

P92. PROPOSED CYCLEWAY BETWEEN DENNY AND FALKIRK AT SITE TO THE SOUTH EAST OF DENNY CEMETERY FOR FALKIRK COUNCIL - P/15/0136/PPP (CONTINUATION)

With reference to Minute of Meeting of the Planning Committee held on 28 October 2015 (Paragraph P75 refers), Committee (a) gave further consideration to a report to that meeting by the Director of Development Services; and (b) considered an additional report by the said Director on an application for planning permission in principle for the construction of a 3 metre wide cycleway/footpath between the Three Bridges Roundabout on the A883 at Falkirk to land to the south of Denny Cemetery including a spur from the cycleway and passing Roughmote Refuse Centre and tying into the path network on land to the south of Bonnybridge Primary School, Bonnybridge.

Decision

The Committee agreed to grant planning permission in principle 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) Plans and particulars of the matters specified below shall be submitted for consideration by the Planning Authority, in accordance with the timescales and other limitations in Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of the Planning Authority has been given, and the development shall be carried out in accordance with that approval. The specified matters are:-**
 - (a) The siting, design, materials, and construction arrangements of all bridges and viaducts along the route of the proposed cycleway.**
 - (b) Details of the finalised route of the cycleway including finalised levels details for the cycleway and including any areas of cut and fill.**
 - (c) Details of the siting, design, materials and construction arrangements for all boundary treatments and gates along the length of the cycleway.**
 - (d) Details of proposed drainage arrangements along the length of the cycleway.**
 - (e) Details of proposed lighting arrangements along the length of the cycleway.**
 - (f) Details of all soft landscaping works along the route of the cycleway shall be submitted for written approval. These details shall include:-**

- (i) indication of existing trees, shrubs and hedges to be removed, those to be retained and in the case of damage, proposals for restoration.
 - (ii) location of new trees, shrubs, hedges and ground cover.
 - (iii) schedule of plants to comprise species, plan sizes and proposed number / density.
 - (iv) programme for completion and subsequent maintenance.
- (g) Details of site reinstatement and landscaping works within all construction compounds and construction access routes shall be submitted for written approval.
- (3) (a) No development shall commence on site unless otherwise agreed with the Planning Authority until a contaminated land assessment has been submitted and approved. The assessment must determine the nature and extent of any contamination on the site, including contamination that may have originated from elsewhere. Any potential risks to human health, property, the water environment and designated ecological sites should be determined. The contaminated land assessment must be approved in writing by the Planning Authority.
- (b) Where contamination (as defined by Part IIA of the Environmental Protection Act 1990) is encountered, a detailed remediation strategy should be submitted to the Planning Authority demonstrating that the site will be made suitable for its intended use by removing any unacceptable risks, caused by the contamination. The scheme must be approved in writing by the Planning Authority.
- (c) Prior to the commencement of development of the site, the remediation works must be carried out in accordance with the terms and conditions of the remediation scheme, and as agreed by the Planning Authority. No part of the development shall be occupied until a remediation completion report/validation certificate endorsed by the relevant parties have been submitted to and agreed in writing by the Planning Authority.
- (4) No development shall commence on site until a scheme detailing intensive site investigations/work undertaken into Coal Mining Legacy issues at the site has been submitted to and approved in writing by the Planning Authority. Details submitted shall include a report on the findings arising from these investigations and details of remedial work where required. Thereafter, remedial works shall be fully implemented in accordance with the approved scheme.

Reason(s):-

- (1) As these drawings and details constitute the approved development.
- (2) To enable the Planning Authority to consider these aspects in detail.

(3,4) To ensure that ground is suitable for the proposed development.

Informative(s):-

- (1) For the avoidance of doubt, the plan(s) to which the decision refer(s) bear the online reference number(s) 01C, 02B-05B, 06A, 07, 08A, 09-12, 13A-17A inclusive.
- (2) Plans and particulars of the matters listed above shall be submitted for consideration by the planning authority, in accordance with the timescales and other limitations in section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended). No work shall begin until the written approval of Falkirk Council as Planning Authority has been given, and the development shall be carried out in accordance with that approval.