

1.0 BACKGROUND

1.1 This statement is in response to the letter from Falkirk Council dated 22nd February, 2017 seeking further information/comments with respect to the planning application for the proposed tourist/visitor facilities on land adjacent to Denovan House. The letter raises 3 points related to (1) A Landscape Capacity Assessment; (2) the construction of the internal road network; and (3) a further tree report. The Planning Review Committee has requested that these further reports be provided OR an explanation of why they are not provided and why, in effect, the Planning Review Committee are in the position to determine the planning application in the absence of these formal reports.

1.2 The applicant has provided a wide range of supporting information for the proposed development as part of the earlier submission. Transportation, protected species, ecology, natural and built heritage, and drainage/flood matters are all fully addressed. The retention of the woodland resource and the provision of site infrastructure can also be fully addressed in order to protect and enhance the site while making full and appropriate use of the area. The visual impact on the landscape arising from the development will be limited and mitigated by new planting and woodland maintenance measures. There will be a need for agreement on some further details but, as with all planning application, these can be adequately addressed by the use of appropriate planning conditions.

1.3 The investment to deliver this development is not insignificant and represents further private investment in the local tourism industry (and in the local economy), an outcome supported at local and national planning levels. As you are aware, the national tourism strategy, Tourism Scotland 2020 was launched in June 2012, with an ambition to grow visitor spend by £1bn by 2020. The strategy was developed to target those markets that offer the greatest growth potential and with an objective of delivering consistently high quality, including a variety of good quality visitor accommodation. This is exactly what this development seeks to address.

1.4 Within the Falkirk area, as shown in the tourism strategy and set out in the adopted Falkirk Council Local Development Plan, there is a clearly identified need for further visitor accommodation in order to support the expansion of the year round tourist experience/economy. The development at Denovan will make a modest but extremely positive contribution to the delivery of the tourism strategy, delivering a bespoke woodland experience/environment in an accessible location with respect to the range of local attractions, and providing accommodation for a range of visitors whether seeking a chalet or camping experience.

1.5 In addition to the visitor and economic benefits arising from the development, there would be substantial investment in maintaining the woodland resource (which is presently deteriorating) and therefore the ecological and amenity value of the site

would also be enhanced over time. The daily operation of the site has also been designed/addressed in order to co-exist with other uses in the local area.

1.6 In essence, this is a form of development that should be supported through the planning process due to the benefits arising and the related ability of the proposals to mitigate any potentially negative impacts (as demonstrated in the applicant's submissions). The applicant is keen to progress this beneficial development in conjunction with Falkirk Council and remains committed to the productive future use of the planning application site.

2.0 FURTHER INFORMATION REQUEST

2.1 It is important that the level/type of information requested for any planning application is reasonable and proportionate to the proposed development and its related impacts. This will be determined by the location, site characteristics, the nature/scale of the development, and the related impacts of the proposals on the built and natural environment.

(1) A Landscape Capacity Assessment

2.2 With respect to the request for "*A Landscape Capacity Assessment*" – the response submitted on behalf of the applicant in March, 2016 set out the position of the development within the site, landscape and surrounding area. This is not a prominent site nor one viewed from distance within a sensitive landscape (as would normally underpin the need for such a detailed assessment). The impacts of the development are localised and can be assessed with respect to the layout plans, elevations, cross sections, and photographs supporting the planning application. It is unclear why further assessment beyond this is required/justified with respect to the site, the development and related impacts.

2.3 In accordance with the Falkirk Council Local Development Plan Policy GN02 and with reference to Falkirk Council's Supplementary Guidance SG09 "*Landscape Character Assessment and Landscape Designations*" it is stated that "*large developments or developments with a potential for major effects on the landscape or on key viewpoints may need to be assessed by the process of Landscape and Visual Impact Assessment, either as part of an Environment Impact Assessment or as part of the appraisal of a development*". The proposed development at Denovan Road is neither a large development (it is a local scale of planning application) nor does it have the "*...potential for major effects on the landscape or on key viewpoints*". This is a relatively small scale proposal with impacts localised to the site/area. In essence, there is no requirement for either a Landscape Character Assessment or a Landscape Capacity Assessment (as referred to in the further information request) due to the scale and related impacts of the proposed development.

2.4 The nature/scale of the development along with the array of information already provided would appear to provide sufficient information in order to allow landscape impact(s) to be assessed. As outlined previously the further information submitted in March 2016 (including the photographic record provided in Appendix 4 – copy attached) was guided by discussion between Dr Wesley Edmund on behalf of Denovan Village Limited and Mr Philip Harris of Falkirk Council. This photographic record (in addition to the planning application drawings and site sections) details the level changes from south to north (rising from Denovan Road) and the general visual containment of the site provided by the topography/woodland when viewed from surrounding public areas (including Denovan Road). The positioning of the reception building at the south-east corner of the site, in light of the surrounding topography and road alignment (Denovan Road), renders this, the largest structure proposed within the site, visible only from the immediately surrounding area and therefore with very limited impact on the appearance of the local landscape.

2.5 The chalets are proposed at levels well above the adjacent Denovan Road. They are however set against the rising landform and within a woodland setting (which would be enhanced over time) and therefore are considered to have relatively local impacts on the landscape individually and collectively.

2.6 The other feature of note is the proposed car park. Again, for the reasons already rehearsed, this will have limited landscape impact. The camping pods are movable structures which will be set in the woodland rather than appearing prominent within it.

2.7 The development will have a localised impact from Denovan Road. Being set within the rising landform and established (to be enhanced) woodland such visual impact is considered to be within acceptable limits especially when factoring in the landscape improvements being proposed as part of the development and the overall declining appearance of the woodland resource at present.

2.8 The Committee members can therefore have sufficient confidence that no adverse impacts on the landscape will result from the proposed development.

(2) The construction of the internal road network

2.9 The line of the internal road has been proposed in a manner to protect the existing trees within the site while providing access to the various facilities being provided. It is accepted that fully detailed construction design will be required prior to the internal road being provided and that construction methods and related protection/mitigation will be required, all in agreement with Falkirk Council. The road can be readily delivered as an integral part of the development and there are options over the approach to the delivery with respect to final levels, the use of materials, etc and it is considered that this is best addressed in direct discussion with Falkirk Council

officers at the appropriate stage (which is not possible through the local review process). It should be remembered that it is in the interests of the applicant to retain the trees as these are a key element of the woodland experience being offered to visitors to the site. The success of the business will be based on new and repeat trade and therefore the environment (the woodland) is a key component of the site's attraction going forward.

2.10 The road location is shown on the layout plan, with the cross sections also providing additional detail. It is accepted that further detailed assessment of the road construction will be required albeit it would appear entirely appropriate to secure the final details by way of a suspensive planning condition on the grant of planning permission rather than further detailed investigation at this stage where the principle of the development remains to be agreed. In effect a condition requiring that *"Prior to the commencement of works on site, full details of the internal road construction, including necessary tree protection measures, should be submitted to and agreed in writing by Falkirk Council"* would be entirely appropriate and proportionate to the matter being addressed. The applicant is committed to the retention of the woodland environment as a key part of the holiday village and will work with Falkirk Council to retain and enhance the woodland and its contribution to the site and surroundings (including a range of new planting).

2.11 There are options for the internal road to be constructed, at least in part, above existing ground levels (with root protection in place as required) and for the use of permeable materials rather than more dense asphalt finishes. These are options that the applicant would wish to further explore with Falkirk Council in order that the most appropriate solution, one fully satisfactory to the Council, is delivered. To conclude, it is considered that Falkirk Council can exercise appropriate control over the formation/construction of the site's internal road network by way of a suspensive planning condition.

2.12 The Committee members can therefore have confidence that the use of an appropriately worded planning condition is an appropriate and proportional response in this case and that this will ensure that the construction of the internal access road will meet Falkirk Council's requirements.

(3) A Further Tree report

2.13 Some additional tree removals have occurred since the planning application was originally submitted due to condition and safety concerns. Other trees have been damaged and removed/are planned to be removed. The relevant details are as follows:

- 371 split and was seriously damaged during storm weather in November 2015
- 390 was dead and rotten in the centre and dangerous - felled in August 2016

- 377 was damaged by high winds November, 2015 felled and removed
- 376 is in very poor condition - canker and upper branches starting to rot and fall off identified in original tree report
- 374 is leaning into road and roots are pushing wall over, action will be taken to make safe once the tree can be re-inspected after leaf fall.

2.14 There are no plans to remove any other trees and, it should be remembered, a range of new planting is being proposed as part of the development along with related woodland management which will secure the long term future of this presently declining woodland. The tree report, as submitted, along with the updated information set out in paragraph 2.11 above provides the up to date position related to the impact on trees resulting from the development. There would appear no reasonable requirement for a further tree report especially when there are already sufficient controls in place related to the access road and related infrastructure.

2.15 As set out above, the retention of existing trees and the enhancement of the woodland are objectives of both Falkirk Council and of the applicant. There are no plans to remove any other trees but plans to carry out extensive replanting and active management in order to enhance the visual and environmental qualities of the woodland over time. The development provides the catalyst for the improvements to the woodland being proposed, without which it will remain a deteriorating resource.

2.16 The impacts of the access road and site drainage proposals are already factored into the site development proposals and are such as not to require any further tree removal. The final construction of the access remains to be agreed with Falkirk Council but there is no basis to conclude that this will not meet the required standards/outcome.

2.17 The Committee members can therefore have sufficient confidence that the impacts on the woodland have been appropriately assessed and that the retained trees, the new woodland planting and the maintenance arrangements, will result in an enhanced woodland both visually and environmentally.

3.0 CONCLUSIONS

3.1 The applicant has provided a wide range of supporting information for the proposed development as part of the submissions to the Planning Review Committee. Transportation, protected species, ecology, natural and built heritage, and drainage/flood matters are all addressed. The retention of the woodland resource and the provision of site infrastructure can also be fully addressed in order to protect and enhance the site/woodland while making full and appropriate use of the area. The visual impact on the landscape arising from the development will be limited and mitigated by new planting and woodland maintenance measures. There will be a need for agreement on some further details but these can be adequately addressed by the use of appropriately worded planning conditions (refer above).

3.2 The investment to deliver this development is not insignificant and represents further private investment in the local tourism industry (and in the local economy), an outcome supported at local and national planning levels. Private investment is key to meeting the stated national and local tourism targets with each individual site playing a modest but important part in the delivery process. In addition to the visitor and economic benefits, there would be substantial investment in maintaining the woodland resource (which is presently deteriorating) and therefore the ecological and amenity value of the site would also be enhanced over time. The daily operation of the site has also been designed/addressed in order to co-exist with other uses in the local area.

3.3 In essence, this is a form of development that should be supported through the planning process due to the benefits arising and the related ability of the proposals to mitigate any potentially negative impacts (as demonstrated in the applicant's submissions). There will inevitably be the need for planning conditions to control the development (as in most cases) and there is nothing outstanding that is not satisfactorily addressed or could not be appropriately addressed by a suitably worded planning condition. The applicant is keen to progress this beneficial development in conjunction with Falkirk Council and remains committed to the productive future use of the planning application site.

APPENDIX 4 – VISUAL ASSESSMENT OF SITE

