

**FALKIRK COUNCIL**

**Subject:** MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL AND SPORTS FACILITIES AT LAND TO THE EAST OF BONNYBRIDGE HOSPITAL, BONNYBRIDGE FOR ANTONINE PROPERTY DEVELOPMENTS GROUP LTD - P/09/0431/OUT  
**Meeting:** FALKIRK COUNCIL  
**Date:** 7 January 2013  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Councillor Billy Buchanan  
Councillor Tom Coleman  
Councillor Linda Gow

**Community Council:** Bonnybridge

**Case Officer:** Brent Vivian (Senior Planning Officer), Ext 4935

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

- 1.1 The application is for a major development and seeks planning permission in principle for a mixed use development comprising residential development and sports facilities. The information accompanying the application indicates approximately 200 dwellinghouses.
- 1.2 The application was registered prior to the commencement of the requirements of the Planning Etc. (Scotland) Act 2006 for the undertaking of Pre-Application Consultation for major developments. Therefore, the pre-application consultation procedures for major developments do not apply in this instance. These procedures include consulting with any relevant community council and the holding of a public event.
- 1.3 The application site extends to approximately 19 hectares and lies on both sides of the A803 (Falkirk Road) to the immediate east of the existing Bonnybridge urban limit. The site is in agricultural use and is open in nature. The portion of the site to the south of the A803 rises in level to meet the Forth and Clyde Canal where there is mature planting along the canal edge. Watercourses lie in close proximity to the east and north boundaries of the application site and are flanked by riparian planting.
- 1.4 Land within the same ownership as the application site lies to the immediate north and east. To the north, this land extends to adjoin the Bonny Water. To the north-east and east it extends to adjoin the Rowan Tree Burn and, for some of its length, straddles the Rowan Tree Burn.
- 1.5 The following information has been submitted by the applicant in support of the application:-
  - A Masterplan.
  - A Design Statement.

- A Planning Statement.
- A Statement of Projected Revenue and Costs.
- An Initial Cultural Heritage Statement.
- A Flood Risk Statement.
- A Transport Statement.
- A Drainage Statement.
- A Contaminated Land Assessment (Phase 1).
- A Protected Species Assessment.
- Statements of Public Support, consisting of:-
  - Signatures by Members of the Public on Petition (1,642)
  - Letters on behalf of local Football Teams and Players (18)
  - Letters from Local Businesses (41)
  - Letter from Management Committee, Bonnybridge Community Education Centre
  - Letters from General Public (80)
  - Letter of Interest to operate a Nursing Home (Royal Services for the Blind)

1.6 The Masterplan submitted with the application indicates the following:-

- Two residential areas.
- Two affordable housing sites.
- A nursing home area.
- A new roundabout on the A803.
- Two multi-purpose grass sport pitches.
- An all-weather sports pitch surrounded by an all-weather athletics track (floodlit).
- A fitness complex housing changing facilities and a gym.
- A car park for the sporting facilities.
- A river-walk link from the north across the Bonny Water through the site to the Forth and Clyde Canal.
- Easement zones either side of two gas feeder lines traversing the site in a north-south direction.

- Landscape planting between the application site boundaries and the Bonny Water and Rowan Tree Burn.

1.7 The Design Statement submitted with the application states the following:-

- Bonnybridge currently has two grass sports pitches and no purpose-built changing facilities or gym for public use, whilst it is home to 14 football teams of varying age groups. As a result, the current facilities are inadequate and do not meet public demand or the "Active Nation" requirements of the Scottish Government.
- The cost of providing the proposed sports facilities would be cross-subsidised by new build residential development, providing a range of housing from affordable housing, care for the elderly to mainstream family dwellings.
- Owing to a high pressure gas main bisecting the site from north to south, the proposed playing fields have been located to provide the required Health and Safety Executive safety and maintenance access stand-off distances.
- The implications of extending the eastern development boundary of Bonnybridge are recognised, and it is proposed to consolidate this edge by large scale landscape structure planting to the Rowan Tree Burn, which would preserve and enhance the existing biodiversity of the area.
- The proposed sports complex would offer 10 new jobs and employ a full-time manager, with assistant staff and groundsman, whilst the Elderly Care Home would provide up to 40 jobs.
- The proposed development seeks to join the existing Bonny Water and Forth and Clyde Canal walks to create a circuit route from the Town Centre. This would provide quality walking and cycling surfaces and facilitate and promote access to the countryside.
- The proposed changing facilities and car parking would enhance use of the existing pitch at Anderson Park. Pedestrian access from the new facilities to Anderson Park would be via the Canal track.
- The A803 is a major road with 2 child fatalities due to over-parking and high traffic speeds. The proposed development seeks to address these matters by providing off-street parking for use of Anderson Park and introducing a series of traffic calming measures on the A803.
- There are 1,200 people of pensionable age in Bonnybridge, and only two care home facilities. It is clear that Bonnybridge requires the addition of a good quality residential care facility.

1.8 The Planning Statement submitted with the application states the following:-

- There is a clearly established need for improved community and leisure facilities locally in Bonnybridge, but no apparent means of providing these. Recent economic conditions have resulted in significant impacts on the delivery of new development. Consequently, the provision of community facilities and infrastructure through developer contributions has been compromised. The proposals set out in this planning application offer a solution.
- In the current economic conditions, housing land supply and completions are in a state of flux. The result is that many developments that were expected to deliver housing to meet local need have been delayed significantly or shelved completely. In this scenario, and with a Development Plan strategy which seeks to promote growth, the Council must find new approaches to the delivery of housing. Opening up opportunities for developers who have the resources to accelerate housing provision is a critical means of responding positively to the provision of housing delivery in difficult economic conditions.
- The proposed development is a natural extension to Bonnybridge and would have clearly delineated and defensible boundaries with the Rowan Tree Burn and overhead power cables to the east, the Forth and Clyde Canal to the south and significant level changes to the north. In addition, it would not create coalescence between Falkirk and Bonnybridge.

## **2. REASON FOR COUNCIL CONSIDERATION AND UPDATE FROM PREVIOUS COUNCIL CONSIDERATION**

- 2.1 Council consideration is required for a major development that is significantly contrary to the Development Plan. The proposed development is considered to be significantly contrary to the Falkirk Council Structure Plan and the Falkirk Council Local Plan due to the countryside and Green Belt designations of the application site and the scale and nature of the proposed development within the context of the local area.
- 2.2 A Pre-Determination Hearing is required for a major development that is significantly contrary to the Development Plan and was originally held at Bonnybridge Primary School on 8 June 2010 at 7 p.m. This application was then considered by Falkirk Council on 23 June 2010, where the officer's report recommended refusal of the application. At that meeting there was an equality of votes on the application and the matter was undetermined.
- 2.3 The applicant subsequently requested that the application be reconsidered by the Council. Prior to this taking place, it was agreed that a further Pre-Determination Hearing be held. The decision was in recognition of the passage of time since the Council Members heard the original submission, the change to some of the Council membership following the local elections in May 2012 and the importance of all Members becoming acquainted with the relevant information to satisfy their decision making responsibilities.
- 2.4 Since the Council meeting on 23 June 2010, the following letters relating to the application have been received:-

- A letter dated 19 July 2010 from Dawn Homes confirming their aspiration to work in partnership with the applicant in delivering this residential opportunity to Bonnybridge. The letter states they would welcome the opportunity to be involved in the negotiations with Falkirk Council regarding the required Section 75 Agreement and the community facility;
- A letter dated 29 October 2010 from Jones Lang LaSalle advising that the applicant is keen to demonstrate that they are taking necessary action to give due regard to the objection from the Health and Safety Executive. In this respect, the applicant has appointed Jones Lang LaSalle to consider the potential for overcoming the objection from the Health and Safety Executive. (Jones Lang LaSalle are a financial and professional services firm specialising in real estate services and investment management);
- A letter dated 26 April 2011 from the applicant's agent, Jewitt Archavir and Wilkie Architects, advising that Jones Lang LaSalle had now completed preliminary investigations and were confident that a resolution may be possible, although some loss in the initially proposed development density may be required as a consequence;
- A letter dated 18 November 2011 from Jewitt Archavir and Wilkie Architects advising that the applicant had taken specialist consultant's advice through Jones Lang LaSalle regarding the implications of the existing high pressure gas mains and had been advised that a solution could be generated from mitigation measures to enable a meaningful sports, recreational and residential development at the site, subject to further detailed Health and Safety assessment and planning studies. The letter indicated the backing of two major national housebuilders (Wimpey Homes and Dawn Homes); and
- A letter dated 15 December 2011 from Jewitt Archavir and Wilkie Architects advising that the applicant had carried out further studies to assess the costs of appointing consultants to provide the relevant information to justify the proposals. The letter indicated that the cost would amount to a six figure sum, and it would be foolhardy to undertake the studies if the application is to be automatically refused on policy grounds. The letter suggested a 'Minded to Grant' decision would provide the applicant with the necessary confidence to commit to very expensive studies.

2.5 The second Pre-Determination Hearing was held at Bonnybridge Primary School on 14 November 2012 at 7pm. At the hearing, the applicant spoke in support of the proposed development and highlighted the benefits to the local community. Members queried potential impacts on community facilities (e.g. health facilities and schools), the consultation response by the Falkirk Community Trust at paragraph 4.13, the business case and how the sporting facilities would be delivered, how the applicant intends to address the previous recommended reasons for refusal and the implications of the pipelines running through the site on the proposed development. A Member said that she had not met any local residents that were against the proposal.

2.6 The applicant responded to the queries by Members and re-iterated and expanded on the points set out in paragraph 2.4 of this report above. They highlighted that it is up to Members to decide how much weight to give to the benefit of the proposed development compared to the conflicts of the proposed development against the Development Plan.

- 2.7 Local members of the community and representatives of Bonnybridge youth football were heard in support of the proposed development. The football representatives pointed to a lack of investment in sport in the Bonnybridge area, the need for additional football facilities and the poor condition of existing facilities. Concern was raised at local athletes having to travel to Grangemouth for athletics. Road safety concerns at Anderson Park were raised due to the speed of traffic and roadside parking. A local resident welcomed the proposal for a nursing home facility as part of the application. Affordable housing was seen by a resident as being of benefit. Another local resident welcomed the jobs that could be brought to the area as a result of the development.
- 2.8 The Bonnybridge Community Council representative spoke at the hearing and welcomed the proposed sporting facility but were concerned at the pressure that would be placed on local facilities and questioned whether the existing village could cope with the increase in traffic and the strain that would be placed on existing parking.
- 2.9 Since the Pre-Determination Hearing on 14 November 2012, two objections to the application have been received. The first is on the following grounds:-
- A high pressure pipeline runs through the proposed site which is surely a dangerous situation;
  - There is leakage in the area from the Forth and Clyde Canal;
  - Impacts on local schools;
  - Extra traffic on an already busy road;
  - Inadequate parking in the centre of Bonnybridge; and
  - Concern raised that the recent Pre-Determination Hearing was not advertised as it should have been as quite a few people in the village did not know about it and therefore will a future public meeting be held?
- 2.10 In response to the last point at paragraph 2.9, the Democratic Services section within the Chief Executive Office has advised that all parties were timeously formally advised in writing of the Pre Determination Hearing in accordance with Section 43(1)(c) of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc (Scotland) Act 2006 and from whom the Council received representations i.e. the statutory consultees and any other person from whom the Council received representations. They were issued with the procedures for the Hearing and a copy of the Report by the Director of Development Services. In addition notification of the relevant agenda and Report were publicised on the Council website in accordance with standard procedures relating to Council Committees. The other issues made are noted and a number of them have been assessed in this report.
- 2.11 The second objection is from Bonnybridge Community Council who have advised in writing that they are now against the proposal for the following reasons:-
- Besides the proposed sporting facilities, they cannot find any long term benefits for the village;
  - It is outside the agreed village limit and in the countryside;

- There are pressures on the services in the village, schools which are full and having to be extended and doctors surgeries where waiting times appear to be getting longer;
- Parking at the Toll, which is bad enough at present, would become a no go area for cars and people if the proposal is approved;
- The proposed sporting facilities would only be used by a minority of people in the village; and
- Concerns about deliverability of the proposed sporting facilities if the applicant's building partners pull out of the project.

### **3. SITE HISTORY**

3.1 Planning application ref: F/95/0278 for the development of land for housing purposes (outline) was refused in February 1996. This application related to part of the site subject to the current application. The reasons for refusal were as follows: -

- The proposed development would result in a significant additional number of occupants being exposed to risk from two high pressure gas pipelines.
- The proposed development would adversely affect an existing pipeline corridor, within which new pipelines should be located.
- The proposed development would form an undesirable extension beyond the Urban Limits of a town with a well defined edge.
- The proposed development is located outwith the urban limit and is not identified for housing development.
- The proposed development is not in the interests of road safety as it has not been demonstrated that the indicative housing layout with a roundabout provides an adequate stopping distance due to the vertical and horizontal alignment of the A803 at this location.

### **4. CONSULTATIONS**

4.1 The Roads Development Unit have advised that the development layout would be required to comply with the Design Guidelines and Construction Standards for Roads in the Falkirk Council area (DGCS) and that access to the development from the A803 would involve a review of the current unrestricted speed limit. The review process would determine the design criteria for the new access. They requested further information in respect of the Drainage Statement to confirm the intended surface water discharge point(s). They also requested further information in respect of the Flood Risk Statement to demonstrate that the proposed development would not be at significant risk of flooding from the Forth and Clyde Canal as a consequence of spill (and any associated drainage or seepage from it), or from the Rowan Tree Burn as a receiving watercourse of any spill from the Canal.

- 4.2 Scottish Water have no objection to the application but advised that connection to their infrastructure cannot be guaranteed.
- 4.3 The Scottish Environmental Protection Agency (SEPA) have no objection to the application on flood grounds as the indicative layout was amended to replace housing with car parking and a fitness centre in the area closest to the Rowan Tree Burn. However, they advised that the planning authority may wish to satisfy themselves that the adjoining Canal does not pose a significant flood risk, including from seepage or culverted watercourses. They would not object to the application on waste water and surface water drainage grounds if conditions were imposed to require the development to connect to the public waste water network and the submission of a full site-specific surface water scheme.
- 4.4 The Council's Environmental Protection Unit have requested the submission of an Air Quality Assessment to demonstrate that the proposed development would not significantly impact on air quality. In addition, they have requested a Noise Impact Assessment to determine the impact of transportation noise on the proposed development. They advised that an adequate preliminary risk assessment in relation to contaminated land would generally appear to have been undertaken, subject to the submission of further information in relation to land contamination sources, pathways and receptors.
- 4.5 The Council's Transport Planning Unit have requested the submission of a full Transport Assessment and have noted that the submitted Transport Statement is a scoping exercise outlining the work that would be carried out in preparing a Transport Assessment. However, no information has been submitted on the trip rates that a development of this size would create, the junctions under consideration or the potential impact on the surrounding road network. They are therefore currently unable to assess the potential transport related impacts of the proposed development.
- 4.6 Scottish Natural Heritage have no objection to the application subject to the development being carried out in strict accordance with the recommended mitigation measures and the undertaking of further survey work as detailed in the ecological report. The mitigation measures include the provision of a 10 metre buffer at the top of the Rowan Tree Burn gully in order to protect bat and water vole habitat. The further survey work relates to a pre-construction walkover survey to check for the presence of breeding birds.
- 4.7 Historic Scotland are concerned that the applicant has not selected the site or planned the layout of the development with due consideration to the principles of National Planning Policy and the constraints imposed by the presence of the Antonine Wall and the Forth and Clyde Canal, which are of national importance to the heritage of Scotland and, in the case of the Antonine Wall, of international significance. They consider that the applicant must clearly demonstrate that the development is unlikely to have an adverse effect on these important heritage assets before development of this nature can be permitted.
- 4.8 The Health and Safety Executive have advised against granting the application, on the grounds that a Pipeline Consultation Zone for two high pressure gas mains bisect the site in a north-south direction such that there would be the risk of harm to people at the proposed development.
- 4.9 Scottish Canals (previously British Waterways Scotland) have no objection to the application subject to the imposition of suitably worded conditions in relation to protection of the structural integrity of the canal embankment, landscaping adjacent to the canal and protection of the canal and canalside during construction of the proposed development.



- 4.10 Central Scotland Police have made recommendations in relation to the provision of secure boundary treatments, open landscaping and car parking which is overlooked.
- 4.11 Education Services have objected to the application due to the scale of the proposed development, which has not been planned for and which would be expected to contribute significantly to the demand for the provision of additional school capacity at Bonnybridge Primary, St Joseph's RC Primary, Denny High and St Mungo's RC High, as well as nursery capacity. Primary and pre-school provision in particular is under significant pressure in Bonnybridge. However, if planning permission is granted, they would request a pro-rata contribution of £6,800 per house and £3,600 per flat towards the expected required investment in local schools (these figures reflect the Council's latest Supplementary Planning Guidance for Education and New Housing Development, which has been updated since previous consideration of the application by Council).
- 4.12 Falkirk Community Trust advise that the provision of multi-purpose pitches, particularly full size adult pitches, would be welcomed if they are freely available to the community. However, they raise concerns at the proximity of the proposed sporting facilities to proposed housing, and the need for careful consideration of screen planting to mitigate noise and light pollution. The provision of on-site play provision to meet the needs of the new residential areas was queried.
- 4.13 The trust consider that there is insufficient demand for another athletics track in the Bonnybridge area, or across the Falkirk area in general. There is currently an international standard athletics stadium in Grangemouth, which presently meets the needs of the Falkirk area. They have advised that a Sports Pitch Strategy has been completed which requires adoption by the Council and the Falkirk Community Trust Board. The strategy once adopted, would provide a context in which to assess the sporting facilities proposed in this application. The strategy supports the need for a network of third generation artificial pitches across the Falkirk Council area and the desirability of locations with multiple pitches (grass and synthetic). They advised that Bonnybridge is not identified in the current round as one of the sites for a third generation artificial pitch but Denny is. They noted that the management and operational arrangements for the proposed sporting facilities would need to be submitted for consideration.
- 4.14 Sportscotland have welcomed in principle the provision of additional sports facilities in Bonnybridge. In terms of design, they advised that pitches should generally have a north/south orientation for sunlight reasons, rather than east/west as proposed. They advised that a national analysis of athletics facilities was carried out in 2005 which indicated that there is a small level of unmet demand for athletics in Falkirk, but it is unlikely that this demand is sufficient to support new athletics facilities. An alternative athletics facility at this location may have a detrimental impact on the use of the Grangemouth Sports Stadium.

## **5. COMMUNITY COUNCIL**

- 5.1 The Bonnybridge Community Council were not in existence when the application was originally considered by Falkirk Council in 2010. They were present at the Pre-Determination Hearing on 14 November 2012 and the submissions they made at the hearing are summarised in paragraph 2.8 of this report. Since the hearing they have formally submitted an objection to the application as detailed in paragraph 2.11 of this report.

## **6. PUBLIC REPRESENTATION**

6.1 One letter of representation and one letter of support have been sent directly to this planning authority. In addition, the applicant has submitted statements from the public in support of the application, as detailed in paragraph 1.5 of this report.

6.2 The contents of the letters sent to this planning authority and the statements of support submitted by the applicant can be summarised as follows:-

- Query regarding how wheelchair access from the proposed development to the Canal would be provided.
- The proposed sports facilities would be an asset to the local community.
- The proposed facilities would provide a safe and secure environment for sports activities.
- Lack of grassed and all-weather sports facilities and changing rooms in Bonnybridge.
- The changing facilities at Duncan Stewart Park and Anderson Park are out of date and badly in need of refurbishment.
- The existing pitches are not always suitable to play on.
- There are no training grounds available in Bonnybridge and local football teams have to travel to Denny High School to train.
- Training problems in bad weather, as there are not enough astro-turf pitches for teams to practice on.
- At present Bonnybridge football teams are scattered around the area and have difficulty finding slots for match play and training.
- The Council has not provided any funding to improve the quality of the existing pitches or changing rooms.
- At a time of increased pressure on local authority budgets, it would be beneficial to the local community if sports facility investment could come from the private sector.
- Parking for football games is a major issue at the existing parks in Bonnybridge (Anderson, Loch and Duncan Stewart Parks).
- Parking on the A803 to use the pitch at Anderson Park is dangerous, impedes the road, is insufficient and there have been two child fatalities.
- Lack of facilities greatly inhibits young people from participating in sport at the local level.
- Improved facilities would take children off the streets, tackle child obesity and encourage older people to exercise and improve their health.
- Royal Services for the Blind currently operates one nursing home and is currently in the market for further opportunities.

- The proposed development would provide the opportunity for local employment during the construction phase and upon completion.

## 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 The development strategy of the Structure Plan is to provide for population and economic growth based on dispersal of growth amongst the different settlements in the Falkirk Council area whilst promoting strategic development nodes, protecting the environmental assets of the area and delivering the required social and physical infrastructure.
- 7a.2 The implications of the development strategy include: providing sufficient new housing land to facilitate an increase in the population of the area; concentrating new investment in community infrastructure on improving the quality of existing facilities; adopting a phased approach to the release of housing land in order to regulate development rates in each settlement; applying appropriate levels of protection to landscape, ecological and heritage assets within the area; providing for a system of Green Belts around the urban fringe of the main settlements in the Council area in order to protect their identity and setting; and locating new development in locations which minimise the number and length of car trips.
- 7a.3 The broad implications of the development strategy for the Bonnybridge and Banknock area are that development will be based on limited settlement expansion, but Banknock will be a priority area for housing led regeneration. The housing opportunity sites to contribute towards achieving the Development Strategy are identified in the Falkirk Council Local Plan. No new housing opportunity sites are allocated to the east or north of the existing Bonnybridge urban limits. A proposed Green Belt is drawn tightly around the existing urban area at these locations, in order to prevent the coalescence of Bonnybridge, Falkirk, Larbert and Denny and protect their landscape settings.
- 7a.4 Policy ENV.1 ‘Countryside and Protected Areas’ states:
- “(1) *There is a general presumption against development in areas defined as countryside, unless it can be demonstrated that a countryside location is essential or is an appropriate form of agricultural diversification. Where it is established that a countryside location is essential, development proposals will also be assessed in relation to Local Plan policies appropriate to specific protected areas as defined generally by Schedules ENV.1 and ENV.3.*
  - (2) *The policies applicable to countryside and protected areas within it, together with the detailed boundaries of each area, will be set out in Local Plans.”*

7a.5 The application site lies outwith the Bonnybridge urban limits, within the countryside, as identified in the Falkirk Council Local Plan. Under this policy there is a general presumption against development unless it can be demonstrated that a countryside location is essential or the proposed development is an appropriate form of agricultural diversification. In this instance, the essential need for a countryside location has not been demonstrated and the proposal is not a form of agricultural diversification. The proposed development therefore does not accord with this policy.

7a.6 Policy ENV.2 'Green Belt' states:

*"There will be a system of Green Belts in the areas generally described in Schedule ENV.1 and indicated on the Key Diagram. Within these there will be a long term presumption against development in order to prevent the coalescence of settlements, protect their landscape setting, and avoid prejudicing future proposals for landscape enhancement and countryside recreation.*

*The detailed boundaries will be defined in Local Plans, having regard, where appropriate, to the Strategic Development Opportunities set out in Policy Econ.1 and Schedule Econ.1 and other structure plan policies."*

7a.7 The land to the east of Bonnybridge is indicated on the Key Diagram of the Structure Plan as Green Belt, although the detailed boundaries for the Green Belt are defined in the Falkirk Council Local Plan. Accordingly, the proposed development will be assessed against the Falkirk Council Local Plan in relation to this matter.

7a.8 Policy ENV.3 'Nature Conservation' states:

*"The protection and promotion of nature conservation interests will be an important consideration in assessing all development proposals. Accordingly:*

*(1) Any development likely to have a significant effect on a designated or potential European Site under the Habitats or Birds Directives (Special Areas of Conservation and Special Protection Areas) or on a Ramsar or Site of Special Scientific Interest (see Schedule Env.3), must be subject to an appropriate assessment of the implications for the sites conservation objectives. The development will only be permitted where the appropriate assessment demonstrates that:*

- (a) it will not adversely affect the integrity of the site, or;*
- (b) there are no alternative solutions and there are imperative reasons of overriding national public interest.*

*(2) Sites of local or regional importance, including Wildlife Sites and Sites of Importance for Nature Conservation, will be defined in Local Plans. The designation of Sites will be based on Scottish Wildlife Trust criteria. Development likely to have an adverse impact on any such site or feature will not be granted planning permission unless it can be clearly demonstrated that there are reasons which outweigh the need to safeguard the site or feature. Until such areas are defined in Local Plans, identified or potential sites will be afforded the same protection.*

*(3) Local Plans will identify opportunities for enhancing the natural heritage including new habitat creation, the identification of 'wildlife corridors' and measures to ensure the protection of priority local habitats and species as identified in the forthcoming Falkirk Local Biodiversity Action Plan.*

- (4) *The aims and objectives of the forthcoming Falkirk Local Biodiversity Action Plan and any associated Species Action Plans and Habitat Action Plans will be a material consideration in assessing any development proposal likely to impact on local priority species and habitats.”*

7a.9 This policy states that the protection of nature conservation interests will be an important consideration in assessing development proposals. In this instance the development would not impact on any designated or potential European Site or a Ramsar or Site of Special Scientific Interest (SSSI). However, the proposed development adjoins the Forth and Clyde Canal, which is a Wildlife Site as identified in the Falkirk Council Local Plan. At present there is a mature landscape buffer between the Canal and the application site. Provided this buffer is maintained and enhanced, and the Canal embankment is not compromised by the proposed development, no direct impacts on the Wildlife Site are anticipated. Conditions could be imposed on any grant of permission in relation to these matters.

7a.10 The policy also states that Local Plans will identify measures to ensure the protection of priority local habitats and species as identified in the Falkirk Council Local Biodiversity Action Plan. This matter will be considered in relation to the relevant policies of the Falkirk Council Local Plan.

7a.11 Subject to the imposition of appropriate conditions, and compliance with the relevant Local Plan policies, the proposed development accords with this policy.

7a.12 Policy ENV.4 ‘Coastal Planning and Flooding’ states:

*“The Council will apply the following general principles with regard to coastal planning and flooding issues:*

- (1) *There will be a general presumption against development in the undeveloped coastal zone (as indicated generally on the key diagram), unless it is clearly demonstrated that a coastal location is essential for that development.*
- (2) *In assessing proposals for development within the coastal zone or coastal defence measures on the developed coast, particular attention will be paid to the likely implications in terms of flooding, existing and future coastal defence works, nature conservation, landscape impact, water pollution and the need to work in partnership with other agencies to promote the integrated management of the estuary and its resources.*
- (3) *The Coastal zone north of the River Carron will be a priority area for evaluating the feasibility for managed retreat and other coastal zone management measures.*
- (4) *In areas where there is a significant risk of flooding, there will be a presumption against new development which would be likely to be at risk or would increase the level of risk for existing development. Where necessary the Council will require applicants to submit supplementary information to assist in the determination of planning applications.”*

- 7a.13 Clause 4 of this policy is relevant as the proposed development lies in close proximity to the Bonny Water, the Rowan Tree Burn and the Forth and Clyde Canal. A Flood Risk Statement has been submitted with the application, which has been reviewed by SEPA and the Roads Development Unit. In consequence, SEPA and the Roads Development Unit have accepted that the proposed development lies outwith the low lying areas likely to be at risk of flooding from the Bonny Water and the Rowan Tree Burn. In the case of the Rowan Tree Burn, the indicative layout has been amended to remove housing from the low lying area adjoining this burn. This led to SEPA withdrawing their objection to the application on flood grounds. In addition, SEPA have advised that finished floor levels should be raised to an appropriate level for any properties located within the area of the site below the emergency spill level of the A803, to ensure that the relevant properties are protected in the event that the culvert for the A803 is completely blocked.
- 7a.14 SEPA have, however, advised that the Forth and Clyde Canal is higher than the proposed development and therefore presents an associated flood risk. They have therefore advised that the Planning Authority may wish to satisfy themselves that the Forth and Clyde Canal does not pose a significant flood risk to the site, including from any seepage or culverted watercourses. In that regard, the Roads Development Unit have requested further information in relation to topographic levels, the potential impact of overflow from the Forth and Clyde Canal (both over the Canal towpath and at an overflow weir from the Canal which discharges into the Rowan Tree Burn), and potential impacts on water levels in combination with blockage of the A803 culvert. In addition, they have requested information on the source of waterlogging adjacent to the Forth and Clyde Canal and proposals for an appropriate drainage mechanism to avoid any future waterlogging of the development site at this location. This should include measures to deal with flow from any drainage culverts under the Canal and seepage from the Canal itself. This information has been requested from the applicant but, to date, no further information has been received.
- 7a.15 A Drainage Statement has been submitted with the application. This statement indicates that surface water flows would be collected, treated and attenuated using a Sustainable Urban Drainage (SUDs) scheme. In the absence of a detailed drainage design, including proposals for surface water discharge, the potential for an increased flood risk to existing development as a consequence of the proposed development cannot be assessed. However, it is accepted that the submission of a site specific surface water scheme could be the subject of a condition of any grant of permission. It should be appreciated that the provision of on-site measures could impact on site layout. No such measures are indicated on the Masterplan submitted with the application.
- 7a.16 In light of the above comments, it is accepted that the proposed development would not be at significant risk of flooding from Bonny Water. However, it has not been demonstrated that the proposed development would be free of significant flood risk from the Forth and Clyde Canal and the Rowan Tree Burn (as a receiving watercourse of any spill from the Canal). Accordingly, the proposed development does not accord with this policy.
- 7a.17 Policy COM.1 'Housing Land Allocations' states:

*"The Council will:*

- 1 support the phased provision of land for new housing as detailed in Schedule COM.1a to which a flexibility allowance of 10% will be added under Policy COM.2;*
- 2 maintain an effective 5 year supply of the housing land set out in Schedule 1a;*
- 3 review the housing calculations and allocations at intervals of no more than 5 years; and*

- 4      *In delivering the requirement in Schedule Com.1a the Council will support special initiatives for residential led regeneration at the location listed in Schedule Com.1b, provided that action plans and masterplans/development frameworks are prepared in accordance with the local plan. In particular these must address phasing, social and physical infrastructure provision, the avoidance of adverse impacts on European sites, the removal of significant restraints and land acquisition as appropriate."*

7a.18 This policy indicates that the Council will maintain an effective 5 year supply of housing land within the Falkirk Council housing market area. The effective housing land supply is defined in the Structure Plan as *"the part of the established land supply that is expected to be free of constraints in the 5 year period under consideration and will therefore be available for construction of houses"*. The established housing land supply is defined as *"all land with agreed potential for housing development by virtue of having planning permission or being identified in an adopted Local Plan or other relevant planning documents"*.

7a.19 Yearly housing completion rates can provide a method of calculating effective housing land supply. The Council's records for the Bonnybridge and Banknock area from 2004-2009 indicated an average yearly completion rate of 69 units, although the rates for 2008 and 2009 were 63 and 39 units respectively. This slow down reflected the current economic conditions. The requirement to maintain an effective housing land supply applies to the Falkirk Council housing market as a whole. Notwithstanding this, the Council's Housing Land Audit 2011/12 indicated an effective housing land supply for the Bonnybridge and Banknock area which should be sufficient to meet the housing land requirement to at least the year 2017.

7a.20 In addition, there is considerable scope for a substantial increase in the effective housing land supply in the 5 year period, taking into account the established housing land supply comprising the housing opportunity sites indicated in the Falkirk Council Local Plan.

7a.21 It is therefore considered that the proposed development is not required to maintain an effective 5 year housing land supply. Accordingly, the proposed development cannot be justified by a need for housing land.

7a.22 Policy COM.3 'Special Needs and Affordable Housing' states:

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

7a.23 The Planning Statement submitted with the application states that *"this application proposes that 40% of all houses constructed on the site will meet affordable needs"*. This ratio is well in excess of the 15% figure required by Policy SC4 of the Falkirk Council Local Plan. The scale and nature of affordable housing provision would require discussion in consultation with Corporate and Neighbourhood Services having regard to housing needs assessments for the local community. Subject to agreement on these matters, the proposed development accords with this policy.

7a.24 Policy COM.5 'Developer Contributions' states:

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

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

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

- 7a.25 It is considered that developer funding would be required in order to meet the infrastructure needs of the proposed development and mitigate its impact on the locality. It is anticipated that landscape enhancements would be required in order to mitigate the potential impact of the proposed development on the setting of Bonnybridge and the Antonine Wall. The detailed mitigation measures would be informed by a Landscape/Visual Assessment. It is anticipated that improvements to physical infrastructure, in the form of road improvements, public transport facilities and pedestrian/cycling facilities would be required. These matters would be informed by a Transport Assessment. In addition, the provision and enhancement of community facilities such as play facilities and school facilities would be required.
- 7a.26 The submission of a Landscape/Visual Assessment and a Transport Assessment have been requested but, to date, have not been received. The mitigation measures in relation to landscape and transport impacts, including the need for developer funding for on or off-site works, have therefore not been defined or agreed.
- 7a.27 As detailed in paragraph 4.11 of this report, Education Services have objected to the application but have requested a financial contribution towards the expected required investment in local schools if the proposed development is granted. The applicant has not, to date, responded to this request for a financial contribution.
- 7a.28 Accordingly, it has not, to date, been demonstrated that the infrastructure needs of the proposed development would be properly met or that the impacts of the proposed development would be adequately mitigated. The proposed development is therefore contrary to this policy.
- 7a.29 Policy COM.6 ‘Open Space and Recreational Facilities’ states:

*“The Council will seek to ensure that a satisfactory distribution and quality of open space and recreational facilities exists across the Council area. Accordingly:*

- (1) *the loss of open space and recreational facilities will not normally be permitted except where, as part of a community-wide assessment of provision, it is demonstrated that the loss will have no adverse impact on visual or recreational amenity and will release resources for qualitative improvements to facilities in the community as a whole;*
- (2) *Local Plans will identify and seek to address any remaining localised deficiencies in provision;*
- (3) *resources will generally be concentrated on improving the quality, management and accessibility of existing provision; and*



- (4) *all new housing development must contribute to the provision and maintenance of open space and recreational facilities either through on-site provision or contributions to off-site provision. Standards will be set out in Local Plans based on the provision of 2.8ha per 1000 persons."*

- 7a.30 This policy seeks to ensure that a satisfactory distribution and quality of open space and recreational facilities exist across the Council area. Clause 4 of the policy states that all new housing development must contribute to the provision and maintenance of open space and recreational facilities and that standards will be set out in Local Plans. In that regard, Policy SC13 of the Falkirk Council Local Plan indicates that open space and play provision in new developments should be informed by the Council's open space audit and the Supplementary Planning Guidance Note on Open Space and New Development.
- 7a.31 The Masterplan submitted with the application indicates open space areas adjacent to the Bonny Water and Rowan Tree Burn and sporting facilities in the form of an all-weather pitch, two multi-purpose pitches and an athletics track. The detailed provision, location and design would be the subject of any subsequent application for Matters Specified in Conditions. This would include consideration of provision of on-site play facilities to serve the proposed development.
- 7a.32 Clause 3 of the policy states that resources will generally be concentrated on improving the quality, management and accessibility of existing provision. The existing provision at Anderson Park satisfies the accessibility standards detailed in the Council's Open Space Strategy that would apply to the proposed development. This strategy states that all dwellinghouses should be within 400 metres of a play facility and 800 metres of a sports area. The proposed development therefore provides an opportunity to contribute towards improving the quality of these existing facilities. In addition, it is recognised that the proposed multi-purpose grass and all weather pitches would satisfy a need in the wider area for such facilities.
- 7a.33 Subject to the imposition of appropriate conditions on any grant of permission and/or the satisfactory completion of an appropriate legal agreement, the proposed development accords with this policy.
- 7a.34 Policy COM.7 'School Provision' states:
- "New housing development will not be permitted unless adequate school capacity is available or will be made available."*
- 7a.35 Education Services have advised that the proposed development would significantly contribute to the need for additional capacity at Bonnybridge Primary School, St Joseph's RC Primary School, Denny High School and St Mungo's RC High School. Bonnybridge Primary School will remain at very high capacity utilisation for the foreseeable future. St Mungo's RC High is projected to reach capacity within the next 5 to 10 years and Denny High in the next 10 years. St Joseph's RC Primary has reached its capacity, and mobile classrooms have been installed to manage this. Accordingly, Education Services have objected to the application but have requested a pro-rata contribution towards the required investment in educational capacity should the application be granted. The contribution rates that would apply are detailed in the Council's Supplementary Planning Guidance Note for Education and New Housing Development.

7a.36 The applicant has not, to date, responded to the request for a financial contribution. Therefore, there is no agreed means by which to provide the necessary infrastructure to meet the educational needs of the proposed development. The proposed development is therefore contrary to this policy.

7a.37 Policy 'TRANS.3 'Transport Assessment' states:

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

7a.38 A full Transport Assessment has been requested due to the significant increase in travel demand that would result from the proposed development. However, to date, the applicant has submitted only a Transport Statement, which outlines the work that would be carried out in preparing a full assessment. At this time, therefore, it has not been demonstrated how the impact of the proposed development on the surrounding network could be minimised and adequately mitigated, and how other modes of travel other than the car would be encouraged. The proposed development is therefore contrary to this policy.

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

7a.39 The application site lies outwith the urban limits for Bonnybridge, within the countryside and a Green Belt, as defined in the Falkirk Council Local Plan. In addition, the site lies within a Pipeline Consultation Zone and the buffer zone for the Antonine Wall World Heritage site, and adjoins a Wildlife Site and Scheduled Monument (the Forth and Clyde Canal).

7a.40 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.41 The Forth and Clyde Canal Scheduled Monument adjoins the application site to the south, at a higher level and is screened from the site by mature planting on the Canal embankment. Historic Scotland have raised concerns that the proposed development would have an adverse effect on the setting of this scheduled monument. In response to this, the applicant was requested to submit a Landscape/Visual Assessment. However, to date, no information in relation to this request has been submitted. Whilst it is recognised that retention and enhancement of the existing landscape buffer along the Canal edge would contribute to protecting its setting, in the absence of a proper assessment, it has not been demonstrated that setting issues have been addressed. By virtue of this, the proposed development is contrary to this policy.

7a.42 Policy EQ17 'Antonine Wall' states:

*The Council will seek to retain, protect, preserve and enhance the Antonine Wall, its associated archaeology, character and setting. Accordingly:*

- (1) There will be a presumption against development which would have an adverse impact on the 'Frontiers of the Roman Empire (Antonine Wall) World Heritage Site' as defined on the Proposals Map;*
- (2) There will be a presumption against development within the 'Frontiers of the Roman Empire (Antonine Wall) World Heritage Site' buffer zones, as defined on the Proposals Map, which would have an adverse impact on the Site and its setting, unless mitigating action to the satisfaction of the Council in consultation with Historic Scotland can be taken to redress the adverse impact, and there is no conflict with other Local Plan policies; and*
- (3) The Council, in association with partner Councils and Historic Scotland, will prepare Supplementary Planning Guidance on the criteria which will be applied in determining planning applications for development along the line, or within the setting, of the Antonine Wall.*

7a.43 The Antonine Wall lies approximately 0.7 kilometres to the south of the application site at its closest point. Under the Falkirk Council Local Plan, the portion of the application site to the south of the A803 lies within the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site buffer zone. Historic Scotland have raised concerns that the proposed development has the potential to impact on this important heritage asset. In response to this, the applicant was requested to submit a Landscape/Visual Assessment. However, to date, no such assessment has been received. It is recognised, however, that the Antonine Wall would be well screened from the proposed development by intervening woodland and the proposed structure planting, and would sit at a lower level than the adjoining Forth and Clyde Canal. Nonetheless, in the absence of a proper assessment of the potential impact, it has not been demonstrated that the setting of the Antonine Wall would be protected. By virtue of this, the proposed development is contrary to this policy.

7a.44 Policy EQ19 - 'Countryside' states:

- “(1) The Urban and Village Limits represent the desirable limit to the expansion of settlements for the period of the Local Plan. Land outwith these boundaries is designated as countryside and will be subject to the detailed policies for specific uses indicated in Table 3.3. Development proposals in the countryside for uses not covered by these policies will only be permitted where:*
  - it can be demonstrated that they require a countryside location;*
  - they constitute appropriate infill development; or*
  - they utilise suitable existing buildings.*
- (2) In circumstances where development meets the relevant countryside policy criteria, the scale, siting and design of development will be strictly controlled to ensure that there is no adverse impact on the character of the countryside. In particular:*
  - the siting should be unobtrusive, making use of natural features to integrate development into the landform and avoiding skylines;*
  - building design should be sympathetic to vernacular building styles and comply with the design principles contained within the Council's 'Design Guide for Buildings in the Rural Areas'; and*

- *boundary and curtilage treatments should be sympathetic to the rural area, with a preference for stone walling and hedging using native species.”*

7a.45 The issues raised by this policy have been assessed under Policy ENV.1 of the Falkirk Council Structure Plan (see paragraph 7a.4 of this report). For the same reasons as detailed in paragraph 7a.5, the proposed development does not accord with this policy.

7a.46 Policy EQ20 - ‘Green Belt’ states:

*“There will be a strong presumption against development in the Green Belt except where it can be demonstrated that:*

- (1) The proposal satisfies Policy EQ19 and any relevant countryside policies as set out in Table 3.3;*
- (2) The proposal will not undermine the role of the Green Belt by*
  - detracting from its existing landscape character;*
  - reducing the visual separation between settlements; or*
  - compromising its existing or potential future use for countryside recreation.*

*Where proposals satisfy these criteria, developer contributions to landscape improvement, access and countryside recreation will be sought in accordance with Policy EQ21.”*

7a.47 The application site lies within a Green Belt as defined in the Falkirk Council Local Plan. Within the terms of this policy, there will be a strong presumption against development in the Green Belt except where two criteria are satisfied. In respect of criterion 1, the proposed development does not satisfy the relevant countryside policies (Policies EQ19 (Countryside) and SC3 (Housing Development in the Countryside)). In respect of criterion 2, it is considered that the proposed development would undermine the role of the Green Belt because it would detract from its existing landscape character, reduce the visual separation between Bonnybridge and Camelon, Falkirk, and foreclose future use of the application site for countryside recreation (although it is acknowledged that a link is proposed through the site to join the existing Bonny Water and Forth and Clyde Canals Walks). The existing landscape character between Bonnybridge and Camelon is characterised by open agricultural fields. In contrast, the proposed development is urban in character and would significantly reduce the open character at this location. The separation between Bonnybridge and Camelon would be reduced by approximately 400 metres as a consequence of the proposed development. The proposed development is therefore considered to be contrary to this policy.

7a.48 Policy EQ24 ‘Ecological Sites and Features’ states:

- “(1) Development likely to have a significant effect on Natura 2000 sites (including Special Protection Areas, Special Areas of Conservation, and Ramsar Sites) will be subject to an appropriate assessment. Where an assessment is unable to conclude that a development will not adversely affect the integrity of the site, development will only be permitted where there are no alternative solutions; and there are imperative reasons of overriding public interest, including those of a social or economic nature. These can be of a social or economic nature except where the site has been designated for a European priority habitat or species. Consent can only be issued in such cases where the reasons for overriding public interest relate to human health, public safety, beneficial consequences of primary importance for the environment or other reasons subject to the opinion of the European Commission (via Scottish Ministers)..*

- (2) *Development affecting Sites of Special Scientific interest will not be permitted unless it can be demonstrated that the overall objectives of the designation and the overall integrity of the designated area would not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of national importance.*
- (3) *Development affecting Wildlife Sites, Sites of Importance for Nature Conservation, Local Nature Reserves, wildlife corridors and other nature conservation sites of regional or local importance will not be permitted unless it can be demonstrated that the overall integrity of the site will not be compromised, or any adverse effects are clearly outweighed by social or economic benefits of substantial local importance.*
- (4) *Development likely to have an adverse affect on species which are protected under the Wildlife and Countryside Act 1981, as amended, the Habitats and Birds Directives, or the Protection of Badgers Act 1992, will not be permitted.*
- (5) *Where development is to be approved which could adversely affect any site of significant nature conservation value, the Council will require mitigating measures to conserve and secure future management of the site's natural heritage interest. Where habitat loss is unavoidable, the creation of replacement habitat to compensate for any losses will be required along with provision for its future management.*
- (6) *The Council, in partnership with landowners and other relevant interests, will seek the preparation and implementation of management plans for sites of nature conservation interest."*

7a.49 The relevant aspects of this policy are clauses (3), (4) and (5). The potential impact of the proposed development on the Forth and Clyde Canal Wildlife Site has been considered elsewhere in this report. A Protected Species Assessment has been submitted with the application which noted that the development footprint would directly impact on existing agricultural land only and not the semi-natural habitats in the proximity of the Bonny Water and Rowan Tree Burn, which potentially support protected species. Scottish Natural Heritage have accepted the findings of the Protected Species Assessment subject to the carrying out of the recommended mitigation measures. Accordingly, the proposed development accords with this policy.

7a.50 Policy EQ25 'Biodiversity' states:

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

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

7a.51 The Protected Species Assessment submitted with the application indicated that the developable areas of the site are mostly in arable and pastoral agricultural use and have no nationally or regionally notable plant species. In addition, no notable bird species were identified; however further bird survey work is recommended. The proposed development includes substantial areas of green space which provide considered scope to enhance local biodiversity. The detailed proposals for these areas would be the subject of conditions of any grant of permission. Subject to the imposition of appropriate conditions, the proposed development accords with this policy.

7a.52 Policy EQ30 - 'Agricultural Land' states:

*"Development involving the loss of prime quality agricultural land (Classes 1, 2 and 3.1) will not be permitted unless the site is allocated for development in the Local Plan or there are overriding local or national circumstances."*

7a.53 The proposed development lies on land which is classified as Class 3.1 as defined in the Macaulay Land Use Research Institute "Land Capability for Agricultural" classification. This class of land is considered to be prime quality agricultural land. In accordance with this policy, the use of this land shall be restricted to the pursuance of agriculture unless there are overriding national or local circumstances. In this instance, it is not considered that there are any overriding national or local circumstances. Whilst a need for additional and improved sports pitches in the local area is accepted, the essential need to provide these facilities at this location has not been demonstrated. Accordingly, the proposed development does not accord with this policy.

7a.54 Policy SC3 - 'Housing Development In The Countryside' states:

*Housing development in the countryside will only be permitted in the following circumstances:*

- (1) *Housing essential to the pursuance of agriculture, horticulture or forestry, or the management of a business for which a countryside location is essential. In these instances, the applicant must demonstrate all of the following:*
  - *The operational need for the additional house in association with the business*
  - *That no existing dwelling which might have served that need has been sold or otherwise alienated from the holding*
  - *That there are no reasonable opportunities for reusing or converting redundant buildings rather than building a new dwellinghouse; and*
  - *That the business as a whole is capable of providing the main source of income for the occupant;*
- (2) *Proposals involving the rehabilitation of former residential properties, or the conversion of farm and other buildings to residential use, where all of the following criteria are met:*
  - *The building, by virtue of its existing character, makes a positive contribution to the rural landscape*
  - *The building is in a reasonable state of repair, still stands substantially intact and is capable of beneficial restoration, as verified by a report and certificate from a qualified structural engineer*
  - *The restored or converted building is of comparable scale and character to the original building*
  - *In the case of former non-residential buildings, the building is no longer required for the purpose for which it was built; or*

- (3) *Appropriate infill opportunities within the envelope of an existing group of residential buildings, where the development would not result in ribbon, backland or sporadic development, and the proposal satisfies Policy SC8.*

7a.55 The issues raised by this policy have been assessed in the context of Policy ENV.1 of the Falkirk Council Structure Plan (see paragraph 7a.4 of this report). For the same reasons as detailed in paragraph 7a.5, the proposed development does not accord with this policy. The proposed development does not satisfy any of the circumstances detailed above which would permit housing development in the countryside.

7a.56 Policy SC11 - 'Developer Contributions To Community Infrastructure' states:

*Developers will be required to contribute towards the provision, upgrading and maintenance of community and recreational facilities where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The nature and scale of developer contributions will be determined by the following factors:*

- (1) *Specific requirements identified against proposals in the Local Plan or in development briefs;*
- (2) *In respect of open space, recreational, and education provision, the general requirements set out in Policies SC13 and SC14;*
- (3) *In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*
- (4) *Where a planning agreement is the intended mechanism for securing contributions, the principles contained in Circular 1/2010.*

7a.57 The issues raised by this policy have been assessed in the context of Policy COM.5 of the Falkirk Council Structure Plan (see paragraph 7a.24 of this report). For the same reasons as detailed in paragraphs 7a.25 to 7a.28, the proposed development does not accord with this policy.

7a.58 Policy SC13 'Open Space and Play Provision in New Development' states:

*New development will be required to contribute to open space and play provision. Provision should be informed by the Council's open space audit, and accord with the Open Space Strategy and the SPG Note on Open Space and New Development, based on the following principles:*

- (1) *Open space and facilities for play and outdoor sport should be provided based upon the quantitative, qualitative and accessibility standards, and the priorities for improvement, set out in the Open Space Strategy.*
- (2) *Financial contributions to off-site provision, upgrading, and maintenance, as a full or partial alternative to direct on-site provision, will be sought where*
  - *existing open space or play facilities are located nearby and are able to serve the development through suitable upgrading;*
  - *in residential developments, the size of the development falls below the threshold of 10 houses, or where it is otherwise not practical, reasonable or desirable to provide facilities on site; or as part of a co-ordinated approach, a centralised facility is the optimum solution to serving a number of different developments in an area; or*
  - *the Open Space Strategy indicates that there is a sufficient amount of open space in the area and that priority should be given to qualitative improvements to existing open space.*
  - *The required financial contribution per house will be set out in the SPG Note on 'Open Space and New Development'.*

- (3) *The location and design of open space should be such that it:*
- *forms an integral part of the development layout, contributing to its character and identity;*
  - *is accessible and otherwise fit for its designated purpose;*
  - *links into the wider network of open space and pedestrian/cycle routes in the area;*
  - *sensitively incorporates existing biodiversity and natural features within the site;*
  - *promotes biodiversity through appropriate landscape design and maintenance regimes; and*
  - *enjoys good natural surveillance.*
- (4) *Developers must demonstrate to the Council that arrangements are in place for the management and maintenance of open space, including any trees, paths, walls, structures, and play areas which form part of it.*

7a.59 The issues raised by the policy have been assessed in the context of Policy COM.6 of the Falkirk Council Local Plan (see paragraph 7a.29 of this report). For the same reasons as detailed in paragraphs 7a.30 to 7a.33, the proposed development is considered to accord with this policy.

7a.60 Policy SC14 'Education and New Housing Development' states:

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

7a.61 The issues raised by this policy have been assessed in the context of Policy COM.7 of the Falkirk Council Local Plan (see paragraph 7a.34 of this report). For the same reasons as detailed in paragraphs 7a.35 and 7a.36, the proposed development does not accord with this policy.

7a.62 Policy EP18 - 'Major Hazards' states:

*Within the Major Hazard and Pipeline Consultation Zones identified on the Proposals Map, proposals will be judged in relation to the following criteria:*

- (1) *The increase in the number of people exposed to risk in the area, taking into account the advice of the Health and Safety Executive, any local information pertaining to the hazard, and the existing permitted use of the site or buildings;*
- (2) *The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means. and*
- (3) *The potential impact that the proposals may have upon chemical and petrochemical establishments*

7a.63 The application site falls within a Pipeline Consultation Zone for two high pressure gas mains which bisect the site in a north-south direction. The Masterplan submitted with the application indicates that the proposed sports pitches and new access road from the A803 would be sited above the two gas pipelines. As such, the applicant has advised that the required safety and maintenance stand-off distances for the two pipelines would be achieved. Accordingly, it is accepted that operational aspects in relation to the pipelines may not be compromised. However, the Health and Safety Executive have indicated by means of application of the PADHI+ system, that the Masterplan accompanying the application has triggered an 'Advise Against' and therefore that granting the application would result in an unacceptable risk of harm to people at the proposed development. At present, the application site is in agricultural use and therefore there is



only a small risk of harm to people associated with this use. In contrast, the proposed development would significantly increase the number of people exposed to the existing risk due to the proposed housing and the number of people that would visit the site to use the proposed sporting facilities. Accordingly, due to the unacceptable increase in risk, the proposed development is contrary to this policy.

7a.64 Policy ST7 - 'Transport Assessments' states:

- (1) *Falkirk Council will require transport assessments of developments where the impact of that development on the transport network is considered likely to require mitigation.*
- (2) *Transport assessments will include travel plans and, where necessary, safety audits of proposed mitigation measures and assessment of the likely impacts on air quality as a result of proposed development.*
- (3) *Developers will agree the scope of the assessment with Falkirk Council, then undertake the assessment in accordance with the scoping. In all cases, the assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over unnecessary use of the car.*
- (4) *The Council will only grant planning permission where it is satisfied that the transport assessment and travel plan has been appropriately scoped, the network impacts properly defined and suitable mitigation measures identified.*

7a.65 The issues raised by this policy have been assessed in the context of Policy TRANS.3 of the Falkirk Council Local Plan (see paragraph 7a.37 of this report). For the same reasons as detailed in paragraph 7a.38, the proposed development does not accord with this policy.

7a.66 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.67 The issues raised by this policy have been assessed in the context of Policy ENV.4 of the Falkirk Council Structure Plan (see paragraph 7a.12 of this report). For the same reasons as detailed in paragraphs 7a.13 to 7a.16 the proposed development does not accord with this policy.

7a.68 Overall, the proposed development is considered to be contrary to the Development Plan.

## **7b Material Considerations**

7b.1 The material considerations in respect of this application are Scottish Planning Policy (February 2010), the consultation responses, the representations received, the submissions by the applicant in support of the application and urban design issues.

### ***Scottish Planning Policy (February 2010)***

7b.2 Scottish Planning Policy (February 2010) is a statement of Scottish Government policy on nationally important land use planning matters, and indicates the following:-

## **Housing**

- 7b.3 The planning system should enable the development of well designed, energy efficient, good quality housing in sustainable locations and allocate a generous supply of land to meet identified housing requirements across all tenures.

## **Rural Land**

- 7b.4 Prime quality agricultural land is a finite national resource. Development on prime agricultural land should not be permitted unless it is an essential component of the settlement strategy or is necessary to meet an established need.

## **Historic Environment**

- 7b.5 Development which would have an adverse effect on a scheduled monument or the integrity of its setting should not be permitted unless there are exceptional circumstances. The immediate setting of a World Heritage Site, important views, and other areas which are important to the site and its protection, should be protected from inappropriate development.

## **Landscape and Natural Heritage**

- 7b.6 Landscape and natural heritage are sensitive to inappropriate development and planning authorities should ensure that potential effects are considered when deciding planning applications. Planning authorities should take a broad approach to landscape and natural heritage, taking into account the ecosystems and natural processes in their area. A strategic approach to natural heritage in which wildlife sites and corridors, landscape features, watercourses and areas of open space are linked together in integrated habitat networks can make an important contribution to biodiversity.

## **Open Space and Physical Activity**

- 7b.7 Access to good quality open space and opportunities for sport and recreation make important contributions to a healthier Scotland. Planning authorities should support, protect and enhance open space and opportunities for sport and recreation. New development should incorporate new and enhanced access opportunities, linked to wider access networks. Planning authorities and developers should aim to create new open spaces which are fit for purpose, maintained and sustainable over the long term, well designed and built to a high standard. Playing fields are an important resource for sport and should be provided in sufficient quality, quantity and accessibility to satisfy current and likely future community demand. Local authorities are expected to develop a playing fields strategy in consultation with Sportscotland as part of the wider open space strategy.

## **Green Belt**

- 7b.8 Green Belt boundaries identified in local development plans should reflect the long term settlement strategy and ensure that settlements are able to accommodate planned growth. Inner boundaries should not be drawn too tightly around the urban edge, but where appropriate should create an area suitable for planned development between the existing settlement edge and Green Belt boundary. Green Belt boundaries should be clearly identifiable on the ground. Green Belt designations can be used to prevent the coalescence of settlements. However there may be circumstances where coalescence would create a more sustainable settlement pattern.

## **Transport**

- 7b.9 The planning system should support a pattern of development which reduces the need to travel, facilitates travel by public transport and provides safe and convenient opportunities for cycling and walking. A Transport Assessment should be carried out where a new development is likely to result in a significant increase in the number of trips. Planning permission should not be granted for significant travel generating uses in locations that would encourage reliance on the private car.

## **Flooding and Drainage**

- 7b.10 Planning authorities must take the probability of flooding from all sources and the risk involved into account when determining planning applications. Development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere should not be permitted. The Water Environment (Controlled Activities) (Scotland) Regulations 2005 require all surface water from new development to be treated by a Sustainable Drainage System (SUDS) before it is discharged into the water environment. Planning permission should not be granted unless the proposed arrangements for surface water drainage are adequate and appropriate long term maintenance arrangements are in place.

## ***Consultation responses***

- 7b.11 The consultation responses are summarised in Section 4 of this report. The main outstanding issues raised in these responses relate to flood risk, traffic impact, air quality, impact on heritage assets (the Antonine Wall and the Forth and Clyde Canal), Health and Safety (two gas mains bisect the site) and impact on school capacity.
- 7b.12 Additional information and clarification has been requested from the applicant in relation to a number of these matters. However, the applicant has raised concerns at the expense of providing further information at this stage for an application seeking planning permission in principle. The applicant would be fully prepared to submit further information including a Transport Assessment, a Surface Water Strategy, an Air Quality Assessment and a Landscape/Visual Assessment should the Council be minded to grant planning permission in principle.
- 7b.13 A number of matters raised in consultation responses would be the subject of conditions of any grant of permission. These include the submission of a site specific surface water drainage scheme, a noise impact assessment, a further ecological assessment and a further contaminated land assessment.

## ***Representations Received***

- 7b.14 The representations received and the statements of support submitted by the applicant are summarised in Section 6 of this report. The following comments are considered to be relevant in respect of those representations and statements of support: -
- Provision of disabled access from the proposed development to the Forth and Clyde Canal would be a matter for consideration as part of a detailed application.
  - It is acknowledged that the proposed sports facilities have the potential to benefit and meet a need in the local community.

- Falkirk Community Trust have acknowledged that grass pitches in the local area are at capacity and that most teams have to travel to train.
- Falkirk Community Trust have advised that grass pitches at some point become unsuitable for play. This is a fact of life for public grass pitches.
- Falkirk Community Trust do not strongly disagree with any of the comments made in the statements of support regarding the condition of existing changing facilities and pitches.
- Falkirk Community Trust have advised that the Council has invested in pitches and continues to do so.
- Falkirk Community Trust have advised that parking for football matches is always an issue. Road works have been undertaken at Anderson Park to help address the issue and gates to the Park have been removed to allow off-street parking.

### ***Submissions by the Applicant***

7b.15 The submissions by the applicant are detailed in paragraphs 1.5 to 1.8 of this report. The statements in support of the proposed development are noted.

7b.16 The Planning Statement submitted with the application is summarised in paragraph 1.8. With regard to this statement, the following comments are considered to be relevant: -

- The Council has proposals to upgrade and provide artificial pitches in the local area as part of its Capital Expenditure Programme. In addition, financial contributions from developers towards community and leisure facilities have routinely been collected in respect of new housing development in the area in recent years. These contributions have resulted in new facilities including the creation of Bonnybridge Local Nature Reserve and the Banknock, Longcroft and Haggs Sports Hall. It is anticipated that additional financial contributions towards upgrading community infrastructure will be collected from those housing opportunity sites identified in the Falkirk Council Local Plan.
- It is understood that the applicant would develop housing initially in order to cross fund the provision of the proposed sports facilities. It is assumed that the timescales for house completions would be influenced by the rate of economic recovery, as would be the case in respect of allocated housing opportunity sites in the local area. In that regard, it is anticipated that the local area will be well placed to respond to an increase in building activity without the need for the proposed development. The proposed development is not considered to be necessary to maintain an effective housing land supply or to achieve the Structure Plan development strategy.

- The land identified for the proposed development was not put forward by the applicant as an alternative housing opportunity site when the Falkirk Council Local Plan Finalised Draft (Deposit Version) was put out for consideration. (It is acknowledged that the applicant has requested inclusion of the site within the Falkirk Council Local Development Plan (FCLDP) for sport and recreation as well as housing land supply. The site was indicated as a ‘non-preferred site’ for housing development in the Main Issues Report (MIR) published in November 2011 and the next stage of the FCLDP process is publication of the Proposed Plan scheduled for April 2013).
- It is considered that the proposed development would make an incremental contribution to the overall coalescence of Bonnybridge and Camelon, Falkirk. However, it is accepted that the application site is demarcated by the Bonny Water, Rowan Tree Burn, the Forth and Clyde Canal and overhead power lines further to the east. This might assist to resist any further incremental development proposals within this part of the Green Belt.

### ***Urban Design***

- 7b.17 Concerns are raised that the Masterplan submitted with the application appears to indicate an introspective layout, which turns its back on the main edges (e.g. the A803), and a conventional roadway pattern that may not be urban design driven. It is therefore considered that the Masterplan should be reviewed within the context of the Council’s Supplementary Planning Guidance Note for Housing Layout and Design, which includes guidance in relation to built edges and road and housing configuration. As part of this review, design principles for the proposed development should be established.

### **7c. Conclusion**

- 7c.1 The proposed development is considered to be contrary to the Development Plan for the reasons detailed in this report. These reasons are considered to be reinforced by Scottish Planning Policy (February 2010) as detailed in this report. Balanced against this, it is recognised that the location of the proposed development is a relatively sustainable one and that the proposal offers potential benefits to the local community. Most notably, the proposed sports facilities would meet a local need, particularly if delivered timeously, and subject to suitable management and maintenance being put in place, although it is noted that allocated housing sites would provide the opportunity to collect developer contributions to fund future provision and improvements.
- 7c.2 However, the potential benefits of the proposed development are not considered to outweigh the fundamental planning policy issues that exist in the context of the development strategy of Falkirk Council Structure Plan, the countryside and Green Belt designations under the Falkirk Council Local Plan and the lack of need for housing land. In addition, there are significant constraints at this location which have not been properly addressed to date. These relate to the location of the site within a Pipeline Consultation Zone and potential impacts on local heritage assets (the setting of the Antonine Wall and the Forth and Clyde Canal), school capacity and the local road network.
- 7c.3 It is considered that a more appropriate means by which to promote the proposed development is through the Falkirk Council Local Development Plan (FCLDP) process. The applicant has made representations as part of this process, as detailed in paragraph 7b.16 of this report.

- 7c.4 Accordingly, the application is recommended for refusal. However, should the Council consider that the potential benefits of the proposed development outweigh the terms of the Development Plan, it is recommended that the Council indicate that it is minded to Grant the application subject to: -
- (a) The submission by the applicant of a Transport Assessment, a Visual/Landscape Assessment, an Air Quality Assessment, an amended Drainage Statement and additional information in respect of potential flood risk from the Forth and Clyde Canal and the Rowan Tree Burn.
  - (b) Further consideration in respect of the means by which to mitigate the potential impact of the proposed development on local school and nursery capacity.
  - (c) Further consideration in respect of the provision of play facilities to serve the proposed development, including the upgrade of existing facilities at Anderson Park.
  - (d) Further consideration of the Masterplan and the establishing of design principles for the proposed development having regard to the Council's Supplementary Planning Guidance Note for Housing Layout and Design.
  - (e) The submission by the applicant of proposals to overcome the 'Advise Against' response from the Health and Safety Executive.
  - (f) The submission by the applicant of details of the proposed phasing of the development.
  - (g) Resolution of the matters to be considered in (a) to (f) above to the satisfaction of the Director of Development in consultation with the relevant consultees, provided that the Director of Development Services may exercise a judgment to refer the application back to Council in respect of any matters in respect of items (a) to (f) above.
- 7c.5 And thereafter that planning permission in principle be granted following the satisfactory completion of any necessary legal agreement and subject to the imposition of appropriate conditions; both matters which would be remitted to the Director of Development Services.
- 7c.6 It should be noted that a decision to grant the application when there is an outstanding 'Advise Against' from the Health and Safety Executive would result in the application being referred to Scottish Ministers. This may also be the case if Historic Scotland retain concerns regarding the impact of the proposed development on the setting of Antonine Wall and/or the Forth and Clyde Canal.

## **8. RECOMMENDATION**

**8.1 It is recommended that Council refuse the application for the following reasons:-**

- (1) The proposed development is contrary to Policy ENV.1 (Countryside and Protected Areas) of the Falkirk Council Structure Plan and Policies EQ19 (Countryside) and SC3 (Housing Development in the Countryside) of the Falkirk Council Local Plan as it has not been demonstrated that a countryside location is essential for the proposed development. It therefore represents unjustified development in the countryside.**
- (2) The proposed development is contrary to Policy ENV.2 (Green Belt) of the Falkirk Council Structure Plan and Policy EQ20 (Green Belt) of the Falkirk Council Local Plan as the proposed development would undermine the role of the Green Belt by detracting from its existing landscape character, reducing the separation between the settlements of Bonnybridge and Camelon, incrementally contributing to the overall coalescence of these settlements and compromising the future use of the development site for countryside recreation.**
- (3) The application site has not been identified as a housing opportunity site under the Falkirk Council Local Plan to contribute towards meeting the Housing Land Requirement, and the proposed development is not required to maintain an effective 5 year housing land supply. Therefore, the proposed development is not required to achieve the development strategy of the Falkirk Council Structure Plan and cannot be justified by the need for housing land.**
- (4) The proposed development is contrary to Policy ENV.4 (Coastal Planning and Flooding) of the Falkirk Council Structure Plan and Policy ST12 (Flooding) of the Falkirk Council Local Plan as it has not been demonstrated that the proposed development would be free from the risk of flooding from the Forth and Clyde Canal and the Rowan Tree Burn, or that an increase in the level of risk to existing development would be avoided as a consequence of surface water drainage discharge from the proposed development.**
- (5) The proposed development is contrary to Policies COM.5 (Developer Contributions) and COM.7 (School Provision) of the Falkirk Council Structure Plan and Policies SC11 (Developer Contributions to Community Infrastructure) and SC14 (Education and New Housing Development) of the Falkirk Council Local Plan as it has not been demonstrated that proper provision has been made to mitigate the potential impact of the proposed development on school capacity and local roads infrastructure.**
- (6) The proposed development is contrary to Policy TRANS.3 (Transport Assessment) of the Falkirk Council Structure Plan and Policy ST7 (Transport Assessment) of the Falkirk Council Local Plan as it has not been demonstrated how the impact of the proposed development on the surrounding road network would be minimised and how other modes of travel rather than the car would be encouraged.**

- (7) The proposed development is contrary to Policy EQ30 (Agricultural Land) of the Falkirk Council Local Plan as the proposed development would result in the loss of Class 3.1 prime quality agricultural land which is not allocated for development in the Local Plan.
- (8) The proposed development is contrary to Policies EQ16 (Sites of Archaeological Interest) and EQ17 (Antonine Wall) of the Falkirk Council Local Plan as it has not been demonstrated that the proposed development would protect the settings of the Frontiers of the Roman Empire (Antonine Wall) World Heritage Site and the Forth and Clyde Canal Scheduled Monument.
- (9) The proposed development is contrary to Policy EP18 (Major Hazards) of the Falkirk Council Local Plan as the proposed development would result in an unacceptable increase in the number of people exposed to risk from two high pressure gas pipelines which bisect the application site.

Director of Development Services

Date: 20 December, 2012

### **LIST OF BACKGROUND PAPERS**

- 1. Falkirk Council Structure Plan.
- 2. Falkirk Council Local Plan
- 3. Scottish Planning Policy (February 2010)
- 4. Letter of Representation from Mr Peter Rowe, 16 Dundas Street, Bo'ness EH51 0DG
- 5. Letter of Support from Jewitt Archavir & Wilkie, 38 New City Road, Glasgow G4 9JT on 2 February 2010
- 6. Letter of Support from Falkirk Football Club, FAO David R White - General Manager Falkirk Stadium Falkirk FK2 9DX on 28 January 2010
- 7. Letter of Support from Bonnybridge Youth Football Club, No Address Given on 12 May 2010
- 8. Letter of Support from Mr Joseph Differ, 7 Fergusson Grove Bonnybridge FK4 1PU on 12 May 2010
- 9. Letter of Support from Mr Colin Ramsay, 9 Greenhill Square Bonnybridge FK4 2EG on 12 May 2010
- 10. Letter of Support from Mr Andrew McPhate, 18 Falcon Drive Larbert FK5 4QX on 12 May 2010
- 11. Letter of Support from Mr Christopher Shaw, 74 Gateside Avenue Bonnybridge FK4 1AY on 12 May 2010
- 12. Letter of Support from Mr C Fullard, 12 Cairnoch Walk Denny FK6 5DD on 12 May 2010
- 13. Letter of Support from Mr Jordan Shirra, 17 Anderson Street Bonnybridge FK4 1AN on 12 May 2010



14. Letter of Support from Ms Catherine Shirra, 17 Anderson Street Bonnybridge FK4 1AN on 12 May 2010
15. Letter of Support from Ms Pauline O'Raw, 33 Gateside Avenue Bonnybridge FK4 1AX on 12 May 2010
16. Letter of Support from Mr Peter O'Raw, 14 Paterson Place Bonnybridge FK4 1BE on 12 May 2010
17. Letter of Support from Ms Lyn Shaw, 74 Gateside Avenue Bonnybridge FK4 1AY on 12 May 2010
18. Letter of Support from Ms Lorraine Kane, 52 Woodburn Crescent Bonnybridge FK4 2DJ on 12 May 2010
19. Letter of Support from Paul Martin, No Address on 12 May 2010
20. Letter of Support from Mr Lorne Campbell, 30 Thornton Avenue Bonnybridge FK4 1AP on 12 May 2010
21. Letter of Support from Mr Ross Craig, Central Skip Hire Chattan Industrial Estate Bonnyside Road Bonnybridge on 12 May 2010
22. Letter of Support from Mr Andrew Anderson, G A Plumbers 68 Alloway Crescent Bonnybridge on 12 May 2010
23. Letter of Support from Mr Edwin Griffin, Chattan Bonnyside Road Bonnybridge FK4 2AD on 12 May 2010
24. Letter of Support from Mr Derek Grant, Antonine View 2A Broomhill Road High Bonnybridge Bonnybridge on 12 May 2010
25. Letter of Support from Mr Duncan Menzies, 112 Ure Crescent Bonnybridge FK4 1NR on 12 May 2010
26. Letter of Support from Mr Ross Hardie, McCormack Glass & Glazing Co 31 - 33 High Street Bonnybridge FK4 1BX on 12 May 2010
27. Letter of Support from Mr David McMillan, Stately Roofing No5 Canalbank Industrial Estate Seebeggs Road Bonnybridge on 12 May 2010
28. Letter of Support from Ms Alyson Lowe, Alexander Taylor 7A High Street Bonnybridge FK4 1BX on 12 May 2010
29. Letter of Support from Mr James Rafferty, Kelvin Valley Properties 2 High Street Bonnybridge FK4 1DA on 12 May 2010
30. Letter of Support from Allan and Gillian Brown and McLelland, Coffee-Teria on 12 May 2010
31. Letter of Support from Mr Colin Hird, 87 Laburnum Grove Stirling FK8 2PR on 12 May 2010
32. Letter of Support from Mr Liam Fitzpatrick, Antonine Works Broomhill Road Bonnybridge FK4 2AL on 12 May 2010
33. Letter of Support from Mr John Goacher, A & G Vets 39 Main Street Bonnybridge FK4 1AF on 12 May 2010
34. Letter of Support from Ms Sara Divin, Bonnybridge Dental Practice 2 - 4 Bridge Street Bonnybridge on 12 May 2010
35. Letter of Support from Mr David Williams, TTT Scaffold Ltd 3 Windsor Crescent Falkirk FK1 5DD on 12 May 2010
36. Letter of Support from For Eyes Opticians, Unit 15 High Street Bonnybridge FK4 1BX on 12 May 2010
37. Letter of Support from Mr Stephen Carr, on 12 May 2010
38. Letter of Support from Ms Marie Peat, Woodchips Stables Dalnair Road Bonnybridge FK4 1AA on 12 May 2010
39. Letter of Support from Mr Liam Fitzpatric, Chieftain Contracts Ltd Antonine Works Broomhill Road Bonnybridge on 12 May 2010
40. Letter of Support from Mr Peter McMillan, MA Scaffolding 62C Bridge Street Bonnybridge FK4 1AB on 12 May 2010
41. Letter of Support from Mr Allan Forsyth, 11 Castings Court Falkirk FK2 7BA on 12 May 2010

42. Letter of Support from Mr Brian Gillies, Unit 2 Central Court Bonnybridge FK4 2AG on 12 May 2010
43. Letter of Support from Mr Jeff Forrest, House Of Blinds Ltd Unit 10 Bonnybridge Industrial Estate Murnin Road Bonnybridge on 12 May 2010
44. Letter of Support from Ms Chelsea Stewart, Jaroc Motor Services Ltd Unit 11 Chattan Ind Est Bonnyside Road Bonnybridge on 12 May 2010
45. Letter of Support from W Campbell, W C Recovery Sunnybrae 1 Bonnyside Road Bonnybridge on 12 May 2010
46. Letter of Support from D Deans, Central Recycling Ltd Central House Chattan Industrial Estate Bonnyside Road on 12 May 2010
47. Letter of Support from Mr Donald McAlister, Rapid Response 12 Robertphilp Road Kirkcaldy Fife KY2 6PE on 12 May 2010
48. Letter of Support from Mr George Notman, Royal Blind P O Box No 500 Gillespie Crescent Edinburgh on 12 May 2010
49. Letter of Support from Mr William Dunn, 41B Glenhove Road Cumbernauld on 12 May 2010
50. Letter of Support from J Forrest, 18 Lyon Cross Dennyloanhead FK4 1WG on 12 May 2010
51. Letter of Support from Mr S Campbell, 1 Mariner Gardens Falkirk FK1 4JS on 12 May 2010
52. Letter of Support from Mr D Stewart, 78 Chestnut Crescent Dunipace Denny FK6 6LF on 12 May 2010
53. Letter of Support from Mr Wilson Taylor, 69 Grangeburn Road Grangemouth FK3 9AN on 13 May 2010
54. Letter of Support from Mr Alexander Scott, 22 Spence Street Bonnybridge FK4 1NH on 13 May 2010
55. Letter of Support from Mr John Mackie, 1 Denny Road Dennyloanhead Bonnybridge FK4 1RG on 13 May 2010
56. Letter of Support from Mr and Mrs George Stirling, 46 Ure Crescent Bonnybridge FK4 1NB on 13 May 2010
57. Letter of Support from Mr Robert Stirling, 89 High Street Bonnybridge FK4 1BY on 13 May 2010
58. Letter of Support from Mr David Harvey, 10 Millar Place Bonnybridge FK4 2AR on 13 May 2010
59. Letter of Support from J McMahon, 12 Wheatlands Avenue Bonnybridge FK4 1PN on 13 May 2010
60. Letter of Support from Mr A Gray, 45 Norwood Avenue Bonnybridge FK4 1PY on 13 May 2010
61. Letter of Support from Mr and Mrs Kane, Claremont Street Bonnybridge on 13 May 2010
62. Letter of Support from B Sevaney, 8 High Street Bonnybridge FK4 1DA on 13 May 2010
63. Letter of Support from Mr James Brown, 6 Corona Crescent Bonnybridge FK4 1GG on 13 May 2010
64. Letter of Support from Ms Mary Kemp, 3 Gibdun Place Head Of Muir Denny FK6 5PH on 13 May 2010
65. Letter of Support from Mr and Miss T Conway / McMahon, 22 Barleyhill Bonnybridge FK4 1AH on 13 May 2010
66. Letter of Support from Mr Steven Bennie, Hillfoot Cottage 3 Bonnyside Road Bonnybridge FK4 2AD on 13 May 2010
67. Letter of Support from Mr David Ross, 1 Denny Road Dennyloanhead Bonnybridge FK4 1RG on 13 May 2010
68. Letter of Support from Mr John Carson, 14 Gateside Avenue Bonnybridge FK4 1AX on 13 May 2010
69. Letter of Support from Mr William Penman, 18A High Street Bonnybridge FK4 1DA on 13 May 2010
70. Letter of Support from Mr Gary Wright, 46 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RY on 13 May 2010

71. Letter of Support from Mr Colin Sneddon, 10 Church Street High Bonnybridge Bonnybridge FK4 2AZ on 13 May 2010
72. Letter of Support from Mr Michael Riddell, 37 Bankhead Crescent Dennyloanhead Bonnybridge FK4 1RY on 13 May 2010
73. Letter of Support from Ms Isabel Liddell, 31 Lind Place Dennyloanhead Bonnybridge FK4 1NQ on 13 May 2010
74. Letter of Support from Mr Scott O'Hara, 21 Glenview Avenue Banknock Bonnybridge FK4 1JU on 13 May 2010
75. Letter of Support from Mr Mark Fullerton, Southmuir Greenbank Falkirk FK1 5PU on 13 May 2010
76. Letter of Support from Mr Fraser Paterson, 17 Main Street Bonnybridge FK4 1AF on 13 May 2010
77. Letter of Support from Mr Michael Warnock, 16 Garvald Road Head Of Muir Denny FK6 5NP on 13 May 2010
78. Letter of Support from Mr Adam Daisley, 40 Wall Street Falkirk FK1 4HU on 13 May 2010
79. Letter of Support from Mr Brian Houston, 108 Hayfield Terrace Head of Muir Denny FK6 5PB on 13 May 2010
80. Letter of Support from Mr Richard Lapsley, 9 Spence Street Bonnybridge FK4 1NH on 13 May 2010
81. Letter of Support from Mr Alaister MacVicar, 12 Ure Crescent Bonnybridge FK4 1NA on 13 May 2010
82. Letter of Support from Mr Alan Peat, 52 Thornton Avenue Bonnybridge FK4 1AP on 13 May 2010
83. Letter of Support from Mr David Mackay, 20 Lyoncross Dennyloanhead Bonnybridge FK4 1UG on 13 May 2010
84. Letter of Support from Mr C Beveridge, 2 Glenbervie Avenue Larbert FK5 4NN on 13 May 2010
85. Letter of Support from Mr William McArthur, 87 Gateside Avenue Bonnybridge FK4 1AY on 13 May 2010
86. Letter of Support from Mr Mark Campbell, 29 Falkirk Road Bonnybridge FK4 1BG on 13 May 2010
87. Letter of Support from Mr Lesley Rennie, 11 John Bassey Drive Banknock Bonnybridge FK4 1TN on 13 May 2010
88. Letter of Support from Mr John Fadian, 34 St. Catherine Maddiston Falkirk FK2 0SL on 13 May 2010
89. Letter of Support from Mr A Kucharskie, 36 Mannfield Avenue Bonnybridge FK4 2DA on 13 May 2010
90. Letter of Support from Owner/Occupier, 14 Pirleyhill Drive Shieldhill Falkirk FK1 2EA on 13 May 2010
91. Letter of Support from Mr Kevin Fitzpatrick, 14 Broomhill Road High Bonnybridge Bonnybridge FK4 2AN on 13 May 2010
92. Letter of Support from M Brody, 15 Leith Place Head Of Muir Denny FK6 5NN on 13 May 2010
93. Letter of Support from Owner/Occupier, Gradalie South Drum Farm Bonnybridge FK4 2EH on 13 May 2010
94. Letter of Support from T Rooney, 2 Grahamsdyke Road Bonnybridge FK4 2DF on 13 May 2010
95. Letter of Support from Mrs Marie Peat, Broomhill Road Bonnybridge FK4 2AN on 13 May 2010
96. Letter of Support from Mr G Wallace, 90 Kintyre Crescent Plains Airdrie ML6 7NG on 13 May 2010
97. Letter of Support from Mr David Wishart, 20 Leny Road Deanston Stirling on 13 May 2010
98. Letter of Support from K Reid, 23 The Grove Glasgow G67 3AX on 13 May 2010
99. Letter of Support from Mr Robert Reid, 19 Seabegs Crescent Bonnybridge FK4 2DB on 13 May 2010

100. Letter of Support from Mr and Mrs Alastair Duff, 17 Quenn Margaret Gardens Dunfermline Fife KY12 0RD on 13 May 2010
101. Letter of Support from Ms Tracie Robertson, 29 Braes View Denny FK6 5NG on 13 May 2010
102. Letter of Support from Chloe Peat, Antonine View 2A Broomhill Road High Bonnybridge Bonnybridge on 13 May 2010
103. Letter of Support from Mr Paul McGarry , 48 Montgomery Street Grangemouth FK3 8QP on 13 May 2010
104. Letter of Support from Mr Alan Kucharskie, 36 Mansfield Avenue Bonnybridge on 13 May 2010
105. Letter of Support from Mr Derek Catiger, 53A Smithfield Loan Alloa Clackmananshire FK10 1NH on 13 May 2010
106. Letter of Support from Mr John Ferguson, 27 Waverley Crescent High Bonnybridge Bonnybridge FK4 2AX on 13 May 2010
107. Letter of Support from Mr Brian Thomson, 16 Craigton Road Milngavie Glasgow G62 7TR on 13 May 2010
108. Letter of Support from Mr David Liddell, 46 Comely Place Falkirk FK1 1QG on 13 May 2010
109. Letter of Support from Mr Richard Peacock, 5 Windsor Avenue Falkirk FK1 5HH on 13 May 2010
110. Letter of Support from Mr A Peat, 89 Allandale Cottages Bonnybridge FK4 2HE on 13 May 2010
111. Letter of Support from Mr Billy Reid, 32 Hawthorn Road Abronhill Cumbernauld G67 3LY on 13 May 2010
112. Letter of Support from Ms Beth Peat, Antonine View 2A Broomhill Road High Bonnybridge Bonnybridge on 13 May 2010
113. Letter of Support from Owner/Occupier, 48 Bothkennar Road Carronshore Falkirk FK2 8HS on 13 May 2010
114. Letter of Support from Mr Alexander Mitchell, 16 Blenheim Court Kilsyth on 13 May 2010
115. Letter of Support from Mr and Mrs P Bishop, 89 Allandale Cottages Allandale By Bonnybridge on 13 May 2010
116. Letter of Support from Mr and Mrs D Drysdale, 19 Balfour Street Bonnybridge FK4 1NP on 13 May 2010
117. Letter of Support from R McIntosh, 39 Roman Road Bonnybridge FK4 2DE on 13 May 2010
118. Letter of Support from Mr and Mrs Colin Wallance, 12 Lochinvar Place High Bonnybridge Bonnybridge FK4 2BL on 13 May 2010
119. Letter of Support from Mr and Mrs Joe McMenamin, Larbert Road Bonnybridge FK4 1EN on 13 May 2010
120. Letter of Support from A Peat, Antonine View 2A Broomhill Road High Bonnybridge Bonnybridge on 13 May 2010
121. Letter of Support from Mr Steven Bartlett, 26 Cullaloe View Cowdenbeath Fife KY4 8JY on 13 May 2010
122. Letter of Support from Mr Gary Bishop, 155 Ladysmill Falkirk FK2 9AP on 13 May 2010
123. Letter of Support from Mr James Ferrie, 38 Kilsyth Road Queenzieburn G65 9EB on 13 May 2010
124. Letter of Support from Mr Jim Brodie, 20 Barnego Road Dunipace Denny FK6 6JS on 13 May 2010
125. Letter of Support from Mr Peter McArthur, 44 Chestnut Crescent Dunipace Denny FK6 6LF on 13 May 2010
126. Letter of Support from Mr William Moffat, Bonnybridge FK4 2BS on 12 May 2010
127. Letter of Support from Ms Nicola Deans, Central House Chattan Industrial Estate Bonnyside Road Bonnybridge on 12 May 2010
128. Letter of Support from Mr Kevin Craig, Ian Craig (Haulage) Ltd Roughmute Transport Depot Larbert FK5 3NP on 12 May 2010

129. Letter of Support from Mr Ian McGrory, St Andrew Works Bonnyhill Road Bonnybridge Falkirk on 12 May 2010
130. Letter of Support from Ms Diane Craig, RM Tyres (Scotland) Ltd Roughmute Transport Depot Larbert FK5 3NP on 12 May 2010
131. Letter of Support from Mr William Hughes, W H Tyres Ltd 1 Wellpark Terrace Bonnybridge FK4 1DE on 12 May 2010
132. Letter of Support from Mr Derek McLaren, McLaren Joinery 15 Bonnyside Road Bonnybridge FK4 2AD on 12 May 2010
133. Letter of Support from Mr Gordon McIntosh, Ecosse Metals Ltd Broomhill Road Bonnybridge FK4 2AN on 12 May 2010
134. Letter of Support from Mr Jim McCracken, Hayfield Riding School Beam Road High Bonnybridge FK4 2ET on 12 May 2010
135. Letter of Support from Mr William Denholm, Denholm Plant Hire Glenyards House 12 Glenyards Road Greenhill on 12 May 2010
136. Letter of Support from Mr David Russell, Chattan Complex Bonnyside Road Bonnybridge Falkirk on 12 May 2010
137. Letter of Support from Ms Joyce McCueshan, Bonnybridge Social and Recreational Sports Bar 35 Main Street Bonnybridge FK4 1AF on 12 May 2010
138. Letter of Support from Mr Paul McGarry, Broomside Property Development Central House Chattan Industrial Estate Bonnyside Road on 12 May 2010
139. Letter of Objection from Michael McMahon received on 20 November 2012.
140. Letter of Objection from Bonnybridge Community Council received on 4 December 2012

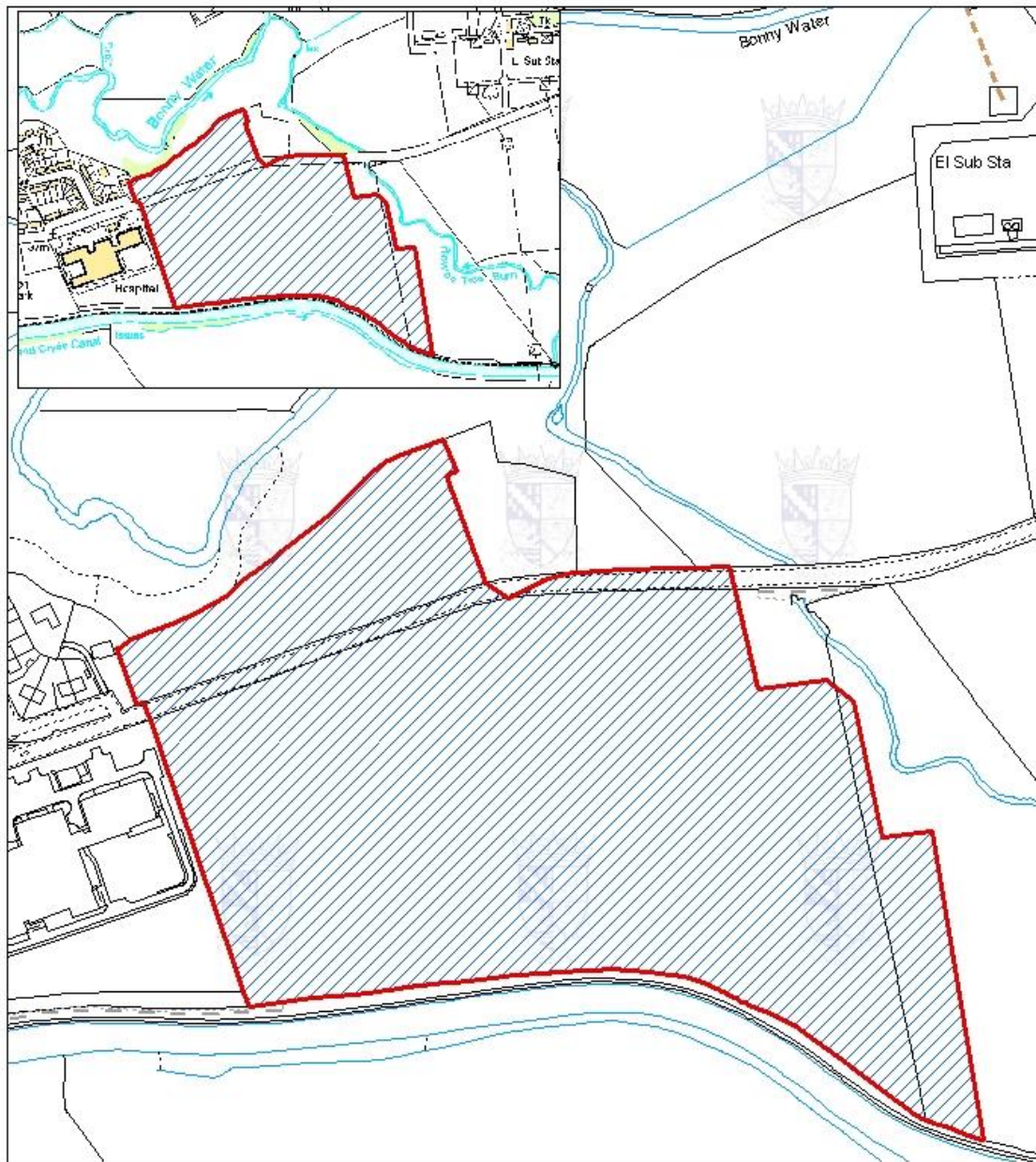
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504935 and ask for Brent Vivian (Senior Planning Officer).

# Planning Committee

## Planning Application Location Plan

**P/09/0431/OUT**

This plan is for location purposes only. It should not be interpreted as an exact representation of the application site.



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