than 40 units/ha in the middle zone.

### **Allocated Mixed Use Site M01 – Bo'ness Foreshore**

**RSPB Scotland (00648/2001/012):-** RSPB are concerned at the potential for

Proposal M01 to have adverse impacts on the Firth of Forth SPA and wish to see the proposal contributing to the Inner Forth Landscape Initiative.

### **Allocated Mixed Use Site M02 – Drum Farm South, Bo'ness**

**Grange Estate (00588/2001/004):-** In Appendix 2, the guidance on the Bo'ness South East SGA in respect of developer contributions should be amended to read: 'Developer contributions in respect of Drum Farm North and Drum Farm South already agreed. The Drum Farm South contribution may need to be adjusted to reflect the change from business to mixed use'.

### **Non Allocated Site – Bo'mains Farm (MIR Ref BNS/B/02&3)**

**AWG Property (00906/2001/004):-** Whilst the green belt release at Kinglass Farm 1 is supported, consideration should be given to further revising the green belt boundary to allow the inclusion of sites at Bo'mains Farm (MIR reference BNS/B/02 and BNS/B/03) to the south of Bo'ness. This would mean that the green belt boundary would not be too tightly drawn to the urban edge, in accordance with the SPP, and would allow for further planned growth as part of the long term settlement strategy.

**AWG Property (00906/2001/008):-** Sites at Bo'mains Farm, Bo'ness (MIR reference BNS/B/02 and BNS/B/03) should be identified for residential development. In the light of current government policy, the Council needs to pursue a higher rate of growth and these sites would assist the Council in meeting future housing requirements in an area where there is market demand. The sites represent a sustainable location for residential development, close to existing established residential areas and facilities and capable of being well integrated with existing and potential future public transport provision. The sites have been subject to detailed landscape and visual appraisal, and other studies. A conceptual masterplan and supporting statement have been prepared to support the identification of these sites. Capacities of 200 and 450 units were ascribed to the sites in the MIR, but the precise number of units would be determined through discussion with the Council.

### **Non Allocated Site – Carriden Foreshore, Bo'ness (MIR Ref BNS/B/04)**

**Mactaggart and Mickel Ltd (00011/2004/004):-** A site at Carriden Foreshore, Bo'ness (MIR Reference BNS/B/04) should be allocated for housing. The allocation of a smaller site such as this, which is effective, would help flexibility in the land supply in Bo'ness, and assist in addressing the overall housing land supply shortfall which it is argued exists. Mactaggart & Mickel's response to the MIR in respect of the site is appended as supporting information (RD3.2). This includes a Development Framework demonstrating the site's capacity to accommodate development of around 20 houses, which can be readily contained within the existing landscape setting with a defensible boundary provided by woodland. Existing site features such as habitats, woodland and paths can be retained and enhanced where appropriate. Suitable residential amenity can be created.

**Non Allocated Site – East Muirhouses/Carriden Walled Garden (MIR Ref MUR/B/01,02 & 03)**

**Mactaggart and Mickel Ltd (00011/2004/003):-** Sites at the village of Muirhouses (MIR references MUR/B/01, 02 and 03) should be allocated for housing. One of the sites (East Muirhouses 1, MIR reference MUR/B/02) was identified as a preferred site in the MIR and has been dropped in the Proposed Plan, without further consultation with Mactaggart & Mickel. The allocation of a smaller site such as this, which is effective, would help flexibility in the land supply in Bo'ness, and assist in addressing the overall housing land supply shortfall which it is argued exists. Mactaggart & Mickel's response to the MIR in respect of these sites is appended as supporting information (RD3.1). This includes a Development Framework demonstrating the sites' capacity to accommodate development and the opportunities for sensitive design and enhancement of site features.

**General Support - Boness/Muirhouses**

**Ms Briony Sedgwick (01260/2001/001):-** The settlement statement for Bo'ness is supported, including priority given to completion of the Drum Farm sites and the fact that the Muirhouses site mentioned in the MIR has not been included.

**AWG Property (00906/2001/005):-** The identification of the Bo'ness South East Strategic Growth Area, and its exclusion from the green belt, is supported.

**Modifications sought by those submitting representations:**

**Allocated Housing Site H01 – Drum Farm North, Bo'ness**

**Ms Liana Canavan (01288/2001/001); Mr & Mrs Simon & Elizabeth Clegg (01277/2001/001); Mr Trevor Batty (01297/2001/001):-** Delete Proposal H01 (Drum Farm North) and reinstate to agricultural use.

**Grange Estate (00588/2001/003):-** Amend the last bullet point under Drum Farm North (H01) in the Bo'ness South East SGA Guidance (Appendix 2) to remove the word 'cycle'.

**Grange Estate (00588/2001/005):-** Amend Appendix 4 to remove reference to site H01 (Drum Farm North).

**Allocated Housing Site H02 – Kinglass Farm 1, Bo'ness**

**Mr and Mrs George Duncan (01139/2001/001); Mr Martin Handyside (01093/2001/001); Mrs Lindsay Pullan (01087/2001/001); Ms Jill Dempsey (01113/2001/001); Mr Paul Harvey (01114/2001/001); Ms Maureen Dempster (01124/2001/001); Mr Harry Jackson (01135/2001/001); Ms Elizabeth Hannah (01171/2001/001); Ms Lesley Buchanan (01148/2001/001); Ms Chelsey Buchanan (01149/2001/001); Mr Robert Wright (01150/2001/001); Mr & Mrs David & Gwendoline Cunningham (01152/2001/001); Mr George Willis (01154/2001/001); Mr Aaron Saunders (01155/2001/001); Mr Brian Bernard (01202/2001/001); Ms Alison Cross (01203/2001/001); Mr Alan D K Logan (01204/2001/001); Mr & Mrs David & Marilyn Taylor (01176/2001/001); Mrs**

**Isobel Chirray (01091/2001/001); Mr Ian Goodall (01090/2001/001); Mr Franco Ostacchini (01088/2001/001); Mr Brian Howlett (01117/2001/001); Mr Mark Pullan (01122/2001/001); Mr Donald MacLeod (01115/2001/001); Ms Christine Anne Neilson (01106/2001/001); Ms Elaine Hughes (01107/2001/001); Ms Rachel Jones (01108/2001/001); Mr and Mrs Martin and P Cameron (01199/2001/001); Miss Helen Williamson (01179/2001/001); Mr Robert Duncan (01158/2001/001); Ms Geraldine Strauss (01159/2001/001); Mr Ronnie Shanks (01101/2001/001); Ms Barbara Hunter (01141/2001/001); Mr and Mrs A P Black (01074/2001/001); Stephen and Barbara-Ann Hogarth (01142/2001/001); Mr Frank McFadden (01143/2001/001); Ms Lynn M Preston (01144/2001/001); Mr James Preston (01145/2001/001); Agnes and Thomas Campbell (01146/2001/001); Mrs M Cruickshanks (01161/2001/001); Mr Geoffrey P Stell (01127/2001/001); Thomas and Elizabeth Smith (01128/2001/001); Mr Gary Watson (01131/2001/001); Mr Hamish Stevenson (01132/2001/001); Ms Anne Cross (01133/2001/001); Mr Robert Stuart (01134/2001/001); Ms Gwyneth McBride (01136/2001/001); Mr Jim Hume MSP (01137/2001/001); Ms Elaine McClure (01178/2001/001); Mr Graeme McClure (01181/2001/001); Ms Sarah McClure (01182/2001/001); Mr David McClure (01183/2001/001); Ms Donna Gillooly (01184/2001/001); Mrs Karen Scherczer (01185/2001/001); Mr Robert H Black (01186/2001/001); Ms Margaret Craig (01187/2001/001); A Nimmo (00094/2001/001); Mr and Mrs Andrew and Barbara Ure (01188/2001/001); Mr Ian Whigham (01104/2001/001); Ms Elizabeth Somerville (01110/2001/001); Mr John Cruickshanks (01157/2001/001); Mr Andrew Potter Cogan (01163/2001/001); Mr David Wewling (01164/2001/001); Ms Jan Whigham (01165/2001/001); Mr Craig Cruickshanks (01167/2001/001); Mrs Ann Marie Cruickshanks (01168/2001/001); Mr and Mrs Ian and Lorna Irvine (01169/2001/001); Mr Jim Hawthorne (01173/2001/001); Mrs W Potter (01177/2001/001); Mr Ewan Robertson (01192/2001/001); Mr Neil Leslie (01195/2001/001); Angus MacDonald MSP (00909/2001/001); Mrs Paula Alexander (01197/2001/001); Mr Kevin Alexander (01138/2001/001); Ms Anne Travers (01140/2001/001); Mr Robert Saxby (01259/2001/001); MsCarolynn Macleod (01261/2001/001); Ms Louise McReight (01262/2001/001); Mr Gordon Buchanan (01075/2001/001); Ms Jean McGlashan (01287/2001/001); Robert Fleming (01278/2001/001); Mr & Mrs Margaret & Andrew Rodger (01268/2001/001); Ms Joanne Milligan (01269/2001/001); Ms Susan Rodger (01272/2001/001); Mr John Glyde (01273/2001/001); Mr & Mrs Simon & Elizabeth Clegg (01277/2001/002); Dr Andrew Ashworth (01283/2001/001); Leslie and Helen Grant (01293/2001/001); Mr Anthony Moore (01236/2001/001); Stephen and Maureen Blake (01282/2001/001); Scott McKenzie (01220/2001/001); Catherine Elliot (01224/2001/001):- Delete Proposal H02 (Kinglass Farm 1) and reinstate the green belt on the site.**

**Graeme and Pam Cormack (01100/2001/001);Charlotte Fortune (01094/2001/001);Chris McLeish (01162/2001/001); Ms Caroline Glyde (01147/2001/001):- Delete proposal H02 (Kinglass Farm 1) and reinstate the green belt on the site. It should not be developed until all brownfield and infill sites are first built on.**

**Mrs Gloria Watt (01174/2001/001):- In respect of Proposal H02, include a buffer zone around Kinglass Cottage and require an upgrade of Borrowstoun Road.**

**AWG Property (00906/2001/007):-** Amend site size of Proposal H02 in the Site Schedule (Appendix 1) to 8.15 hectares and site boundary on the Proposals Map (Map 6) to reflect AWG Property's site plan. Place a note in the Site Schedule stating that the housing capacity is indicative at this stage, and the precise number of units will be determined following a detailed masterplanning exercise.

**Allocated Housing Site H03 – Kinglass Farm 2, Bo'ness**

**Dr Andrew Ashworth (01283/2001/002):-** Delete Proposal H03 (Kinglass Farm 2).

**Allocated Housing Site H04 – South Street/Main Street, Bo'ness**

**BP North Sea Infrastructure (00897/2001/004):-** Amend proposal H04 by adding an additional comment into the site comments associated with H04 to state that the proposal should comply with the major hazards and pipelines policy.

**Allocated Mixed Use Site M01 – Bo'ness Foreshore**

**RSPB Scotland (00648/2001/012):-** Amend proposal M01 to add in Appendix 2 under developer contributions reference to the Inner Forth Landscape Initiative as an option for developer contributions.

**Allocated Mixed Use Site M02 – Drum Farm South, Bo'ness**

**Grange Estate (00588/2001/004):-** Amend the developer contributions section in the Bo'ness South East SGA Guidance (Appendix 2) to read: 'Developer contributions in respect of Drum Farm North and Drum Farm South already agreed. The Drum Farm South contribution may need to be adjusted to reflect the change from business to mixed use'.

**Non Allocated Site – Bo'mains Farm (MIR Ref BNS/B/02&3)**

**AWG Property (00906/2001/008):-** Insert additional sites at Bo'mains Farm, Bo'ness (MIR reference BNS/B/02 and BNS/B/03) as housing proposals.

**AWG Property (00906/2001/004):-** Amend the green belt boundary to the south of Bo'ness to allow the inclusion of MIR sites BNS/B/02 and BNS/B/03.

**Non Allocated Site – Carriden Foreshore, Bo'ness (MIR Ref BNS/B/04)**

**Mactaggart and Mickel Ltd (00011/2004/004):-** Insert additional site at Carriden, Foreshore, Bo'ness for housing (20 units).

**Non Allocated Site – East Muirhouses/Carriden Walled Garden (MIR Ref MUR/B/01,02 & 03)**

**Mactaggart and Mickel Ltd (00011/2004/003):-** Insert additional sites at East Muirhouses for housing, in two phases with 30 units initially and 60 units for years 6-10 of the plan period, and at Carriden Walled Garden.

### **Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in Bo'ness is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

#### **Allocated Housing Site H01 – Drum Farm North, Bo'ness**

**Ms Liana Canavan (01288/2001/001); Mr & Mrs Simon & Elizabeth Clegg (01277/2001/001); Mr Trevor Batty (01297/2001/001):-** Proposal H01 (Drum Farm North) comprises the remaining phases of the masterplanned Drum Farm development. It is allocated as a housing site within the current Local Plan, and is part of the current housing land supply. Outline planning permission was originally granted in 2004, which was renewed in 2009. Reserved matters were approved in 2010. It therefore has an extant planning consent. It is considered an effective site and accordingly is being carried over into the LDP. The site has already been subject to assessment through the previous Local Plan process and the planning application process in terms of impacts on local services and on the local environment, and has been deemed suitable for development, subject to conditions. Delivery of development on the site has been delayed due to the economic downturn, but the landowner, Grange Estate, remains committed to its development, as noted in their representation 588/2001/001. For these reasons, the Council considers the site to be an appropriate allocation in the plan and does not agree to modify the plan in response to this representation.

**Grange Estate (00588/2001/003):-** It is a requirement of the Drum Farm masterplan that a path suitable for pedestrians and cyclists be provided within the housing development along the line of the ridge from Grahamsdyke Road as far as eastern edge of the housing. An extension of this route eastwards through the cemetery to Carriden Brae is also required, although the line of this is still to be confirmed (a potential route is shown on Grange Estate's update masterplan of 2005), and it is accepted that this section may not be constructed to full cycle path standards due to the gradients involved and the lack of space available within the cemetery. The Council would not take issue with a clarification to the text to the effect that the section from the housing eastwards to Carriden Brae would not be to full cycle standard, but it is essential that the section through the housing development is a cycle route.

**Grange Estate (00588/2001/005):-** The Council's land ownership records indicate that a part of the Drum Farm North site (H01) as identified on the Proposals Map is owned by the Council. This comprises a small part of the woodland which bounds the site to the north, and is not part of the developable area of the site. Grange Estate has not produced any evidence to dispute this. For this reason, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Housing Site H02 – Kinglass Farm 1, Bo'ness**

**Mr and Mrs George Duncan (01139/2001/001); Mr Martin Handyside (01093/2001/001); Mrs Lindsay Pullan (01087/2001/001); Ms Jill Dempsey (01113/2001/001); Mr Paul Harvey (01114/2001/001); Ms Maureen Dempster**

(01124/2001/001); Mr Harry Jackson (01135/2001/001); Ms Elizabeth Hannah (01171/2001/001); Ms Lesley Buchanan (01148/2001/001); Ms Chelsey Buchanan (01149/2001/001); Mr Robert Wright (01150/2001/001); Mr & Mrs David & Gwendoline Cunningham (01152/2001/001); Mr George Willis (01154/2001/001); Mr Aaron Saunders (01155/2001/001); Mr Brian Bernard (01202/2001/001); Ms Alison Cross (01203/2001/001); Mr Alan D K Logan (01204/2001/001); Mr & Mrs David & Marilyn Taylor (01176/2001/001); Mrs Isobel Chirray (01091/2001/001); Mr Ian Goodall (01090/2001/001); Mr Franco Ostacchini (01088/2001/001); Mr Brian Howlett (01117/2001/001); Mr Mark Pullan (01122/2001/001); Mr Donald MacLeod (01115/2001/001); Ms Christine Anne Neilson (01106/2001/001); Ms Elaine Hughes (01107/2001/001); Ms Rachel Jones (01108/2001/001); Mr and Mrs Martin and P Cameron (01199/2001/001); Miss Helen Williamson (01179/2001/001); Mr Robert Duncan (01158/2001/001); Ms Geraldine Strauss (01159/2001/001); Mr Ronnie Shanks (01101/2001/001); Ms Barbara Hunter (01141/2001/001); Mr and Mrs A P Black (01074/2001/001); Stephen and Barbara-Ann Hogarth (01142/2001/001); Mr Frank McFadden (01143/2001/001); Ms Lynn M Preston (01144/2001/001); Mr James Preston (01145/2001/001); Agnes and Thomas Campbell (01146/2001/001); Mrs M Cruickshanks (01161/2001/001); Mr Geoffrey P Stell (01127/2001/001); Thomas and Elizabeth Smith (01128/2001/001); Mr Gary Watson (01131/2001/001); Mr Hamish Stevenson (01132/2001/001); Ms Anne Cross (01133/2001/001); Mr Robert Stuart (01134/2001/001); Ms Gwyneth McBride (01136/2001/001); Mr Jim Hume MSP (01137/2001/001); Ms Elaine McClure (01178/2001/001); Mr Graeme McClure (01181/2001/001); Ms Sarah McClure (01182/2001/001); Mr David McClure (01183/2001/001); Ms Donna Gillooly (01184/2001/001); Mrs Karen Scherczer (01185/2001/001); Mr Robert H Black (01186/2001/001); Ms Margaret Craig (01187/2001/001); A Nimmo (00094/2001/001); Mr and Mrs Andrew and Barbara Ure (01188/2001/001); Mr Ian Whigham (01104/2001/001); Ms Elizabeth Somerville (01110/2001/001); Mr John Cruickshanks (01157/2001/001); Mr Andrew Potter Cogan (01163/2001/001); Mr David Wewling (01164/2001/001); Ms Jan Whigham (01165/2001/001); Mr Craig Cruickshanks (01167/2001/001); Mrs Ann Marie Cruickshanks (01168/2001/001); Mr and Mrs Ian and Lorna Irvine (01169/2001/001); Mr Jim Hawthorne (01173/2001/001); Mrs W Potter (01177/2001/001); Mr Ewan Robertson (01192/2001/001); Mr Neil Leslie (01195/2001/001); Angus MacDonald MSP (00909/2001/001); Mrs Paula Alexander (01197/2001/001); Mr Kevin Alexander (01138/2001/001); Ms Anne Travers (01140/2001/001); Mr Robert Saxby (01259/2001/001); MsCarolynn Macleod (01261/2001/001); Ms Louise McReight (01262/2001/001); Mr Gordon Buchanan (01075/2001/001); Ms Jean McGlashan (01287/2001/001); Robert Fleming (01278/2001/001); Mr & Mrs Margaret & Andrew Rodger (01268/2001/001); Ms Joanne Milligan (01269/2001/001); Ms Susan Rodger (01272/2001/001); Mr John Glyde (01273/2001/001); Mr & Mrs Simon & Elizabeth Clegg (01277/2001/002); Dr Andrew Ashworth (01283/2001/001); Leslie and Helen Grant (01293/2001/001); Mr Anthony Moore (01236/2001/001); Stephen and Maureen Blake (01282/2001/001); Scott McKenzie (01220/2001/001); Catherine Elliot (01224/2001/001); Graeme and Pam Cormack (01100/2001/001); Charlotte Fortune (01094/2001/001); Chris McLeish (01162/2001/001); Ms Caroline Glyde (01147/2001/001); Mrs Gloria Watt (01174/2001/001):-

The Council considers that H02 (Kinglass Farm 1) represents an appropriate site

for residential development. It is promoted as part of the Bo'ness South East Strategic Growth Area.

The overall strategy for residential growth in the Council area has been to reaffirm existing commitments whilst promoting modest additional expansion in some settlements which have the requisite environmental and infrastructure capacity. This is to ensure that a robust and generous housing land supply is provided in accordance with the SPP, and a five year land supply can be maintained.

The approach in Bo'ness, as highlighted in Appendix 2 of Technical Paper 3 (Housing Requirements and Provision), recognises that the town has some capacity to take additional growth, over and above the committed sites at Bo'ness Foreshore and Drum Farm. In particular, schools are generally less pressured than in some other parts of the Council area, and the strategic road network is not subject to the critical constraints faced by some other localities. In addition, a reassessment has been made of the effectiveness of the 750 unit Bo'ness Foreshore site. With escalating development costs and current difficult market conditions, development interest has lapsed, and whilst it is still an aspiration, the Council consider that it cannot be regarded as being effective in the initial 10 year period of the plan. Accordingly, the identification of alternative sites is considered appropriate. With only limited opportunities for infill or brownfield development, the settlement strategy sees the introduction of a residential component at the Drum Farm South business site, and a modest green belt release at Kinglass Farm 1 as providing the best option.

The Kinglass Farm 1 site was included as a preferred site within the MIR, where it attracted limited adverse comment. It has been subject to a site assessment, along with other potential sites in Bo'ness. In particular the Council has assessed the implications of potential urban extensions to the south of the town for the green belt and the town's landscape setting. Kinglass Farm 1 has been selected as a site which is less prominent than other green belt sites in the vicinity, where landscape impacts can be satisfactorily mitigated, which represents a rounding off of the existing urban form, and is capable of being integrated satisfactorily into the town.

The site is being promoted by AWG Property who have submitted a document supporting the site's allocation, together with a concept masterplan containing an indicative layout.

The specific points of objection are responded to as follows:

- Loss of Green Belt. It is accepted that the site is green belt, and was designated as such by the Bo'ness Local Plan in 1995. However, it is one of the tasks of the LDP to review green belt boundaries. The SPP states that such boundaries 'should reflect the long-term settlement strategy and ensure that settlements are able to accommodate planned growth'. A review of green belt generally in the Council area has been carried out in conjunction with the LDP (Technical Report 6 - Green Belt). The release is a modest one and, provided there is suitable mitigation in terms of landscaping and safeguarding of recreational routes, the strategic purpose of the green belt, as set out in Policy CG02(2) (page 14), should not be undermined.
- Loss of Prime Agricultural Land. It is accepted that the site is prime agricultural

land. However, Bo'ness is entirely enveloped by prime agricultural land and any expansion of the urban area will result in some loss of such land. The SPP states that 'development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy'. In this instance, the Council contend that the release of the site is an essential part of the settlement strategy.

- Impact on Countryside Setting of Bo'ness. The landscape impact of the site has been assessed by the Council. A landscape and visual assessment has also been undertaken by the developer. Whilst the proposal would result in loss of countryside and would be locally visible, the impact on the wider landscape setting of the settlement would be limited, due to the site's scale, location, topography, and elevation relative to the surrounding countryside. Impact is assessed as low relative to other areas to the south of the town. There is good scope for mitigation through peripheral structure planting to the south and east to reinforce the site's containment.
- Impact on Recreational Amenity. There are two north-south core paths in the vicinity of the site. One runs through the middle of the site, the other lies beyond its eastern boundary. Both these routes would be safeguarded and enhanced as off-road footpaths in the proposal. Additional routes and recreational opportunities would be created as part of green network enhancements to the south of the site, in particular a new east-west route connecting the various north-south routes. Recreational amenity therefore has the potential for improvement through the proposal.
- Lack of Need for Additional Housing. Bo'ness, like all areas, has been affected by the housing market downturn, but the LDP must plan for growth. The town has historically proved to be an attractive market area, so demand is likely to increase with economic recovery. With the Foreshore site, high development costs have contributed to lack of progress, as much as the market downturn.
- Availability of Alternative Sites. The Bo'ness Foreshore site has a range of constraints which suggest it is unlikely to make a contribution to the housing land supply in the initial 10 year period of the plan. Brownfield and infill opportunities within the urban area are very limited. The remaining elements of the Drum Farm development are considered effective, but the Council's view is that these should be augmented to assist with achieving the overall requirement for a generous land supply.
- Access and the Local Road Network. The site would take access on to Borrowstoun Road, and from where traffic will head westwards towards Gauze Road to access the local and strategic road network. This constitutes a safe and appropriate access, although a full TA would need to be undertaken to assess the need for any off-site upgrading. Borrowstoun Road is a narrow road, and the connection westwards to Gauze Road would be upgraded, notably through the creation of a footway. Borrowstoun Road extends eastwards as a rural road to the A904 at Champany and is used as a 'rat run' by some residents. Whilst the proposed development may increase such use to a limited degree, the proposal would allow the creation of a traffic calming feature adjacent to the development which would help to discourage such rat running.
- Inadequacy of Local Infrastructure. The Council has assessed infrastructure capacity in the town, in consultation with service providers, and considers that there are no overriding infrastructure constraints which would preclude the additional housing proposed. Schools in Bo'ness have the requisite capacity.
- Lack of Benefit to Bo'ness. There are benefits to the town in providing for new

growth and maintaining population levels. This can help to support local services and businesses, including the town centre. It can provide quality new housing for incomers and locals, just as the new Drum and Kinglass housing areas have over the past 20 years. There will be an affordable housing element (15%) included, in line with the Council's policy. The development will deliver green network improvements, through public greenspace in and around the development, and contributions to existing open space in the area.

- Sustainability. The site has been assessed as being of moderate to low accessibility in the Council's Site Assessment. The 'low' element is largely a reflection of the fact that the town does not have mainline rail services, and the site is some distance from the town centre. However, accessibility to a number of facilities is good. The secondary school, health centre and recreation centre are all located in close proximity on Gauze Road. Bus services are available within 400 metres of the site.
- Ground Conditions. Most of Bo'ness is affected to a greater or lesser degree by past shallow mining. The developer has undertaken desk studies which indicate some potential zones of instability and two mineshafts. These are capable of treatment through grouting and capping as necessary.
- Flooding. The Council's Site Assessment, based on consultation with SEPA and the Council's flooding team, has indicated that a basic flood risk assessment will be required due to the presence of minor watercourses in the vicinity of the site, and a history of flooding to the north, but that the vast majority of the site is developable.
- Archaeology. There are no sites of archaeological importance in or immediately adjacent to the site.
- Impact on the Green Network and Wildlife. The Council's Site Assessment indicates no significant ecological interest on the site. The LDP requires green network enhancement to be implemented in conjunction with the development. There are extensive opportunities for new woodland planting, management of the minor watercourses/SUDS for biodiversity, and access provision in the vicinity of the site.
- Impact on Adjacent Residents' Amenity. It is accepted that the views over undeveloped land currently enjoyed by some adjacent residents will be lost. Potential impacts on the amenity of Kinglass Cottage (Mrs Gloria Watt (01174/2001/001)), which is most closely affected by the proposal, can be dealt with at the detailed site planning stage.
- Planning History. The Council has in the past resisted the development of the site through the Bo'ness Local Plan 1995 and the Falkirk Council Local Plan 2010. However, the need to address new housing land requirements through the LDP has resulted in the Council changing its view of the site. The planning application referred to, which was refused in 1999 (F/98/0833), was for a much larger area than the Kinglass Farm 1 site.
- Consultation. The Council has complied with its participation statement and legislative requirements in the manner in which it has consulted local people on the LDP.

For these reasons, the Council considers the site to be an appropriate allocation in the plan and does not agree to modify the plan in response to this representation.

**AWG Property (00906/2001/007):-** AWG Property's site boundary for Proposal H02 (Kinglass Farm 1) differs from that shown in the LDP by the inclusion of a

small area of ground which projects eastwards from the south east corner of the site. The Council considers that the inclusion of this additional area, does not create a logical boundary for the development site, the Urban Limit or the green belt. The exclusion of this land from the site does not preclude its use for green network development (planting/access etc) which would be the preferred use for the area, as per AWG Property's concept masterplan. In terms of the site capacity, there is no need to indicate that the site capacity is indicative, as the preamble to the Site Schedule (Appendix 1, page a1-01) already states that housing capacity figures for sites which are not yet subject to detailed planning permission or detailed masterplans are indicative. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H03 – Kinglass Farm 2, Bo'ness**

**Dr Andrew Ashworth (01283/2001/002):-** Proposal H03 (Kinglass Farm 2) is allocated as a housing site within the current Local Plan, and is part of the current housing land supply. It is being carried over into the LDP. Planning permission in principle for residential development was granted in March 2011 (ref. P/10/0482/PPP). The site therefore has an extant planning consent. Two subsequent applications, one for residential development, the other for a care home and residential development have the benefit of a 'minded to grant' decision from October 2012, pending conclusion of a S.75 obligation (refs. P/11/0701/PPP and P/12/0414/PPP). The site has already been subject to assessment through the previous Local Plan process and consideration of the various planning applications in terms of impacts on the local environment, and has been deemed suitable for development, subject to conditions. For these reasons, the Council considers the site to be an appropriate allocation in the plan and does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H04 – South Street/Main Street, Bo'ness**

**BP North Sea Infrastructure (00897/2001/004):-** Proposal H04 comprises two sites. The western site, on South Street, has an extant planning permission for 11 units (ref. P/08/0626/FUL). The eastern site, on Main Street, would be considered separately and, under the PAHDI guidelines, would have a capacity of 10 flats (site size 0.25 ha). This explains the indicative capacity of 21. However, the Council would not take issue with additional wording to indicate that the location of the site within the Pipeline Consultation Zone will limit capacity. This wording is already used, for example, in the site comments for site H06 (Union Street).

### **Allocated Mixed Use Site M01 – Bo'ness Foreshore**

**RSPB Scotland (00648/2001/012):-** Detailed mitigation measures required in respect of any adverse impacts on the Firth of Forth SPA would be determined through the Appropriate Assessment process. It is not possible to say at this stage whether the Inner Forth Landscape Initiative would be an appropriate delivery mechanism for such measures. Given that the Foreshore development is not expected to be delivered in the first 10 year period of the plan, it is unlikely that the development will overlap with the Inner Forth Landscape Initiative which is expected to be completed by 2018/19. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Allocated Mixed Use Site M02 – Drum Farm South, Bo’ness**

**Grange Estate (00588/2001/004):-** Whilst it is accepted that the developer contributions previously agreed relate to an application covering both Drum Farm North and Drum Farm South, they were required because of the residential use at Drum Farm North, not the business use at Drum Farm South. The LDP’s new strategy for mixed use at Drum Farm South will require a revised application for Drum Farm South with developer contributions likely to be required in respect of the residential use. The wording used in Appendix 2 is therefore correct and appropriate. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Bo’mains Farm (MIR Ref BNS/B/02&3)**

**AWG Property (00906/2001/008); (00906/2001/004):-** The Council does not consider the Bo’mains Farm sites to be appropriate allocations or that the green belt should be altered to exclude these sites. The sites were subject to site assessment and were identified in the MIR as non-preferred sites. The sites were also considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

The sites represent a very major incursion into the green belt and the South Bo’ness Area of Great Landscape Value. The Council’s site assessment highlights the high level of impact that these sites would have on the landscape setting of the town, due to the rising nature of the site’s topography south of the town. The site is a logical and integral part of the green belt, and development would undermine the purpose of the green belt. The current green belt boundaries, running along Crawfield Road and the urban edge at Borrowstoun are robust; by contrast the southern edge of the proposed site appears arbitrary and would not form a sound green belt boundary. The sites do not represent a rounding off of the urban form. Development of the site would represent a significant loss of prime agricultural land. The Council has made a clear distinction between the high impact of these large sites on the green belt and the town’s landscape setting, and the relatively modest impact of its adjacent preferred site for green belt release at Kinglass Farm 1.

There is no requirement for allocations of this scale in Bo’ness. Substantial provision has been made for housing in the town. Figure 3.1 of the proposed LDP (page 10) shows that additional allocations amounting to 292 units have been made through the LDP to augment the existing supply of 285 units (updated to 287 by the 2012/13 HLA) in the period 2014-24. The majority of this comprises attractive and marketable greenfield sites which collectively form the South East Bo’ness Strategic Growth Area. For the longer term, the Council remains committed to the redevelopment of Bo’ness Foreshore, a residential-led regeneration project which has been stalled due to market conditions and high development costs, but which the Council believes can deliver significant housing in the period 2024-34. The allocation of the Bo’mains sites would seriously undermine the spatial strategy for the town.

For these reasons, the Council does not agree to modify the plan in response to these representations.

### **Non Allocated Site – Carriden Foreshore, Bo’ness (MIR Ref BNS/B/04)**

**Mactaggart and Mickel Ltd (00011/2004/004):-** The Council does not consider the Carriden Foreshore site to be an appropriate housing allocation. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

The site assessment confirms that the site is an important part of the green network. The site is of ecological value by virtue of the presence of woodland, scrub, grassland and areas of regenerating bare ground, with the possibility of badger or bat activity. It contains a number of paths, including a core path running eastwards through the site from the Carriden Church car park, connecting into Carriden Estate and the Forth Foreshore Path. It links with adjacent woodlands to east and west. Development will result in the loss of habitat, impact on paths, and a reduction in recreational amenity as enjoyed by users of the paths. An area within the site, historically a sports pitch, is now used for motor cycle scrambling, and as such continues to serve a useful recreational function. If the site was developed this would be lost.

The site does not relate well to the existing residential areas at Carriden. The presence of the Carriden industrial area to the north, which includes the Bo’ness Waste Water Treatment Works, could give rise to bad neighbour issues, including noise and odour. There is the potential for impact on the setting of Carriden Church at the eastern end of the site.

Substantial provision of housing land has been made in Bo’ness, with new sites augmenting the existing land supply as part of the South East Bo’ness Strategic Growth Area. There is therefore no particular need for the site in terms of meeting housing requirements.

For these reasons, the Council does not agree to modify the plan in response to these representations.

### **Non Allocated Sites – East Muirhouses/Carriden Walled Garden (MIR Ref MUR/B/01,02 & 03)**

**Mactaggart and Mickel Ltd (00011/2004/003):-** The representation relates to three adjacent sites on the edge of the conservation village of Muirhouses. The Council does not consider these to be appropriate housing allocations. The sites were subject to site assessment.

The site at East Muirhouses 1 (MUR/B/02) was included in the MIR as a Council preferred site for housing. This was on the basis that, although the site was in the South Bo’ness Area of Great Landscape Value, the site was reasonably well contained in landscape terms and might constitute a logical and proportionate extension to the village of Muirhouses. A number of representations were received objecting to the site’s identification as a preferred site in the MIR, focusing on traffic issues in the village, and impacts on trees and village amenity and character. The issue of loss of vegetation arising from the formation of an access from Carriden Brae at West Lodge was given further examination. Following advice from the Roads Development Unit on requirements for road widths and visibility splays, it was concluded that there would be significant loss of trees and hedgerows on Carriden Brae, and along the south side of the Carriden

House access drive, in order to form a satisfactory access. The trees along the access drive are protected by a TPO. This would have an adverse impact on the character of the village and of Carriden Estate. Roads advice raised a further issue regarding whether the developer had control over land to the north of the access point on Carriden Brae sufficient to create the requisite visibility.

The site at East Muirhouses 2 (MUR/B/03) would, in combination with East Muirhouses 1, represent an extension of the village which is totally out of scale with the existing community, doubling its size and population. The accessibility of the sites is assessed as 'low' in the site assessment. The formation of a suitable access would impact on trees and hedgerows as detailed for East Muirhouses 1. Traffic generated by this scale of development is likely to exacerbate the road safety and amenity issues on Carriden Brae, as highlighted by local residents in their representations to the MIR. The road has restricted width and alignment as it passes through the village, and is heavily used by commercial vehicles accessing the foreshore industrial area. The site lies within the South Bo'ness AGLV and, although the surrounding woodland provides a good degree of containment, the local character and setting of Carriden Estate, which is an important and valued part of Bo'ness' green network, would be adversely affected.

Carriden Walled Garden (MUR/B/01) is a category B listed structure and is an integral part of Carriden Estate. Development within the walled garden would have a very significant adverse impact on the listed structure in terms of its integrity, function and setting. Formation of a vehicular access would require removal of parts of the wall. The impacts arising from the formation of an access on to Carriden Brae, as detailed for the other two sites, would also apply.

Muirhouses is close to Bo'ness and is essentially part of the Bo'ness housing sub-market area. Substantial provision of housing land has been made in Bo'ness, with new sites augmenting the existing land supply as part of the South East Bo'ness Strategic Growth Area. There is therefore no particular need to promote additional growth in Muirhouses in terms of meeting housing requirements.

For these reasons, the Council does not agree to modify the plan in response to these representations.

<b>Issue 4</b>	<b>Bonnybridge &amp; Banknock Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Bonnybridge and Banknock (pages 26-27) <u>Appendix 1 Site Schedule</u> Housing - Bonnybridge and Banknock (page a1-02) Mixed Use – Bonnybridge and Banknock (pages a1-12 & a1-14) <u>Appendix 2 Strategic Growth Areas</u> Banknock (page a2-03) Dennyloanhead (page a2-04) <u>Proposals Map 1</u> Banknock, Bonnybridge, Denny, Allandale, Greenhill & Torwood	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mactaggart and Mickel Ltd (00011) Bellway Homes Scotland (00482) Mr Andrew MacBeath (01279) Manor Forrest Ltd (00455) St Josephs RC Parent Council (01084) Scottish Government (Historic Scotland) (00643) I and H Brown Limited (00609) National Grid C/o AMEC E & I UK Ltd (00583) Scottish Canals (00516) Broomside Properties (01156)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in Bonnybridge, High Bonnybridge, Banknock and Dennyloanhead as identified in the Bonnybridge and Banknock Settlement Statement, and detailed in Appendices 1 and 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H08 - Dennyloanhead</u></b></p> <p><b>Mactaggart and Mickel Ltd (00011/2004/009):-</b> The continuing allocation of the site at Dennyloanhead (H08) is supported.</p> <p><b>Bellway Homes Scotland (00482/2001/001):-</b> The continuing allocation of the site at Dennyloanhead (H08) is supported. The site has recently been signed off as effective by both Falkirk Council and Homes for Scotland. This provides a clear context to support the site's continuing allocation in the LDP.</p> <p><b>Bellway Homes Scotland (00482/2001/002):-</b> A first phase of Proposal H08 (Dennyloanhead) comprising 50-100 houses should be allowed to come forward to assist in funding the Section 75 obligations attached to the site. Bellway Homes</p>		

own a part of the site which benefits from an existing freestanding access that can be utilised to deliver a first phase of development. If the wider site remains undeveloped or is shown to be ineffective, then approval is sought for the Bellways Homes part of the site to come forward as a standalone development.

**Mr Andrew MacBeath (01279/2001/001):-** Objection is made to the site at Dennyloanhead (H08). The proposed development of this site would spoil the woodland view from the Mr MacBeath's property (21b Glasgow Road) and destroy the natural wildlife habitat that is currently there.

#### **Allocated Housing Site H12 - Broomhill Road, High Bonnybridge**

**Manor Forrest Ltd (00455/2003/001):-** The continuing allocation of the site at Broomhill Road (H12) is supported. The site is currently in commercial/industrial use and benefits from planning permission in principle for the development of the land for residential purposes.

**St Josephs RC Parent Council (01084/2001/001):-** Objection is made to the site at Broomhill Road (H12). The development of this site will unacceptably increase road traffic and on street parking along Broomhill Road to the detriment of public safety (particularly of children from St Joseph's Primary). Current local infrastructure, roads, facilities and sewers cannot accommodate additional housing development at present.

#### **Allocated Housing Site H13 - Seabegs Road, High Bonnybridge**

**Scottish Government (Historic Scotland) (00643/2001/005):-** Development of site H13 (Seabegs Road) may have an adverse impact on the historic environment. Any development taken forward will need to be supported by a detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity. Pre-application consultation should be carried out with Historic Scotland for any developments coming forward at this site.

#### **Allocated Mixed Use Site M03 - Banknock North**

**I and H Brown Limited (00609/2001/001 & 005):-** The continuing allocation of the site at Banknock North (M03) is supported. However, a modification is sought to the site capacity. A housing capacity of 504 units is less than what planning permission was sought for. The current planning application (P/10/0360/PPP), which is minded to grant subject to the signing of a S75 agreement, is for up to 550 residential units. The eventual planning consent will be subject to a restrictive condition, restricting the development of the site to 504 residential units unless a further traffic impact assessment can demonstrate that suitable roads capacity can be made available for the additional residential units. This is considered to be achievable.

#### **Allocated Mixed Use Site M15 - East Bonnybridge**

**National Grid C/o AMEC E & I UK Ltd (00583/2002/002):-** No permanent structures should be built over the pipelines which affect site M15 (East Bonnybridge) and various restrictions apply to development in and around

pipelines which the developer should be made aware of. The requirement to consult the HSE is noted. A link to guidance for development is provided which should be made available to the developers of the site.

**Scottish Canals (00516/2001/003):-** Site M15 (East Bonnybridge) should be highlighted as an opportunity to integrate with the canal, for developer contributions to canal improvements and facilities with potential for surface water discharge to be taken into the canal.

**Scottish Government (Historic Scotland) (00643/2001/006):-** Development of site M15 (East Bonnybridge) may have an adverse impact on the historic environment. Any development taken forward will need to be supported by a detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity. Pre-application consultation should be carried out with Historic Scotland for any developments coming forward at this site.

**Non Allocated Housing Site - Milnquarter Farm, High Bonnybridge (MIR Ref B&B/B/07)**

**Manor Forrest Ltd (00455/2003/002):-** A site at Milnquarter Farm (MIR reference B&B/B/07) should be allocated for housing development as an extension to the site at Broomhill Road (H12). Both the Milnquarter Farm and Broomhill Road sites are currently subject to an application for planning permission in principle (P/11/0142/PPP) for residential use.

The proposed development is a suitable infill opportunity within the urban limit and can meet the design principles set out in Policy D02. A financial contribution towards the cost of upgrading Antonine Primary school to accommodate any increase in pupils from the proposed development could be made. The development of the site is sustainable in terms of flooding, contamination, noise and available infrastructure.

The site's development would have no direct impact on the physical structure of the Antonine Wall World Heritage Site (WHS) and poses no threat to its status as a WHS. The site's development could affect the inter-relationship of the Milnquarter camp and the line of the Antonine Wall but it is considered that a sympathetically designed corridor within the development site would ensure that the inter-relationship would be maintained without detrimental impact, even though the visual corridor would be crossed by a distributor road.

Falkirk Council has historically recognised the potential for development at Milnquarter Farm and the need to utilise the Broomhill Road site to gain access to the Milnquarter Farm site. The construction of a distributor road through the Broomhill Road and Milnquarter Farm sites would ameliorate traffic flows at Greenhill Road and represents the only option which could achieve this.

**Non Allocated Housing Site - Broomhill Road 2, High Bonnybridge (MIR Ref B&B/B/12)**

**Broomside Properties (01156/2001/001):-** A site at Broomhill Road, High Bonnybridge (MIR reference B&B/B/12) should be allocated for housing

development. There is likely to be inadequate provision at Bonnybridge to support local growth over the Plan period. The LDP provides for approximately 300 houses over the Plan period in Bonnybridge. With this level of provision, Bonnybridge is unlikely to be able to compete with other local settlements which will benefit from strategic growth. Proposal H12 (Broomhill Road) could be impacted by the need for park and ride facilities at the new Bonnybridge railway station; this would reduce the available housing options in Bonnybridge. Additional opportunities for housing development should not be anticipated through unpredictable windfalls but should be formally allocated on alternative sites which can be delivered.

Increasing the rate of development in Bonnybridge will be helpful in supporting the LDP Spatial Strategy in its ambition for sustainable settlements. Allocation of this site for housing would: be an obvious consolidation of the town; support a range of LDP policies, including those which seek to sustain existing local centres and promote economic development; and ensure that the case for the new railway station is as robust as possible.

Local infrastructure (roads, sewerage & water) has sufficient capacity to allow for further development in this location. Air quality and noise issues from nearby business and industrial premises are not expected due to the prevailing wind direction. There is no known flood risk. Developer contributions could be provided to offset any local school capacity issues. Provision of open space can be incorporated into the development to meet a known shortfall, consolidating the green space network in the vicinity of the site. The site boundary does not infringe upon the route of the Antonine Wall and as a result very limited impact would occur. Where the Antonine Wall route crosses Broomhill Road, the site has been set back by 50 metres to retain an open aspect which could be retained as open space. No significant impacts are expected on the surrounding landscape or the local built heritage.

#### **Modifications sought by those submitting representations:**

##### **Allocated Housing Site H08 - Dennyloanhead**

**Bellway Homes Scotland (00482/2001/002):-** Amend Proposal H08 (Dennyloanhead) to allow a first phase comprising 50-100 houses to come forward to assist in funding the Section 75 obligations attached to the site.

**Mr Andrew MacBeath (01279/2001/001):-** Delete Proposal H08 (Dennyloanhead).

##### **Allocated Housing Site H12 - Broomhill Road, High Bonnybridge**

**St Josephs RC Parent Council (01084/2001/001):-** Delete Proposal H12 (Broomhill Road).

##### **Allocated Housing Site H13 - Seabegs Road, High Bonnybridge**

**Scottish Government (Historic Scotland) (00643/2001/005):-** Amend Appendix 1 Site Schedule for Proposal H13 (Seabegs Road) to add a requirement for detailed heritage assessment to demonstrate the extent of its impact on the

setting of the scheduled monument in its vicinity.

**Allocated Mixed Use Site M03 - Banknock North**

**I and H Brown Limited (00609/2001/001):-** Amend Proposal M03 (Banknock North) by increasing the housing capacity to 550 units or permitting a 10% flexibility allowance.

**Allocated Mixed Use Site M15 - East Bonnybridge**

**National Grid C/o AMEC E & I UK Ltd (00583/2002/002):-** Amend the comments section of Appendix 1 (Site Schedule) for Proposal M15 (East Bonnybridge) to make prospective developers aware of the constraints posed by the presence of the two high pressure gas pipelines which bisect the site.

**Scottish Canals (00516/2001/003):-** Amend site comments associated with Proposal M15 (East Bonnybridge) in Appendix 1 (Site Schedule) to highlight the opportunities to integrate development with the canal, for developer contributions to canal improvements, and facilities with potential for surface water discharge to be taken into the canal.

**Scottish Government (Historic Scotland) (00643/2001/006):-** Amend site comments associated with Proposal M15 in Appendix 1 (Site Schedule) to add requirement for detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity.

**Non Allocated Housing Site - Milnquarter Farm, High Bonnybridge (MIR Ref B&B/B/07)**

**Manor Forrest Ltd (00455/2003/002):-** Amend Proposal H12 (Broomhill Road) by extending the site to incorporate land at Milnquarter Farm. Amend Appendix 1 (Site Schedule) by: changing the site name to 'Broomhill Road and Milnquarter Farm'; changing the site size to 9 ha; replacing the second bullet point in the site comments column with 'Planning permission in principle granted for part of the site'; and inserting an additional bullet point to read: 'Sensitive development to account for inter-visibility corridors of the Antonine Wall World Heritage Site'.

**Non Allocated Housing Site - Broomhill Road 2, High Bonnybridge (MIR Ref B&B/B/12)**

**Broomside Properties (01156/2001/001):-** Insert an additional site for housing at Broomhill Road, High Bonnybridge with a gross site area of 1.59 Hectares and capacity for 35-45 houses.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in Bonnybridge & Banknock is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

### **Allocated Housing Site H08 - Dennyloanhead**

**Bellway Homes Scotland (00482/2001/002):-** Proposal H08 (Dennyloanhead) is an allocated housing site in the current Local Plan. It is being carried forward into the LDP. It is subject of a current planning application which has a 'minded to grant' decision from the Council, subject to the conclusion of a Section 75 obligation. Head of terms have been approved as part of this, but negotiation on the detail and phasing of requirements has yet to start. Bellway's assertion that development costs are constraining the start of development cannot yet be fully substantiated as the extent and phasing of Section 75 requirements is not yet confirmed.

It is acknowledged that the requirement to upgrade the M80/A803 sliproad junctions prior to the commencement of development, as set out in draft conditions 1 and 2 is a significant burden on site H08. The applicant and lead developer of the site, Mactaggart & Mickel, is currently seeking to renegotiate these conditions, to allow a phase of development in advance of the required upgrading. It is this that is delaying progress on the development.

Recently undertaken traffic surveys have revealed that there has been a significant drop in background traffic levels along the A803 since the opening of the M80 extension in 2011. The Council is currently in discussion with Transport Scotland to determine the amount of development which would be allowed to proceed in advance of the sliproad junctions being improved with a view to revising the above draft conditions. These discussions should be allowed to reach a conclusion before tacit support is given in the LDP to a first phase of development.

Notwithstanding the above, it is not considered appropriate to indicate in the LDP which part of the site should be promoted as a first phase, as this is a matter for the masterplan, and agreement between Bellway Homes and Mactaggart & Mickel. It should be noted that a first phase of development on Bellway Homes' land utilising an existing access would not conform to the masterplan for the site which was approved as part of the application.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Mr Andrew MacBeath (01279/2001/001):-** Proposal H08 (Dennyloanhead) is an allocated housing site in the current Local Plan. It has already been fully assessed through the Local Plan process, and is being carried forward into the LDP. It is also subject of a current planning application, which has a 'minded to grant' decision from the Council.

The approved masterplan for the site indicates that the woodland which forms the view from 21b Glasgow Road, Dennyloanhead, will be retained and expanded. Notwithstanding the fact that the right to a view is not enshrined by national or local planning policy, Mr MacBeath's woodland view will not be spoiled by the proposed development. The valuable habitat this woodland provides will be enhanced rather than destroyed.

For these reasons, the Council does not agree to modify the plan in response to

this representation.

### **Allocated Housing Site H12- Broomhill Road, High Bonnybridge**

**St Josephs RC Parent Council (01084/2001/001):-** Proposal H12 (Broomhill Road) is an allocated housing site in the current Local Plan and is being carried forward into the LDP. Outline planning permission (P/07/0069/OUT) was granted for the development of the land for housing in February 2008 and was renewed (P/11/0039/PPP) in November 2012.

Through the planning application process, the capacity of local infrastructure has been assessed and has been considered to be adequate to accommodate the scale of planned growth within the Bonnybridge area as detailed below.

#### **Roads Infrastructure**

The Council's Transport Planning Unit (TPU) commented in their consultation response to the 2007 application that while there would be a reduction in the number of HGVs using Broomhill Road as a result of this development, there would be a shift in traffic movements from prior to the peak hour to during the peak hour, particularly in the morning. The TPU has since advised that they would not have any concerns about the increase in traffic at peak times (10 vehicle trips in the am peak and 11 vehicles in the pm peak) along Broomhill Road caused by the proposed development.

The report of handling for application reference P/11/0039/PPP confirms that the Council's Roads Development Unit did not object to the planning application for housing development subject to conditions being applied to the decision notice.

#### **Education Infrastructure**

The report of handling for application reference P/11/0039/PPP confirms that the Council's Education Services did not object to the planning application for housing development subject to the provision of a financial contribution towards the expansion of local schools.

#### **Healthcare Infrastructure**

The provision of primary and community healthcare facilities is the responsibility of NHS Forth Valley. Policy INF06 of the Proposed LDP (page 49) indicates that in locations where there is a deficiency in the provision of healthcare facilities identified by NHS Forth Valley, developer contributions will be sought to improve the quantity and quality of such provision commensurate with the impact on new development. If the planning application for housing development at Broomhill Road needs to be renewed again, then this policy framework will allow the issue to be addressed at the time.

#### **Water and Sewerage Infrastructure**

The report of handling for application reference P/11/0039/PPP confirms that Scottish Water did not object to the planning application for housing development.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H13 - Seabegs Road, High Bonnybridge**

**Scottish Government (Historic Scotland) (00643/2001/005):-** The Seabegs Road site is a former Council depot which sits within an industrial estate. The Antonine Wall World Heritage Site (WHS) runs through the industrial estate. The boundary of site H13 has been drawn to exclude the WHS, but the WHS nonetheless abuts it at its southern end. A small area of the Wall to the south of the site is also scheduled.

The potential for the development of the Seabegs Road site to have significant negative effects on the historic environment is recognised in the Revised Environmental Report as is, at Historic Scotland's request, its potential to have a positive impact. As a consequence, Appendix 1 (Site Schedule) of the Proposed LDP indicates that the site 'should be developed sensitively to avoid adverse effect on the setting of the Antonine Wall WHS and scheduled ancient monument' (page a1-02). In addition Policy D07 of the Proposed Plan states that the Council will seek to retain, protect, preserve and enhance the Antonine Wall, its associated archaeology, character and setting.

These provisions are considered adequate to ensure that the WHS is respected in future development. The Council does not believe it to be necessary to make reference to the requirement for a formal heritage assessment, as sought by Historic Scotland. However, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with this.

### **Allocated Mixed Use Site M03 - Banknock North**

**I and H Brown Limited (00609/2001/001):-** Proposal M03 (Banknock North) is an allocated housing site in the current Local Plan. It is being carried forward into the LDP. It is the subject of a current planning application which has a 'minded to grant' decision from the Council, subject to the conclusion of a Section 75 obligation (P/10/0360/PPP).

Although the planning application was for 550 units, the 'minded to grant' decision is subject to a draft condition which limits the development to 504 units, unless agreed in writing with the planning authority. This was because this was the level of development assessed in the Transport Assessment. As indicated in the relevant Planning Committee report, the Transport Assessments submitted to date demonstrate that even the development of the site for 504 units will cause traffic congestion issues on the local road network as not all of the junctions affected by the proposed development would operate at 'Practical Reserve Capacity' during peak hours.

Whilst it is acknowledged that recently undertaken traffic surveys have revealed that there has been a significant drop in background traffic levels along the A803 since the opening of the M80 extension in 2011, it has not yet been demonstrated that this drop in background traffic would lead to a resolution of the traffic congestion issues caused by the proposed development for 504 units, or that this

would release enough additional capacity on the local road network to enable the development of a further 46 units.

In the absence of evidence that 550 units can be accommodated without having an unacceptable adverse effect on the local road network, it is appropriate for the site capacity to be indicated as 504 in the LDP, consistent with the draft planning condition. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Allocated Mixed Use Site M15 - East Bonnybridge**

**National Grid C/o AMEC E & I UK Ltd (00583/2002/002):-** The Council acknowledges that gas transmission pipelines run through site M15 (East Bonnybridge), and that the health and safety constraints associated with these pipelines will have implications for the extent and layout of development. As a consequence, Appendix 1 (Site Schedule) of the Proposed Plan indicates that a masterplan is required which addresses the presence of pipelines through the site, and associated health and safety constraints (page a1-14).

The Council considers that this represents adequate reference to this constraint. However, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the inclusion of additional wording.

**Scottish Canals (00516/2001/003):-** The Council acknowledges that site M15 is adjacent to, and has a relationship with, the Forth & Clyde Canal. The site comments in Appendix 1 (Site Schedule) of the Proposed LDP state that 'design and layout will have to address impact ... on the setting of the canal' and set out a requirement for 'extensive green network enhancement including access, landscape, and habitat improvements associated with ... the Forth & Clyde Canal' (page a1-14). In addition, Policy D14 (Canals), at sub-section (5), requires canal-side development in general to achieve high design standards, and to contribute to the canal's recreational amenity through the provision, where appropriate, of public access, amenity areas, moorings and slipways (page 68). The Council considers that this represents adequate reference to the opportunities for the site to contribute to, and integrate with, the Forth & Clyde Canal.

The Forth and Clyde Canal sits on an embankment above site M15. The discharge of surface water drainage to the Forth and Clyde Canal would not therefore be feasible without pumping. This is unlikely to be a sustainable approach.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Scottish Government (Historic Scotland) (00643/2001/006):-** Part of site H15 lies within the Buffer Zone of the Antonine Wall World Heritage Site, as shown on the Proposals Map. The Antonine Wall, which lies some 650m to the south of site H15, is also a scheduled monument at this point.

The potential for the development of the East Bonnybridge site to have significant negative effects on the historic environment is recognised in the Revised

Environmental Report. As a consequence Appendix 1 (Site Schedule) of the Proposed LDP indicates that the site should be developed sensitively to avoid adverse effect on the setting of the Antonine Wall WHS. In addition Policy D07 of the Proposed Plan indicates that the Council will seek to retain, protect, preserve and enhance the Antonine Wall, its associated archaeology, character and setting. Policy D08 also offers protection to the setting of scheduled ancient monuments.

These provisions are considered adequate to ensure that the setting of the WHS is taken into account in future development. The Council does not believe it to be necessary to make reference to the requirement for a formal heritage assessment, as sought by Historic Scotland. However, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with this.

### **Non Allocated Site B&B/07- Milnquarter Farm, High Bonnybridge**

**Manor Forrest Ltd (00455/2003/002):-** The Milnquarter Farm site lies within the Urban Limit in the current Local Plan and in the Proposed LDP. Notwithstanding this, the Council does not consider it to be an appropriate housing allocation. The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was also considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

There is adequate provision in the Bonnybridge & Banknock area to support local growth over the plan period. Figure 3.1 of the Proposed LDP (page 10) shows that additional allocations amounting to 268 units have been made through the LDP to augment the existing supply of 1154 units (updated to 1043 units by the 2012/13 HLA) in the period 2014-24. There is therefore no need to allocate any additional housing land in the Bonnybridge & Banknock area to meet housing demand.

Notwithstanding the above, there are significant constraints to the development of the Milnquarter Farm site, as outlined in the site assessment, which suggest that allocating it as a site for housing development in the LDP would be inappropriate at this stage given the uncertainty over the site's effectiveness. These have been brought into focus by the planning application (reference P/11/0142/PPP) which was submitted in March 2011 by Manor Forrest for the development of the site for residential purposes. The application remains undetermined whilst the applicant supplies the necessary information to convince the Council that the development can proceed in accordance with policies set out in the Development Plan. The current position on the most significant constraints to development are outlined below:

#### **Impact on the Historic Environment**

The site of this proposed development is adjacent to two scheduled monuments which form part of the Antonine Wall World Heritage Site (WHS), and the site itself lies within the WHS Buffer Zone. Any prospective development would therefore need to be particularly sensitive to the archaeology and the topographic setting of these features.

The site's location is important because it includes two sizeable re-alignments of the Wall, taking it from a scarp immediately above the valley floor of the Bonny to a higher ridge at Rough Castle. To the west the Wall was tactically positioned to block passage across the valley and its associated bogs, but eastward this was no longer tenable and the adjustment to the higher ground maintained a military advantage. This was rather awkwardly achieved by the re-entrant that utilised the small ridge south of the Antonine Primary School. The two sectors represent the work of different units of the Roman army and it was here that one of the work squads was based in the temporary camp. The camp is positioned to dominate the gap and its topographical relationship to the Wall is crucial. Indeed such clear views between a construction camp and a linear fortification at Milnquarter are unparalleled elsewhere within the WHS.

Historic Scotland in their response to planning application P/11/0142/PPP commented on the likely impact of the proposed development on the outstanding universal value (OUV) of the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site (WHS) suggesting that the proposed development as indicated in the applicant's indicative layout had the potential to adversely and significantly impact on the OUV of the WHS.

The response by the Council's Keeper of Archaeology to planning application P/11/0142/PPP noted that the Cultural Heritage Assessment provided by the applicant provides useful background information but, in evaluating the potential impact of the development, it did not set a high enough standard for a WHS and therefore the conclusions reached are not valid.

### Education

The education capacity update to Technical Report 4 indicates that primary school capacity is a key constraint to major new housing growth in the Bonnybridge area for the plan period. Development of this site in addition to other projected housing growth in the local area would require the extension of Antonine Primary School. Planning permission has already been granted for the extension of Antonine Primary School to meet existing capacity pressures but a further extension would be needed to accommodate housing growth at Milnquarter Farm. The site of the school is affected by a scheduled section of the Antonine Wall WHS. Whilst it was possible for the consented extension to take place without having an adverse impact on the WHS, its setting, or its component scheduled areas (as evidenced in Historic Scotland's response to the planning application for the consented school extension), no assessment of the impact of a further extension has been undertaken. In their response to the planning application at Milnquarter Farm the Council's Education Service have commented that it would not be possible to extend Antonine Primary and Nursery any further to accommodate this proposed development due to the small core capacity of the school and physical and environmental constraints of the school grounds.

### Flood Risk

The site is located within an area which is identified on SEPA's Indicative Flood Map as being at high risk of flooding. A flood risk assessment has been submitted as part of the current planning application, but it has yet to be demonstrated to the satisfaction of the Council that the development of the site could take place

without new residents within the development site being at high risk of flooding or exacerbating flood risk elsewhere.

#### Milnquarter Site of Importance for Nature Conservation (SINC)

If development were to proceed at Milnquarter Farm in the manner envisaged in the applicant's indicative plan then this would cause the complete destruction of approximately 1.15ha (34%) of the 3.4ha Milnquarter SINC. In practice the effect of boundary displacement will significantly reduce the quality of the remaining 66% of the SINC.

With such a wide range of significant constraints to development affecting the site still to be overcome, it is considered that the status of the site within the Proposed Plan i.e. as unallocated white land within the Urban Limit, is entirely appropriate. For these reasons, the Council does not agree to modify the plan in response to this representation.

#### Non Allocated Site - Broomhill Road 2, High Bonnybridge (MIR Ref B&B/B/12)

**Broomside Properties (01156/2001/001):-** The Council does not consider the Broomhill Road 2 site to be an appropriate housing allocation. The site was first promoted by Broomside Properties in response to the MIR consultation, and has been subject to site assessment.

There is adequate provision in the Bonnybridge & Banknock area to support local growth over the plan period. Figure 3.1 of the Proposed LDP (page 10) shows that additional allocations amounting to 268 units have been made through the LDP to augment the existing supply of 1154 units (updated to 1043 units by the 2012/13 HLA) in the period 2014-24. There is therefore no need to allocate any additional housing land in the Bonnybridge & Banknock area to meet housing demand.

As highlighted in the site assessment, part of the site lies within the Antonine Wall WHS and the remainder is in the WHS buffer zone. The Council's keeper of archaeology has commented that the proposed development would completely destroy the landscape setting of the WHS by radically altering the local topography of low rolling hills and blocking any views to the north. The proposed development would therefore have an adverse impact on the setting of the WHS.

The education capacity update to Technical Report 4 indicates that primary school capacity is a key constraint to major new housing growth in the Bonnybridge area for the plan period. Development of this site in addition to other projected housing growth in the local area would require the extension of Antonine Primary School. Planning permission has already been granted for the extension of the school to meet existing capacity pressures but a further extension would be needed to accommodate housing growth at Broomhill Road 2. The site of the school is affected by a scheduled section of the Antonine Wall WHS. Whilst it was possible for the consented extension to take place without having an adverse impact on the WHS, its setting, or its component scheduled areas (as evidenced in Historic Scotland's response to the planning application for the consented school extension), no assessment of the impact of a further extension has been undertaken. In their response to the planning application at

Milnquarter Farm the Council's Education Service have commented that it would not be possible to extend Antonine Primary and Nursery any further to accommodate this proposed development due to the small core capacity of the school and physical and environmental constraints of the school grounds. These comments could equally apply to development at Broomhill Road 2.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 5</b>	<b>Denny Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Denny (pages 28 – 29) <u>Appendix 1 Site Schedule</u> Housing – Denny (pages a1-03-a1-04) Mixed Use – Denny (page a1-12) <u>Appendix 2 Strategic Growth Area Guidance</u> Denny South East (page a2-05) <u>Proposals Map 1</u> Banknock, Bonnybridge and Denny	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr & Mrs Hannah and Graeme Sproul (01085) Bett Homes (00450) Mr & Mrs Iain and Anne Rough (01153) Mr Craig Rennie (01130) Mr David Hames (01092) Mr John Campbell (01263) E B Finlay (01222) E Murray (01225) M Lamond (01232) Mr & Mrs Robert and Marion M Smith (01231) Nicola Devine (01228) Mactaggart and Mickel Ltd (00011) Mr and Mrs D Graham (00882) Phillip C Smith (00145)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in Denny, as identified in the Denny Settlement Statement, and detailed in Appendices 1 and 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing site H14 – Former Denny High School</u></b></p> <p><b>E B Finlay (01222/2002/002); E Murray (01225/2002/002); M Lamond (01232/2002/003); Mr and Mrs Robert and Marion M Smith (01231/2002/003):-</b></p> <p>With regard to the Former Denny High School site (H14), it is requested that:</p> <ul style="list-style-type: none"> <li>• good open space should be provided and that play areas for younger children are included</li> <li>• new houses are built a good distance from existing houses</li> <li>• residents are fully consulted on any housing proposal which comes forward, having put up with anti-social aspects of living by a secondary school</li> </ul>		

### **Allocated Housing site H15 – Mydub 1**

**Mr & Mrs Hannah & Graeme Sproul (01085/2002/001):-** Objection is made to the proposed development at Mydub 1 (H15). Denny requires its facilities to be upgraded, particularly the town centre, before starting any new developments.

**Bett Homes (00450/2001/004):-** The Council's intention to continue to allocate the site at Mydub 1 (H15) for housing as part of the LDP is supported. The allocation of Mydub 1 continues the development strategy as adopted in the Local Plan. Nonetheless, a change is requested to the text of the Strategic Growth Area Guidance for Denny South East (Appendix 2, page a2-05). Reference to retention of trees and hedgerows along existing field boundaries for site H15 should be removed. A planning application for the development of site H15 is currently being considered by Falkirk Council and the internal layout of the site has been the subject of an alternative greenspace strategy following review of the existing condition of internal vegetation. It is still proposed to retain trees and vegetation along the site's boundaries.

### **Allocated Housing Site H16 – Mydub 2**

**Bett Homes (00450/2001/002):-** The Council's intention to continue to allocate the site at Mydub 2 (H16) for housing as part of the LDP is supported. However, the site area for H16 in the Site Schedule (Appendix 1, page a1-03) should be amended from 12.7 ha to 13.4 ha to reflect the realignment of the Denny Eastern Access Road (DEAR) which is sought by Bett as a separate representation and is the current position of the Council.

**Bett Homes (00450/2001/004):-** A change is requested to the text of the Strategic Growth Area Guidance for Denny South East (Appendix 2, page a2-05) in respect of site H16. The reference to off-site contribution towards playing fields at Herbertshire should be removed. It is believed that the proposed development framework for the site provides for the Council's open space requirements to be accommodated in full on site. No off site open space contribution is necessary.

### **Allocated Housing Site H20 – Duke Street 1**

**Mr David Hames (01092/2001/001); Mr John Campbell (01263/2002/001):-** Objection is made to the site at Duke Street 1 (H20). It is totally unsuitable for housing of any type to be constructed on due to the following

- The green site is not on level ground and is used for recreation by local people.
- The site is the old Stripeside Colliery and the area will require to be tested for underground workings and guarantees given against any damage to property owners in the surrounding area.
- The site is next to the motorway and there are concerns about accidents, with at least one incident where a car somersaulted over the outer fence and rolled over onto the grass in the middle of this site
- If the plan were to go ahead, the objector believes the extra traffic and road noise would affect local people adversely.
- For those who live directly opposite this piece of land, any building is going to completely ruin their environment.

### **Allocated Housing Site H21 – Nethermains Road**

**Mr & Mrs Iain and Anne Rough (01153/2001/001); Mr Craig Rennie (01130/2001/001):-**

Objection is made to the identification of the site at Nethermains Road (H21) as a housing proposal on the following grounds:

- Loss of open space and the existing trees.
- The locality has very poor provision for child play areas and having to use play areas further away would cause great inconvenience to families and put children in danger from traffic.
- Drainage in this area is very poor with the park regularly flooding. Any development would add to this problem.
- The existing public footpath/right of way from Baxter Crescent to Castlerankine Road is not shown on the plan. This path is there because there is no pavement on the west side of Nethermains Road.
- This area is close to the motorway and any buffer to protect air quality must be retained.
- Any increased pressure on the current road system can only cause further traffic problems. When the motorway is closed the volume of traffic diverted through Denny onto Nethermains Road is huge.
- There are much more suitable sites which would actually benefit from being built on and improved by such a development.
- In the context of the wider Council plans to improve the environment for its residents and major council tax payers there is a considerable conflict of interest, as this proposal clearly is at odds with this statement.

### **Allocated Housing Site H22 – Rosebank, Dunipace**

**Nicola Devine (01228/2001/001):-** Objection is made to the allocation of the site at H22 Rosebank, Dunipace (H22) for housing and shops. The building of 700+ houses and shops would spoil the landscape and take away from the countryside setting that Dunipace enjoys. It is understood that social housing is planned for the area which would impact the value of Ms Devine's home.

**Mactaggart and Mickel Ltd (00011/2004/002):-** The allocation of the site at Rosebank, Dunipace (H22) for housing is supported. A Development Framework has been prepared, providing more detailed site specific considerations relevant to its future development potential.

### **Non Allocated Site – Denovan Mains Farm (MIR Ref DEN/B/07)**

**Mr and Mrs D Graham (00882/2003/001):-** A site at Denovan Mains Farm (MIR reference DEN/B/07) should be identified for residential development. A submission was made to the MIR (ref \*\*) for the site at Denovan Farm to be considered as an allocation for small scale housing for approximately 30 houses, having regard to its brownfield status and ability to bring forward enabling development i.e. the restoration of the Category-B listed farmhouse. The Proposed LDP confirms that further allocations have been made to offer additional flexibility and choice (page 9, paragraph 3.5). The allocation of this site would comply with this objective and it is requested that this site is allocated for housing, rather than falling for consideration under Policy CG03 Housing in the

Countryside.

**Non Allocated Site – Drove Loan (MIR Ref DEN/B/06)**

**Phillip C Smith (00145/2002/001 & 002):-** A site at Drove Loan (MIR reference DEN/B/06) should be identified for residential development, and removed from the green belt. Representations in support of the allocation the site for housing were made through the last Local Plan and considered at the Local Plan Inquiry.

Having noted the Reporter's recommendation and his views on visual impact:

- The size of the site being promoted now has been reduced to 0.75ha (from 2 ha) with a notional capacity of 25 units.
- The site is now enclosed and its extent lies within the urban visual envelope as shown in submitted plans.
- This limited urban expansion will afford choice in the local housing market, as all the other sites identified are much larger in scale and require planning gain contributions to be effective additions to the land supply.
- The site should be deleted from the green belt, as it is a logical urban extension and does not provide a meaningful response to the need to maintain the identity and visual separation of settlements, protect the landscape of Denny and enable access to greenspace for recreation.
- The overall principles of the green belt policy (Policy CG02) are sound but do not apply in the situation of this site.
- The landscape setting of the two settlements will not be adversely affected by this small urban expansion.
- the recreational and access potential is acknowledged by allowing significant improvements on the rest of Mr Smith's landholding which will remain in the green belt.
- Mr Smith has agreed with the Council's Access Officer to allow improvements to be made to a footpath which forms part of the links to Chacefield Wood and Denny from Dennyloanhead and Head of Muir.

**Modifications sought by those submitting representations:**

**Allocated Housing Site H14 – Former Denny High School**

**E B Finlay (01222/2002/002):-** Amend Proposal H14 (Former Denny High School) to ensure good open space and play areas are included.

**E Murray (01225/2002/002):-** Amend Proposal H14 (Former Denny High School) to ensure new houses are built a good distance from existing houses and there is green space for children's play areas

**M Lamond (01232/2002/003):-** Amend Proposal H14 (Former Denny High School) to ensure there is green space for activities

**Mr and Mrs Robert and Marion M Smith (01231/2002/003):-** Ensure that full consultation is undertaken on future proposals for Proposal H14 (Former Denny High School).

**Allocated Housing Site H15 – Mydub 1**

**Mr & Mrs Hannah & Graeme Sproul (01085/2002/001):-** Delete Proposal H15

(Mydub 1).

**Bett Homes (00450/2001/004):-** Amend the second bullet point for Proposal H15 (Mydub 1) in the Denny South East SGA Guidance (Appendix 2) by removing reference to the retention of trees and hedgerows along existing field boundaries for the site.

**Allocated Housing Site H16 – Mydub 2**

**Bett Homes (00450/2001/004):-** Amend fifth bullet point for Proposal H16 (Mydub 2) in the Denny South East SGA Guidance (Appendix 2) by removing reference to the off-site contribution towards playing fields at Herbertshire.

**Bett Homes (00450/2001/002):-** Amend site size of Proposal H16 (Mydub 2) in the Site Schedule (Appendix 1) from 12.7 ha to 13.4 ha.

**Allocated Housing Site H20 – Duke Street 1**

**Mr David Hames (01092/2001/001); Mr John Campbell (01263/2002/001):-** Delete Proposal H20 (Duke Street 1).

**Allocated Housing Site H21 – Nethermains Road**

**Mr & Mrs Iain and Anne Rough (01153/2001/001): Mr Craig Rennie (01130/2001/001):-** Delete Proposal H21 (Nethermains Road).

**Allocated Housing Site H22 – Rosebank, Dunipace**

**Nicola Devine (01228/2001/001):-** Delete Proposal H22 (Rosebank, Dunipace)

**Non Allocated Site – Denovan Mains Farm (MIR Ref DEN/B/07)**

**Mr and Mrs D Graham (00882/2003/001):-** Insert additional site at Denovan Mains Farm as a housing proposal.

**Non Allocated Site – Drove Loan (MIR Ref DEN/B/06)**

**Phillip C Smith (00145/2002/001 and (00145/2002/001 & 002):-** Insert additional site at Drove Loan, Head of Muir for housing. Amend green belt boundary at Drove Loan shown on Proposals Map 1 to exclude proposed site.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Denny area is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

**Allocated Housing Site H14 – Former Denny High School**

**E B Finlay (01222/2002/002); E Murray (01225/2002/002); M Lamond**

**(01232/2002/003); Mr and Mrs Robert and Marion M Smith (01231/2002/003):-**

Proposal H14 (Former Denny High School) is allocated as a housing site within the current Local Plan and is being carried over into the LDP. This brownfield site became available after the Council decided to replace Denny High School with a new school on a different site at Herbertshire playing fields. In 2005 the Council prepared a planning brief for the old school site to guide the future development of the site. This brief, which is still extant, shows the site split between a housing area to the west and an area retained for playing fields to the east.

Notwithstanding the substantial area to be devoted to the playing fields any developer is still required to provide for amenity and passive open within the housing area, in line with the approach of proposed Policy INF04.

The issues raised in the representations with regard to the site's physical development are addressed by the planning brief, which is referenced in Appendix 2 of the Proposed Plan, by relevant proposed plan policies, and by other guidance in Appendix 2. Provision for a children's play area and amenity open space are specifically mentioned in the planning brief (page 55), and existing woodland areas, providing passive open space, are to be retained. While the brief suggests that on the western side new housing should be situated adjacent to the existing housing the exact layout would be determined through a planning application, where a degree of separation could be considered.

On the issue of further consultation, raised by Mr and Mrs Smith, any development proposal would be subject to the usual statutory consultation processes, including neighbour notification, required for a planning application.

For these reasons, the Council considers the site requirements are properly addressed in the plan and does not agree to modify the plan in response to these representations.

**Allocated Housing site H15 – Mydub 1**

**Mr & Mrs Hannah and Graeme Sproul (01085/2002/001):-** Proposal H15 (Mydub 1) is allocated as a housing site within the current Local Plan and is being carried over into the LDP. It is currently the subject of a planning application and there have been extensive discussions with the Council towards reaching agreement on an acceptable development. The site forms an important component of the overall land supply for Denny. This greenfield site is largely unconstrained, although access is critically dependent on agreement with the developer to construct part of, and contribute towards the remainder of, Denny Eastern Access Road (DEAR) (Proposal INF14). See also issue 22 for further discussion of DEAR.

With regard to the specific points raised in the representation, the Council acknowledge that some aspects of the physical and community infrastructure in Denny are under pressure. These will be addressed largely though financial contributions raised from development, as discussed in the Denny Settlement Statement (pages 28-29). The Council itself is funding the first phase of Denny Town Centre redevelopment (Proposal ED02). This project gained planning consent in February 2013 with a site start expected in late 2014.

The Council contends that it is addressing the deficiencies in infrastructure in

Denny, particularly Denny Town Centre, and that deletion of site H15 could actually exacerbate some of these pressures, given its critical role in contributing to the construction of DEAR. The Council does not agree to modify the Plan in response to this representation.

**Bett Homes (00450/2001/004):-** The Council welcomes the support of Bett for the allocation of Proposal H15 (Mydub 1). The reference in Appendix 2 to site requirements for retention of trees and hedgerows within site H15 is derived from draft guidance prepared jointly by the Council and Bett which informed the masterplan prepared for planning application P/12/0546/FUL for the Mydub 1 site (site H.DEN12 in the Falkirk Council Local Plan). Section 9 of the draft guidance states: 'The site is criss-crossed by a number of field boundaries made up of varying stretches of hedges and some mature trees. It will be a requirement of the layout for the site to retain as many of these features as possible, in compliance with Policy EQ26 of FCLP subject to final ground levels.' Policy EQ26 encourages the enhancement of existing trees and hedgerows and where they may be lost due to development, then appropriate compensatory planting is required. It is acknowledged that there have been extensive discussions between Bett and the Council towards reaching agreement on an acceptable development. While an alternative greenspace strategy for the site has been put forward, there has not been any final decision on the application.

The Council therefore contends that the section of Appendix 2 subject to the representation should be retained and does not agree to modify the Plan in response to this representation.

#### **Allocated Housing Site H16 – Mydub 2**

**Bett Homes (00450/2001/004):-** The Council welcomes the support of Bett for the allocation of Proposal H16 (Mydub 2). The site requirements set out in Appendix 2 are intended as overall guidance to the development of the various sites within the Denny South East Strategic Growth Area. The guidance on open space provision is based on the principles in proposed Policy INF04, where the provision of both passive and active open space is expected to be fully discharged either on- or off- site. The particular bullet point wording raises the option of an off-site contribution to enhancement at nearby Herbertshire Playing Fields, although this is not prescriptive.

The respondent has submitted a development framework for the site which echoes the proposed layout of neighbouring site H15, showing a central park as the active open space component. While this is illustrative of what may come forward, a final decision on whether or not the open space requirement of the site can be met fully on-site will await a detailed proposal and site layout for Mydub 2 at the planning application stage. This will include assessment of the proposal against the requirements of policy INF04 and the relevant Supplementary Guidance on Open Space and New Development.

The Council therefore contends that the wording of this section of Appendix 2 should be retained and does not agree to modify the Plan in response to this representation.

**Bett Homes (00450/2001/002):-** The Council accepts that an error was made in

the calculation of the site area for site H16. The site area is of the order of 13.4 ha rather than, as stated in Appendix 1, 12.7 ha. It should be noted that this readjustment is not required because of an error in the alignment of DEAR and the site boundary of H16. Should the Reporter be minded to amend Appendix 1, in accordance with the requested modification, the Council would not take issue with the amended wording.

### **Allocated Housing Site H20 – Duke Street 1**

**Mr David Hames (01092/2001/001), Mr John Campbell (01263/2002/001):-**

Proposal H20 (Duke Street 1) is allocated as a housing site within the current Local Plan and is being carried over into the LDP. The site was first allocated for housing as a pre-inquiry modification to the FCLP. The site was at that time included in a package of five Council owned sites in Denny which were put together by the Council to be considered for cross-funding of the Denny Town Centre regeneration. The merits of the allocation were tested during the Local Plan Inquiry and the Reporter decided against its inclusion in the Plan. However the Council rejected this recommendation and the site was confirmed as an allocation for housing development in the adopted FCLP. The site is one of a number of small infill opportunities in Denny which provide additional flexibility in the housing land supply. The site functions currently as public open space which slopes generally up towards the exposed M80 motorway.

The specific points of objection are responded to as follows:

- Use for recreation. It is accepted that a substantial part of the existing open space will be lost to development. However the Council considers its value as active recreational open space to be limited. With its western boundary formed by the M80 motorway the developable area of the site would be effectively reduced by the need to retain some amenity open space as a buffer to the motorway. In addition there are alternative, larger areas of open space nearby which are capable of being used for informal recreational use and Proposed Plan Appendix 1 requires a contribution be made to improvement of this off-site open space, in line with the approach of proposed Policy INF04
- Former mining activity. Many parts of Falkirk Council area have been subject to mining activity in the past. Any future proposals will require a planning application and all applications in Coal Referral Areas are required to provide a Coal Mining Risk Assessment report which allows the Coal Authority to assess whether ground conditions in areas affected by mining are suitable for building.
- Accident risk from motorway. Notwithstanding the requirement for a buffer zone adjacent to the motorway, the issue of the adequacy of safety barriers to prevent vehicle egress from the motorway is a matter for the trunk roads authority
- Loss of residential amenity. Mr Campbell's property would not be 'surrounded' by the site's development as it is located on the opposite side of Duke Street. Issues of layout, overlooking and residential amenity can be considered in the detailed design at the application stage.

For these reasons, the Council considers the site to be an appropriate allocation and does not agree to modify the plan in response to these representations.

### **Allocated Housing Site H21 – Nethermains Road**

**Mr & Mrs Iain and Anne Rough (01153/2001/001); Mr Craig Rennie (01130/2001/001):-** Proposal H21 (Nethermains Road) is allocated as a housing site within the current Local Plan and is being carried over into the LDP. The site was first allocated for housing as a pre-inquiry modification to the FCLP. The site was at that time included in a package of five Council owned sites in Denny which were put together by the Council to be considered for cross-funding of the Denny Town Centre regeneration. The merits of the allocation were tested during the Local Plan Inquiry and the Reporter decided against its inclusion in the Plan. However the Council rejected this recommendation and the site was confirmed as an allocation for housing development in the adopted FCLP. The site is one of a number of small infill opportunities in Denny which provide additional flexibility in the housing land supply.

The site functions currently as public open space on two levels; there is a play area on its lower, western side and a public footpath, lined by mature trees, bisects the site from north to south. The Castlerankine Burn forms the site's western boundary, with the well-wooded embankment of the M80 motorway beyond.

The specific points of objection are responded to as follows:

- Loss of open space and provision for child play areas. The guidance for the development of the site in Appendix 1 specifically requires that the play area should be replaced, that an appropriate amount of open space be retained on-site and that a contribution be made to off-site open space improvement, in line with the approach of Policy INF04.
- Poor drainage. The Council is aware of flooding issues close to the Castlerankine Burn and Appendix 1 requires that the form of development would have to provide for a flood attenuation area as informed by a Flood Risk Assessment.
- Proximity to motorway. The guidance in Appendix 1 acknowledges the issues of motorway noise which will impact on the size of the developable area.
- Existing public footpath. In accordance with proposed Policy INF07, the layout of any development on the site will have to maintain connectivity in that location and provide a replacement footpath.
- Pressure on the current road system. Access to the site is likely to be taken from Castlerankine Road to maximise traffic safety. Wider traffic issues in Denny are being addressed by DEAR (Proposal INF14), to which any developer of this site will have to contribute, as indicated in Appendix 1.
- Other more suitable sites. While the representations do not specify which sites may be more suitable, the consideration of a variety of sites, large and small, was undertaken at the MIR stage of the plan. The Council concluded that, on balance, the merits of this site outweighed those of others in the area.

For these reasons, the Council considers the site to be an appropriate allocation and does not agree to modify the plan in response to these representations.

### **Allocated Housing site H22 – Rosebank, Dunipace**

**Nicola Devine (01228/2001/001):-** The Council considers that Proposal H22 (Rosebank, Dunipace) represents an appropriate site for residential development.

The site was put forward through the pre-MIR 'call for sites' process. It was subject to site assessment along with other potential sites in Denny and was identified in the MIR as a non-preferred site.

Subsequent to the consideration of representations to the MIR and updated household projections the Council carried out a reassessment of housing requirements and housing land supply. It was then decided to bring the site forward as an allocation in the Proposed LDP. The reasons for the change to the site's status were:

- The desirability to allocate further land in the west of the Council area after removal of a number of sites in Bonnybridge/Banknock due to infrastructure constraints, and the general reduction in supply resulting from the review of site phasing and effectiveness.
- The site had already been assessed as potentially suitable for longer term expansion in the second 2024-34 plan period.
- No significant environmental or infrastructure constraints to development had been identified through the site assessment.
- The site had active developer interest.

With regard to the specific points of objection the Council would respond as follows:

- Site capacity and mix. The site capacity shown in the Proposed LDP Appendix 1 is 110, not 700 as stated in the representation. The site is proposed entirely for housing. No shops are proposed for the site.
- Social housing. The site will require to make a contribution to affordable housing of 15% of the site's total capacity, around 16 units. The form of affordable housing will be matter for negotiation at the application stage, taking account of the relevant supplementary guidance on affordable housing, and could, for example, be shared equity housing, low cost housing for sale or social housing.
- Impact on Rosebank. Appendix 1 requires a masterplan to be prepared to control the site's form and content, and specific mention is made of the need for robust planting on the northern edge and the retention of existing woodland to the east to minimise impact on the landscape setting. There is potential for the development to improve the environment for existing residents, through the creation of a northern entrance feature providing traffic calming on the A872 and enhancement of the existing right of way on the eastern boundary.

For these reasons, the Council considers the site to be an appropriate allocation in the plan and does not agree to modify the plan in response to the representation.

### **Non Allocated Site – Denovan Mains Farm (MIR Ref DEN/B/07)**

**Mr and Mrs D Graham (00882/2003/001):-** The Council does not consider the Denovan Mains Farm site to be an appropriate housing allocation. The site was subject to site assessment along with other potential sites in Denny and was identified in the MIR as a non-preferred site.

The site is situated in the open countryside to the north-east of Denny. It contains a listed farmstead with substantial associated farm buildings, a former stable block converted to a dwelling house, one new build house and remaining open

land. The south-western, developed, quarter of the representation site is currently allocated in Falkirk Council Local Plan as site H.RUR02 with a capacity of 7 units. The allocation in FCLP was made to reflect a planning consent (ref. no. F/2001/0578), with the broad intention of providing the enabling development to upgrade the B-listed farmhouse through conversion and new build housing. Some new build has taken place but there has been no restoration of the farmhouse. Consent for a house (P/09/0174/FUL) in the last undeveloped plot (plot 2) to the south of the large shed, remains unimplemented.

While the Council would be supportive of the restoration of the B-listed farmhouse there is now new policy provision through proposed Policy CG03 Housing in the Countryside, sub-section (5), which would support limited enabling development, rather than through an allocation in the plan, which is considered undesirable in this location.

The representation proposes a development with a capacity of 30 units on a substantially larger site than the FCLP allocation. As indicated in the site assessment, a large proportion of the undeveloped representation site area is rated as class 3/1 prime quality agricultural land and is potentially affected by flood risk from a burn which bisects the site and is partly culverted. Both of these factors would constrain any development and a development of 30 units would, in these circumstances, constitute overdevelopment in this rural location.

Although physically close to the built up area access to the site can only be gained circuitously via the unclassified Denovan Road from either Dunipace in the west or Checkbar in the east. The site is therefore relatively remote from all local services and facilities.

The site falls within the catchments of Dunipace Primary, St Patrick's RC Primary, Denny High School and St Modan's RC High (Stirling Council area). While capacity pressures at Dunipace Primary have eased recently, as a single stream school it is still susceptible to capacity risk from new development, and pressures at St Partick's and Denny High School are not expected to diminish.

Substantial provision of housing land has been made in Denny, with new greenfield and brownfield sites augmenting the existing land supply. The spatial strategy focuses on a Strategic Growth Area at Denny South East, where growth can be accommodated through consolidation of the urban area on accessible, more centrally located sites. There is therefore no need to allocate this relatively isolated site in the countryside to meet housing requirements.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Non Allocated Site – Drove Loan (MIR Ref DEN/B/06)**

**Phillip C Smith (00145/2002/001):-** The Council does not consider the Drove Loan site to be an appropriate housing allocation. The site was subject to site assessment along with other potential sites in Denny and was identified in the MIR as a non-preferred site. A larger site at this location was also considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

The representation site lies adjacent to the existing Urban Limit of Head of Muir on the northern side of Drove Loan. It is located in the designated countryside and in the green belt separating Denny and Bonnybridge. The roughly triangular site of 0.75 ha slopes in a southerly direction from the ridge of Chacefield Woods and presently contains a mixture of rough grazing and sporadic trees and shrubs. Some of the tree cover has been felled. There is a Core Path (012/326) along the eastern side of the site which connects Drove Loan with Chacefield Wood.

The site assessment concluded that the site does not constitute a logical extension to the urban area. There are other more centrally located opportunities for growth in the Denny area which do not impact on the green belt. The site occupies prime agricultural land although it currently forms a scrub landscape adjacent to Chacefield Wood, providing habitat for wildlife. The site has relatively low accessibility to services and community infrastructure.

With regard to potential community infrastructure constraints the site is within the catchments of Head of Muir Primary, St Patrick's RC Primary, Denny High School and St Modan's RC High (Stirling Council). All three of the schools managed by Falkirk Council have medium to long term capacity issues and there is an existing commitment to extend Head of Muir Primary (Proposal INF29) to take account of other planned site developments.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Phillip C Smith (00145/2002/002):-** The Council does not consider the removal of this part of the green belt as justifiable. As was discussed at the Inquiry into the Falkirk Council Local Plan, the Falkirk Green Belt is characterised by a series of wedges, rather than a continuous ring wrapping round a large metropolitan area. In this location the wedge provides separation between Denny and Bonnybridge. In some cases, including in the vicinity of Head of Muir, these wedges are often so narrow as to be at the limits of their viability in terms of delivering separation between settlements. The boundary at this particular location is drawn tightly around the settlements and the Council maintain that there is no scope for the green belt to be eroded at this location, even allowing for the reduction in the site area from that considered at the Inquiry.

The Council acknowledges the respondent's co-operation in proposals to improve the Core Path between Drove Loan and Chacefield Wood in this location. While this will assist in the green belt aim of enable access to greenspace for recreation it is not dependent on the site at Drove Loan being allocated for housing.

Substantial provision of housing land has been made in Denny, with a mix of new greenfield and brownfield sites augmenting the existing land supply. The spatial strategy focuses on a Strategic Growth Area at Denny South East, where growth can be accommodated through consolidation of the urban area on accessible, more centrally located sites which avoid encroachment into the green belt. There is therefore no need to allocate this relatively isolated site in the countryside to meet housing requirements.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 6</b>	<b>Falkirk Housing Sites</b>	
<b>Development plan reference:</b>	<p><u>Chapter 4 Settlement Statements</u>  Falkirk (pages 30 - 31)  <u>Appendix 1 Site Schedule</u>  Housing – Falkirk (page a1-04,05)  Economic Development – Falkirk (page a1-16)  Mixed Use – Falkirk (page a1-13)  Green Network (page a1-24)  <u>Appendix 2 Strategic Growth Area Guidance</u>  Falkirk Canal Corridor (page a2-06)  Falkirk North (page a2-07)  <u>Proposals Map 2</u>  Falkirk, Larbert &amp; Stenhousemuir</p>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>National Grid Properties Ltd (00657)  SEPA (00968)  Mr George Steel (00869)  Forth Valley College (00592)  East Stirlingshire Football and Athletic Club Limited (01271)  Mr Wesley McPhail (01102)  Scottish Canals (00516)  Mactaggart and Mickel Ltd (00011)  Persimmon Homes (East Scotland) Ltd (00712)  Mrs Mitchell (01233)</p>		
<b>Provision of the development plan to which the issue relates:</b>	<p>The allocation of specific sites for housing in Falkirk, as identified in the Falkirk Settlement Statement, and detailed in Appendices 1 and 2.</p>	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H26 – Etna Road 2, Falkirk</u></b></p> <p><b>National Grid Properties Ltd (00657/2001/002):-</b> Whilst the site at Etna Road 2 (H26) is supported, the Major Hazard Consultation Zone at Etna Road is carried over from the Local Plan. It is understood that the Council are seeking to revoke the hazardous substances consent affecting the site on the basis that the major hazard (former gasworks) no longer exists. In the event that this revocation occurs, it is requested that the major hazard consultation zone is removed from the Proposals Map.</p> <p><b><u>Allocated Housing Site H27 – Cauldhame Farm 1, Falkirk</u></b></p> <p><b>SEPA (00968/2001/018):-</b> Objection is made to Proposal H27. Potential nuisance</p>		

issues (in relation to dust, noise and litter, gulls and flies) may arise by siting residential areas in proximity to the West Carron landfill site. Consideration should be given to amending the masterplan in line with the guidance regarding buffer zones in paragraph 217 of SPP, so as to minimise impacts on future development from the landfill site. This proposal also encroaches upon the River Carron flood envelope therefore this allocation is potentially at medium to high risk of flooding. A flood risk assessment should be required to ensure that no built development takes place on the functional flood plain (or within an area of known flood risk).

**Mr George Steel (00869/2001/003):-** The site at Cauldhame Farm 1 (H27) is supported. The site is already under construction and the remaining areas are due to be marketed. No significant constraints exist to their development and they are considered effective.

### **Allocated Housing Site H28 – Cauldhame Farm 2, Falkirk**

**Mr George Steel (00869/2001/001):-** The site at Cauldhame Farm 2 (H28) is supported. The site is a sustainable housing location, which complies with national planning policy, fits with the LDP spatial strategy and is deliverable. The site has been assessed and indicative proposals produced which show that the development can fit into the landscape. A technical assessment has shown that there are no technical barriers to development.

**Mr George Steel (00869/2001/002):-** Consideration should be given to including an opportunity for a family restaurant as part of Proposal H28 (Cauldhame Farm 2), immediately to the west of the Ronades roundabout. This would improve the range of amenities available to local residents. Other facilities or proposals for restaurants are over a mile away. Such a use could encourage the use of the path network in the area, bring the trees and farm buildings north of Cotland Way into the public realm, and enhance sense of place. Housing or a restaurant would be supported. It is suggested that consultation on the options be carried out at the masterplan stage.

### **Allocated Housing Site H32 – Grangemouth Road, Falkirk**

#### **Infrastructure Proposal INF23 - Forth Valley College**

#### **Green Network Proposal GN10 – East Falkirk Open Space Corridor**

**Forth Valley College (00592/2001/002):-** In respect of site H32, which covers the current Forth Valley College campus at Grangemouth Road, the site-specific designation that establishes the principle of 150 residential units is supported. However, objection is made to some of the site comments in the Site Schedule (Appendix 1). Reference to integration with the masterplan for the Falkirk Gateway should be removed, since this is not considered necessary and Forth Valley College would not want to be tied to timescales and programmes associated with the Falkirk Gateway. Reference to the retention of playing fields and the east/west open space corridor should be removed since this is the surplus part of the site capable of generating receipts for the improvement of the campus. The treatment of this area should be a matter for the masterplan. Reference should be made to a range of potential uses being acceptable on the site.

**Forth Valley College (00592/2001/003):-** Whilst the references to the

redevelopment of the Forth Valley College campus site (H32/INF23) are generally supported, the site should be identified as a 'mixed use' site to allow the surplus land to be developed for a variety of uses which would maximise the likelihood of the college's ambitions for the site to be realised. These should include retail, leisure, entertainment, recreation, cultural or community uses.

**Forth Valley College (00592/2001/004):-** The spatial strategy for town centres and retailing is noted, including the network of centres. The existing Forth Valley College campus on Grangemouth Road, Falkirk represents a major community/cultural use in the area, and could eventually form a location that could feature in the network of centres in its own right. Site H32 should be amended to allow the possibility of food or non-food retail as part of a mixed use approach to the site. In terms of impact on other centres, some retail distribution and capacity analysis has been undertaken to demonstrate that there is capacity for new retail floorspace in this part of Falkirk, and that the role of existing centres would not be undermined.

**Forth Valley College (00592/2001/005):-** The new campus for Forth Valley College encompassed by Proposal INF23, and the partnership approach to the delivery of infrastructure endorsed by Policy INF01 is supported. However, a change to the site comments for INF23 is requested emphasising the need for new uses generating capital receipt to assist in the delivery of campus improvements.

**Forth Valley College (00592/2001/006):-** Any urban open space corridor network should not include the retention of playing fields and an east/west corridor at the existing Forth Valley College campus. The precise scope and extent of the green network route should be subject to detailed consideration at the masterplan stage. The site comments for Proposal GN10 should be amended to emphasise flexibility as to the details of the corridor.

#### **Allocated Economic Development Site ED07 – Firs Park, Falkirk**

**East Stirlingshire Football and Athletic Club Limited (01271/2001/001):-** The site at Firs Park, Falkirk (ED07) should be allocated for housing rather than economic development. Given the history of the site, there is little likelihood of it being developed for retail or leisure purposes. It is a brownfield site which is suitable for housing, can be serviced, and is close to transport links. Housing use is compatible with the surrounding area. An indicative layout is provided. The former football club use has ceased, and the site does not contribute to open space provision. The reliance of the LDP on large sites which may not be effective is questioned. By contrast this site is effective.

**Mr Wesley McPhail (01102/2001/001):-** Objection is made to the site at Firs Park (ED07). The proposed development will greatly increase traffic in already busy streets, including Firs Street. There would be an additional burden on local amenities. There would be construction disturbance. The site would be an ideal area for the social amenities needed by the area.

#### **Allocated Mixed Use Site M06 – Portdownie, Falkirk**

**Scottish Canals (00516/2001/004):-** It is not clear why the site comments for

Proposal M06 (Portdownie) require the preparation of a site masterplan, when a masterplan has already been produced and approved by Falkirk Council. The Union Inn should be included within the boundary of Proposal M06.

**Non Allocated Site – Standalane, Falkirk (MIR Ref FAL/B/03)**

**Mactaggart and Mickel Ltd (00011/2001/001):-** A site at Standalane, Falkirk should be allocated for residential development. Although the site lies within the boundary of the site of the Battle of Falkirk Muir identified in the proposed LDP, there would be little impact on the authenticity of the battlefield. The site is effective, in contrast to a number of allocations in the LDP. The site would represent a well-defined and containable settlement expansion opportunity, which would be masterplanned to knit into the existing urban area. There would be no significant environmental effects. The site has good transport links, and schooling is available at Comely Park Primary School.

**Non Allocated Site – Glen Farm, Falkirk (MIR Ref FAL/B/02)**

**Persimmon Homes (East Scotland) Ltd (00712/2001/001):-** A site at Glen Farm, Falkirk should be allocated for housing development. The merits of the site are set out a Residential Proposal document. A statement of site effectiveness confirms that the site is effective, and can assist the Council in meeting the housing requirement and maintaining a 5 year effective land supply. Persimmon Homes has taken into account the Council's concerns about landscape and visual impact and proposes to restrict development to the lower parts of the site, and reduce the capacity from 300 homes to 150.

**Non Allocated Site – Darroch House, Falkirk (MIR Ref FAL/B/07)**

**Mrs Mitchell (01233/2001/001):-** A site at Darroch House, Falkirk should be allocated for low density, high quality housing. The SPP requires authorities to provide for a range of house types and there is a shortage of large and high quality houses in the area. Darroch House could meet this need. The site is well-wooded and can be an effective site. With appropriate design, the Conservation Area can be protected. The site is accessible and there would be no infrastructure constraints.

**Modifications sought by those submitting representations:**

**Allocated Housing Site H26 – Etna Road 2, Falkirk**

**National Grid Properties Ltd (00657/2001/002):-** Delete the Major Hazard Consultation Zone at Etna Road, Falkirk, affecting site H26, in the event that the relevant hazardous substances consent is revoked.

**Allocated Housing Site H27 – Cauldhame Farm 1, Falkirk**

**SEPA (00968/2001/018):-** Amend proposal H27 as expressed in Appendix 2 'Strategic Growth Area Guidance' by adding additional bullet points to the 'Constraints' section to read: 'A flood risk assessment will be required at Cauldhame Farm 1 to inform the scale, layout and form of development due to the presence of the River Carron and the small watercourse which runs adjacent to

the site'; and 'Consideration should be given for the masterplan of the Cauldham Farm 1 site to be amended so as to minimise impacts on future development from the landfill site through incorporation of buffer zones.'

### **Allocated Housing Site H28 – Cauldham Farm 2, Falkirk**

**Mr George Steel (00869/2001/002):-** Amend the guidance associated with site H28 (Appendix 2: Strategic Growth Area Guidance) to allow a possible opportunity for a family restaurant instead of housing on land to the west of Ronades Road roundabout and south of Cotland Way. This is to be subject to market demand, masterplanning and community consultation.

### **Allocated Housing Site H32 – Grangemouth Road, Falkirk** **Infrastructure Proposal INF23 - Forth Valley College** **Green Network Proposal GN10 – East Falkirk Open Space Corridor**

**Forth Valley College (00592/2001/002, 003 & 004):-** Amend Proposal H32 from housing to a mixed use proposal. Amend the site comments associated with Proposal H32 in the Site Schedule (Appendix 1) to delete reference to integration with the Falkirk Gateway masterplan and retention of playing fields/east-west open space, and to add reference to the acceptability of a range of uses at the site, including college, residential, retail, leisure, entertainment, recreation, cultural and community uses.

**Forth Valley College (00592/2001/005):-** Amend the site comments for Proposal INF23 in the Site Schedule (Appendix 1) to read as follows: 'Delivery of a new campus as part of a comprehensive redevelopment of the existing site incorporating new uses that will generate capital receipt to assist in the delivery of the new/enhanced education campus facilities'.

**Forth Valley College (00592/2001/006):-** Amend the site comments associated with Proposal GN10, with addition of an additional bullet point as follows: 'Flexibility exists in relation to the details of the precise location, route and size/width of the corridor. Such issues are to be determined at the planning application/masterplan stage and should not be detrimental to the college redevelopment proposals'.

### **Allocated Economic Development Site ED07 – Firs Park, Falkirk**

**East Stirlingshire Football and Athletic Club Limited (01271/2001/001):-** Delete Proposal ED07 and allocate the site as a housing proposal for up to 100 units.

**Mr Wesley McPhail (01102/2001/001):-** Reallocate the site to accommodate social amenities.

### **Allocated Mixed Use Site M06 – Portdownie, Falkirk**

**Scottish Canals (00516/2001/004):-** Amend site comments associated with Proposal M06 (Portdownie) in the Site Schedule to recognise that a masterplan has recently been undertaken for the site. Amend the site boundary of Proposal M06 on the Proposals Map include the Union Inn.

**Non Allocated Site – Standalane, Falkirk (MIR Ref FAL/B/03)**

**Mactaggart and Mickel Ltd (00011/2001/001):-** Insert additional site at Standalane, Falkirk as a housing proposal.

**Non Allocated Site – Glen Farm, Falkirk (MIR Ref FAL/B/02)**

**Persimmon Homes (East Scotland) Ltd (00712/2001/001):-** Insert additional site at Glen Farm, Falkirk as a housing proposal.

**Non Allocated Site – Darroch House, Falkirk (MIR Ref FAL/B/07)**

**Mrs Mitchell (01233/2001/001):-** Insert additional site at Darroch House, Falkirk as a housing proposal.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in Falkirk is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

**Allocated Housing Site H26 – Etna Road 2, Falkirk**

**National Grid Properties Ltd (00657/2001/002):-** The Council has indeed commenced the process of revocation of the hazardous substances consent associated with the site, and is supportive of the revocation. However, there is no firm timescale for the conclusion of this process, and in the meantime, the major hazard consultation zone on the Proposals Map cannot be removed. Should the revocation be confirmed prior to the Reporter's consideration of the issue, the Council would have no objection to the change being recommended by the Reporter.

**Allocated Housing Site H27 – Cauldhame Farm 1, Falkirk**

**SEPA (00968/2001/018):-** Proposal H27 (Cauldhame Farm 1) comprises the remaining phases of the large Mungall/Cauldhame development which was first allocated in the Falkirk Local Plan in 2000, granted outline planning permission with a masterplan in 2003, and carried forward into the Falkirk Council Local Plan in 2010. The majority of the development is complete. Of the remaining phases represented by H27, the western portion, closest to West Carron landfill, was granted detailed consent in 2012 and is under construction. Only the eastern portion requires further detailed permission, and this is more than 250 metres from West Carron landfill. Given these circumstances, there is no practical scope to amend the masterplan or the development or to create a buffer zone to West Carron, as referred to in the SPP.

As regards flood risk issues, a very minor part of H27 lies within the 1:200 year flood envelope associated with the River Carron. This affects the site which has already been granted detailed planning permission. Flood risk has already been

considered through the planning application, and the small area in question is part of a landscaped area. The remaining area of H27 is outwith the flood envelope and has no flooding issues.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H28 – Cauldhame Farm 2, Falkirk**

**Mr George Steel (00869/2001/002):-** The Council has included Proposal H28 (Cauldhame Farm 2) as a significant new allocation in the LDP. It represents a further extension of the current Mungal/Cauldhame Farm residential expansion, the remaining phases of which are identified as site H27. Collectively, the sites form the Falkirk North Strategic Growth Area.

The Council has reservations about identifying the roadside site within H28 as a restaurant opportunity. Whilst this could add interest and diversity to the residential development, the need for an additional opportunity in the area is questionable. There are already restaurants at the Beefeater on the Rosebank roundabout, the Copper Top in Camelon Local Centre, and a café/restaurant in the struggling Carron Centre. There is also a long-standing opportunity for a further restaurant business as part of the conversion of the Rosebank Distillery, identified in the LDP under Proposal ED08. The latter building has been purchased by Arran Breweries, who have included a restaurant as part of the regeneration proposals for the site. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H32 – Grangemouth Road, Falkirk** **Infrastructure Proposal INF23 - Forth Valley College** **Green Network Proposal GN10 – East Falkirk Open Space Corridor**

**Forth Valley College (00592/2001/002); (00592/2001/003); (00592/2001/004); (00592/2001/005); (00592/2001/006):-** The Forth Valley College site, on Grangemouth Road, Falkirk, has been identified as a residential proposal in the Proposed LDP (H32), coupled with a new college campus (INF23). This was in response to a representation to the MIR by Forth Valley College. Proposal INF23 is shown as a symbol within the site to reflect that the location and extent of the new campus, and of the surplus land to be released for housing, is still to be determined in detail. The site is also affected by green network proposal GN10 for a greenspace corridor.

Forth Valley College are seeking a mixed use allocation for the site, and specifically, the inclusion of food and non-food retail within the mix. The Council consider that residential use is the most appropriate use for the surplus land, and that the identification of a retail opportunity would be inappropriate and contrary to the spatial strategy, which directs such uses to the network of centres (Policy TC01, page 19). Although adjacent to the proposed commercial centre at the Falkirk Gateway (Proposal ED03), the site is outwith the network of centres. In terms of food retailing, the Council's capacity study shows that there is no spare convenience shopping capacity within Falkirk. There is extensive provision and choice of foodstores in the town, and the focus of the spatial strategy as expressed in Policy TC01 is rather to strengthen food retailing in specific District

and Local Centres. Only food retailing of a neighbourhood scale might be appropriate (less than 1,000 sq.m. as per Policy TC03. In terms of non-food and commercial leisure/tourism uses, provision has already been made for such uses in the Falkirk Gateway.

Objection is made to the LDP's requirement that the masterplan for site H32 integrates with the masterplan for the adjacent Falkirk Gateway. This is considered desirable in order to ensure that appropriate links are made between these major sites, particularly access and greenspace connections. It is recognised that the respective masterplans may come forward at different times, and that it would be unreasonable to expect the progress of H32 to have to await the Falkirk Gateway masterplan. However, masterplanning for the Gateway is underway in association with the Council's Tax Increment Finance (TIF) initiative, and the likelihood is that a framework will be in place for the Gateway, prior to the commencement of masterplanning for H32.

Objection is also made to references to the retention of playing fields and an east/west greenspace corridor within H32, as part of the green network Proposal GN10. These references are considered to be appropriate. Proposal GN10 represents a key strategic opportunity to create a greenspace corridor linking the Helix to the east through to the edge of Falkirk Town Centre in the west. Site H32 has an important role to play in this. H32 currently includes playing fields, and the retention of playing field provision as part of this green corridor is required in accordance with the SPP. The LDP does not specify the width of the corridor.

Forth Valley College seek recognition within the comments on Proposal INF23 that new uses generating capital receipt are needed to assist the delivery of the campus. This is not considered necessary or appropriate. The funding of the new college campus, and the role of capital receipts from the sale of land, are a matter for the college, not the development plan.

For these reasons, the Council does not agree to modify the plan in response to these representations.

### **Allocated Economic Development Site ED07 – Firs Park, Falkirk**

**East Stirlingshire Football and Athletic Club Limited (01271/2001/001):-** Site ED07 (Firs Park), which is the former ground of East Stirlingshire FC, is allocated for business/leisure/retail development in the Proposed LDP. This broadly reflects its current allocation in the Falkirk Council Local Plan, although general business use has been added to the current non-food retail/leisure. Outline planning permission for residential development on the site was previously refused by the Council in 2008 (ref P/07/0318/OUT), and a subsequent appeal dismissed. The site was considered at the Falkirk Council Local Plan Inquiry, with the Reporters recommending that the site be left unallocated. A PPP application in 2013 for residential use (ref. P/13/0234/PPP) is pending.

The site is in a derelict condition and the Council is supportive of its redevelopment. However, the Council's preferred use is for business. The site lies on the edge of Central Retail Park, within the Town Centre boundary, and would provide a central and accessible site for a range of business-type uses. As such it forms a useful element within the employment land supply. Although East

Stirlingshire FC indicates that there has been no interest in its redevelopment of retail use, evidence of sustained unsuccessful marketing of the site for wider business use has not been provided. It is recognised that there is a level difference between the site and the Central Retail Park access road. However, this is not insurmountable. For these reasons, the Council does not agree to modify the plan in response to these representations.

**Mr Wesley McPhail (01102/2001/001):-** Mr McPhail's concerns appear to relate to construction impacts, traffic impacts, and additional burden on local amenities resulting from redevelopment of the site. If the site is redeveloped for business use, as proposed by the plan, access would be from the Central Retail Park service road, which would minimise impact on local roads such as Firs Street. Business use would not place any additional burden on local amenities. The site is in a derelict state and its redevelopment would be beneficial for the local environment.

#### **Allocated Mixed Use Site M06 – Portdownie, Falkirk**

**Scottish Canals (00516/2001/004):-** It is recognised that a masterplan has been prepared for the Portdownie mixed use site (M06), to support the PPP application which was submitted in 2010 (ref. P/10/0512/PPP). The application has a 'minded to grant' decision from the Council in 2011, subject to a Section 75 Obligation which has not yet been concluded. Notwithstanding this, it is still appropriate to record the need for a masterplan in the comments for site M06. The PPP consent has not yet been issued, and so the masterplan does not yet have formal approved status. It is also possible that, once the Council/Scottish Canals engage a development partner for the scheme, a revised masterplan may be required. For this reason, the Council does not agree to modify the plan in response to this representation.

As regards the inclusion of the Union Inn within the boundary of M06, the building itself is Category B-listed and whilst it is expected to link strongly into the Portdownie development, it will not be redeveloped itself. This is the reason for not including it within the site boundary. However, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not have an issue with this. Scottish Canals has not provided an alternative boundary, but arguably, if the M06 boundary is to reflect the masterplan, it should also include the car parking and some open space immediately to the east of the Inn.

#### **Non Allocated Site – Standalane, Falkirk (MIR Ref FAL/B/03)**

**Mactaggart and Mickel Ltd (00011/2001/001):-** The Council does not consider the Standalane site to be an appropriate housing allocation. The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was also considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

Standalane lies centrally within the site of the Battle of Falkirk Muir (Falkirk II), as identified within Historic Scotland's Inventory of Historic Battlefields, and on the LDP Proposals Map. Protection is given to the battlefield by Policy D13. Prior to the Inventory, the battlefield was protected in successive Local Plans, but with a

tighter boundary that still included Standalane. The entry in the Inventory confirms Standalane to be an integral part of the battlefield site. This is further confirmed in a statement by Geoff Bailey, the Council's Keeper of Archaeology & Local History, who is an acknowledged authority on the battle. MacTaggart & Mickel's evidence on the battlefield takes no account of the extensive commentary in the Inventory. The Council's view is that the development of the site at Standalane would have an adverse effect on the battlefield and the appreciation of the landscape and course of the battle. This was the main reason why the Reporters recommended that the site should not be allocated in the Falkirk Council Local Plan.

The site lies within the catchment of Comely Park Primary School, which continues to be subject to serious capacity pressures. There is insufficient capacity in the school to accommodate the children who would be generated from a development of this scale. Scope for extension of Comely Park School is limited. 'Pre-zoning' of the site to an alternative school (in this case Hallglen Primary School) is a possibility, but this involves a statutory process, the outcome of which is uncertain.

Substantial provision of housing land has been made in Falkirk, with new greenfield and brownfield sites augmenting the existing land supply. The spatial strategy focuses on two Strategic Growth Areas, Falkirk North and the Falkirk Canal Corridor, where growth can be accommodated through consolidation of the urban area and regeneration, on accessible, more centrally located sites. There is therefore no need to allocate this extension of the urban area into the countryside in terms of meeting housing requirements.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Non Allocated Site – Glen Farm, Falkirk (MIR Ref FAL/B/02)**

**Persimmon Homes (East Scotland) Ltd (00712/2001/001):-** The Council does not consider the Glen Farm site to be an appropriate housing allocation. The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was also considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

The site represents a major intrusion into the countryside to the south of Falkirk. Its slopes are visible over a wide area, and development would have significant adverse impacts on the landscape setting of the town. The Glen Burn provides a robust and logical edge to the urban area in this vicinity; development of the site would breach this natural boundary and extend the town up to southern side of the valley for the first time. South Falkirk has been a focus for green network development as part of the Falkirk Greenspace Initiative, including path routes in the vicinity of Glen Farm. The Milk Barn, a successful new farm diversification project at Glen Farm, has taken advantage of this recreational amenity. Development of the site would have an adverse impact on the character and enjoyment of the green network.

The site lies within the catchment of Comely Park Primary School, which continues to be subject to serious capacity pressures. Comments made about school capacity for the Standalane site above, are also applicable to the Glen

Farm site.

The site assessment has identified the accessibility of the site as being low. It also highlights that significant off-site road works are likely to be required to secure vehicular access.

Substantial provision of housing land has been made in Falkirk, with new greenfield and brownfield sites augmenting the existing land supply. The spatial strategy focuses on two Strategic Growth Areas, Falkirk North and the Falkirk Canal Corridor, where growth can be accommodated through consolidation of the urban area and regeneration, on accessible, more centrally located sites. There is therefore no need to allocate this extension of the urban area into the countryside in terms of meeting housing requirements.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Non Allocated Site – Darroch House, Falkirk (MIR Ref FAL/B/07)**

**Mrs Mitchell (01233/2001/001):-** The Council does not consider the Darroch House site to be an appropriate housing allocation. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

The site comprises the grounds of Darroch House, a large Victorian villa standing in a mature landscaped setting within the Arnothill and Dollar Park Conservation Area. The site is accessed off Camelon Road via a driveway adjacent to a lodge house. Two modern houses have been built within the grounds. Mature woodland lies around the edge of the site, with a number of parkland trees in the centre. The site typifies the character of the Dollar Park part of the Conservation Area, i.e. large sandstone villas standing in extensive grounds, as highlighted in the Conservation Area Appraisal and Management Plan.

The infilling of the site with significant new housing is likely to have significant impacts on the character of the Conservation Area. There will be impacts on the character and setting of the house, and adverse impacts on woodland, particularly on the frontage with Camelon Road where a new access would have to be formed, and the existing masonry wall removed. It is possible that a very small number of dwellinghouses could be sensitively introduced into the grounds without significant adverse effects on the Conservation Area, but this would have to be demonstrated through a detailed design, and assessed against the appropriate detailed policies of the plan. An allocation, which would establish the principle of volume housebuilding within the site, is therefore inappropriate. For this reason, the Council does not agree to modify the plan in response to this representation.

<b>Issue 7</b>	<b>Grangemouth Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Grangemouth (pages 32 – 33) <u>Appendix 1 Site Schedule</u> Housing – Grangemouth (page a1-05) Mixed Use – Grangemouth (page a1-14) <u>Proposals Map 5</u> Grangemouth and Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Chemical Cluster Companies (00878) Scottish Enterprise (00447) Mr Garry Sneddon (01105) New River Retail & Cabri 3 Ltd (01265)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in Grangemouth, as identified in the Grangemouth Settlement Statement, and detailed in Appendix 1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H34 – Wood St, Grangemouth</u></b></p> <p><b>Chemical Cluster Companies (00878/2001/001):-</b> The housing site at Wood Street (H34) should be replaced with designation as a core business are under proposed Policy BUS02, with the housing figures reduced for Grangemouth by 30 units and consequential changes made. The site is contrary to draft SPP and NPF3 which seek to protect nationally important clusters of industries handling hazardous substances. The site was rejected as a housing site at the last local plan inquiry and its development will prejudice future growth of the chemical industries. The remainder of the wider site is also likely to come forward for housing, further impacting on the chemical sites by limiting their future growth. The Environmental Report notes that the site is within the Grangemouth AQMA and residents will be exposed to reduced air quality. The site assessment contained within Technical Report 2 should be revised to reflect this. The reference to the area having 'a more attractive residential character which would be enhanced with further housebuilding' in Technical Report 3 (page 24) is not accepted.</p> <p><b>Scottish Enterprise (00447/2001/005):-</b> The LDP should recognise the constraints that are placed on the chemical and petrochemical sector in relation to the proximity of housing and any proposal which serves to detract from the attractiveness of Grangemouth as a potential investment should be modified. The housing allocation at Wood Street would create a negative investment environment for investors at Grangemouth Port / chemical cluster. As it lies within the COMAH consultation area, 'reverse-COMAH' would apply – the concept that existing (and future) chemical / petrochemical sector businesses would be liable</p>		

to mitigate against the increased societal risk promoted by the growth in population i.e. the business sector would have to consider changing existing working practices or investment decisions to accommodate the LDP allocation.

Whilst it is recognised that there is a need to provide for a choice of locations for residential development and that previous decisions have been made in respect of the Wood Street site, the allocation should be changed from housing and Map 5 amended accordingly, to encourage and support the growth of the Port and Chemical Sciences sector at Grangemouth. There are other sites available within the District to accommodate this loss of housing land. Relocation of the chemical sector is not an option.

#### **Allocated Housing Site H35 - Oxcang Road, Grangemouth**

**Mr Garry Sneddon (01105/2001/001):-** While the principle of housing growth is supported, objection is made to the allocation of site H35 at Oxcang Road (H35) for housing. Details of the proposed development are requested and assurances on a number of factors including, road safety, building height, the protection of trees and boundary treatments. The consultation letter was the first information received about the proposal and earlier consultation in the development plan process would have been preferred.

#### **General Housing - Grangemouth**

**New River Retail & Cabri 3 Ltd (01265/2001/003):-** A more proactive approach is necessary by the Council in seeking to identify new housing opportunities in Grangemouth, to provide choice of housing for residents, arrest population decline as evidenced in Table 4.2 of Technical Report 1, and sustain and enhance existing facilities and services in the town. The Council should work with the HSE to define areas where population growth could be delivered to achieve the regeneration benefits referred to in Policy BUS05.

#### **Modifications sought by those submitting representations:**

#### **Allocated Housing Site H34 – Wood Street, Grangemouth**

**Chemical Cluster Companies (00878/2001/001):-** Delete Proposal H34 (Wood Street) and designate the site as a core business area under BUS03. Make consequential changes to the plan.

**Scottish Enterprise (00447/2001/005):-** Delete Proposal H34 (Wood Street).

#### **Allocated Housing Site H35 - Oxcang Road, Grangemouth**

**Mr Garry Sneddon (01105/2001/001):-** Amend supporting information for Proposal H35 Oxcang Road) to provide more detail of the proposal.

#### **General Housing – Grangemouth**

**New River Retail & Cabri 3 Ltd (01265/2001/003):-** Allocate additional sites for housing development in Grangemouth.

**Summary of responses (including reasons) by planning authority:**

**Allocated Housing Site H34 – Wood St, Grangemouth**

**Chemical Cluster Companies (00878/2001/001); Scottish Enterprise (00447/2001/005):-** The Council considers that site H34 (Wood Street) represents an appropriate site for residential development.

**Site History**

Site H34 forms the north eastern part of a wider area of vacant land which has been subject to site assessment as part of the preparation of the MIR. This wider area is currently allocated as Opportunity ED.GRA09 for business/industrial development in the current Local Plan. Historically, the Council has supported the retention of the wider site for business/industry. An objection requesting its allocation for housing was considered at the Local Plan inquiry in 2009. The Reporter acknowledged that the case for maintaining the site for business and industry was weak and that the site was capable of becoming an effective housing site, but concluded that on balance it should not at that time be allocated for housing.

The Wood Street area has been subject to a number of planning applications for housing over recent years, some of which have been refused, and some granted. A development of 24 houses on the south side of the street has been completed.

Most recently, an application for the H34 site for 36 units (ref 05/0924/OUT) was refused planning permission in 2011 on the grounds that it was allocated as a business and industry site and was contrary to Policy EP18 on Major Hazards, the HSE having advised against granting consent. The decision was appealed to the Local Review Board (LRB). The LRB decided that it was minded to grant permission subject to restricting the number of units to 30 and a condition on the location of the houses which would no longer generate an 'advise against' decision from the HSE. This consent is subject to the conclusion of a S75 agreement. Since the appeal was made, the applicant Carronvale Homes has gone into receivership and no progress has yet been made on concluding the S75 with a new interested party.

In the Proposed LDP, the Council no longer considers it appropriate to safeguard the wider site for business and industry. The north eastern part has been allocated for housing as Proposal H34 on the basis of the aforementioned 'minded to grant' decision on the planning application, and is considered capable of delivering units within the first phase of the LDP. The remainder of the wider site is designated as a business area with potential for redevelopment for other uses under Policy BUS03.

**Major Hazards Planning Policy**

The site is covered by 2 major hazard consultation distances (CDs) associated with the CalaChem and Syngenta sites. The criteria applied by the HSE in respect of different types of proposed development within the inner, middle and outer zones of CDs are contained in the HSE's PAHDI + guidance. The HSE assessment carried out by the planning authority through PADHI + relates to the

potential risk for residents of any proposed development rather than any impact on major hazard sites themselves in terms of increased on site safety costs. Most of the site (1ha) is within the middle zone of the CD's where housing up to 30 units and of a density of less than 40 units/hectare would generally attract a 'do not advise against' recommendation by the Health and Safety Executive (HSE). A small portion of the site (0.1ha) is within the inner zone where no more than 1 or 2 units would be acceptable. General business and industrial uses are usually acceptable within CDs subject to no more than 100 people occupying each building and storey height being limited.

### Response to Representations

Wood Street is characterised by a mixture of housing and industrial uses and the site is separated from the chemical companies by an industrial site and the railway to the north west. The Jupiter Wildlife site to the north west of the wider site is leased from CalaChem by the Wildlife Trust. Site ED12 in the proposed plan is for general business and industry use and also separates the CalaChem complex from the Wood St site. This site has been developed by CalaChem for general business and industry use and currently has a number of office uses on site. Similarly land to the south west of CalaChem bounded by Earls Gate Road and Glensburgh Road has been marketed for general business and industry uses with a supermarket storage and distribution unit on site. The majority of the site H34 is in the middle zone of a CD and, as the HSE advice for such areas is that housing sites can be acceptable dependent on scale and density, the site is considered to be compatible with the nearby major hazard sites. Grangemouth is characterised by both housing and business/industrial areas being located in close proximity to one another and these tensions are reflected in proposed Policy BUS05 in the Proposed LDP (page 56). It is considered that the description of the area in Technical Report 3 (Revised) as one with a more attractive residential character which would be enhanced by further housebuilding is an accurate reflection of the changes that have taken place on Wood Street.

The overall population of Grangemouth has declined by 3.2% between 2001 and 2011 and the redevelopment of 2 Council housing sites with lower density housing on Wood Street and at Chisholm Place has also resulted in a reduction of the total number of residential units within the CDs around Wood Street. Scottish Enterprise and the Chemical Cluster Companies consider that the gradual increase in population within CDs will over time require additional safety measures to be implemented on site at a cost to the chemical companies which will restrict the potential growth of these businesses. The development of housing at Wood Street is not however, considered likely to lead to significant increased on-site costs for the chemical industry, as the population in Grangemouth is expected to continue to decline. There are no significant sites for new housing proposed for the area and Grangemouth is generally constrained by the Forth, River Carron, the M9 motorway, flood risk and major hazard sites in terms of its ability to grow.

The whole of Grangemouth is designated as an Air Quality Management Area (AQMA) because of industrial emissions and all residents are potentially affected by this issue. This reflects the difficulties of managing business and residential uses in close proximity with other uses. However given the declining population in Grangemouth and the Council's proactively seeking to reduce pollution levels

through an AQMA Action Plan the allocation of the site is considered to be acceptable.

The Chemical Cluster Companies consider that the proposal is contrary to draft SPP and NPF3. While the proposed SPP requires strategic development plans (LDPs are assumed to be included in this requirement although not stated in the draft SPP) to safeguard industries handling hazardous substances from development which would compromise their continued operation or growth potential, this is not contained within the current SPP. It also suggests that in combination effects from development be considered. The reference to in combination effects in the draft SPP is understood to relate to the concept of societal risk which refers to the risk of harm to groups of people from an accident involving a major hazard. It is not considered possible at present to make any meaningful assessment of the impact of cumulative development within CDs on the wider societal risks for the area and by implication any potential impact on major hazard sites.

No agreed mechanism exists at present to measure societal risk although it has been investigated by the HSE. There is also no agreement at Government level that societal risk be included in planning considerations as no model has yet been developed by the HSE to allow such assessment or ministerial agreement been given to the HSE to take this forward. Proposals must therefore come forward on an individual basis which would not be contrary to HSE advice when assessed through the PADHI+ system.

NPF3 MIR proposes that the Grangemouth Investment Zone be designated as a national development which includes a reference to chemical sciences. The development of H34 for housing is not considered to be contrary to NPF3 MIR as the main thrust of the investment zone concerns freight and dock development as well as associated transport infrastructure.

EU Directive Seveso II requires member states to ensure that their land use and other policies take account of the need in the long term to maintain appropriate distances between major hazard sites and residential areas. Policy BUS05 of the Proposed LDP (page 56, paragraph 5.74) acknowledges that all proposals within CDs should be assessed in relation to the likely increase in the number of people exposed to risk, the existing permitted use of the site or buildings, the extent to which the proposal may achieve regeneration benefits which cannot be secured by any other means and the potential impact on existing chemical and petrochemical sites. The importance of the chemical and petrochemical industries is therefore recognised in the Proposed LDP, at the same time as seeking to balance the health and safety considerations of development with the potential benefits for the area. The requirements of Seveso II and Seveso III (due in 2015) are adopted into UK policy through relevant legislation and it is considered that the Proposed LDP accords with these requirements taking into account the HSE advice on the proposal.

For these reasons, and bearing in mind the 'minded to grant' decision on the planning application for housing on the site, the Council considers the site to be an appropriate housing allocation and does not agree to modify the plan in response to these representations.

### **Allocated Housing Site H35 - Oxgang Road, Grangemouth**

**Mr Garry Sneddon (01105/2001/001):-** Proposal H35 (Oxgang Road) was allocated as a housing site within the current Local Plan, and is being carried forward into the LDP. The level of detail requested is not available and would be considered at a planning application stage. It is acknowledged however that the proposal could be developed for Council housing through permitted development rights without a planning application process being required. The Council would undertake some consultation on the proposal if this were to be the case. The site could also be marketed for private housing. Whilst no detailed scheme has yet been prepared, the site is considered capable of being developed without any loss of amenity to adjacent properties. The site would be likely to include 2 storey properties and the change in outlook from Mr Sneddon's property is not considered to be a valid planning consideration. The development of the site is not considered likely to require traffic calming to be carried out. However if Oxgang Road did meet the criteria any proposals would be put on the list of traffic management works required and these works would be carried out when funding became available. Traffic calming required in association with a development could be funded by the developer. For these reasons, the Council does not agree to modify the plan in response to this representation.

### **General Housing – Grangemouth**

**New River Retail/Cabri 3 Ltd (01265/2001/003):-** The Settlement Statement for Grangemouth in the Proposed LDP (page 32) and information in Technical Report 3 (Revised) clearly identifies the issues which constrain housing growth in the town. Updated figures show that the overall population of Grangemouth has declined by 3.2% between 2001 and 2011 and the population in Grangemouth is expected to continue to decline as there are no significant sites for new housing proposed for the area. While this is less than the previous estimates it is still a trend which is expected to continue.

Grangemouth is physically constrained by the Forth, River Carron, the M9 motorway and by flood risk and the limitations on housing imposed by consultation distances (CDs) around the major hazard sites. The CDs effectively delineate where housing may be acceptable to the HSE subject to the PADHI+ guidelines. This guidance exists to inform developers of the impact of consultation distances around major hazard sites and pipelines on development proposals. The Council welcomes discussions with developers while acknowledging the constraints that exist in Grangemouth which limit the potential for additional housing sites.

Proposed Policy BUS05 (page 56) acknowledges that regeneration benefits should be taken into account in assessing proposals within the CDs around major hazard sites. Should proposals come forward for Grangemouth Town Centre or elsewhere in Grangemouth they would be assessed against this policy. A number of areas around Wood Street and north of Dalgrain Road are also identified as areas with potential for redevelopment by under proposed Policy BUS 03 (page 55) and could be considered for small scale housing developments subject to compliance with other LDP policies such as Policy BUS05 and Policy RW06 on flooding.

Given the level of constraints in Grangemouth, it is considered that the Council has set out as balanced an approach as is possible within the LDP, and for these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 8</b>	<b>Larbert &amp; Stenhousemuir Housing Sites</b>	
<b>Development plan reference:</b>	<p><u>Chapter 3 Spatial Strategy</u> Policy CG02 Green Belt (page 14) <u>Chapter 4 Settlement Statements</u> Larbert &amp; Stenhousemuir (pages 34–35) <u>Appendix 1 Site Schedule</u> Housing – Larbert &amp; Stenhousemuir (page a1-05 – a1-06) Economic Development – Larbert &amp; Stenhousemuir (page a1-18) <u>Appendix 2 Strategic Growth Area Guidance</u> Larbert North (page a2-08) <u>Proposals Map 2</u> Falkirk, Larbert &amp; Stenhousemuir</p>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>NHS Forth Valley (NHS Board) (00522) Springfield Properties plc (00852) Cala Management Ltd. (00512) Larbert, Stenhousemuir and Torwood Community Council (00440)</p>		
<b>Provision of the development plan to which the issue relates:</b>	<p>The allocation of specific sites for housing in Larbert and Stenhousemuir, as identified in the Larbert and Stenhousemuir Settlement Statement, and detailed in Appendices 1 and 2.</p>	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Economic Development Site ED21 – Hill of Kinnaird</u></b></p> <p><b>NHS Forth Valley (NHS Board) (00522/2001/002); Cala Management Ltd (00512/2001/002):-</b> The economic development site at ED21 (Hill of Kinnaird) should be re-allocated as a housing site. There is an over supply of employment land in Larbert, and therefore no requirement for a business park in this location. Accessing part of Kinnaird Village through a business park is an unsatisfactory arrangement. An alternative site for business use could be made available to the east at Hill of Kinnaird 3 in the longer term. NHS Forth Valley have provided an Employment Land Report and a Supporting Statement to support their representation.</p> <p><b><u>Non Allocated Site – Roughlands Farm (MIR Ref L&amp;S/B/02)</u></b></p> <p><b>Springfield Properties plc (00852/2002/001):-</b> A site at Roughlands Farm (MIR reference L&amp;S/B/02) should be allocated for housing and deleted from the green belt. The site offers a logical and sustainable extension to the Larbert and Stenhousemuir settlement boundary. It is an effective and immediately deliverable housing opportunity which is well located in terms of local transport</p>		

connections and local services. The site's green belt status is no longer justified. Roughlands Farm Supporting Site Brief and Roughlands Farm Representation to MIR have been submitted to support this representation.

**Non Allocated Site – Pretoria Road/Denny Road (MIR Ref L&S/B/04)**

**NHS Forth Valley (NHS Board) (00522/2001/001):-** A site at Pretoria Road/ Denny Road, Larbert (MIR reference L&S/B/04) should be allocated for housing. It is appropriate for infill development, as it is within the urban area of Larbert and bounded by development. It will not compromise any aspects of the Masterplan and Management Framework for the former RSNH grounds. A Supporting Statement is submitted to support this representation.

**Non Allocated Site – Hill of Kinnaird 3 (MIR Ref L&S/B/05)**

**Cala Management Ltd. (00512/2001/002):-** A site at Hill of Kinnaird 3 (MIR reference L&S/B/05) should be allocated for housing, as it will assist in addressing the housing land shortfall post 2020 and will provide for the longer term expansion of the successful Bellsdyke / Hill of Kinnaird Strategic Growth Area. The site should be removed from the green belt. Education capacity constraints can be addressed within a 15 year timescale.

**General Infrastructure**

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/001):-** No implementation of existing housing commitments should be allowed in Larbert and the surrounding area until infrastructure is improved, particularly schools, services and roads. There needs to be a period of consolidation before further growth is allowed.

**Modifications sought by those submitting representations:**

**Allocated Economic Development Site ED21 – Hill of Kinnaird**

**NHS Forth Valley (NHS Board) (00522/2001/002); Cala Management Ltd. (00512/2001/002):-** Amend Proposal ED21 Hill of Kinnaird by changing its allocation from business park to housing. Transfer the business park allocation from Hill of Kinnaird to Hill of Kinnaird 3.

**Non Allocated Site – Roughlands Farm (MIR Ref L&S/B/02)**

**Springfield Properties plc (00852/2002/001):-** Insert additional site at Roughlands Farm as a housing proposal and delete its green belt designation.

**Non Allocated Site – Pretoria Road/Denny Road (MIR Ref L&S/B/04)**

**NHS Forth Valley (NHS Board) (00522/2001/001):-** Insert additional site at Pretoria Road / Denny Road as a housing proposal.

**Non Allocated Site – Hill of Kinnaird 3 (MIR Ref L&S/B/05)**

**Cala Management Ltd. (00512/2001/002):-** Insert additional site Hill of Kinnaird 3

as a housing site and amend the green belt boundary accordingly.

### **General Infrastructure**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/001):-** No further growth and implementation of housing commitments until infrastructure is improved.

### **Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in Larbert & Stenhousemuir is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

### **Allocated Economic Development Site ED21 – Hill of Kinnaird**

**NHS Forth Valley (NHS Board) (00522/2001/002), Cala Management Ltd (00512/2001/002):-** The Council does not accept that ED21 Hill of Kinnaird should be re-allocated as a housing site, or that the business park should be moved into the green belt to the east and phased into a later stage of development.

North Larbert is one of the Council's major ongoing growth areas, and continues to feature as a Strategic Growth Area in the Proposed LDP. It comprises two main areas: Bellsdyke, much of which has now been built out (remaining land identified as sites H36 and ED22); and Hill of Kinnaird, which has recently started (sites H37 and ED21). The emphasis has been on creating a mixed use development, combining both residential and business uses, supported by ancillary uses. A planning brief for the whole area was approved in June 2000 and revised in August 2002 which established the requirement for a minimum of 10 ha of land to be provided for employment purposes. Two potential locations on the Bellsdyke Road were suggested, one at Bellsdyke, and the other at Hill of Kinnaird.

The business park site was a requirement of the outline planning permission for the Bellsdyke/Hill of Kinnaird site, approved by the Council in June 2006. The consent was for *'Development of Land for Residential (1,700 Units), Business / Employment Purposes, Local Services, Community Primary School, Public Park, Off-Road / Footpaths, Landscaping and Open Space, Sustainable Urban Drainage Systems and Construction of Distributor Road and Two Roundabouts'*. The outline masterplan which was approved with the outline consent confirmed the location of the business park in the south east corner of the Hill of Kinnaird site. The site was subsequently included in the current Local Plan as Opportunity ED.L&S03. The Council is carrying forward the site into the Proposed LDP as Proposal ED21. The site forms part of the Larbert Gateway Strategic Business Location.

The Council has assessed employment land supply, and historic and likely future patterns of demand and take up in Technical Report 5: Economy and Employment Land. As a result of this assessment, the Council considers that the Hill of Kinnaird site is an attractive one which contributes in terms of quality and choice to the supply of employment land to meet both local needs and inward

investment. It is in a strategic location with accessibility to the motorway system improved by the opening of the M876 east-facing slip roads. This improved motorway junction opened in August 2012 and has created a 4-way interchange. The Technical Report highlights the attractiveness of North Larbert as an area where inward investment has been evident in the office/light industry sector in nearby Central and Glenbervie Business Parks (paragraph 4.21). Whilst the recession has seen a slowdown in activity, the LDP seeks to look at a longer time horizon and it is reasonable to expect that economic conditions will improve over the coming years.

There is no requirement or justification to increase the amount of housing within the Bellsdyke/Hill of Kinnaird area. The committed sites at the former Bellsdyke Hospital and adjacent greenfield land at Hill of Kinnaird provide a long term framework for settlement growth in Larbert/Stenhousemuir. Existing supply sites, as set out in Figure 3.1 of the Proposed LDP amount to 894 for the period 2014-2024 (updated to 961 by the 2012/2013 HLA), with a further 190 units to be delivered on Hill of Kinnaird post 2024.

Education capacity represents a constraint to further significant housing growth, and is the principal reason why no additional allocations have been made in the Larbert/Stenhousemuir area. The school capacity update to Technical Report 4 provides an outline of the constraints. Larbert High School is operating close to its operational capacity. The planned capacity enhancements at this school which involve the conversion of neighbouring Carrongrange School accommodation (Proposal INF24) will provide capacity for the existing committed sites. However, there would be insufficient capacity to cope with a further increase in housing allocations. In terms of primary school capacity, Kinnaird Primary School is currently experiencing capacity issues which will be resolved in the short term by the introduction of two modular class rooms and in the longer term by a permanent extension. Again, this will deal with existing commitments; it will not create capacity for any additional growth.

It is not accepted that a vacant business park in this location would have a detrimental impact on residential amenity or house sales. A business park at the south eastern corner of the site has been a long term aspiration of the outline planning consent and the approved masterplan. The masterplan was a culmination of a long consultation process which involved a joint approach with the landowner (NHS Forth Valley), developer (Cala), Falkirk Council and a number of key community stakeholders. The existing character of the proposed business park site is greenfield, so it will not impact on residential amenity.

NHS Forth Valley has suggested that land for the business park could be made available on greenfield land to the east. The proposed area is currently outwith the urban limit of Larbert and Stenhousemuir and designated as green belt. It fulfils two key objectives of the green belt by protecting the landscape setting of Stenhousemuir and reinforcing the settlement strategy for the area. A business park allocation here would represent an undesirable and unnecessary erosion of the green belt. The existing green belt boundary along the Moss Road is robust and defensible. Allowing development to the east would create a precedent for further development in the Kinnaird area.

For these reasons, the Council does not agree to modify the plan in response to

this representation.

### **Non Allocated Site – Roughlands Farm (MIR Ref L&S/B/02)**

**Springfield Properties plc (00852/2002/001):-** The Council does not consider the Roughlands site to be an appropriate housing allocation, or that the site should be removed from the green belt. The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was considered at the previous Local Plan Inquiry in 2009. The Reporters recommended that the site should not be allocated for housing and should remain outwith the Urban Limit, but that the site should be taken out of the green belt, allowing it to be considered as a development option beyond 2020. The Council did not accept the latter part of the recommendation, and decided to retain the site within the green belt.

There is no requirement or justification for additional housing allocations in the Larbert & Stenhousemuir area, or indeed further long-term sites. The committed sites, particularly at Bellsdyke and Hill of Kinnaird, provide a long term framework for settlement growth in the area. Existing supply sites, as set out in Figure 3.1 of the Proposed LDP amount to 894 for the period 2014-2024 (updated to 961 by the 2012/2013 HLA), with a further 190 units to be delivered on Hill of Kinnaird post 2024.

Education capacity represents a constraint to further significant housing growth, and is the principal reason why no additional allocations have been made in the Larbert/Stenhousemuir area. The school capacity update to Technical Report 4 provides an outline of the constraints. Larbert High School is operating close to its operational capacity. The planned capacity enhancements at this school which involve the conversion of neighbouring Carronrange School accommodation (Proposal INF24) will provide capacity for the existing committed sites. However, there would be insufficient capacity to cope with a further increase in housing allocations.

As regards the green belt status of the site, the Council considers that there is no need for justification for green belt release in this location to meet housing land requirements. The site is an integral part of the green belt in this location and fulfils two key objectives of the green belt by protecting the landscape setting of Stenhousemuir and reinforcing the settlement strategy for the area, which is to focus long-term development on the North Larbert area (site H36 and H37). The existing green belt boundary comprises strong physical features following urban edges or roads which are considered appropriate and robust.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Pretoria Road/Denny Road (MIR Ref L&S/B/04)**

**NHS Forth Valley (NHS Board) (00522/2001/001):-** The Council does not consider the site at Pretoria Road/Denny Road should be a specific allocation for housing, although the site has been included within the Urban Limit and the Council would not rule out the principle of development at some future stage. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

In response to this representation, the Council has re-examined the line of the Urban Limit on the western edge of Larbert. In the current Local Plan, the Urban Limit follows Stirling Road. However, it is accepted that there is now a reasonable area of built development to the west of Stirling Road, including housing, mixed commercial and community uses at Larbert Cross, and supported housing for people with learning disabilities at the Bungalows. Consequently, the Urban Limit has been altered in the Proposed LDP (Map 2) to include this area of built development. The Pretoria Road/Denny Road site is included within the new area drawn within the Urban Limit. This would potentially allow development of this site for housing in the longer term, subject to detailed assessment, under the terms of proposed Policy HSG03 on Windfall Housing (page 43). However, the planning permission granted for the development of housing at Larbert House and Stables (site H39, application reference P/11/485/FUL) requires a new access point off the Denny Road (to the east of the existing narrow access) which will cut through the site which is the subject of this representation. Consideration of the development potential of the site is therefore considered premature pending the redevelopment of Larbert House/Stables and the formation of this access.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Hill of Kinnaird 3 (MIR Ref L&S/B/05)**

**Cala Management Ltd (00512/2001/002):-** The Council does not consider the Hill of Kinnaird 3 site to be an appropriate long-term housing allocation, or that the site should be removed from the green belt. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

There is no requirement or justification for additional housing allocations in the Larbert & Stenhousemuir area. The committed sites, particularly at Bellsdyke and Hill of Kinnaird, provide a long term framework for settlement growth in the area. Existing supply sites, as set out in Figure 3.1 of the Proposed LDP amount to 894 for the period 2014-2024 (updated to 961 by the 2012/2013 HLA), with a further 190 units to be delivered on Hill of Kinnaird post 2024.

Education capacity represents a constraint to further significant housing growth, and is the principal reason why no additional allocations have been made in the Larbert/Stenhousemuir area. The school capacity update to Technical Report 4 provides an outline of the constraints. Larbert High School is operating close to its operational capacity. The planned capacity enhancements at this school which involve the conversion of neighbouring Carronrange School accommodation (Proposal INF24) will provide capacity for the existing committed sites. However, there would be insufficient capacity to cope with a further increase in housing allocations.. In terms of primary school capacity, Kinnaird Primary School is currently experiencing capacity issues which will be resolved in the short term by the introduction of two modular class rooms and in the longer term by a permanent extension. Again, this will deal with existing commitments; it will not create capacity for any additional growth. Current school roll projections show that occupancy levels will remain high at both schools beyond 2020. A site of this size, which could accommodate of the order of 1000 houses, is likely to require both new secondary and primary schools, which would need to be provided through

developer contributions. It is unlikely that the development would be of a scale that could fund this degree of infrastructure.

There will be major impacts on a range of other infrastructure in an area which has already been subjected to very significant growth over the past 10-15 years. These impacts have yet to be quantified but are likely to require significant upgrades to physical and community infrastructure.

As regards the green belt status of the site, the Council considers that there is no need for justification for green belt release in this location to meet housing land requirements. The site is an integral part of the green belt in this location and fulfils two key objectives of the Green Belt by protecting the landscape setting of Stenhousemuir and reinforcing the settlement strategy for the area. The existing green belt has a robust and defensible boundary provided by the Moss Road to South Alloa, in contrast to the boundary put forward by the Cala which follows a minor access road within Kinnaird House estate. It should also be noted that most of the site is prime agricultural land.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **General Infrastructure**

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

**(00440/2001/001):-** The Council's approach in Larbert and Stenhousemuir is a strategy of consolidation which focuses on the building out of committed sites at Bellsdyke and Hill of Kinnaird (H36 & H37) and two further smaller sites at Lorne Road (H38) and Larbert House/Stables (H39). There have been no further housing allocations in the settlement through the Proposed LDP, in acknowledgement of the infrastructure issues (especially education capacity) which exist.

All the committed sites have been granted planning permission (although the consent for Lorne Road has lapsed) and the large Bellsdyke and Hill of Kinnaird sites are under construction. Infrastructure issues have been fully considered as part of the assessment of the relevant planning applications, and where necessary, contributions to necessary infrastructure have been sought and secured. Infrastructure improvements such as the construction of two new primary schools (Kinnaird and St Bernadette's), the upgrading of the M876 Junction 2, the construction of new car parking at Larbert station, and various other transport network improvements have been carried out over recent years. The Council therefore considers that infrastructure is largely in place to cope with committed development, apart from further capacity enhancements at Larbert High and Kinnaird Primary which will be necessary and are being planned for.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 9</b>	<b>Maddiston &amp; Rumford Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Polmont <u>Appendix 1 Site Schedule</u> Housing – Polmont (pages a2-06/7) <u>Appendix 2 Strategic Growth Area Guidance</u> Maddiston East (page a2-09) <u>Proposals Map 5</u> Grangemouth, Polmont Area, California, Shieldhill, Skinflats & Whitecross	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Mr and Mrs JSB and S Rogers (01207)          Craigrossie Properties (00904)          Keiller Edinburgh Ltd. (00839)          Ms Frances Newns (01103)          Ian Moffat (01081)          Ecosse Regeneration (00713)          Heartlands (Central) Ltd (01255)          Land Options West (00851)          Thomas Millar and Family (00952)          Gladman Developments Ltd (01258)          Mr A McMillan and Mrs M Comrie Bryant (00884)          Manor Forrest Ltd (00455)          Ms Lynne Barrett (01280)          Maddiston Community Council (00323)</p>		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in Maddiston & Rumford, as identified in the Polmont Area Settlement Statement, and detailed in Appendices 1 and 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H44 – Parkhall Farm 2</u></b></p> <p><b>Ian Moffat (01081/2001/001):-</b> Objection is made to the site at Parkhall Farm 2 (H44). Concern is expressed about social, affordable or Council housing provision on-site, overlooking on to existing properties, and the possibility of parks being located close to Mr Moffat's property, giving rise to a risk of anti-social behaviour.</p> <p><b>Ms Lynne Barrett (01280/2001/001):-</b> Objection is made to the site at Parkhall Farm 2 (H44). Development would have an adverse impact on the semi-rural nature of the area. The SUDs pond is also of ecological value and the drainage on-site is poor. There would also be education capacity issues at Maddiston Primary School.</p>		

### **Allocated Housing Site H45 – Parkhall Farm 3**

**Thomas Millar and Family (00952/2001/001):-** Objection is made to the site at Parkhall Farm 3 (H45). Concerns include loss of residential amenity and security issues for the Mr Millar's property due to the close proximity of the development boundary. There would also be a negative impact on the Manuel Burn SINC, and the landscape in the immediate vicinity, as well as other environmental concerns such flooding, and a loss of prime agricultural land.

**Mr A McMillan and Mrs M Comrie Bryant (00884/2001/001):-** The site at Parkhall Farm 3 (H45) is supported.

**Keiller Edinburgh Ltd. (00839/2001/001):-** The site at H45, and the Maddiston East Strategic Growth Area in general, is supported. Keiller are keen to progress the site. Developer requirements should be proportionate throughout the Strategic Growth Area.

### **Allocated Housing Site H46 - Parkhall Farm 4**

**Manor Forrest Ltd (00455/2004/001):-** An amendment to the capacity and specified tenure of the site at Parkhall Farm 4 (H46) is sought. The 100% affordable housing requirement should be reduced to 25%. It is considered that the delivery of the whole scheme under shared equity as originally anticipated is not financially viable. An increase in the capacity of the site from 20 to 40 is also sought.

### **Allocated Housing Site H48 –Toravon Farm**

**Mr and Mrs JSB and S Rogers (01207/2001/001):-** Objection is made to the site at Toravon Farm (H48). There is already a lack of recreational facilities for the existing village. Manor Wynd is also the main access road to Vellore Road and there will be traffic issues arising from this development. The development will result in pressure on Maddiston Primary School and other supporting infrastructure. The original Toravon development suffers from frequent power cuts which would indicate problems with the electricity substation.

**Ms Frances News (01103/2001/001):-** Objection is made to the site at Toravon Farm (H48). The site currently lies outwith the Urban Limit and there is sufficient growth already provided for in the settlement. The site would result in a detrimental impact on the character and amenity of the area and loss of wildlife. There is a public right of way within the site boundary. Inclusion of H48 would result in pressures on Maddiston Primary School and the road network, particularly in terms of road safety.

### **Non Allocated Site - Greenwells Farm (MIR Ref POL/B/02)**

**Craigrossie Properties (00904/2001/002):-** A site at Greenwells Farm should be identified for residential development, with a capacity of 90 units. The site comprises the northern part of MIR site POL/B/02, amounting to 8 hectares. The site is an effective and viable site, forming a natural extension to Maddiston, which would balance the existing and new releases at Overton/Redding and East Maddiston, providing greater variety, distribution and choice of housing locations.

Following the issue of the MIR, Craigrossie Properties reduced the scale of the site they were promoting at the pre-MIR stage in the light of Council concerns about the scale of proposed development. It is considered that a smaller scale of development can address concerns about landscape fit and will not result in significant infrastructure capacity issues. A supporting statement (\*\*) and a suite of documents (\*\*) submitted at the MIR stage are included in support of the representation.

**Non Allocated Sites – Parkhall Farm North 1 & 2 (MIR Ref POL/B/08 & 09); Gilston South (MIR Ref POL/B/01)**

**Ecosse Regeneration (00713/2001/003 & 004); Heartlands (Central) Ltd (01255/2002/003 & 004); Land Options West (00851/2003/03 & 004):-** A site at Parkhall Farm North 1 & 2 and Gilston South (MIR references POL/B/01, 08 & 09) should be identified as a mixed use, phased residential led urban expansion area, included as part of the Maddiston East Strategic Growth Area. Uses would include housing; canal related leisure and tourism; sports and recreation facilities; neighbourhood centre; and greenspace, community park and play area. Phase 1 would deliver 428 units, with Phases 2 & 3 identified by an asterisk as an opportunity for the second 10 year period of the LDP. The representation has been informed by close examination of landscape issues, transport/infrastructure issues and planning issues, and is supported by a range of Appendices, including a masterplan, phasing plan, MIR submission, and landscape and transport updates.

**Gladman Developments Ltd (01258/2001/001):-** A site forming the western half of Parkhall Farm North 2 (MIR reference POL/B/09) should be identified for residential development, along with the allocated site H44 (Parkhall Farm 2).

The site provides a logical extension to the existing housing provision at Maddiston East, forming a logical infill given the location of other allocated sites. The ridges within the site would provide a landscaped screen enclosing the development within a section of the site which, together with detailed landscaping proposals, would ensure that development did not detract from the character of the area. The site is considered to be effective. There are no infrastructure constraints which would prevent its delivery.

A number of documents have been submitted which demonstrate the suitability and delivery of the site. These include a delivery document, a landscape assessment and an access appraisal.

**General Infrastructure**

**Maddiston Community Council (00323/2001/001):-** The LDP should set out specific details regarding what facilities and infrastructure will be provided as part of new development. The village has seen rapid growth with a large number of new developments doubling the village population in the last 15 years. There have been no improved facilities or infrastructure with these houses, The new school is already approaching capacity. There are drainage and sewage issues in the entire Upper Braes area which will be exacerbated by further house building. The only community facility is a Community Centre which is not fit for purpose. The nearest medical facilities are in Polmont which will struggle to accommodate

new development. There are few employment opportunities and the cost of public transport makes mobility difficult. There not enough facilities for young people.

**Maddiston Community Council (00323/2001/002):-** There should be more playparks spread throughout the village rather than concentrating resources on Valley Park. Each large development should contribute towards providing good play facilities throughout the village. One small area in the centre of the village does not make up for the huge amount of greenspace lost to development for housing.

**Maddiston Community Council (00323/2001/003):-** There is a large elderly population in Maddiston and provision for 1 bed social housing or sheltered accommodation is vital as elderly people wish to remain in the village.

#### **Modifications sought by those submitting representations:**

##### **Allocated Housing Site H44 – Parkhall Farm 2**

**Ian Moffat (01081/2001/001); Ms Lynne Barrett (01280/2001/001):-** Delete Proposal H44 (Parkhall Farm 2).

##### **Allocated Housing Site H45 – Parkhall Farm 3**

**Thomas Millar and Family (00952/2001/001):-** Delete Proposal H45 (Parkhall Farm 3).

##### **Allocated Housing Site H46 - Parkhall Farm 4**

**Manor Forrest Ltd (00455/2004/001):-** Amend site capacity from 20 units to 40 units and a reduce affordable housing requirement from 100% to 25% within the site comments in Appendix 1.

##### **Allocated Housing Site H48 –Toravon Farm**

**Mr and Mrs JSB and S Rogers (01207/2001/001); Ms Frances Newns (01103/2001/001):-** Delete Proposal H48 (Toravon Farm).

##### **Non Allocated Site - Greenwells Farm (MIR Ref POL/B/02)**

**Craigrossie Properties (00904/2001/002):-** Insert additional site comprising north eastern part of Greenwells Farm, Maddiston for housing, with a capacity of 90 units.

##### **Non Allocated Sites – Parkhall Farm North 1 & 2 (MIR Ref POL/B/08 & 09); Gilston South (MIR Ref POL/B/01)**

**Ecosse Regeneration (00713/2001/003 & 004); Heartlands (Central) Ltd (01255/2002/003 & 004); Land Options West (00851/2003/003 & 004):-** Insert additional sites at Parkhall Farm North and Gilston South as a mixed use, phased, residential led urban expansion area, included as part of the Maddiston East Strategic Growth Area. Uses to include housing; canal related leisure and tourism; sports and recreation facilities; neighbourhood centre; and greenspace,

community park and play area. Phase 1 to comprise 428 units, with Phases 2 & 3 identified by an asterisk as an opportunity for the second 10 year period of the LDP.

**Gladman Developments Ltd (01258/2001/001):-** Insert an additional site for residential development comprising the western part of Parkhall Farm North 2, as an extension to allocated site H44.

### **General Infrastructure**

**Maddiston Community Council (00323/2001/001):-** Amend the LDP to include specific details on the delivery of infrastructure to support growth in Maddiston.

### **Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Polmont area (which includes Maddiston/Rumford) is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

### **Allocated Housing Site H44 – Parkhall Farm 2**

**Ian Moffat (01081/2001/001); Ms Lynne Barrett (01280/2001/001):-** The Council considers that H44 (Parkhall Farm 2) represents an appropriate site for residential development. It is promoted as part of the Maddiston East Strategic Growth Area. It has been subject to site assessment, along with other potential sites in the Maddiston area.

The Council's strategy for Maddiston/Rumford Area is to augment the ongoing residential development at Parkhall Farm 1 (H43) and committed site at Toravon Farm (H48) with further sites at Parkhall Farm (H44-H47) to provide a consolidated, co-ordinated and masterplanned residential expansion area, which has relatively low landscape impact, facilitates the integration and redevelopment of the vacant steading and nursery at Parkhall Farm, and is of a manageable scale such that it can be accommodated through upgrading of existing infrastructure, rather than major new infrastructure. Guidance on the Maddiston East Strategic Growth Area is provided in Appendix 2 (page a2-09).

As part of this expansion area, site H44 forms a natural extension to the existing Parkhall development to the west, infilling the gap between this development and the farm steading, nursery and existing housing on site H45 to the east. It already accommodates a SUDs pond for the existing Parkhall development, and is relatively low lying in the landscape.

With regard to the specific points of objection, the scale, location and nature of housing type and tenure is yet to be determined, but will be considered through a masterplanning exercise. Detailed design considerations such as the location and nature of open space and impact on residential amenity would be determined through that process, and subsequent detailed planning applications. In line with the affordable housing policy in the proposed LDP, there would be a requirement

for 25% affordable housing. It is possible that this requirement could be discharged through a commuted sum.

The SUDS pond on the southern part of the site will be retained as part of the priority to be given to the retention and enhancement of the Manuel Burn corridor for biodiversity and outdoor access within the wider growth area. Only the northern part of the site will be developed.

With regard to schools capacity, it is acknowledged that Maddiston Primary School has capacity issues. These are highlighted in the school capacity update. The Maddiston East Strategic Growth Area will require an extension to the primary school. This is highlighted as Proposal INF32 in the Proposed Plan, and will be funded through proportionate contributions from the various sites forming part of the SGA.

For these reasons, the Council does not agree to modify the plan in response to these representations.

### **Allocated Housing Site H45 – Parkhall Farm 3**

**Thomas Millar and Family (00952/2001/001):-** The Council considers that H45 (Parkhall Farm 3) represents an appropriate site for residential development. It is promoted as part of the Maddiston East Strategic Growth Area. It has been subject to site assessment, along with other potential sites in the Maddiston area.

The Council's strategy for the Maddiston/Rumford Area is to augment the ongoing residential development at Parkhall Farm 1 (H43) and committed site at Toravon Farm (H48) with further sites at Parkhall Farm (H44-H47) to provide a consolidated, co-ordinated and masterplanned residential expansion area, which has relatively low landscape impact, facilitates the integration and redevelopment of the vacant steading and nursery at Parkhall Farm, and is of a manageable scale such that it can be accommodated through upgrading of existing infrastructure, rather than major new infrastructure. Guidance on the Maddiston East Strategic Growth Area is provided in Appendix 2 (page a2-09).

H45 forms an appropriate part of this expansion area. The site is partly brownfield, occupied by the vacant Parkhall steading and nursery, and with a row of houses already along the north side of the Manuel Burn. It is relatively low lying in the landscape, with woodland offering containment on the east side, screening development from the A801, and form a robust long term boundary to the settlement.

With regards to concerns about loss of amenity to Mr Millar's property, the scale, location and nature of housing is yet to be determined, but will be considered through a masterplanning exercise. Detailed design considerations such as the impact on residential amenity would be determined through that process, and subsequent detailed planning applications. There is no reason why such concerns cannot be addressed. With regard to the Manuel Burn SINC, the Strategic Growth Area guidance in Appendix 2 (page a2-09) states that the Manuel Burn corridor has to be maintained and enhanced. There would be an appropriate buffer maintained to the SINC. This buffer should create an appropriate stand-off in terms of flood risk, although a flood risk assessment will be required to

demonstrate this. It is acknowledged that the site is prime agricultural land, but the loss is of limited scale, and the holding's fragmented nature limits its productive capacity.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Housing Site H46 - Parkhall Farm 4**

**Manor Forrest Ltd (00455/2004/001):-** The Parkhall Farm 4 site (H46) is allocated within the proposed LDP as part of the Maddiston East Strategic Growth Area, with a capacity of 20 units stated in Appendix 1. In spite of being outwith the Urban Limit in the current Local Plan, it was granted planning permission in principle for residential development in May 2011 (ref P/09/0457/OUT), subject to a Section 75 obligation requiring all of the housing to be affordable housing. Because of the extant planning permission, it is listed as a 'existing supply site'.

It is considered that the indicative capacity of 20 units is appropriate. The site is 1.1 ha in size which at a standard suburban density of 25/units per hectare would accommodate 28 units. However the site abuts the Manuel Burn SINC, and there is a need to take into account buffer zones to the SINC on the east and north side, which will reduce the capacity. This explains the Council's estimate of 20 units. Manor Forrest seek a site capacity of 40 units on the basis of the site layout submitted with their representation. However, this layout is based on a site boundary that encroaches on the SINC at the northern boundary by some 20 metres and makes no allowance for appropriate buffers to the SINC.

Whilst Appendix 1 references the PPP consent which requires 100% of the housing to be affordable, the SGA guidance in Appendix 2 (page a2-09) makes it clear that the proposed LDP's requirement is for 25% of units to be affordable (the standard quota for the Polmont area as stated in proposed Policy HSG02).

For these reasons, the Council does not agree to modify the Plan in response to this representation.

#### **Allocated Housing Site H48 –Toravon Farm**

**Mr and Mrs JSB and S Rogers (01207/2001/001); Ms Frances Newns (01103/2001/001):-** Proposal H48 (Toravon Farm) is allocated as a housing site in the current Local Plan. The site was considered at the Local Plan Inquiry in 2009, following which it was recommended for inclusion in the Local Plan by the Reporters. The site has therefore already been subject to assessment through the previous Local Plan process. The site is now included within the Maddiston East Strategic Growth Area.

With regard to concerns about lack of recreational facilities in Maddiston and pressures on primary school capacity, contributions will be sought from all sites forming part of the SGA to the enhancement of infrastructure in the local area, as detailed in Appendix 2. This will facilitate an extension to the school, improvements to the community hall, and enhancement of the greenspace network and play facilities. Traffic issues will be considered in more detail at the masterplan and detailed application stages. Appendix 2 notes that contributions to

off-site road network improvements may be required. With regards to the specific concern about the capacity of the current electricity substation, this would be a issue which would require to be resolved between an individual property owner and the utilities provider.

With regard to the issue of impact on wildlife, there are no ecological designations within the site. Any protected species would be identified at the planning application stage, and mitigation set out accordingly. The right of way which runs along the eastern boundary of the site would be retained, and linked into wider greenspace opportunities to the east of the site which are mentioned in Appendix 2.

For these reasons, the Council does not agree to modify the Plan in response to these representations.

### **Non Allocated Site - Greenwells Farm (MIR Ref POL/B/02)**

**Craigrossie Properties (00904/2001/002):-** The Council does not consider the site at Greenwells Farm to be an appropriate allocation for housing. The site forms the northern part of a larger site which were originally submitted for consideration as a result of the pre-MIR 'call for sites'. This larger site was subject to site assessment (CD21, site ref POL/B/02) and was identified in the MIR as non-preferred sites. The Council has also assessed the reduced 8 hectare site, for 90 units, which is now the subject of this representation. A slightly larger site at this location was considered at the Local Plan Inquiry in 2009 (CD12, page 244) and was rejected by the Reporters.

The Council's overall strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit (CD40), giving a total supply of 1144. Extensive provision has been made for housing growth in the Polmont area, and there is no need or justification for significant additional allocations.

The Greenwells Farm site proposed for housing by this representation, although reduced in scale from the sites submitted at the pre-MIR stage, would still represent a substantial western extension of Maddiston/Rumford into the countryside, and would be capable of accommodating considerably more than the 90 units stated. The site is prominent, and landscape impacts significant. The Reporters at the Local Plan Inquiry in 2009 did not consider that it would be sympathetic to the character of the settlement (CD12, paragraph 11.7.11). The preferred area of growth at East Maddiston is considered to offer a better general settlement fit than expansion at Greenwells

The capacity of Maddiston Primary School is a significant constraint on the overall scale of development in the Maddiston area. The situation is highlighted in the school capacity update (CD25, paragraph 6.23). The school is currently operating

at high occupancy levels and a permanent extension to the primary school will be required to accommodate committed and planned growth at East Maddiston (proposal INF32). Additional allocations will increase the risk that even an extended school will not be able cope with the children generated from these developments

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Non Allocated Sites – Parkhall Farm North 1 & 2 (MIR Ref POL/B/08 & 09); Gilston South (MIR Ref POL/B/01)**

**Ecosse Regeneration (00713/2001/003), Heartlands (Central) Ltd (01255/2002/004) and Land Options West (00851/2003/003):-**

The Council does not consider the sites at Parkhall Farm North 1 & 2 and Gilston South to be appropriate allocations for residential-led mixed use development. The sites were subject to site assessment, and were identified in the MIR as non-preferred sites. The western part of Parkhall Farm was considered at the previous Local Plan Inquiry in 2009, and was rejected by the Reporters. It should be noted that the overall site promoted as part of the representations includes some areas which are already identified for development in the proposed LDP (H44, H47 and ED25).

The Council's overall strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit, giving a total supply of 1144. In addition, the Whitecross Strategic Growth Area, although in the Rural South area, is close to the Parkhall North sites, and will deliver 1500 houses over the long term. Extensive provision has been made for housing growth in the Polmont and adjacent Rural South areas.

The sites proposed under this representation would represent a massive further expansion of the urban area of Maddiston /Rumford, capable of accommodating some 1000-1500 houses. Given the scale of provision already made in the Polmont and adjacent Rural South areas, particular the Strategic Growth Areas at East Maddiston and Whitecross, there is no need or justification for an allocation of this scale. It would be contrary to the wider LDP strategy of promoting and reaffirming existing housing and regeneration commitments, whilst promoting modest additional expansion in some settlements. In particular it would jeopardise the delivery of the nearby Whitecross SGA, which is a key regeneration project for the Council, based largely on brownfield land, and one of the exemplar projects selected under the government's Scottish Sustainable Communities Initiative.

The proposed development would represent a major intrusion into the open countryside to the east of Polmont, and have significant landscape impacts. The local landscape comprises of a series of drumlins with prominent ridges and

relatively steep slopes. The ridges and much of the slopes are visible over a wide area, and visual impact from development would be difficult to mitigate. The undulating landscape is traversed by two tree belts which are designated as SINC. The northern sites (POL/B/08 and POL/B/01) straddle the Union Canal which has an attractive rural character at this point. The Union Canal is a SINC and a scheduled ancient monument. The rural character and setting of the setting will be destroyed, and the integrity of the two SINC is likely to be compromised. The whole of the site is prime agricultural land, representing a significant loss of some 78 hectares.

A development of this scale will have major implications for physical and community infrastructure in the area, which are not satisfactorily addressed in the submission. With regard to education provision, the sites lie within the catchment of Maddiston Primary School. As highlighted in the school capacity update, the school is currently operating at high occupancy levels and a permanent extension to the primary school will be required to accommodate committed and planned growth at East Maddiston (proposal INF32). Development of the scale proposed by this representation would require a new 2 stream primary school, delivered relatively early in the life of the development. No such provision is made in the submission, or the masterplan. With regard to the local secondary school, Braes High School, catchment boundaries were redrawn recently to deal with its capacity problems, but high occupancies are expected to continue in the long term. There is therefore no capacity for this development. Further rezoning is not an option as the other catchment school serving the wider Polmont area – Graeme High School – is also expected to experience long term capacity pressures.

The transport implications of such a major urban expansion will be significant, and the site assessment highlights areas of the network which are under pressure, notably the congested B805 and B810 corridors and Junction 4 of the M9. The development is proposed to be accessed by means of a new distributor road connecting the A801 to the B805. A Transportation Statement was produced at the 'call for sites' stage, with an update letter accompanying this representation. However, in the absence of a more detailed Transport Assessment, the scale of impacts and whether these impacts can be mitigated is as yet unclear.

For these reasons, the Council does not agree to modify the plan in response to these representations.

**Gladman Developments Ltd (01258/2001/001):-** This representation seeks the allocation of the western part of Parkhall Farm North 2 for residential development, as an extension to allocated site H44. The Council does not consider this site to be appropriate allocation for housing. The site was subject to site assessment, and was identified in the MIR as a non-preferred site. It was considered at the previous Local Plan Inquiry in 2009, and was rejected by the Reporters.

The Council's overall strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the

period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit, giving a total supply of 1144. In addition, the Whitecross Strategic Growth Area, although in the Rural South area, is close to the Parkhall North sites, and will deliver 1500 houses over the long term.

Extensive provision has been made for housing growth in the Polmont and adjacent Rural South areas, and there is no need or justification for a significant additional allocation as proposed by the representation.

The Polmont Farm North site proposed for housing by this representation would be likely to accommodate some 250 additional units. The shape of the site does represent a logical extension to the settlement boundary, and pressure for further development to the east is likely, and indeed is implied by the development framework. The site includes a prominent ridgeline and whilst the lower part of the site to the west could probably be developed with limited landscape impact, development on the eastern part, on the slopes of the drumlin, is likely to have significant impact. In terms of overall landscape fit, and relationship to the existing settlement, the Council's allocated area of growth at East Maddiston is considered to provide a better option.

The capacity of Maddiston Primary School is a significant constraint on the overall scale of development in the Maddiston area. The situation is highlighted in the school capacity update. The school is currently operating at high occupancy levels and a permanent extension to the primary school will be required to accommodate committed and planned growth at East Maddiston. Such an extension is unlikely to be able to accommodate the children generated by this additional scale of development. There may also be issues with regard to the capacity of Braes High School which is due to continue at high occupancy levels into the longer term.

For these reasons, the Council does not agree to modify the Proposed Plan in response to this representation.

### **General Infrastructure**

**Maddiston Community Council (00323/2001/001):-** Specific guidance has been provided for the Maddiston East Strategic Growth Area in Appendix 2 (page a2-09) which sets out general infrastructure requirements to which the individual sites will have to contribute. This includes an extension to the primary school, contributions to the improvement of the community hall, and greenspace and play facilities. Growth in the area to date has been supported by new infrastructure, notably the new Maddiston Primary School. Drainage network issues will be examined at a later stage in the process, with individual sites making proportionate contributions to any necessary upgrading. Information from NHS Forth Valley does not suggest that there are capacity issues at Polmont Health Centre. However, proposed Policy INF06 of the Proposed LDP provides a mechanism to address healthcare capacity issues through developer contributions where there is an identified deficiency.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Maddiston Community Council (00323/2001/002):-** Valley Park is considered to be an appropriate location for focusing off-site open space contributions arising from the East Maddiston sites. The Falkirk Open Space Strategy identifies it as being not fit for purpose, and is well located. However, the proposed LDP does not rule out contributions to other facilities, and will consult further with the community as part of the masterplanning process on the preferred areas for investment.

For this reason, the Council does not agree to modify the plan in response to this representation.

**Maddiston Community Council (00323/2001/003):-** Research undertaken as part of the Housing Need and Demand Assessment indicates that there is currently very low demand for the current model of supported housing for older people in the Council area. Information from the housing register appears to indicate that older people would prefer to have two bedroom properties rather than move to Housing with Care which is either a bedsit or has only one bedroom. Conversely, there is high demand for property adaptations with 3,693 people indicating they require adaptations to their home, of which 67% are elderly.

For this reason, the Council does not agree to modify the plan in response to this representation.

<b>Issue 10</b>	<b>Polmont &amp; Reddingmuirhead Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Polmont Area <u>Appendix 1 Site Schedule</u> Housing – Polmont Area (pages a2-06/7) Economic Development – Polmont Area (pages a1-18) <u>Proposals Map 5</u> Grangemouth and Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Eadie Developments Ltd (00774) Network Rail (00493) Muir Homes Ltd (01160) Polmont Community Council (00408) Mactaggart and Mickel Ltd (00011) Reddingmuirhead and Wallacestone Community Council (00426) Manor Forrest Ltd (00455) Hansteen Land Ltd (00772) Mr T McCarroll (00883)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in the Polmont area, as identified in the Polmont Area Settlement Statement, and detailed in Appendices 1 and 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H50 - Whiteside Hotel</u></b></p> <p><b>Eadie Developments Ltd (00774/2001/001 &amp; 002):-</b> The allocation of Whiteside Hotel (H50) for housing within the Proposed LDP is supported. However, amendments are sought to the Site Schedule in Appendix 1. The site has an area of 0.87 ha. It is noted that all of the site sizes are to one decimal place and therefore the size of the former Whiteside Hotel site should be 0.9 ha, rather than 0.8 ha as shown in Appendix 1. The capacity of 35 units as stated in Appendix 1 is an underestimate of the site's realistic capacity. The capacity should be 45 units in order to make full sustainable use of this brownfield residential opportunity. A 3rd bullet point should be added to the 'site comments' column as follows: 'Site is suitable to accommodate some three storey flats in addition to two storey housing'.</p> <p><b>Polmont Community Council (00408/2001/002):-</b> The residents of Whiteside Estate and the Community Council understand that development of the Whiteside Hotel (H50) will go ahead. The proposed site capacity and also the requirement that the housing is sympathetic to the existing housing in terms of style and density is welcomed.</p>		

### **Non Allocated Site – Middlerigg, Reddingmuirhead (MIR Ref POL/B/05)**

**Mactaggart and Mickel Ltd (00011/2004/005):-** A site at Middlerigg, Reddingmuirhead (MIR Reference POL/B/05) should be allocated for housing. The site was previously identified as a preferred site in the MIR but has been removed in the proposed LDP. A full submission in support of the site's allocation was lodged to the MIR. This confirms that the site provides an effective development site for 200 units, and that identifiable constraints in terms of education, coalescence and flood risk can be fully mitigated. The site relates well to the wider Polmont area and can take advantage of the social, community, amenity provisions and good transport links that the settlement offers.

### **Reddingmuirhead and Wallacestone Community Council (00426/2002/002):-**

The non-allocation of the site at Middlerigg, Reddingmuirhead, which was previously a preferred site in the MIR (ref POL/B/05), is supported.

### **Non Allocated Site – Polmont Park (MIR Ref POL/B/10)**

**Manor Forrest Ltd (00455/2005/001):-** A site at Polmont Park, Polmont (MIR Ref POL/B/10) should be allocated for mixed use, including housing, a nursing home education facilities, sports and recreation facilities and green network enhancement. It should be removed from the green belt. The green belt boundary is drawn too tightly around Polmont at this location. The site does not have any overriding justification for being part of the green belt. It does not provide any open/green space value and is unproductive and ineffective as green belt land. Development of the site would not affect the landscape setting, set a precedent or result in coalescence of Polmont and Grangemouth. Although the site is in the Antonine Wall World Heritage Site buffer zone, the site would not have any adverse effect on the character or setting of the wall.

### **Non Allocated Site – Station Road, Polmont (MIR Ref POL/B/11)**

**Muir Homes Ltd (01160/2001/003):-** A site at Station Road, Polmont (POL/B/11) should be allocated for housing, with a notional capacity of 120 units. The site is an attractive, deliverable and effective housing site. It is a more a sustainable and appropriate development option compared with the sites in the Polmont area being promoted through the LDP. Development impacts are within acceptable limits and can be mitigated as required. The site well related and connected to its surroundings, highly accessible and utilises available infrastructure in a sustainable manner.

**Mr T McCarroll (00883/2001/001):-** A site at Station Road, Polmont (POL/B/11) should be allocated for housing. The site plan submitted also shows an additional area of 3 acres to the south of the canal. It is an infill site, which is acceptable in landscape terms, with easy access to Polmont railway station. The site is effective and deliverable, in contrast to other sites allocated in the proposed LDP. MR McCarroll owns sufficient land to provide an access, and is prepared to work with the Council to provide additional parking for the village centre/railway station.

### **Non Allocated Site - Polmont Junction Yard**

**Network Rail (00493/2001/002):-** A site at Polmont Yard, a former railway yard at Polmont Junction, should be allocated for housing. It is already within the Urban Limit. Given site characteristics and surrounding context, the site has a potential capacity of 20 units, providing flexibility in achieving overall settlement growth aims. It meets the four criteria required of allocations identified at paragraph 3.5 of the Proposed LDP, i.e. it utilises brownfield land; it fits well within an existing settlement and its landscape setting; it maximises the potential for sustainable transport, providing direct access to pedestrian routes to local services and facilities including Polmont Station within very close proximity; and it can easily connect into existing infrastructure. Development has the potential to retain and make accessible part of the woodland within the site and generally to enhance an important boundary with the open space along the Union Canal. Development can also satisfactorily co-exist with the railway as evidenced by numerous other recent residential consents along the railways throughout the Falkirk Council area.

### **Allocated Economic Development Site ED23 – Gilston**

**Hansteen Land Ltd (00772/2001/003):-** The site at Gilston (ED23) should be identified as a mixed use site, with housing and retail of a scale appropriate to the surrounding uses added to the list of proposed uses. Polmont has high potential for growth, and has excellent transport links. The site is effective, and would form a natural residential extension to Polmont. A mixed use allocation, including residential, will create enabling development to ensure that the job creation potential of the area is realised. Consent was previously granted for 190 residential units but lapsed 10 years ago.

### **Modifications sought by those submitting representations:**

#### **Allocated Site H50- Whyteside Hotel**

**Eadie Developments Ltd (00774/2001/002):-** Amend the site size to 0.8 ha, and the capacity to 45 units in Appendix 1. Add a 3rd bullet point to the 'site comments' as follows: 'Site is suitable to accommodate some three storey flats in addition to two storey housing'.

#### **Non Allocated Site – Middlerigg, Reddingmuirhead (MIR Ref POL/B/05)**

**Mactaggart and Mickel Ltd (00011/2004/005):-** Insert additional site at Middlerigg, Reddingmuirhead (MIR reference POL/B/05) for housing with a capacity of 200 units.

#### **Non Allocated Site – Polmont Park (MIR Ref POL/B/10)**

**Manor Forrest Ltd (00455/2005/001):-** Insert additional site at Polmont Park, Polmont (MIR reference POL/B/10) for mixed use (nursing home, education facilities, housing, sports and recreation facilities and green network enhancement) with a housing capacity of 20 units.

#### **Non Allocated Site – Station Road, Polmont (MIR Ref POL/B/11)**

**Muir Homes Ltd (01160/2001/003); Mr T McCarroll (00883/2001/001):-** Insert additional site at Station Road, Polmont (MIR reference POL/B/11) for housing with a capacity of 120 units.

**Non Allocated Site - Polmont Junction Yard**

**Network Rail (00493/2001/002):-** Insert additional site at Polmont Yard for housing with a capacity of 20 units.

**Allocated Economic Development Site ED23 – Gilston**

**Hansteen Land Ltd (00772/2001/003):-** Amend Proposal ED23 (Gilston) to mixed use site, and amend proposed uses to add housing and retail of a scale appropriate to surrounding uses.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Polmont area (which includes Polmont/Reddingmuirhead) is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

**Allocated Housing Site H50 - Whyteside Hotel**

**Eadie Developments Ltd (00774/2001/001):-** The Council accepts that the precise size of the site is 0.89 hectares, and would not have an issue with a correction to 0.9 ha to reflect a rounding up.

With regards to the capacity of the site, the Council considers that the stated indicative capacity of 35 units is appropriate, given the prevailing housing densities in the area. The site has a complex planning history with successive applications having been submitted for flatted development involving capacities ranging from 68 to 56 units. The most recent application (P/11/0258/FUL), for 56 flats was subject to an appeal against non-determination in 2012. The Reporter dismissed the appeal, noting that the three and four storey blocks proposed were inappropriate in relation to the prevailing height and character of the surrounding housing. The indicative capacity of 35 units reflects the need to respect the character and density of the surrounding area, whilst offering sufficient flexibility for a range of housing configurations.

For this reason, the Council does not agree to modify the plan in response to this representation.

**Non Allocated Site – Middlerigg, Reddingmuirhead (MIR Ref POL/B/05)**

**Mactaggart and Mickel Ltd (00011/2004/005):-** The Council does not consider that the site at Middlerigg should be allocated for housing. The site was subject to site assessment and was identified in the MIR as a preferred site. However, following consultation on the MIR, the site was not included in the proposed LDP. The site was considered, and rejected, at the previous Falkirk Council Local Plan

Inquiry in 2009.

At the MIR stage, the Council considered that the site had some merit within the context of a strategy of modest settlement expansion. The site assessment notes that the area could be seen as a rounding off of the urban area, offering reasonable landscape fit. However, it also noted drawbacks, notably issues of coalescence between Wallacestone and Reddingmuirhead, and the potential need to rezone the site to Shieldhill Primary School. Through the MIR consultation, there was widespread opposition to the site from local residents, concerns focusing on the scale of recent and projected growth in the area, and associated infrastructure and greenspace issues. These were encapsulated in Reddingmuirhead and Wallacestone Community Council's submission to the MIR. Taking account of all these issues, it was decided not to take the site forward into the proposed LDP.

In the proposed LDP, the Council's overall housing strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit, giving a total supply of 1144. Extensive provision has been made for housing growth in the Polmont area, and there is no need or justification for significant additional allocations, such as this site.

The Reddingmuirhead/Wallacestone area has been the focus of extensive growth over recent years. Since 2000, over 500 houses have been built at three major sites, whilst over 200 are still to be built at Redding Park (H42). In considering the site at the 2009 Local Plan Inquiry, the Reporters noted that 'it is not an unreasonable approach to allow all the development planned to be completed, then to assess the effects of it on local communities, before considering further options for development in the area'. Having noted the response to community consultation on the MIR, the Council now considers that this remains an appropriate strategy for the time being.

In terms of education capacity, the site lies within the catchment of Wallacestone Primary School. Historically, this school had severe capacity pressures. It was extended to a three stream school and its catchment area was reduced following the opening of the new Maddiston Primary School. These measures have alleviated the situation, but the school is still operating at a capacity of around 80%, and the allocation of further significant sites in the catchment would put pressure on it once again. The school cannot be further expanded. Pre-zoning of the site to Shieldhill Primary School, which has capacity, is a possible solution, but not an ideal one, as this would mean the community being split between three primary schools. There may also be issues with regard to the capacity of Braes High School which is due to continue at high occupancy levels into the longer term.

In terms of issues of community identity, greenspace and landscape, the site

provides a green wedge between Reddingmuirhead and Wallacestone. Although the communities have undoubtedly coalesced further east, the site is nonetheless clearly valued as a greenspace by the local community. There are core paths around its periphery. In landscape terms, although the site has an urban edge feel, it also has the character of gently rolling agricultural farmland, particularly to the south and west where it opens out into the wider countryside. Its character is enhanced by the wooded Polmont Burn running through it.

For these reasons, the Council does not agree to modify the Proposed Plan in response to this representation.

### **Non Allocated Site – Polmont Park (MIR Ref POL/B/10)**

**Manor Forrest Ltd (00455/2005/001):-** The Council does not consider that the site at Polmont Park should be allocated for housing, or the site removed from the green belt. The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

The Council's overall housing strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit, giving a total supply of 1144. Extensive provision has been made for housing growth in the Polmont area, and there is no need or justification for additional allocations, such as this site, particularly where this would involve green belt release.

The site is an integral and logical part of Polmont-Grangemouth green belt, which has been reaffirmed following a comprehensive review of green belt in the Council area (Technical Report 6). It fulfils the function of green belt, as set out in the SPP and the LDP spatial strategy (Policy CG02, page 14) by supporting the settlement strategy, contributing to the landscape setting and character of the setting of Polmont, and preventing the coalescence of settlements. There is extensive provision for public access in the vicinity, particularly in Gray Buchanan Park to the south and the Polmont Burn valley to the east. The current green belt boundary is strong and defensible, in contrast to that proposed by the representation. The green belt in this location is relatively narrow, and any reduction in its extent is likely to threaten its viability

The site does not represent a logical extension of the urban area. Rather it would be a westward projection of the urban area into the green belt, leading to fragmentation of the green belt and partially isolating the important wedge formed by Gray Buchanan Park to the south from the wider Polmont-Grangemouth green belt.

In landscape terms, whilst a degree of enclosure is provided by boundary trees and walls, parts of the site are prominent when viewed from north and south.

Development would adversely affect the landscape setting of Polmont.

The site is part of the Antonine Wall World Heritage Site buffer zone. The buffer zone is designed to protect the landscape setting of the Antonine Wall, and was delineated using a robust methodology including detailed landscape assessment and key visualisations. The Council therefore considers that this site forms part of the landscape setting of the Wall. Development of the northern section of the site has the potential to have adverse impact on the setting of the Wall.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Station Road, Polmont (MIR Ref POL/B/11)**

**Muir Homes Ltd (01160/2001/003); Mr T McCarroll (00883/2001/001):-** The Council does not consider that the site at Station Road, Polmont should be allocated for housing, The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was previously considered, and rejected, at the Polmont & District Local Plan Inquiry in 2001.

The Council's overall housing strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit, giving a total supply of 1144. Extensive provision has been made for housing growth in the Polmont area, and there is no need or justification for additional allocations, such as this site.

The site consists of a wedge of countryside between the Union Canal and the main Glasgow-Edinburgh railway line. It extends into the urban area, but in doing so provides a sense of physical separation between the communities of Polmont to the north and Brightons to the south. This wedge forms an important part of the green network, in landscape, visual and access terms. In particular, it contributes to the rural character and amenity of the Union Canal in this location, the canal network being a strategic tourism asset which the Council seeks to maintain and enhance through the LDP (Map 3.4, page 17 and Policy D14, page 68). This character would be lost if the site were developed, and the development would make no contribution to the canal. The Union Canal is a scheduled ancient monument, and its setting would be adversely affected. The site is also part of the Polmont Burn corridor, which runs across the western part of the site. A core path crosses the middle of the site emphasising its importance for countryside recreation. The value of the site to local landscape and amenity was a key consideration for the Reporters at the Polmont & District Local Plan Inquiry.

In terms of education capacity, the site lies within the catchment of Wallacestone Primary School. Historically, this school had severe capacity pressures. It was extended to a three stream school and its catchment area was reduced following the opening of the new Maddiston Primary School. These measures have

alleviated the situation, but the school is still operating at a capacity of around 80%, and the allocation of further significant sites in the catchment could cumulatively would put pressure on it once again. The school cannot be further expanded, so the Council would wish to pursue a low risk strategy with regard to capacity. There may also be cumulative issues with regard to the capacity of Braes High School which is due to continue at high occupancy levels into the longer term.

The only potential access point to the site would be from Station Road at a section of the road that is narrow, with poor horizontal and vertical alignment, and at a busy shopping area. For these reasons an access at this location may be difficult to achieve and may require upgrading of the existing road, requiring purchase of additional land for visibility purposes. It is not clear whether the developer has control over all the necessary land. Moreover the access will inevitably impinge on the floodplain of the Polmont Burn and will have to cross the watercourse, which is likely to involve culverting. As such, it is likely that the water environment and flooding policies of the proposed LDP

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Non Allocated Site - Polmont Junction Yard**

**Network Rail (00493/2001/002):-** The Council does not consider that the site at Polmont Yard should be allocated for housing.

Although the site lies within the Urban Limit, a substantial part of it is wooded. The remainder of the site comprised a storage yard, associated with the railway. In landscape and visual terms, the site would be visually prominent both from the railway to the north, and from the canal towpath which directly adjoins the site to the south. The wooded part of the site contributes to the green corridor formed by the canal and by the railway. It also forms an important landscape buffer. Its loss would therefore not be desirable. The storage area of the site, which is not wooded, if developed alone, would be an isolated development which would not relate well to existing development. A relatively lengthy access would have to be provided from the west, which would be likely to result in tree loss. For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Economic Development Site ED23 – Gilston**

**Hansteen Land Ltd (00772/2001/003):-** The Council considers that the current uses proposed for Gilston (ED23) are appropriate, and that residential development should not be included in the list of uses.

The site has a long and complex planning history as a strategic economic development opportunity dating back to the early 1990s. In 2001, outline planning permission was granted for mixed use of the site including Class 4, 5 and 6, a garden centre, visitor/canal related development, a neighbourhood centre and 150 housing units (F/99/0356). This mixed use designation was reflected in the Polmont & District Local Plan 2<sup>nd</sup> Review in 2001. However, the consent subsequently lapsed.

In March 2009, planning permission in principle was granted on appeal for mixed use development comprising Classes 4, 5 and 6, garden centre, car showrooms, hotel, restaurants, and neighbourhood centre (P/07/0803/OUT). Detailed planning permission was also granted for the formation of access to the site (P/07/0802/FUL), works which are now completed. An application for approval of matters specified in Condition 5 of the PPP consent (P/12/0095/MSC) was granted in August 2013. This consisted of the preparation of a masterplan for the site. The range of uses allowed for in this consent, and included in the masterplan, broadly reflects those allowed for in the current Local Plan, and in the proposed LDP (ED23), i.e. a range of employment and ancillary uses, but no residential component.

The site was previously considered at the Falkirk Council Local Plan Inquiry where there was an objection to the non-inclusion of housing within the list of uses. This was rejected by the Reporters.

The Gilston is an important site in the portfolio of economic development opportunities within the Council area. Its strategic location at Junction 4 of the M9, means that it forms a key part of the Eastern Gateway Strategic Business Location (Map 3.3, page 16). It is also recognised as strategic tourism node, with the potential to accommodate gateway tourism services (Map 3.4, page 17 and Figure 3.2, page 18). The promotion of residential development as part of the mix is seen by the Council as conflicting with, and constraining the employment potential of the site. The current, recently approved masterplan does not include housing, and it has yet to be demonstrated how residential use could be successfully integrated into the site, without compromising the economic and environmental aspirations for the Gilston development.

The Council's overall housing strategy for the Polmont area is to focus on the existing committed growth area of Overton/Redding, where two major, long-term sites are being developed, and a growth area at Maddiston East, where ongoing and committed developments are augmented by some additional sites. Figure 3.1 (page 10) indicates that existing supply sites will yield some 840 houses over the period 2014-2024, with additional allocations providing an extra 175 houses. This gives a supply for the initial period of the LDP of 1015 units. The figure for the output from existing supply sites has been updated to 969 units based on information from the 2012/2013 Housing Land Audit, giving a total supply of 1144. Extensive provision has been made for housing growth in the Polmont area, and there is no need or justification for additional allocations, such as this site.

In terms of primary school capacity, the site lies within the catchment of St Margaret's Primary School. With the removal of mobile classrooms several years ago, this school is now operating at high occupancy levels, and any significant residential component at Gilston may necessitate an extension to the school. Other infrastructure issues, such as transport impacts, would also have to be re-evaluated.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 11</b>	<b>Airth Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Rural North (pages 38–39) <u>Appendix 1 Site Schedule</u> Housing – Rural North - Airth (page a1-07) <u>Proposals Map 3</u> Rural North	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Airth Castle Hotel Ltd (00523) County Homes (01251) Mr David Jarvis (01194) Ogilvie Homes Ltd (00614) Airth Parish Community Council (00189) Scottish Government (Historic Scotland) (00643) George Russell Construction Ltd (00313)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in Airth, as identified in the Rural North Settlement Statement, and detailed in Appendix 1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H54 – Airth Castle South, Airth</u></b></p> <p><b>Airth Castle Hotel Ltd (00523/2001/001):-</b> Objection is made to the site at Airth Castle South (H54). It will have a detrimental impact on the visual amenity of Airth Castle Hotel, will impact on the setting of Category 'A' listed buildings and a scheduled ancient monument (as evidenced by a letter of objection from Historic Scotland), will conflict with an existing TPO designation, will have adverse traffic and flood risk impacts, and would have potential economic repercussions for the hotel business at Airth Castle Hotel. The site's effectiveness is challenged since land needed to access the site is in Airth Castle Ltd's ownership. A Supporting Statement, objection letter from Historic Scotland and Land Ownership Plan have been submitted in support of the representation.</p> <p><b>County Homes (01251/2001/001):-</b> The site at Airth Castle South (H54) is supported, and the conclusion of a Section 75 for planning application F/2004/0178 for the site is awaited.</p> <p><b><u>Allocated Housing Site H55 – The Glebe, Airth</u></b></p> <p><b>Ogilvie Homes Ltd (00614/2001/007):-</b> Objection is made to the site at the Glebe, Airth (H55). The site is not within the control of the developer and its effectiveness is questioned. It is potentially at risk from flooding from a nearby burn and there is potential encroachment into the coastal floodplain. Ogilvie's site</p>		

at at Eastfield, Airth could be introduced as an alternative to site H55.

**Mr David Jarvis (01194/2001/001);** Objection is made to the site at the Glebe, Airth (H55). Depending on the type of development proposed, there may be privacy issues for neighbouring houses. Primary school capacity is also of concern. If part ownership or local authority housing is permitted, this will have a significant impact on property values in the area.

**Airth Parish Community Council (00189/2001/004):-** The site at the Glebe, Airth (H55) is supported subject to the housing being low rise and the affordable units being located sensitively.

**Scottish Government (Historic Scotland) (00643/2001/009):-** The intention to provide strong structure planting at site H55 is welcomed. Planting to the north and west of this site would mitigate any impacts on views from The Pineapple which is listed in the Inventory of Historic Gardens and Designed Landscapes.

#### **Non Allocated Site – Eastfield Airth (MIR Ref AIR/B/04)**

**Ogilvie Homes Ltd (00614/2001/001):-** A site at Eastfield, Airth should be allocating for housing development. The site is effective and deliverable in the short term and would not involve the release of any protected land or designated areas. Development will not impact on Airth Castle. There are no physical or access constraints, and its development will improve the southern boundary of the village. The Reporter recommended that the site be allocated for residential purposes at the Falkirk Council Local Plan Inquiry.

#### **Non Allocated Site – Airth Mains Farm (MIR Ref AIR/B/02)**

**George Russell Construction Ltd (00313/2002/001):-** A site at Airth Mains Farm, Airth (MIR Reference AIR/B/02) should be allocated for housing. There is a shortfall of sites identified in the rural area. The Rural North area, and Airth in particular, has a record of successful development. This site is suitable and effective. The primary school constraint is recognised and can be addressed through a financial contribution. A masterplan has been prepared showing a capacity of 300 houses. A 100 bed care facility and sports and recreational facilities would also be provided. A Masterplan supports this representation.

#### **Modifications sought by those submitting representations:**

##### **Allocated Housing Site H54 – Airth Castle South, Airth**

**Airth Castle Hotel Ltd (00523/2001/001):-** Delete Proposal H54 Airth Castle South.

##### **Allocated Housing Site H55 – The Glebe, Airth**

**Mr David Jarvis (01194/2001/001); Ogilvie Homes Ltd (00614/2001/007):-** Delete Proposal H55 (The Glebe, Airth).

**Non Allocated Site – Eastfield Airth (MIR Ref AIR/B/04)**

**Ogilvie Homes Ltd (00614/2001/001):-** Insert additional site at Eastfield Airth for housing.

**Non Allocated Site – Airth Mains Farm (MIR Ref AIR/B/02)**

**George Russell Construction Ltd (00313/2002/001):-** Insert additional site at Airth Mains Farm, Airth (MIR Ref AIR/B/02) for housing.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Rural North (which includes Airth) is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken .

**Allocated Housing Site H54 – Airth Castle South, Airth**

**Airth Castle Hotel Ltd (00523/2001/001):-** The Council considers that H54 (Airth Castle South) represents an appropriate site for residential development. It is allocated as a housing site in the current Local Plan for approximately 15 units, and is being carried over into the LDP. A larger site, for 25-30 houses, was considered at the previous Local Plan Inquiry (CD, page 288). The Reporters recommended that this larger site be removed from the Local Plan. Subsequently, the Council decided instead to retain the site, but to reduce it in scale to only the northern part, with a reduced capacity, to minimise impact on the Category A listed Airth Castle and Old Airth Parish Church. The site is subject to a planning application for residential development which was originally submitted in 2004 (F/2004/0178). Following the conclusion of the Local Plan process in 2010, the boundary of the application was amended in line with the plan, and was subject to further consultation. The application now has a 'minded to grant' decision subject to the conclusion of legal agreement relating to education contributions at Airth Primary School and St Mungo's RC High School.

The extent of H54 is the same as the existing Local Plan site. It a small site which is tucked behind the industrial area and will be nestled within the existing trees, essentially infilling the area adjacent to the A905 between the industrial estate and Castle View. It will not spread into the more exposed open carseland beneath Airth Castle. The potential impact on the setting of Airth Castle and Airth Old Church is therefore considered to be minimal, as is any impact on the amenity of the hotel. Historic Scotland have offered no objection to the substantially reduced site. This was made clear through their consultation response to planning application F/2004/0178. This supersedes the Historic Scotland letter submitted by Airth Castle Hotel which responds to the previous larger scale site. It is therefore not relevant to the assessment of site H54 allocated in the Proposed LDP.

It is not accepted that H54 conflicts with the TPO designation. Whilst the site is covered by a TPO, the trees are outwith the site boundary and will form a

landscape setting for the housing site. The detailed design would need to take account of the trees and woodland surrounding the site. However there will be no direct tree felling required within the site boundary.

Transport and flood risk issues have been considered with through the planning application, and no major issues have arisen. The revised application boundary is outwith the 1:200 year flood envelope associated with the Pow Burn.

Airth Castle Hotel Ltd states that the effectiveness of the site is compromised by the fact the developer does not have ownership of the site access. This is new information which the Council was not previously aware of, and it is accepted that this could have an impact on the effectiveness of the site. However, whilst there are clearly issues to be resolved around access, that position may change within the life of the LDP. There is continued support for the allocation of this site by the proposed developer, County Homes.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Housing Site H55 – The Glebe, Airth**

**Ogilvie Homes Ltd (00614/2001/007); Mr David Jarvis (01194/2001/001):-** The Council considers that H55 (The Glebe, Airth) represents an appropriate site for residential development. The site, has been subject to a site assessment and was included in the MIR as a preferred site.

In relation to concerns regarding potential house types and privacy issues, such concerns can be dealt at the detailed planning application stage. There is no reason why a layout cannot be achieved which will respect the privacy and amenity of adjacent residents.

In order to meet housing need and ensure mixed communities, the Council seeks a proportion of affordable housing from private housing sites. In the Rural North area, 25% of the site units are required to be affordable. This 25% affordable housing requirement applies to H55, but details of the type and tenure of the affordable housing will only be confirmed at the planning application stage. Perceived concerns over impact on house values from the introduction of particular forms of tenure are not a proper planning consideration.

Primary school capacity may require to be enhanced in Airth to accommodate existing commitments. This site may increase the risk of an extension being required, but such capacity enhancement is feasible. The site comments on the H55 in Appendix 1 (page a1-07) note that developer contributions will be required for catchment education capacity enhancements.

The Council consider that the site will be effective in the period 2014-2024. Ogilvie Homes question its effectiveness on the basis that the site is not within the control of the developer. Whilst there is no nominated developer at present, the site is in the ownership of a landowner (Church of Scotland Trustees) who wishes to promote it for development. It therefore meets the ownership criteria for effectiveness set out in PAN 2/2010 which states that the site should be 'in the ownership or control of a party who can be expected to develop it or to release it

for development'.

The site does not have a history of flooding and its boundaries avoid the coastal floodplain. The final form of development will take account of assessment of flood risk from the nearby burn to the north and any risk of encroachment onto the coastal floodplain.

A site at Eastfield is being promoted as a straight replacement for site H55 by Ogilvie Homes. The Council does not support this view, and this site is preferred to the alternative of growth at the southern end of the village. The Glebe represents the northward expansion of the village along the A905, which matches the extension planned by the existing commitment to the west of the A905, thereby rounding off the northern edge of the village. The justification for not allocating Eastfield can be found below.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Non Allocated Site – Eastfield Airth (MIR Ref AIR/B/04)**

**Ogilvie Homes Ltd (00614/2001/001):-** The Council does not consider that the Eastfield site should be allocated for housing. The site was subject to site assessment and was identified in the MIR as a non-preferred site. A substantially larger site at Eastfield, was considered at the previous Falkirk Council Local Plan Inquiry in 2009. This larger site, which wrapped around the eastern side of the village, was rejected for issues relating to size, landscape impact, its location within the coastal floodplain and the creation of appropriate village boundaries. However the Reporter recommended that the south-western most corner of the site be allocated for housing (the same site which is the subject of this representation). The Council, however, decided not to accept this recommendation and it remains unallocated, and outwith the Village Limit in the current Local Plan.

The Council's preferred locations for expansion in Airth are the committed sites of H52, H53 and H54, augmented by a new site at the Glebe (H55). These are considered to be the best locations for rounding off the village, and provide a substantial level of growth in the village for the initial period of the plan. The Eastfield site would constitute a significant further southward extension of the village along the east side of Main Street which would be unsympathetic to the character of the village, and the maintenance of a compact village form.

School capacity is a significant issue in Airth, in terms of both Airth Primary School and Larbert High School, so it is therefore considered desirable to limit any further growth of the village. The situation with regard to the primary school is outlined in the school capacity update. The addition of this site, capable of accommodating 40 units, would further increase the likelihood of a permanent extension to the school being required. The situation at Larbert High School is that an extension to capacity will be created at the nearby Carrongrange school to cope with existing severe capacity pressures, but that this will not create sufficient new capacity for significant additional housing growth.

For these reasons, the Council does not agree to modify the plan in response to

this representation.

**Non Allocated Site – Airth Mains Farm (MIR Ref AIR/B/02)**

**George Russell Construction Ltd (00313/2002/001):-** The Council does not consider that the Airth Mains Farm site should be allocated for housing. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

The Council's preferred locations for expansion in Airth are the committed sites of H52, H53 and H54, augmented by a new site at the Glebe (H55). These are considered to be the best locations for rounding off the village, and provide a substantial level of growth in the village for the initial period of the plan. They fit with the Council's strategy for the Rural North area of focusing development activity in Airth within the constraints of the available infrastructure.

The Airth Mains Farm site is very large, capable of accommodating approximately 300 housing units. It would represent a huge further expansion of a village to the west, which would be totally out of the scale with the existing village, and cannot be justified in terms of meeting housing land requirements.

The site is not favoured in landscape terms, as it lies above Airth on the highest point of an exposed escarpment above the village so would have a major visual impact on views from north-westerly and northerly directions. In terms of sustainability, the site has relatively poor access to transport and local services.

School capacity is a significant issue in Airth, in terms of both Airth Primary School and Larbert High School, so it is therefore considered desirable to limit any further growth of the village. Airth Primary School is subject to capacity pressures, and since it is on a physically constrained site simply, it could not accommodate growth of this scale. A new school would be likely to be required, and it is unlikely that this could be funded by a development of just 300 units. The situation at Larbert High School is that an extension is planned to cope with severe capacity pressures, but that this will not create sufficient new capacity for significant additional housing growth. George Russell Construction has indicated that any education constraints can be addressed through a financial contribution. However, given the scale of development, there are no practical and affordable solutions to the capacity issues which would arise.

There are likely to be a variety of other infrastructure issues with a development of this scale, not least the capacity of the local waste water treatment works.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 12</b>	<b>Other Rural North Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Rural North (pages 38–39) <u>Appendix 1 Site Schedule</u> Housing – Rural North - Torwood (page a1-08) <u>Proposals Map 3</u> Rural North	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Airth Parish Community Council (00189) Dalgrain Farming Partnership (01083) Mr James Scobie (00982) Mansell Construction Services Limited (00611) Mrs Sutherland (01234)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in the Rural North area, with the exception of Airth, as identified in the Rural North Settlement Statement, and detailed in Appendix 1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Non Allocated Site – Dunmore Park (MIR Ref DUN/A/01)</u></b></p> <p><b>Airth Parish Community Council (00189/2001/002); Mrs Sutherland (01234/2002/002):-</b> Dunmore Park should be allocated for housing. Mrs Sutherland outlines that it has been a committed housing site by the Council for many years, and is the subject of an undetermined planning application which is 'minded to grant' subject to the conclusion of a Section 75 Agreement. This enabling proposal is linked to the restoration of Dunmore Park House (Category B Listed Building), so by its non allocation the future of the listed building is jeopardised.</p> <p><b><u>Non Allocated Site – Letham East (MIR Ref LET/B/01)</u></b></p> <p><b>Airth Parish Community Council (00189/2001/001):-</b> A site in Letham East (as per current Proposal of Application Notice) should be allocated for housing to prevent stagnation of the village and allow younger people to access housing in the village they were brought up in.</p> <p><b><u>Non Allocated Site – Newton Avenue, Skinflats (MIR Ref RUR/B/11)</u></b></p> <p><b>Dalgrain Farming Partnership (01083/2001/001):-</b> A site at Newton Avenue Skinflats should be allocated for housing, as there are no housing sites allocated in Skinflats in the plan period 2014-34. A new allocation would be sustainable, support the future well being of the village school and the economic viability of the local businesses. No significant new road infrastructure is required.</p>		

**Non Allocated Site – South Alloa**

**Airth Parish Community Council (00189/2001/003):-** The former Thermalite brownfield site in South Alloa should be utilised for development.

**Non Allocated Site – Glen Road, Torwood (MIR Ref TOR/B/04)**

**Mr James Scobie (00982/2001/001):-** Sites at Glen Road, Torwood (MIR reference TOR/B/04) should be allocated for housing. There is insufficient land for housing in the area. The site is effective, well located and will meet the need for executive housing and allow additional flexibility in the housing market. Infrastructure capacity for the development will be available in the short term. A Torwood Masterplan has been produced showing the sites in the context of wider development opportunities in Torwood and a plan showing the division of the site into 12 plots.

**Non Allocated Site – East of A9, Torwood (MIR Ref TOR/B/05)**

**Mansell Construction Services Limited (00611/2001/001):-** A site to the east of the A9 at Torwood should be allocated for housing. There is insufficient land for housing in the area. The site will create a central core and improve the appearance of the village. It is an effective and deliverable site, with infrastructure capacity available in the short term. A Torwood Masterplan has been produced showing the sites in the context of wider development opportunities in Torwood. A location plan, indicative site layout and letter from Mansell Homes have also been submitted to support the representation.

**Modifications sought by those submitting representations:**

**Non Allocated Site – Dunmore Park (MIR Ref DUN/A/01)**

**Airth Parish Community Council (00189/2001/002), Mrs Sutherland (01234/2002/002):-** Insert additional site at Dunmore Park for housing.

**Non Allocated Site – Letham East (MIR Ref LET/B/01)**

**Airth Parish Community Council (00189/2001/001):-** Insert additional site at Letham East as a housing proposal.

**Non Allocated Site – Newton Avenue, Skinflats (MIR Ref RUR/B/11)**

**Dalgrain Farming Partnership (01083/2001/001):-** Insert additional site at Newton Avenue, Skinflats as a housing proposal.

**Non Allocated Site – South Alloa**

**Airth Parish Community Council (00189/2001/003):-** Amend the plan to support development of the former Thermalite site at South Alloa.

**Non Allocated Site – Glen Road, Torwood (MIR Ref TOR/B/04)**

**Mr James Scobie (00982/2001/001):-** Insert additional site at Glen Road Torwood as a housing proposal.

**Non Allocated Site – East of A9, Torwood (MIR Ref TOR/B/05)**

**Mansell Construction Services Limited (00611/2001/001):-** Insert additional site east of the A9 as a housing proposal.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Rural North is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

**Non Allocated Site – Dunmore Park (MIR Ref DUN/A/01)**

**Airth Parish Community Council (00189/2001/002):-** Dunmore Park is identified as a housing opportunity in the current Local Plan. This reflected a long-standing proposal to restore the Category B listed Dunmore Park House with associated enabling housing development. Outline planning permission for the conversion of Dunmore Park to a hotel with conference and leisure facilities, golf course and associated housing development was first granted in the 1990s and was renewed on successive occasions until expiring in 2006. A new application for the restoration of Dunmore Park to 15 dwellings, conversion of stables to form 10 dwellings, and the erection of 45 additional houses was submitted in November 2006 (ref 06/1099/FUL). It had a 'minded to grant' decision in 2008, subject to a legal agreement relating to a financial contribution towards education improvements in the catchment area. The Section 75 agreement has never been signed, and the original developer no longer has an interest in the site.

When the Council came to review the general effectiveness of its housing land supply after the publication of the MIR, Dunmore Park was one of the sites which was considered to have little of prospect of implementation, and was therefore not included in the Proposed LDP. The proposal clearly has serious viability issues, as evidenced by its history of unimplemented consents, the lack of progress with the current application, and the lack of developer interest.

Although the Council considers that Dunmore Park should not be identified as a proposal in the LDP, the plan has introduced a revised Housing in the Countryside policy (CG03) which allows for limited enabling development to secure the restoration of historic buildings or structures (page 54). Supplementary Guidance (SG01) will give further supporting information and explanation to aid the interpretation of CG03. Therefore whilst Dunmore Park does not have a specific housing allocation in the LDP, the planning policy framework will provide support and guidance for any revised proposals for the listed building which may come forward in the future.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Letham East (MIR Ref LET/B/01)**

**Airth Parish Community Council (00189/2001/001):-** The Council does not consider that the site at Letham East should be allocated for housing.

The issue of whether the small conservation village of Letham should expand was considered through the Falkirk Council Local Plan. In the deposit draft of the FCLP, there was no support for expansion of the village. However, objections seeking the allocation of two separate sites, at Letham West and Letham East were submitted, and the Council made a pre-inquiry change to the plan, allocating Letham West as its preferred site. Following the Inquiry, the Reporters endorsed Letham West, but with a reduced site area. Letham East was rejected. Having considered the Reporters' recommendations, the Council decided that there was a need for further consideration of the most appropriate location for expansion of the village. Accordingly, a non site specific allocation was made in the FCLP, with the site to be determined through a subsequent SPG.

A draft SPG was issued in 2011 and consultation with residents on possible sites was carried out. However, the exercise proved inconclusive in terms of the deliverability of sites, and community consensus and support. Given the difficulties in finding a satisfactory site, it was decided to reconsider the issue of the principle of growth through the LDP.

The proposed LDP has reverted to the position that growth should not be promoted in Letham. It is considered that no satisfactory site can be found which is sympathetic to the existing form of the village.

A Proposal of Application Notice for residential development on the East Letham site was submitted in 2011, but has not been taken forward to the application stage. No representation from a landowner or developer has been received to the non-inclusion of the site in the proposed LDP. It is therefore assumed that there is no current interest in developing the site.

The site at Letham East would represent a prominent extension of the village into the countryside. The development would not be well integrated with the village, but would be set apart on the east side of the road which runs past it. The carse landscape in this location has a very open aspect and there are no topographic or natural features that could reduce the impact of any development.

In addition, there is a lack of services locally in the village. Services in nearby Airth which are used by residents, such as the primary school, are subject to capacity issues.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Newton Avenue, Skinflats**

**Dalgrain Farming Partnership (01083/2001/001):-** The Council does not consider that the site at Newton Avenue, Skinflats should be allocated for housing. A slightly larger site in this location was considered at the Falkirk Council Local Plan Inquiry in 2009, and rejected by the Reporters.

The Council's strategy for housing in the Rural North area concentrates on growth in Airth, since it has the most comprehensive range of services. The village of Skinflats is not considered appropriate for significant expansion, largely because it is constrained by the coastal floodplain and by the green belt to the west, and because it has a limited range of community services.

A significant proportion of the site (approximately 30%), including its frontage with Newton Avenue, falls within the 1:200 year coastal flooding envelope as shown on the SEPA Indicative Flood Risk Map. Developing a greenfield site lying partly within the functional floodplain of the Forth Estuary would clearly be contrary to the SPP.

The proposed LDP has amended the boundary of the green belt in this part of the Rural North area, which means the site no longer lies within the green belt. In the current Local Plan, the green belt extends eastwards to the Forth Estuary; in the proposed LDP it extends only as far as the A905, and the western edge of the village. This change is explained in Technical Report 6 and was primarily on the basis that the area to the east of the A905 makes no contribution to the primary aims of the green belt, and is any case largely undevelopable because of the coastal floodplain and its proximity to the Firth of Forth SPA. The purpose is not to indicate the area's future potential for development.

Notwithstanding the fact that it is not in the green belt, the site represents a significant extension of the village into the countryside. It is not a logical rounding off of the settlement form, and would be fairly exposed and visible in the flat carse landscape.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Thermalite Site, South Alloa**

**Airth Parish Community Council (00189/2001/003):-** Airth Parish Community Council's support for development of the former Thermalite site at South Alloa is consistent with the Council's approach in the proposed LDP.

The site is currently a vacant, brownfield site, but is not subject to any current development interest that the Council is aware of. The Council would support, in principle, proposals for its redevelopment. This is reflected in the fact that the site is included within the Village Limit of South Alloa, allowing appropriate alternative uses to come forward, subject to detailed policy considerations. The site does not have a specific land use designation in the proposed LDP. This does not constrain future development, but allows flexibility as to future options.

South Alloa is a small settlement with a number of constraints, including flood risk and lack of mains sewer connection. Development proposals coming forward would need to be assessed carefully against the relevant policies contained in the proposed LDP.

For these reasons, the Council considered that its treatment of the site in the proposed LDP is appropriate, and does not agree to modify the plan in response

to this representation.

**Non Allocated Site – Glen Road, Torwood (MIR Ref TOR/B/04)**

**Mr James Scobie (00982/2001/001):-** The Council does not consider that the two sites at Glen Road, Torwood (1A and 1B on the Masterplan accompanying the representation) should be allocated for housing. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

The Council's strategy for housing growth in the Rural North area primarily concentrates on Airth since it has the most comprehensive range of services. Limited growth is also supported at Torwood with two small allocations - H56 (Former Torwood School) and H57 (McLaren Park).

Torwood is not a suitable location for further significant growth in the Rural North area, and the allocated sites at H56 and H57, providing scope for some 25 units, are considered to provide ample opportunity for further housing in this small community. There are no local community services within the village, so it is not considered a sustainable location to promote further housing growth. The closest community facilities are located in Larbert over 2 km away. Any new housing sites in the Rural North area would contribute to an already pressurised situation at catchment schools at both primary and secondary level. Whilst an upgrade to Torwood Waste Water Treatment Works is being procured by Scottish Water to provide extra capacity by 2015, until this is undertaken there are severe limitations in sewerage infrastructure capacity.

In landscape terms, both sites have a strong woodland character, which form part of the wider woodland setting of Torwood. This woodland character would be eroded by the proposed developments. The two sites are considered to be significantly larger than could be reasonably described as infill opportunities.

The southern site (1B) has been subject to previous planning applications for housing. All previous applications have been refused by the Council. One of these refusals was subject to an appeal in 2010. In deciding to dismiss the appeal, the Reporter was not persuaded that the site could be described as infill development, and considered its development would significantly alter the woodland character and its contribution to the setting of Torwood.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Non Allocated Site – East of A9, Torwood (MIR Ref TOR/B/05)**

**Mansell Construction Services Limited (00611/2001/001):-** The Council does not consider that the site east of the A9, Torwood should be allocated for housing. The site was subject to site assessment and was identified in the MIR as a non-preferred site.

The Council's strategy for housing growth in the Rural North area primarily concentrates on Airth since it has the most comprehensive range of services. Limited growth is also supported at Torwood with two small allocations - H56 (Former Torwood School) and H57 (McLaren Park).

Torwood is not a suitable location for further significant growth in the Rural North area, and the allocated sites at H56 and H57, providing scope for some 25 units, are considered to provide ample opportunity for further housing in this small community. There are no local community services within the village, so it is not considered a sustainable location to promote further housing growth. The closest community facilities are located in Larbert over 2 km away. Any new housing sites in the Rural North area would contribute to an already pressurised situation at catchment schools at both primary and secondary level. Whilst an upgrade to Torwood Waste Water Treatment Works is being procured by Scottish Water to provide extra capacity by 2015, until this is undertaken there are severe limitations in sewerage infrastructure capacity.

In landscape terms, the proposed site is not a natural extension to the village of Torwood as it is bisected by the busy A9. The proposed site is predominately flat grazing land, so if developed would have a major landscape impact from the west. The site is located to the east of the A9 which is subject to the national speed limit, and in close proximity to the M876 accesses, it is therefore likely that any development of this site will have implications for the road network. A Transport Assessment would be required to investigate the impact of this development. Flood risk is also a potential issue at this site, as there are existing watercourses within and in close proximity to the site. A Flood Risk Assessment would therefore be required.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 13</b>	<b>Rural South (Lower Braes) Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Rural South (pages 40 – 41) <u>Appendix 1 Site Schedules</u> Housing – Rural South – California (page a1-09) Housing – Rural South - Shieldhill (page a1-10) Mixed Use – Rural South – Whitecross (page a1-14) <u>Appendix 2 Strategic Growth Area Guidance</u> Whitecross (page a2-11) <u>Proposals Map 5:</u> Grangemouth, Polmont, California, Old Polmont, Shieldhill, Skinflats and Whitecross	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr Colin McCulloch (01206) Mr John Welsh (01209) Mark Agnew (00835) Sophie Mitchell (01099) Ms Sara MacAulay (01189) Hamilton & Kinneil Estates (00784) Mr Neil MacAulay (01190) Ms Irene Fotheringham (00782) ESSR Oil (UK) Ltd (01180) Joanne Mitchell (01043) Mr and Mrs Alistair Mitchell (00760) Fiona Tierney (00858) Mr Robert Tierney (00859)	Reddingmuirhead and Wallacestone Community Council (00426) Ms Sandra Hill-Smith (01125) Carol Anderson (01274) Scottish Canals (00516) Claire Blakeley (01044) Ms Nicola Welsh (01210) Maria Montinaro (00303) S Singh (00397) Calum Tierney (01296) Lorna Robertson (01276) Mr Peter McCulloch (00962) + Hillcrest Objectors (Annex 1) Hillcrest Supporters (Annex 2)	
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in California and Shieldhill and references to Whitecross, as identified in the Rural South Settlement Statement, and detailed in Appendices 1 and 2.	
<b>Planning authority's summary of the representation(s):</b>		
<b><u>Allocated Housing Site H69– Hillcrest, Shieldhill</u></b> <b>Carol Anderson (01274/2001/001); Mr Colin McCulloch (01206/2001/001); Mr John Welsh (01209/2001/001); Sophie Mitchell (01099/2001/001); Ms Sara MacAulay (01189/2001/001); Mr Neil MacAulay (01190/2001/001); Joanne Mitchell (01043/2001/001); Mr and Mrs Alistair Mitchell (00760/2001/001); Fiona Tierney (00858/2001/001); Mr Robert Tierney (00859/2001/001); Claire Blakeley (01044/2001/001); Ms Nicola Welsh (01210/2002/001); Calum</b>		

**Tierney (01296/2001/001); Ms Irene Fotheringham (00782/2001/001; Reddingmuirhead and Wallacestone Community Council (00426/2002/001; Ms Sandra Hill-Smith (01125/2001/001); Maria Montinaro (00303/2001/001); S Singh (00397/2001/001; Mr Peter McCulloch (00962/2001/001); Hillcrest Objectors (see Annex 1):-**

Objection is made to the site at Hillcrest, Shieldhill (H69) for one or more of the following reasons:

- Coalescence with Reddingmuirhead. There will be coalescence between Shieldhill and Reddingmuirhead leading to loss of village identity.
- Impact on Recreation Space. Development of the site will lead to loss of popular local recreation space and there is no other comparable facility within reasonable walking distance.
- Inadequacy of Local Infrastructure. The proposed development would place an increased burden on local infrastructure including sewage, community, health facilities and schools, and in an area which has seen a disproportionate amount of growth since 2000. The MIR describes Shieldhill as having limited services.
- Impact on Local Road Network. There are serious concerns about increased traffic leading to road safety issues.
- Potential Access Issues. As noted in Technical Report 2, appropriate visibility from the access may be difficult to achieve.
- Impact on Wildlife. Development of the site will have a detrimental impact on wildlife and valuable habitat. The Environmental Report accompanying the SEA notes potential adverse affects on an area of high ecological value.
- Visual Prominence of Site. Prominent location will lead to adverse landscape impacts.
- Drainage. The site suffers from extremely poor drainage which would be exacerbated by further development on the site.
- Development of Greenfield Site. Brownfield land should be developed in preference to greenfield sites.
- Exposure to High Winds. The site is in an exposed position and there is concern about exposure to high winds. All 10 houses at Hillcrest Square suffered serious storm damage in 2007 resulting in the fitting of new roofs.
- Planning History. Previous planning applications for housing in this area have been refused and the existing development at Hillcrest Square should not be regarded as setting a precedent. Four planning applications in principle for housing development in 2010 were refused (reference P/10/0144-0147/PPP).
- Current Development Plan and MIR Considerations. The allocation is contrary to the current development plan. Information in the Council's Technical Report 2: Site Assessment supporting the MIR and the Strategic Environmental Assessment, hold valuable information as to why the site is unsuitable for housing.
- Desire for Local Community Woodland. There is a strong desire for a rural community woodland on the site which could generate wider tourism and community benefits and which could be part of the South Falkirk Green Network.
- Location and Boundaries. It has been noted on numerous occasions that the site lies within the boundaries of Reddingmuirhead, Polmont area and Lower Braes Ward and not in Shieldhill, Rural South or Upper Braes Ward.

- Volume of Objections. The large volume of objections at the proposed plan and the MIR stage should be noted.
- Consultation. There are concerns about the consultation process.

**Mark Agnew (00835/2001/004):-** The third bullet point in the site comments for H69 in Appendix 1 (Site Schedule), which deals greenspace requirements, is overly prescriptive in advance of an appropriate survey.

**Mark Agnew (00835/2001/003):-** The site at Hillcrest, Shieldhill (H69) is supported.

**Hillcrest Supporters (see Annex 2):-** The site at Hillcrest, Shieldhill (H69) is supported. The development of the site will allow the provision of much needed housing within the Rural South area for the benefit of the local community.

#### **Non Allocated Site – Redding Muir Farm, California (MIR Ref CAL/B/02)**

**Hamilton & Kinneil Estates (00784/2001/001):-** A site at CAL/B/02, Redding Muir Farm, California, should be allocated for housing. There is insufficient land for housing allocated in the LDP and this approach is contrary to the SPP and the growth requirement identified in the Council's Housing Needs and Demand Assessment. The site is in a good location, is wholly sustainable, deliverable and effective, will round off the northern edge of the village and contribute to the housing land requirement in the short-medium term.

#### **Non Allocated Site – Wesleymount East, California (MIR Ref CAL/B/04)**

**Lorna Robertson (01276/2001/001):-** A site to the east of Wesleymount Farm buildings in California (CAL/B/04), measuring approximately 1 hectare, should be allocated for private housing.

#### **Allocated Mixed Use Site M14 – Whitecross**

**ESSR Oil (UK) Ltd (01180/2001/009):-** Reference to Pipeline Consultation Zone should be included in 'site comments' relating to site M14 (Whitecross).

**Scottish Canals (00516/2001/009):-** The Whitecross site (Proposal M14) should make reference to the scope for developer contributions to canal improvements and surface water discharge into canal if appropriate.

#### **Modifications sought by those submitting representations:**

#### **Allocated Housing Site H69– Hillcrest, Shieldhill**

**Carol Anderson (01274/2001/001); Mr Colin McCulloch (01206/2001/001); Mr John Welsh (01209/2001/001); Sophie Mitchell (01099/2001/001); Ms Sara MacAulay (01189/2001/001); Mr Neil MacAulay (01190/2001/001); Joanne Mitchell (01043/2001/001); Mr and Mrs Alistair Mitchell (00760/2001/001); Fiona Tierney (00858/2001/001); Mr Robert Tierney (00859/2001/001); Claire Blakeley (01044/2001/001); Ms Nicola Welsh (01210/2002/001); Calum Tierney (01296/2001/001); Ms Irene Fotheringham (00782/2001/001); Reddingmuirhead and Wallacestone Community Council (00426/2002/001);**

**Ms Sandra Hill-Smith (01125/2001/001); Maria Montinaro (00303/2001/001); S Singh (00397/2001/001; Mr Peter McCulloch (00962/2001/001); Hillcrest Objectors (see Annex 1):-** Delete Proposal H69 (Hillcrest, Shieldhill).

**Mark Agnew (00835/2001/004):-** Amend the third bullet point in the site comments for H69 in Appendix 1 by changing the wording to read: 'Design Statement required to consider how the site will integrate with its surroundings and to demonstrate how access provision and habitat enhancement will be taken into account'.

**Non Allocated Site – Redding Muir Farm, California (MIR Ref CAL/B/02)**

**Hamilton & Kinneil Estates (00784/2001/001):-** Insert additional site at Redding Muir Farm, California (MIR reference CAL/B/02) as a housing proposal.

**Non Allocated Site – Wesleymount East, California (MIR Ref CAL/B/04)**

**Lorna Robertson (01276/2001/001):-** Insert additional site at Wesleymount East (MIR reference CAL/B/04) as a housing proposal.

**Allocated Mixed Use Site M14 – Whitecross**

**ESSR Oil (UK) Ltd (01180/2001/009):-** Amend site comments for M14 in Appendix 1 by including reference to the Pipeline Consultation Zone.

**Scottish Canals (00516/2001/009):-** Amend site comments for M14 in Appendix 1 to make reference to the scope for developer contributions to canal improvements and surface water discharge into the canal if appropriate.

**Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Rural South is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

**Allocated Housing Site H69– Hillcrest, Shieldhill**

**Carol Anderson (01274/2001/001); Mr Colin McCulloch (01206/2001/001); Mr John Welsh (01209/2001/001); Sophie Mitchell (01099/2001/001); Ms Sara MacAulay (01189/2001/001); Mr Neil MacAulay (01190/2001/001); Joanne Mitchell (01043/2001/001); Mr and Mrs Alistair Mitchell (00760/2001/001); Fiona Tierney (00858/2001/001); Mr Robert Tierney (00859/2001/001); Claire Blakeley (01044/2001/001); Ms Nicola Welsh (01210/2002/001); Calum Tierney (01296/2001/001); Ms Irene Fotheringham (00782/2001/001); Reddingmuirhead and Wallacestone Community Council (00426/2002/001); Ms Sandra Hill-Smith (01125/2001/001); Maria Montinaro (00303/2001/001); S Singh (00397/2001/001; Mr Peter McCulloch (00962/2001/001); Hillcrest Objectors (see Annex 1):-** The Council considers that H69 (Hillcrest, Shieldhill) represents a suitable site for residential development. The site has been subject to site assessment and was included as a preferred site in the MIR.

The Council has sought to provide for modest additional housing growth in the Rural South area, in line with the overall housing strategy of the proposed LDP. Shieldhill is the largest village within the Rural South and whilst rapid expansion occurred through the 1980s and early 1990s, there has now been a period of consolidation with limited growth over the last 20 years. The allocation of a limited additional site for housing on the edge of the village is considered appropriate.

The specific points of objection are responded to as follows:

- Coalescence with Reddingmuirhead. The requirement for substantial greenspace to be retained within the site, together with existing undeveloped land to the west, north and east of the site, will prevent coalescence and ensure that the communities of Shieldhill and Reddingmuirhead retain their sense of separate identity.
- Impact on Recreation Space. It is recognised that the site is used for informal recreational use. The Falkirk Open Space Strategy 2009-2014 notes that although the majority of people in Shieldhill have good access to public open space, the quality of a number of spaces, e.g. playing fields, is low. However it also notes that Shieldhill has very good access to green corridors and semi natural open space. Significant green corridors exist on land to the north of nearby Belmont Avenue and through other elements of the Green Network, notably proposed opportunities GN16 and GN18 within the Lower Braes Green Network. (Appendix 1 page a1-24). Potential links to these facilities can be investigated at the design stage of any planning application. Moreover, the site comments on H69 in the proposed LDP require the provision of substantial greenspace within the site.
- Inadequacy of Local Infrastructure. There are no overriding infrastructure constraints which would preclude the relatively modest scale of housing proposed. Shieldhill Primary School has substantial capacity. This scale of development is unlikely to have a significant impact on healthcare services in the area, although any issues would be picked up through proposed Policy INF06 which requires developer contributions to assist in addressing any deficiencies which exist in primary healthcare facilities. Whilst Shieldhill experienced a significant level of growth between the 1980s and early 1990s, since the early-mid 1990s there has been a period of consolidation. The level of services in the village, whilst limited, is typical of provision in the other larger Braes villages, with a school, community hall, village shop and local parks.
- Impact on Local Road Network. Whilst the development of the site would have some impact on both the B8028 and B810 road corridors, which are known to experience peak time congestion, the scale of the proposal is such that this is unlikely to be a critical factor. As any additional development on these corridors would exacerbate congestion, a Transport Assessment may be required to ascertain the level of impact and any required mitigation.
- Potential Access Issues. The proposed access to this site is likely to be taken via Hillcrest Square which is a 5.5m wide adopted road with one 2m wide footway and street lighting provision. This would generally be acceptable from a roads point of view if the visibility splays of 4.5m x 120m can be satisfied. The system of access roads off Hillcrest Square would have to be formed in accordance with Falkirk Council's Design Guidelines & Construction Standards and this should be achievable.
- Impact on Wildlife. The value of the area for wildlife and ecology is recognised, although the site is not covered by any wildlife designation. An initial

assessment carried out at the MIR stage reported that much of the site appears to support habitat of rough semi-improved grassland and scrub, which has some ecological value. Further survey and ecological assessment would be required. The site comments acknowledge these points by making reference to the need for substantial greenspace to be retained within the site including extensive tree planting to contain new development, appropriate outdoor access provision and habitat enhancement.

- Visual Prominence of the Site. The site lies on the eastern edge of Shieldhill. Although it is located on the skyline, with potentially significant landscape impacts, the skyline has already been breached through the development of Hillcrest Square, and developing the site could be seen as a consolidation of the existing development at Hillcrest Square and Tappernail Farm. Careful site planning and landscaping would be necessary to mitigate landscape and ecological impacts, and ensure that green network potential is realised. The site comments acknowledge these points by making reference to the need for substantial greenspace to be retained within the site, including extensive tree planting to contain new development, appropriate access provision and habitat enhancement.
- Drainage. There is adequate capacity in the relevant waste water treatment works. Any drainage network issues would be investigated as part of any planning application, with the requirement for a drainage strategy in accordance with proposed Policy INF12.
- Development of Greenfield Site. Whilst the proposed LDP has sought to maximise the use of brownfield land where possible, the provision of a generous and varied supply of housing land will inevitably require some release of greenfield sites. There are no significant brownfield opportunities within Shieldhill.
- Exposure to High Winds. Factors such as housing layout, height, massing and orientation can respond to climatic factors in a way which can reduce or minimise their impact.
- Planning History. It is acknowledged that the proposed allocation and surrounding area has been the subject of previous refusals of planning permission, the most recent of these being applications for four individual plots submitted in 2010. (P/10/0144-0147/PPP). However, the LDP requires to look afresh at potential new sites for development, in the context of the need to maintain a generous supply of housing land. This process can include sites which may have been previously rejected. In seeking new housing allocations, accessibility and marketability are key factors and the Hillcrest site is located in an area where there is relatively strong market demand.
- Current Development Plan and MIR Considerations. The LDP involves a review of the existing development plan and the potential exists for the allocation of sites which have previously been contrary to the plan. In terms of the information presented within the site assessment, this highlights some issues and potential constraints which the Council considers can be overcome.
- Desire for Local Community Woodland. This is an aspiration for the site and would be dependent upon a number of factors which are not related to its consideration for housing purposes. This includes land ownership and funding issues. The indicative site capacity of 30 units together with the requirement for the retention of substantial greenspace, tree planting and outdoor access provision should ensure that the site's function as a recreation space is retained and that it should be able to link with other adjacent green spaces.

- Location and Boundaries. This is not relevant to the planning merits of the site.
- Volume of Objections. The objections at the MIR and proposed plan stage have been noted. Whilst there is a strong body of opposition to the proposed allocation, there is also a considerable degree of support.
- Consultation Process. The Council has complied with its participation statement and legislative requirements in the manner in which it has consulted local people on the LDP. The large volume of representations and the attendance at the public meeting during the MIR consultation suggest that awareness of the proposal is very high locally.

In summary, whilst it is recognised that there is substantial body of opposition to the proposed allocation, it is considered that careful design will address the concerns which have been expressed and reduce the physical impact of development on the site. It is also considered that development at the scale proposed will not result in significant pressure on existing community infrastructure.

For these reasons, the Council considers the site to be an appropriate allocation and does not agree to modify the plan in response to these representations.

**Mark Agnew (00835/2001/004):-** The Council considers that the third bullet point attached to site comments for H69 in Appendix 1 is entirely appropriate and should be retained. This is to ensure that significant factors such as the prominent location of the site, its high visibility, biodiversity value, greenspace value and the contribution that it makes towards maintaining an appropriate separation between Shieldhill and Reddingmuirhead are taken into account at the detailed site planning stage, and that there should be no doubt about the importance of these requirements. For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Non Allocated Site – Redding Muir Farm, California (MIR Ref CAL/B/02)**

**Hamilton & Kinneil Estates (00784/2001/001):-** The Council does not consider the Redding Muir Farm site to be an appropriate housing allocation. The site was subject to site assessment and was identified as a non-preferred site in the MIR. The site was also considered, and rejected, at the previous Falkirk Council Local Plan Inquiry in 2009.

The site occupies an elevated and highly visible position and development here would result in expansion of the village over the skyline. There are also significant access constraints as access would be from Church Road which itself is a road that does not meet current standards for residential use. At the Local Plan Inquiry, the Reporters concluded that development of the site would result in the expansion of the village over the skyline and that the housing allocation would represent an inappropriate incursion into the countryside.

The Proposed Plan allocates land for some 95 houses in California over three sites. There is therefore no need to allocate further land to meet housing requirements. The Council considers that its overall housing land supply is sufficient to meet demand over the plan period.

For these reasons, the Council does not consider the site to be an appropriate

allocation and does not agree to modify the plan in response to this representation.

### **Non Allocated Site – Wesleymount East, California**

**Lorna Robertson (01276/2001/001):-** The Council does not consider the Wesleymount East site to be an appropriate housing allocation.

The site occupies an elevated position resulting in significant landscape and visual impacts. In addition it is unclear how the site could be accessed and there are already road safety concerns about traffic on Church Road which itself is a road that does not meet current standards for residential use. At the Local Plan Inquiry, the Reporters concluded that development of the site would expand California along the skyline with potential significant landscape impacts and that the housing allocation would represent an inappropriate incursion into the countryside.

The Proposed Plan allocates land for some 95 houses in California over three sites. There is therefore no need to allocate further land to meet housing requirements. The Council considers that its overall housing land supply is sufficient to meet demand over the plan period.

For these reasons, the Council does not consider the site to be an appropriate allocation and does not agree to modify the plan in response to this representation.

### **Allocated Mixed Use Site M14 – Whitecross**

**ESSR Oil (UK) Ltd (01180/2001/009):-** The constraint imposed by the pipeline corridor running through the Whitecross site is already acknowledged in Appendix 2 (Strategic Growth Area Guidance) on page a2-11 in the first bullet point under the 'Constraints' heading. As such the plan already takes account of the issue and the Council, therefore, does not agree to modify the plan in response to this representation.

**Scottish Canals (00516/2001/009):-** The Council does not consider it appropriate to require the Whitecross development to make developer contributions to canal improvements. The site abuts the canal for a short stretch north of Kirk Bridge, and at this point links to the canal and appropriate development/public realm to enhance the canal have been built into the masterplan. Appendix 2 (Strategic Growth Area Guidance) for Whitecross requires that the setting and amenity of the Union canal should be safeguarded. It would be inappropriate to require any further contributions. In respect of surface water drainage, whilst the canal may present an option for dealing with surface water, it would be inappropriate for the LDP to insist on this particular solution.

<b>Issue 14</b>	<b>Rural South (Upper Braes) Housing Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Rural South (pages 40 – 41) <u>Appendix 1 Site Schedules</u> Housing – Rural South – Avonbridge (page a1-08) Housing – Rural South - Limerigg (page a2-09) Housing – Rural South – Slamannan (page a1-10) <u>Appendix 2 Strategic Growth Area Guidance</u> Slamannan (page a2-10) <u>Proposals Map 4</u> Rural South	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr and Mrs P Campbell (01213) Mrs E McArthur (01086) ESSR Oil (UK) Ltd (01180) Stevenson Bros (Avonbridge) Ltd (00476) Chartmount Land Holdings (00261) Patrick Flynn and Robert Caper (01292) Kathleen Connor (01080) Jim and William Robertson (00848) Manor Forrest Ltd (00455) RSPB Scotland (00648) Isobel Burden (00541)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for housing in Avonbridge, Limerigg and Slamannan, as identified in the Rural South Settlement Statement, and detailed in Appendices 1 and 2.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Housing Site H58 – Main Street/Slamannan Road, Avonbridge</u></b></p> <p><b>Kathleen Connor (01080/2001/001):-</b> The site at Main Street/Slamannan Road, Avonbridge (H58) should not be accessed through the adjacent residential area known as Avonpark due to narrow road width. Instead it should be accessed from the main road (Main Street, Avonbridge).</p> <p><b><u>Allocated Housing Site H59 – Slamannan Road 1, Avonbridge</u></b></p> <p><b>ESSR Oil (UK) Ltd (01180/2001/004):-</b> Reference to the Pipeline Consultation Zone should be included in the 'site comments' relating to the site at Slamannan Road 1, Avonbridge (H59) in Appendix 1.</p>		

### **Allocated Housing Site H66 – Slamannan Road 1, Limerigg**

**Patrick Flynn and Robert Caper (01292/2001/001):-** Objection is made to the site at Slamannan Road 1, Limerigg (H66). It is difficult to envisage how the site could be developed due to the existing flooding problems in the area. A detailed strategy would have to be adopted and approved by both SEPA and Scottish Water to prevent both serious flooding and sewage contamination which is at present being experienced in the Slamannan area.

**Jim and William Robertson (00848/2002/001):-** Development of this site will have a detrimental impact on sewage and drainage infrastructure in the area, which is problematic particularly in lower Slamannan - Mosscastle Road, New Street, Avonbridge Road and Culloch Road. The site should be withdrawn until it can be demonstrated that it is viable through a comprehensive drainage and infrastructure strategy.

### **Allocated Housing Site H67– Slamannan Road 2, Limerigg**

**Patrick Flynn and Robert Caper (01292/2001/002):-** Objection is made to the site at Slamannan Road 2, Limerigg (H67). It is difficult to envisage how the site could be developed due to the existing flooding problems in the area. A detailed strategy would have to be adopted and approved by both SEPA and Scottish Water to prevent both serious flooding and sewage contamination which is at present being experienced in the Slamannan area. This site comprises land occupied by a former breakers yard is likely to be contaminated.

**Jim and William Robertson (00848/2002/001):-** Development of this site will have a detrimental impact on sewage and drainage infrastructure in the area, which is problematic particularly in lower Slamannan - Mosscastle Road, New Street, Avonbridge Road and Culloch Road. The site should be withdrawn until it can be demonstrated that it is viable through a comprehensive drainage and infrastructure strategy.

**Manor Forrest Ltd (00455/2006/001):-** The site at Slamannan Road 2, Limerigg (H67) is supported. Capacity constraints at the local primary school are recognised.

### **Allocated Housing Site H70 – Hillend Farm, Slamannan**

**Mr and Mrs P Campbell (01213/2001/001):-** The site at Hillend Farm, Slamannan (H70) should be deleted. The site is used by roosting bean geese and should continue to be protected as a greenfield site. The site is at high risk from flooding and addressing this could restrict housing numbers and impact on development viability. Large scale development would also have an impact on the capacity of the existing road network.

**Patrick Flynn and Robert Caper (01292/2001/003):-** Objection is made to the site at Hillend Farm, Slamannan (H70). It is difficult to envisage how the site could be developed due to the existing flooding problems in the area. This site is subject to severe waterlogging compounding existing drainage and sewage issues. This has been worsened by the continued land raising operations along

parts of the Culloch Burn. A detailed strategy would have to be adopted and approved by both SEPA and Scottish Water to prevent both serious flooding and sewage contamination which is at present being experienced in the Slamannan area. SEPA have objected to this site at the MIR stage and have requested its removal.

**Jim and William Robertson (00848/2002/001):-** Development of this site will have a detrimental impact on sewage and drainage infrastructure in the area, which is problematic particularly in lower Slamannan - Mosscastle Road, New Street, Avonbridge Road and Culloch Road. There is now a third recognised water course flowing through site H70 Hillend Farm, Slamannan, which has not been assessed. The site should be withdrawn until it can be demonstrated that it are viable through a comprehensive drainage and infrastructure strategy.

**RSPB Scotland (00648/2001/011):-** RSPB are concerned at the potential for the proposed development to impact on the bean geese of the Slamannan Plateau SPA. Any development on this site is likely to require a Habitats Regulations Assessment and should accord with proposed Policy GN03 (Biodiversity and Geodiversity).

#### **Allocated Housing Site H71 – Avonbridge Road, Slamannan**

**Mrs E McArthur (01086/2001/001):-** Objection is made to the site at Avonbridge Road, Slamannan (H71). It will have a detrimental impact on Mrs McArthur's privacy and there are issues regarding flooding, the width of the B8022 and the fact that it is now a busy main road. There are more suitable sites for housing elsewhere within the village. If building has to go ahead, it should be on the south side of the field.

**Isobel Burden (00541/2001/001):-** Objection is made to the site at Avonbridge Road, Slamannan (H71). It will have a detrimental impact on road safety on this section of the B8022 due to the narrow width of the road.

**Patrick Flynn and Robert Caper (01292/2001/004):-** Objection is made to Proposal H71 Avonbridge Road, Slamannan. It is difficult to envisage how the site could be developed due to the existing flooding problems in the area. A detailed strategy would have to be adopted and approved by both SEPA and Scottish Water to prevent both serious flooding and sewage contamination which is at present being experienced in the Slamannan area. SEPA have already objected to the development of all sites in Slamannan at the MIR stage.

**Jim and William Robertson (00848/2002/001):-** Development of this site will have a detrimental impact on sewage and drainage infrastructure in the area, which is problematic particularly in lower Slamannan - Mosscastle Road, New Street, Avonbridge Road and Culloch Road. There is now a third recognised water course flowing through site H70 Hillend Farm, Slamannan, which has not been assessed. The site should be withdrawn until it can be demonstrated that it is viable through a comprehensive drainage and infrastructure strategy.

**Mr and Mrs P Campbell (01213/2001/002):-** The site at Avonbridge Road, Slamannan (H71) is supported. This site could be extended.

### **Allocated Housing Site H72– The Rumlie, Slamannan**

**Patrick Flynn and Robert Caper (01292/2001/005):-** Objection is made to Proposal H72 The Rumlie, Slamannan. It is difficult to envisage how the site could be developed due to the existing flooding problems in the area. A detailed strategy would have to be adopted and approved by both SEPA and Scottish Water to prevent both serious flooding and sewage contamination which is at present being experienced in the Slamannan area. SEPA have already objected to the development of all sites in Slamannan at the MIR stage.

**Jim and William Robertson (00848/2002/001):-** Development of this site will have a detrimental impact on sewage and drainage infrastructure in the area, which is problematic particularly in lower Slamannan - Mosscastle Road, New Street, Avonbridge Road and Culloch Road. The sites should be withdrawn until it can be demonstrated that they are viable through a comprehensive drainage and infrastructure strategy.

**Mr and Mrs P Campbell (01213/2001/002):-** The site at The Rumlie, Slamannan (H72) is supported. This site could be extended.

### **General Infrastructure - Slamannan**

**Mr and Mrs P Campbell (01213/2001/003):-** In respect of expansion of Slamannan, contributions should be considered for an upgraded waste water treatment works, for school infrastructure, and mains gas installation. The existing road network would require to be upgraded and consideration should be given to a centrally located village green and extended path network.

### **Non Allocated Housing Site – Stevenson’s Yard, Avonbridge (MIR Ref AVN/B/01)**

**Stevenson Bros (Avonbridge) Ltd (00476/2001/001):-** A site at Stevenson's Yard, Avonbridge (MIR reference AVN/B/01) should be allocated for housing, with a capacity for approximately 30 units. The allocation is logical as the site is brownfield, is not likely to be at risk from flooding, there are no perceived road safety issues with access. Its development would not involve further loss of greenfield sites at Avonbridge, there are existing services close to the site and there would be minimal impact on existing services and facilities.

### **Non Allocated Mixed Use Site – Haroldstoun/Darnrigg Moss (MIR Ref RUR/B/03)**

**Chartmount Land Holdings (00261/2001/001):-** A site at Haroldstoun/ Darnrigg Moss (MIR reference RUR/B/03) should be allocated for low density rural housing, with the key objective of improving and enhancing the degraded landscape. The site is a derelict, brownfield site and is in need of renewal and regeneration. The allocation would allow an appropriate level (and quality) of new build housing to act as enabling development to fund wider landscape improvements and recreation opportunities. It would also provide opportunities for self-build housing plots and opportunities for small scale rural business and rural diversification. This would accord with the strategy and objectives of the LDP and the relevant sections of SPP which provide clear support for this

proposal.

**Non Allocated Housing Site – Wester Jaw, Slamannan (MIR Ref RUR/B/05)**

**Patrick Flynn and Robert Caper (01292/2001/006):-** A site at Wester Jaw, Slamannan (MIR reference RUR/B/05) is a viable alternative to the sites currently proposed by the LDP for development within Slamannan. It does not have the same constraints and could provide suitable investment for the benefit of the community.

**Non Allocated Housing Site – Hillhead Farm, Slamannan (MIR Ref RUR/B/06)**

**Patrick Flynn and Robert Caper (01292/2001/007):-** A site at Hillhead Farm, Slamannan (MIR reference RUR/B/06) is a viable alternative to the sites currently proposed by the LDP for development within Slamannan. It does not have the same constraints and could provide suitable investment for the benefit of the community.

**Modifications sought by those submitting representations:**

**Allocated Housing Site H58 – Main Street/Slamannan Road, Avonbridge**

**Kathleen Connor (01080/2001/001):-** Amend Proposal H58 to include additional bullet point in Appendix 1 requiring access to be taken from Main Street.

**Allocated Housing Site H59 – Slamannan Road 1, Avonbridge**

**ESSR Oil (UK) Ltd (01180/2001/004):-** Amend 'site comments' for Proposal H59 to include reference to the Pipeline Consultation Zone and the fact that it may limit capacity.

**Allocated Housing Site H66 – Slamannan Road 1, Limerigg**

**Patrick Flynn and Robert Caper (01292/2001/001); Jim and William Robertson (00848/2002/001):-** Delete Proposal H66 (Slamannan Road 1, Limerigg).

**Allocated Housing Site H67 – Slamannan Road 2, Limerigg**

**Patrick Flynn and Robert Caper (01292/2001/002); Jim and William Robertson (00848/2002/001):-** Delete Proposal H67 (Slamannan Road 2, Limerigg).

**Allocated Housing Site H70 – Hillend Farm, Slamannan**

**Mr and Mrs P Campbell (01213/2001/001); Jim and William Robertson (00848/2002/001); Patrick Flynn and Robert Caper (01292/2001/003):-** Delete Proposal H70 (Hillend Farm, Slamannan).

**RSPB Scotland (00648/2001/011):-** Amend Proposal H70 in Appendix 1 by

ensuring the site comments include reference to the need for a Habitats Regulations Appraisal and that proposals should accord with proposed Policy GN03.

#### **Allocated Housing Site H71– Avonbridge Road, Slamannan**

**Mr and Mrs P Campbell (01213/2001/002):-** Extend Proposal H71 (Avonbridge Road, Slamannan).

**Mrs E McArthur (01086/2001/001); Isobel Burden (00541/2001/001); Patrick Flynn and Robert Caper (01292/2001/004); Jim and William Robertson (00848/2002/001):-** Delete Proposal H71 (Avonbridge Road, Slamannan)

#### **Allocated Housing Site H72– The Rumlie, Slamannan**

**Mr and Mrs P Campbell (01213/2001/002):-** Extend Proposal H72 (The Rumlie, Slamannan) to continue southwards towards Station Road and Limerigg.

**Patrick Flynn and Robert Caper (01292/2001/005); Jim and William Robertson (00848/2002/001):-** Delete Proposal H72 (The Rumlie, Slamannan).

#### **General Infrastructure - Slamannan**

**Mr and Mrs P Campbell (01213/2001/003):-** Amend site requirements to include references to the requirement for an upgraded waste water treatment works, school infrastructure, mains gas installation, upgraded road network and a centrally located village green and extended path network.

#### **Non Allocated Housing Site – Stevenson’s Yard (MIR Ref AVN/B/01)**

**Stevenson Bros (Avonbridge) Ltd (00476/2001/001):-** Insert additional site at Stevenson's Yard, Avonbridge as a housing proposal.

#### **Non Allocated Mixed Use Site – Haroldstoun/Darnrigg Moss (MIR Ref RUR/B/03)**

**Chartmount Land Holdings (00261/2001/001):-** Insert additional site at Haroldstoun/ Darnrigg Moss as a proposal for low density rural housing, with capacity for 35 units.

#### **Non Allocated Housing Site – Wester Jaw, Slamannan (MIR Ref RUR/B/05)**

**Patrick Flynn and Robert Caper (01292/2001/006):-** Site RUR/B/05 (Wester Jaw, Slamannan) should be considered as a windfall site under Policy HSG03.

#### **Non Allocated Housing Site – Hillhead Farm, Slamannan (MIR Ref RUR/B/06)**

**Patrick Flynn and Robert Caper (01292/2001/007):-** Site RUR/B/06 (Hillhead Farm, Slamannan) should be considered as a windfall site under Policy HSG03

### **Summary of responses (including reasons) by planning authority:**

As background to the Council's response on this issue, the general approach to the allocation of housing sites in the Rural South is outlined in Appendix 2 of Technical Paper 3 (Revised): Housing Requirements and Provision. An update to the existing housing land supply figures in Figure 3.1 of the Proposed LDP, informed by the 2012/2013 Housing Land Audit, has also been undertaken.

#### **Allocated Housing Site H58 – Main Street/Slamannan Road, Avonbridge**

**Kathleen Connor (01080/2001/001):-** Proposal H58 (Main Street/Slamannan Road) comprises two existing committed sites carried forward from Falkirk Council Local Plan (FCLP). The site can theoretically be accessed either from Main Street to the east, or Avonpark to the east, the latter being a residential access road connecting into Slamannan Road. In practice, however, it is unlikely that an access from Main Street can be satisfactorily achieved, due to difficulties in achieving the required sight lines. The access and road network at Avonpark has been adopted and is of a suitable standard to provide access for the additional housing proposed at site H58. For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Housing Site H59 – Slamannan Road 1, Avonbridge**

**ESSR Oil (UK) Ltd (01180/2001/004):-** It is acknowledged that the pipeline consultation zone associated with the North West Ethylene Pipeline impinges marginally into the west side of site H59. This zone is shown on Proposals Map 4, and although this is very unlikely to have any impact on the capacity of the site, the Council would not object to including reference to this constraint information in the site comments in Appendix 1. Therefore, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Housing Site H66 & H67 – Slamannan Road 1 & 2, Limerigg**

**Patrick Flynn and Robert Caper (01292/2001/001 & 002); Patrick Flynn and Robert Caper (01292/2001/002); Jim and William Robertson (00848/2002/001):-** Proposals H66 (Slamannan Road 1, Limerigg) and H67 (Slamannan Road 2, Limerigg) are allocated as housing sites within the current Local Plan, and are being carried forward into the LDP. Proposal H67 was granted outline planning permission in 2009. These sites have already been subject to assessment through the previous Local Plan process, and H67 through the planning application process. The Council considers that they represent appropriate sites for residential development. They are promoted as part of a strategy which places an emphasis on regeneration in the former mining communities of the Rural South area, where new housing will have an important role to play in this process.

With regard to flooding and drainage issues, the Council is aware of drainage issues in the Slamannan and Limerigg area. The Slamannan WWTW has some capacity, although it may have to be upgraded in the long term to take the full extent of allocated development in the Slamannan area. With regard to the sewerage network, Scottish Water, in partnership with the Council, has initiated

a catchment study of the Slamannan and Limerigg area, which will investigate the problems and identify potential solutions. Applications for these Limerigg sites would require to be supported by a suitable drainage strategy in accordance with Policy INF12 of the proposed LDP. Therefore, although drainage issues in the Slamannan area are a potential issue, steps are being taken to investigate and resolve the issue.

For these reasons, the Council considers the sites to be appropriate allocation in the plan and does not agree to modify the plan in response to these representations.

### **Allocated Housing Site H70 – Hillend Farm, Slamannan**

**Patrick Flynn and Robert Caper (01292/2001/003); Jim and William Robertson (00848/2002/001); Mr and Mrs P Campbell (01213/2001/001); RSPB Scotland (00648/2001/011):-** Proposal H70 (Hillend Farm, Slamannan) is a part of an allocated housing site in the current Local Plan. The strategy of the current development plan is to promote large scale housing growth in Slamannan, as one of four Special Initiatives for Residential Led Regeneration (SIRRs). The Hillend Farm site was considered at the previous Local Plan Inquiry in 2009, at which the allocation of the site was supported by the Reporters.

In preparing the LDP, the Council has scaled back this growth to what is considered to be a more realistic level given current market conditions. A site is proposed for de-allocation at Blinkbonnie Terrace (H.SLA04 in the Local Plan) and the largest site at Hillend Farm has been reduced in size. The expected phasing of the Hillend Farm site has also been put back to the period post 2024. Two smaller opportunities, at Avonbridge Road (H71) and the Rumlie (H72) Slamannan have been retained. The residual sites are identified as a Strategic Growth Area, reflecting the fact that the Council still aspires to promote housing led regeneration in the village, whilst recognising that the scale and timing of growth requires to be adjusted.

With regard to flooding and drainage, the Council is well aware of flooding issues and the extent and nature of flooding in the Slamannan area. These were discussed at length during consideration of the Hillend Farm site and other Slamannan allocations at the Local Plan Inquiry in 2009. Supporting evidence produced by the Council and others included flood appraisals. An initial objection submitted by SEPA was withdrawn, subject to flood risk on the Hillend site being explicitly recognised in the Local Plan. In their conclusions, the Reporters noted that pluvial flooding at the Hillend site could be managed and the existing situation improved by the use of sustainable drainage systems. The Reporters were not persuaded that development of the Hillend site would worsen problems of flooding in the surrounding area. The LDP notes the constraints posed by flooding issues, including that posed by the third watercourse at Hillend, the risk from which is currently unknown. The nature of the constraint is set out in Appendix 2 (Strategic Growth Area Guidance) at page a2-10 as follows: *'The Indicative River and Coastal Flood Map (Scotland) identifies this site as being at potential flood risk from the River Avon. There is also a known risk from the Culloch Burn. A third watercourse runs through the development area and the potential flood risk from this watercourse is currently unknown. The layout of any*

*development on site will need to be informed by a site specific flood risk assessment and the drainage strategy should seek to alleviate existing flooding problems along Mosscastle Road.*

In summary, it is considered that adequate provision is made in the LDP for the consideration of potential flooding and drainage issues in relation to site H70.

The Council has recognised that the development of site H70 will have a likely significant effect on the Slamannan Plateau SPA by virtue of its potential for adverse impacts on bean geese, which are the qualifying interest feature of the SPA. This issue was fully considered during consideration of the larger site at the Local Plan Inquiry, and has again been fully and formally assessed as part of the Habitats Regulations Appraisal (HRA) of the LDP. Within the HRA, an Appropriate Assessment has been undertaken of the potential impact of the plan on the Slamannan Plateau SPA, and has concluded that, with appropriate mitigation, the proposed LDP will not have an adverse effect on the integrity of the Slamannan Plateau SPA either alone or in combination with other plans or projects. SNH have accepted the findings of the draft HRA record and have raised no objection to the inclusion of the site in the LDP. By way of ensuring that the necessary mitigation is applied and that a detailed site-specific Appropriate Assessment is carried out at the planning application stage, Appendix 2 (Strategic Growth Area Guidance) on page a2-10 includes the following information for site H70:

- *'The area of land between Mosscastle Road and the River Avon to the north of this site should be managed specifically for use by Bean Geese. This area of land should be separated from development by appropriate measures (e.g. screening) and should not be made available for public recreational use.*
- *'A management plan for the green space buffer area must be submitted as part of the masterplan with a suitable monitoring programme set up to monitor the success of mitigation.*
- *'Proposals must be accompanied by a masterplan and project-specific Appropriate Assessment demonstrating that there will be no adverse effects on the integrity of the Slamannan Plateau SPA, either alone or in combination with other plans or projects.'*

The potential impacts of the proposal on the SPA and the bean geese have therefore been adequately addressed.

The Council considers that the road network in Slamannan is able to cope with the scale of growth proposed at Hillend Farm, which is considerably reduced from that included in the current Local Plan. Appendix 2 (Strategic Growth Area Guidance) makes provision for two points of access to the site – from Main Street and either through Blinkbonnie Park or through land forming part of Southfield Farm to the west of the built up area (page a2-10). Linking these two accesses through the development site will provide the opportunity for traffic to bypass Slamannan Cross in the longer term. Any application for the site which comes forward will require a Transport Assessment which may highlight off-site network improvements required.

For these reasons, the Council considers the sites to be appropriate allocation in the plan and does not agree to modify the plan in response to these representations.

### **Allocated Housing Site H71– Avonbridge Road, Slamannan**

**Patrick Flynn and Robert Caper (01292/2001/004); Jim and William Robertson (00848/2002/001); Mrs E McArthur (01086/2001/001); Isobel Burden (00541/2001/001):-** Proposal H71(Avonbridge Road, Slamannan) is allocated as a housing site within the current Local Plan, and is being carried forward into the LDP. The site has already been subject to assessment through the previous Local Plan process. It was considered at the previous Local Plan Inquiry in 2009, at which the allocation of the site was supported by the Reporters, albeit at a reduced capacity of 10.

With regard to concerns about the general drainage network and flooding in the Slamannan area, the Council is aware of these issues. The Slamannan WWTW has some capacity, although it may have to be upgraded in the long term to take the full extent of allocated development in the Slamannan area. With regard to the sewerage network, Scottish Water, in partnership with the Council, has initiated a catchment study of the Slamannan and Limerigg area, which will investigate the problems and identify potential solutions. Applications for these Limerigg sites would require to be supported by a suitable drainage strategy in accordance with Policy INF12 of the proposed LDP. Therefore, although drainage issues in the Slamannan area are a potential issue, steps are being taken to investigate and resolve the issue.

With regard to site specific flooding issues, it is recognised that part of site H71 is constrained by potential fluvial flooding. This was considered through the Local Plan Inquiry and was the reason why the Reporters reduced the capacity from 30 to 10 units. In carrying forward the site into the LDP, the reduced site capacity of 10 has been continued, reflecting the flood constraint, and the site comments note that the developable area is to be informed by a flood risk assessment.

With regard to road safety, the issue of road safety on the B8022 was also raised at the Local Plan Inquiry and the Reporters concluded that they saw no reason why satisfactory access arrangements could not be devised. The Local Plan noted that depending on the depth of the Avonbridge Road site, there are options for the formation of a single access point near the middle of the frontage or for direct frontage access for individual houses on to the B8022. Internal consultation on the site with the Council's Transport Planning Unit in 2006 noted the need to provide safe footpath links to the High Street which may have to be provided by improved pedestrian crossing facilities. Otherwise, no other issues concerning road safety associated with this site were raised.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Mr and Mrs P Campbell (01213/2001/002):-** With regard to Mr and Mrs Campbell's suggestion that site H71 be extended, they have not make clear exactly what extension is sought. However, given flooding constraints and consideration of the current form of the village, the scale and boundaries of the allocation are considered appropriate. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H72– The Rumlie, Slamannan**

**Patrick Flynn and Robert Caper (01292/2001/005); Jim and William Robertson (00848/2002/001):-** Proposal H72(The Rumlie, Slamannan) is allocated as a housing site within the current Local Plan, and is being carried forward into the LDP. The site has already been subject to assessment through the previous Local Plan process.

With regard to concerns about the general drainage network and flooding in the Slamannan area, the Council is aware of these issues. The Slamannan WWTW has some capacity, although it may have to be upgraded in the long term to take the full extent of allocated development in the Slamannan area. With regard to the sewerage network, Scottish Water, in partnership with the Council, has initiated a catchment study of the Slamannan and Limerigg area, which will investigate the problems and identify potential solutions. Applications for these Limerigg sites would require to be supported by a suitable drainage strategy in accordance with Policy INF12 of the proposed LDP. Therefore, although drainage issues in the Slamannan area are a potential issue, steps are being taken to investigate and resolve the issue.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Mr and Mrs P Campbell (01213/2001/002):-** With regard to Mr and Mrs Campbell's suggestion that site H72 be extended, they have not make clear exactly what extension is sought. It is difficult in any case to see how the site could logically be extended. The Culloch Burn forms its southern boundary, and its eastern western boundary is formed by the logical projection of the existing village limit.

For this reason, the Council does not agree to modify the plan in response to this representation.

### **General Infrastructure - Slamannan**

**Mr and Mrs P Campbell (01213/2001/003):-** It is considered that the Strategic Growth Area guidance for Slamannan (focused on site H70) contained in Appendix 2 (page a2-10) is sufficient to cover the issues raised in the representation. In particular reference is made to the road network, the potential for a village green at Blinkbonnie Park, pedestrian access linkages and developer contributions, including enhancements to the community hall. There is adequate capacity to accommodate proposed development at Slamannan Primary School and a reasonable amount of capacity at Slamannan WWTW (although it may require upgrading in the longer-term). The issue of gas supply is not one that can be considered as part of the planning process. For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Housing Site – Stevenson's Yard (MIR Ref AVN/B/01)**

**Stevenson Bros (Avonbridge) Ltd (00476/2001/001):-** Although the site was allocated for housing in the Rural Local Plan adopted in 1994, this allocation was

not carried forward into the current Local Plan as it was considered unlikely to be developed within the lifetime of the Local Plan (to 2015). The site was subject to site assessment and was identified in the MIR as a non-preferred site.

It is not identified as an allocation in the proposed LDP because it remains an active business site, with no indication from the landowner that it is likely to be vacated to any specific timescale. Nonetheless, it is located within the Village Limit and, in accordance with proposed Policy HSG03, it could be considered as a legitimate windfall site, subject to detailed considerations, should it become available for redevelopment during the period of the plan.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Non Allocated Mixed Use Site – Haroldstoun/Darnrigg Moss (MIR Ref RUR/B/03)**

**Chartmount Land Holdings (00261/2001/001):-** The Council does not consider the Haroldstoun site to be an appropriate housing allocation. The site was subject to site assessment along with other potential sites in the Rural South area and was identified in the MIR as a non-preferred site.

The site is located in the countryside, well beyond the limits of existing villages and built up areas, and would constitute significant new residential development in the countryside. The strategy for the Rural South area places an emphasis on regeneration in the former mining communities of Slamannan, Avonbridge and Limerigg, and the allocations in the plan are targeted at these existing villages in order to improve and sustain their vitality, and to take advantage of existing infrastructure and services.

The site is in an isolated location approximately midway between Slamannan and Shieldhill. There is no existing infrastructure, and community facilities are some 3km away. It is therefore not a sustainable location for new housing

In terms of road access, the site is accessed from the C2 Darnrigg Road which is a typical narrow rural road with restricted geometry and alignment and no lighting or footways. It is generally unsuitable for significant new housing development.

In terms of biodiversity, the site is located adjacent to Darnrigg Moss SSSI where development has the potential to have a significant impact. There is also the potential for development to have negative impacts on a range of habitats within the site, and on the bean geese which are the qualifying interest of the Slamannan Plateau SPA.

Although the scale of the proposal is greatly reduced from previous representations which constituted a significant new community, it is considered that it still represents significant new residential development in the countryside which does not accord with the LDP's strategy or with the SPP.

For these reasons, the Council does not propose to modify the plan in response to this representation.

**Non Allocated Housing Site – Wester Jaw, Slamannan (MIR Ref RUR/B/05)**

**Patrick Flynn and Robert Caper (01292/2001/006):-** The representation highlights the site at Wester Jaw as a viable housing site presenting an alternative to those allocated in the proposed LDP. It is suggested that it could be considered as a windfall site under Policy HSG03. However, Wester Jaw is a large greenfield site which lies outwith the Village Limit. Policy HSG03 is therefore irrelevant as it is concerned only with sites within the Urban or Village Limits. As the site has been knowingly proposed during the LDP preparation period, it can only be treated as a proposal for allocation, rather than potential future windfall.

Nonetheless, the Council does not consider the Wester Jaw site to be an appropriate housing allocation. The site was subject to site assessment and was identified in the MIR as a non-preferred site. The site was also considered, and rejected, at the Local Plan Inquiry in 2009.

The site is a very large and physically detached from Slamannan, and does not represent a logical extension of the village. It would represent a major incursion into the countryside and the Slamannan Plateau AGLV, with significant landscape impacts. This view was confirmed by the Reporters at the Local Plan Inquiry. The development of the site would have a likely significant effect on the Slamannan Plateau SPA, and no Appropriate Assessment has been undertaken to demonstrate that the development of this site would not result in an adverse effect on the integrity of the Slamannan Plateau SPA. There will also be significant impacts on the existing rural road network.

Bearing in mind commitments in Slamannan and elsewhere in the Rural South area, there is no justification for a further strategic release of this scale. The focus of residential-led regeneration in Slamannan remains the sites identified in the plan. Whilst constraints posed by potential flood risk are acknowledged, these constraints can be overcome, and can contribute to wider solutions for existing flooding problems in the village.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Non Allocated Housing Site – Hillhead Farm, Slamannan (MIR Ref RUR/B/06)**

**Patrick Flynn and Robert Caper (01292/2001/007):-** The representation highlights the site at Hillhead Farm as a viable housing site presenting an alternative to those allocated in the proposed LDP. It is suggested that it could be considered as a windfall site under Policy HSG03. However, Hillhead Farm is a large greenfield site which lies outwith the Village Limit. Policy HSG03 is therefore irrelevant as it is concerned only with sites within the Urban or Village Limits. As the site has been knowingly proposed during the LDP preparation period, it can only be treated as a proposal for allocation, rather than potential future windfall.

Nonetheless, the Council does not consider the Hillhead Farm site to be an appropriate housing allocation. The site was subject to site assessment and was

identified in the MIR as a non-preferred site.

The site is located in the countryside, is physically detached and isolated from Slamannan, and does not represent a logical extension of the village. It would represent a major incursion into the countryside and Slamannan Plateau AGLV, with significant landscape impacts given the topography of the site. The development of the site would have a likely significant effect on the Slamannan Plateau SPA, and no Appropriate Assessment has been undertaken to demonstrate that the development of this site would not result in an adverse effect on the integrity of the Slamannan Plateau SPA.

Access would be to a rural road of restricted width, alignment and visibility, with no footway or lighting provision. This is a remote site that would raise road safety concerns by increasing traffic on a rural road network. The location of a site access and visibility would also be concerns.

Bearing in mind commitments in Slamannan and elsewhere in the Rural South area, there is no justification for a further strategic release of this scale. The focus of residential-led regeneration in Slamannan remains the sites identified in the plan. Whilst constraints posed by potential flood risk are acknowledged, these constraints can be overcome, and can contribute to wider solutions for existing flooding problems in the village.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 15</b>	<b>Business Policies</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Business (pages 15 -16) Infrastructure (pages 12 – 13) <u>Chapter 4 Settlement Statements</u> Grangemouth (pages 32 – 33) <u>Chapter 5 Supporting Policies</u> Policy BUS02 Core Business Areas (page 55) Policy BUS03 Business Areas with Potential for Redevelopment (page 55) BUS05 Major Hazards and Pipelines (page 56) <u>Proposals Maps</u> Map 2 Falkirk, Larbert & Stenhousemuir Map 3 Rural North Map 5 Grangemouth & Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Enterprise (00447) Chemical Cluster Companies (00878) Hargreaves Production Surface Mining (01270) Forth Ports plc (00020) Manor Forrest Ltd (00455) Cockburn Bros (01290) BP North Sea Infrastructure (00897) National Grid C/o AMEC E & I UK Ltd (00583)		
<b>Provision of the development plan to which the issue relates:</b>	The business policies of the LDP, in particular the role of Grangemouth within the Spatial Strategy, the wording of Policy BUS1, the coverage of areas designated under Policies BUS02 and BUS03 (core business areas or business areas with potential for redevelopment), and the scope and wording of Policy BUS05 on Major Hazards.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Role of Grangemouth in Spatial Strategy</u></b></p> <p><b>Scottish Enterprise (00447/2001/003):-</b> The Spatial Strategy Business sections, including Policy BUS01 and Map 3.3, need to prioritise Grangemouth business areas. Grangemouth is a key part of Scotland's petrochemicals and chemical sciences sector. It is the country's largest port and it provides a vital contribution to Scotland's economic health. Scottish Enterprise considers that the importance of Grangemouth requires greater recognition in the Spatial Strategy. Currently the Proposed Plan fails to emphasise this important economic area above that of other economic zones within the LDP area, despite its clear nationally recognised</p>		

status.

**Scottish Enterprise (00447/2001/002):-** The Spatial Strategy Infrastructure section, including Policy INF01 and Map 3.2, needs to prioritise the necessary infrastructural works required to support economic development within Grangemouth. There is no clear or obvious intention to prioritise key infrastructure investment decisions in favour of Grangemouth, which Scottish Enterprise considers to be inappropriate given its national economic importance. The limited resources available to commit to infrastructure improvements is acknowledged, and it is for this reason that the LDP should enhance the status of Grangemouth, above those other business areas, in accordance with its NPF2 designation, and should indicate priority towards infrastructural improvements to facilitate development and economic growth of this nationally important area.

**Scottish Enterprise (00447/2001/004):-** The statements in the Grangemouth Settlement Statement referring to Grangemouth's strategic economic importance are welcomed, including comments referring to the essential infrastructural requirements to facilitate the area's continued growth. However, this should be additionally enhanced by referring to its National Development status in NPF2, and by giving priority to those essential infrastructural requirements. A clear commitment by the local authority to infrastructural improvements will send positive messages to inward investors, enhancing the potential for growth of new and expansion of existing companies. To promote confidence for investors and to avoid future doubt, Grangemouth's economic growth should be a significant material consideration in the determination of development proposals.

**Chemical Cluster Companies (00878/2001/003):-** The identification of Grangemouth Chemical Cluster as a Strategic Business Location is welcomed by the Grangemouth Chemical Cluster Companies (GCCC). The economic significance of these companies and their land holdings are highlighted. Draft SPP highlights the need to protect nationally important clusters of industries handling hazardous substances. This reflects the GCCC response to Scottish Government on the draft SPP. Other policies in the plan are counter productive to the identification of a Strategic Business Location for the Chemical Cluster sites such as the allocation of housing site H34 which could restrict new investment and therefore impact on the Council's TIF scheme.

### **Policy BUS01 – Business & Tourism**

**Hargreaves Production Surface Mining (01270/2001/001):-** The reference in paragraph 3.23 to developing the area's economic potential is supported. However, the LDP should also include a reference to the harnessing of opportunities from minerals in this context.

**Forth Ports plc (00020/2002/001):-** Policy BUS01 should be amended to identify that development briefs and masterplans will only be required where necessary rather than as a matter of course to recognise that smaller scale development may come forward which will not require such an approach.

## **Policies BUS02/BUS03 – Core Business Areas/Areas with Potential for Redevelopment**

**Manor Forrest Ltd (00455/2008/001):-** The site designated as a core business area in Airth within the Rural North area should be amended from Policy BUS02 (Core Business Area) to Policy BUS03 (Business Areas with Potential for Redevelopment). This would allow the site to be considered for alternative uses and not solely restricted to Classes 4, 5 and 6.

**Cockburn Bros (01290/2001/002):-** An area of mixed use at Stirling Road, Larbert (202 Stirling Road and the surrounding area on the A9) should be designated as a business area with potential for redevelopment under Policy BUS03. This would enable the proper planning of this neglected part of the town. This would be compatible with its green belt designation and would assist in the process of redevelopment of the area as and when existing users move on and requirements for space change.

**Chemical Cluster Companies (00878/2001/004):-** Objection is made to the designation of industrial land around the chemical cluster industries as business areas with potential for redevelopment for other uses (Policy BUS03). This covers land at Wood Street, South Lumley Street, Dundas Street and Dalgrain Road. Allowing land use to change from industrial use in these areas is likely to prejudice the growth of the chemical industries. Moreover, demand exists for employment land in Grangemouth as evidenced by sales/leasings for business use in the Wood Street area since 2005 and by recent planning applications. The evidence on take up of employment land in Technical Report 5 is contested. The sites shown under BUS03 in the Grangemouth area and site H34 should be replaced by a BUS02 designation (core business areas) to reflect this demand and to maintain an adequate supply of land. The Environmental Report fails to consider the effects of this policy which encourages residential development close to a major chemical site.

## **Policy BUS05 – Major Hazards**

**BP North Sea Infrastructure (00897/2001/001):-** Policy BUS05, while generally supported, does not contain a reference to encourage the consultation of pipeline operators in the planning application process, as was suggested at the MIR stage. The suggested amendment has been accepted by Reporters and other Councils and is considered to be best practice.

**National Grid C/o AMEC E & I UK Ltd (00583/2002/001):-** Major hazard pipelines should be taken into account when site options are developed in more detail with the preference being for the retention of pipelines in situ. Objection is made to sub-section (4) in Policy BUS05 which is considered to be unduly restrictive on future infrastructure development which is undertaken through permitted development rights and with EIA requirements duly considered.

**Chemical Cluster Companies (00878/2001/005):-** In the context of housing site H34 remaining in the Plan, objection is made to Policy BUS05 and the general presumption against applications for hazardous substance consent which would prejudice the development of sites allocated in the plan. This will restrict the growth potential of the chemical industries as they will have to take any increase

in societal risk from site H34 into account in future applications for hazardous substance consent. The Environmental Report also fails to consider the effects of inappropriately located housing sites close to chemical sites.

**Scottish Enterprise (00447/2001/007):-** In the Grangemouth area, priority should be given to the potential for the Strategic Business Locations set out in Policy BUS01 (notably the chemical/petrochemical/port uses) to develop to their full potential, due to the significant contribution they make to the Scottish economy. Proposed Policy BUS05 places a greater priority on other sites allocated in the plan as it introduces a presumption against Hazardous Substances Consent which may prejudice a plan allocation. Policy BUS05 and Policy BUS01 are potentially conflicting and this must be resolved to enable Grangemouth's Strategic Business Locations to develop to benefit the local and national economy. If other land allocations are properly planned, in relation to proximity to Grangemouth's BUS01 sites, there is no requirement to further protect the allocations and Policy BUS05(2) as stated above is not required.

#### **Modifications sought by those submitting representations:**

##### **Role of Grangemouth in Spatial Strategy**

**Scottish Enterprise (00447/2001/003):-** Amend the Spatial Strategy Business section including policy BUS01 and Map 3.3 to prioritise Grangemouth business areas.

**Scottish Enterprise (00447/2001/002):-** Amend the Spatial Strategy Infrastructure section, including Policy INF01 and Map 3.2 to prioritise the necessary infrastructural works required to support economic development within the Grangemouth business areas.

**Scottish Enterprise (00447/2001/004):-** Amend the Spatial Strategy Infrastructure to highlight the priority that must be given to the infrastructural investment and flood alleviation necessary to promote Grangemouth as a major location for economic growth and its National Development status (NPF2 and emerging NPF3).

##### **Policy BUS01 – Business & Tourism**

**Hargreaves Production Surface Mining (01270/2001/001):-** Amend supporting information at paragraph 3.23 to include a reference to minerals.

**Forth Ports plc (00020/2002/001):-** Amend Policy BUS01(1), 2nd sentence, by inserting the words "where necessary" after the words "in accordance" to read: 'Development of the site specific elements of the SBLs, as listed in the Settlement Statements and detailed in the Site Schedule in Appendix 1, will be to high standards of design in accordance, where necessary, with a development brief or masterplan for each location...'

##### **Policies BUS02/BUS03 – Core Business Areas/Areas with Potential for Redevelopment**

**Manor Forrest Ltd (00455/2008/001):-** Amend the policy designation of a

business site in Airth, Rural North from Policy BUS02 (Core Business Area) to Policy BUS03 (Business Areas with Potential for Redevelopment).

**Cockburn Bros (01290/2001/002):-** Include land at Stirling Road, Larbert as a business area with potential for redevelopment under Policy BUS03.

**Chemical Cluster Companies (00878/2001/004):-** Delete the Policy BUS03 designation on the land at Wood St, South Lumley Street, Dundas Street and Dalgrain Road. and replace with BUS02. These sites should also be identified as local sites in Appendix 1.

### **Policy BUS05 – Major Hazards**

**BP North Sea Infrastructure (00897/2001/001):-** Amend Policy BUS05 to include the wording: 'In determining planning applications for development within consultation zones for hazardous installations, the Council will consult with and take full account of the advice from the facility's operators and owners and will seek to ensure that any risk to people's safety is not increased'.

Alternatively reword paragraph 5.73 to include the wording: 'Where a planning application falls within a consultation distance, the Council will consider the HSE's advice, as well as advice from the installation operator, taking into account site specific information in relation to the hazard, existing uses and regeneration benefits.'

**National Grid C/o AMEC E & I UK Ltd (00583/2002/001):-** Amend Policy BUS05 by deleting or modifying sub-section (4) of Policy BUS05.

**Chemical Cluster Companies (00878/2001/005):-** Delete the words 'or prejudice the development of sites allocated in the LDP' from sub-section (2) of Policy BUS05 if Proposal H34 remains in the plan.

**Scottish Enterprise (00447/2001/007):-** Delete reference to the presumption against Hazardous Substances Consent in sub-section (2) of Policy BUS05.

### **Summary of responses (including reasons) by planning authority:**

#### **Role of Grangemouth in Spatial Strategy**

**Scottish Enterprise (00447/2001/002, 003 & 004):-** The proposed LDP has given due emphasis to the importance of Grangemouth to the national economy throughout the document. The Grangemouth Freight Hub is highlighted as a NPF2 National Development (paragraph 2.1). Grangemouth is a central part of the Vision articulated through Figure 2.2 (paragraph 2.6), particularly with regard to the objectives of developing the area's economic potential and ensuring that infrastructure is in place to support the growth of the economy. Under the Spatial Strategy, the Infrastructure section highlights the key strategic projects connected with the Grangemouth Freight Hub, including strategic road improvements and flood defence works. The delivery of these through the Tax Increment Finance (TIF) initiative is referenced in paragraph 3.14. In the Business Section of the Spatial Strategy, three out of the five Strategic Business Locations relate to Grangemouth. Paragraph 3.23 highlights the creation of a nationally significant

low-carbon chemicals and logistics focussed investment zone in the area. The economic significance of Grangemouth is further emphasised within the Grangemouth Settlement Statement (paragraphs 4.35 – 4.37), with reference to its NPF2 status.

Scottish Enterprise states that the LDP should prioritise investment in Grangemouth, over other locations. The LDP is not a programme of spending commitments, and it is not its role to prioritise investment per se. Nonetheless, the infrastructure associated with the Grangemouth Freight Hub, and the Falkirk-Grangemouth Investment Zone is clearly being prioritised by the Council through the TIF programme, and there are appropriate cross-references to TIF within the LDP and the accompanying Proposed Action Programme. For this reason, the Council does not agree to modify the plan in response to these representations.

**Chemical Cluster Companies (00878/2001/003):-** In considering policies for future development in Grangemouth, the Council has sought to support the Grangemouth industries and their potential for growth, whilst recognising the needs and aspirations of local community. The Council's efforts to balance these interests is reflected in the Grangemouth Settlement Statement (paragraph 4.38), and Policy BUS05 (Major Hazards) (paragraph 5.74). The Council's response to the draft SPP expresses concerns about the wording contained in paragraph 108 of the draft SPP, and the impact this would have on the balanced approach. The Council's response with regard to site H34 is contained under Issue 7 (Grangemouth Housing Sites). For this reason, the Council does not agree to modify the plan in response to this representation.

#### **Policy BUS01 – Business & Tourism**

**Hargreaves Production Surface Mining (01270/2001/001):-** Mineral extraction is not considered to be a strategically important economic activity in the Falkirk Council area, and therefore it is not considered that it merits a particular reference in the Business section of the Spatial Strategy. Appropriate information and policy on minerals is contained in the Resources and Waste section of the Supporting Policies (paragraphs 5.123 – 5.128). For this reason, the Council does not agree to modify the plan in response to this representation.

**Forth Ports plc (00020/2002/001):-** The requirement for briefs or masterplans stated in Policy BUS01 applies to sites which are part of Strategic Business Locations. These sites, by their definition, are large, strategically located sites where co-ordinated site and infrastructure planning, and high quality design will be required. The requirement is therefore considered appropriate. For this reason, the Council does not agree to modify the plan in response to this representation.

#### **Policies BUS02/BUS03 – Core Business Areas/Areas with Potential for Redevelopment**

**Manor Forrest Ltd (00455/2008/001):-** The site in question is the Old Mill Industrial Estate which lies on the southern edge of the village of Airth and comprises several relatively modern industrial units. Core business areas are those which, under Policy BUS02, are considered worthy of retaining in employment use, by virtue of their location, attractiveness and importance. The Old Mill Industrial Estate is the only such location in Airth, which is the second

largest village community in the Council area. It is strategically well located, only 1km from Junction 3 of the M876 giving easy access to the motorway network to the west and the Clackmannanshire Bridge to the east. As such, its designation as a core business area is considered appropriate. Policy BUS02 offers flexibility for employment uses other than Class 4, 5 and 6, where such uses are compatible with the business/industrial character of the area. For this reason, the Council does not agree to modify the plan in response to this representation.

**Cockburn Bros (01290/2001/002):-** Cockburn Bros do not make clear the extent of the area which they seek to have designated under Policy BUS03, but it is assumed that it includes land on the south side of the A9 from Larbert Mill in the west to the First Bus depot in the east, and two small areas of development on the north side of the A9.

Some of the uses here are long-established (bus depot, Larbert Mill) and others have grown up in an ad hoc way around them over a number of decades. The land use character of the area is extremely mixed, with houses interspersed with industrial, commercial and even restaurant/catering uses. Policy BUS03 (Business Areas with Potential for Redevelopment) is intended to cover areas exclusively in business use, rather than mixed use areas, and so it is not regarded as an appropriate designation for this area.

The sites currently forms an 'island' of development outwith the Urban Limit and in the green belt, and would be subject to the appropriate countryside and green belt policies (this matter is subject to another representation by Cockburn Bros under Issue 20). These policies provide the proper framework for considering future changes of use within this area.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Chemical Cluster Companies (00878/2001/004):-** The Grangemouth Chemical Companies seek the policy designation of areas of business land in Grangemouth changed from BUS03 (Areas with Potential for Redevelopment) to Policy BUS02 (Core Business Areas). The areas are specified by reference to street names, and it is assumed that they include a larger area at Wood Street/South Lumley Street/Dundas Street, and a smaller area at Dalgrain Road. Both areas lie in close proximity to the concentration of chemicals businesses between Earls Road and the Falkirk-Grangemouth railway line.

Core business areas are those which, under Policy BUS02 (page 55), are considered worthy of retention in employment use, by virtue of their location, attractiveness and importance. Areas with Potential for Redevelopment, under Policy BUS03, represent those business areas of lesser importance where regeneration could be served by allowing flexibility for other uses. The Council recognises that BUS03 areas support significant employment, and there is no intention to actively move businesses from these areas. They are simply areas which the Council would not necessarily feel the need to safeguard for employment use, should they come under pressure for other uses.

In this context, within Grangemouth, the core business areas are deemed to be the large chemical cluster at Earls Road; Grangemouth Docks; the large

petrochemical/chemical complex to the east of the town focussed around Ineos; and the Gateway Business Park on Beancross Road adjacent to the M9. Other areas, such as those mentioned in the representation, are of lesser significance and have been designated as BUS03. Their designation under BUS03 does not in any way compromise the business land supply, since there is extensive provision of land for new business/industry allocated within the LDP in the Falkirk/Grangemouth area, including Earlsgate Park (ED12), Grangemouth Docks (ED15), South Bridge Street (ED14), Falkirk Gateway (ED03), Falkirk Stadium (ED04), Caledon Business Park (ED06), Abbotsford Business Park (ED05), Glenburgh (ED13), Ineos (ED16), and Wholeflats Business Park (ED17). Collectively, these provide a land supply of around 170 hectares within a 3 km radius of the BUS03 sites in question.

The primary concern of the Chemical Cluster Companies would appear to be that allowing changes of use in the BUS03 areas will prejudice the future growth of the chemical companies. However, it is not the purpose of Policies BUS02/BUS03 to manage the health and safety issues associated with major hazards, and ensure appropriate separation. This is the task of Policy BUS05, and any changes of use which might be proposed within the BUS03 areas in Grangemouth would have to comply with BUS05, including assessment of risk through application of the HSE's PAHDI methodology.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Policy BUS05 – Major Hazards**

**BP North Sea Infrastructure (00897/2001/001):-** Policy BUS05 states that proposals will be assessed against a number of factors including the increase in the number of people exposed to risk in an area and the potential impact of any proposal on existing chemical and petrochemical sites and pipelines. The Council area is crossed by 22 major hazard pipelines as well as other non hazardous pipelines and pipeline operators are generally consulted on proposals at the planning application stage dependent on the development type and proximity to the pipeline. It is not considered appropriate to consult on all applications within consultation distances as some proposals such as house extensions may not have any relevance for the pipeline operators. All proposals within pipeline consultation zones are also assessed by the HSE through PADHI+ and it is not considered necessary to include an explicit requirement to consult pipeline operators in Policy BUS05. For these reasons, the Council does not agree to modify the plan in response to this representation.

**National Grid C/o AMEC E & I UK Ltd (00583/2002/001):-** Policy BUS05 states that proposals will be assessed against a number of factors including the increase in the number of people exposed to risk in an area and the potential impact of any proposal on existing chemical and petrochemical sites and pipelines. Given that there are 22 major hazard pipelines in the Council area, it is established practice to consider the location of pipelines on potential development sites. With regard to sub-section (4) in Policy BUS05 the Council has maintained a policy on new pipelines since 1985 with the preference expressed for new pipelines to be constructed in existing pipeline corridors. This was established to ensure that the impact of new pipelines which have the potential to constrain development and to

increase the number of people exposed to risk was minimised. The policy is expressed as a preference as it is acknowledged that pipelines can be constructed under the Pipelines Act (approved by the Scottish Government) or through permitted development rights. It is not related to the environmental impact of any proposal and it is recognised that these matters would be considered through other mechanisms and policies. It is considered that the context of sub-section (4) within the major hazards policy makes this clear. For these reasons, the Council does not agree to modify the plan in response to this representation.

**Chemical Cluster Companies (00878/2001/005):-** Sub-section (2) of Policy BUS05 has been carried through from the current Local Plan and is intended to limit the further growth of consultation distances within the urban area and avoid additional constraints being placed on proposed sites within the LDP. It is considered that the policy fairly seeks to balance the needs of the local population, health and safety requirements which seek to reduce where possible the number of people exposed to risk, and the growth aspirations of the chemical industries. The wording of the policy is continued from the approved Local Plan with minor amendments and the addition of further information on hazardous substances consent applications. The policy was considered at the Local Plan Inquiry in 2009 and the Reporters concluded that it was appropriate for the Local Plan to refer to allocated sites at the local level whose development might be prejudiced by hazardous substance consents. It was also noted that in accordance with Section 7(2) of the Planning (Hazardous Substances) (Scotland) Act 1997, the consideration of allocated sites in the vicinity was a material planning consideration. Section 7(2) clearly states that the way land in the vicinity is being used or is likely to be used, any planning permission which has been granted in the vicinity and the provisions of the development plan are material considerations in applications for hazardous substances consent.

The concept of societal risk refers to the risk of harm to groups of people from an accident involving a major hazard. It is not considered possible at present to make any meaningful assessment of the impact of cumulative development within hazard consultation zones on the wider societal risks for the area and by implication any potential impact on major hazard sites. The Environmental Report is intended to consider the environmental impact of the proposed LDP and it is not required to consider the potential financial impact of the development of proposed sites on the chemical companies because of increased on site safety costs. The development of housing at H34 Wood Street is not, in any case, considered likely to lead to significant increased on-site costs for the chemical industry, as the population in Grangemouth is expected to continue to decline. There are no significant sites for new housing proposed for the area and Grangemouth is generally constrained by the Forth, River Carron, the M9 motorway, flood risk and major hazard sites in terms of its ability to grow. Grangemouth is characterised by both housing and business/industrial areas being located in close proximity to one another and these tensions are appropriately reflected in proposed Policy BUS05.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Scottish Enterprise (00447/2001/007):-** Policy BUS01 of the proposed LDP (page 15) notes that strategic business locations are priority areas for economic

development. The site comments for all of the business and industry sites in Grangemouth in Appendix 1 of the proposed LDP (except one at Glensburgh Road) note that the sites are affected by major hazards consultation distances (CDs) which need to be taken into account in their development. The extension of CDs associated with hazardous substances consent is not supported in Policy BUS05 (page 56) with the aim of limiting constraints on development and to avoid increasing the number of people exposed to risk in the area. This policy is therefore intended to support development in the area including allocated sites. Most business and industry uses are also acceptable within all 3 zones of a CD subject to the number of employees and building height and it is considered unlikely that hazardous substances consent and its associated CD would prejudice business and industry development. Any increase in a CD size could however adversely affect proposals for Grangemouth Town Centre or allocated housing sites and it is considered necessary to acknowledge that any adverse impact on such proposals would not be supported.

Given the need for major hazards sites to coexist within the Grangemouth community a balance has to be found between the needs of operators to expand their business and the constraints this may create for the wider area. Operators have successfully reduced the size of a number of CD's in recent years including at CalaChem and most recently at HW Coates and this is supported by the Council. Policy BUS05 generally seeks to balance the Council's support for business growth with the HSE policy of stabilising or reducing the number of people exposed to risk in an area. The policy alerts operators of the requirement to demonstrate that off site constraints are minimised with the aim of enabling development to take place. This is not considered to be in conflict with Policy BUS01 which supports the Strategic Business Locations including the Grangemouth Chemical Cluster and Grangemouth Freight Hub in accordance with NPF2.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 16</b>	<b>Falkirk Economic Development Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Falkirk (pages 30 - 31) <u>Appendix 1 Site Schedule</u> Economic Development – Falkirk (page a1-15,16,19) Green Network (page a1-24) <u>Proposals Map 2</u> Falkirk, Larbert & Stenhousemuir	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Canals (00516) Scottish Government (Historic Scotland) (00643) Network Rail (00493) Larbert, Stenhousemuir and Torwood Community Council (00440)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for business use in Falkirk, as identified in the Falkirk Settlement Statement, and detailed in Appendix 1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Economic Development Site ED03 – Falkirk Gateway</u></b></p> <p><b>Scottish Canals (00516/2001/006):-</b> The Falkirk Gateway site (Proposal ED03) should be developed taking account of its canalside setting and should provide a contribution towards canal-related improvements and/or facilities and utilise the opportunity for surface water to drain into the canal if appropriate.</p> <p><b><u>Allocated Economic Development Site ED08 – Rosebank Distillery, Falkirk</u></b></p> <p><b>Scottish Canals (00516/2001/005):-</b> Proposal ED08 (Rosebank Distillery) should be considered as a mixed use opportunity. Whilst Scottish Canals are currently progressing conversion proposals for the site which would tie in with the uses indicated in the LDP, other uses may have to be considered if the scheme does not materialise.</p> <p><b><u>Allocated Economic Development Site ED26 – Lochlands Industrial Estate</u></b></p> <p><b>Scottish Government (Historic Scotland) (00643/2001/10):-</b> Objection is made to the allocation of site ED26 (Lochlands Industrial Estate) for development. It is located within a scheduled monument and development here would have the potential for a direct adverse impact on the scheduled Lochlands Roman camps. In Historic Scotland's view, this would be contrary to the Scottish Government's policy for the historic environment. Historic Scotland provided evidence to the Falkirk Council Local Plan Inquiry against the allocation of this land for industrial use. The Reporter's recommendation to exclude this site from the plan was</p>		

accepted. The LDP or the SEA Environmental Report does not give a clear indication of any changes since the existing Local Plan was adopted in 2010 which would justify inclusion of this site. There is no clear basis to demonstrate its inclusion as a local business site outweighs national policy for the historic environment.

**Network Rail (00493/2001/001):-** Network Rail is concerned that the site ED26 can be accessed at the north end of Lochlands Loan where the road passes under Larbert Viaduct round a tight bend. Network Rail consider that the risk of bridge strike from heavy goods vehicles is a considerable constraint on the development of the site as it could affect the safe operation of the railway. Network Rail suggest that reference to the need to mitigate against bridge strike is included in Appendix A Site Schedule and in the Action Plan.

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/015):-** Consideration should be given as to what effect the proposed extension to Lochlands Industrial Estate (ED26) may have on the Larbert area.

**Non Allocated Site – Falkirk Wheel (MIR Ref FAL/A/22)**

**Scottish Canals (00516/2001/001):-** The Falkirk Wheel site, although identified as a Tourism Node in the Spatial Strategy, should be recognised in the LDP as a opportunity for further expansion of activities. It should have a large blue star on the Proposals Map to recognise this, and reference should be made to this site being a part of the Falkirk Canal Corridor, and linked to Proposal M06 (Portdownie).

**Green Network Proposal GN09 - Helix**

**Scottish Canals (00516/201/002):-** The Helix project should be recognised in the LDP as a future leisure/tourism opportunity. It should have a large blue star on the Proposals Map to recognise this, and reference should be made to the site being a part of the Falkirk Canal Corridor.

**Modifications sought by those submitting representations:**

**Allocated Economic Development Site ED03 – Falkirk Gateway**

**Scottish Canals (00516/2001/006):-** Amend site comments associated with Proposal ED03 (Falkirk Gateway) to make reference to the scope for developer contributions to canal improvements and surface water discharge into the canal if appropriate. Make reference to site being part of

**Allocated Economic Development Site ED08 – Rosebank Distillery, Falkirk**

**Scottish Canals (00516/2001/005):-** Amend Proposal ED08 (Rosebank Distillery) from an economic development proposal to a mixed use proposal.

**Allocated Economic Development Site ED26 – Lochlands Industrial Estate**

**Scottish Government (Historic Scotland) (00643/2001/010):-** Delete Proposal ED26 (Lochlands Industrial Estate).

**Network Rail (00493/2001/001):-** Amend proposal ED26 by supplementing site requirements to include mitigation against bridge strike.

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/015):-** Amend ED26 Lochlands Industrial Estate to reflect any potential impact on the Larbert area.

**Non Allocated Site – Falkirk Wheel (MIR Ref FAL/A/22)**

**Scottish Canals (00516/2001/001):-** Insert the Falkirk Wheel as an economic development opportunity, denoted by a star, and include this as part of the Falkirk Canal Corridor SGA, with reference to the linkage to Proposal M06 (Portdownie).

**Green Network Proposal GN09 - Helix**

**Scottish Canals (00516/2001/002):-** Insert the Helix as an economic development opportunity, denoted by a star, and include this as part of the Falkirk Canal Corridor SGA.

**Summary of responses (including reasons) by planning authority:**

**Allocated Economic Development Site ED03 – Falkirk Gateway**

**Scottish Canals (00516/2001/006):-** The Falkirk Gateway site bounds the Forth & Clyde Canal at its northern end, and the Council recognises that the masterplan for the Gateway will need to address opportunities for enhancement of, and linkages to, the canal. The previous masterplan for the Falkirk Gateway, prepared by MacDonald Estates to support an outline planning application for the site, included a new marina basin with associated canalside development. This was encouraged and supported by the Council. However, the development proposal did not proceed.

The Council still considers it important that the Falkirk Gateway site addresses the development and design opportunities presented by the canal, as required by LDP Policy D14 (Canals, page 68). This would be an essential component of the masterplan. However, any contributions to canal infrastructure, particularly the creation of waterspace, will have to be tempered by financial realism, bearing in mind the wider development costs of developing the Gateway. If secured through a planning obligation, any contributions would have to comply with the terms of Circular 03/2012. In terms of utilising the canal as a surface water outlet, this is not something the LDP could reasonably insist upon.

In the light of the above, if the Reporter is minded to recommend that the plan be amended to make reference to the need to take account of the canal in the masterplanning of the Falkirk Gateway, the Council would not take issue with this. However, with regard to references to financial contributions or insistence on using the canal as a surface water outlet, the Council does not agree to modify the plan in response to these elements of the representation.

### **Allocated Economic Development Site ED08 – Rosebank Distillery, Falkirk**

**Scottish Canals (00516/2001/005):-** The site of the former Rosebank Distillery was originally identified in the Falkirk Local Plan in 2000, and a planning brief was approved for the site in 2001. The site was a mixed use site, with housing permitted as part of the mix. However, there was a strong emphasis on the economic development and tourism potential of the site, given its strategic location on the canal and on the main road into Falkirk from the west. The housing element of the site was subsequently built out in the form of 72 flats on the north eastern part of the site. The priority for the remaining area, comprising the B-listed former distillery buildings, is to generate economic activity, and any further housing element is likely to dilute this. The conversion of the distillery buildings for residential use may, in any case, be difficult without very substantial interventions to the external fabric, thus compromising their character.

For this reason, the site is included in the Proposed LDP as an economic development site, with the specified uses being business/leisure/ tourism. The current proposal by Arran Breweries for the conversion and re-use of the buildings is consistent with this. The Council therefore does not agree to modify the plan in response to the representation.

### **Allocated Economic Development Site ED26 – Lochlands Industrial Estate**

**Scottish Government (Historic Scotland) (00643/2001/010):-** The Council considers that site ED26 (Lochlands Industrial Estate) represents an appropriate new opportunity for business development, as an extension to the existing industrial estate. It is acknowledged that the site lies within a scheduled ancient monument, and is opposed by Historic Scotland. The site is currently within the green belt, and the intention is that the green belt boundary would be adjusted to remove it from the green belt. It is also acknowledged that the site was previously opposed by the Council at the Falkirk Council Local Plan Inquiry in 2009, a stance which was upheld by the Reporter.

The site was subject to a representation by the owner at the pre-MIR stage of the LDP. It was included as a preferred site within the MIR. The owners' intention is understood to be to build small workshop units on the site. Lochlands Industrial Estate is a well located, successful and well occupied business location, and further provision here would bring local economic benefits which the Council now considers, in this instance, would outweigh any detriment to the historic environment. A full archaeological assessment of the site would be carried out, and development would be designed to avoid those areas of the site most likely to have significant intact archaeology. Where development was permitted, archaeological excavation and recording would be undertaken, covered by appropriate conditions. The Council therefore does not agree to modify the plan in response to the representation.

**Network Rail (00493/2001/001):-** The site, in common with the existing industrial estate, can be accessed from either end of Lochlands Loan. The northern end involves passing under the railway line. Considering the scale of industrial uses already present at Lochlands, and the relatively small increase in additional traffic arising from the new site, the increased risk of bridge strike is commensurately small, and does not merit specific mention of the issue in the site comments. The

Council therefore does not agree to modify the plan in response to the representation.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/015):-** The development of site ED26 is unlikely to have any significant effects on the community of Larbert. Visual impacts arising from the proposal will be subject to mitigation through an appropriate planting scheme.

**Non Allocated Site – Falkirk Wheel (MIR Ref FAL/A/22)**

**Scottish Canals (00516/2001/001):-** The Falkirk Wheel site is currently allocated as an economic development opportunity for leisure, tourism and business in the Falkirk Council Local Plan. The area of the opportunity extends to 18 hectares, covering the existing facilities at the Wheel, as well as substantial areas of woodland and grassland which frame the developed areas of the attraction. The site was indicated as a committed site in the MIR.

Scottish Canals has not indicated that it has any plans for further major development in the wider area of ED.FAL13. The visitor attraction has been expanded in an incremental way since its opening in 2001, with an extension to the visitor centre, a facilities building and play areas for children. This has all been located in a fairly tight area around the basin. The future focus for significant new canal related development is to the west at Portdownie (site M06). In the absence of any clear view on the nature or extent of further development at the Wheel, it is no longer identified as a specific development proposal in the Proposed Plan. It is, nonetheless, identified as a key tourism node in the Spatial Strategy (Figure 3.2 and Map 3.4, pages 17-18). Priority is given in Policy BUS01(3) (page 15) to the development of tourism proposals which support the role of such nodes. This, combined with the fact that the Falkirk Wheel site is within the Urban Limit, provides a supportive context for any further proposals which may come forward over the period of the plan.

Notwithstanding the above, the Council recognises the critical importance of the Wheel to the growing tourism industry in the area, and the need to maintain its vitality and viability. Highlighting the potential for future enhancement through a symbolic proposal as suggested by Scottish Canals could have some merit. Therefore if the Reporter is minded to recommend that the plan be amended to take account of this representation, the Council would not take issue with this.

The representation also seeks reference to the Falkirk Wheel as being part of the Falkirk Canal Corridor Strategic Growth Area. The Strategic Growth Areas specifically relate to residential growth, and so it would not be appropriate to include the Falkirk Wheel as part of the SGA. The Wheel's importance as a key part of the canal network is captured in the Business section of the Spatial Strategy, as noted above.

**Green Network Proposal GN09 - Helix**

**Scottish Canals (00516/2001/002):-** The Helix project is a major lottery funded project to transform the landscape between Falkirk and Grangemouth, with the major elements being the creation of the Helix Park, a new canal hub featuring Kelpie structures, a new stretch of canal facilitating better access to the Forth and

Clyde Canal from the River Forth, and a network of new path routes. These principal elements will be completed by early 2014. The Helix will be a further major tourism attraction for the area.

The Council recognises that there will be continuing opportunities to develop the Helix over the period of the LDP. It has chosen to express this within the Proposed LDP as green network Proposal GN09, which extends across the entire length of the Helix from Langlees in the north west to Polmont in the south east (Proposals Maps 2 and 5). The focus is on further landscape enhancement and path improvements (Appendix 1, page a1-24). The Helix, along with the adjacent Falkirk Gateway, is also identified as a key tourism node in the Spatial Strategy (Figure 3.2 and Map 3.4, pages 17-18). Priority is given in Policy BUS01(3) (page 15) to the development of tourism proposals which support the role of such nodes. This provides a supportive context for any further proposals which may come forward over the period of the plan, although it should be noted that the Helix is within the green belt, and proposals would have to comply with green belt policy. The Council's preferred location for further significant tourism development in the vicinity (hotels etc) would be at the Falkirk Gateway site (Proposal ED03).

The Council considers that Proposal GN09 and Policy BUS01 provide appropriate context and support for future opportunities, and is preferable to the identification of a specific economic development proposal, implying significant additional built development.

The representation also seeks reference to the Helix as being part of the Falkirk Canal Corridor Strategic Growth Area. The Strategic Growth Areas specifically relate to residential growth, and so it would not be appropriate to include the Helix as part of the SGA. The Helix's importance as a key part of the canal network and is captured in the Business section of the Spatial Strategy, as noted above.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 17</b>	<b>Grangemouth Economic Development Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 4 Settlement Statements</u> Grangemouth (pages 32-33) <u>Appendix 1 Site Schedule</u> Economic Development – Grangemouth (pages a1-16/17) <u>Proposals Map 5</u> Grangemouth and Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
CalaChem Limited (00559) Forth Ports plc (00020) Captain: The Clean Energy Project (01275) Scottish Enterprise (00447)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for business use in Grangemouth, as identified in the Grangemouth Settlement Statement, and detailed in Appendix 1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Business Site ED12 – Earlsgate Park, Grangemouth</u></b></p> <p><b>CalaChem Limited (00559/2001/001):-</b> The site comments in Appendix 1 for Proposal ED 12 (Earlsgate Park) should be amended to delete references to flood risk, as the site lies outwith the areas at risk in SEPA's indicative flood risk map. The reference to this site in Technical Report 5 should be amended by updating the name of the company and removing references to flood risk as the site is not at risk.</p> <p><b><u>Allocated Business Site ED15 – Grangemouth Docks</u></b></p> <p><b>Forth Ports plc (00020/2002/003):-</b> The Grangemouth Freight Hub Strategic Business Location and Proposal ED15 (Grangemouth Docks) are supported. However, site ED15 should be extended to include the currently unallocated land to the north of Beach Road, Grangemouth and to the east of Grangemouth Docks, which is the proposed site for the coal powered gasification plant identified in draft NPF3. Alternatively, a separate proposal could be added to accommodate it.</p> <p><b>Captain: The Clean Energy Project (01275/2001/001 &amp; 002):-</b> A site east of Grangemouth Docks should be allocated for the integrated gasification combined cycle generating station proposed as part of Captain: The Clean Energy Project (CCEP). The Grangemouth settlement boundary should also be amended to include the site. The new allocation should also note options for new CO2 transport infrastructure required to connect to the proposed national CO2 transport system. This site was chosen for the project following a review of</p>		

potential locations and it is included as a proposed National Development in draft NPF3 reflecting the significant contribution of the project to the national objectives of sustainable economic growth and a low carbon economy. This requires the site's inclusion in the LDP. Site ED15 (Grangemouth Docks) should also include references to conventional energy generation rather than just renewable energy, and to the emerging NPF3 which includes National Developments beyond just the Grangemouth Freight Hub.

**Non Allocated Site – Kinneil Kerse (MIR Ref GRA/A/04)**

**Scottish Enterprise (00447/2001/006):-** The site at Kinneil Kerse, which has been de-allocated in the proposed LDP, should be reinstated. It is essential that industry has sufficient flexibility and certainty to allow for future expansion and development needs. The LDP should ensure the provision of a supply of effective employment land to meet anticipated need over the plan period and beyond.

The environmental and flooding issues associated with the Kinneil Kerse site are acknowledged. An appropriate balance needs to be made between protecting these assets and allowing development to proceed in this established and highly important economic area.

**Modifications sought by those submitting representations:**

**Allocated Business Site ED12 – Earlsgate Park , Grangemouth**

**CalaChem Limited (00559/2001/001):-** Amend site comments in Appendix 1 for Proposal ED 12 (Earlsgate Park) by deleting the 3rd bullet point: 'proposals to take account of findings of Grangemouth Flood Risk Study 2'.

**Allocated Business Site ED15 – Grangemouth Docks**

**Forth Ports plc (00020/2002/003):-** Amend Proposal ED15 (Grangemouth Docks) to include the site north of Beach Road, Grangemouth. Amend the Grangemouth Urban Limit to include the extension.

**Captain: The Clean Energy Project (01275/2001/001), (01275/2001/002):-** Insert additional economic development proposal at Grangemouth Docks for a coal powered gasification plant with associated references to pipeline connections for CO2 transmission to the North Sea. Alternatively, amend Proposal ED15 to include the site. Amend the Grangemouth Urban Limit to include the site. Amend the proposed uses for Proposal ED15 to state "energy generation" rather than "renewable energy regeneration". Amend the site comments to reference NPF3 which includes the proposed energy plant.

**Non Allocated Site – Kinneil Kerse (MIR Ref GRA/A/04)**

**Scottish Enterprise (00447/2001/006):-** Insert additional site at Kinneil Kerse (MIR reference GRA/A/04) as an economic development proposal.

**Summary of responses (including reasons) by planning authority:**

**Allocated Business Site ED12 – Earlsgate Park, Grangemouth**

**CalaChem Limited (00559/2001/001):-** Proposal ED12 (Earlsgate Park) of the proposed LDP (Appendix 1, page a1-16) makes reference to the requirement to take account of the findings of the Grangemouth Flood Risk Study Phase 2, which is currently being undertaken. This is applied to all sites in Grangemouth. It is anticipated that Proposal INF22 (Grangemouth Flood Defences) (Appendix 1 page a1-21) will be developed following the Flood Risk Study. It is considered important that all proposed sites in the LDP take account of flood risk and a flood risk assessment may be required under the terms of the proposed plan Policy RW06 Flooding. It is acknowledged that this site is not included in the 1:200 flood envelope in the SEPA Indicative Flood Risk Map or the more recent maps commissioned by Falkirk Council. However, until the findings of Phase 2 of the Flood Risk Study and the detail of the Grangemouth Flood Defence Scheme is known it is considered appropriate to continue to highlight flooding as an issue generally in Grangemouth.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Allocated Business Site ED15 – Grangemouth Docks**

**Forth Ports plc (00020/2002/003); Captain: The Clean Energy Project (01275/2001/001), (01275/2001/002):-** The Council does not consider it appropriate to allocate the site to the east of Grangemouth Docks for a coal powered gasification plant, either as a separate proposal, or as an extension to ED15.

Captain: The Clean Energy Project (CCEP) has been developed as part of a DECC competition to develop a demonstration carbon capture plant. The Grangemouth site was not selected as one of the lead projects, but is one of two sites on a reserve list should the two lead projects not fulfil the requirements of the current stage of the competition. The proposal was not considered at the MIR stage and is not contained within NPF2.

The NPF3 MIR proposes identifying the CCEP proposal at Grangemouth as a National Development, providing a site for carbon capture with an associated pipeline to carry the CO<sub>2</sub> to the North Sea. This is most likely to be via an existing national grid pipeline which runs to the east of Denny. A proposal of this scale would be considered under the Electricity Act and processed by the Scottish Government Energy Unit and while a scoping report for an EIA was produced by the developer in 2012, which Falkirk Council made comments on, no further progress in planning terms appears to have been made in bringing forward such a proposal.

The site is located outwith the Urban Limit in an area of reclaimed land which acts as a partial buffer between the docks and the BP/Ineos site, and the Firth of Forth Special Protection Area. It is therefore subject to the countryside policies in the proposed LDP. The site is in a flood risk area, although survey work carried out for the Grangemouth Flood Study Phase 1 suggests that the site is not at as high

a risk from flooding as the SEPA Indicative Flood Risk maps would suggest. Nonetheless, a large scale energy plant would have the potential to have a significant environmental impact on the area and particularly on the SPA. An appropriate assessment under the Habitats Directive would also be required. The proposal is speculative at present, it has not been shortlisted for the DECC demonstration project, and is not contained within NPF2 as a national development. Pending the finalisation of NPF3, it is considered premature to identify the project in the proposed LDP either as a discreet proposal or as an extension to Proposal ED15, or to include the site within the Urban Limit.

On the issue of the scope of Proposal ED15, although there is a reference to renewable energy in the proposed uses, other energy proposals are not necessarily excluded from the general business and industry allocation of the site and there is no need to amend the proposed uses.

For these reasons, the Council does not agree to modify the plan in response to these representations.

#### **Non Allocated Site – Kinneil Kerse (MIR Ref GRA/A/04)**

**Scottish Enterprise (00447/2001/006):-** The 64 hectare site at Kinneil Kerse was originally safeguarded in National Planning Guidelines in 1981 as a site for the expansion of the petrochemical industry as a single user site and this safeguarding continued in national policy and guidance through SPP2 until the revised and consolidated SPP in 2010, where the safeguarding was dropped. Reflecting SPP2 the site was safeguarded in the Falkirk Council Structure Plan under Policy ECON.1 and in the Falkirk Council Local Plan as Proposal ED.GRA01.

The LDP MIR proposed that the site be de-allocated. This was based on a reassessment of the allocation carried out as part of Technical Report 5 (page 33). The key factors were that the SPP no longer required the site to be safeguarded, the potential for significant adverse impacts on the adjacent Firth of Forth Special Protection Area, the site's location within the floodplain of the Forth Estuary, and the lack of development interest over the 30 years of its allocation. Scottish Enterprise objected to the suggested de-allocation of the site in the MIR. The proposed de-allocation was carried through into the proposed LDP. The site now lies outwith the Urban Limit, but outwith the green belt.

The site is understood to be in the ownership of BP who have not made any representations regarding the site through the development plan process. BP North Sea Infrastructure has made representations both on the MIR and the LDP but these are in relation to pipelines only. Part of the site south west of the sewage works (approx 15ha) is in operational use and while there do not appear to have been any planning applications relating to this part of the site a number of hazardous substance consents do cover this part of the site. There have been no proposals brought forward for the remainder of the site, which is in agricultural use.

There is adequate business and industrial land available in Grangemouth, and in the wider Council area, as demonstrated in Technical Report 5. In particular, there are ample opportunities for further development in the chemical/petrochemical

sector on some 40 hectares of vacant land within the Ineos site (Proposal ED16). There is no obvious need to maintain an additional greenfield site of 64 hectares, especially when this site is affected by significant environmental constraints which would call its effectiveness into question.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 18</b>	<b>Polmont &amp; Rural South Economic Development Sites</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Tourism (page 15) Map 3.4 (page 17) Figure 3.2 (page 16) <u>Chapter 4 Settlement Statements</u> Polmont Area (pages 36-37) Rural South (pages 40-41) <u>Appendix 1 Site Schedule</u> Economic Development – Polmont Area (page a1-18) <u>Proposals Maps</u> Map 4 Rural South Map 5 Grangemouth & Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Klondyke Group Limited (00471) Phillip C Smith (00145) Ecosse Regeneration (00713) Heartlands (Central) Ltd (01255) Scottish Canals (00516) Falkirk Whisky Distillery Co Ltd (00891) Scottish Government (Historic Scotland) (00643) Land Options West (00851) Maddiston Community Council (00323)		
<b>Provision of the development plan to which the issue relates:</b>	The allocation of specific sites for business use in the Polmont Area and the Rural South, as identified in the relevant Settlement Statements, and detailed in Appendix 1.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Allocated Economic Development Site ED24 – Beancross</u></b></p> <p><b>Klondyke Group Limited (00471/2001/001, 002 &amp; 003):-</b> The inclusion of site ED24 (Beancross) as an economic development proposal is supported. However, the Green Belt designation covering the site should be removed, as it is no longer appropriate given the surrounding land uses. The list of uses set out in the Site Schedule for ED24 (Beancross) should include the existing and established retail use and restaurant.</p> <p><b>Scottish Government (Historic Scotland) (00643/2001/008):-</b> Development proposals on site ED24 would need to be supported by a detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity. Pre-application consultation should be carried out with Historic Scotland for any developments coming forward.</p>		

### **Allocated Economic Development Site ED25 – A801 Union Canal**

**Ecosse Regeneration (00713/2001/006); Heartlands (Central) Ltd 01255/2002/006; Land Options West (00851/2003/001):-** The star representing ED25 (A801 Union Canal) on Proposals Map 5 should be relocated directly on the Union Canal where Nicolton Road passes under it (as per the existing Falkirk Council Local Plan). The star not to be site specific and should relate to this section of the Union Canal for the uses stated, with the addition of tourism uses. Site comments should indicate that the opportunity encompasses further development opportunities beyond the existing permission, to be drawn up in conjunction with Scottish Canals.

**Scottish Canals (00516/2001/007):-** The star representing ED25 (A801 Union Canal) on Proposals Map 5 should be placed on the canal rather than to the north of it, in recognition of proposals on either side of the canal.

### **Non Allocated Site – Polmonthill (MIR Ref POL/B/20)**

**Phillip C Smith (00145/2001/003):-** The site of the former Polmonthill waterworks (POL/B/20) has tourism potential for a number of key recreational uses, and recognition of the opportunity within Figure 3.2 and Map 3.4 of the proposed LDP is sought. Mr Smith proposes uses chalets, caravans, leisure facilities, walking links, interpretation, fishing school and other complementary leisure uses. The proposed use would integrate well with existing similar adjacent uses including the dry ski slope. Development of the site would enhance green network opportunities, would be sensitive to the setting of the Antinone Wall, and would reflect the aims of policies within the LDP relating to business and tourism development in the countryside.

### **Non Allocated Site – Beancross Distillery**

**Falkirk Whisky Distillery Co Ltd (00891/2001/001):-** A site at Beancross should be allocated as an economic development proposal, with uses specified as distillery/ business/ tourism. The site was granted detailed planning permission in 2010 by Scottish Ministers. The allocation of the site would be compatible with surrounding land uses which include business/leisure/tourism uses.

### **Non Allocated Site - Causewayend Basin**

**Scottish Canals (00516/2001/008):-** Causewayend Basin should be added as an economic development opportunity, denoted by a blue star placed on the canal on the Proposals Map, as with Proposal ED25. A bistro is soon to be opened to the south of the basin and Scottish Canals is proposing residential moorings and access improvements at the basin.

### **Non Allocated Site - Maddiston Fire Station**

**Maddiston Community Council (00323/2001/004):-** The Fire Headquarters in Main Street, Maddiston will be closed in the future and should be identified in the LDP for business uses. The site should not be identified for residential development.

**Modifications sought by those submitting representations:**

**Allocated Economic Development Site ED24 – Beancross**

**Klondyke Group Limited (00471/2001/002 & 003):-** Remove ED24 (Beancross) from the designated green belt. Amend Appendix 1 (Site Schedule) for ED24 (Beancross) to include retail and restaurant uses.

**Scottish Government (Historic Scotland) (00643/2001/008):-** Amend Appendix 1 (Site Schedule) for site ED24 to add requirement for a detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity.

**Allocated Economic Development Site ED25 – A801 Union Canal**

**Ecosse Regeneration (00713/2001/006); Heartlands (Central) Ltd (01255/2002/006); Land Options West (00851/2003/006):-** Relocate star representing ED25 (A801 Union Canal) on Proposals Map 5 so that it is placed on the canal. In Appendix 1, amend uses to include tourism and site comments to include the following points: ‘Opportunity exists to build on this permission to further develop this section of the canal’, and ‘Any development proposals should be drawn up in conjunction with Scottish Canals’. Amend status to indicate that there is a further proposal/opportunity beyond the existing supply site.

**Scottish Canals (00516/2001/007):-** Relocate star representing ED25 (A801 Union Canal) on Proposals Map 5 so that it is placed on the canal.

**Non Allocated Site – Polmonthill (MIR Ref POL/B/20)**

**Phillip C Smith (00145/2001/003):-** Identify Polmonthill (MIR reference POL/B/21) as a tourism node within the Spatial Strategy in Figure 3.2 and on Map 3.4.

**Non Allocated Site – Beancross Distillery**

**Falkirk Whisky Distillery Co Ltd (00891/2001/001):-** Insert additional site at Beancross for economic development with uses specified as distillery/ business/ tourism.

**Non Allocated Site - Causewayend Basin**

**Scottish Canals (00516/2001/008):-** Insert additional site at Causewayend Basin, for economic development, denoted by a star on the Proposals Map.

**Non Allocated Site - Maddiston Fire Station**

**Maddiston Community Council (00323/2001/004):-** Insert additional site at Maddiston Fire Station for economic development.

## **Summary of responses (including reasons) by planning authority:**

### **Allocated Economic Development Site ED24 – Beancross**

**Klondyke Group Limited (00471/2001/002 & 003):-** The Council has considered it appropriate to promote the redevelopment and extension of the existing Klondyke Garden Centre (Proposal ED24), notwithstanding its location within the green belt. It is also considered appropriate to retain the site within the green belt, as it sits entirely surrounded by green belt, rather than on the edge. There will always be urban uses located within the green belt, and the exclusion of the many individual developed sites from the designated area would diminish its purpose and undermine the whole concept. The SPP advises that only existing settlements and major educational and research uses, major business and industrial operations, airports and MoD establishments should be excluded. The Klondyke site does not fall into any of these categories.

With regard to the list of proposed uses, the existing restaurant use is encompassed by the 'business/leisure/tourism' description in the proposed LDP. The inclusion of retail as a proposed use is not supported as it would imply a wide range of unacceptable out-of-centre retail uses, beyond the intended improvement of the existing garden centre.

For these reasons, the Council does not agree to modify the plan in response to these representations.

**Scottish Government (Historic Scotland) (00643/2001/008):-** Site ED24 lies adjacent to the Antonine Wall World Heritage Site and within the Buffer Zone. The proposal, however, involves the redevelopment and eastward extension of the existing Klondyke business. The Council is therefore satisfied that adverse impacts can be avoided, and indeed that there is potential for enhancement of the setting of the Wall. Nonetheless, Historic Scotland's concerns are recognised and the site comments on site ED24 in Appendix 1 (page a1-18) state that the site is within the buffer zone and that the scale of development will be subject to assessment of landscape capacity and impact. Policy D07 (Antonine Wall) would also be applied to any proposals. These measures should provide sufficient safeguards to the World Heritage Site. However, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with this.

### **Allocated Economic Development Site ED25 – A801 Union Canal**

**Ecosse Regeneration (00713/2001/006); Heartlands (Central) Ltd 01255/2002/006; Land Options West (00851/2003/001); Scottish Canals (00516/2001/007):-** The potential for a limited canal-related recreation and tourism node on the Union Canal, immediately west of the A801, has been recognised in successive Local Plans, denoted by a star. In the current Falkirk Council Local Plan, the star is placed on the canal at the crossing point of the canal with Nicolton Road, known as Bethankie Bridge. Since the adoption of the Local Plan, two planning permissions have been granted for development on the canal between the A801 and Bethankie Bridge: a canal hub comprising marina, hotel/restaurant, and boating facilities largely to the north of the canal, granted in May 2011(P/10/0761/PPP); and a development of 18 holiday lodges to the south

of the canal, granted in April 2013 (P/13/0079/PPP).

The positioning of the star in the proposed LDP reflects the first of these consents. It is recognised that, with the granting of the second consent, the proposals now straddle the canal. The Council would therefore not take issue with the relocation of the star on to the canal between the A801 and Bethankie Bridge, should the Reporter be minded to recommend an amendment to its location. However, a location at Bethankie Bridge, as suggested by Ecosse Regeneration, Heartlands (Central) Ltd and Land Options West would not be reflect the location of the consents, and would not be not supported by the Council.

The Council consider that the consented proposals represent the desirable extent of the canal-related development in this location. The intention is to create a contained node to offer tourist services to canal visitors and users, not to urbanise a wider section of the canal. Consequently, the changes to the site comments and status for ED25 sought by Ecosse Regeneration, Heartlands (Central) Ltd and Land Options West, which suggest that there are further opportunities to develop this section of the canal, are not supported by the Council. Consequently, the Council does not agree to modify the plan in response to this part of the representations.

With regard to the request to include tourism in the menu of uses, it is recognised that tourism is an integral part of the consented proposals. If the Reporter is minded to recommend that the plan be amended in line with this part of the representations, the Council would not take issue with this.

#### **Non Allocated Site – Polmonthill (MIR Ref POL/B/20)**

**Phillip C Smith (00145/2001/003):-** The Council does not consider it appropriate to recognise the opportunity at the former Polmonthill waterworks through its inclusion as a tourism node in Figure 3.2 and Map 3.4. The site was subject to a site assessment following consultation on the MIR.

The Council's view is that the site may well have potential for tourism related development, but that any such proposals are best considered on their merits against the relevant policies of the LDP. Tourism uses in this location are potentially given support through Policy BUS01(3) given the site's relationship with the Antonine Wall, and CSGN, both of these being priority tourism networks identified in Figure 3.2 and Map 3.4. Appropriate tourism and recreation uses in the countryside are also given support by Policy CG04 (Business Development in the Countryside).

Figure 3.2 and Map 3.4 set out the broad tourism strategy for the area, and include only broad networks/themes and major tourism location. It is not a detailed of all tourism opportunities. In this context, the proposed development is not considered of sufficient scale or importance to be represented as a strategic tourism node in Figure 3.2 and Map 3.4. For this reason, the Council does not agree to modify the plan in response to this representation.

#### **Non Allocated Site – Beancross Distillery**

**Falkirk Whisky Distillery Co Ltd (00891/2001/001):-** The Council does not

consider it necessary to identify the proposed distillery at Beancross as a proposal in the LDP. The site was granted planning permission for a distillery, restaurant, retail, bonded warehouse and other ancillary uses in May 2010. The development commenced in 2011, is progressing on site, and is expected to be complete by the time the LDP is adopted in early 2015. The purpose of the LDP is to identify future proposals for development, and the Council has avoided included any proposals which will be complete by the plan's adoption date

For this reason, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site - Causewayend Basin**

**Scottish Canals (00516/2001/008):-** The Council has recognised the opportunity for small scale canal-related recreation and tourism development at Causewayend Basin in successive Local Plans. Most recently, it was included in the current Local Plan as Opportunity ED.RUR02. However, it is the Council's view that the opportunities presented by the basin will be largely implemented by the date of adoption of the plan, and there is no need to carry it through as a proposal into the LDP. Planning permission was granted in 2010 for a bistro and holiday cottages to the south of the basin. The bistro is now completed and open. Scottish Canals are currently progressing a scheme for the improvement of the basin itself, including residential moorings, associated storage, paths and picnic area, which is expected to be implemented in early 2014. The constraints of the location mean that there is little scope for any further development.

For this reason, the Council does not agree to modify the plan in response to this representation.

### **Non Allocated Site - Maddiston Fire Station**

**Maddiston Community Council (00323/2001/004):-** Maddiston Fire Station was the headquarters of the former Central Scotland Fire Service. The creation of a single Scottish Fire Service has implications for the Maddiston base, with the Fire Service recently having announced that its administrative and control functions will ultimately be transferred to other locations. However, it is still in operational use and is likely to continue so for the next 18 months to two years.

The site was not considered as a development opportunity in the preparation of the LDP, although it is recognised that some or all of the property is likely to be disposed of at some point in the future. The site lies within the Urban Limit in the proposed LDP, and any redevelopment proposals which may come forward would be assessed against the general policies contained in the LDP. This could include the possibility of residential, business or community use.

Maddiston Community Council state in their representation that further residential development should be resisted in Maddiston due to the impact on infrastructure such as open space, schools and roads, and that allocation of Maddiston Fire Station for economic development purposes would preclude residential development, and offer economic development opportunities for the village.

The Council considers that it is preferable not to allocate the site for any specific

purpose at this point in time, and that a flexible approach to its future use is best. The Community Council's concerns about the impacts of housing development are acknowledged, but the LDP's policies would allow these impacts to be considered should any residential proposals come forward. Whilst allocating the site for economic development purposes would maintain the employment use of the site, it is unlikely that there would be strong market interest in business development on this relatively large site, raising the danger of prolonged vacancy. The Council has a robust employment land supply, and it is doubtful whether its long-term retention for business use could be justified.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 19</b>	<b>Green Network Policies &amp; Proposals</b>	
<b>Development plan reference:</b>	<p><u>Chapter 3 – Spatial Strategy</u>  Policy GN01 Falkirk Green Network (page 20)  <u>Chapter 4 – Settlement Statements</u>  Bo’ness (pages 24-25)  Rural North (pages 38-39)  <u>Chapter 5 – Supporting Policies</u>  Policy GN02 Landscape (page 58)  Policy GN03 Biodiversity and Geodiversity (page 59)  Policy GN04 Trees Woodland and Hedgerows (page 60)  Policy GN05 Outdoor Access (page 60)  <u>Appendix 1 – Site Schedule</u>  Housing – (pages a1-01 – a1-11)  Mixed Use – (pages a1-12 – a1-14)  Economic Development – (pages a1-15 – a1-19)  Infrastructure – (pages a1-20 – a1-22)  Green Network – (pages a1-23 – a1-26)  <u>Appendix 2 – Strategic Growth Areas</u></p>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Woodland Trust Scotland (00549)  Central Scotland Forest Trust (00335)  Scottish Natural Heritage (00646)  RSPB Scotland (00648)  Forestry Commission Scotland (00528)  Scottish Government (00643)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policies dealing with the green network strategy and specific green network assets (landscape, biodiversity, trees, outdoor access), and specific proposals for the development and enhancement of the green network, as set out in Appendix 1.	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b><u>Policy GN01 – Falkirk Green Network</u></b></p> <p><b>Woodland Trust Scotland (00549/2001/005):-</b> Modifications are sought to various proposals within Appendix 1 to protect woodland. Policy GN01 is welcomed but it is not accepted that the allocation of development sites in this plan will contribute in a significant fashion to further increasing and improving the green network throughout Falkirk. In many areas woodland and trees, and in some instances irreplaceable ancient woodland, will potentially be lost. Appendix 1 of the Woodland Trust’s submission gives a complete breakdown of</p>		

the proposals and opportunities which affect woodland and, in some instances, mitigation is suggested to protect woodland or enhance woodland connectivity.

While the plan identifies opportunities for potential 'habitat enhancement' and green network connectivity, the wording is rather ambiguous and does not imply a firm commitment or designation of specific land for this particular purpose.

Many of the green networks and greenspaces identified in the plan remain fragmented, especially those found within the confines of the settlement boundaries. More should be done to improve the connectivity between green networks and greenspaces by encouraging the protection and retention of wooded garden boundaries, wooded field boundaries and other green corridors.

**Central Scotland Forest Trust (00335/2001/001):-** Modifications are sought to the supporting text of Policy GN01 to reflect the contribution that delivering the Central Scotland Forest will make to delivering the Central Scotland Green Network (CSGN) in the Falkirk area. The Central Scotland Forest Strategy has recently been revised to reflect more fully current partner and Scottish Government priorities, such as the CSGN and climate change. CSFT will therefore continue to support and promote landscape and environmental improvements in the Falkirk area through its partners. Falkirk Council is a signatory partner of the Central Scotland Forest Initiative. The supporting text to Policy GN01 should be amended to reflect more accurately the Forest's on-going relevance within the Falkirk area as this would provide a deeper context to the LDP's Spatial Strategy.

### **Policy GN02 – Landscape**

**Scottish Natural Heritage (00646/2001/012):-** Policy GN02 and the supporting text at paragraph 5.81 use different terminology when discussing local landscape designations. In paragraph 5.81, reference is made to Areas of Great Landscape Value, while sub-section (2) of the policy refers to Areas of Great Landscape Character. We recommend that the terms used in both the policy and supporting text are reviewed and standardised between these sections. SNH joint guidance with Historic Scotland suggests that the standardised term Special Landscape Area is used in place of current wording.

### **Policy GN03 – Biodiversity and Geodiversity**

**Scottish Natural Heritage (00646/2001/013):-** While Policy GN03 includes a generally comprehensive consideration of the circumstances in which development would be permitted, the Council should consider some additions and minor changes to the text to specify 'qualifying interests' instead of 'qualifying features'. SNH wishes the Council to consider adding further text to sub-section (1) in relation to situations in which development will be permitted. At present, the reference to maintaining overall coherence of the Natura network is not included. SNH suggest this as a useful addition to what is already a very comprehensive discussion of Natura. In sub-section (3) there is a need to address current drafting errors to ensure that badgers are afforded relevant protection.

**RSPB Scotland (00648/2001/008):-** RSPB broadly welcome Policy GN03. However, because of the complexity of the policies relating to Natura 2000 sites, it

is suggested that reference is made in Policy SG08. An amendment to the wording of sub-section (1) is suggested.

#### **Policy GN04 – Trees, Woodland and Hedgerows**

**Forestry Commission Scotland (00528/2001/001); Scottish Government (00643/2001/004):-** Although the Scottish Government's Policy on Control of Woodland Removal is mentioned in the supporting text to Policy GN04 at paragraph 5.86, FCS does not feel the message is spelt out clearly. The government policy provisions should be specifically included in the text of Policy GN04.

**Woodland Trust Scotland (00549/2001/002):-** Modifications are sought to the supporting text of Policy GN04 and to the Proposals Map. The Woodland Trust support the LDP's emphasis on reducing the impacts of climate change alongside sustainable development, but would like to see the relatively important contribution made by trees and woods to this critical issue, laid out in clear and unequivocal language. The protection of woods and trees is pertinent to most sections of the Plan including housing, health, employment, attracting business and inward investment, transport, renewable energy and infrastructure.

The Spatial Plans and Inset Maps clearly indicate areas for development, but the Trust would like to see the inclusion of irreplaceable ancient woodland on the plans, along with forest network habitats, national cycle routes and core paths, not just the demarcation of 'green spaces' within settlement boundaries.

It is recognised that there are a large number of ancient woodland assets in small parcels of largely fragmented woodland, but depicting them on the Spatial Plans or Inset maps, in relation to site allocations, allows for a clearer understanding of how green networks can be established as part of the LDP, provides an overview of how site allocations may impact ancient woodland in the future, and how further fragmentation can be avoided.

A clear statement is sought that the loss of ancient woodland cannot be mitigated, and therefore warrants protection from development. Developments likely to cause disturbance should be located away from ancient woodland, particularly those likely to modify local hydrological function. Where development is located near to ancient woodland, buffer zones should be retained to reduce the distance that disturbance penetrates. If possible, access to the woodland should be limited or managed.

#### **Policy GN05 - Outdoor Access**

**Scottish Natural Heritage (00646/2001/015):-** Policy GN05 should be amended to better reflect the multi functional role of the green network as detailed in sub-section (2) of Policy GN01.

#### **Green Network Proposal GN02 – Kinneil Kerse**

**RSPB Scotland (00648/2001/003):-** The proposal to restore and enhance the habitat potential of the Kinneil Kerse Landfill is welcomed. However, specific reference should be made to the lagoons at Kinneil, rather than just the landfill

site, as the enhancement of them is a key part of the Inner Forth Futurescape.

### **Green Network Proposal GN03 – Bothkennar/Skinflats**

**RSPB Scotland (00648/2001/007):-** Modifications are sought to the wording of the Rural North Settlement Statement in relation to green network opportunities. The statement in paragraph 4.60 is welcomed but a minor amendment is sought to correctly reference the terms “Inner Forth Landscape Initiative” and “Inner Forth Futurescape”. In addition, there should be recognition for the opportunities for managed realignment and habitat creation at Airth as well as Bothkennar/Skinflats.

### **Modifications sought by those submitting representations:**

#### **Policy GN01 – Falkirk Green Network**

**Woodland Trust Scotland (00549/2001/005):-** Amend the site comments in Appendix 1 to protect woodland at sites specified in supplied list.

**Central Scotland Forest Trust (00335/2001/001):-** Amend supporting information to Policy GN01 by making explicit reference to the Central Scotland Forest Trust as a partner in paragraph 3.38, and additional text to paragraph 3.39 as follows: ‘Both the Central Forest Strategy and the Falkirk Greenspace Strategy have been revised and refreshed recently, to reflect CSGN and to confirm on-going commitment to green network enhancement in the area’.

#### **Policy GN02 – Landscape**

**Scottish Natural Heritage (00646/2001/012):-** Amend the text of Policy GN02 and supporting text to standardise reference to Special Landscape Area.

#### **Policy GN03 – Biodiversity and Geodiversity**

**Scottish Natural Heritage (00646/2001/013):-** Amend sub-section (1) of Policy GN03 to include reference to ‘qualifying interests’ and to maintaining the overall coherence of the Natura network. Amend sub-section (3) of policy GN03 to make specific reference to badger legislation.

**RSPB Scotland (00648/2001/008):-** Amend wording of Policy GN03(1) to state: ‘Natura 2000 sites (including Special Protection Areas, Special Areas of Conservation and Ramsar sites) are subject to strict protection. For further details see SPG08’.

#### **Policy GN04 – Trees, Woodland and Hedgerows**

**Forestry Commission Scotland (00528/2001/001); Scottish Government (00643/2001/004):-** Amend Policy GN04 by adding explicit reference to Scottish Government's Control of Woodland Removal policy.

**Woodland Trust Scotland (00549/2001/002):-** Amend supporting text to policy GN04 to emphasise the contribution made by trees and woods to reducing the impacts of climate change alongside sustainable development, and the

importance of protection from development for ancient woodland, whose loss cannot be mitigated. Amend Proposals Map to show areas of irreplaceable ancient woodland.

### **Policy GN05 - Outdoor Access**

**Scottish Natural Heritage (00646/2001/015):-** Amend Policy GN05 to include reference to supporting the development of a multi-functional green network.

### **Green Network Proposal GN02 – Kinneil Kerse**

**RSPB Scotland (00648/2001/003):-** Amend the description of Proposal GN02 in Appendix 1, and the wording of paragraph 4.6 in the Bo'ness Settlement Statement, to indicate that the opportunity includes the adjacent Kinneil lagoons.

### **Green Network Proposal GN03 – Bothkennar/Skinflats**

**RSPB Scotland (00648/2001/007):-** Amend first and second sentences of paragraph 4.60 of the Rural of the Rural North Settlement Statement to include a reference to 'Inner Forth Landscape Initiative and Inner Forth Futurescape'. Amend description of Proposal GN03 in Appendix 3 and the Rural North Settlement Statement to include 'Airth' as well as 'Skinflats/Bothkennar'.

## **Summary of responses (including reasons) by planning authority:**

### **Policy GN01 – Falkirk Green Network**

**Woodland Trust Scotland (00549/2001/005):-** In general terms, it is considered that extensive coverage is given in the proposed LDP to the definition, protection and enhancement of the green network in the area. This is done through the Spatial Strategy, the identification of the 32 key green network opportunities (detailed in Appendix 1), a comprehensive suite of supporting policies covering the key elements of the green network (landscape, biodiversity, trees and woodland, the water environment etc.) and appropriate references to green network protection and enhancement in association with particular development sites (Appendix 1) and strategic growth areas (Appendix 2)

In response to Appendix 1 of the Woodland Trust's representation, which suggests additional mitigation to protect woodland or enhance woodland connectivity, a summary table has been prepared to indicate the Council's response to each individual suggestion.

**Central Scotland Forest Trust (00335/2001/001):-** The Council appreciates the important role that CSFT have played in the development of the green network over recent years. However, it was announced in September 2013 that CSFT will become the CSGN Trust in April 2014, having a wider remit to deliver the wider CSGN. It is as yet unclear whether the Central Scotland Forest concept, and its Strategy, will have a continuing life following this reorganisation. As such, it is suggested that the amended wording, which was formulated prior to the announcement of the change, are not now so appropriate. The focus has shifted to the CSGN, which is fully referenced within the LDP.

For these reasons, the Council does not agree to modify the plan in response to this element of this representation.

### **Policy GN02 – Landscape**

**Scottish Natural Heritage (00646/2001/012):-** The differing terminology used in the plan is an error; the correct name is Areas of Great Landscape Value (AGLV). However, the Council acknowledges that SNH's preferred term for areas designated for their local landscape value is now 'Special Landscape Area', and for the sake of national consistency, would not object to the use of this name. Therefore, If the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

### **Policy GN03 – Biodiversity and Geodiversity**

**Scottish Natural Heritage (00646/2001/013):-** The Council acknowledges that the suggested change to the term 'qualifying interests' and specific reference to badger legislation may improve the accuracy and completeness of the policy, although the latter will lengthen an already wordy policy. Therefore, if the Reporter is minded to recommend that the plan be amended in line with these parts of the representation, the Council would not take issue with the amended wording.

It is not clear how a reference to maintaining the overall coherence of the Natura network would be integrated into the policy. Given this lack of clarity, the Council does not agree to modify the plan in response to this element of this representation.

**RSPB Scotland (00648/2001/008):-** A reference to SG08 in Policy GN03(1) is not appropriate. This Supplementary Guidance is intended to deal only with locally designated, non-statutory nature conservation and geodiversity sites, not Natura sites. For this reason, the Council does not agree to modify the plan in response to this this representation.

### **Policy GN04 – Trees, Woodland and Hedgerows**

**Forestry Commission Scotland (00528/2001/001); Scottish Government (00643/2001/004):-** Policy GN04 is a comprehensive and detailed policy which protects trees and woodland of importance, and is consistent with the Scottish Government's Control of Woodland Removal Policy. The additional text is not considered necessary. The Control of Woodland Removal Policy is referenced in the supporting text, and this is considered adequate.

For this reason, the Council does not agree to modify the plan in response to this element of this representation.

**Woodland Trust Scotland (00549/2001/002):-** With regard to the request for additional supporting text to emphasise the contribution made by trees and woods to reducing the impacts of climate change alongside sustainable development, this is already covered in the supporting text at paragraph 5.86.

Policy GN04(1) already contains a strong statement regarding the protection of

ancient woodland, describing it as a 'habitat resource of irreplaceable value'. This does not need to be augmented.

It is not considered necessary to represent ancient woodlands on the Proposals Map. There is a wide range of environmental data which could be represented on the Proposals Map, but this must be limited for the sake of clarity. The inclusion of ancient woodlands is not regarded as a priority in this respect.

For this reason, the Council does not agree to modify the plan in response to this element of this representation.

### **Policy GN05 - Outdoor Access**

**Scottish Natural Heritage (00646/2001/015):-** The Council does not consider the inclusion of the word 'multi-functional' in front of 'green network' to be necessary, since the Green Network has already been defined as multi-functional in Policy GN01. For this reason, the Council does not agree to modify the plan in response to this element of this representation.

### **Green Network Proposal GN02 – Kinneil Kerse**

**RSPB Scotland (00648/2001/003):-** Whilst Kinneil lagoons are an important ecological area, being part of the Firth of Forth SSSI and SPA, they are not the focus for the intended enhancement works, which relate rather to the restoration of Kinneil Kerse landfill.

For this reason, the Council does not agree to modify the plan in response to this element of this representation.

### **Green Network Proposal GN03 – Bothkennar/Skinflats**

**RSPB Scotland (00648/2001/007):-** With regard to the references to the "Inner Forth Landscape Initiative and Inner Forth Futurescape" if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with this.

No studies have been undertaken to investigate the opportunities for managed realignment of the coast around Airth, or the benefits or disbenefits this could have. It would therefore be premature to include this in the description of Proposal GN03. For this reason, the Council does not agree to modify the plan in response to this element of this representation.

<b>Issue 20</b>	<b>Countryside &amp; Green Belt Policies</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Policy CG01 Countryside (page 14) Policy CG02 Green Belt (page 14) <u>Chapter 5 Supporting Policies</u> Policy CG03 Housing in the Countryside (page 54) Policy CG04 Business Development in the Countryside (page 54) <u>Proposals Maps</u> Map 2 Falkirk, Larbert & Stenhousemuir Map 5 Grangemouth & Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Larbert, Stenhousemuir and Torwood Community Council (00440) Scottish Natural Heritage (00646) Woodland Trust Scotland (00549) Mr and Mrs D Graham (00882) Latent Land Scotland (00745) Cockburn Bros (01290) Thomas Millar and Family (00952)		
<b>Provision of the development plan to which the issue relates:</b>	Policies on countryside and the green belt, including the definition of the Urban Limit in certain locations.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy CG01 - Countryside</u></b></p> <p><b>Larbert, Stenhousemuir and Torwood Community Council (00440/2001/002):-</b> Policy CG01 Countryside is insufficiently defined, and does not provide a strategy for the Planning Committee to reach a decision.</p> <p><b><u>Policy CG02 – Green Belt</u></b></p> <p><b>Scottish Natural Heritage (00646/2001/004):-</b> While SNH supports the policy, they recommend that the wording at sub-section 3 is revised to reflect national policy on design and placemaking.</p> <p><b>Woodland Trust Scotland (00549/2001/003):-</b> Since the designation of an area as green belt is a material consideration in the planning application process, a complete and unambiguous definition should be stated so as to impart its strategic importance. A truncated version of the definition of 'Green Belt' appears in Policy CG02 Green Belt, and does not serve to clarify its purpose.</p> <p><b>Larbert, Stenhousemuir and Torwood Community Council (00440/2001/003):-</b> Policy CG02 Green Belt should contain a warning that those</p>		

who take the law into their own hands and cut down protected trees should face penalties and perhaps prosecution. The difficulties at Torwood are given as an example.

### **Policies CG03/CG04 – Housing in the Countryside/Business Development in the Countryside**

**Mr and Mrs D Graham (00882/2003/004):-** If a site at Denovan Mains Farm (MIR Ref DEN/B/07) is not allocated for housing in the plan, then a future planning application would be assessed, in terms of the principle, against Policy CG03 Housing in the Countryside. Mr and Mrs Graham consider that Policy CG03 should also cover proposals relating to building groups/clusters and brownfield development. Support for this approach is provided for in Paragraph 94 of SPP and Paragraph 33 of PAN 73: Rural Diversification. This should also be reflected in Supplementary Guidance 01: Development in the Countryside. Mr and Mrs Graham's submission to the MIR is submitted in support of this representation.

**Latent Land Scotland (00745/2001/001):-** The LDP, in particular Policies CG03 and CG04 on development in the countryside, does not deal adequately with the issue of brownfield sites outwith settlements which are capable of being redeveloped for productive uses in a sustainable manner. The policies do not permit such redevelopment. An example is Latent Land's site at Glen Works, Falkirk, which would be a suitable opportunity for mixed use development, with facilities nearby, achieving benefits in terms of landscape and access improvements, and regeneration of a contaminated brownfield site.

### **Urban Limit Changes**

**Cockburn Bros (01290/2001/001):-** The established mixed use and business areas at Lochlands Industrial Estate and on Stirling Road to the south of Larbert should be included within the Urban Limit. The built envelope of these areas is a logical and definitive built edge to the settlement. There is no rationale for excluding these areas from the settlement.

**Thomas Millar and Family (00952/2001/002):-** Thomas Millar and Family seek the inclusion of land at South Lodge, the Haining, Maddiston (west of South Avenue up to the boundary of the burn) within the new Urban Limit as set out in the Proposed Plan. It is an existing development, and its inclusion would serve as a sensible bookend for the new developments

### **Modifications sought by those submitting representations:**

#### **Policy CG01 - Countryside**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/002):-** Amend Policy CG01 Countryside to provide more information for Planning Committee to reach decisions.

#### **Policy CG02 – Green Belt**

**Scottish Natural Heritage (00646/2001/004):-** Amend Policy CG02 (Green Belt) sub-section 3 to read as follows: 'Within the Green Belt, development will not be

permitted unless it can be demonstrated that the proposal satisfies the relevant countryside, design and placemaking policies, and it can be demonstrated that it will not undermine any of the strategic purposes of the Green Belt as set out in sub-section (2) above.'

**Woodland Trust Scotland (00549/2001/003):-** Amend Policy CG02 to include a complete and unambiguous definition of Green Belt

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/003):-** Amend Policy CG02 Green Belt to indicate that those who take the law into their own hands should face penalties / prosecution.

### **Policies CG03/CG04 – Housing in the Countryside/Business Development in the Countryside**

**Mr and Mrs D Graham (00882/2003/004):-** Amend Policy CG03 by adding text supporting proposals relating to building groups/clusters and brownfield development.

**Latent Land Scotland (00745/2001/001):-** Insert a new policy which addresses the issue of the potential redevelopment of brownfield sites outside identified settlements.

### **Urban Limit Changes**

**Cockburn Bros (01290/2001/001):-** Amend the Urban Limit at Larbert to encompass the mixed use and business areas at Lochlands Industrial Estate and Stirling Road, Larbert.

**Thomas Millar and Family (00952/2001/002):-** Amend the Urban Limit on the Proposals Map to include land at South Lodge, the Haining, Maddiston.

### **Summary of responses (including reasons) by planning authority:**

#### **Policy CG01 - Countryside**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/002):-** Policy CG01 states that 'countryside' is defined as those areas outwith the Urban and Village Limits. These Urban and Village Limits are defined precisely on the Proposals Map.

#### **Policy CG02 – Green Belt**

**Scottish Natural Heritage (00646/2001/004):-** The insertion of reference to compliance with design and placemaking policies in Policy CG02 is not considered to be necessary. Design and placemaking policies have to be addressed in all development, not just proposals in the green belt. There is no particular reason to highlight design and placemaking policies, over and above other general environmental policies. For this reason, the Council does not agree to modify the plan in response to this representation.

**Woodland Trust Scotland (00549/2001/003):-** It is considered that the

Proposed LDP adequately defines green belt, both in terms of its general meaning (Appendix 7, Glossary), and its specific policy intent in the Falkirk Council area (paragraphs 3.21-3.22). A complete, word for word transcription of the definition in the SPP is not considered necessary. For this reason, the Council does not agree to modify the plan in response to this representation.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/003):-** Unauthorised development or other breaches of planning control are dealt with by the Council using its enforcement powers, in accordance with the relevant legislation and the Council's Planning Enforcement Charter. There is no need to highlight this within the LDP.

**Policies CG03/CG04 – Housing in the Countryside/Business Development in the Countryside**

**Mr and Mrs D Graham (00882/2003/004):-** Policy CG03 allows housing development in the countryside where a legitimate infill opportunity exists (Policy CG03(4), page 54). This will be given further definition within the proposed Supplementary Guidance (SG01) on Development in the Countryside, but may be expected to include new houses within the envelope of existing cluster of houses. Policy CG03 does not, however, support housing on brownfield sites in the countryside. Falkirk's industrial history means that there is a relatively high incidence of previously developed land across its rural area. The accessibility of its countryside to the main urban centres means that there is considerable pressure for commuter housing. Allowing housing development generally on brownfield sites would therefore result in an unsustainable and visually intrusive proliferation of houses in the countryside. The SPP does not offer particular support for housing on brownfield sites, and emphasises that approaches to rural development in development plans should respond to the specific circumstances in an area. For these reasons, the Council does not agree to modify the plan in response to this representation.

**Latent Land Scotland (00745/2001/001):-** The Council's approach to the development of brownfield sites in the countryside is a balanced one. CG03 does not support housing on brownfield sites in the countryside. Falkirk's industrial history means that is a relatively high incidence of previously developed land across its rural area. The accessibility of its countryside to the main urban centres means there is considerable pressure for commuter housing. Allowing housing development generally on brownfield sites would therefore result in an unsustainable and visually intrusive proliferation of houses in the countryside. However, the Council does wish to support appropriate business development in the countryside and recognises that brownfield sites provide opportunities to re-use derelict land/buildings whilst creating or securing jobs. Accordingly, there is provision in Policy CG04(3) for the re-use of industrial, commercial or institutional land or premises in the countryside for business development.

The example quoted of the Glen Works site, to the south of Falkirk, demonstrates that a general allowance of housing on brownfield sites in the countryside would be inappropriate. The site has been subject to site assessment. It is 7.1 hectares, and capable of accommodating around 170 units. It is detached from the urban area. It does not form a logical extension to the urban area, has low accessibility and does not fit with the settlement strategy for Falkirk.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Urban Limit Changes**

**Cockburn Bros (01290/2001/001):-** Urban Limits has been used in successive development plans in the Falkirk area to define the desirable limit to the growth of settlements. In setting Urban Limits, the Council uses strong and recognisable physical features where possible to delineate the natural edge of communities.

In the Proposed LDP, as in the previous two Local Plans, the Urban Limit to the south of Larbert has been drawn to follow the Mill Lade and Stirling Road. This is the natural boundary of the community of Larbert, marking the southern extent of residential area of South Broomage. To the south east of Larbert there are clusters of development, including the industrial estate at Lochlands, some sporadic industrial development on the east side of the railway line, and some ribbon development, mostly business but with some houses, stretching out along Stirling Road towards Falkirk. These areas do not form a logical part of the main urban area of Larbert. They are clearly separated from it by the River Carron, and do not read as part of the settlement. An Urban Limit drawn to included all these areas, including the proposed extension to the industrial estate at ED26, would be irrational, convoluted, and invite further urban sprawl through infilling.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**Thomas Millar and Family (00952/2001/002):-** With the allocation of additional sites at Parkhall Farm (H44-H47) as part of the Maddiston East Strategic Growth Area, the Urban Limit at the east side of Maddiston has been extended eastwards. The new Urban Limit was drawn generally along the western edge of the north-south tree belt which bounds site H45, and the western edge of the South Lodge property.

Mr Millar seeks the inclusion of the South Lodge and woodland to the north in the Urban Limit. The Council would be resistant to the inclusion of the woodland belt within the Urban Limit. The retention of this tree belt is important to provide a robust landscaped edge to the proposed new housing, and to maintain the green network in the area; inclusion within the Urban Limit might make it vulnerable to development pressure. However, it is accepted that the inclusion of the South Lodge property itself, which will be adjacent to the new housing at H45, could be logical. If the Reporter is minded to recommend that the plan be amended to include the South Lodge alone within the Urban Limit, the Council would not take issue with this.

<b>Issue 21</b>	<b>Design &amp; Placemaking Policies</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Policy D01 Placemaking (page 22) <u>Chapter 5 Supporting Policies</u> Policy D02 Sustainable Design Principles - Figure 5.3 (page 61 - 62) Policy D04 Low and Zero Carbon Development (page 64) Policy D10 Conservation Areas (page 67) Policy D11 Areas of Townscape Value (page 67) Policy D14 Canals (page 68) <u>Proposals Map 1</u> Banknock, Bonnybridge & Denny	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mark Agnew (00835) Mactaggart and Mickel Ltd (00011) Scottish Canals (00516) Royal Mail Group Ltd (01254) Scottish Natural Heritage (00646) Ogilvie Homes Ltd (00614)		
<b>Provision of the development plan to which the issue relates:</b>	Policies on design and placemaking.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy D01 – Placemaking</u></b></p> <p><b>Mark Agnew (00835/2001/002):-</b> Policy D01 Placemaking and its associated sub-text should either be deleted or substantially re-worded as it is vague and non-specific, and does not provide sufficient guidance to developers. There is a need for greater clarity of what is expected which could be more appropriately dealt with in Supplementary Guidance.</p> <p><b>Ogilvie Homes Ltd (00614/2001/004):-</b> Policy D01 Placemaking is vague and non-specific, providing no guidance or assistance in terms of setting out what the Council expects developers to do in relation to the promotion of good quality design. The matter could be more appropriately dealt with in Supplementary Guidance.</p> <p><b>Scottish Natural Heritage (00646/2001/006):-</b> In general, SNH support this policy and welcome the overall approach to placemaking which the plan proposes. However, SNH believe that the plan should make it clear that placemaking does not only apply at the strategic development area or town centre</p>		

level and we would welcome further consideration of the 'all levels' approach proposed in the draft SPP 2013.

### **Policy D02 – Sustainable Design Principles**

**Scottish Natural Heritage (00646/2001/016):-** Figure 5.3, supporting Policy D03 should be amended to include:

- Habitats Regulations Appraisal as an example of information required under Natural & Built Heritage;
- Policies INF07 and INF08 in supporting policies under Climate Change & Resource Use; and
- the Core Path Plan and Transport Assessments in supporting guidance under Climate Change & Resource Use

These should help to influence sustainable design through their contribution to networks and transport modes.

### **Policy D04 – Low and Zero Carbon Development**

**Mactaggart and Mickel Ltd (00011/2004/008):-** Objection is made to Policy D04 (Low and Zero Carbon Development) on the basis that its objectives are best achieved through Building Control legislation and regulations. The policy duplicates these regulations and therefore will cause confusion, especially if the regulations change. The best way of achieving low/zero carbon development is through insulation, rather than other means. Details of the policy are to be contained in Supplementary Guidance which is not available yet.

### **Policy D10 – Conservation Areas**

**Royal Mail Group Ltd (01254/2001/001):-** Various detailed amendments are suggested to the text of Policy D10 (Conservation Areas) to reflect the sometimes varying quality of the buildings/landscape within Conservation Areas.

### **Policy D11 – Areas of Townscape Value**

**Royal Mail Group Ltd (01254/2001/002):-** The Denny Royal mail delivery office does not contribute significantly to the Area of Townscape Value within which it sits. The office should be removed from the ATV.

### **Policy D14 - Canals**

**Scottish Canals (00516/2001/010):-** Policy D14 on Canals is supported by Scottish Canals, but additional wording is requested to ensure that canal-side developments wherever possible utilise the canal for discharge of surface water. This represents another sustainable use of the canals. Also sub-section (5) of the policy should state that where canal-side sites are developed, contributions will be secured towards the provision or upgrading of facilities on the canals or improvements to the canal environment. This should be cross-referenced to Policy INF02 on Developer Contributions to Community Infrastructure.

**Modifications sought by those submitting representations:**

**Policy D01 – Placemaking**

**Mark Agnew (00835/2001/002); Ogilvie Homes Ltd (00614/2001/004):-** Delete Policy D01 Placemaking or amend to provide greater clarity.

**Scottish Natural Heritage (00646/2001/006):-** Amend supporting text to Policy D01 to comply with draft Scottish Planning Policy (2013) which requires the design-led approach to be applied at all levels.

**Policy D02 – Sustainable Design Principles**

**Scottish Natural Heritage (00646/2001/016):-** Amend Fig 5.3 supporting policy D02 to expand on Natural and Built Heritage section and Climate Change and Resource Use section as specified.

**Policy D04 – Low and Zero Carbon Development**

**Mactaggart and Mickel Ltd (00011/2004/008):-** Delete Policy D04 (Low and Carbon Development).

**Policy D10 – Conservation Areas**

**Royal Mail Group Ltd (01254/2001/001):-** Amend Policy D10 (Conservation Areas) as specified within representation.

**Policy D11 – Areas of Townscape Value**

**Royal Mail Group Ltd (01254/2001/002):-** Amend the Area of Townscape Value in Denny to remove the Denny Royal Mail delivery office.

**Policy D14 - Canals**

**Scottish Canals (00516/2001/010):-** Amend Policy D14 on Canals to ensure that canal-side developments wherever possible utilise the canal for discharge of surface water. Amend sub-section (5) of the policy to state that where canal-side sites are developed, contributions will be secured towards the provision or upgrading of facilities on the canals or improvements to the canal environment, with a cross- reference to Policy INF02.

**Summary of responses (including reasons) by planning authority:**

**Policy D01 – Placemaking**

**Mark Agnew (00835/2001/002); Ogilvie Homes Ltd (00614/2001/004):-** Policy D01 (Placemaking) is intended to be a broad, strategic policy outlining the Council's overall spatial priorities for placemaking, high quality design and environmental enhancement. They comprise the areas of significant change (the Strategic Housing Growth Areas and Strategic Business Locations) where there is the greatest opportunity to influence the built environment and create new places, and areas which currently contribute most significantly to the sense of place in the

area (town and village centres, town gateways/road corridors, canal corridor and CSGN) where investment will have the greatest impact. Most of these areas are well-defined in the LDP.

As a strategic policy, Policy D01 is not intended to provide detailed requirements for developers. Detailed general requirements are set out in the relevant supporting policies, and associated supplementary guidance. Placemaking guidance on specific sites and growth areas is set out in Appendices 1 and 2.

For these reasons, the Council does not agree to modify the plan in response to these representations.

**Scottish Natural Heritage (00646/2001/006):-** The 'all levels' approach advocated in the draft SPP is concerned with ensuring that a design-led approach to planning is embedded at the different levels of NPF, SDPs, LDPs and site masterplans. Policy D01, and the other design policies and site-specific design guidance in the plan is part of the Council's efforts to embed the design-led approach at the LDP level, and ensure that it is cascaded down to the detailed site level. It is therefore consistent with the draft SPP. For this reason, the Council does not agree to modify the plan in response to this representation.

#### **Policy D02 – Sustainable Design Principles**

**Scottish Natural Heritage (00646/2001/016):-** Figure 5.3 is intended to be a useful reference guide to the main relevant detailed policies and guidance which support the key sustainable design principles set out in Policy D02. It is not intended to be exhaustive.

In terms of SNH's suggestions for additions to Figure 5.3 the Council considers that:

- Habitats Regulations Appraisal could be an appropriate addition as suggested;
- Policies INF07, INF08 and Transport Assessments are already included under the 'Accessibility' heading, and whilst the connection with climate Change is acknowledged, it is not considered necessary to repeat them.
- The Core Path Plan does not, in itself, provide policy or design guidance. The core path network is referenced within Policy INF07.

Therefore, if the Reporter is minded to recommend that Habitats Regulations Appraisal be included in Figure 5.3, the Council would not take issue with this. The Council does not agree with the other suggested modifications.

#### **Policy D04 – Low and Zero Carbon Development**

**Mactaggart and Mickel Ltd (00011/2004/008):-** Policy D04 has been included in the Proposed LDP to comply with Section 72 of the Climate Change (Scotland) Act 2009. Under this Act, local development plans must require all new buildings to be designed to avoid a specified and rising proportion of projected greenhouse gas emissions from their use through the installation and operation of low and zero carbon generating technologies. The requirement is re-iterated in the SPP.

The Council has some reservations about the requirements of the Act, and agrees that the most cost effective means of reducing the carbon footprint of buildings is

through energy efficiency measures in the building fabric. However, the intention of the Act is clearly to build up domestic renewable energy infrastructure capacity to assist in meeting the Scottish Government's ambitious renewable energy targets.

Removal of the policy would mean that the Council would not meet the requirements of the Climate Change Act. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Policy D10 – Conservation Areas**

**Royal Mail Group Ltd (01254/2001/001):-** The changes sought by the Royal Mail to Policy D10 may be grouped as follows:

- The use of the word 'enhance' rather than 'not erode' in describing how new development should relate to the character and appearance of conservation areas;
- The removal of detail in the policy, e.g. the listing of the aspects of conservation areas to which attention is to be given;
- The removal of a requirement for development to 'conform' to supplementary guidance.

The Council would agree that there is some merit in the first of these changes, in that the word 'enhance' places more onus on a development to contribute to the special quality of the area, rather than the more neutral term 'not erode'. If the Reporter was minded to recommend this change, the Council would not take issue with this. However, the other changes are not justified and would dilute and weaken the policy, and make it less informative. The Council does not agree to modify the plan in response to these representations.

### **Policy D11 – Areas of Townscape Value**

**Royal Mail Group Ltd (01254/2001/002):-** The Denny delivery office (7 Duke Street) lies on the edge of the Denny Area of Townscape Value (ATV). The building itself is of no architectural or townscape merit and it is accepted that it does not contribute to the ATV. The exclusion of the delivery office, and the modern health clinic to the rear, would not adversely affect the overall designation. Therefore, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with this.

### **Policy D14 - Canals**

**Scottish Canals (00516/2001/010):-** The Council considers that it would be inappropriate to require, or even recommend, developers of canal-side sites to utilise the canal for surface water drainage. Whilst it is recognised that this can be a sustainable solution, it will not necessarily be the only satisfactory drainage option, and it is a commercial decision for the developer as to which is used.

As regards making reference in Policy D14 to securing developer contributions to provision and upgrading of canal facilities, this is already covered in the second bullet point of sub-section 5 of the policy. This requires that canal-side development contributes to the recreational amenity of the canals 'through the

provision, where appropriate, of public access, amenity areas, moorings and slipways, together with any appropriate commuted sums for maintenance'. There is no need to cross-reference this within Policy INF02, as Policy INF02 is a general policy. Canal improvements would fall within some the general categories described in Policy INF02, i.e. open space, recreation, physical infrastructure, community facilities.

For this reason, the Council does not agree to modify the plan in response to these representations.

<b>Issue 22</b>	<b>Infrastructure Policies and Proposals</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Infrastructure (pages 12-13) <u>Chapter 4 Settlement Statements</u> Denny (pages 28-29) Falkirk (pages 30-31) Grangemouth (pages 32-33) Polmont Area (pages 36-37) Rural North (pages 38-39) Rural South (pages 40-41) <u>Chapter 5 Supporting Policies</u> Infrastructure (pages 49-52) <u>Appendix 1 Site Schedules</u> Infrastructure (pages a1-20-a1-22) <u>Appendix 2 Strategic Growth Area Guidance</u> Denny South East SGA (page a2-05) <u>Proposals Maps</u> Map 1 Banknock, Bonnybridge & Denny Map 2 Falkirk, Larbert & Stenhousemuir Map 3 Rural North Map 5 Grangemouth & Polmont	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Government (00643) Chemical Cluster Companies (00878) Mr John McNally (01200) E B Finlay (01222) E Murray (01225) M Lamond (01232) Mr and Mrs Robert and Marion M Smith (01231) Bett Homes (00450) Larbert, Stenhousemuir and Torwood Community Council (00440)	RSPB Scotland (00648) ESSR Oil (UK) Ltd (01180) Polmont Community Council (00408) Captain: The Clean Energy Project (01275) Scottish Water (00466) Michael Connarty MP (00720) SEStran (00580)	
<b>Provision of the development plan to which the issue relates:</b>	Infrastructure proposals, as identified in the Spatial Strategy and the Settlement Statements, and detailed in Appendix 1 and miscellaneous infrastructure policies.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Infrastructure Proposal INF02 – M9 Junction 6A</u></b></p> <p><b>Scottish Government (Transport Scotland) (00643/2001/002):-</b> A new four way junction named M9 Junction 6A, identified in the proposed LDP as INF02, was not specifically identified in the Scottish Government's Strategic Transport Projects Review or NPF2. Therefore changes are sought to the text to more</p>		

accurately reflect these documents, including alteration of the title of proposal to 'Long Term M9 Junction Upgrade' and the project description changed to 'possibly developing new slip roads'.

### **Infrastructure Proposal INF09 – Grangemouth Station Safeguarding**

**Chemical Cluster Companies (00878/2001/002):-** Objection is made to Proposal INF09 (Grangemouth Station Site Safeguarding). The site is within the inner zone of a major hazard consultation distance and the proposal would generate an objection from the HSE. While there is no objection in principle to either the railway line or the station, the LDP should contain a review of the impact of the proposal on the chemical industries and a more suitable location should be found.

### **Infrastructure Proposal INF11 – Falkirk A803 Corridor Improvements**

**Scottish Government (Historic Scotland) (00643/2001/007):-** Any development taken forward in connection with Proposal INF11 will need to be supported by a detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity. Pre-application consultation should be carried out with Historic Scotland for any developments coming forward.

### **Infrastructure Proposal INF14 – Denny Eastern Access Road (DEAR)**

**Mr John McNally (01200/2002/002); E B Finlay (01222/2002/003); E Murray (01225/2002/003); M Lamond (01232/2002/002); Mr and Mrs Robert and Marion M Smith (01231/2002/002):-** The proposed road (INF14) should be the top priority to deliver as quickly as possible. Denny Cross at peak time is heavily congested and the filter lane presents an accident hazard. The only way to relieve this heavy congestion at Denny Cross is to build the DEAR with Council money and recover this outlay when the Mydub housing development is completed. The community cannot wait until 2024 for the road's completion.

**Bett Homes (00450/2001/001):-** The alignment of the Denny Eastern Access Road (DEAR) as shown on Proposals Map 1 is incorrect. It requires to be updated to reflect the agreed alignment of DEAR as shown on the drawing 12002-078. The DEAR alignment is defined by the Council on Drawing A883/IAO/OSC/R Rev C, which was appended to the Council's Draft SPG on DEAR. Consequential amendments to Proposals Map 1 are required to the boundaries of sites H15 and H16 and policy designations CG01 and CG02.

**Bett Homes (00450/2001/003):-** The Denny settlement statement states that 'development of both Mydub sites is dependent on the construction of the Denny Eastern Access Road (INF14), a 1.45 km length of new road which will also provide a south eastern bypass to accommodate settlement growth and relieve congestion at Denny Cross..' (paragraph 4.18). Bett Homes maintain that the development of both the Mydub sites (H15 and H16) is not dependent on the delivery of the entire length of DEAR. Both sites will be accessed off DEAR but the complete route is not required to be delivered to provide access to these sites (nor its specification).

The settlement statement should be altered to remove the reference to the

development of both sites being dependent on access to DEAR. Text should also be added which expands on the developer contribution funding mechanism for the road and emphasises the principal reason for DEAR's construction, which is for the relief of congestion at Denny Cross. Provision of access to development sites is a secondary function and not the rationale for a relief road of the proposed specification.

#### **Infrastructure Proposal INF16 – Torwood WWTW**

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

**(00440/2001/016):-** Proposal INF16 for upgrading of Torwood Waste Water Treatment Works is queried. Further background information should be provided.

#### **Infrastructure Proposal INF22 – Grangemouth Flood Defences**

**RSPB Scotland (00648/2001/006):-** The proposed flood prevention scheme should seek to enhance the riparian habitat and must not adversely impact on the Firth of Forth SPA.

#### **Infrastructure Proposal INF34 – Avondale Waste Management Site**

**ESSR Oil (UK) Ltd (01180/2001/007):-** Reference to the presence of a Pipeline Consultation Zone should be included in the 'site comments' relating to Proposal INF34 (Avondale Waste Management Site) in Appendix 1.

#### **Additional Infrastructure Proposal – Polmont Drainage**

**Polmont Community Council (00408/2001/001):-** Drainage infrastructure proposals should include provision to address flooding in Polmont. Flooding from the sewage system has been noted in a number of locations in the area.

#### **Policy INF07 – Walking and Cycling**

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

**(00440/2001/006):-** There should be reference to the Council's separate Transport Strategy and the Forth Valley Royal Hospital Transport Strategy.

#### **Policy INF08 – Bus Travel and New Development**

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

**(00440/2001/007):-** A strategic review of bus services is required. The Community Council are mindful of issues around the potential withdrawal of the hospital bus service and the local 59 bus.

#### **Policy INF09 – Freight Transport**

**Captain: The Clean Energy Project (01275/2001/004):-** The LDP should ensure that there are strong rail freight connections for Grangemouth and the potential for enhanced rail freight connections between Grangemouth Port and the UK should be considered.

**SEStran (00580/2002/001):-** The plan recognises the importance of good freight

links with improved junctions onto the M9. Mention should be made of improving rail freight links to Grangemouth docks and the potential for greater transfer of freight to rail.

### **Policy INF11 – Parking**

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

**(00440/2001/008):-** Policy INF11 Parking does not provide for any review of parking facilities other than in Falkirk. There are issues with parking at Larbert Railway Station and Forth Valley Royal Hospital which have not been resolved and need to be addressed.

### **Policy INF12 – Water and Drainage infrastructure**

**Scottish Water (00466/2001/001):-** The LDP makes reference in the water and drainage section (page 52, paragraph 5.56) and on numerous occasions within Appendix 2, to constraints in Scottish Water's network or assets. Scottish Water does not have constraints and so request that this word is removed.

### **Additional Infrastructure Policy – Overhead Electricity Lines**

**Michael Connarty MP (00720/2001/001):-** Attention is drawn to the evidence regarding the increased risk of childhood leukaemia linked to housing in close proximity to major electricity pylons, as per the Parliamentary Cross-Party Inquiry which reported in 2007. A new policy should be introduced requiring consideration of this evidence in relevant proposals.

### **Modifications sought by those submitting representations:**

#### **Infrastructure Proposal INF02 – M9 Junction 6A**

**Scottish Government (Transport Scotland) (00643/2001/002):-** Amend Proposal INF02 by changing the title to 'Long Term M9 Junction Upgrade' and changing site requirements by removing specific references to '4-way junction'.

#### **Infrastructure Proposal INF09 – Grangemouth Station Safeguarding**

**Chemical Cluster Companies (00878/2001/002):-** Delete Proposal INF09 (Grangemouth Station Site Safeguarding) and include reference to a review of the impact of the proposed railway line and station on the chemical industries.

#### **Infrastructure Proposal INF11 – Falkirk A803 Corridor Improvements**

**Scottish Government (Historic Scotland) (00643/2001/007):-** Amend site comments for Appendix 1 (Site Schedule) for Proposal INF11 to add requirement for a detailed heritage assessment to demonstrate the extent of its impact on the setting of the scheduled monuments in its vicinity.

#### **Infrastructure Proposal INF14 – Denny Eastern Access Road**

**Mr John McNally (01200/2002/002):-** Amend Proposal INF14 (Denny Eastern Access Road) to include definite starting and finishing dates for the road's

construction.

**E B Finlay (01222/2002/003):-** Amend Proposal INF14 to include a completion date.

**E Murray (01225/2002/003), M Lamond (01232/2002/002), Mr and Mrs Robert and Marion M Smith (01231/2002/002):-** Amend Proposal INF14 to ensure the DEAR is completed early to relieve congestion at Denny Cross.

**Bett Homes (00450/2001/001):-** Amend Proposal INF14 by updating its alignment on Proposals Map 1 to reflect the agreed alignment of DEAR. Make consequential amendments to site area for site H16 (Mydub 2) in Appendix 1 (13.4 hectares not 12.7 hectares) (see Issue 5), and also the Urban Limit and green belt boundary.

**Bett Homes (00450/2001/003):-** Amend text of Denny settlement statement (paragraph 4.18) to remove the reference to the development of both Mydub sites being dependent on access to DEAR and to add text clarifying the purpose of developer contribution funding based on the apportionment of cost on impact on Denny Cross only.

#### **Infrastructure Proposal INF16 – Torwood WWTW**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/016):-** Add further background information to Proposal INF16 (Torwood WWTW).

#### **Infrastructure Proposal INF22 – Grangemouth Flood Defences**

**RSPB Scotland (00648/2001/006):-** Amend the second sentence of paragraph 4.37 in the Grangemouth settlement statement to include reference to the proposed flood prevention scheme enhancing the riparian habitat and having no adverse impact on the Firth of Forth SPA.

#### **Infrastructure Proposal INF34 – Avondale Waste Management Site**

**ESSR Oil (UK) Ltd (01180/2001/007):-** Amend Proposal INF34 by including reference to the Pipeline Consultation Zone in the 'site comments' in Appendix 1.

#### **Additional Infrastructure Proposal – Polmont Drainage**

**Polmont Community Council (00408/2001/001):-** Insert additional infrastructure proposal to include upgrade of drainage network in Polmont.

#### **Policy INF07 – Walking and Cycling**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/006):-** Amend Policy INF07(Walking and Cycling) and supporting information to include references to the Council's separate Transport Strategy and the Forth Valley Royal Hospital Transport Strategy.

#### **Policy INF08 – Bus Travel and New Development**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/007):-** Amend Policy INF08 (Bus Travel and New Development) to include a commitment to a strategic review of services.

#### **Policy INF09 – Freight Transport**

**Captain: The Clean Energy Project (01275/2001/004):-** Amend policy/supporting text to support the potential for enhanced rail freight connections between Grangemouth Port and the UK.

**SEStran (00580/2002/001):-** Insert additional text to reflect improvement of rail freight links to Grangemouth docks and the potential for greater transfer of freight to rail.

#### **Policy INF11 – Parking**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/008):-** Amend Policy INF11 (Parking) to recognise that there are parking issues at Larbert Station and Forth Valley Royal Hospital which need to be addressed

#### **Policy INF12 – Water and Drainage infrastructure**

**Scottish Water (00466/2001/001):-** Amend supporting information to Policy INF12 (Water and Drainage Infrastructure), and in Appendix 2, to remove the word 'constraint' in relation to Scottish Water assets.

#### **Additional Infrastructure Policy – Overhead Electricity Lines**

**Michael Connarty MP (00720/2001/001):-** Insert additional policy on health risks for housing in close proximity to major electricity power lines.

#### **Summary of responses (including reasons) by planning authority:**

#### **Infrastructure Proposal INF02 – M9 Junction 6A**

**Scottish Government (Transport Scotland) (00643/2001/002):-** The need for upgrading of Junction 6 of the M9 motorway has been agreed by Falkirk Council and Transport Scotland. Interim measures to signalise and widen the junction were provided for in Falkirk Council Local Plan Proposal TR.GRA05 and carried forward into the proposed LDP as Proposal INF01. Work has recently started on these. Longer term measures to further improve the junction to allow full four way access to the south as well as the north, involving south facing slip roads, were set out in the Strategic Transport Projects Review (STPR) published in October 2008. STPR Project 20 provides detailed elaboration of what was described under the Grangemouth Freight Hub in NPF2 as 'better connections to the M9 motorway'. This is the measure described in the LDP as M9 junction 6A, although it is conceded that it has never been described as such by Transport Scotland. The insertion of this proposal into the LDP was done in good faith on the basis of known information at the time the proposed LDP was published in 2013.

In Transport Scotland's representation to the proposal they cite a version of STPR which was dated October 2009. There is no record of this having been circulated to Falkirk Council. If Transport Scotland has updated their position on the implementation of this proposal as set out in their representation then, as they are the principal agency charged with its implementation in the Action Programme, the Council is not in a position to challenge this. Therefore if the Reporter is minded to amend the proposal in accordance with the requested modification, the Council would not take issue with the amended wording.

### **Infrastructure Proposal INF09 – Grangemouth Station Safeguarding**

**Chemical Cluster Companies (00878/2001/002):-** The Council does not accept the request to delete Proposal INF09. Proposal INF09 is a proposal to safeguard the site of a possible station in Grangemouth; it is not a proposal for a station per se. Falkirk Council has been in favour of reopening passenger train services to Grangemouth for many years and has had discussions with Transport Scotland, SEStran, Scotrail and Network Rail on the issue on a number of occasions. The current proposal in the LDP carries forward a similar proposal TR.GRA02 in the Falkirk Council Local Plan. Transport Scotland/Network Rail intend to electrify the Grangemouth branch line as part of a later phase of the Edinburgh-Glasgow Improvement Programme (EGIP), which is reflected in LDP Proposal INF08. This improvement provides an opportunity to re-examine the question of passenger rail services to Grangemouth. The Council acknowledges that any firm proposal for a station would have to meet the requirements of a STAG appraisal; safeguarding the site is merely a first step in the process, and this does not guarantee that the project would necessarily come to fruition. Issues of co-location with major hazard sites would be taken into account if and when an actual station proposal was a recommended outcome of the STAG process.

HSE has not objected to the proposed safeguarding and no other agency has commented. In point of fact, the safeguarded location is no longer within the inner zone of HW Coates. Hazardous Substances Consent P/12/0357/HAZ was granted on 9 August 2013 to HW Coates, which has the effect of reducing the extent of their hazard consultation zones, and particularly takes the station safeguarding site out of the most critical, inner zone. Notwithstanding that this will considerably reduce individuals' exposure to risk in that location, previous studies have shown that if a station were to be opened in Grangemouth, it is unlikely to expose more people to risk because any railway station in the Grangemouth area would encourage modal shift of existing travellers rather than an increase in people travelling to and from Grangemouth. In particular, new stations tend to shift people from bus to train.

For these reasons, the Council does not agree to modify the Plan in response to this representation.

### **Infrastructure Proposal INF11 – Falkirk A803 Corridor Improvements**

**Scottish Government (Historic Scotland) (00643/2001/007):-** The proposed A803 corridor improvements covers a stretch of the A803 road in Falkirk from Rosebank roundabout in the east to the Three Bridges railway in the west and includes a section of the B816 Glenfuir Road along the south side of the Forth & Clyde Canal. The only scheduled ancient monuments in close proximity to this

route are the Forth & Clyde Canal, and a scheduled section of the Antonine Wall at Bantaskin. The proposed improvements are not yet finalised, but options include junction improvements, signalisation, traffic management measures, and selective road widening, none of which will impinge on an scheduled areas, or are likely to have any impact on the setting of the scheduled areas, given the current urban character of their surroundings. A requirement to carry out a detailed heritage assessment would be unnecessary and disproportionate. In so far as safeguards may be needed, these can be provided by Policy D08 (Sites of Archaeological Interest) (page 66).

For these reasons, the Council does not agree to modify the Plan in response to this representation.

### **Infrastructure Proposal INF14 – Denny Eastern Access Road**

**Mr John McNally (01200/2002/002); E B Finlay (01222/2002/003); E Murray (01225/2002/003); M Lamond (01232/2002/002); Mr and Mrs Robert and Marion M Smith (01231/2002/002):-** Information on the timetable for construction of Proposal INF14 (Denny Eastern Access Road) is already included in the Proposed Action Programme. Taking account of the fact that the scheme requires to be funded by developer contributions as set out in the Delivery of DEAR SPG, the Action Programme has provided the timetable for construction as Phase 1 2014-15, and Phase 2 2016-24. This is the best available information at the time of plan publication. For these reasons, the Council does not agree to modify the Plan in response to this representation.

**Bett Homes (00450/2001/001) and (00450/2001/003):-** On the issue of the alignment of Denny Eastern Access Road (DEAR) the Council does not accept that there is a significant disparity between the alignment of DEAR shown in the draft Delivery of DEAR Supplementary Planning Guidance and the alignment shown in the depiction of Proposal INF14 in Proposals Map 1. It is accepted that the curve of the road shown on the engineers drawing which forms the map in the draft SPG is not as smooth as that shown in the LDP but this is due to bulges to take account of the position of two roundabouts. The drawing presented by Bett is not a true reflection of the alignment shown in the DEAR SPG. The Council maintains that any allowance for bulges is not material. For these reasons, the Council does not agree to modify the plan in response to this representation.

As regards the text of the settlement statement the role of DEAR has been established in the Delivery of DEAR SPG, at paragraph 2.3, which states that it is 'to provide access to the proposed Mydub housing site; and to relieve traffic congestion at Denny Cross which would be exacerbated by the traffic generated by the housing in the large Mydub site and other smaller sites around Denny'. Bett Homes made the same contention that access to the Mydub sites was a subordinate role for DEAR when the SPG was at its consultative draft stage, but their view was not accepted when the Council approved the SPG in June 2013. The development strategy of the Falkirk Council Structure Plan for the Denny area was for settlement expansion to the south-east of the town, broadly in the direction of the Mydub sites. The LDP continues this broad strategy as stated in paragraph 4.17. The requirement for an access road for these sites, which could also act as a bypass for Denny town centre, was established in the Falkirk Council Local Plan through Proposal TR.DEN01. The Council believes that it is

appropriate to give equal weight to the two functions of the road, rather than to give precedence to just one function, as suggested by the respondent.

There is no obvious alternative access for the Mydub sites other than a road which would follow the DEAR alignment. Such a road would also require two exits due to the size of the sites, which account for 557 houses in total. Thus the complete length of the road is justified for access purposes, even if it were not also providing a bypass function.

The principle of seeking funding through developer contributions was also established in the DEAR SPG. The SPG states, at paragraphs 3.4 and 3.5, that all sites which potentially impact would be required to make a developer contribution. The requirements for a contribution from each allocated site in the LDP are set out in Appendices 1 or 2 and it is not considered necessary to repeat these in the settlement statement.

For these reasons, the Council does not agree to modify the plan in response to these representations.

#### **Infrastructure Proposal INF16 – Torwood WWTW**

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

**(00440/2001/016):-** It is unclear what further background information the community council would like to see provided in the plan. Appendix 1 states that a growth project has recently been promoted by Scottish Water. It is matter for Scottish Water to what extent or form their 'growth project' takes, although they have been fully apprised, as a key agency, of the development proposals in the LDP for Torwood. Both of the housing sites have been carried forward from Falkirk Council Local Plan and the Council understands that expansion of the capacity at the Torwood facility is to take account of these allocations. After further liaison in September 2013 Scottish Water provided the information that the capacity of Torwood Works will increase from its current 200 person equivalent (pe) to 309 pe, and that this work is expected to be completed in early 2015. The Action Programme has been updated accordingly with the timetabling information. As this is the appropriate document for such information it is not necessary to alter the LDP itself. For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Infrastructure Proposal INF22 – Grangemouth Flood Defences**

**RSPB Scotland (00648/2001/006):-** The function of the settlement statements is to set out the spatial implications of the development strategy, the policies and proposals as they relate to particular localities. The primary source for information on proposals is therefore set out elsewhere in the LDP.

The Grangemouth Flood Defences proposal is summarised in Appendix 1, although currently very few details about the likely nature and precise location of the scheme have been developed. Reference is made to the requirements for Habitats Regulation Appraisal (HRA) to demonstrate there would be no adverse impact on the Firth of Forth SPA. Reference is also made to possible mitigation measures, including coastal habitat creation, and this signposts where more detailed measures are discussed in the LDP's HRA. This mentions, at paragraph

4.1.76, the opportunities to create or enhance habitat availability within or adjacent to the SPA through the use of managed set back schemes.

It is believed, therefore, that there is no requirement to repeat this information in the settlement statement and the Council therefore does not agree to modify the Plan in response to the representation.

#### **Infrastructure Proposal INF34 – Avondale Waste Management Site**

**ESSR Oil (UK) Ltd (01180/2001/007):-** It is acknowledged that this proposal straddles oil and gas pipeline corridors and these pipelines presents a potential constraint on development. While the pipeline consultation zone is shown on Proposals Map 5 it is accepted that attention could be drawn to this in the text for INF34 within Appendix 1. Therefore, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the additional wording.

#### **Additional Infrastructure Proposal – Polmont Drainage**

**Polmont Community Council (00408/2001/001):-** Proposals INF15 to 21 have been identified by Falkirk Council in liaison with Scottish Water as appropriate for inclusion within this LDP plan period. No project to tackle the issues mentioned by the respondent has been identified by Scottish Water. Falkirk Council is aware of the issues regarding sewer surcharge in the Polmont area and discussions to resolve these are ongoing with Scottish Water. Scottish Water is currently undertaking 4 integrated catchment management studies (ICMS), one of which is for the catchment of Kinneil Kerse WWTW, which covers the Polmont area. These studies are expected to be delivered by February 2015. Amongst other issues, these are looking at flooding issues associated with sewerage infrastructure. The results of these studies will help inform a future response to the flooding issues cited here, and it would be premature to include any proposal for investment at this stage. For this reason, the Council does not agree to modify the Plan in response to this representation.

#### **Policy INF07 – Walking and Cycling**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/006):-** This policy has two functions: firstly, to safeguard and promote the Council's Core Path network and secondly, to ensure that in new development there is adequate provision for access to walking and cycling facilities. The primary source document for each is the Council's Core Path Plan, which is referenced in the supporting text. While the Local Transport Strategy has some strategic relevance (but not the Forth Valley Royal Hospital Transport Strategy, which has no council wide relevance), in the interests of brevity it was decided not to include extensive lists of other relevant policy documents in the LDP. For this reason, the Council does not agree to modify the Plan in response to this representation.

#### **Policy INF08 – Bus Travel and New Development**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/007):-** This policy is concerned with ensuring that in new

development there is adequate provision for access to bus services, as identified in travel mode targets set in travel plans. The level of existing service and the requirement for an overall review of services is not a matter for the LDP to resolve but falls within the remit of the Council's Local Transport Strategy and bus operators. For this reason, the Council does not agree to modify the Plan in response to this representation.

### **Policy INF09 – Freight Transport**

#### **Captain: The Clean Energy Project (01275/2001/004); SEStran**

**(00580/2002/001):-** Both these representations are concerned with emphasising the role of Grangemouth in rail freight transport. The function of the settlement statements is to set out the spatial implications of the development strategy, policies and proposals as they relate to particular localities. The primary source for information on proposals and policies is therefore set out elsewhere. The policy on freight transport seeks to direct proposals to the most suitable locations, with a principle focus on Grangemouth but also other locations. The role Grangemouth plays in freight transport and the Council's support for further development is already highlighted in the policy's supporting paragraphs, as is support for transfer of freight from road to rail. The specific improvements to the rail line are part of the Scottish Government's EGIP project, designated Proposal INF08 in the LDP, and improvements to the Grangemouth branch line are listed in Appendix 1. In the light of the information already supplied in the LDP, the Council does not agree to modify the Plan in response to these representations.

### **Policy INF11 – Parking**

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

**(00440/2001/008):-** The Council does not agree that Policy INF11 is solely concerned with parking in Falkirk. Sub-section (2) covers the consideration of Park and Ride in out of centre locations and sub-section (3) covers parking in District and Local Centres, which includes Larbert. Specific policy on station parking is covered in sub-section (4), again applicable to Larbert. Larbert Station car park was significantly extended by the Council, with the aid of funding from SEStran, in 2007. The issues alluded to at Larbert Station and Forth Valley Hospital are those of parking management and specific measures are more properly the province of the Council's Local Transport Strategy. For this reason, the Council does not agree to modify the Plan in response to this representation.

### **Policy INF12 – Water and Drainage infrastructure**

**Scottish Water (00466/2001/001):-** The Council does not accept that the use of the term 'constraint' is inappropriate. Aside from the fact that the word does not actually appear in paragraph 5.56, (the term 'constrained localities' is used), the term 'constraint' is used generically throughout the Plan, and particularly in Appendix 2, to refer to a range of issues which would influence the ease with which a development can go ahead. Technical Paper 4 is devoted entirely to strategic constraints on the area's capacity to accommodate new development. In their representation Scottish Water concedes that 'in some areas the capacity at our treatment works and within our network is insufficient to accommodate additional development without network reinforcement'. In planning terms that is a constraint. For this reason, the Council does not agree to modify the Plan in

response to this representation.

### **Additional Infrastructure Policy – Overhead Power Lines**

**Michael Connarty MP (00720/2001/001):-** The representation refers to a Westminster parliament cross party inquiry, held in 2007, into the links between childhood leukaemia and ELF/EMF (extremely low frequency electrical and magnetic field radiation) from high voltage power cables. The Inquiry took evidence from, among others, SAGE, a stakeholder advisory group whose role is to explore the implications of a precautionary approach to EMF. After taking evidence, inquiry members recommended, inter alia, a moratorium on building new homes within 60m of high voltage lines of 275 kV and above.

In 2009, the Westminster government published its response to the work of the cross party inquiry and SAGE. On the question of the moratorium on building within 60m of high voltage cables the Government decided that this measure was 'disproportionate in the light of the evidence base on the potential health risks arising from exposure to ELF/EMF and has no plans to take forward this action' (paragraph 4). In particular the government agreed with the Health Protection Agency advice that the EMF association with childhood leukaemia is weak and unproven and supports no cost/low cost options to reduce EMF exposure.

The Scottish Government has not brought forward any planning policy through SPP in response to this issue. Planning authorities in Scotland are not required to have a policy related to high voltage power lines in LDPs and would have no support from government if such a policy were to be challenged. For these reason, the Council does not agree to modify the Plan in response to this representation.

<b>Issue 23</b>	<b>Developer Contributions</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Infrastructure/Policy INF01 (page 12) <u>Chapter 5 Supporting Policies</u> Policy INF02 Developer Contributions to Community Infrastructure (page 46) Policy INF04 Open Space and New Residential Development (page 48) Policy INF05 Education and New Housing Development (page 48) Policy INF06 Healthcare and New Housing Development (page 49) Policy HSG02 Affordable Housing (page (page 43), Policy HSG09 Residential Care Homes (page 45)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Forth Ports plc (00020) Mactaggart and Mickel Ltd (00011) Gladman Developments Ltd (01258) Asda Stores Ltd (00856) SEPA (00968) Scottish Natural Heritage (00646) Ogilvie Homes Ltd (00614) I and H Brown Limited (00609) Mark Agnew (00835) Homes For Scotland (00284) AWG Property (00906) Hansteen Land Ltd (00772) McCarthy and Stone Retirement Lifestyles Ltd (01237)		
<b>Provision of the development plan to which the issue relates:</b>	Policies dealing with developer contributions to infrastructure and the provision of affordable housing	
<b>Planning authority's summary of the representation(s):</b>		
<b><u>Policy INF01 - Strategic Infrastructure</u></b>  <b>Forth Ports plc (00020/2002/004):-</b> Policy INF02 and supporting paragraphs 3.11 - 3.16 make reference to requirements for developer contributions. However, this is not precise enough. The broad scope and principles behind the requirements and the circumstances where contributions are payable should be clearly defined and the detail on implementation provided in SPG.		

### **Policy INF02 – Developer Contributions to Community Infrastructure**

**Mactaggart and Mickel Ltd (00011/2004/006); Gladman Developments Ltd (01258/2001/004); Asda Stores Ltd (00856/2001/002):-** The policy should contain more explicit reference to the five policy tests for planning obligations set out in Circular 3/2012 - Planning Obligations and Good Neighbour Agreements. The cursory reference to the Circular at the end of policy suggests that these planning requirements will only be considered as a last resort. Developer contributions should only be required where there is a proven demonstrable harm created by way of a development proposal, where alternative remedies are ineffective (such as conditions) and where there is a robust evidence base to support the allocation of funds to specific identified schemes which directly relate to the development proposed. More clarity is sought on whether the provisions of this section apply to residential development or to all development.

**SEPA (00968/2001/002):-** Figure 5.2 should be amended to ensure that Falkirk Council's duties as a responsible authority under the Water Environment and Water Services (WEWS) (Scotland) Act 2003 are met. The table should be expanded to enable developer contributions to be sought to secure improvement measures to the water environment. The improvement of the water environment through measures put in place during the development process are crucial to achieving the high level objectives of the Water Framework Directive and the water body specific measures in the Forth Area Management Plan. Not taking action to put a measure in place would be contrary to Falkirk Council's duties as a responsible authority under the WEWS Act.

### **Policy INF04 – Open Space and New Residential Development**

**Scottish Natural Heritage (00646/2001/009):-** The policy is generally in accordance with the recommended approach in draft SPP 2013

**Ogilvie Homes Ltd (00614/2001/005):-** Sub-section (2) of Policy INF04 is not accepted. When existing open space facilities are being upgraded, appropriate maintenance arrangements will already be in place and therefore there is no reason why these existing arrangements cannot cover the upgraded facility.

### **Policy INF05 Education and New Housing Development**

**Gladman Developments Ltd (01258/2001/006):-** Without a justified evidence base, Policy INFO5 is unsound. Education provision with new housing can only be required where there is a proven demonstrable need and where there is a robust evidence base to support the provision of contributions/mitigation.

### **Policy INF06 – Healthcare and New Housing Development**

**I and H Brown Limited (00609/2001/003); Mark Agnew (00835/2001/001), Mactaggart and Mickel Ltd (00011/2004/007); Homes For Scotland (00284/2001/001); Ogilvie Homes Ltd (00614/2001/006):-** Objection is made to Policy INF06 on the following grounds:

- It is not acceptable to seek contributions from new development for NHS primary care facilities through this policy. This is due to the fact that the NHS is

funded by central government, the house building industry is still recovering from recession and the Supplementary Guidance which contains the details of the policy is not yet available.

- General practitioners delivering primary care within Scotland operate as private business units with per head of capita funding received from the NHS. It would be unreasonable to place a financial burden upon developers for primary healthcare facilities when such practices operate as private business units.
- Healthcare is not governed by requirements such as catchments around the location of services, and the tendency in healthcare has been centralisation and specialisation. There is no immediate and automatic relationship between new development and the provision of new local facilities.
- Without the evidence of service deficiencies, pressures placed on services by new development, or programmes of new provision (of which the proposed LDP gives no indication), a planning authority could not make any developer obligation meet the 5 tests of Circular 3/2013. It would be unable to demonstrate need or detriment, and would be unable to say what planning purpose was being met by an obligation.
- Homes for Scotland cite an appeal decision in England involving GP services which the planning authority claimed were under stress but no details were given on where that expansion might take place, when it might happen and whether funding from the Health Trust was available. The Inspector concluded that a developer contribution would be inappropriate 'since the use to which such a financial contribution would be put is currently unknown'.
- The policy is unreasonable and potentially beyond the powers and abilities of a planning authority to implement.

**I and H Brown Limited (00609/2001/004) :-** Proposals Map 1 appears to suggest that the Banknock area has been identified as being deficient in primary health care facilities. As part of the planning application process, I&H Brown engaged with the Banknock Medical Centre to establish their future requirements for provision of services, without success.

### **Policy HSG02 – Affordable Housing**

**Gladman Developments Ltd (01258/2001/005):-** Affordable housing requirements should be assessed on a site by site basis, with a fully justifiable evidence base (a HNDA which reflects the diversity of requirements within an area). The Local Authority should be open to negotiations to ensure the correct provision is provided without compromising the viability of the development proposal and have regard to financial obligations linked to particular developments, including any expectation that developers will contribute to infrastructure and supporting development such as schools or roads.

**Hansteen Land Ltd (00772/2001/004):-** The LDP should not set a benchmark contribution of 25% affordable housing for all sites. Affordable housing contributions need to be agreed on a site by site basis. The 2008 Blythe Valley decision in the House of Lords makes clear that the viability question means that contributions may have to be reduced. This flexibility is especially important when it is known that there are growth areas within Falkirk with high infrastructure costs.

**AWG Property (00906/2001/010):-** Policy HSG02 is supported.

### **Policy HSG09 - Residential Care Homes**

**McCarthy and Stone Retirement Lifestyles Ltd (01237/2001/001):-** The wording of the policy HSG09 is too restrictive and should be improved. The current policy only supports one form of accommodation for the elderly - residential care homes. This ignores the other forms of housing for the 'active elderly' such as sheltered housing developments, bungalows and retirement flats. The Council clearly wish, in paragraph 5.15, to encourage a variety of accommodation for the elderly and therefore the Council should reconsider the terminology used and substitute the term 'Specialist Accommodation for the Elderly' in the policy.

### **Modifications sought by those submitting representations:**

#### **Policy INF01 - Strategic Infrastructure**

**Forth Ports plc (00020/2002/004):-** Provide further details on the requirement for developer contributions.

#### **Policy INF02 – Developer Contributions to Community Infrastructure**

**Mactaggart and Mickel Ltd (00011/2004/006):-** Amend Policy INF02 to state at the outset of the policy that any planning obligation sought should comply with the five policy tests in Circular 3/2012.

**Gladman Developments Ltd (01258/2001/004):-** Delete Policy INF02.

**Asda Stores Ltd (00856/2001/002):-** Amend paragraphs 5.17 - 5.21 to clarify whether their provisions relate to housing or all development, and to recognise more clearly the tests from Circular 3/2012.

**SEPA (00968/2001/002):-** Amend supporting information to Policy INF02 by changing the title of the third provision in Figure 5.2 to 'Sustainable Water Management' and altering the associated circumstances where provision may be required to 'Sites where opportunities exist to provide sustainable flood management or water environment enhancement measures as identified through either flood risk assessments or the River Basin Management Plan and Forth Area Management Plan'.

#### **Policy INF04 – Open Space and New Residential Development**

**Ogilvie Homes Ltd (00614/2001/005):-** Amend Policy INF04 to take account of any existing off-site maintenance arrangements in calculating financial contributions.

#### **Policy INF05 Education and New Housing Development**

**Gladman Developments Ltd (01258/2001/006):-** Delete Policy INF05.

#### **Policy INF06 – Healthcare and New Housing Development**

**I and H Brown Limited (00609/2001/003); Mark Agnew (00835/2001/001), Mactaggart and Mickel Ltd (00011/2004/007); Homes For Scotland (00284/2001/001); Ogilvie Homes Ltd (00614/2001/006):-** Delete Policy INF06.

**I and H Brown Limited (00609/2001/004):-** Amend supporting information to clarify how a primary health care deficiency within the Banknock area has been established.

### **Policy HSG02 – Affordable Housing**

**Gladman Developments Ltd (01258/2001/005):-** Amend Policy HSG02 and Figure 5.1 to state that affordable housing can only be required where there is a proven demonstrable need and where there is a robust evidence base to support the percentage allocations requested.

**Hansteen Land Ltd (00772/2001/004):-** Amend Policy HSG2 to remove the specified percentage of affordable housing.

### **Policy HSG09 - Residential Care Homes**

**McCarthy and Stone Retirement Lifestyles Ltd (01237/2001/001):-** Amend Policy HSG09 by deleting references to 'Residential Care Homes' and substituting 'Specialist Accommodation for the Elderly'.

## **Summary of responses (including reasons) by planning authority:**

### **Policy INF01 - Strategic Infrastructure**

**Forth Ports plc (00020/2002/004):-** Policy INF01 is an overarching policy which sets out the Council's approach to the delivery of infrastructure. It outlines the variety of funding mechanisms which may be employed to delivery the infrastructure, including developer contributions. The policy, and supporting paragraph 3.15, clearly states that the role of developer contributions is set out in supporting policies and supplementary guidance. The relevant policies are contained in the Supporting Policies section of the LDP and comprise Policies INF02, INF04, INF05 and INF06. The appropriate proposed supplementary guidance is referred to in the policies themselves or the supporting text, and is fully listed in Appendix 3. Figure 5.2 provides a detailed list of the range of infrastructure provision which may be subject to developer contributions. The Council therefore contends that further details on the requirement for developer contributions are already provided in the LDP. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Policy INF02 – Developer Contributions to Community Infrastructure**

**Mactaggart and Mickel Ltd (00011/2004/006); Gladman Developments Ltd (01258/2001/004); Asda Stores Ltd (00856/2001/002):-** The Council does not accept that the reference to Circular 3/2012 should be listed first in the factors determining the nature and scale of developer contributions. The list is not intended to be read as a hierarchy of factors of diminishing importance but rather that they are all factors which the Council will take into account, subject to relevance. It is also maintained that it is not necessary to spell out the five national policy tests within the LDP policy. This in line with government advice to avoid repetition of government policy within development plans and developers can easily obtain access to the full text of Circular 3/12.

The request by Gladman Developments to delete Policy INF02 is not accepted. Deleting the policy would imply that developer contributions are no longer seen as relevant to funding the provision of infrastructure. The proposed LDP makes it clear that, in a climate of diminished resources in both the public and private sectors, there will be an imperative to exploit a number of alternative mechanisms (paragraph 5.17). However there remains a need for the developer contribution mechanism where development will create or exacerbate deficiencies in, or impose new burdens on, existing infrastructure. Having a policy on developer contributions is in line with advice in SPP which states that the approach to the use of planning agreements/obligations should be set out in development plans.

It is accepted that the supporting text to the policy at paragraph 5.17 gives prominence to the role of new housing development in potentially adding to burdens on community infrastructure, as this type of development will be pre-eminent in putting pressure on certain services, such as education, health and community facilities. However, the Council contends that the policy itself is clear that developers in general, including retailers, will be required to make contributions in relevant circumstances.

For these reasons, the Council does not agree to modify the plan in response to these representations.

**SEPA (00968/2001/002):-** It is accepted that Falkirk Council has duties as a responsible authority under the Water Environment and Water Services (WEWS) (Scotland) Act 2003 and, importantly, that the Town and Country Planning (Scotland) Act 1997 is classified as a designated piece of legislation by the Scottish Government in statutory instruments implementing the WEWS Act. This means that the planning authority, as distinct from the local authority, has to consider the use of mechanisms, such as developer contributions sought through S75 planning obligations, as a means of funding appropriate measures to enhance the water environment, albeit this will be dependent on the tests of Circular 3/2012 being met. In this context, the extension of the provision under Table 5.2 is considered appropriate. Therefore, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Policy INF04 – Open Space and New Residential Development**

**Ogilvie Homes Ltd (00614/2001/005):-** With regard to the issue of maintenance of upgraded off-site facilities, it would be a matter of course that any existing arrangements for maintenance would be taken into account in calculating a financial contribution. The question of how much upgrading was required and how far existing maintenance arrangements covered this, would be a matter of fact and degree. This would be determined by agreement at the time of an application. However the Council believes it is prudent and reasonable for the policy to set out the possibility of such a contribution arising in order for developers to build this into their development appraisal model. The associated SG will provide further explanation and guidance on the operation of the policy and the scale of financial contributions, similar to that set out in the existing Public Open Space, Falkirk Greenspace and New Development SPG.

For this reason, the Council does not agree to modify the plan in response to this representation.

### **Policy INF05 Education and New Housing Development**

**Gladman Developments Ltd (01258/2001/006):-** The Council considers that Policy INF05 is appropriate. This policy carries forward a similarly worded policy from Falkirk Council Local Plan which has been in operation for several years. There is an associated SPG on Education and New Housing Development which was introduced in 2007 and updated in 2011 which has also been applied for several years. This SPG forms the basis for proposed SG10 Education and New Housing Development which will implement the provisions of Policy INF05. The current Local Plan policy and associated SPG were challenged and endorsed by the Reporter at the Falkirk Council Local Plan Inquiry in 2009.

The evidence base for the policy is contained in section 6 of Technical Report 4: Strategic Constraints, which sets out the pressures on school capacity generally in Falkirk Council area, and in particular locations which have experienced considerable housing growth in the last decade. This evidence base has been updated more recently through Technical Report 4 Revised - Update to School Capacity. The current SPG, which will be carried forward into the new SG, sets out the circumstances where developer contributions for education capacity may be required and provides a clearly evidenced tariff for such contributions. The Council carries out school roll projections on an annual basis which take into account new house building rates, as well as birth rates and Primary 1 enrolments. The particular circumstances of schools whose catchment areas encompass development sites are provided to developers at the application stage. Due to annual changes in the various pressure factors and the large number of schools experiencing capacity pressures this information is not susceptible to detailed exposition in the development plan. The Council, therefore, contends that a justified evidence base is available.

For this reason, the Council does not agree to modify the plan in response to this representation.

### **Policy INF06 – Healthcare and New Housing Development**

**I and H Brown Limited (00609/2001/003); Mark Agnew (00835/2001/001); Mactaggart and Mickel Ltd (00011/2004/007); Homes For Scotland (00284/2001/001); Ogilvie Homes Ltd (00614/2001/006):-** The Council considers that Policy INF06 is appropriate. The Council has been in discussion on the issue of community growth and its implications for primary health care facilities with NHS Forth Valley since 2008. Since 2010 these meetings have been on a more formal footing after the Health Board was designated as a 'key agency'. The settlement areas where pressures on primary healthcare facilities, such as doctors' and dentists' surgeries, have generated most community concern are principally Bonnybridge/Banknock, Denny and the Polmont area. Most recently NHS Forth Valley has undertaken to carry out an analysis of facility expansion needs in the light of committed and proposed housing growth identified in the proposed LDP. This work will provide the evidence base required to underpin Policy INF06 and assist in formulating the terms of Proposed SG11 Healthcare and New Development. Forth Valley NHS undertook a similar exercise which has informed the content of Stirling Council's Proposed Supplementary Guidance on

## Healthcare Facilities.

It is not accepted that the structure and funding of NHS prevents the application of the principles of S75 obligations to enhance its facilities, in contrast to those of the Council. The Council is very mindful of the terms of Circular 3/2012 and that any detrimental impact on service provision has to be clearly linked to proposed new housing development. The calculation of an appropriate developer contribution remains key, but NHS Forth Valley is confident that a robust formula based on actual proposed projects can be worked out.

The Council, therefore, contends that the use of developer contributions for healthcare facilities is capable of meeting the terms of Circular 3/2012 and an evidence base is in preparation. For this reason, the Council does not agree to modify the plan in response to this representation.

**I and H Brown Limited (00609/2001/004)**, Banknock is not specifically identified as deficient in healthcare facilities on Proposals Map 1 (or in any text). However the potential improvement of healthcare facilities in that locality was raised in 2008, and in February 2012 draft condition 28 was attached to a 'minded to grant' planning consent (P/10/0360/PPP) for development at Cannerton Brickworks, which includes reference to making provision for healthcare as follows: 'Land or floor space for the relocation of the existing health centre to the proposed Village Centre shall be set aside in accordance with details and a timescale to be agreed in writing by this Planning Authority, unless it is demonstrated to the satisfaction of the Planning Authority that there is no need for land or floorspace for this purpose'. It is accepted that precise requirements in Banknock have not yet been determined. It is hoped that the requirements in Banknock and in the other localities mentioned above will be identified through the current collaborative work with NHS Forth Valley.

The justification for any upgraded health facilities in Banknock will be set out in the proposed SG11 and therefore the Council does not agree to modify the Plan itself in response to this representation.

## **Policy HSG02 – Affordable Housing**

**Gladman Developments Ltd (01258/2001/005); Hansteen Land Ltd (00772/2001/004):-** With regard to the issue of a robust evidence base raised by Gladman Developments, the Council completed a Housing Need and Demand Assessment, in common with every other local authority, in 2011. This HNDA received 'robust and credible' status from Scottish Government in October of that year. Prior to the HNDA being prepared the Council undertook a series of housing needs assessments which informed earlier policy on affordable housing. Policy HSG02 carries forward interim revised Policy SC4 from the Falkirk Council Local Plan which was approved in 2011 and was derived from the HNDA evidence. An associated revised SPG was approved in 2013 and this provides the basis of SG12 Affordable Housing.

The HNDA establishes the overall levels of housing need in Falkirk and sets out the different levels of need within the 9 settlement areas. From this the two tier percentage requirement (15% and 25%) in Policy HSG02 for the provision of affordable housing has been derived, linked to the scale of need levels calculated

in the HNDA. Rounded percentages for contributions were chosen to ease the transparency of policy requirements and are consistent with SPP policy advice.

The Council contends that there is a proven and credible evidence base for the policy, approved by Scottish Government, in the form of the HNDA.

It should be noted here that the comment by Hansteen that there is a single benchmark figure of 25% for all sites is incorrect – there are two percentage figures as cited above which apply only to sites with a capacity of 20 units and above. The actual provision of affordable housing on any one site will be a matter for negotiation at the planning application stage, so to that extent the concern by Gladman that the issue is dealt with on a site by site basis will be met. The role of the development plan and SG is to set the overall framework.

With regard to the issue of development viability this is a matter that would be taken into account at the planning application stage. Proposed SG12 deals with that issue in section 5.

For these reasons, the Council does not agree to modify the plan in response to these representations.

### **Policy HSG09 - Residential Care Homes**

**McCarthy and Stone Retirement Lifestyles Ltd (01237/2001/001):-** The Council accepts that there is a growing range of options to cater for the housing needs of the elderly population. The Council's HNDA in section 5 provides the evidence base for how the Council wishes to address the issue.

Overarching social policy at a national and Council level is that, as far as possible, elderly people should remain in their own homes for as long as possible. This is the overwhelming expressed preference of elderly people surveyed during the HNDA preparation, with a concomitant very low demand for specialist accommodation. The current policy response of the Council is to provide for adaptations of existing homes and is not likely to build any more specialist accommodation, now termed Housing with Care and formerly known as sheltered housing. Indeed some Council-run sheltered housing has been demolished due to lack of demand. In recent times the Council has experienced 'demand' for elderly accommodation only in the form of proposals for care homes. Thus Policy HSG09 is framed to address this demand.

There have been no enquiries or applications for private sheltered accommodation for the elderly, such as provided by the McCarthy and Stone, in the Falkirk Council area in recent times. The HNDA did not find any shortage of bespoke accommodation for the elderly in this area. Therefore the Council is content that any future application for such accommodation can be assessed against the general windfall housing Policy HSG03.

For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 24</b>	<b>Town Centres and Retailing</b>	
<b>Development plan reference:</b>	<p><u>Chapter 3 Spatial Strategy</u> Policy TC01 Network of Centres (page 18 - 19)</p> <p><u>Chapter 4 Settlement Statements</u> Denny (pages 28 – 29) Falkirk (pages 30 – 31) Grangemouth (pages 32 – 33) Larbert &amp; Stenhousemuir (34 – 35)</p> <p><u>Chapter 5 Supporting Policies</u> Policy TC03 Retail and Commercial Leisure Development (page 57)</p> <p><u>Appendix 1 Site Schedule</u> Economic Development – Denny (a1-15) Mixed Use – Falkirk (a1-13)</p> <p><u>Proposals Maps</u> Map 1 Banknock, Bonnybridge &amp; Denny Map 2 Falkirk, Larbert &amp; Stenhousemuir Map 3 Grangemouth &amp; Polmont</p>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>The Co-operative Estates (00681) Aldi Stores Ltd (01295) Larbert, Stenhousemuir and Torwood Community Council (00440) New River Retail &amp; Cabri 3 Ltd (01265) Asda Stores Ltd (00856) George Kirk and Sons (01095) Mr John McNally (01200) A Martin (01219) Ms Liz Anderson (01218) Mrs A Thompson (01217) Ms Julie McGuckin (01216)</p>		<p>Ms Margaret McDougall (01221) E B Finlay (01222) Ms Rosemary Adams (01223) E Murray (01225) M Lamond (01232) Mr and Mrs Robert and Marion M Smith (01231) Janet Arbuckle (01226) Mr Charles Christie (01257) Naylor Opticians (01229) Royal Mail Group Ltd (01254)</p>
<b>Provision of the development plan to which the issue relates:</b>	Policies on town centres and retailing, and site-specific proposals within town centres.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy TC01 – Network of Centres</u></b></p> <p><b>The Co-operative Estates (00681/2001/001):-</b> Whilst the thrust of Policy TC01 on the network of centres is supported, the list of uses identified in the policy does not include residential or business uses. This is inconsistent with both Policy TC02 and with the SPP (paragraph 52).</p>		

**Aldi Stores Ltd (01295/2002/001):-** Concern is expressed about the extent of the Camelon Local Centre boundary on the Proposals Map. A logical extension would cover the established retail, leisure and community facilities immediately to the north and north west of the current boundary, but the proposed extension goes further than this into business and industrial land to the west. There is concern that this could take the role of the local centre well beyond that set out in the LDP. Accordingly, Policy TC01 (Network of Centres) should be amended to make it clear that any proposals in centres should be consistent with the intended role for that centre as described in Figure 3.3.

**Aldi Stores Ltd (01295/2002/002):-** Within paragraph 3.35, which supports Policy TC01, reference should be made to improving the range of convenience shopping in Falkirk, as well as the other locations noted.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/004):-** Policy TC01 Network of Centres should convey the fact that Stenhousemuir Town Centre is far from complete. It has too many unused shop fronts and lacks the feel of a town centre.

**New River Retail & Cabri 3 Ltd (01265/2001/002):-** The spatial strategy fails to adequately recognise Grangemouth as an established town in its own right, and fails to properly plan for the future regeneration of its town centre. Grangemouth should be defined as a 'town centre' within the retail hierarchy, rather than using the term 'district centre' which is not recognised in the SPP. This is in recognition of its established role as a traditional town centre for a substantial settlement, and to aid further investment by providing certainty to retailers and investors.

**New River Retail & Cabri 3 Ltd (01265/2001/004):-** The Proposed Plan fails to adequately reference the town centre strategy for the Falkirk area within the plan. In particular, the regeneration aspirations for Grangemouth Town Centre, as set out in the Council's Regeneration Opportunity document, should form a key part of the overall town centre strategy within the LDP.

**Asda Stores Ltd (00856/2001/001):-** The network of centres as set out in Policy TC01 and Figure 3.3 is supported. The majority of ASDA's stores are located in centres. Retail investment should continue to be focused on existing/committed retail locations within the centres.

**Policy TC03 – Retail and Commercial Leisure Development**

**Aldi Stores Ltd (01295/2002/004):-** In Policy TC03 (Retail and Commercial Leisure Development), the use of 'gross' as opposed to 'sales' to define the floorspace threshold for significant retail development is inappropriate. The threshold of 1,000 sqm. itself is also questioned. An amendment to the wording of the threshold definition is sought. It should be clarified that the criteria in sub-section (1) of the policy only apply to retail proposals above the threshold floorspace. Finally, bullet point 2 of sub-section (1) should be deleted as the SPP does not provide a basis for the inclusion of a test of 'need'.

**New River Retail & Cabri 3 Ltd (01265/2001/005):-** Policy TC03 does not define what the sequential approach is, so it is necessary to refer to the SPP. A policy

should be included within the plan, outlining the sequential approach and placing the town centres at the head of the hierarchy of centres which require to be assessed in relation to the policy.

### **Allocated Business Site ED02 – Church Walk, Denny**

**George Kirk and Sons (01095/2003/001):-** The text on page 28 and Appendix 1 Site Schedule for ED02 Church Walk should include a further reference requiring the need for barrier free access throughout the new development. This will affect the amount of older people accessing the town centre which most of his customers are during the week.

**Mr John McNally (01200/2002/001):-** The proposed plan for Denny Town Centre does not provide easy access for all users. By lowering the existing car park all ages and range of people with disabilities will have easier access, thereby making the town centre a vibrant town again. Also the shops are too big for smaller independent retailers to commit to. A proper consultation is required before work starts.

**A Martin (01219/2003/001):-** The stairs and ramp proposed are unsuitable for the disabled to access the town centre

**Ms Liz Anderson (01218/2002/001):-** The plans for disabled access to the new town centre are inadequate and that proper consultation with shop owners should have been carried out.

**Mrs A Thompson (01217/2002/001):-** The inclusion of steps in the proposals for the town centre redevelopment will be a problem for disabled people and those with prams. The new buildings on Stirling Street should be at the same level as the existing shops.

**Ms Julie McGuckin (01216/2002/001):-** The proposal for the town centre should have shops on both sides of Stirling Street facing each other at ground level, and have car parking at the side or back of the shops.

**Ms Margaret McDougall (01221/2002/001):-** Shops in the redeveloped town centre should be built at ground level, as had been planned by Henry Boot in 2006. The existing stairs cause problems daily for young and old people.

**E B Finlay (01222/2002/001):-** Shops in the redeveloped town centre should be at ground level with no steps, to accommodate prams and wheelchair users.

**Ms Rosemary Adams (01223/2002/001):-** Concern expressed that the current plans for the town centre include stairs and a ramp which do not suit mothers and disabled people. Shop fronts should be at same level as the shops opposite.

**E Murray (01225/2002/001):-** Shops should be at ground level as this would be more suitable for people with wheelchairs, for those who have difficulty walking and for young mothers with prams.

**M Lamond (01232/2002/001):-** Rather than at a high level, shops should be at pavement level and that there should be no steps.

**Mr and Mrs Robert and Marion M Smith (01231/2002/001):-** Shops at ground level make much more sense. There should be no need to detour via Duke Street for those with disabilities to access Stirling Street.

**Janet Arbuckle (01226/2002/001):-** The design of the new town centre is not suitable for the elderly with excessive steps and a height difference between the front and back shops.

**Mr Charles Christie (01257/2002/001):-** Several of Mr Naylor's elderly patients have expressed concern at the design of the new town centre which requires the use of stairs or a steep incline between the shops and the library levels.

**Naylor Opticians (01229/2002/001):-** Many of Naylor Optician's customers are worried about the stairs and incline shown in the design of the new town centre between the upper and lower levels.

#### **Opportunity Area M08 – Grahamston, Falkirk**

**Royal Mail Group Ltd (01254/2001/003):-** The Royal Mail uses the Meeks Road car park as a vehicle parking area and have no plans to vacate it. This lies within the town centre regeneration area covered by Opportunity M08. Consequently, the boundary of Opportunity M08 should be reviewed.

#### **Non-Allocated Business Site – New Carron Centre, Falkirk**

**The Co-operative Estates (00681/2001/002):-** The New Carron Centre has considerable vacant floorspace. Securing a vibrant and successful future for the centre requires investment and development. As such, the centre should be included as a proposal/opportunity in the LDP.

#### **Modifications sought by those submitting representations:**

##### **Policy TC01 – Network of Centres**

**The Co-operative Estates (00681/2001/001):-** Amend Policy TC01 to include reference to residential and business uses.

**Aldi Stores Ltd (01295/2002/001):-** Amend Policy TC01 (Network of Centres) to make it clear that any proposals in centres should be consistent with the intended role for that centre as described in Figure 3.3.

**Aldi Stores Ltd (01295/2002/002):-** Amend paragraph 3.35, to make reference to improving the range of convenience shopping in Falkirk, as well as the other locations noted.

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

**(00440/2001/004):-** Amend Policy TC01 (Network of Centres) to indicate that there remains a need to ensure active marketing and promotion of empty units and ongoing support identified for the businesses within Stenhousemuir Town Centre.

**New River Retail & Cabri 3 Ltd (01265/2001/002):-** Amend Figure 3.3 to define both Grangemouth and Falkirk as 'town centres' (with Falkirk defined as a 'Principal Centre' as necessary). There is no objection to the other district centres (Bo'ness, Denny and Stenhousemuir) also being defined as town centres. Paragraph 4.39 in the Grangemouth settlement statement should be amended to make it clear that Grangemouth is a town centre for the purposes of retail policy and the sequential approach.

**New River Retail & Cabri 3 Ltd (01265/2001/004):-** Include references to the town centre strategy and the Grangemouth Town Centre Regeneration Opportunity document within the Spatial Strategy. Include policies in the Supporting Policies Chapter relating to the town centre strategy.

### **Policy TC03 – Retail and Commercial Leisure Development**

**Aldi Stores Ltd (01295/2002/004):-** Amend Policy TC03 (Retail and Commercial Leisure Development) to change the definition of the threshold for significant retail development to '1,000 sq.m. sales floorspace or thereabouts, or which are intended to serve primarily neighbourhood needs'; to clarify that the criteria in sub-section 1 apply to 'significant' out-of-centre retail and commercial leisure proposals only; and to remove the test of need in bullet point 2.

**New River Retail \_ Cabri 3 Ltd (01265/2001/005):-** Insert new policy defining the sequential approach.

### **Allocated Business Site ED02 – Church Walk, Denny**

**George Kirk and Sons (01095/2003/001):-** Amend Proposal ED02 Church Walk by changing the site requirements to include barrier free access

**Mr John McNally (01200/2002/001):-** Amend Proposal ED02 to ensure the lowering of the car park to permit the centre to operate on one level.

**A Martin (01219/2003/001):-** Amend Proposal ED02 to ensure access is suitable for the disabled.

**Ms Liz Anderson (01218/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the disabled.

**Mrs A Thompson (01217/2002/001):-** Amend Proposal ED02 by ensuring the removal of steps in the proposals.

**Ms Julie McGuckin (01216/2002/001):-** Amend Proposal ED02 to have ground level shops on Stirling Street facing existing shops, and include a square.

**Ms Margaret McDougall (01221/2002/001):-** Amend Proposal ED02 to ensure shops are built at ground level on Stirling Street

**E B Finlay (01222/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level with no steps.

**Ms Rosemary Adams (01223/2002/001):-** Amend Proposal ED02 to ensure

shops are at ground level on Stirling Street.

**E Murray (01225/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level and access is suitable for the disabled and young mothers

**M Lamond (01232/2002/001):-** Amend Proposal ED02 to ensure shops are at ground level with no steps

**Mr and Mrs Robert and Marion M Smith (01231/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the disabled

**Janet Arbuckle (01226/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the elderly

**Mr Charles Christie (01257/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the elderly

**Naylor Opticians (01229/2002/001):-** Amend Proposal ED02 to ensure access is suitable for the elderly and disabled

#### **Opportunity Area M08 – Grahamston, Falkirk**

**Royal Mail Group Ltd (01254/2001/003):-** Amend the boundary of Opportunity M08 (Grahamston Opportunity Area) to remove the parking area used by the Royal Mail.

#### **Non-Allocated Business Site – New Carron Centre, Falkirk**

**The Co-operative Estates (00681/2001/002):-** Insert additional proposal covering the New Carron Centre in Figure 4.8 Falkirk Proposals/Opportunities and in Appendix 1 Site Schedule.

#### **Summary of responses (including reasons) by planning authority:**

##### **Policy TC01 – Network of Centres**

**The Co-operative Estates (00681/2001/001):-** Policy TC01(1) states that ‘the network of centres identified in Figure 3.3 and Map 3.3. will be promoted as the focus for retail, leisure, cultural and major community uses in the area’. The intention of this policy is to emphasise that the network of centres is the preferred location for these type of uses, i.e. that they should be located in centres, rather than more generally within the urban area. It would not be appropriate to include residential and business uses within this list since, whilst they are undoubtedly appropriate within centres, and contribute to their diversity and vitality (as stated in Policy TC02 and the SPP), they are not intended to be focused exclusively on centres. The spatial strategy for housing and business uses clearly promotes a wider distribution, with a focus on the identified Strategic Growth Areas and Strategic Business Locations. For this reason, the Council does not agree to modify the plan in response to this representation.

**Aldi Stores Ltd (01295/2002/001):-** Policy TC02 (page 57) already requires that uses within centres are consistent with their role as specified in Figure 3.3, whilst

Policy TC03(1) also emphasises that development in centres 'should be of a scale and type consistent with the role of the centre in the network and commensurate with the local catchment'. There is no need to repeat this provision within Policy TC01. For this reason, the Council does not agree to modify the plan in response to this representation.

**Aldi Stores Ltd (01295/2002/002):-** The LDP's spatial strategy seeks to continue the current Structure Plan strategy of focusing new food retail development on the District Centres and outlying local centres, rather than Falkirk. Falkirk is well provided with food retail facilities, and has a notional surplus of turnover, as confirmed in Technical Paper 9: Retail and Town Centres. There is no need for improvement of its food retail offer. Focusing significant new food retail floorspace in other centres is intended to promote a more localised and sustainable pattern of food shopping and to assist the regeneration of these centres. This strategy has been successful over recent years, with new stores developed in Stenhousemuir, Redding and Grangemouth, but needs to be continued to address ongoing deficiencies in locations such as Denny, Bonnybridge and Bo'ness. For this reason, the Council does not agree to modify the plan in response to this representation.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/004):-** The redevelopment of Stenhousemuir Town Centre, referred to in paragraph 3.34 of the LDP, was completed in 2010. Delivered by Macdonald Estates in partnership with the Council, it comprised a new Asda superstore, around 33,000 sq.ft of non-food retail floorspace, a new library, community centre and health centre, together with public realm enhancements and public art. It is acknowledged that some retail units are still vacant, and that continuing efforts need to be made to support the vitality and viability of the centre. However, the physical development phase has been completed, and further support will be through the application of planning policy to direct development to the vacant units, and promotion and marketing through town centre management.

**New River Retail & Cabri 3 Ltd (01265/2001/002):-** In the LDP, Grangemouth is recognised as an established town in its own right. Grangemouth is identified as one of four District Centres in the Network of Centres. Figure 3.3 identifies the role of such centres as being to serve the larger towns in terms of main food shopping, limited comparison shopping and services. District Centres are distinguished from the Principal Centre of Falkirk, which provides shopping and services for the whole Council area, and the Local Centres which serve smaller towns and suburbs. The term 'District Centre' has long-established usage in the Falkirk Council area as a descriptor for the four larger towns, and it is considered appropriate in the Falkirk area context. The term 'town centres' is not used because it is broad one which would be commonly applied to Falkirk Town Centre, the District Centres, and several of the Local Centres, and is not helpful in distinguishing the scale and role of the different types of centre in the network. The SPP is not prescriptive about the terminology to be used in describing networks.

The categorisation of Grangemouth as a 'District Centre' does not in any way downgrade its profile within the Council's regeneration priorities, or in terms of its perception by retailers and investors. Indeed the Council has over the last 12 years prioritised action in the District Centres, as noted in paragraph 3.34 of the

LDP. Grangemouth continues to be a part of that regeneration programme. This is reflected in the identification of Grangemouth Town Centre as Opportunity Area M12, highlighting the potential for redevelopment and extension of the existing centre.

For these reasons, the Council does not agree to modify the plan in response to this representation.

**New River Retail & Cabri 3 Ltd (01265/2001/004):-** The strategy for town centres in the Council area is clearly referenced in the LDP. For Falkirk Town Centre, whilst a formal overarching strategy is still to be put in place, the key likely components of the strategy are set out in paragraph 3.3, and key opportunity areas listed and detailed in Appendix 1. For the District Centres, as noted in paragraph 3.34, a regeneration strategy has been underway for some years, with individual regeneration initiatives being implemented in each of the centres. The Grangemouth initiative has reached the stage of a marketing and design brief having been prepared (as referenced under Opportunity Area M12 in Appendix 1 (page a1-14)). The procurement process is ongoing. It is therefore considered that the references in the LDP are adequate. For this reason, the Council does not agree to modify the plan in response to this representation.

### **Policy TC03 – Retail and Commercial Leisure Development**

**Aldi Stores Ltd (01295/2002/004):-** Policy TC03 sets out a threshold for ‘significant’ retail development proposals as 1,000 sq.m. gross floorspace. Proposals above this threshold should generally be located in centres, and any out-of-centre proposals would have to be justified against the specified criteria. Proposals of 1,000 sq.m. or less are not subject to these criteria and may be located more generally within the urban area.

The threshold is expressed in gross floorspace because this is easier to define and control in planning terms, being basically the footprint of the building. Sales floorspace may be changed through alterations to the internal layout of the building, without the need for planning consent. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

The list of criteria in sub-section (1) of Policy TC03 is indeed intended to be applied only to proposals in excess of 1,000 sq.m. This is reasonably clear from the existing text, but if the Reporter considers that this should be further clarified as suggested by Aldi, the Council would not have an issue with this.

On the issue of demonstrating ‘need’, this is considered to be an appropriate criterion to apply to significant out-of-centre retail or commercial leisure proposals, which will ensure that such proposals are fully justified. This is consistent with paragraph 64 of the SPP which states that, ‘where a proposed retail or commercial development is contrary to the development plan, planning authorities should ensure that the proposal will help to meet qualitative or qualitative deficiencies identified in the development plan’. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

**New River Retail & Cabri 3 Ltd (01265/2001/005):-** It is not considered necessary to repeat the SPP’s description of the sequential approach within the

LDP. A brief definition of the sequential approach is given in the Glossary to the LDP (Appendix 7, page a7-02), and this is considered adequate. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

### **Allocated Business Site ED02 – Church Walk, Denny**

**George Kirk and Sons (01095/2003/001); Mr John McNally (01200/2002/001); A Martin (01219/2003/001); Ms Liz Anderson (01218/2002/001); Mrs A Thompson (01217/2002/001); Ms Julie McGuckin (01216/2002/001); Ms Margaret McDougall (01221/2002/001); E B Finlay (01222/2002/001); Ms Rosemary Adams (01223/2002/001); E Murray (01225/2002/001); M Lamond (01232/2002/001); Mr and Mrs Robert and Marion M Smith (01231/2002/001); Janet Arbuckle (01226/2002/001); Mr Charles Christie (01257/2002/001); Naylor Opticians (01229/2002/001):-** The concerns raised in the representations essentially relate to detailed proposals for the site brought forward through planning applications, not the LDP proposal ED02. Proposal ED02 supports the redevelopment of Church Walk in principle, carrying forward a similar proposal in FCLP. The Council has been engaged in developing proposals for the regeneration of Denny Town Centre since 2004 and extensive consultation with the community and retailers on a number of options has been carried out since then.

At the time of preparation of the Proposed LDP the Council was considering two planning applications for the site. Application in principle P/12/0179/PPP covers the whole site and a detailed application P/12/0180/FUL covers the southern half of the site. The latter is referred to as Phase 1 in Proposal ED02 and the representations appear to refer to the detail of this scheme, relating to shop orientation and levels, barrier free access for disabled, etc. All of these issues have been addressed in the detailed proposals brought forward and were taken into account during the Council's consideration of the planning application, albeit the sloping topography of the site cannot be altered.

The detailed application was granted consent in February 2013 and the application in principle received consent in June 2013. The first phase of the town centre regeneration scheme, where the Council is the developer, is due to start on site in Spring 2014, well before the LDP is likely to be adopted.

For these reasons the Council does not agree to modify the plan in response to these representations.

### **Opportunity Area M08 – Grahamston, Falkirk**

**Royal Mail Group Ltd (01254/2001/003):-** The boundary of the Grahamston Opportunity Area M08 is intended to define a broad zone within which opportunities for positive land use change, beneficial town centre development, placemaking and enhancement will be investigated through a future masterplanning process. The Meeks Road car park, which lies to the north of the railway, and is owned by the Council, is underutilised, and forms an important part of the opportunity, with potential for development, and the creation of an improved public realm in the vicinity of Falkirk Grahamston railway station. The boundary of M08 is therefore appropriate. Royal Mail's use of the car park is acknowledged,

and its needs, along with the wider car parking function of the area, will be considered as part of the masterplanning process. For this reason, the Council does not agree to modify the plan in response to this part of the representation.

**Non-Allocated Business Site – New Carron Centre, Falkirk**

**The Co-operative Estates (00681/2001/002):-** Proposals within the LDP are used to denote where new development will take place rather than to highlight vacant floorspace within existing developments. It would therefore not be appropriate to identify the New Carron Centre as an opportunity/proposal. The New Carron Centre is part of the Bainsford/Newcarron Local Centre and, as such, is given policy support as a retail location by Policies TC01, TC02 and TC03. For this reason, the Council does not agree to modify the plan in response to this representation.

<b>Issue 25</b>	<b>Renewable Energy</b>	
<b>Development plan reference:</b>	<u>Chapter 5 Supporting Policies</u> Policy RW01 Renewable Energy (page 69)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
<p>Scottish Renewables (00002)  The Banks Group (00477)  S Singh (00397)  SEPA (00968)  Captain: The Clean Energy Project (01275)  Forth Ports plc (00020)</p>		
<b>Provision of the development plan to which the issue relates:</b>	Policy RW01 on renewable energy and the relationship of the LDP with supplementary guidance in relation to the spatial framework for onshore wind energy	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy RW01 – Renewable Energy</u></b></p> <p><b>Scottish Renewables (00002/2001/001):-</b> Concern is expressed at the lack of detail in Policy RW01, particularly as it relates types of renewable energy other than wind. The SPP states that development plans should identify sites with the potential to accommodate biomass and hydro, and identify the factors that will be considered when making decisions on planning applications.</p> <p><b>Scottish Renewables (00002/2001/002):-</b> Scottish Government guidance states that local authorities should develop policies which support the development of heat networks and heat derived from efficient, low carbon or renewable sources, giving consideration to the co-location of heat emitters and heat users. Development plans should also contain policies which encourage proposed development to either connect to existing or heat distribution infrastructure or to be designed so they are capable of being connected in the future.</p> <p><b>Forth Ports plc (00020/2002/005):-</b> Policy RW01 should be expanded to include other low-carbon energy technologies such as the coal gasification plant proposed for Grangemouth. The policy should also encourage the development of heat networks. Both these aspects are supported by the draft NPF3.</p> <p><b>Forth Ports plc (00020/2002/002):-</b> Policy D04(3) should be included in Policy RW01 to ensure that decentralised energy generation and the development of CHP/heat networks across the plan area are supported rather than just those associated with new development.</p> <p><b>SEPA (00968/2001/009):-</b> Policy RW01 should be extended to include low carbon energy. Development plans should support a mix of energy generation</p>		

technologies that includes renewable and low carbon sources, e.g. using technological solutions such as carbon capture and pumped hydro.

**Captain: The Clean Energy Project (01275/2001/003):-** Policy RW01 should refer to 'energy generation' rather than just renewables, given the potential for clean coal based generation (using coal gasification systems). Even with the ongoing push toward renewable energy, a baseload capacity from conventional fuels is required to maintain security of supply.

**The Banks Group (00477/2001/002 & 003):-** Policy RW01 is welcomed. However, there should be a spatial strategy plan produced for renewable energy, similar to that produced for mineral resources (Map 5.1, page 70). It is also suggested there should be reference to renewable energy on the Strategic Infrastructure plan (Map 3.2, page 13).

### **Relationship with Supplementary Guidance**

**The Banks Group (00477/2001/004):-** A lot of weight appears to be being placed on the Wind Energy Development Supplementary Planning Guidance (SPG). Due to the interrelated nature of the Proposed Plan and SPG it would have been advantageous if these documents could have been consulted on concurrently to allow a fully understanding of the emerging policy.

**Scottish Renewables (00002/2001/003):-** Scottish Government guidance states that spatial frameworks for onshore wind should form part of the Development Plan rather than interim supplementary guidance. The Council's preparation of their spatial framework as supplementary guidance, as set out in paragraph 5.121 is contrary to this advice.

**S Singh (00397/2002/001):-** The Slamannan Plateau has been the subject of coal and wind energy proposals but should be considered as a wildlife habitat and protected. Commercial wind turbines should be sited more sympathetically away from bird life and 2.5km from any homes.

### **Modifications sought by those submitting representations:**

#### **Policy RW01 – Renewable Energy**

**Scottish Renewables (00002/2001/001):-** Amend Policy RW01 to specifically include hydro and biomass and set out criteria for these types of development.

**Scottish Renewables (00002/2001/001):-** Amend Policy RW01 or include an additional policy to specifically address renewable heat and the development of heat networks.

**Forth Ports plc (00020/2002/005):-** Amend Policy RW01 to include reference to other low-carbon energy technologies such as the coal gasification plant proposed for Grangemouth, and the development of heat networks.

**Forth Ports plc (00020/2002/002):-** Amend Policy RW01 by inserting sub-section (3) of Policy D04 and make it clear it that it is not just associated with new development.

**SEPA (00968/2001/009):-** Amend Policy RW01 by changing the title to read 'Renewable and Low Carbon Energy'; and sub-section (1) to read 'Renewable and low carbon energy developments will be supported...'

**Captain: The Clean Energy Project (01275/2001/003):-** Amend the title of Policy RW01 to 'energy generation' and delete the word 'renewable' in part 1 of the policy.

**The Banks Group (00477/2001/003):-** Insert a new Spatial Strategy Plan relating to renewable energy and include renewable energy on Map 3.2.

### **Relationship with Supplementary Guidance**

**Scottish Renewables (00002/2001/003):-** Include the required spatial framework for onshore wind within the LDP.

**S Singh (00397/2002/001):-** Include statement that all commercial sized wind turbines should be at least 2.5km away from homes and be subject to the further factors noted in the LDP. Remove any reference to the Slamannan Plateau as an area for energy development.

### **Summary of responses (including reasons) by planning authority:**

#### **Policy RW01 – Renewable Energy**

**Scottish Renewables (00002/2001/001 & 002); Forth Ports plc (00020/2002/002 & 005); SEPA (00968/2001/009); Captain: The Clean Energy Project (01275/2001/003):-** These representations seek to expand the scope of Policy RW01 in three broad ways:

- Extending it provide more detailed guidance on other forms of renewable energy, other than wind, specifically hydro and biomass;
- Extending it to deal with energy generation more generally and specifically to provide reference to, and support for, other low carbon energy generating technologies; and
- Extending it to cover the development of renewable heat and heat networks

With regard to other renewable technologies, the Council considers that the scope of Policy RW01 is appropriate, and that further detail on hydro and biomass is not necessary. The Council has comprehensively assessed the renewable resource in the area, as set out in Technical Report 8, and has concluded that technologies such as hydro and geothermal are primarily exploitable at a smaller-scale, community or domestic scale. It is not considered appropriate or indeed possible to identify specific locations for non-wind renewable energy development, or necessary to set out specific criteria for such development. Policy RW01 provides general support for these other forms of renewables, subject to assessment of environmental impacts. The criteria for assessing these impacts are contained in the environmental policies of the LDP.

With regard to broadening the scope of the policy to embrace energy generation generally, this is not the purpose of Policy RW01, whose specific focus is renewables. The scope of other low carbon energy generation technologies is

potentially very broad, including large complex projects such as the coal gasification plant promoted by Captain: The Clean Energy Project. It is more appropriate to consider these projects on their merits, assessed against the other general policies of the LDP.

With regard to the inclusion of reference to renewable heat and heat networks, this is acknowledged to be an important strand of the Scottish Government's renewable policy. The Council has included support for these initiatives in Policy D04(3). This is an appropriate place for it, and there is no need to duplicate the policy in RW01.

For these reasons, the Council does not agree to modify the plan in response to these representations.

**The Banks Group (00477/2001/003):-** The Council does not consider it necessary to provide a strategy plan to support Policy RW01, or to include renewable energy on Map 3.2. The spatial framework for wind energy developments will be set out in supplementary guidance, in a similar form to the current wind energy SPG, and this is considered to be the best place for this information. Because this supplementary guidance will be prepared after the submission of the proposed LDP to the Scottish Government, there has not been an opportunity, in any case, to include the information within the proposed LDP. There are no other aspects of renewables policy that have a spatial dimension that could be represented on a strategy plan. For this reason, the Council does not agree to modify the plan in response to this representation.

#### **Relationship with Supplementary Guidance**

**Scottish Renewables (00002/2001/003):-** In May 2013, the Council approved a Spatial Framework and Guidance for Wind Energy Development as non-statutory SPG. The intention is to revise this and take it forward as a statutory supplementary guidance in association with the LDP. This proposed SG is referenced in Policy RW01, and is listed in Appendix 3. As statutory supplementary guidance, the spatial framework will therefore form part of the development plan, as required by the SPP. The timing of the SG, which is expected to be prepared in the latter part of 2014, will allow any changes to the SPP, due to be confirmed in June 2014, to be incorporated in the methodology for preparing the spatial framework. For this reason, the Council does not agree to modify the plan in response to this representation.

**The Banks Group (00477/2001/004):-** The comment on the timing of the preparation of supplementary guidance, with respect to the LDP, is noted. However, the Council considers that there are advantages to separating the two processes, and that stakeholders will not in any way be disadvantaged by the separation. Full opportunity to comment on the supplementary guidance will be afforded to all parties. Moreover, delaying the timing of the SG, which is expected to be prepared in the latter part of 2014, will allow any changes to the SPP, due to be confirmed in June 2014, to be incorporated in the methodology for preparing the spatial framework.

**S Singh (00397/2002/001):-** The issues raised by this representation will be dealt with through the proposed supplementary guidance, which is referenced in Policy

RW01, listed in Appendix 3, and will be prepared during the latter half of 2014.

The current Spatial Framework and Guidance for Wind Energy Development sets out key areas which require protection, those which are subject to constraint and those where wind energy can potentially be accommodated as well as providing guidance on specific issues such as ecology and noise. This will provide the basis for the proposed statutory supplementary guidance, which will continue to ensure that wind energy is directed to the most appropriate locations. In response to the issue of commercial turbines being located 2.5km from homes, the current draft SPP states that there should be a 2.5km separation distance between wind farms and communities. The SG will reflect the requirements of the SPP once it is finalised.

For this reason, the Council does not agree to modify the plan in response to this representation.

<b>Issue 26</b>	<b>Minerals and Onshore Gas</b>	
<b>Development plan reference:</b>	<u>Chapter 3 Spatial Strategy</u> Infrastructure (pages 12-13) The Green Network (page 20-21) <u>Chapter 5 Supporting Policies</u> Policy RW02 Mineral Resources (page 71) Policy RW03 Assessment of Mineral Proposals (page 71) <u>Proposals Maps</u> Map 1 Banknock, Bonnybridge, Denny Map 3 Rural North	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Mr and Mrs D Graham (00882) Hargreaves Production Surface Mining (01270) The Coal Authority (00213) Scottish Natural Heritage (00646) RSPB Scotland (00648) Larbert, Stenhousemuir and Torwood Community Council (00440) Carol Anderson (01274) Gerard Brophy (01235) Concerned Communities Of Falkirk (CCOF) (01238) Friends Of The Earth Falkirk (00103) Friends Of The Earth Scotland (01256) Michael Miller (01266) Maria Montinaro (00303) S Singh (00397) Ms Karen Smallman (01291) Dart Energy (Europe) Ltd (00853)		
<b>Provision of the development plan to which the issue relates:</b>	Policies on minerals	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Non Allocated Minerals Site – Drumhead Quarry</u></b></p> <p><b>Mr and Mrs D Graham (00882/2003/002):-</b> A site at Drumhead Quarry should be identified as a proposal for the extraction of dimension stone. A planning application for stone extraction (P/11/0156/MRL) has a 'minded to grant' decision subject to the conclusion of a S75 obligation, and a request was made at the MIR stage to reflect this decision in the LDP.</p> <p><b><u>Policy RW02 - Mineral Resources</u></b></p> <p><b>Hargreaves Production Surface Mining (01270/2001/002):-</b> The reference in</p>		

paragraph 5.123 to the economic importance of minerals in the area is welcomed. However, in paragraph 5.124 and Map 5.1, the Council has failed to provide a significant area of search for shallow coal resources. The area of search is carried through from the previous Local Plan, is too restrictive, and may restrict applications for mineral sites. The potential growth of the Falkirk economy may be adversely affected. The whole of the Council area should be identified as an area of search, with future planning applications determined on their merits.

**Mr and Mrs D Graham (00882/2003/003):-** A new policy should be introduced on dimension stone, as per Mr and Mrs Graham's representations to the MIR. Whilst Policy RW03 (Assessment of Mineral Proposals) sets out the development management criteria for the assessment of proposals and would be relevant to a future application for dimension stone, Policy RW02 (Mineral Resources) does not clearly identify the principles relating to dimension stone. The policy addresses the requirements relating to coal, hard rock and coal bed methane, but makes no reference to dimension stone. SPP also states that such reserves should be safeguarded in development plans. If a new policy is not introduced, then Policy RW02 should be extended to support the extraction of and extension of dimension stone quarries.

**RSPB Scotland (00648/2001/009):-** RSPB Scotland has concerns about the extraction of coal bed methane, particularly because the environmental impacts of it are still not fully understood. A key risk is in relation to climate targets; unconventional gas extraction is energy intensive, and burning the gas contributes to emissions. Moreover, the impact of 'fugitive emissions' of the potent greenhouse gas methane, through leaks, flaring and venting, has led scientists to argue that the climate impact of unconventional gas is greater than that of coal. The new draft Scottish Planning Policy (SPP) has removed any presumption in favour of unconventional gas that existed in the previous SPP and it is requested that the LDP is updated to incorporate adequate safeguards to allow for a precautionary approach.

**Larbert, Stenhousemuir and Torwood Community Council**

**(00440/2001/005):-** Policy RW02 Mineral Resources should not support coal bed methane (CBM) and should be more neutral in terms of CBM, stating that such projects will be considered subject to safety and environmental considerations. If drilling for methane gas is permitted there needs to be a contingency plan with appropriate safeguards and monitoring systems applied.

**Carol Anderson (01274/2001/002); Gerard Brophy (01235/2001/001), Concerned Communities Of Falkirk (CCOF) (01238/2001/001); Friends Of The Earth Falkirk (00103/2002/001); Friends Of The Earth Scotland (01256/2001/001); Michael Miller (01266/2001/001); Maria Montinaro (00303/2002/001); S Singh (00397/2002/002); Ms Karen Smallman (01291/2001/001):-** Objection is made to Policy RW02 and its support for coal bed methane. In particular:

- This support and all references to coal bed methane and unconventional gas extraction should be removed from the plan and the precautionary principle should apply;
- Falkirk Council should implement a ban on unconventional gas extraction through the LDP or alternatively introduce a 2km buffer zone around such

sites;

- Scottish Government Energy Policy and SPP does not support such extraction, with the draft SPP removing a presumption in favour of proposals and including the need for buffer zones;
- The phrase "environmentally acceptable" is too vague and the plan does not make clear how this would be established;
- There are significant environmental and health concerns associated with such proposals. The extraction of coal bed methane will not be supported without a public health impact assessment;
- Fugitive emissions are of concern both for climate targets and health;
- An EIA must demonstrate no adverse environmental impact;
- The Community Mandate, Community Charter and Unconventional Gas Free petition submitted on behalf of CCOF should also be given due weight in the Plan. The Community Charter sets out the requirement to protect both tangible and intangible assets and qualities that are part of our cultural heritage and contribute to a sense of community.

**The Coal Authority (00213/2002/001):-** The two areas of search for surface coal mining, the policy on coal bed methane and the policy on non sterilisation of minerals are supported.

**Scottish Natural Heritage (00646/2001/020):-** Policy RW02 has been fully and properly assessed in the HRA of the proposed plan. It is agreed that the subject of this policy is too general to predict the nature of effects and it is expected that a further HRA will take place at project level. It is considered that the detail provided in related Policy RW03 and the cross-reference to Policy GN03 provides sufficient clarity on what will be expected at project level.

### **Policy RW03 - Assessment of Mineral Proposals**

**Concerned Communities Of Falkirk (CCOF) (01238/2001/002):-** Objection is made to Policy RW03 where reference is made to the impact on the amenity of communities. A specific reference should be included to the Community Charter submitted in relation to the protection of the community's cultural heritage. A more participatory planning process is sought for development which may have a significant impact on this cultural heritage.

**Dart Energy (Europe) Ltd (00853/2002/001):-** Policy RW03 requires clarification to demonstrate the range of mineral workings which have different impacts such as between open cast coal and coal bed methane extraction. The policy could lead to more onerous restrictions on coal bed methane extraction than are required given the nature of above surface works and the requirement through the PEDL licence procedure for financial capacity to be proved.

**Hargreaves Production Surface Mining (01270/2001/004):-** Policy RW03 should be amended to include a reference to positive benefits from proposals which outweigh other impacts. It is considered that new applications for mineral proposals submitted with robust EIA's can ensure that strict environmental targets are met.

**The Coal Authority (00213/2002/002):-** While Policy RW03 is supported in principle, an objection is made to the second bullet point of sub-section (2) as

there is no requirement in SPP for proposals for the extraction of energy minerals to demonstrate need.

**Scottish Natural Heritage (00646/2001/021):-** Policy RW03 has been assessed as fully as possible at this stage. It is noted that proposals will be assessed against a number of factors and policies and the detail of sub-section (1) is considered to be appropriate. The proposal to secure green network benefits at the restoration stage, as discussed in sub-section 2 of the policy is supported.

### **Various Environmental Policies – Coal Bed Methane Extraction**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/009-014):-** Consideration should be given to Policies RW05, RW06, RW07, RW08 and RW09 with regard to the effect the extraction of coal bed methane may have. With regard to Policy GN01, there is concern that the green network in North Larbert could be affected if the planning application by Dart Energy for the extraction of coal bed methane is granted. The Community Council questions whether or not there is a contingency plan if the development is allowed to proceed.

### **Modifications sought by those submitting representations:**

#### **Non Allocated Minerals Site – Drumhead Quarry**

**Mr and Mrs D Graham (00882/2003/002):-** Insert additional site at Drumhead Quarry (DEN/B/16) as a proposal for dimension sandstone extraction.

#### **Policy RW02 Mineral Resources**

**Mr and Hargreaves Production Surface Mining (01270/2001/002):-** Amend Policy RW02, supporting paragraph 5.124 and Map 5.1 to include the whole of the Council area as an area of search.

**Mrs D Graham (00882/2003/003):-** Amend Policy RW02 to reflect support for the extraction of dimension stone.

**RSPB Scotland (00648/2001/009):-** Amend Policy RW02, sub-section (3) to 'The extraction of coal bed methane will only be supported where it is proven to be environmentally acceptable, including on grounds relating to climate change, having regard to Policy RW03 and other LDP policies. Where uncertainty exists, a precautionary approach will be taken.'

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/005):-** Amend Policy RW02 to state a policy presumption against the extraction of coal bed methane gas. However if the extraction of coal bed methane is allowed, the policy should ensure that safeguarding and monitoring systems are put in place.

**Carol Anderson (01274/2001/002); Gerard Brophy (01235/2001/001); Concerned Communities Of Falkirk (CCOF) (01238/2001/001); Friends Of The Earth Falkirk (00103/2002/001); Friends Of The Earth Scotland (01256/2001/001); Michael Miller (01266/2001/001); Maria Montinaro (00303/2002/001); S Singh (00397/2002/002); Ms Karen Smallman**

**(01291/2001/001):-** Amend Policy RW02 and associated paragraphs 5.123 and 5.124 by deleting any reference to coal bed methane and inserting a clause banning the extraction of unconventional gas. Alternatively insert a clause requiring a 2km buffer between communities and sites for extraction. Amend Policy RW02 to state that coal bed methane proposals will not be supported without an EIA and public health impact assessment which demonstrates no adverse impact. Give due weight in the Plan to The Community Mandate, Community Charter and Unconventional Gas Free petition.

### **Policy RW03 Assessment of Mineral Proposals**

**Concerned Communities Of Falkirk (CCOF) (01238/2001/002):-** Amend Policy RW03 by inserting a clause requiring the Community Charter to be taken into account in assessing proposals for unconventional gas extraction.

**Dart Energy (Europe) Ltd (00853/2002/001):-** Amend the third bullet point in Policy RW03(2) by replacing the words ‘a fully developed method statement to read ‘an outline method statement’. Amend the fourth bullet point in Policy RW03(2) to read: ‘A fully costed appropriately phased scheme for restoration and aftercare, which secures benefits for the green network in terms of Policy GN01, where appropriate, and may where necessary be secured through appropriate financial guarantees.’

**Hargreaves Production Surface Mining (01270/2001/004):-** Amend Policy RW03 by inserting ‘or where there are benefits which outweigh any unacceptable impact’ at the end of the first sentence.

**The Coal Authority (00213/2002/002):-** Amend the second bullet point in Policy RW03(2) to reference need only in relation to non-energy minerals as follows: ‘Information on need (*for non energy mineral proposals*), estimates of annual production, levels of employment, timescale for extraction and the total resource on the site including other minerals present’.

### **Various Environmental Policies – Coal Bed Methane Extraction**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/009-014):-** Amend Policies RW05 RW06, RW07, RW08 and RW09 to take into consideration the effect the extraction of coal bed methane may have.

### **Summary of responses (including reasons) by planning authority:**

#### **Non Allocated Minerals Site – Drumhead Quarry**

**Mr and Mrs D Graham (00882/2003/002):-** The planning application for stone quarrying at the site has a ‘minded to grant’ decision, subject to the conclusion of a Section 75 obligation. It is proposed to operate the site for 7 years with restoration of the site to be carried out thereafter.

As a rule, the proposed LDP does not identify consented minerals sites as proposals, and there is no requirement in the SPP to do so. The only site specific minerals information presented in the proposed LDP is on Map 5.1 where operational hard rock quarries are identified. This is to supplement sub-section (2)

of Policy RW02. For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Policy RW02 - Mineral Resources**

#### **Surface Coal**

**Hargreaves Production Surface Mining (01270/2001/002):-** The proposed LDP notes that there are three locations with shallow coal resources in the area – the Slamannan Plateau; Airth; and north of Banknock. Only the first of these is considered appropriate as an area of search for surface coal mining and is identified as two areas to the south of Falkirk on Map 5.1. This continues the approach contained in the Falkirk Council Structure Plan, which excluded the areas around Banknock and Airth where it was deemed that extraction would not be environmentally acceptable because of adverse landscape impacts.

The areas of search were reviewed in 2009 and the landscape reasons for excluding Airth and Banknock were still considered robust. This approach was accepted by the Reporters at the Falkirk Council Local Plan Inquiry

In determining the areas of search for inclusion in the proposed LDP, the Council considered representations at the MIR stage from the Confederation of Coal Producers. The exclusion of the areas around Airth and Banknock was continued. However, the Council did consider it appropriate to extend the area of search on the Slamannan Plateau to include an additional area which takes in land to the north west of the B803 between the properties at Braemore and Easter Jawcraig. It is considered that this area has the potential for development without detrimental landscape impact. This demonstrates that the Council has assessed development potential in detail, and has been prepared to offer additional opportunities where appropriate.

It is not considered appropriate to extend the area of search to cover the whole of the Council area, since this would suggest that surface mining would be acceptable anywhere across the area. The Council's approach accords with the SPP and the draft SPP which state that appropriate search areas should be identified where the extraction of coal is most likely to be acceptable.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Dimension Stone**

**Mr and Mrs D Graham (00882/2003/003):-** Policies RW02 and RW03 in the proposed LDP set out the framework for mineral planning in the Council area. It is not considered necessary to include an additional policy on the extraction of dimension or building stone, as proposals can adequately be assessed through existing policies. While Policy RW02 notes that no new hard rock quarries will be supported this is in the context of the larger aggregates industry and is not intended to exclude the small scale extraction of building stone subject to the requirements of Policy RW03. It is noted that the SPP requires that reserves be safeguarded and it is considered that Policy RW02 sub-section (4) which states that the sterilisation of mineral resources will not be permitted achieves this. Draft

SPP does not make any specific reference to building stone although it does state that the planning system should safeguard workable resources generally. For these reasons, the Council does not agree to modify the plan in response to this representation.

### Onshore Gas

**RSPB Scotland (00648/2001/009); Larbert, Stenhousemuir and Torwood Community Council (00440/2001/005); Carol Anderson (01274/2001/002), Gerard Brophy (01235/2001/001); Concerned Communities Of Falkirk (CCOF) (01238/2001/001); Friends Of The Earth Falkirk (00103/2002/001); Friends Of The Earth Scotland (01256/2001/001); Michael Miller (01266/2001/001); Maria Montinaro (00303/2002/001); S Singh (00397/2002/002); Ms Karen Smallman (01291/2001/001):-**

NPF 2 states that planning authorities in the Central Belt should consider the potential for onshore gas extraction when preparing development plans and SPP also acknowledges that there is potential for onshore oil and gas extraction in some areas with the aim being to maximise this potential in an environmentally acceptable way. The MIR for NPF3 states that there are emerging opportunities to utilise onshore gas reserves in ways which are compatible with the protection of the environment and these have the potential to contribute to energy supplies. Draft SPP recognises that the extraction of minerals makes a valuable contribution to the economy with the planning system being required to recognise the role of indigenous coal, oil and gas in a diverse energy mix and for energy security. The potential for on shore oil and gas extraction is not explicitly noted as in the previous SPP although the MIR for NPF3 states that “as noted in the draft SPP, there are emerging opportunities to utilise our onshore reserves of [coal bed methane]...”. There is therefore a suggestion in NPF3 that this approach should continue to be echoed in SPP. Para 173 of draft SPP sets out factors to be addressed in the development plan for areas covered by PEDL although it is assumed that the sections on general minerals are also applicable to coal bed methane proposals.

Policy RW02 expresses support for the extraction of coal bed methane where it is proven to be environmentally acceptable and having regard to Policy RW03 and other LDP policies. This reflects the approach taken in the Falkirk Council Local Plan which states that the extraction of coal bed methane is supported by the Local Plan subject to the requirements of Policy EQ32 (General Criteria for Minerals Development) and other local plan policies. This matter was considered at the Inquiry into the Local Plan and this paragraph was inserted at the Reporters’ recommendation following an objection to the plan to reflect NPF 2. There has therefore been no change in policy from the Falkirk Council Local Plan and the MIR which proposed that the existing policies would be continued.

SPP and NPF2 therefore recognise the potential in the Central Belt for the extraction of coal bed methane and this is carried through into draft SPP and NPF3 albeit with slightly different wording. It is therefore considered appropriate for Policy RW02 of the proposed LDP to express support for the extraction of coal bed methane where it is environmentally acceptable having regard to Policy RW03 and other LDP Policies. It is not considered that there was a previous presumption in favour of development which has now been removed, as

suggested by RSPB Scotland, but that existing and draft policy continues to recognise the potential of coal bed methane to contribute to a diverse energy mix which includes fossil fuels and which can only be developed if proposals are environmentally acceptable. A precautionary approach is therefore built into the LDP policies. The use of the term “environmentally acceptable” is necessarily broad and reflects the wording in SPP.

The Scottish Government Energy Policy referenced is in relation to electricity generation and does not reference onshore oil and gas. It should be noted that energy is a reserved matter and is not devolved to the Scottish Government. The UK Government has produced a number of energy related papers which acknowledge that unconventional gas has some potential and the Oil and Gas Leadership Group report also notes that there are major opportunities in the unconventional gas market. It is not considered appropriate to establish a ban on unconventional oil and gas extraction through the local development plan which is not reflected in either UK energy policy or Scottish national planning policies.

In relation to the consideration of planning applications and the establishment of buffer zones SPP states that for mineral development generally standard buffer zones should not be imposed as the specific circumstances of each application need to be considered. Draft SPP states that an adequate buffer zone between sites and settlements should be provided taking into account the specific circumstances of individual proposals. It is not considered appropriate to set a buffer zone for all mineral developments in the proposed LDP as it is clear that each proposal requires to be assessed on its merits through the development management process. The issue of fugitive emissions of methane in the extraction of coal bed methane is also a matter which should be considered in the development management process as well as any impact on public health. The terms of Policy RW02 clearly state that any proposal requires to be environmentally acceptable and would be subject to Policy RW03 and other local plan policies. It is not considered appropriate for the proposed LDP to address speculation on fugitive emissions from development which would be considered through the development management process and by other regulatory bodies such as SEPA in post consent licensing and monitoring regimes. The issues raised concerning public health in relation to the current planning application for the extraction of coal bed methane are not relevant to development plan policies. There is no requirement in national policy for a public health impact assessment to be carried out. However, proposals must be environmentally acceptable and accord with other policies in the LDP which include policies on water and air quality. Where an environmental impact assessment is required for a proposal it is used to inform the assessment of proposals and where environmental impact is identified it may be capable of mitigation. It is not therefore considered appropriate to require proposals to demonstrate no environmental impact within the LDP.

The Community Mandate and Community Charter were produced in relation to the planning application for the extraction of coal bed methane to the north of Hill of Kinnaird and south west of Letham in the Rural North area of the Council. This proposal is currently subject to an appeal against non- determination. The Community Mandate suggests that a new regulatory framework is required for such proposals. It is considered that the mineral policies remain relevant in the consideration of proposals for coal bed methane and this view was upheld at the

Inquiry into the Falkirk Council Local Plan where the Reporters agreed that such proposals were correctly assessed within the minerals policy section of the development plan. It is acknowledged that the production of unconventional gas is a relatively new industry in the UK and as such national policy is evolving. It is however considered that the proposed LDP accords with national policy at present in relation to this industry. The inclusion of the Community Charter in the proposed LDP is addressed under Policy RW03 below.

For these reasons, the Council does not agree to modify the plan in response to these representations.

### **Policy RW03 - Assessment of Mineral Proposals**

**Concerned Communities Of Falkirk (CCOF) (01238/2001/002):-** Cultural heritage is defined by Unesco as encompassing tangible assets such as buildings and artefacts, intangible assets such as oral traditions and rituals and natural areas with cultural significance. The proposed LDP is a land use planning document and contains a number of supporting policies in relation to the build and natural heritage which fully address the tangible aspects of cultural heritage. Figure 5.3 of the LDP details these policies which support the sustainable design principles set out in Policy D02. Policy RW02 clearly states that proposals require to be assessed against Policy RW03 and other policies within the LDP. Issues of cultural heritage are therefore fully addressed through existing policies and there is no need to include a reference to the Community Charter submitted by CCOF. It would also not be appropriate to include a reference to the document within the minerals policies or anywhere else in the proposed LDP as its status and validity in relation to land use planning is unclear. For these reasons, the Council does not agree to modify the plan in response to this representation.

**Dart Energy (Europe) Ltd (00853/2002/001):-** The extraction of coal bed methane is considered to be a mineral activity and it is considered appropriate that such proposals be assessed against Policy RW03 in the proposed LDP. Sub-section (2) of Policy RW03 requires that a 'fully' developed method statement including information on drainage, water treatment and phasing is included in any application. This is considered to be necessary information in the assessment of mineral applications and an 'outline' statement would not provide enough detail to enable the proposal to be assessed. SPP also states that operators for mineral sites generally should provide sufficient information to enable a full assessment to be made of the likely impacts of development together with proposals for control, mitigation and monitoring. For these reasons, the Council does not agree to modify the plan in response to this representation.

**Hargreaves Production Surface Mining (01270/2001/004):-** Positive economic or environmental benefits such as the restoration of derelict sites and local employment are already included in the factors to be considered under sub-section (1) of Policy RW03. For this reason, the Council does not agree to modify the plan in response to this representation.

**The Coal Authority (00213/2002/002):-** It is acknowledged that SPP makes no specific reference to the need for minerals in the consideration of proposals. It does however make reference to the requirement to consider the effects of any proposal on the local and national economy and this is continued through into

draft SPP. It is considered relevant that operators provide information on the need for a minerals proposal to enable any impact on the national and local economy to be addressed, that this information should be readily available to them and that this reference should be maintained in the proposed LDP. For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Various Environmental Policies – Coal Bed Methane Extraction**

**Larbert, Stenhousemuir and Torwood Community Council (00440/2001/009-14):-** Policies RW05 – RW09 of the proposed LDP cover a number of issues which development requires to be assessed against. Policy RW02 sub-section (3) makes it clear that all minerals proposals must have regard to Policy RW03 and other LDP policies. It is not therefore considered necessary to make any explicit reference within these policies to individual development types such as the extraction of coal bed methane. For this reason, the Council does not agree to modify the plan in response to this representation.

It is not considered that the proposed application for the extraction of coal bed methane to the north of Larbert is in conflict with this Policy GN01 and there are no specific green network opportunities identified which would be restricted should approval be given for the extraction of coal bed methane. It is noted that appraisal and exploration works have been carried out in the area for a number of years without any impact on access routes. For these reasons, the Council does not agree to modify the plan in response to this representation.

<b>Issue 27</b>	<b>Contaminated Land</b>	
<b>Development plan reference:</b>	<u>Chapter 5 Supporting Policies</u> Policy RW10 Vacant Derelict and Contaminated Land (page76)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
National Grid Properties Ltd (00657/2001) The Coal Authority (00213/2002) Scottish Natural Heritage (00646/2001)		
<b>Provision of the development plan to which the issue relates:</b>	Policy RW10 on vacant, derelict and contaminated land.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy RW10 – Vacant, Derelict and Contaminated Land</u></b></p> <p><b>National Grid Properties Ltd (00657/2001/001):-</b> Policy RW10 should establish that the costs of remediating contaminated land will be taken into account when considering the scale of potential developer contributions.</p> <p><b>The Coal Authority (00213/2002/003):-</b> Policy RW10 fails to address the coal mining legacy in the Falkirk Council area and has not highlighted the need to take account of such risks in the development of land.</p> <p><b>Scottish Natural Heritage (00646/2001/024):-</b> Whilst the policy is supported, it is recommended that supporting text in paragraph 5.147 is expanded to define what 'productive use' may be. Paragraph 46 of SPP 2013 notes that vacant and derelict land which does not have potential for redevelopment as part of the spatial strategy could be considered for its contribution to green infrastructure. This could be based on, or refer to, section 5.2 of the Council's Greenspace Strategy which includes a vision for such sites to be managed as part of the overall green network.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b><u>Policy RW10 – Vacant, Derelict and Contaminated Land</u></b></p> <p><b>National Grid Properties Ltd (00657/2001/001):-</b> Amend Policy RW10 to acknowledge that the costs of remediating contaminated land will be taken into account by the Council when considering the scale of potential developer contributions.</p> <p><b>The Coal Authority (00213/2002/003):-</b> Amend Policy RW10 to add a reference to mineral instability, as follows: 'Where proposals involve the development of unstable or contaminated land, they will only be permitted where appropriate remediation or mitigation measures have been undertaken'.</p>		

**Scottish Natural Heritage (00646/2001/024):-** Amend the supporting text to Policy RW10 by amending the second sentence of paragraph 5.147 to read: 'The SPP supports proposals to bring vacant and derelict land back into productive use or to enhance its value as part of the wider green network'.

**Summary of responses (including reasons) by planning authority:**

**Policy RW10 – Vacant, Derelict and Contaminated Land**

**National Grid Properties Ltd (00657):-** Policies INF01, INF02, INF04, INF05 and INF06 of the proposed LDP set out the general approach and specific requirements in respect of developer contributions to infrastructure. This will be backed up by supplementary guidance which provides more detailed information on how contributions are to be calculated.

National Grid Properties are seeking policy acknowledgement that abnormal site development costs arising from contaminated land will be taken into account in calculating contributions. The Council does not consider this to be appropriate, as contributions are worked on the basis of impacts of the development on the infrastructure in question, taking account of the principles set out in Circular 3/2012, rather than on land values. Nonetheless, the Council acknowledges that developer contributions can affect the viability of sites, particularly in the current economic climate and where sites involve abnormal development costs. Consequently, current SPGs on education, open space and affordable housing carry a clause indicating that viability can, exceptionally, be taken into account in the imposition of developer contributions. This clause is likely to be carried into the forthcoming SGs. It is considered that this is the most appropriate way of dealing with the issue.

For this reason, the Council does not agree to modify the plan in response to this representation.

**The Coal Authority (00213/2002/003):-** The Council considers the insertion of this additional wording to be inappropriate and unnecessary. Issues of mineral instability have the potential to affect all land, not just vacant, derelict or contaminated land. There are established procedures through the development management process for assessing risk from mineral instability and land contamination, and standard conditions applied are as appropriate. There is no need specific need for a policy covering these issues. For this reason, the Council does not agree to modify the plan in response to this representation.

**Scottish Natural Heritage (00646):-** The Council acknowledges that vacant and derelict sites have the potential to contribute to the green network. If the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

<b>Issue 28</b>	<b>Flooding and the Water Environment</b>	
<b>Development plan reference:</b>	<p><u>Chapter 5 – Supporting Policies</u>  Policy RW06 Flooding (pages 73-74)  <u>Appendix 1 – Site Schedules</u>  Economic Development – Polmont Area (page a1-18)  Green Network – John Muir Trail (page a1-23)  Green Network – Forth Estuary (page a1-23)  Green Network – Upper Carron/Lower Carron (page a1-24)  Green Network – Avon (page a1-25)  Housing – Falkirk (page a1-04)  Housing – Larbert &amp; Stenhousemuir (page a1-05)  Housing – Rural South – Avonbridge (page a1-08)  Housing – Rural South – Limerigg (page a1-09)  Housing – Rural South – Standburn (page a1-10)  Mixed Use – Bonnybridge and Banknock (page a1-12)  Mixed Use – Grangemouth (page a1-14)  <u>Appendix 2 – Strategic Growth Areas</u>  Banknock (page a2-03)  Falkirk North (page a2-07)</p>	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
RSPB Scotland (00648) SEPA (00968)		
<b>Provision of the development plan to which the issue relates:</b>	Policies on flooding and the water environment, and the provision made for these issues in relation to specific sites in the LDP.	
<b>Planning authority's summary of the representation(s):</b>		
<p><b><u>Policy RW06 – Flooding</u></b></p> <p><b>RSPB Scotland (00648/2001/010):-</b> Policy RW06 should indicate that measures to facilitate sustainable flood management in keeping with the Local Flood Risk Management Plan will be supported.</p> <p><b>SEPA (00968/2001/012):-</b> Policy RW06 should more closely match the principles</p>		

set out in SEPA's: Land Use Vulnerability Guidance; and Technical Guidance for Flood Risk Assessments.

**Allocated Economic Development Site ED23 – Gilston**

**SEPA (00968/2001/016):-** Objection is made to Proposal ED23. The site comments note that a Flood Risk Assessment (FRA) may be required due to the presence of the Gilston Burn. However, the objector's preference would be for this to be an explicit requirement. Comments should make it clear to developers that flood risk is an issue that needs to be taken into consideration and that a flood risk assessment will be required to inform the scale, layout and form of development.

**Allocated Green Network Opportunity GN01 – John Muir Trail**

**SEPA (00968/2001/027):-** Objection is made to Opportunity GN01. This path borders the Middle Forth Estuary which the Forth Area River Basin Management Plan identifies as downgraded for morphology (due to realignment for flood defence). The path improvement project could potentially deliver shoreline habitat improvements, through waterbody restoration, to contribute towards the achievement of River Basin Management Plan (RBMP) objectives.

**Allocated Green Network Opportunity GN02 – Kinneil Kerse**

**SEPA (00968/2001/028):-** Objection is made to Opportunity GN02. This opportunity borders the Middle Forth Estuary which the Forth Area River Basin Management Plan identifies as downgraded for morphology (due to realignment for flood defence). This habitat enhancement opportunity could potentially deliver shoreline habitat improvements, through waterbody restoration, to contribute towards the achievement of River Basin Management Plan (RBMP) objectives.

**Allocated Green Network Opportunity GN03 – Bothkennar/Skinflats**

**SEPA (00968/2001/029):-** Objection is made to Opportunity GN03. This opportunity borders the Middle Forth Estuary which the Forth Area River Basin Management Plan identifies as downgraded for morphology (due to realignment for flood defence). This habitat enhancement opportunity could potentially deliver shoreline habitat improvements, through waterbody restoration, to contribute towards the achievement of River Basin Management Plan (RBMP) objectives.

**Allocated Green Network Opportunity GN04 – Kincardine – South Alloa**

**SEPA (00968/2001/024):-** Objection is made to Opportunity GN04. This path borders the Middle Forth Estuary which the Forth Area River Basin Management Plan identifies as downgraded for morphology (due to realignment for flood defence). The path improvement project could potentially deliver shoreline habitat improvements, through waterbody restoration, to contribute towards the achievement of River Basin Management Plan (RBMP) objectives.

**Allocated Green Network Opportunity GN08 – River Carron Corridor Improvements**

**SEPA (00968/2001/031):-** Objection is made to Opportunity GN08. Any works in

the SPA must not cause any impact in terms of the Water Framework Directive.

### **Allocated Green Network Opportunity GN26 – River Avon Corridor**

**SEPA (00968/2001/032):-** Objection is made to Opportunity GN26. Recent hydromorphological surveys have revealed that the three main stem River Avon water bodies are all under pressure from morphological changes. Opportunities for riparian habitat improvement along the entire length of the River Avon should be investigated.

### **Allocated Housing Site H26 – Etna Road 2**

**SEPA (00968/2001/017):-** Objection is made to Proposal H26. There may be an opportunity to restore the channelised Ladysmill Burn along the eastern boundary of this site to potentially enhance the water environment. Developers should be encouraged to consider this as part of the site proposals by including a feasibility study to assess the potential for channel restoration as a site requirement. This is in keeping with the Council's duties as a responsible authority under The Water Environment and Water Services (Scotland) Act 2003.

### **Allocated Housing Site H31 – Glenburn Road, Hallglen**

**SEPA (00968/2001/019):-** Objection is made to Proposal H31. The southern perimeter of the site is encroaching upon the Glen Burn flood extent. As such, part of the site may not be suitable for development. A Flood Risk Assessment is required to assess flood risk.

### **Allocated Housing Site H36 – Bellsdyke**

**SEPA (00968/2001/020):-** Objection is made to Proposal H36. This site is located in or adjacent to the functional flood plain or an area of known flood risk. A Flood Risk Assessment is required to assess the flood risk from the small watercourse which runs through the site. This should also consider any culverts within the site.

The receiving watercourse has been identified as sensitive and as such has limited capacity to dilute surface water run-off from the development. High quality SUDS is therefore required. This is in keeping with the Council's duties as a responsible authority under The Water and Environment and Water Services (Scotland) Act 2003.

### **Allocated Housing Site H37 – Hill of Kinnaird**

**SEPA (00968/2001/021):-** Objection is made to Proposal H37. This site is located in or adjacent to the functional flood plain or an area of known flood risk. A Flood Risk Assessment is required to assess the flood risk from the small watercourse which runs through the site. This should also consider the pond within the site and any culverts adjacent to the site.

The receiving watercourse has been identified as sensitive and as such has limited capacity to dilute surface water run-off from the development. High quality SUDS is therefore required.

A watercourse runs through the centre of the site. A buffer strip along the watercourse which will help protect and improve the water environment should be required.

#### **Allocated Housing Site H61 – Bridgehill, Avonbridge**

**SEPA (00968/2001/022):-** Objection is made to Proposal H61. This site is likely to be heavily constrained due to flood risk with a large proportion of the site unsuitable for development. This site is likely to provide important flood storage to Avonbridge and a FRA is required to determine the area of floodplain to be safeguarded. This will also ensure the provision of a buffer strip along the watercourse.

#### **Allocated Housing Site H67 – Slamannan Road 2, Limerigg**

**SEPA (00968/2001/023):-** Objection is made to Proposal H67. This site is located in or adjacent to the functional flood plain or an area of known flood risk. A FRA is required to assess the flood risk from the small watercourse which runs along the southern perimeter of the site. Provision of a buffer strip along the watercourse would help to protect and improve the water environment.

#### **Allocated Housing Site H73 – Standburn West**

**SEPA (00968/2001/024):-** Objection is made to Proposal H73. This site is located in an area at risk of flooding from the Bowhouse Burn. A FRA is required which assesses the flood risk from the Bowhouse Burn and any upstream and downstream culverts.

#### **Allocated Mixed Use Site M03 – Banknock North**

**SEPA (00968/2001/025):-** Objection is made to Proposal M03. This site is located in an area at risk of flooding from the Doups Burn which flows through the south west corner of site. There is historical flooding on Kilsyth Road from the Doups Burn in 2007 and from the Lairds Pond onto the adjacent road in 2008. A flood risk assessment should be required. The provision of a buffer strip along the Doups Burn will also help to protect and improve the water environment.

#### **Allocated Mixed Use Site M12 – Grangemouth Town Centre**

**SEPA (00968/2001/026):-** Objection is made to Proposal M12. This site is located in an area at risk of flooding from coastal, fluvial and pluvial sources. The site will likely be constrained due to flood risk and it is therefore advised that development may be limited to non-residential use. A FRA is required.

#### **Modifications sought by those submitting representations:**

##### **Policy RW06 – Flooding**

**RSPB Scotland (00648/2001/010):-** Amend Policy RW06 to include reference to support for measures to facilitate sustainable flood management, in keeping with the Local Flood Risk Management Plan.

**SEPA (00968/2001/012):-** Amend Policy RW06 by changing the second sentence in sub-section (1) to read: 'In areas where there is significant risk of flooding from any source (up to and including a 0.5% [1:200 year] flood event) development proposals will be assessed against advice and the flood risk framework in SPP'; and deleting the third bullet point in sub-section (1).

**Allocated Economic Development Site ED23 – Gilston**

**SEPA (00968/2001/016):-** Amend the site comments of Proposal ED23 as expressed in Appendix 1 (Site Schedule) by deleting the 5th bullet point and replacing with: 'A flood risk assessment will be required to inform the scale, layout and form of development due to the presence of the Gilston Burn and other small watercourses and ponds located within the site.'

**Allocated Green Network Opportunity GN01 – John Muir Trail**

**SEPA (00968/2001/027):-** Amend the description and comments of Opportunity GN01 as expressed in Appendix 1 by adding an additional bullet point to read: 'The potential for path improvement works to incorporate shoreline habitat improvements which contribute towards the achievement of River Basin Management Plan (RBMP) objectives should be investigated.'

**Allocated Green Network Opportunity GN02 – Kinneil Kerse**

**SEPA (00968/2001/028):-** Amend the description and comments of Opportunity GN02 as expressed in Appendix 1 by adding an additional bullet point to read: 'The potential for habitat enhancement works to incorporate shoreline habitat improvements which contribute towards the achievement of River Basin Management Plan (RBMP) objectives should be investigated.'

**Allocated Green Network Opportunity GN03 – Bothkennar/Skinflats**

**SEPA (00968/2001/029):-** Amend the description and comments of Opportunity GN03 as expressed in Appendix 1 by modifying the text in bullet point 3 to read: 'Creation of new supporting habitat could involve the managed realignment of the coast which would help to reduce overall flood risk in the area and contribute to the achievement of river basin management planning objectives.'

**Allocated Green Network Opportunity GN04 – Kincardine – South Alloa**

**SEPA (00968/2001/030):-** Amend the description and comments of Opportunity GN04 as expressed in Appendix 1 by adding an additional bullet point to read: 'The potential for path improvement works to incorporate shoreline habitat improvements which contribute towards the achievement of River Basin Management Plan (RBMP) objectives should be investigated.'

**Allocated Green Network Opportunity GN08 – River Carron Corridor Improvements**

**SEPA (00968/2001/031):-** Amend the description and comments of Opportunity GN08 as expressed in Appendix 1 by adding an additional bullet point to read: 'Any works in the Firth of Forth SPA must not cause any impact in terms of the

Water Framework Directive’.

### **Allocated Green Network Opportunity GN26 – River Avon Corridor**

**SEPA (00968/2001/032):-** Amend the description and comments of Opportunity GN26 as expressed in Appendix 1 by adding an additional bullet point to read: 'Opportunities for riparian habitat improvement should be investigated and promoted.'

### **Allocated Housing Site H26 – Etna Road 2**

**SEPA (00968/2001/017):-** Amend Proposal H26 as expressed in Appendix 2 (Strategic Growth Area Guidance) by adding an additional bullet point to the Land Use/Design/Placemaking/Green Network section as follows: 'Feasibility study required to assess the potential for channel restoration of the Ladysmill Burn along the eastern boundary of the site.'

### **Allocated Housing Site H31 – Glenburn Road, Hallglen**

**SEPA (00968/2001/019):-** Amend the site comments of Proposal H31 as expressed in Appendix 1 by adding an additional bullet point to read: 'A flood risk assessment will be required to inform the scale, layout and form of development due to the presence of the Glen Burn.'

### **Allocated Housing Site H36 – Bellsdyke**

**SEPA (00968/2001/020):-** Amend Proposal H36 as expressed in Appendix 2 (Strategic Growth Area Guidance) by adding additional bullet points to the 'Constraints' section to read: 'A flood risk assessment will be required which should also consider any culverts within the site at Bellsdyke to inform the scale, layout and form of development due to the presence of a small watercourse which runs through the site.'; and 'High quality SUDS required as the receiving watercourse has been identified as sensitive. In practice this means that at least two levels of SUDS treatment will be required.'

### **Allocated Housing Site H37 – Hill of Kinnaird**

**SEPA (00968/2001/021):-** Amend Proposal H37 as expressed in Appendix 2 (Strategic Growth Area Guidance) by adding additional bullet points to the 'Constraints' section to read: 'A flood risk assessment will be required which should also consider flood risk from the small pond within the site and any culverts adjacent to the site at Hill of Kinnaird to inform the scale, layout and form of development.'; and 'High quality SUDS required as the receiving watercourse has been identified as sensitive. In practice this means that at least two levels of SUDS treatment will be required.' and by adding an additional bullet point to the 'Land Use/Design/Placemaking/Green Network' section to read: 'A buffer strip along the watercourse which runs through the centre of the Hill of Kinnaird site is required.'

### **Allocated Housing Site H61 – Bridgehill, Avonbridge**

**SEPA (00968/2001/022):-** Amend the site comments of Proposal H61 as

expressed in Appendix 1 by replacing bullet point 2 with the following text:  
'Developable area restricted due to flood risk which requires to be assessed. No built development should take place on the functional flood plain or within an area of known flood risk.'

#### **Allocated Housing Site H67 – Slamannan Road 2, Limerigg**

**SEPA (00968/2001/023):-** Amend the site comments of Proposal H67 as expressed in Appendix 1 by adding additional bullet points to read: 'A flood risk assessment will be required to inform the scale, layout and form of development due to the presence a small watercourse running along the southern boundary of the site.'; and 'a buffer strip along the small watercourse running along the southern boundary of the site should be provided.'

#### **Allocated Housing Site H73 – Standburn West**

**SEPA (00968/2001/024):-** Amend the site comments of Proposal H73 as expressed in Appendix 1 by adding an additional bullet point to read: 'A flood risk assessment will be required to inform the scale, layout and form of development due to the presence of the Bowhouse Burn and upstream and downstream culverts. No built development should take place on the functional flood plain or within an area of known flood risk.'

#### **Allocated Mixed Use Site M03 – Banknock North**

**SEPA (00968/2001/025):-** Amend Proposal M03 as expressed in Appendix 2 (Strategic Growth Area Guidance) by adding an additional bullet points to the 'Constraints' section to read: 'Development to avoid areas at high risk of flooding from the Doups Burn and the Laird's Pond, as informed by flood risk assessment; potential to incorporate 6m buffer strip.'

#### **Allocated Mixed Use Site M12 – Grangemouth Town Centre**

**SEPA (00968/2001/026):-** Amend the site comments of Proposal M12 as expressed in Appendix 1 by adding an additional bullet point to read: 'A flood risk assessment will be required to inform the scale, layout and form of development due to potential flood risk from coastal, fluvial and pluvial sources. No built development should take place on the functional flood plain or within an area of known flood risk. Any development may be limited to non-residential use due to risk of flooding.'

### **Summary of responses (including reasons) by planning authority:**

#### **Policy RW06 – Flooding**

**RSPB Scotland (00648/2001/010):-** The Local Flood Risk Management Plan has not yet been produced so it is not possible to predict which sustainable flood management measures it will promote. It is considered premature to indicate blanket support for measures which have not yet been properly detailed.

For this reason, the Council does not agree to modify the plan in response to this representation.

**SEPA (00968/2001/012):-** If the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Economic Development Site ED23 – Gilston**

**SEPA (00968/2001/016):-** Given that Appendix 1 of the Proposed Plan already indicates that a flood risk assessment may be required, the Council do not believe it is necessary to add the detail to the site requirements requested by SEPA to mitigate potential flood risk. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Green Network Opportunity GN01 – John Muir Trail**

**SEPA (00968/2001/027):-** Whilst it is accepted that, in theory, waterbody restoration opportunities could be investigated along the line of the John Muir Trail, it is unclear what benefit this would actually have, or whether it would contribute significantly towards the achievement of RBMP objectives. The most significant morphological alterations along the Middle Forth Estuary occur at the Port of Grangemouth which has seen significant areas of land reclaimed from the estuary since the founding of Grangemouth in 1768. Without tackling these substantial morphological alterations at Grangemouth, it seems unlikely that incremental waterbody restoration opportunities, such as the ones suggested along the line of the John Muir Trail would achieve RBMP objectives for the Middle Forth Estuary.

The John Muir Trail follows the line of the coast between its emergence from Shore Wood east of Blackness in West Lothian to Kinneil Local Nature Reserve to the west of Bo'ness. Along this coastal section, path improvement works are only planned along the Blackness to Bo'ness section. The opening of the John Muir Trail is planned to coincide with the 100<sup>th</sup> anniversary of John Muir's death in 2014.

Foremost amongst the considerations when selecting a route for the John Muir Trail through the Council area were the practicalities of delivering a route in time for the opening of the John Muir Trail. Clearly investigating opportunities for waterbody restoration along this stretch of the coast would take a considerable period of time as would securing the land necessary to carry out waterbody restoration. It is not considered to be practical to achieve this in advance of the project opening.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Green Network Opportunity GN02 – Kinneil Kerse**

**SEPA (00968/2001/028):-** Whilst it is accepted that waterbody restoration opportunities could be investigated at Kinneil Kerse, it is unclear what benefit this would actually have, or whether it would contribute significantly towards the achievement of RBMP objectives. The most significant morphological alterations

along the Middle Forth Estuary occur at the Port of Grangemouth which has seen significant areas of land reclaimed from the estuary since the founding of Grangemouth in 1768. Without tackling these substantial morphological alterations at Grangemouth, it seems unlikely that incremental waterbody restoration opportunities, such as the one suggested at Kinneil Kerse would achieve RBMP objectives for the Middle Forth Estuary.

Kinneil Kerse is a former landfill site. Any opportunities for waterbody restoration would need to be mindful of the need to relocate historic landfill to facilitate them and also the need to ensure that any hazardous waste did not end up being released into the wider environment. It is considered to be premature therefore to indicate that waterbody restoration would be appropriate at this site before any evidence has been submitted to detail what might be feasible or what benefit this might have.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Green Network Opportunity GN04 – Kincardine – South Alloa**

**SEPA (00968/2001/024):-** Whilst it is accepted that waterbody restoration opportunities could be investigated at Kincardine – South Alloa, it is unclear what benefit this would actually have, or whether it would contribute significantly towards the achievement of RBMP objectives. The most significant morphological alterations along the Middle Forth Estuary occur at the Port of Grangemouth which has seen significant areas of land reclaimed from the estuary since the founding of Grangemouth in 1768. Without tackling these substantial morphological alterations at Grangemouth, it seems unlikely that incremental waterbody restoration opportunities, such as the one suggested at Kincardine – South Alloa would achieve RBMP objectives for the Middle Forth Estuary.

For these reasons, the Council does not agree to modify the plan in response to this representation.

#### **Allocated Green Network Opportunity GN08 – River Carron Corridor Improvements**

**SEPA (00968/2001/031):-** Policy RW05 of the Proposed Plan states at sub-section (3) that there will be a general presumption against development which would have a detrimental effect on the integrity and water quality of aquatic and riparian ecosystems or which would lead to deterioration of the ecological status of any element of the water environment.

Given this policy framework, the Council does not believe it is necessary to add the detail to the site requirements requested by SEPA to mitigate potential impacts in terms of the Water Framework Directive. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Green Network Opportunity GN26 – River Avon Corridor**

**SEPA (00968/2001/032):-** Highlighting the need for an investigation of

opportunities for riparian habitat improvement along the River Avon is not considered to be the function of the LDP. Section 7 of Falkirk Greenspace: A Strategy for our Green Network indicates that the Council will work with CSGN, landowners and angling groups to explore options for riparian planting, woodland creation and management, habitat enhancement, invasive species control and access improvements as part of river restoration projects.

Should significant riparian habitat improvement opportunities be identified as part of this process then they can be added as a green network opportunity in the next iteration of the LDP.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H26 – Etna Road 2**

**SEPA (00968/2001/017):-** The opportunity for the development of the site to have a positive effect on the water environment by restoring the channelised Ladysmill Burn along the eastern boundary of this site was recognised in Appendix 2 of the revised Environmental Report. However, as explained in Appendix 7 of the revised Environmental Report, in general measures to minimise non significant negative environmental effects and ensure non significant positive environmental effects were not incorporated into the proposed LDP. This is because of the high level nature of the LDP and the need to keep the document as concise as possible.

Policy RW05 of the Proposed Plan already indicates that opportunities to improve the water environment by restoring the natural course of watercourses should be exploited where possible.

The Council does not believe it is necessary to add the detail to the site requirements requested by the objector to realise opportunities to restore the channelized Ladysmill Burn. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

### **Allocated Housing Site H31 – Glenburn Road, Hallglen**

**SEPA (00968/2001/019):-** Detailed planning permission has already been granted for the development of this site. The Housing Land Audit anticipates that the site will be developed in 2014-15.

Policy RW06 of the Proposed Plan indicates that development proposals on land identified at being risk of flooding will be required to provide a flood risk assessment so any future planning application for the site will need to be accompanied by a flood risk assessment.

The Council does not believe it is necessary to add the detail to the site requirements requested by the objector to mitigate flood risk. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

### **Allocated Housing Site H36 – Bellsdyke**

**SEPA (00968/2001/020):-** Detailed planning permission has already been granted for the development of this site and construction is underway. The Housing Land Audit anticipates that development of the site will be completed by 2017/18.

For these reasons, the Council does not agree to modify the plan in response to this representation.

### **Allocated Housing Site H37 – Hill of Kinnaird**

**SEPA (00968/2001/021):-** Appendix 1 of the Proposed Plan indicates that outline planning permission has already been granted for the development of this site, a planning brief for the site's development has been approved and a site masterplan is in place. Any future detailed planning application would need to conform to the terms of the outline planning permission and be in accordance with the approved planning brief and site masterplan. Appendix 2 of the proposed LDP indicates that the masterplan for Hill of Kinnaird may require revision if the infrastructure layout, housing mix or configuration of the business park is revised.

Policy RW05 indicates that, where appropriate, development proposals adjacent to a waterbody should provide for a substantial undeveloped and suitably landscaped riparian corridor so any future planning application which proposes a revision to the approved masterplan will need to ensure that the watercourse running through the centre of the site is suitably buffered if this is considered to be appropriate.

Policy INF12 indicates that surface water management for new development should comply with current best practice on sustainable urban drainage so any future planning application will need to comply with current best practice, and provide high quality SUDS.

Policy RW06 of the Proposed Plan indicates that development proposals on land identified at being risk of flooding will be required to provide a flood risk assessment so any future planning application for the site which proposes a revision to the approved masterplan will need to be accompanied by a revised flood risk assessment.

The Council does not believe it is necessary to add the detail to the site requirements requested by SEPA to: mitigate flood risk; ensure the provision of high quality SUDS; or ensure on site watercourses are suitably buffered. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

### **Allocated Housing Site H61 – Bridgehill, Avonbridge**

**SEPA (00968/2001/022):-** The issue of flood risk is well known at this site. Appendix 1 of the proposed LDP indicates that the developable area is restricted due to flood risk and that this requires to be assessed (page a1-08)

Policy RW05 of the Proposed Plan indicates that where appropriate, development proposals adjacent to a waterbody should provide for a substantial undeveloped and suitably landscaped riparian corridor so any future planning application will need to ensure that the River Avon is suitably buffered.

The Council does not believe it is necessary to add the detail to the site requirements requested by SEPA to: mitigate flood risk; or ensure on site watercourses are suitably buffered. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording. This is not regarded as a notifiable modification.

#### **Allocated Housing Site H67 – Slamannan Road 2, Limerigg**

**SEPA (00968/2001/023):-** Policy RW06 indicates that development proposals on land identified at being risk of flooding will be required to provide a flood risk assessment so any future planning application for the site will need to be accompanied by a flood risk assessment.

Policy RW05 of the Proposed Plan indicates that where appropriate, development proposals adjacent to a waterbody should provide for a substantial undeveloped and suitably landscaped riparian corridor, so any future planning application will need to ensure that the small watercourse which runs along the southern perimeter of the site is suitably buffered.

The Council does not believe it is necessary to add the detail to the site requirements requested by SEPA to: mitigate flood risk; or ensure on site watercourses are suitably buffered. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Housing Site H73 – Standburn West**

**SEPA (00968/2001/024):-** Appendix 1 of the proposed LDP indicates that an approved SPG for the development of the site already sets out requirements in relation to flood risk (page a1-10). Additionally, Policy RW06 indicates that development proposals on land identified at being risk of flooding will be required to provide a flood risk assessment. In order to comply with the SPG and Policy RW06, any planning application for the development of the site will need to be accompanied by a flood risk assessment.

The Council does not believe it is necessary to add the detail to the site requirements requested by SEPA to mitigate flood risk, nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Mixed Use Site M03 – Banknock North**

**SEPA (00968/2001/025):-** The issue of flood risk on the Banknock North site is well known. A flood risk assessment was undertaken to inform the Banknock and Hags SIRR Development Framework SPG and this was updated to inform the approved masterplan for development at Banknock North. Indeed the 1 in 200

year flood extent is shown on the approved masterplan.

The indicative concept plan of the Banknock and Haggs SIRR Development Framework and the approved masterplan for development at Banknock North already make provision for an undeveloped buffer strip along the Doups Burn.

Policy RW05 indicates that where appropriate, development proposals adjacent to a waterbody should provide for a substantial undeveloped and suitably landscaped riparian corridor so any future planning application which proposes a revision to the approved masterplan or departs from the Development Framework's indicative concept plan will need to ensure that the Doups Burn is suitably buffered.

Policy RW06 indicates that development proposals on land identified at being risk of flooding will be required to provide a flood risk assessment so any future planning application for the site which proposes a revision to the approved masterplan or departs from the Development Framework's indicative concept plan will need to be accompanied by a revised flood risk assessment.

The Council does not believe it is necessary to add the detail to the site requirements requested by the objector to: mitigate flood risk; or ensure on site watercourses are suitably buffered. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

#### **Allocated Mixed Use Site M12 – Grangemouth Town Centre**

**SEPA (00968/2001/026):-** Policy RW06 indicates that development proposals on land identified at being risk of flooding will be required to provide a flood risk assessment so any future planning application for the site will need to be accompanied by a flood risk assessment.

The Council does not believe it is necessary to add the detail to the site requirements requested by SEPA to mitigate flood risk. Nonetheless, if the Reporter is minded to recommend that the plan be amended in line with this representation, the Council would not take issue with the amended wording.

<b>Issue 29</b>	<b>Habitats Regulations Wording</b>	
<b>Development plan reference:</b>	<u>Appendix 1 – Site Schedules</u> Economic Development – Grangemouth (page a1-17) Green Network – John Muir Trail (page a1-23) Green Network – Forth Estuary (page a1-23) Green Network – Upper Carron/Lower Carron (page a1-24) Green Network – Mid Braes (page a1-25) Green Network – Upper Braes (page a1-25) Green Network – Avon (page a1-25) Infrastructure – Drainage & Flooding (page a1-21) Infrastructure – Waste Management (page a1-22) <u>Appendix 2 – Strategic Growth Areas</u> Bo’ness Foreshore (page a2-01) Slamannan (page a2-10)	<b>Reporter:</b>
<b>Body or person(s) submitting a representation raising the issue (including reference number):</b>		
Scottish Natural Heritage (00646)		
<b>Provision of the development plan to which the issue relates:</b>	The detailed wording of comments on individual sites in relation to Habitats Regulations Appraisal , as contained in Appendix 1	
<b>Planning authority’s summary of the representation(s):</b>		
<p><b>Scottish Natural Heritage (00646/2001/027 - 044):-</b> Objection is made to the wording of proposals H70, M01, ED15, ED16, ED17, GN01-04, GN08, GN19-21, GN26, INF15, INF19, INF22 and INF34. The current wording as expressed in Appendix 1/Appendix 2 in relation to appropriate assessment could lead an applicant to believe that they are required to undertake appropriate assessment, rather than the competent authority. This wording should be reviewed to offer a greater degree of certainty to applicants on what is required of them.</p> <p>In addition, objection is made to proposal ED16 and INF34 on the basis that an appropriate assessment will also be required in relation to the River Teith SAC.</p>		
<b>Modifications sought by those submitting representations:</b>		
<p><b><u>Allocated Economic Development Site ED15 – Grangemouth Docks</u></b></p> <p><b>Scottish Natural Heritage (00646/2001/029):-</b> Delete bullet point 5 in Appendix 1 and replace with: 'For permission to be granted, proposals must be accompanied</p>		

by a masterplan and project-specific information to inform an appropriate assessment. This will allow the competent authority to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

#### **Allocated Economic Development Site ED16 – Ineos Redevelopment Opportunity**

**Scottish Natural Heritage (00646/2001/030):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted, proposals must be accompanied by a masterplan and project-specific information to inform an appropriate assessment. This will allow the competent authority to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

Delete bullet point 5 in Appendix 1 and replace with: 'The Appropriate Assessment relating to the Firth of Forth SPA is likely to require collection of new bird survey data that identifies which of the qualifying species use the River Avon and adjoining land within the site.'

#### **Allocated Economic Development Site ED17 – Wholeflats Business Park**

**Scottish Natural Heritage (00646/2001/031):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted, proposals must be accompanied by a masterplan and project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

#### **Allocated Green Network Opportunity GN01 – John Muir Trail**

**Scottish Natural Heritage (00646/2001/044):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted, proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA, either alone or in combination with other plans or projects.'

#### **Allocated Green Network Opportunity GN02 – Kinneil Kerse**

**Scottish Natural Heritage (00646/2001/036):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted, proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

### **Allocated Green Network Opportunity GN03 – Bothkennar/Skinflats**

**Scottish Natural Heritage (00646/2001/037):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted any proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA or River Teith SAC, either alone or in combination with other plans or projects.'

### **Allocated Green Network Opportunity GN04 – Kincardine – South Alloa**

**Scottish Natural Heritage (00646/2001/038):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted any proposals for new access routes must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA, either alone or in combination with other plans or projects.'

### **Allocated Green Network Opportunity GN08 – River Carron Corridor Improvements**

**Scottish Natural Heritage (00646/2001/039):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted any new bridge proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA, either alone or in combination with other plans or projects.'

### **Allocated Green Network Opportunity GN19 – Mid Braes Habitat Connectivity**

**Scottish Natural Heritage (00646/2001/041):-** Delete bullet point 3 in Appendix 1 and replace with: 'For permission to be granted proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Slamannan Plateau SPA, either alone or in combination with other plans or projects.'

### **Allocated Green Network Opportunity GN20 – Black Loch Access**

**Scottish Natural Heritage (00646/2001/040):-** Delete bullet point 2 in Appendix 1 and replace with: 'For permission to be granted any new path proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Black Loch Moss SAC, either alone or in combination with other plans or projects.'

### **Allocated Green Network Opportunity GN21 – Upper Braes Peatland Restoration**

**Scottish Natural Heritage (00646/2001/042):-** Delete bullet point 2 in Appendix 1 and replace with: 'For permission to be granted proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Slamannan Plateau SPA, either alone or in combination with other plans or projects.'

**Allocated Green Network Opportunity GN26 – River Avon Corridor**

**Scottish Natural Heritage (00646/2001/043):-** Delete bullet point 3 in Appendix 1 and replace with: 'For permission to be granted new access proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Slamannan Plateau SPA, either alone or in combination with other plans or projects.'

**Allocated Housing Site H70 – Hillend Farm, Slamannan**

**Scottish Natural Heritage (00646/2001/028):-** Delete bullet point 3 in the 'Constraints' section of Appendix 2 and replace with: 'For permission to be granted, proposals must be accompanied by a masterplan and project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Slamannan Plateau SPA, either alone or in combination with other plans or projects.'

**Allocated Infrastructure Proposal INF15 – Airth Waste Water Treatment Works**

**Scottish Natural Heritage (00646/2001/032):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted at Airth, proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

**Allocated Infrastructure Proposal INF19 – Bo'ness Waste Water Treatment Works**

**Scottish Natural Heritage (00646/2001/033):-** Delete bullet point 4 in Appendix 1 and replace with: 'For permission to be granted at Bo'ness, proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

**Allocated Infrastructure Proposal INF22 – Grangemouth Flood Defences**

**Scottish Natural Heritage (00646/2001/034):-** Delete bullet point 5 in Appendix 1

and replace with: 'Proposals will be developed within the Local Flood Risk Management Plan (LFRMP) which will be subject to Habitats Regulations Appraisal. For permission to be granted, detailed proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow the competent authority to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

**Allocated Infrastructure Proposal INF34 – Avondale Waste Management Site**

**Scottish Natural Heritage (00646/2001/035):-** Delete bullet point 5 in Appendix 1 and replace with: 'For permission to be granted, proposals must be accompanied by project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

**Allocated Mixed Use Site M01 – Bo'ness Foreshore**

**Scottish Natural Heritage (00646/2001/027):-** Delete bullet point 4 in the 'Constraints' section of Appendix 2 and replace with: 'For permission to be granted, proposals must be accompanied by a masterplan and project-specific information to inform an appropriate assessment. This will allow Falkirk Council to complete an appropriate assessment demonstrating that there will be no adverse effects on the integrity of the Firth of Forth SPA and the River Teith SAC, either alone or in combination with other plans or projects.'

**Summary of responses (including reasons) by planning authority:**

**Scottish Natural Heritage (00646/2001/027 - 038):-** The detailed wording of the proposed modifications has been agreed with SNH. If the Reporter is minded to recommend that the plan be amended in line with these representations, the Council would not take issue with the amended wording.