

**FALKIRK COUNCIL**

**Subject:** **ERECTION OF RETAIL FOODSTORE (CLASS 1), CAR PARK, PEDESTRIAN AND VEHICULAR ACCESS, SERVICE YARD AND LANDSCAPING AT LAND TO THE WEST OF MARINER LEISURE CENTRE, REDBRAE ROAD, FALKIRK FOR ALDI STORES LTD AND JOHNSTON PUBLISHING LTD – P/12/0418/FUL**

**Meeting:** **PLANNING COMMITTEE**

**Date:** **31 October 2012**

**Author:** **DIRECTOR OF DEVELOPMENT SERVICES**

**Local Members:** **Ward - Falkirk South**  
**Councillor Colin Chalmers**  
**Councillor Dennis Goldie**  
**Councillor Gerry Goldie**  
**Councillor John Patrick**

**Community Council:** **No Community Council**

**Case Officer:** John Milne (Senior Planning Officer), Ext. 4815

**1. DESCRIPTION OF PROPOSAL / SITE LOCATION**

- 1.1 This application seeks planning permission to create a retail foodstore (1,414sqm gross floorspace, 990sqm net trading space) on a 0.18ha site at the eastern end of the Glasgow Road Industrial Area, Camelon.
- 1.2 The application site consists of a cleared area, formerly occupied by Riley, Dunn and Wilson – a bookbinding business. The Mariner Centre lies to the east, the new Tesco retail store to the west, a vacant site and railway line to the north and residential property to the south.
- 1.3 Vehicular access is currently taken from Redbrae Road which also serves the adjacent leisure uses. Access onto Redbrae Road is taken from the A803 Glasgow Road.
- 1.4 The site itself has seen the demolition of buildings associated with Riley, Dunn and Wilson and the printing firm Johnston Press in 2011 and only an area of hardstanding remains.
- 1.5 The proposed single structure would be rectangular in shape, of contemporary design and orientated within the site to face Redbrae Road. The proposed store design incorporates Aldi's corporate materials and colours. The site would incorporate hard and soft landscaping, pedestrian access and car parking provision.

- 1.6 As a consequence of development and for the benefit of the site, the applicant proposes that the existing Glasgow Road/Redbrae Road junction would be upgraded and traffic lights installed. The existing bus stop on Glasgow Road (westbound) would require to be relocated. Existing on-street parking on a section of Glasgow Road would be lost to accommodate a new signalised traffic junction at Glasgow Road/Redbrae Road.

## **2. REASON FOR COMMITTEE CONSIDERATION**

- 2.1 The recommendation to approve the application subject to the satisfactory conclusion of a Legal Agreement is contrary to the policies contained within the Development Plan.

## **3. SITE HISTORY**

- 3.1 There are no previous planning applications pertaining to the development of the site post 1990. There is, however, a current application as yet undetermined relating to road and store signage for the proposal (P/12/0548/ADV – display of illuminated advertisement).

## **4. CONSULTATIONS**

- 4.1 The Roads Development Unit advise that further details should be submitted to address the following:-

- Details of the proposed mini roundabout on Redbrae Road.
- Details of the street lighting provision.
- A joint road dilapidation survey on Redbrae Road, with the applicant committed to resurfacing where required.
- A stage 3 Safety Audit prior to the store opening.
- Final details of the surface water drainage and Sustainable Urban Drainage System to be employed.

For the avoidance of doubt:-

- All external road, footway, traffic signals, road markings and street lighting works should be to Falkirk Council standard.

- A financial contribution of £12,500 is required to address the annual costs associated with the cumulative routine maintenance and power consumption charge of the traffic signals installation for a period of 10 years. This reflects the desire of the applicant to introduce a signalised junction to provide enhanced access to and from the new store. The existing A803/Redbrae Road priority junction operates satisfactorily in capacity, serviceability and road safety terms. The trip generation from the proposed store is low and on capacity grounds does not justify the installation of a traffic signals junction. It is recognised that inclusion of traffic signal control will benefit customers and greatly improve ease of access to and from the new development. The convenience of customers to the new development will be to the detriment of traffic flow on the A803 Glasgow Road. The traffic signals installation has been considered acceptable to ensure that the new development is promoted by a convenient junction design benefiting solely new customers to this development. The operation of the signals as defined by a sum of £12,500 should be borne by the developer considering the positive benefit to convenience for access to customers.
- The costs for the installation of any proposed waiting restrictions at the signalised junction and the costs of implementing any associated traffic orders should be borne by the developer.

4.2 The Transport Planning Unit advises that further details should be submitted to address the following:-

- Proposed cycle spaces.
- Dedicated car parking for residents on Glasgow Road losing on-street parking provision through the proposed alterations to the Glasgow Road/Redbrae Road junction.
- The linkage of the signalised junction to the existing pedestrian crossing.
- The proposed footway along the western side of Redbrae Road from Glasgow Road should be constructed to an adoptable standard at least 2 metres in width.
- A revised Travel Plan Framework should be submitted.
- A Stage 3 Road Safety Audit should be submitted prior to store opening.
- Final drainage arrangements, parking at crossings and road surfacing details should be submitted.

For the avoidance of doubt:-

- The costs associated with the relocated bus stop should be borne by the applicant.
- The placement of 'keep clear' markings on the full carriageway width of Hamilton Street/Glasgow Road, the costs to be borne by the developer.
- New waiting restrictions to be agreed, promoted by Falkirk Council and installed by the developer prior to the junction coming into operation. The cost of promoting the order would be borne by the developer.

- A bus clearway order, promoted by Falkirk Council and new stop installed by the developer prior to the existing stop being decommissioned. The cost of promoting the order would be borne by the developer.

- 4.3 Falkirk Community Trust's Keeper of Archaeology Local History has advised that an archaeological evaluation of the site has already taken place and there is no need for any further archaeological work.
- 4.4 Scottish Water has no objection to the planning application.
- 4.5 The Scottish Environment Protection Agency object to the application unless a planning condition is imposed on any issued planning permission to address the Sustainable Urban Drainage System (SUDs) to be employed.
- 4.6 The Environmental Health Unit advise that there are no issues outstanding in relation to mining, while information addressing potential noise nuisance and land contamination has been submitted, suspensive planning conditions reflecting the management of these issues have been imposed.
- 4.7 Falkirk Council's Landscape officer recommends that suspensive planning conditions be imposed to reflect the proposed landscape strategy and ensure planting and maintenance provision.

## **5. COMMUNITY COUNCIL**

- 5.1 No Community Council covers the area in which the site is located.

## **6. PUBLIC REPRESENTATION**

- 6.1 One contributor made comments neither objecting nor supporting the planning application:
  - The contributor supports the new business opening a store, but is concerned that, with the additional traffic from the Tesco Store, the junction from Hamilton Street and Glasgow Road is very difficult to use. The proposal requires traffic control to allow access from Hamilton Street.

## **7. DETAILED APPRAISAL**

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

Accordingly,

## 7a The Development Plan

### ***Falkirk Council Structure Plan***

7a.1 Policy ECON. 5 ‘Location of New Retail and Commercial Leisure Development’ states:

*“The scale of new retail development will be commensurate with maintaining the hierarchy of shopping centres shown in Schedule ECON 5 and enhancing them. Proposals for significant new retail and commercial leisure development should accord with the following principles:*

- 1. non food retailing will be directed to Falkirk Town Centre and the District Centres. In addition, provision will be made for bulky household goods retailing at Middlefield/Westfield Strategic Development Opportunity (up to 25,000 sq m gross), and for limited specialist retailing at the Falkirk Canal Interchange Strategic Development Opportunity, as set out in Schedule ECON.1 and subject to the criteria in Policy ECON.2;*
- 2 priority will be given to the provision of new food retail floorspace in Grangemouth, Larbert/Stenhousemuir, the Polmont area, Denny and Bonnybridge/Banknock, of a scale commensurate with the local catchment. New food retail floorspace will be directed to the District Centres and other established local centres, and only to new local centres where they meet the criteria set out in Policy ECON.6;*
- 3 new food retail floorspace in Falkirk will be restricted to existing commitments, neighbourhood stores of less than 1,000 sq. m. gross floorspace, and limited extensions to existing stores; and*
- 4 commercial leisure developments will be directed to Falkirk Town Centre, the District Centres and those other Strategic Development Opportunities for which such uses are specified in Schedule ECON.1.”*

7a.2 This policy sets the locational framework for new food retailing, highlighting settlements where new food floorspace is a priority and indicating that such floorspace should be directed to centres in the hierarchy. The policy states explicitly that new food retail floorspace in Falkirk will be restricted to existing commitments, neighbourhood stores of less than 1,000sqm gross floorspace and limited extensions to existing stores. In terms of retail policy, the site is off centre and, being 1,414sqm in size, considered contrary to policy ECON 5.

7a.3 Policy ECON.6 ‘Out-of-Centre Retail and Leisure Development’ states:

*“Proposals for significant retail or commercial leisure development not within or adjacent to Falkirk Town Centre, or the District Centres or not provided for within a Strategic Development Opportunity as specified in Schedule ECON 1, will be assessed in relation to the following:*

- (1) the impact on the vitality and viability of Falkirk Town Centre, the District Centres, and any other Strategic Development Opportunity;*
- (2) the need for the development;*
- (3) the proposal’s ability to meet the sequential approach;*
- (4) the accessibility of the proposal by a choice of means of transport;*
- (5) the impact on the number and length of car trips; and*
- (6) whether the proposal lies within the existing or proposed urban area as defined in the Local Plan.*

*A Retail/Leisure Impact Assessment addressing these factors will be required for all retail developments of 2,500 sq. m. gross floorspace or more, and for major commercial leisure developments. Assessment of smaller retail developments (between 1,000 and 2,500 sq.m. gross) may also be required in certain circumstances.”*

- 7a.4 A retail assessment has been submitted by the applicant which seeks to address the terms of the above policy. In assessment, the following comments are relevant:

### **Retail Impact**

- The proposal is for a small store with an estimated turnover of £3.48 million, with a local catchment. Impact on large stores in Falkirk Town Centre is likely to be limited, as with the district centres of Denny and Stenhousemuir. However, there is a possibility of some trade diversion from Newcarron village, where there is already a discount store, but the magnitude is not likely to be significant and the adjacent Tesco may be the store that suffers most trade diversion. Overall, therefore, it is considered that there will be no significant impact on the vitality and viability of existing centres as a consequence of the proposals.

### **Need**

- With the presence of an existing Tesco store, there is no quantative need for additional retail foodstores in Camelon, although a discount store of this nature would add a degree of choice for consumers.

### **Sequential Approach**

- The applicant's retail assessment carries out a sequential approach - including an assessment of potential sites in both Falkirk Town Centre and Camelon Local Centre - and concludes that there are no realistic opportunities for a store of this size in, or adjacent to, either centre.

### **Accessibility/Car Trips**

- The site offers a high level of accessibility by various modes of transport and, given its localised catchment, may be concluded to have a positive impact on the number and length of car trips.

### **Urban Limit**

- The site is within the urban limit as defined in the Development Plan.

### ***Falkirk Council Local Plan***

- 7a.5 Policy EP2 –‘Land for Business and Industrial Use’ states:

*“In order to maintain the business and industrial land supply and the employment role of existing business and industrial areas:*

- (1) The sites for new business and industrial development identified on the Proposals Map will be safeguarded for the employment use specified for each site; and*

- (2) *The areas for retention in business and industrial use identified on the Proposals Map will be retained and reserved for Class 4, 5 or 6 uses, except for the established business parks of Callendar Park and Gateway Business Park, Grangemouth which will be reserved for Class 4 uses only and the Glasgow Road Camelon Industrial Area which may include a food retail element to meet local needs as part of the mix.*

*Other ancillary employment uses may be permitted within these areas where they are compatible with the principal business/industrial use of the site, will not result in a significant reduction in the availability of business land or property, and are consistent with other Local Plan policies.”*

7a.6 While there is provision within the Glasgow Road Camelon Industrial area for a food retail element to meet local needs, this provision would be considered to be fulfilled through the recently approved Tesco retail store. The application site is reserved for Class 4, 5 and 6 uses. Consequently, any additional foodstores would be considered to offend the above policy.

7a.7 Policy EP7 – ‘New Retail Development’ states:

- (1) *New retail development in excess of 500 m<sup>2</sup> gross will be permitted where it is consistent with Policies ECON.5 and ECON.6 of the Structure Plan, and specific policies for individual centres in the Settlement Statements.*
- (2) *Retail developments smaller than 500 m<sup>2</sup> serving neighbourhood needs will be permitted within the urban area, subject to other Local Plan policies.*
- (3) *Retail development must demonstrate a high level of design quality, compatibility with adjacent land uses and an ability to integrate functionally and visually with any centre of which it is to form part.*

7a.8 The policy reflects that all retail proposals of over 500sqm should be assessed against structure plan policies ECON.5 and ECON.6 as above. The policy also refers to compatibility with adjacent land uses and the ability to integrate functionally and visually to any centre which it is to form part.

7a.9 Policy EQ8 - ‘Vacant, Derelict And Contaminated Land’ states:

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

7a.10 The site has been vacant since 2008 and the site’s capacity for re-development is unlikely to be hindered by the presence of any land contamination.

7a.11 Policy EQ9 - ‘Public Art’ states:

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

7a.12 While not a ‘major’ planning application in terms of hierarchy of development, the applicant is willing to contribute a sum of £1,500 toward the accumulating fund to erect a bust of Thomas Clement Douglas.

7a.13 Policy EQ16 ‘Sites of Archaeological Interest’ states:

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

7a.14 The site has been assessed and there are no archaeological interests to be addressed.

7a.15 Policy ST10 - ‘Parking’ states:

*“The Council will manage parking provision as an integral part of wider transport planning policy to ensure that road traffic reduction, public transport, walking, cycling and safety objectives are met.*

- (1) There will be a presumption against significant additional public parking in Falkirk Town Centre.*
- (2) There will be a presumption against the removal of existing parking provision in Falkirk Town Centre where this would adversely affect the vitality and viability of the centre.*
- (3) Park and ride facilities will be promoted at Westfield, Falkirk. The feasibility of providing facilities on the B902 Stenhousemuir-Falkirk corridor will be investigated.*
- (4) Parking in District and Local Centres will be managed to promote sustainable travel and the role of the centres.*
- (5) The maximum parking standards set out in SPP 17 will be applied where relevant, in tandem with the Council’s minimum standards. Where the minimum standards cannot be met, then enhanced travel plan resources may be required in compensation.”*

7a.16 The proposed level of car parking provision is considered acceptable.

7a.17 Policy ST11 - ‘Sustainable Urban Drainage’ states:

*“Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation. A drainage strategy, as set out in PAN 61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment.”*

7a.18 Policy ST12 - ‘Flooding’ states:

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



7a.19 The applicant has submitted proposals with regard to drainage and flood provision, which have been received and considered, in principle, to be acceptable. However, ratification of these matters may be achieved through the imposition of suitable planning conditions.

7a.20 Opportunity T.FAL05 – A803 Glasgow Road

Opportunity: Bus priority lanes

Agency: Falkirk Council

Comments: Feasibility of extending bus priority lanes westwards along A803 to be investigated. May require some land take to widen carriageway.

7a.21 The applicant will donate an area of land fronting Glasgow Road to contribute to future road widening of the carriageway. This is envisaged to be secured through Legal Agreement.

7a.22 Accordingly, the proposal does not accord with the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations to be assessed are the site history, the consultation response received during the consideration of the application, comments received, the interpretation of Development Plan policies with regard to urban regeneration and the Council's Action Plan for the Economic Downturn.

### ***Site History***

7b.2 Members may be aware that the application site is part of a larger area, the front area a former brick building with a frontage to Glasgow Road and occupied by a bookbinding business operated by Riley, Dunn and Wilson. The rear part, not part of this application, was an industrial building with offices which fronted Redbrae Road and occupied by Johnston Falkirk Ltd for newspaper production. The printing production was centralized elsewhere and the business amalgamated until 2008, with the failure of the new venture. The building fabric on each property was considered poor, with very little scope to adapt the buildings for alternative uses. The buildings were demolished in 2011.

7b.3 Historically, the area to the north of Glasgow Road has experienced significant long term vacancies of buildings and sites, with owners unable to attract new occupiers. Of particular note is the adjoining Tesco site, which was unable to attract a use other than retail, despite it having been vacant and available for 10 years.

7b.4 The owners of the application site, Johnston Press, participated in the early stages of an initiative in 2007 to market the site, but the initiative was later abandoned. Further marketing in 2008 secured Aldi as a preferred bidder, but Aldi withdrew interest in 2009. A revised marketing exercise showed interest expressed solely from retailers and developers with a retail focus, with Aldi as the preferred bidder for the site.

7b.5 In the meantime, Tesco secured planning permission for the adjacent site and the site is now developed as a retail foodstore.

## ***Consultation Responses***

- 7b.6 There are no issues arising which cannot be addressed either through Legal Agreement or suspensive planning conditions.
- 7b.7 The request by the Scottish Environment Protection Agency for a specific planning condition to be imposed to address Sustainable Urban Drainage has been accepted and reflected in the proposed schedule of planning conditions.

## ***Comments Received***

- 7b.8 The potential traffic management issues arising as a consequence of the proposals have been examined and the proposed introduction of the signalised junction at Redbrae Road/Glasgow Road should afford opportunity for users of Hamilton Street to enter/leave the traffic flow on Glasgow Road. In particular, 'Keep Clear' road markings combined with controlled queuing, are envisaged to help traffic movement at the Hamilton Street junction.

## ***Policy Evaluation***

- 7b.9 The proposal should be regarded as contrary to Policy ECON.5 and Policy ECON.6 of the Falkirk Council Structure Plan as it exceeds the 100sqm limit for off-centre location of Class 1 (Retail) Use, where there is no demonstrable need for the development. In addition, the proposal offends Policy EP2 of the Falkirk Council Local Plan in that the Glasgow Road, Camelon Industrial Area is designated for the retention of Business and Industrial Uses.
- 7b.10 It is considered that the policy infringements identified above are, in this particular instance, not serious ones and do not seriously compromise the overall strategy for decentralization. In terms of Policy ECON.6 of the Falkirk Council Structure Plan, it is accepted that all the terms apart from 'need' are passed. In particular, no significant impacts on other centres have been identified.
- 7b.11 It can be accepted that the decision by Falkirk Council to grant planning permission for the adjacent Tesco store is relevant, providing an example in this location for allowing a departure from retail policy to secure regeneration and employment benefits. Therefore, the application for the Glasgow Road, Camelon industrial area to be retained entirely for business and industrial uses has been diminished.

## ***Falkirk Council's Action Plan For The Economic Downturn***

- 7b.12 In December 2008, the Council adopted an Action Plan for the Economic Downturn, which highlighted the potential for the Council to be flexible in its application of planning policies to help secure development. The proposal would completely regenerate the site as well as bring some economic activity in the form of new jobs and investment.

## ***7c Conclusion***

- 7c.1 The proposal, if approved, would see the introduction of a contemporary designed retail foodstore on a site which is currently vacant and shows no immediate prospect of development by an industrial or business user.

- 7c.2 The proposal would have an impact on traffic arrangements on Glasgow Road – including the loss of some on-street parking provision – but dedicated car parking provision to nearby residents will be offered within the store’s parking facilities.
- 7c.3 The desire to rigidly adhere to the site’s allocated land use retention for business and industrial use is tempered by the limited impact the proposals would have on retail policy, the limited uptake on the site’s availability within the market and the regeneration and employment benefits the development would achieve.
- 7c.4 It is therefore considered that material planning considerations justify the departure from the policies contained within the Development Plan.

## **8. RECOMMENDATION**

**8.1 It is therefore recommended that Planning Committee indicates that it is minded to grant planning permission subject to the conclusion of a Section 75 Planning Obligation to secure the matters below:-**

- (a) The voluntary financial contribution of £1,500 to the ongoing fund for a memorial to Thomas Clement Douglas. This respects the terms of Policy EQ9 – Public Art – of the Falkirk Council Local Plan, albeit the proposal is not a ‘major’ application.**
- (b) The financial contribution of £12,500 to address the annual costs associated with the routine maintenance and energy costs of the signalised junction for a period of 10 years. This reflects the desire of the applicant to introduce a signalised junction to improve customer flow, rather than the signalised junction being essential to improve highway safety.**
- (c) A financial contribution to address costs associated with Falkirk Council promoting or implementing traffic orders and bus clearway order. This reflects further administration by Falkirk Council to implement the required works.**
- (d) The donation of land currently in the ownership of the applicant to Falkirk Council. This contributes to the realisation of Opportunity TR FAL 05 – A803 Glasgow Road – future road widening of the carriageway.**

**8.2 On completion of the Planning Obligation the matter be remitted to the Director of Development Services to grant planning permission subject to the following conditions:-**

- (1) The development to which this permission relates must be begun within three years of the date of this permission.**
- (2) Before the building is occupied, the car parking shown on the approved plan shall be completed.**
- (3) Development shall not begin until details of the scheme of hard and soft landscaping works have been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):**
  - i. existing and finished ground levels in relation to a fixed datum, preferably ordnance**

- ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored
  - iii. location and design, including materials, of walls, fences and gates
  - iv. soft and hard landscaping works
  - v. existing and proposed services such as cables, pipelines, sub-stations.
- (4) Prior to the store opening, all associated road transport infrastructure, including footpath construction and traffic light installation, shall be completed to the satisfaction of the Planning Authority in consultation with the Roads Authority.
- (5) Prior to any works on site, further information shall be submitted to and approved in writing by the Planning Authority as to the minimisation of light pollution from the premises.
- (6) Before the development commences, details of the phasing of the proposed development and the location(s) of the works compound and construction vehicle parking and access arrangements shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (7) Before the development commences, full details of the colour and specification of all proposed external finishes for all buildings, structures and hardsurfaces shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (8) Before the development commences, full details of the colour and specification of all proposed walls, fences, gates and any other means of enclosure shall be submitted to and approved in writing by this Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (9) Notwithstanding the approved plans, before the development commences, a scheme of landscaping shall be submitted to and approved in writing by this Planning Authority. Details of the scheme shall include:
- (i) an indication of any existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their retention;
  - (ii) the location of all new trees, shrubs, hedges and grass areas;
  - (iii) a schedule of plants to comprise species, plant sizes and proposed numbers/species;
  - (iv) a programme for the completion and subsequent management and maintenance for all proposed landscaping and boundary treatments.

The landscaping plan shall be implemented in accordance with an approved phasing plan.

- (10) Before occupation of the retail unit, exact details of any proposed ventilation system and measures to be employed to control noise emission from all proposed plant/equipment and HGV deliveries shall be submitted to and approved in writing by this Planning Authority. Thereafter, all plant/equipment shall be installed, operated and maintained, and all HGV deliveries carried out, in accordance with the approved details.
- (11) All proposed roads, cycleways, traffic signals, roadmarkings, street lighting, footways/footpaths and road crossings to be adopted by Falkirk Council shall be constructed in accordance with the Falkirk Council Design Guidance and Construction Standards.
- (12) Cycle parking shall be provided on the site at location(s) and in accordance with details, including the number and design, submitted to and approved in writing by this Planning Authority.
- (13) Prior to the store opening a Stage 3 Safety Audit shall be carried out on the proposed new infrastructure and the information submitted to and agreed by the Planning Authority.
- (14) Prior to occupation of the retail unit, further details shall be submitted to and approved in writing by the Planning Authority as to the number, location and management of the dedicated car parking spaces to residents of Glasgow Road.
- (15) In the event that unexpected contamination is encountered following the commencement of development, all work on the affected part of the site shall cease. The developer shall notify the Planning Authority immediately, carry out a contaminated land assessment and undertake any necessary remediation works. Development shall not recommence without the prior written approval of the Planning Authority.
- (16) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the final design layout of the proposed mini roundabout on Redbrae Road.
- (17) For the avoidance of doubt, the proposed footway along the western side of Redbrae Road to the site access shall be constructed to adoptable standards and be at least 2 metres in width.
- (18) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the Travel Plan Framework.
- (19) Prior to the commencement of any works, full details of the finalised SUDS scheme shall be submitted for the written approval of the Planning Authority, in consultation with SEPA, and all works shall be carried out in accordance with the approved scheme.
- (20) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority as to the finalised street lighting system to be employed.

- (21) Prior to any works on site, a joint - Falkirk Council and Applicant - road dilapidation survey shall be carried out on Redbrae Road, identifying the scale of resurfacing work required on the carriageway.
- (22) Prior to any works on site, further details shall be submitted to and approved in writing by the Planning Authority to ensure that the junction is operated by a MOVA control system, the existing pedestrian crossing linked into the controller for the proposed junction.
- (23) For the avoidance of doubt, the existing bus stop on the south side of Glasgow Road will be relocated to the layby at the front of St John's Church, details to be submitted to and approved in writing by the Planning Authority
- (24) For the avoidance of doubt, the proposed retail floorspace of 990sqm shall be restricted to the sale and display of convenience goods, with no more than 30% of this floorspace being used for the sale and display of comparison goods.

**Reason(s):**

- (1) To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997.
- (2, 14) To ensure that adequate car parking is provided.
- (3, 9) To safeguard the environmental amenity of the area.
- (4, 22) To ensure that adequate traffic management provision is secured.
- (5, 7, 8) To safeguard the visual amenity of the area.
- (6, 10) In the interests of residential amenity.
- (11/13,  
17,20/21) To safeguard the users of the public highway.
- (15) To ensure the ground is suitable for the proposed development.
- (16) The development would not be acceptable without these additional works.
- (18, 23) To enable the Planning Authority to consider this/these aspect(s) in detail.
- (19) To ensure adequate protection of the water environment from surface water run-off.
- (24) To ensure that the Planning Authority can control the future use of the premises.

**Informative(s):**

- (1) For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01, 02, 03, 04, 05, 06, 07, 08.

- (2) The applicant should consult with Development Services Roads Unit to obtain Roads Construction Consent before any potentially adoptable road or addition to an existing road is constructed.
- (3) Your attention is drawn to the provisions of the Disability Discrimination Act 1995. This permission does not imply that your proposals satisfy the requirements of that legislation.
- (4) It is recommended that the applicant should consult with the Development Services Environmental Health Division concerning this proposal in respect of noise legislation which may affect this development.
- (5) It is recommended that the applicant should consult with the Development Services' Environmental Health Division concerning this proposal, as legislation relating to the spread of dust is likely to affect this development.
- (6) The applicant shall ensure that noisy work which is audible at the site boundary shall **ONLY** be conducted between the following hours:

Monday to Friday	08:00 - 18:00 Hours
Saturday	09:00 - 17:00 Hours
Sunday / Bank Holidays	10:00 - 16:00 Hours

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

- (7) For the avoidance of doubt, the financial costs incurred by Falkirk Council in addressing off-site works related to the application shall be borne by the Developer.

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 Director of Development Services

Date: 23 October 2012

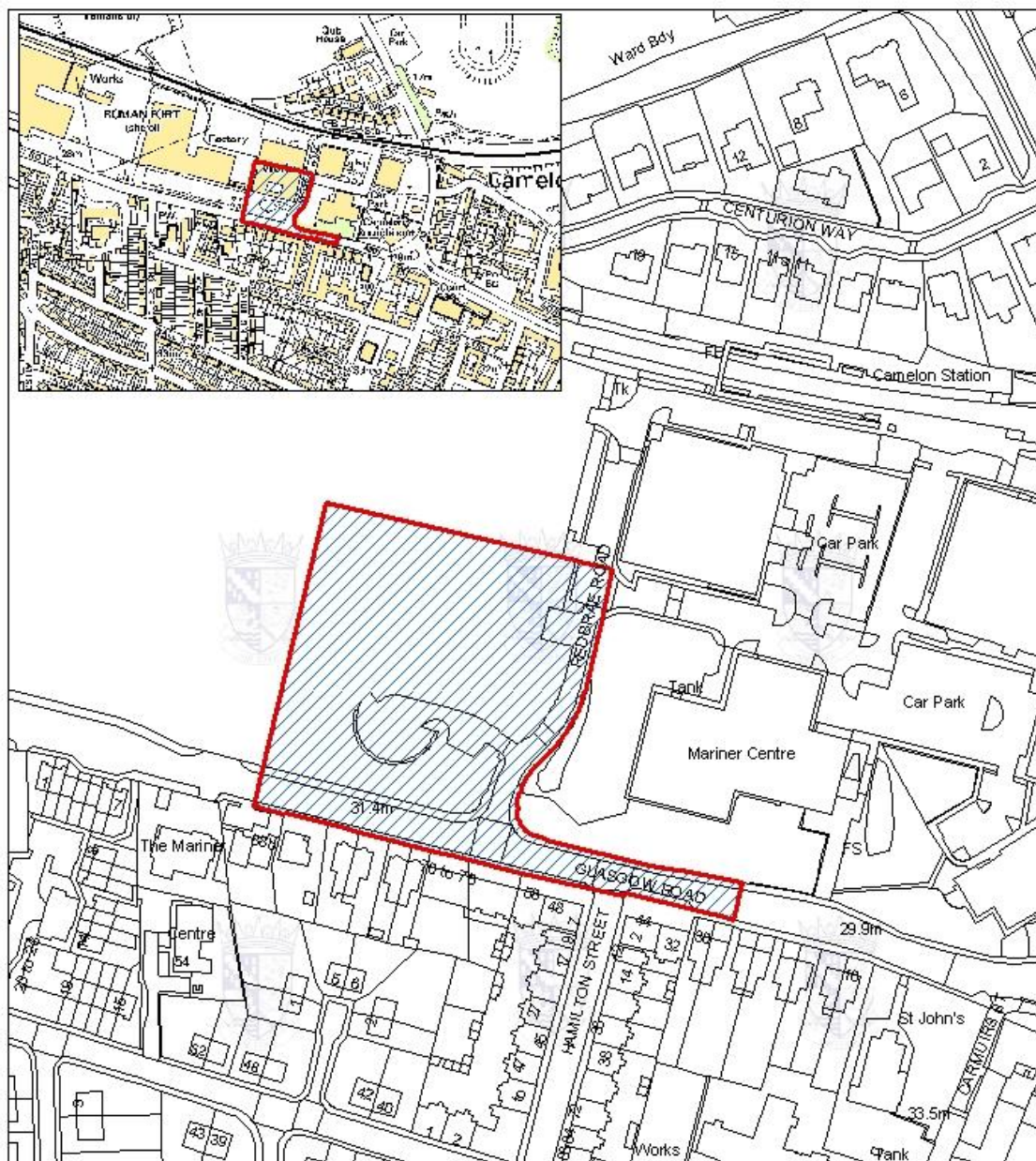
#### **LIST OF BACKGROUND PAPERS**

1. Falkirk Council Structure Plan
2. Falkirk Council Local Plan
3. Falkirk Council Economic Downturn Action Plan
4. Letter of representation from Mr A Lyons, 48 Glasgow Road, Camelon, Falkirk on 21 July 2012.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504815 and ask for John Milne, Senior Planning Officer.

**P/12/0418/FUL**

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