

Councillor C Martin re-entered the meeting during consideration of the following item of business.

P40. ROAD INFRASTRUCTURE (ROAD 3) INCLUDING ASSOCIATED HIGHWAY DRAINAGE AT MANUEL WORKS, LINLITHGOW EH49 6LH FOR MORSTON ASSETS LTD - P/12/0708/FUL

There was submitted Report (circulated) dated 17 June 2013 by the Director of Development Services on an application for full planning permission for the construction of road infrastructure and associated highway drainage (including a SUDS attenuation basin) to serve the Whitecross Special Initiative for Residential Led Regeneration (SIRR) at Manuel Works, Linlithgow.

AGREED to **GRANT** planning permission, subject to the following conditions:-

- (1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of the permission unless a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.
- (2) Before the development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (3) Before the development (as shown on approved plan 07C) commences, details of a scheme of soft and hard landscaping shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
 - (i) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 - (ii) The location of all proposed new trees, hedges and grassed areas;
 - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - (iv) The location and design, including materials, of all surface finishes, walls, fences and gates; and
 - (v) A programme for completion and subsequent maintenance.

Thereafter, the landscaping works shall be carried out in accordance with the approved details.

- (4) Before the development (as shown on approved plan 12B) commences, details of a scheme of soft and hard landscaping shall be submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):-
 - (i) An indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 - (ii) The location of all proposed new trees, hedges and grassed areas;
 - (iii) A schedule of plants to comprise species, plant sizes and proposed numbers/density;

- (iv) The location and design, including materials, of all surface finishes, walls, fences and gates; and
- (v) A programme for completion and subsequent maintenance.

Thereafter, the landscaping works shall be carried out in accordance with the approved details.

- (5) The Construction Environmental Management Plan (CEMP) required by Condition 2 of the permission shall include a Tree Protection Plan. The details of the Tree Protection Plan shall include the exact location, specification and timing of provision of the temporary fencing to protect the areas of retained habitat, and a Method Statement showing how the retained habitat would be protected during construction of the proposed road and associated infrastructure. The Planning Authority shall be notified within three days of the erection of the protective fencing to provide the Planning Authority with an opportunity to inspect the protective fencing once it is in place.
- (6) During construction of the development granted by this permission, no excavation, level changes, material storage or vehicle movements shall take place within the areas fenced off by the protective fencing indicated in the Tree Protection Plan.
- (7) The development granted by the permission shall be carried out in accordance with the Badger Protection Plan prepared by Mike Harris, Grampian Badger Surveys, dated June 2011, which was approved for the Whitecross SIRR development under reference P/10/0188/PPP.
- (8) Before the development commences, the proposed arrangements for the safeguarding of the line of existing Core Paths 021/867, 021/868 and 021/871 during both the construction and operational phases of the development, or the proposed arrangements for the provision of an alternative route(s), shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.
- (9) The final arrangement as indicated on approved plan 12B shall be fully completed prior to occupation of the first unit within the proposed Employment Park or Local Centre, or opening of the new Whitecross Primary School, whichever is the earliest, unless otherwise agreed in writing by the Planning Authority.
- (10) Notwithstanding Condition 9, the proposed works to change the priority of the Haining Road junction, as detailed on approved plan 12B, shall be implemented to coincide with the new access from the A801 through to Haining Road being completely open for use.
- (11) Before the development commences, or any alternative timescale that may be agreed in writing by the Planning Authority, the design details, including drawings and calculations, for the proposed surface water outlet culvert to the Manuel Burn and the proposed maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To ensure that the construction related impacts of the proposed development are satisfactorily mitigated.
- (3-4) To safeguard the visual amenity of the area and achieve the landscape strategy for the Whitecross SIRR development.
- (5-6) To ensure that the construction related impacts of the proposed development are satisfactorily mitigated.
- (7) To safeguard the interests of a protected species (badgers).
- (8) To safeguard the existing network of outdoor access routes in the local area.
- (9) To ensure the timeous completion of the final arrangement of the approved development.
- (10) To ensure completion of the Haining Road junction works at an appropriate time.
- (11) To ensure the suitable provision of surface water drainage.

Informative(s):-

- (1) In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), the permission lapses on the expiration of a period of three years beginning with the date on which the permission is granted unless the development to which the permission relates is begun before that expiration.
- (2) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01, 03A, 04B, 06C, 07C, 08A, 09, 10, 11, 12B, 13A, 14, 15 and 16.
- (3) The Roads Development Unit have advised that a Road Construction Consent would be required for the proposed final arrangement (Road Construction Consent would not be issued for the proposed interim arrangements).
- (4) SEPA have advised that the proposal may require registration or a licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2001 (CAR).
- (5) The Coal Authority have advised that the proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to the Coal Authority. Any intrusive works which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of the Coal Authority. Property specific summary information on coal mining can be obtained from the Coal Authority Property Search Service on telephone 0845 7626848 or at www.groundstability.com.

