



## **Agenda Item 4**

**WORKS ADJACENT TO AND WITHIN THE  
CONFINES OF BO'NESS ROAD,  
GRANGEMOUTH COMPRISING THE  
CONSTRUCTION OF A SECURITY  
MANAGEMENT CENTRE, 2 SECURITY  
GATEHOUSES, SECURITY FENCING AND  
5 NO PIPE BRIDGES WITH SUPPORTING  
INFRASTRUCTURE. AT INEOS, BO'NESS  
ROAD, GRANGEMOUTH, FK3 9XH, FOR  
INEOS CHEMICALS GRANGEMOUTH LTD  
- P/17/0041/FUL**

**FALKIRK COUNCIL**

**Subject:** WORKS ADJACENT TO AND WITHIN THE CONFINES OF  
BO'NESS ROAD, GRANGEMOUTH COMPRISING THE  
CONSTRUCTION OF A SECURITY MANAGEMENT CENTRE,  
2 SECURITY GATEHOUSES, SECURITY FENCING AND 5  
NO PIPE BRIDGES WITH SUPPORTING  
INFRASTRUCTURE. AT INEOS, BO'NESS ROAD,  
GRANGEMOUTH, FK3 9XH, FOR INEOS CHEMICALS  
GRANGEMOUTH LTD - P/17/0041/FUL

**Meeting:** FALKIRK COUNCIL  
**Date:** 15 September 2017  
**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Grangemouth

Councillor David Balfour  
Councillor Allyson Black  
Councillor Robert Spears

**Community Council:** Grangemouth Community Council

**Case Officer:** Bernard Whittle (Development Management Co-ordinator), Ext.  
4875

**PURPOSE OF THE REPORT**

1. This application is subject to an appeal to the Scottish Government Planning and Environmental Appeals Division (DPEA) on grounds that the application was not determined within statutory timescales and is therefore considered as a deemed refusal of planning permission. The purpose of reporting the application to Council is to seek agreement of Council on the planning authority's response to the DPEA in respect of the appeal in accordance with the requirements of Regulation 4 of the Town and Country Planning (Appeals)(Scotland) Regulations 2013 (the 2013 Appeals Regulations).

**BACKGROUND**

2. The application relates to proposed works adjacent to and within the confines of the A904, Bo'ness Road, Grangemouth, comprising the construction of a security management centre, 2 security gatehouses, security fencing and 5 pipe bridges with supporting infrastructure. If granted planning permission the proposed development would need a section of the A904, Bo'ness Road between the Inchyra roundabout and the River Avon road bridge to be permanently closed to the public by means of a Stopping Up Order in terms of the Town and Country Planning (Scotland) Act 1997, (the 1997 Act). This planning application constitutes a National Development, as defined by the 1997 Act as amended, and a pre-determination hearing was held by the Council on 13 March 2017.

3. Details for the proposed development including mitigation measures proposed at that time by Ineos to address the closure of Bo'ness Road are covered in the pre-determination hearing report dated 13 March 2017 (Appendix 1).
4. A Transport Assessment was submitted by Ineos in support of the planning application. Details of measures proposed to mitigate the closure of part of the A904, Bo'ness Road are listed in Appendix 1 (paragraph 1.5).
5. It is further noted that there was not sufficient time to report the application to Council in the period between the pre-determination hearing on 13 March 2017 and the Council election in May 2017. The pre-determination hearing was required in terms of Section 38A of the 1997 Act as the proposed development constitutes a national development. The applicant considers that the road closure is necessary to enable delivery of the master plan for chemicals related development at the site.
6. The grounds of appeal are two-fold and relate to the need for the development in terms of its national status and the provision of mitigating transport measures to address its impact. These are detailed in paragraph 35 of this report.
7. It should be noted that there is also a current application to Falkirk Council under section 207 of the 1997 Act requesting the stopping up of the road. Such an order cannot be made until planning permission has been granted.
8. The pre-determination hearing was held on 13 March 2017 at Grangemouth High School. The hearing was attended by elected members, council officers, consultees, the appellant and the appellant's supporting representatives, community groups and members of the general public. Members of the public and community groups had the opportunity to raise concerns and the applicant, in turn, had the opportunity to clarify and respond. Elected Members had the opportunity to seek clarification of the proposed development from the applicant, supporting representatives and council officers.

Issues raised at the pre-determination hearing were: -

- the consultation response of the Scottish Fire and Rescue Service;
- timescale of the applicant's masterplan aspirations;
- potential closure of Kerse Road;
- potential for a diversionary route at Kersiebank Avenue;
- comments of the Council's Roads and Design Unit;
- potential health and safety issues;
- clarification of need for the closure of Bo'ness Road to secure operation of the proposed pipe bridges;
- impact of transport network mitigation measures proposed by the applicant;
- single four lane carriageway safety issues;
- routing of pipework;

- possible retention of public access to Bo'ness Road and lower speeds;
- feasibility of constructing security facilities closer to applicant's headquarters building;
- impact on applicant if planning permission is refused.

It was clarified at the pre-determination hearing that a second petition of objection had been submitted but was not acknowledged in the Director of Development Services pre-determination hearing report. The covering letter had been received by email by the Council but the petition attached had not been activated by the server of the petition. This has now been resolved. All representations received have been recorded and a summary of the issues raised in all representations is attached (Appendix 2).

## **REASON FOR COMMITTEE AND COUNCIL CONSIDERATION**

9. Reporting the proposed development to full Council is required because the proposed development falls within the category of national development in terms of the 1997 Act. Scotland's third National Planning Framework (NPF3) defines the Port of Grangemouth and the adjacent chemicals business area and access routes to the area as a national development area. Within this area, planning applications for business and / or general industrial uses where the application site exceeds 2 hectares are designated in NPF3 as national development.

The procedure for the consideration of planning applications for national developments is set out in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Regulation 27 and section 38A of the 1997 Act together require that a pre-determination hearing shall be held by the Council to provide the applicants and those who have made representations with an opportunity to be heard before a planning decision is taken at a later date at a further meeting of the full Council. To add further transparency to the decision making process, Section 56 of the Local Government (Scotland) Act 1973 requires that in cases where there is an opportunity to attend a pre-determination hearing that the planning application shall then be determined by the full Council.

This report provides details of the officer assessment of the proposed development and provides an appropriate recommendation for the Council to consider before responding to the DPEA in terms of Regulation 4(2) of the 2013 Appeals Regulations. These require the planning authority to send to the Scottish Ministers and the appellant:-

- (a) a note of the matters which the planning authority consider require to be taken into account in determining the appeal and by what, if any, procedure (or combination of procedures) the planning authority wish the appeal to be conducted;
- (b) a copy of documents which were before the planning authority and which were taken into account in reaching their decision;
- (c) a copy of any Report on Handling prepared in respect of the application; and

- (d) conditions (if any) which the planning authority presently consider should be imposed in the event that the Scottish Ministers decide that permission be granted.

The appellant then has the opportunity to provide comments on these submissions to the DPEA.

## **SITE HISTORY**

10. A proposal of application notice reference PRE/2016/0025/PAN was submitted on 22 August 2016 for the construction of a security management centre, 2 security gatehouses and up to 5 pipe bridges with supporting infrastructure.
11. As previously referred to a pre-determination hearing was held.
12. The appellant appealed against non-determination of the planning application to the DPEA on 27 July 2017.
13. Also relevant is planning permission P/15/0474/FUL for the construction of a pipebridge at Bo'ness Road granted on 25 September 2015. and a Proposal of Application Notice PRE/2017/0015/PAN for the erection of a new energy plant received on 5 July 2017.

## **CONSULTATIONS**

14. Details of all responses from consultees are included in the PDH report of 13 March 2017 (Appendix 1). The following, additional / updated consultations that have been received are:
15. British Petroleum Exploration Operating Company Limited (BP) was consulted and raised no objections in relation to impact on the safety and engineering integrity of the BP Forties Pipeline. BP queried the potential impact of the proposed closure of the A904 Bo'ness Road on their proposed combined heat and power plant at Kinneil. However, this permission is extant and BP has since advised that the combined heat and power plant will not be built by themselves. It should be noted that the site is presently being acquired by Ineos.
16. The Scottish Fire and Rescue Service has not objected to the proposed development.
17. The Falkirk Council Roads Development Unit advise that the A904 in the area of the application site is classed as a main distributor road in the adopted roads hierarchy. The A904 Bo'ness Road also forms part of the Transport Scotland National High Load Route 14 from Grangemouth Docks to Edinburgh. The unit advise that the A904 Bo'ness Road should remain as a public road and, consequently object to the proposal on grounds that: -
  - Resilience in the road network would be reduced.
  - There would be a loss of road, footway and cycle route.
  - There is not sufficient justification for the closure of the A904 Bo'ness Road.
  - Closure of the A904 Bo'ness Road would have a significant detrimental impact on the Transport Scotland High Load Road referred to above.

It is advised that the transport network mitigation measures proposed by the applicant, detailed in Appendix 1 are not adequate to mitigate the impact of the proposal. It is suggested that the applicant should agree to implement mitigation measures detailed in paragraph 32 of this report. Should this be the case, the consultation response from the Roads Development Unit can be revisited.

18. The Falkirk Council Transport Planning Unit (TPU) has considered the Transport Assessment (TA) submitted by the applicants. It is noted that the TA submitted does not accord with the proposed content agreed with TPU officers during the pre-application notice (PAN) stage of the proposed development. The Unit raises concerns regarding the extent of mitigation measures proposed by the applicants to compensate for the closure of a section of the A904 Bo'ness Road and the impact on road network resilience. The level and design of the mitigation measures proposed and the available capacity at some of the road junctions is not considered by the Unit to be adequate. The Unit comment that the closure of Bo'ness Road without adequate mitigation would be to the detriment of road network resilience.
19. In addition, the TPU has commented in respect of the future development aspirations at the wider Ineos site as described by the masterplan supporting the proposed development. It is considered that the masterplan development is likely to require further transport network mitigation measures on Inchyra Road and Wholeflats Road. If the A904 Bo'ness Road is closed at this time, then further mitigation measures to the transport network would have to be implemented when Inchyra Road and Wholeflats Road form the only main access route between Grangemouth and Bo'ness, thereby causing significant inconvenience to the public and road users.
20. It is noted that the appellant has determined that the proposed development is likely to result in an increase in traffic accidents at a rate of 0.6 accidents per year. The appellant does not consider the envisaged increase to be significant. TPU advises that the appellant has not satisfactorily demonstrated that the impact of the proposal in terms of traffic accidents would be limited to the applicant's envisaged increase. Furthermore, TPU does not concur that the increased level in traffic accidents, should the mitigation measures sought not be implemented as envisaged by the applicant, is not significant. Should the appellant agree to implement the additional mitigation measures, the consultation response from TPU can be revisited.

## **COMMUNITY COUNCIL REPRESENTATIONS**

21. Bo'ness Community Council objects to the proposed development. It considers that the justification for the road closure has not been proven. The Community Council considers that the development and closure of the road would result in Bo'ness becoming more isolated and having less access to amenities, shops and facilities and would result in increased traffic, congestion and general inconvenience.
22. Bo'ness Community Council advises that community consultation events were held and received 294 responses. Of these responses 278 (95%) object to the application due to proposed closure of Bo'ness Road, 9 (3%) were in support of the application and 7 (2%) had no opinion. These responses are included within the representations received.

23. Grangemouth Community Council objects to the proposed development. It comments that the case put forward by the applicants for the development and closure of the road for site security and public safety reasons has not been proven. The Community Council consider that the proposals are detrimental to road safety, will cause unnecessary inconvenience and cost to the inhabitants of Grangemouth and Bo'ness and would also be to the detriment of commerce in Grangemouth and Bo'ness town centres. The Community Council questions the validity of the Transport Assessment produced by the applicants and also comments that the proposals will increase air pollution. The Community Council also considers that the planning application should not be considered a national development on the grounds that the area of land to be enclosed should be excluded from the application site boundary.
24. Grangemouth Community Council advises that its members have been monitoring social media and are led to believe that there is a general consensus within the community about the proposed closure of Bo'ness Road and resultant traffic impacts. The Community Council has carried out its own community consultation event and advises that 91 people attended. The results of an exit poll were that 19 (21%) were in favour of closure of the road, 60 (66%) were against closure and 12 (13%) were undecided.
25. Avonbridge and Standburn Community Council and Shieldhill and California Community Council have also objected to the proposed development. The grounds of objection reflect public representation grounds of objection listed in Appendix 2 of this report.
26. Additionally, Shieldhill and California Community Council's grounds for objection include: -
- the proposed permanent closure of the A904 Bo'ness Road is included in the proposed development in a covert manner, and
  - the proposed development is presented in a manner which threatens abandonment of future development aspirations, as presented in the masterplan supporting the proposed development, if the proposal to permanently close the A904 Bo'ness Road is not successful.

## **PUBLIC REPRESENTATION**

27. A total of 451 representations have been received at the time of drafting this report. This total number comprises 431 objections and 3 petitions of objection; with 744 and 3167 and 27 signatories; 12 representations of support; and 8 neutral representations. It is noted that the online petition of 3167 signatories had been submitted prior to the pre-determination hearing on 13 March 2017 but had not been received in a form that could be retrieved by the Planning Authority. This was clarified at the pre-determination hearing. The petition has now been received. The grounds of objection and support are summarised in Appendix 2.

## **ASSESSMENT**

28. A full assessment of the planning issues raised has been undertaken by officers. The detail of this assessment is contained in Appendix 3 and is based upon the information submitted by the appellant up to the lodging of the appeal against non-determination.

29. It is recognised by officers that the site to which the current proposals relate, forms part of the Grangemouth Investment Zone, identified in Scotland's National Planning Framework 3 (NPF3). This strategic spatial strategy, supported by the Council, recognises the importance of Grangemouth, particularly the Port of Grangemouth and the wider chemical complex. As such it is identified as being of strategic economic importance (National Development No11).
30. NPF3 emphasises the importance of ensuring investment and development – to strengthen the role of the area in supporting the national economy. NPF3 does emphasise that there is a need for a co-ordinated approach to minimise impacts upon the community and the environment of the Forth Estuary.
31. Officers recognise the economic importance of the development proposed by the applicant at the Ineos site and its contribution towards realising national planning priorities. They also recognise the mitigation measures that have been put forward by the appellant to address the issues that would arise upon the transport network, locally, as a result of the proposed closure of Bo'ness Road. These measures are noted in Appendix 1 (paragraph 1.5)
32. Officers consider that, should the development be granted, additional mitigation works are necessary to address the effects of the permanent closure of the A904 Bo'ness Road. These works are as follows:-
- Dualling of Inchyra Road between Wholeflats Road and Kersiebank Avenue;
  - Dualling of Wholeflats Road from Inchyra Road to Inveravon Roundabout;
  - New Footway / cycleway – Inchyra Road East Side; and
  - New Roundabout at Wholeflats / Grange Road Junction.
33. The appellant has declined to meet these additional mitigation works, citing that these are unnecessary and excessive. Officers however remain of the view that such additional mitigation is required to ensure road user safety, good practice in line with the Design Manual for Roads and Bridges (DMRB) and route continuity in relation to the adjoining road network.
34. Officers conclude that the principle of the development proposed by the appellant is supported by National Planning Policy and the Falkirk Local Development Plan (FLDP) subject to an appropriate extent of mitigation works being offered. As this is not currently the case, the proposal is not fully in accordance with the Development Plan.

## **COMMENTS ON THE APPELLANT'S GROUNDS OF APPEAL**

35. The appellant has lodged two grounds of appeal:-
- The proposed development is a National Development and the need for development has been established through its status in the National Planning Framework 3 and in accordance with the Falkirk Council Local Development Plan. Also there are no material considerations that would outweigh the conclusion that planning permission should be granted;
  - The transport effects of the proposed development, involving the closure of the section of the A904 Bo'ness Road and necessary transport mitigation have been properly assessed in the appellant's transportation assessment and transportation assessment addendum; the appellant's proposed mitigation measures (Appendix 1 - paragraph 1.5) are adequate and that they should only



be required to provide transport mitigation that is necessitated by the proposed development.

36. The appellant states that they are also of the view that the additional works being sought by the Council would not meet the tests that are contained in circular 4/1998 – Use of conditions in planning permissions. In particular they are of the view that the tests of need/necessity/relevance and reasonableness would not be met. In response, officers do not share this view as the reasons for the additional mitigation measures requested are robust and justified and would meet the terms of circular 4/1998. It is also the view of officers that, should the Reporter be of the view to support the additional mitigation measures through a Section 75 (Planning Obligation), the appropriate tests as contained in circular 3/2012 – Planning Obligations and Good Neighbour Agreements can be met.
37. The appellant also cites, as part of their submission, that the proposed development has the potential to generate significant new investment; capture new business opportunity; extend co-location activity and support and safeguard a significant number of quality jobs. Officers note and support the principle of further development at the Grangemouth Investment Zone as this is supported in NPF3 and the LDP. However officers are concerned that these proposals and their transport effects, as part of a masterplan framework have not been the subject of a Transport Assessment. Officers sought further information in this regard from the appellant but this has not been forthcoming. The appellant cites that “any issues of long term capacity and future needs should be addressed as development proposals are brought forward within the wider Grangemouth, Bo’ness area”. Officers however would reiterate that the proposed mitigation measures as highlighted in paragraph 32 are necessary for the impacts on the proposed closure of Bo’ness Road alone. Such measures however would also assist in ensuring that the wider area of the Ineos estate is ‘market ready’ with supporting plans and infrastructure in place for delivery. However it is recognised that further mitigation on the traffic network will be required. This would require to be quantified by a further Transport Assessment and officers consider that further work is necessary in this regard.
38. In summary in respect of the first ground of appeal, as described in paragraphs 32-34, officers consider that the appellant’s mitigation measures fall short. It is therefore contended that while the principle is acceptable, the development proposed, does not fully accord with the provisions of the Falkirk Local Development Plan. The mitigation measures sought by officers are necessary to achieve full compliance.
39. As a result of the need to provide additional mitigation it is the view of officers that the appellant’s second ground of appeal is not also sustainable on the basis described above.
40. It should also be noted that the appellant states that no response was received from the Council to the submitted Transport Assessment Addendum (TAA) on 3 April 2017. They cite that this was to address the Council’s concerns on road capacity, resilience and road safety. However it can be confirmed that officers responded to the TAA on 19 May 2017 advising that the additional mitigation is considered necessary.
41. The appellant has advised in their appeal submission that the appeal should be dealt with through a combination of an inquiry session (transport mitigation measures) and a hearing to cover matters relating to planning conditions and a possible Section 75 (Planning Obligation). The appellant also advises that the issues such as Development Plan policy, National Planning policy and economic benefit could be dealt

with by written submission procedure. It is the view of officers that a combination of a hearing/written submissions procedure is preferred and appropriate to deal with this appeal.

42. The appellant refers to their application for a stopping up order for the affected part of Bo'ness Road. This is a specific process and, if granted planning permission, the development would need a section of the A904 road to be permanently closed to the public by a stopping up order under section 207 of the 1997 Act. The appellant expresses concern that there is no clear indication from Falkirk Council as to how the stopping up order could be advanced or the appropriate timescales. The appellant requests that Scottish Ministers progress a stopping up order. In terms of section 207, a stopping up order cannot be made until planning permission has been granted. Officers would be supportive of Scottish Ministers determining the stopping up order. If Scottish Ministers are not minded to, or find themselves unable to do so, should they decide to grant planning permission, it is highly likely the matter of the stopping up order would come back to the Council for a decision. It is open to the appellant to consider withdrawing the application for the stopping up order made to the Council and passing this to Scottish Ministers for consideration following the appeal.

## **CONCLUSION**

43. Officers do not concur with the appellant's grounds of appeal. While the principle of the development meets the terms of NPF3 and the FLDP the proposal and the mitigation measures being offered fall short of what is considered adequate to address the transport network impact upon the local community and road issues. It is therefore not fully in accordance with the Falkirk Local Development Plan.
44. The additional mitigation measures which are considered necessary are fully justified in terms of road capacity resilience and road safety.

## **45 RECOMMENDATION**

### **45.1 It is recommended that Council:-**

- a) notes the proposed development and its intended contribution towards meeting the objectives of the National Planning Framework 3 and the Falkirk Local Development Plan;**
- b) agrees that the mitigation measures offered by the appellants in respect of the planning application now before Scottish Ministers are not adequate and the application is not sufficiently in accordance with the Falkirk Local Development Plan;**
- c) agrees there are no material considerations in the application which can justify support for the current proposal (the permanent closure of part of the A904, Bo'ness Road with inadequate mitigation measures);**
- d) instructs the Director of Development Services to advise the DPEA that this report, its appendices and Minutes of Council meetings held to consider the proposal, constitutes the Council's note of matters which the planning authority considers require to be taken into account in determining the appeal;**

- e) instructs the Director of Development Services to notify the DPEA that the Council wishes the appeal to be conducted by means of a hearing and /or written submission procedure; and
- f) agrees that the planning conditions and informatives as outlined in Appendix 4 be submitted to the DPEA as part of the Council's appeal submission should Scottish Ministers / the reporter be minded to grant planning permission.

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**Director of Development Services**

**Date: 6 September 2017**

#### LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. Supplementary Guidance Forming Part of the Development Plan.
3. Scottish Government: National Planning Framework 3.
4. Scottish Planning Policy.
5. Falkirk Economic Strategy 2015-2025.

# Planning Committee

## Planning Application Location Plan

**P/17/0041/FUL**

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



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**AGENDA ITEM****FALKIRK COUNCIL**

**Subject:** WORKS ADJACENT TO AND WITHIN THE CONFINES OF BO'NESS ROAD, GRANGEMOUTH COMPRISING THE CONSTRUCTION OF A SECURITY MANAGEMENT CENTRE, 2 SECURITY GATEHOUSES, SECURITY FENCING AND 5 NO PIPE BRIDGES WITH SUPPORTING INFRASTRUCTURE. AT INEOS, BO'NESS ROAD, GRANGEMOUTH, FK3 9XH, FOR INEOS CHEMICALS GRANGEMOUTH LTD - P/17/0041/FUL

**Meeting:** PLANNING COMMITTEE, PRE-DETERMINATION HEARING

**Date:** 13 March 2017

**Author:** DIRECTOR OF DEVELOPMENT SERVICES

**Local Members:** Ward - Grangemouth

Councillor Allyson Black  
Councillor David Balfour  
Baillie Joan Coombes  
Councillor Robert Spears

**Community Council:** Grangemouth Community Council

**Case Officer:** Bernard Whittle (Development Management Co-ordinator), Ext. 4875

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

- 1.1 This application for planning permission relates to proposed works adjacent to and within the confines of the A904, Bo'ness Road, Grangemouth, comprising the construction of a security management centre, 2 security gatehouses, security fencing and 5 pipe bridges with supporting infrastructure. If granted planning permission the proposed development would need a section of the A904, Bo'ness Road between the Inchyra roundabout and the River Avon road bridge to be permanently closed to the public by a 'Stopping Up Order'. For the reasons given in section 2 below, this is a "national development" and subject to a pre-determination hearing.
- 1.2 The proposed security management centre would be located at the western end of Bo'ness Road. It would comprise a two storey building with the entrance, interview room, security control and CCTV monitoring room on the ground floor, with mess/kitchen facilities and induction/training accommodation on the first floor. The building is intended to replace a number of existing controlled access gates and to provide a central location for security services on the INEOS Grangemouth site. The form of the building and external finishes are designed to be in keeping with the new INEOS Headquarters building on Inchyra Road.

- 1.3 It is proposed to close the site to the public with 3 metre high, dark green, palisade fencing connected to existing security fences. Controlled access points are proposed on Bo'ness Road. This would comprise a security kiosk close to the security management centre. The kiosk would have facilities to control an access barrier and sliding gates at the western end of Bo'ness Road and hinged gates at the eastern end of Bo'ness Road. Pedestrian access through the security fencing would be by means of electronically controlled turnstiles at the western end of Bo'ness Road. The turnstiles could be opened by an issued access card. No pedestrian access is proposed at the eastern end of the site. A second security kiosk is proposed adjacent to the security gates at the east end of the site.
- 1.4 It is proposed to build 5 new pipe bridges across Bo'ness Road at various points within the enclosed area to provide connections for feedstocks, steam, cooling water, nitrogen, compressed air, electricity, natural gas, potable water and effluent treatment to sites on the north and south side of the road. The proposed pipe bridges would provide a 6.45 metre maximum height clearance of the road and a 24 metre clear width span of the road. The bridges would be constructed from structural galvanised steelwork.
- 1.5 The applicants propose to mitigate for the closure of Bo'ness Road with the following measures:

At the Kersiebank Avenue/Inchyra Road Traffic Signals:

- Widening Inchyra Road south of Kersiebank Avenue to four lanes to increase approach capacity;
- Refining traffic signal timings to maximise capacity and manage queues within available storage space;
- Extend footway/cycleway to the north of the junction;
- New bus stops to the north on Inchyra Road.

At the Wholeflats Road Roundabout on Inchyra Road:

- Replacement of roundabout with traffic signal-controlled junction;
- Provision of dedicated, controlled pedestrian and cycle crossing facilities;
- Enable co-ordination of signal timings on the Inchyra Road corridor network including Cadgers Brae (once improved), Wholeflats Road and Kersiebank Avenue;
- Introduction of a new left slip lane from Wholeflats Road to Inchyra Road southbound.

At Wholeflats Road/Grange Road Priority Junction:

- Introduce right turn ghost island on Wholeflats Road to remove blockage to eastbound through traffic caused by vehicles waiting to turn right.

On Wholeflats Road:

- Ban right turns from access on north side (subject to statutory Council process) sending vehicles left to U-turn at Inveravon roundabout;
- New bus stops in the vicinity of Inveravon roundabout;

- 1.6 In addition to a location plan and drawings of the security management centre, gatehouses, security fencing, turnstiles, parking and turning arrangements, pipe bridges and CCTV proposals, the applicants have submitted the following in support of the planning application:
- A design and access statement;
  - A masterplan framework;
  - A pre-application consultation report;
  - A Transport Assessment;
  - A document of letters of support;
  - An Air Quality Impact Assessment.
- 1.7 The planning application has been screened in relation to The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. An Environmental Impact Assessment is not required.
- 1.8 If it is decided to grant planning permission then implementation of the permission would require the permanent stopping up/closure of a section of the A904 Bo'ness Road between the Inchyra roundabout and the River Avon road bridge. Section 207 of the Town and Country Planning (Scotland) Act 1997 (the Act), as amended, provides that Falkirk Council may by Order authorise the stopping up of a road if they are satisfied that it is necessary to do so to enable a development to be carried out in accordance with a planning permission that has been granted. The planning procedures under the Act for an Order to stop up and permanently close a road are separate from the procedures to determine a planning application. The stopping up procedures require separate publicity and participation arrangements for interested parties.
- 1.9 Ineos have made an application to Falkirk Council under section 207 requesting the stopping up of the road. Falkirk Council cannot make an Order as requested by Ineos if the planning permission has not been granted.

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

- 2.1 This report to the pre-determination hearing provides factual and background information in relation to the proposed development. No planning assessment of the proposed development is included or implied.
- 2.2 The purpose of the pre-determination hearing is to provide the applicants and those who have made representations with an opportunity to be heard before a planning decision is taken at a later date at a further meeting of the full Council. After the pre-determination hearing a further report will be prepared by officers. The further report will provide an assessment of the application and a recommendation for the full Council to consider before determining the application.



- 2.3 A pre-determination hearing is being held and the application is to be determined by the full Council because the proposed development falls within the category of national development. Scotland's Third National Planning Framework (NPF3) defines the Port of Grangemouth and the adjacent chemicals business area and access routes to the area as a national development area. Within this area planning applications for business and/or general industrial uses where the application site area exceeds 2 hectares are designated in NPF3 as national development. The procedure for the consideration of planning applications for national developments is set out in the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Regulation 27 requires that a pre-determination hearing shall be held by the Council. To add further transparency and accountability to the decision making process, Section 56 of the Local Government (Scotland) Act 1973 requires that in cases where there is an opportunity to attend a pre-determination hearing that the planning application shall then be determined by the full Council.

### **3. SITE HISTORY**

- 3.1 Proposal of application notice reference PRE/2016/0025/PAN was submitted on 22 August 2016 for the construction of a security management centre, 2 security gatehouses and up to 5 pipe bridges with supporting infrastructure.

### **4. CONSULTATIONS**

- 4.1 The Falkirk Council Environmental Protection Unit has advised that contamination can be addressed by condition. Noise need not be considered a determining factor. An Air Quality Impact Assessment has been submitted by the applicant's. The Unit is satisfied with the scope of the assessment and conclude that the predicted change in pollution concentrations would be negligible and comment that planning permission need not be declined on the basis of air quality impacts.
- 4.2 Transport Scotland does not advise against the granting of planning permission.
- 4.3 The Scottish Environment Protection Agency does not object to the proposed development. Flood risk assessment submitted in support of the proposed development is considered to be robust. Freeboard levels should be agreed with Falkirk Council as Flood Protection Authority. SEPA notes that the proposed development does not raise any issues in terms of pollution prevention and control (PPC) or control of major accident hazards (COMAH) requirements at the site.
- 4.4 Scottish Natural Heritage does not object to the proposed development. The proposed development would not have a significant impact on the qualifying interests of the Firth of Forth Special Protection Area. An appropriate assessment is not required.
- 4.5 The Health and Safety Executive (HSE) Planning Advice for Developments near Hazardous Installations (PADHI) does not advise against the grant of planning permission. HSE comment that proposals to route pipework above ground will allow Ineos more reliable monitoring and inspection of pipework. The presence of pipework above or below ground is a risk in relation to use of Bo'ness Road but closure of Bo'ness Road could also increase congestion on other routes around the site and increase the societal risk from increased traffic at these peripheral areas.



- 4.6 British Petroleum Exploration Operating Company Limited (BP) have no objections with regard to its impact on the safety and engineering integrity of the BP Forties Pipeline. With regard to impact on the BP Kinneil Terminal BP also advise that they have no objection in principle to the proposals but would like to better understand the precise details of the proposed stopping up of the A9094 Bo'ness Road, including the timing of the development and BP's ongoing right of access to Bo'ness Road should planning permission be granted.
- 4.7 Scottish Gas Network does not object to the proposed development.
- 4.8 Police Scotland does not object to the proposed development. Security issues to be considered are advised.
- 4.9 The Scottish Fire and Rescue Service has objected to the proposed development on grounds that the stopping up of Bo'ness Road would materially increase response times for appliances travelling from Bo'ness and West Lothian. Consequently, this would leave initial attending crews exposed for a greater period of time awaiting support.
- 4.10 The Scottish Ambulance Service comment that there is a small chance that closure of Bo'ness Road could delay a response towards Linlithgow if for any reason the A905 Wholeflats Road was not available. However, the Ambulance Service consider other alternative routes are possible. They also comment that the proposal could add congestion in the area at peak periods which could delay a response to locations in the vicinity. In addition, the Ambulance Service have requested Ineos clarify access to their site in the event of an emergency.
- 4.11 The Falkirk Council Roads and Design Unit comment that roads in the vicinity of the Ineos site are of strategic importance in terms of the industry in the area and the movement of goods in relation to the petrochemical and other businesses. Additionally the roads form direct links between the towns of Bo'ness and Grangemouth. The A904 Bo'ness Road is an identified diversion route when the motorway network is unavailable. The Roads and Design Unit comment that the applicant's suggested access and mitigation provision falls below minimum expected standards and advise that the applicants should provide updated access and mitigation measures that match requirements from Falkirk Council Roads and Design Unit.
- 4.12 The Falkirk Council Transport Planning Unit have considered the Transport Assessment submitted by the applicants. The Unit raise concerns regarding mitigation measures proposed by the applicants to compensate for the closure of a section of the A904 Bo'ness Road and impact on road network resilience. The level of provision of mitigation, the design of the mitigation measures and the available capacity at some of the road junctions is not considered by the Unit to be adequate. In addition, the Unit consider the proposals will result in a potential increase in road traffic accidents (0.6 accidents per year). The Unit comment that the closure of Bo'ness Road without adequate replacement of road space would be to the detriment of road network resilience. In addition, the Unit comment that the stated intention of Ineos to carry out future development within their site would be likely to require further mitigation works on Inchyra Road and Wholeflats Road. If the A904 Bo'ness Road is closed as proposed then this further mitigation work would have to take place on Inchyra Road and Wholeflats Road when they are the only main routes between Grangemouth and Bo'ness, thereby causing inconvenience to the public.

## **5. COMMUNITY COUNCIL**

- 5.1 Bo'ness Community Council objects to the proposed development. They consider that justification for the road closure has not been proven. The Community Council consider that the development and closure of the road would result in Bo'ness becoming more isolated and having less access to amenities, shops and facilities and would result in increased traffic, congestion and general inconvenience.
- 5.2 Bo'ness Community Council advise that they have held community consultation events and received 294 responses. Of these responses 278 (95%) object to the application due to proposed closure of Bo'ness Road, 9 (3%) were in support of the application and 7 (2%) had no opinion. These responses are included within the representations received.
- 5.3 Grangemouth Community Council objects to the proposed development. They comment that the case put forward by the applicants for the development and closure of the road for site security and public safety reasons has not been proven. The Community Council consider the proposals are detrimental to road safety, will cause unnecessary inconvenience and cost to the inhabitants of Grangemouth and Bo'ness and would also be to the detriment of commerce in Grangemouth and Bo'ness town centres. The Community Council question the validity of the Transport Assessment produced by the applicants and also comment that the proposals will increase air pollution. The Community Council also consider that the planning application should not be considered a national development on the grounds that the area of land to be enclosed should be excluded from the application site boundary.
- 5.4 Grangemouth Community Council advise that they have been monitoring social media and are led to believe that there is a general consensus within the community that there is concern about the proposed closure of Bo'ness Road and resultant traffic impacts. The Community Council has carried out its own community consultation event and advise that 91 people attended. The results of an exit pole were that 19 (21%) were in favour of closure of the road, 60 (66%) were against closure and 12 (13%) were undecided.

## **6. PUBLIC REPRESENTATION**

- 6.1 A total of 440 representations have been received at the time drafting this report. This total number comprises 421 objections and a petition of objection with 744 signatories, 12 representations of support and 7 neutral representations. The grounds of objection can be summarised as follows:
- Impact of industry traffic
  - Alternatives should be explored
  - Lack of Justification
  - Impact on local business
  - Impact on local traffic movement
  - Impact on surrounding routes
  - Increase noise and air pollution

- Precedent
- Additional costs to citizens
- Access for emergency vehicles
- Inadequate mitigation measures
- Inadequate supporting info
- General highway safety
- Loss or restriction of public access
- Impact on local community
- Impact on public transport
- Disability discrimination
- Unacceptable delays - travel time
- Inaccuracies in submissions
- Objection with no reason given

The grounds of support can be summarised as follows:

- Safety grounds
- Support for industry in the area
- Support with no reason given

## **7. DETAILED APPRAISAL**

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

Accordingly, the following policies and proposals/opportunities of the Development Plan are potentially relevant to the determination of this planning application:

### ***Falkirk Local Development Plan***

#### **7a The Development Plan**

- 7a.1 The Falkirk Local Development Plan (LDP) was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development will be assessed against the following proposals/opportunities and policies:

7a.2 Proposals/opportunities reference ED16, 'Ineos Redevelopment Opportunity'. The land to the north and south of Bo'ness Road is identified in the LDP as having potential for chemical related or general business development.

7a.3 Policy BUS02 - Core Business Areas states:

*The core business areas identified on the Proposals Map will be retained primarily in business and industrial use. Class 4, 5 and 6 uses will be supported in principle within these areas, apart from Callendar Business Park, and Gateway Business Park, Grangemouth, where only Class 4 uses will be appropriate. Other employment uses will be permitted where they are compatible with the business/industrial character of the area and comply with other LDP policies.*

7a.4 Policy BUS05 - Major Hazards and Pipelines states:

1. *Proposals within Major Hazard and Pipeline Consultation Zones as defined by the HSE and shown on the Proposals Map will be assessed in relation to the following factors:*
  - *The increase in the number of people exposed to risk in the area;*
  - *The existing permitted use of the site or buildings;*
  - *The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means; and*
  - *The potential impact on existing chemical and petrochemical sites and pipelines.*
2. *The Council will give careful consideration to applications for hazardous substances consent (HSC) that would extend major hazard distances within the urban area, to balance the desirability of growth and development at nationally important clusters of industries handling hazardous substances with the possibility of prejudice to the development of sites allocated in the LDP. Applications for HSC should demonstrate that off-site constraints have been minimised as far as possible through the optimum location and method of storage, and by ensuring that the quantity/type of materials applied for is specifically related to operational needs.*
3. *The revocation of HSC consents where the use on the site has ceased will be pursued.*
4. *The preferred location for new pipelines will be in existing Pipeline Consultation Zones.*

7a.5 Policy INF01 - Strategic Infrastructure states:

*The Council will promote or support the provision of strategic infrastructure as identified on Map 3.2, listed in the Settlement Statements, and detailed in the Site Schedule in Appendix 1. The delivery of these projects will be through a range of agencies, in partnership with Falkirk Council. The Council and other partner organisations will explore traditional and innovative funding mechanisms to deliver infrastructure improvements, notwithstanding the continuing role of developer contributions as set out in supporting policies and supplementary guidance.*

7a.6 Policy INF02 - Developer Contributions to Community Infrastructure states:

*Developers will be required to contribute towards the provision, upgrading and maintenance of community infrastructure 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 LDP or in development briefs;*
- 2. In respect of open space, recreational, education and healthcare provision, the general requirements set out in Policies INF04, INF05 and INF06;*
- 3. In respect of physical infrastructure any requirements to ensure that the development meets sustainability criteria;*
- 4. In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*
- 5. Where a planning obligation is the intended mechanism for securing contributions, the principles contained in Circular 3/2012.*

*In applying the policy, consideration of the overall viability of the development will be taken into account in setting the timing and phasing of payments.*

7a.7 Policy INF07 - Walking and Cycling states:

- 1. The Council will safeguard and promote the development of the core path network. Where appropriate, developer contributions to the implementation of the network will be sought.*
- 2. New development will be required to provide an appropriate standard of pedestrian and cycle infrastructure, including cycle parking, which complies with current Council guidelines and meets the following criteria:*
  - Where appropriate, infrastructure supporting the two modes of walking and cycling should be combined and support objectives in agreed Travel Plans helping to support active travel;*

- *Pedestrian and cycle facilities in new developments should offer appropriate links to existing networks in surrounding areas, in particular to facilitate school journeys and provide connections to public transport, as well as links to other amenities and community facilities;*
- *The surfacing, lighting, design, maintenance and location of pedestrian and cycle routes should promote their safe use. Particular emphasis should be given to the provision of suitable lighting, and the provision of suitably designed and located crossing facilities where routes meet the public road network;*
- *Where practical, no pedestrian route should be obstructed by features that render it unsuitable for the mobility impaired.*

#### 7a.8 Policy INF08 - Bus Travel and New Development states

1. *New development will be required to provide appropriate levels of bus infrastructure or suitable links to existing bus stops or services, as identified within travel plans, taking account of the 400m maximum walking distance required by SPP. This provision will be delivered through direct funding of infrastructure and/or the provision of sums to support the delivery of bus services serving the development.*
2. *Bus infrastructure should be provided at locations and to phasing agreed with the Council, and designed in accordance with the standards set out in current Council guidelines.*
3. *New development, where appropriate, should incorporate routes suitable for the provision of bus services. Bus facilities within new developments should offer appropriate links to existing pedestrian networks in surrounding areas. Alternatively, new development should be linked to existing bus infrastructure via pedestrian links as described in Policy INF07.*

#### 7a.9 Policy INF09 - Freight Transport states:

1. *Freight intensive development will be directed to the Grangemouth Investment Zone and to other locations that can be accessed without significant impact on local communities, or on the local and strategic road network.*
2. *Development which will encourage the transfer of freight from road to rail, including the development of freight handling facilities, will be supported subject to other LDP policies.*
3. *The Council will continue to work with SEStran, freight companies, developers and others in developing freight quality partnerships.*

7a.10 Policy INF10 - Transport Assessments states:

1. *The Council will require transport assessments of developments where the impact of the development on the transport network is likely to result in a significant increase in the number of trips, and is considered likely to require mitigation. The scope of transport assessments will be agreed with the Council and in the case of impact on trunk roads, also with Transport Scotland.*
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. The assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over use of the car.*
3. *The Council will only support development proposals 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.11 Policy INF11 - Parking states:

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

1. *The scale of public parking provision in Falkirk Town Centre will be maintained broadly at its current level and any proposed change to parking provision will be assessed against its effect on the vitality and viability of the centre;*
2. *The feasibility of promoting Park and Ride facilities on the road corridors into Falkirk Town Centre will continue to be investigated;*
3. *Parking in District and Local Centres will be managed to promote sustainable travel and the role of the centre;*
4. *New parking will be provided to support the strategic role of railway stations, with priority given to new provision at Falkirk High. Where possible, the provision of new off street parking facilities will be associated with traffic management and other measures to reduce uncontrolled on-street parking;*
5. *The maximum parking standards set out in the SPP will be applied to new development, where relevant, in tandem with the Council's minimum standards. Where the minimum standards cannot be met, developer contributions to enhance travel plan resources may be required in compensation.*

7a.12 Policy INF12 - Water and Drainage Infrastructure states:

1. *New development will only be permitted if necessary sewerage infrastructure is adopted by Scottish Water or alternative maintenance arrangements are acceptable to SEPA.*
2. *Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation.*
3. *A drainage strategy, as set out in PAN61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment.*

7a.13 Policy TC01 - Network of Centres states:

1. *The focus for retail, leisure, cultural and major community uses in the area will be on the network of centres identified in Figure 3.3 and Map 3.3. Significant new retail and commercial leisure development will be directed to these centres. The boundaries of centres are identified on the Proposals Map. Residential and business uses will also be promoted in these centres as appropriate;*
2. *New food shopping will be a priority in Denny, Bonnybridge and Bo'ness Town Centres, and in the new Local Centres of Banknock, Kinnaird Village and Whitecross;*
3. *Opportunities for development, regeneration and enhancement in the centres will be promoted as listed in the Settlement Statements, and detailed in the Site Schedule in Appendix 1;*
4. *Development which would significantly undermine the role of any centre in the network, as defined in Figure 3.3, will not be permitted.*

7a.14 Policy GN01 - Falkirk Green Network states:

1. *The Council will support the Central Scotland Green Network in the Falkirk area through the development and enhancement of a multi-functional network of green components and corridors as defined in Map 3.5;*
2. *Within the green network, biodiversity, habitat connectivity, active travel, recreational opportunities, landscape quality, placemaking, sustainable economic development and climate change adaptation will be promoted, with particular reference to the opportunities set out in the Settlement Statements, and detailed in the Site Schedule in Appendix 1;*
3. *New development, and in particular the strategic growth areas and strategic business locations, should contribute to the green network, where appropriate, through the integration of green infrastructure into masterplans or through enabling opportunities for green network improvement on nearby land.*



7a.15 Policy GN05 - Outdoor Access states:

*The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network, and routes which support the development of the Green Network. When considering development proposals, the Council will:*

- 1. Safeguard the line of any existing or proposed access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;*
- 2. Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and*
- 3. Where an access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.*

7a.16 Policy RW06 - Flooding states:

- 1. Development on the functional flood plain should be avoided. In areas where there is significant risk of flooding from any source (including flooding up to and including a 0.5% (1 in 200 year) flood event), development proposals will be assessed against advice and the Flood Risk Framework in the SPP. There will be a presumption against new development which would:*
  - be likely to be at risk of flooding;*
  - increase the level of risk of flooding for existing development; or*
  - result in a use more vulnerable to flooding or with a larger footprint than any previous development on site.*
- 2. Development proposals on land identified as being at risk from flooding, or where other available information suggests there may be a risk, will be required to provide a flood risk assessment that demonstrates that:*
  - any flood risks can be adequately managed both within and outwith the site;*
  - an adequate allowance for climate change and freeboard has been built into the flood risk assessment;*
  - access and egress can be provided to the site which is free of flood risk; and*
  - water resistant materials and forms of construction will be utilised where appropriate.*

3. *Where suitably robust evidence suggests that land contributes or has the potential to contribute towards sustainable flood management measures development will only be permitted where the land's sustainable flood management function can be safeguarded*

7a.17 Policy RW07 - Air Quality states:

*The Council will seek to contribute to the improvement of air quality. Impacts on air quality will be taken into account in assessing development proposals, particularly within Air Quality Management Areas (AQMA's). An Air Quality Assessment may be required for developments that are within AQMA's or where the proposed development may cause or significantly contribute towards a breach of National Air Quality Standards. Development proposals that result in either a breach of National Air Quality Standards or a significant increase in concentrations within an existing AQMA will not be permitted unless there are over-riding issues of national or local importance.*

7a.18 Policy RW08 - Waste Management Facilities states:

1. *The preferred location for waste management facilities will be within or adjacent to existing waste management facilities or on land identified for employment or industrial uses. Mineral sites may also be acceptable locations for waste management facilities.*
2. *Proposals for waste management facilities must:*
  - *comply with the Zero Waste Plan and address capacity and proximity requirements for the Falkirk Council area;*
  - *assess the impact on local amenity, and particularly on sensitive receptors nearby;*
  - *for thermal treatment plants seek to co-locate with other potential heat users;*
  - *promote sustainable transport and the proximity principle; and*
  - *comply with other LDP policies.*
3. *All operational waste management facilities will be safeguarded for sustainable waste management use. Proposals for other development must consider the potential impact on adjacent or nearby waste management facilities and what impact such facilities could have on the proposed development.*

7a.19 Policy RW10 - Vacant, Derelict and Contaminated Land states

*Proposals that reduce the incidence of vacant, derelict, unstable and contaminated land will be supported, subject to compliance with other LDP policies, particularly those relating to development in the countryside. Where proposals involve the development of unstable or contaminated land, they will only be permitted where appropriate remediation or mitigation measures have been undertaken.*

7a.20 Policy D02 - Sustainable Design Principles states:

*New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:*

1. *Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;*
2. *Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create buildings and spaces that are attractive, distinctive, welcoming, adaptable, safe and easy to use;*
3. *Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;*
4. *Climate Change & Resource Use. Development should promote the efficient use of natural resources and the minimisation of greenhouse gas emissions through energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;*
5. *Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and*
6. *Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.*

*Masterplans will be required for significant development proposals requiring a co-ordinated approach to design and infrastructure, and should demonstrate how the above principles have been incorporated into the proposals. Masterplans should be informed by a development framework or brief where relevant.*

*Figure 5.3, Sustainable Design Principles - Supporting Policies/Guidance provides further guidance.*

7a.21 Policy D03 - Urban Design states:

*New development should create attractive and safe places for people to live, work and visit. Accordingly:*

1. *Development proposals should conform with any relevant development framework, brief or masterplan covering the site. Residential proposals should conform with Supplementary Guidance SG02 'Neighbourhood Design';*
2. *The siting, density and design of new development should create a coherent structure of streets, public spaces and buildings which respects and complements the site's context, and creates a sense of identity within the development;*
3. *Street layout and design should generally conform with the Scottish Government's policy document 'Designing Streets';*

4. *Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality architectural or landscape treatment;*
5. *Development proposals should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, and contributes, where appropriate, to the wider green network;*
6. *Development proposals should create a safe and secure environment for all users through the provision of high levels of natural surveillance for access routes and public spaces; and*
7. *Major development proposals should make provision for public art in the design of buildings and the public realm.*

7a.22 Policy D04 - Low and Zero Carbon Development states:

1. *All new buildings should incorporate on-site low and zero carbon-generating technologies (LZCGT) to meet a proportion of the overall energy requirements. Applicants must demonstrate that 10% of the overall reduction in CO2 emissions as required by Building Standards has been achieved via on-site LZCGT. This proportion will be increased as part of subsequent reviews of the LDP. All proposals must be accompanied by an Energy Statement which demonstrates compliance with this policy. Should proposals not include LZCGT, the Energy Statement must set out the technical or practical constraints which limit the application of LZCGT. Further guidance will be contained in Supplementary Guidance SG15 'Low and Zero Carbon Development'. Exclusions from the requirements of this policy are:*
  - *Proposals for change of use or conversion of buildings;*
  - *Alterations and extensions to buildings;*
  - *Stand-alone buildings that are ancillary and have an area less than 50 square metres;*
  - *Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection;*
  - *Temporary buildings with consent for 2 years or less; and*
  - *Where implementation of the requirement would have an adverse impact on the historic environment as detailed in the Energy Statement or accompanying Design Statement.*
2. *The design and layout of development should, as far as possible, seek to minimise energy requirements through harnessing solar gain and shelter;*
3. *Decentralised energy generation with heat recycling schemes (combined heat and power and district heating) will be encouraged in major new developments, subject to the satisfactory location and design of associated plant. Energy Statements for major developments should include an assessment of the potential for such schemes.*

## ***Supplementary Guidance Forming Part Of The Development Plan***

7a.23 SG15 Low and Zero Carbon Development expands on how LDP Policy D04 'Low and Zero Carbon Development' should be achieved. The guidance is relevant in consideration of the proposed security arrangement centre.

### **7b Material Considerations**

7b.1 The material considerations will include the following:

- Third party representations
- Responses received from consultees
- Community Council comments
- NPF3
- Scottish Planning Policy (SPP)
- Falkirk Economic Strategy 2015 – 2025

## **8. CONCLUSION**

8.1 This report provides factual and background information in relation to the proposed development. No planning assessment is included or implied. A full assessment of the planning issues raised will be presented to a future meeting of the full Council following consideration of matters discussed at this hearing and the receipt of further representations and consultation responses.

8.2 If at a future meeting Falkirk Council is minded to grant planning permission then the Ineos's request for the Council to stop up and permanently close a section of the A904 Bo'ness Road will be progressed in accordance with section 207 of the Act. The procedures for stopping up and permanent closure of roads under the Act have separate publicity and participation arrangements for interested parties.

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**Director of Development Services**

**Date: 3 March 2017**

## LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. Supplementary Guidance Forming Part of the Development Plan.
3. NPF3.
4. SPP.
5. Falkirk Economic Strategy 2015-2025.
6. Objection received from Mrs Julie Kennedy, 12 Queen Street, Grangemouth, FK3 9AU received on 27 January 2017
7. Objection received from Mr Brian Dempsey, 15 Pennelton Place, Bo'ness, EH51 0PD, received on 20 February 2017
8. Objection received from Ms Elaine McGregor, Eilean Donan, 93 Blair Avenue, Bo'ness, EH51 0QP, received on 24 February 2017
9. Objection received from J Morrison, 28 Borrowstoun Crescent, Bo'ness, EH51 0JF, received on 24 February 2017
10. Objection received from Ms Christine Johnstone, 15 Grahamsdyke Terrace, Bo'ness, EH51 9QE, received on 24 February 2017
11. Objection received from Ms Margaret Baxter, 22 Wellside Court, 6 Wellside Place, Falkirk, FK1 5RG, received on 24 February 2017
12. Objection received from Mr Robert McFarlane, 70 Castlehill, Bo'ness, EH51 0HL, received on 24 February 2017
13. Objection received from Ms Margo Harrower, 25 Fairspark Terrace, Bo'ness, EH51 0NE, received on 24 February 2017
14. Objection received from Ms Lynn Brown, 46A Hadrian Way, Bo'ness, EH51 9QN, received on 24 February 2017
15. Objection received from P Anderson, 20 Erngath Road, Bo'ness, EH51 9EN, received on 24 February 2017
16. Objection received from Ms Elizabeth Paterson, 24 Redbrae Avenue, Bo'ness, EH51 9TW, received on 24 February 2017
17. Objection received from E Dunsmore, 13 Panbrae Road, Bo'ness, EH51 0EJ, received on 24 February 2017
18. Objection received from D Scotland, 58 Kinneil Drive, Bo'ness, EH51 0LY, received on 24 February 2017
19. Objection received from S McAllister, Bermar Villa, 183 Dean Road, Bo'ness, EH51 0HG, received on 24 February 2017
20. Objection received from S Grant, 28 Bomains Road, Bo'ness, EH51 0LN, on 24 February 2017
21. Objection received from Alex Taylor, 6 Gilburn Place, Bo'ness, EH51 0BG, on 24 February 2017
22. Objection received from H Bruce, 8 Jeffrey Bank, Bo'ness, EH51 0EH, received on 24 February 2017
23. Objection received from Ms Esther McGill, 23 Grahamsdyke Terrace, Bo'ness, EH51 9QE, received on 24 February 2017
24. Objection received from R Samson, 12 Muirhouses Avenue, Bo'ness, EH51 9DJ, received on 24 February 2017
25. Objection received from Ms Debbie Ryan, 81 Philpingstone Road, Bo'ness, EH51 9JU, received on 24 February 2017
26. Objection received from A. C. Calder, 49 Green Tree Lane, Bo'ness, EH51 0PH, received on 24 February 2017
27. Objection received from Ms Margaret Davidson, 14 Howieson Avenue, Bo'ness, EH51 9JG, received on 24 February 2017
28. Objection received from Ms Margaret Snedden, 18 Northbank Drive, Bo'ness, EH51 9TP, received on 24 February 2017

29. Objection received from R Anderson, 9 James Watt Avenue, Bo'ness, EH51 9EL, received on 24 February 2017
30. Objection received from Ms Mary Grant Miller, Roslin, 59 Dean Road, Bo'ness, EH51 9BA, received on 24 February 2017
31. Objection received from H Miller, 8 Lothian Street, Bo'ness, EH51 9BP, received on 24 February 2017
32. Objection received from Miss Sharlene Sorley, 48 Thirlestane, Bo'ness, EH51 9NT, received on 9 February 2017
33. Objection received from Mr Charles Snedden, 46 Pennelton Place, Bo'ness, EH51 0PE, received on 2 February 2017
34. Objection received from Mrs Pauline Godfrey, 148A Bo'ness Road, Grangemouth, FK3 9BX received on 9 February 2017
35. Objection received from Mrs Elaine Watson, 4 Prince Street, Grangemouth, FK3 9DN received on 9 February 2017
36. Objection received from Mr John Baird, 21 Birdland Avenue, Bo'ness, EH51 9LX received on 10 February 2017
37. Objection received from Mr Alan Gilbert, 13 North Street, Bo'ness, EH51 0AQ, received on 10 February 2017
38. Objection received from Mr Danny Callaghan, 2 Nobel View, Reddingmuirhead, Falkirk, FK2 0EF received on 16 February 2017
39. Objection received from Mr William Beglin, 54 Castlehill, Bo'ness, EH51 0HL, received on 9 February 2017
40. Objection received from Mr Martin Clark, 2 Devon Street, Grangemouth, FK3 8HE, received on 9 February 2017
41. Objection received from Mrs Pauline Lindsay, 21 Chestnut Grove, Bo'ness, EH51 0PJ, received on 9 February 2017
42. Objection received from Mrs Shona McDermott, 32 Jessfield Place, Bo'ness, EH51 9HU received on 20 February 2017
43. Objection received from Ms Alison Robertson, 71 Grangepans, Bo'ness, EH51 9PH, received on 23 February 2017
44. Objection received from Mr John Sneddon, 44 Castlehill, Bo'ness, EH51 0HL, received on 23 February 2017
45. Objection received from Ms Claire Horne, 8 Clydesdale Street, Bo'ness, EH51 9BX, received on 23 February 2017
46. Objection received from Mr Forbes Snedden, 19 Lyon Court, Bo'ness, EH51 0HR, received on 23 February 2017
47. Support received from C Hutcheson, 67 Grahamsdyke Road, Bo'ness, EH51 9DZ, received on 23 February 2017
48. Objection received from R Nimmo, 25 Ewart Grove, Bo'ness, EH51 0JJ, received on 23 February 2017
49. Objection received from Ms Elaine Laing, 12 Foreshore Way, Bo'ness, EH51 9LY, received on 23 February 2017
50. Objection received from Mr David Yorke, Flat 1, 207 Corbiehall, Bo'ness, EH51 0AX, received on 23 February 2017
51. Objection received from Ms Margaret Meikie, 5 Strachan Court, Castlehill, Bo'ness, EH51 0BS, received on 23 February 2017
52. Objection received from Ms Norma McLee, 1 Redbrae Avenue, Bo'ness, EH51 9TN, received on 23 February 2017
53. Objection received from E Fraser, 6 Deangate Gardens, Bo'ness, EH51 0BN, received on 23 February 2017
54. Objection received from Ms Helen Lambunt, 114 Dean Road, Bo'ness, EH51 0HD, received on 23 February 2017
55. Objection received from Ms Heather Nimmo, 20A South Philpingstone Lane, Bo'ness, EH51 9JZ, received on 23 February 2017

56. Objection received from Ms Tracey Saunder, Teviot, 69 Dean Road, Bo'ness, EH51 9BA, received on 23 February 2017
57. Objection received from Mr J Hannah, 30 Grahamsdyke Terrace, Bo'ness, EH51 9QE, received on 23 February 2017
58. Objection received from Ms Margaret Robertson, 71 Grangepans, Bo'ness, EH51 9PH, received on 23 February 2017
59. Objection received from Mr David Nisbet, 90 Linlithgow Road, Bo'ness, EH51 0HX, received on 23 February 2017
60. Objection received from Owner/Occupier, 215 Dean Road, Bo'ness, EH51 0HQ, received on 23 February 2017
61. Objection received from Mr James Johnston, Lorelei, Acre Road, Bo'ness, EH51 9SX, received on 23 February 2017
62. Objection received from Ms Helen Anderson, 28 Grahamsdyke Terrace, Bo'ness, EH51 9QE, received on 23 February 2017
63. Objection received from Mr M Sneddon, 11 Victoria Place, Bo'ness, EH51 9PG, received on 23 February 2017
64. Objection received from Mr John McConville, 26/5 Windsor Place, Edinburgh, EH15 2AE received on 23 February 2017
65. Objection received from Mrs Moira Peacock, 10 Pine Green, Bo'ness, EH51 0PG on received 20 February 2017
66. Objection received from Ms Helen Jeffery, 1 Muirhouses Crescent, Bo'ness, EH51 9DH, received on 24 February 2017
67. Objection received from Mrs A Meikle, 8B Pardovan Holdings, Philipstoun, West Lothian, EH49 7RU, received on 24 February 2017
68. Objection received from Mr Archie Meikle, 8 Graham Crescent, Bo'ness, EH51 9QG, received on 24 February 2017
69. Objection received from Mr David C. Findlay, 36C Cadzow Avenue, Bo'ness, EH51 9EX, received on 24 February 2017
70. Objection received from Mr Robert Hogg, 25 Grahamsdyke Place, Bo'ness, EH51 9QZ, received on 24 February 2017
71. Objection received from Mr James Rollie, 43 Fountainpark Crescent, Bo'ness, EH51 9LB, received on 24 February 2017
72. Objection received from L Cromie, 13 Cadzow Avenue, Bo'ness, EH51 9BS, received on 24 February 2017
73. Objection received from F. D. Calder, 49 Green Tree Lane, Bo'ness, EH51 0PH, received on 24 February 2017
74. Objection received from A Quarrie, 12 Cuffabouts, Bo'ness, EH51 9LP, received on 24 February 2017
75. Objection received from Mr William Horn, Nain Cottage, 52 Bridgeness Road, Bo'ness, EH51 9NZ, received on 24 February 2017
76. Objection received from Ms Lorna Irvine, 8 Cathrine Grove, Bo'ness, EH51 9UA, received on 24 February 2017
77. Objection received from Ms Christine Gray, 5 Cuffabouts, Bo'ness, EH51 9LP, received on 24 February 2017
78. Objection received from Ms Christine Stevenson, 28 Hazeldean Avenue, Bo'ness, EH51 0NS, received on 24 February 2017
79. Objection received from Ms Nancy Findlay, Gamrie, 63 Dean Road, Bo'ness, EH51 9BA, received on 24 February 2017.
80. Objection received from Rae McMinn, 1 Northbank Court, Bo'ness, EH51 9TL, received on 24 February 2017
81. Objection received from H Ellis, Grahamsdyke Road, Bo'ness, received on 24 February 2017
82. Objection received from E A Hannah, 19 Little Carriden, Bo'ness, EH51 9SW, received on 24 February 2017



83. Objection received from Ms Alice Lannin, 120 Pennelton Place, Bo'ness, EH51 0PE,
84. Objection received from G W Liddle, 22 Hillcrest, Bo'ness, EH51 9HT, received on 24 February 2017
85. Objection received from Ms Ann Mathews, 86 Deanfield Road, Bo'ness, EH51 0ER, received on 24 February 2017
86. Objection received from Mr Jim Stewart, received on 9 February 2017
87. Objection received from Mrs Kathryn Graham, 13 Birkhill Crescent, Bo'ness, EH51 9HP, received on 9 February 2017
88. Objection received from Mr Alex Bow, 19 Deanfield Drive, Bo'ness, EH51 0EZ, received on 9 February 2017
89. Objection received from Mr Patrick Gormley, received on 10 February 2017
90. Objection received from Mrs Lesley Hemingway, 14 Royal Terrace, Linlithgow, EH49 6HQ on received 16 February 2017
91. Objection received from Mrs Janice McKean, 29 Greentree Lane, Bo'ness, EH51 0PH received on 20 February 2017
92. Objection received from Mr Stephen F. Quigley, 16 Maryfield Drive, Bo'ness, EH51 9DG, received on 23 February 2017
93. Objection received from Mr Robert Davidson, 25 Don Street, Grangemouth, FK3 8HD, on 23 February 2017
94. Objection received from J Johnston, 13 Antonine Court, Bo'ness, EH51 0ND, received on 23 February 2017
95. Objection received from Ms Julie Pattison, 3 Maryfield Drive, Bo'ness, EH51 9DG, received on 23 February 2017
96. Objection received from J Anderson, Chestnut Grove, Bo'ness received on 23 February 2017
97. Objection received from D Wotherspoon, 28 Stewart Avenue, Bo'ness, EH51 9NL, received on 23 February 2017
98. Objection received from Mr James Allan, 7 Drumside Terrace, Bo'ness, EH51 9QX, received on 23 February 2017
99. Objection received from Mr James Beattie, 66 Almond Street, Grangemouth, FK3 8LU, received on 23 February 2017
100. Objection received from Mr Stephen Brown, 11 Douglas Drive, Bo'ness, EH51 0JD, received on 23 February 2017
101. Objection received from M Young, 25 Douglas Place, Bo'ness, EH51 0JZ, received on 23 February 2017
102. Objection received from Mr Kenneth McCafferty, 34 Cuffabouts, Bo'ness, EH51 9LP, received on 23 February 2017
103. Objection received from J Cox, 14 Glenburn Road, Bo'ness, received on 23 February 2017
104. Objection received from Donald M Wilson, 104 Bailelands, Linlithgow, EH49 7TF, on 23 February 2017
105. Objection received from R Kemp, 45 Baptie Place, Bo'ness, EH51 0NN, received on 23 February 2017
106. Objection received from L Sloan, 14 Northbank Park, Bo'ness, EH51 9UB, received on 23 February 2017
107. Objection received from Mr Richard Smith, 14 Willow Dell, Bo'ness, EH51 0NU, received on 23 February 2017
108. Objection received from Mr Douglas Whyte, 62 Mingle Place, Bo'ness, EH51 9HX, received on 23 February 2017
109. Objection received from Ms Marion Grant, 33 Crosshill Drive, Bo'ness, EH51 9JB, received on 23 February 2017
110. Objection received from Ms Jane Donnelly, 2 Crosshill Drive, Bo'ness, EH51 9JB, received on 23 February 2017

111. Objection received from Mr Anatoliusz Ivanov, 5 Howieson Avenue, Bo'ness, EH51 9JG received on 25 January 2017
112. Objection received from Mr Daniel McLean, 1/1 Matthew Steele Court, Bo'ness, EH51 0AB received on 25 January 2017
113. Objection received from Mr Kevin Ashe, 34 Morven Drive, Polmont, Falkirk, FK2 0XD, received on 26 January 2017
114. Objection received from Mrs Marie Macdonald, 34 Ochilview Road, Bo'ness, EH51 0LE, received on 27 January 2017
115. Objection received from Mr William Burnett, 142 Bridgeness Road, Bo'ness, EH51 9LH, received on 24 February 2017
116. Objection received from D Hemphill, 4 Bailielands, Linlithgow, EH49 7SU, received on 24 February 2017
117. Objection received from T Potter, 74A Stewart Avenue, Bo'ness, EH51 9NW, received on 24 February 2017
118. Objection received from J Khan, 5 Mathew Steele Court, Bo'ness, EH51 0AB, received on 24 February 2017
119. Objection received from A Dunn, 31 Deanfield Drive, Bo'ness, EH51 0HB, received on 24 February 2017
120. Objection received from Ms Abbie O'Neil, 6 Rashiehill Road, Slamannan, Falkirk, FK1 3HD, received on 24 February 2017
121. Objection received from Mr Toby Binsted, 11 Dundas Street, Grangemouth, FK3 8BX, received on 24 February 2017
122. Objection received from Mr John Pratt, 22 Muirend Court, Bo'ness, EH51 9QT, received on 24 February 2017
123. Objection received from Ms Samantha Denton, 45 Grangepans, Bo'ness, EH51 9PH, received on 24 February 2017
124. Objection received from Mr Thomas Martin, 11A Links Road, Bo'ness, EH51 9AN, received on 24 February 2017
125. Objection received from Ms Louisa Nimmo, 8 Boundary Street, Bo'ness, EH51 9NR, received on 24 February 2017
126. Objection received from N Davies, 6 Foreshore Way, Bo'ness, EH51 9LY, received on 24 February 2017
127. Objection received from Mr Derek Wardope, 48 Priory Road, Linlithgow, EH49 6BP, received, on 24 February 2017
128. Objection received from Ms Lisa Aitken, 1 Braefoot Road, Bo'ness, EH51 9TR, on 24 February 2017
129. Objection received from Mr James Dick, 20 Sommerville Gardens, South Queensferry, EH30 9PN, received on 24 February 2017
130. Objection received from Mr Steven Aitkenhead, 222 Kersiebank Avenue, Grangemouth, FK3 0BS, received on 25 January 2017
131. Objection received from Mr Grant Baxter, 27 Union Road, Grangemouth, FK3 8AB, received on 9 February 2017
132. Objection received from Mrs Isabella Watt, 1 Kinneil Drive, Bo'ness, EH51 0LX, received on 20 February 2017
133. Objection received from Mr Tom Scamman, Tidings Hill, 15B Cadzow Crescent, Bo'ness, EH51 9AZ received on 22 February 2017
134. Objection received from Mr Roger Fairlie, 129 Oswald Avenue, Grangemouth, FK3 9AY received on 24 February 2017
135. Objection received from Mr Ian Balloch, Grange Bank, 10 Naismith Court, Grangemouth, FK3 9BQ, received on 25 January 2017
136. Objection received from Mrs Charlotte Rankin, 6 Roman Way, Bo'ness, EH51 0NZ, received on 28 January 2017
137. Objection received from Mr Colin Fullarton, 23 St. Johns Avenue, Falkirk, FK2 7DP, received on 9 February 2017

138. Objection received from Mr Fraser Potts, 6A Hamilton Lane, Bo'ness, EH51 9AT, received on 9 February 2017
139. Objection received from Mr Paul Hastings, 4 MacKenzie Terrace, Grangemouth, FK3 8PA, received on 9 February 2017
140. Objection received from Mr Brian Falconer, 20 Drumview Gardens, Bo'ness, EH51 9RE, received on 9 February 2017
141. Objection received from Mr Gareth Vernon, 1 Whiteside Loan, Brightons, Falkirk, FK2 0TB received on 9 February 2017
142. Objection received from Miss Karen Dickson, 4 Drum Road, Bo'ness, EH51 9QU, received on 25 January 2017
143. Objection received from Mr David Legge, Inveravon Manor, Polmont, FK2 0YE received on 7 February 2017
144. Objection received from Ms Audrey Biscotti, 3-4 Powdrake Road, Grangemouth, FK3 9UT received on 10 February 2017
145. Objection received from Mrs Morna Gray, 10 Grange Liam, Bo'ness, EH51 9DX received on 20 February 2017
146. Objection received from Mr John Macdonald, 34 Ochilview Road, Bo'ness, EH51 0LE, received on 26 January 2017
147. Objection received from Mr William Pirrie, 13 Fairspark Terrace, Bo'ness, EH51 0NE, received on 9 February 2017
148. Objection received from Mr William Reap, 85 Rowan Crescent, Falkirk, FK1 4SH, received on 9 February 2017
149. Objection received from Mr Lewis McRoberts, 14 Buchan Place, Grangemouth, FK3 8RG, received on 9 February 2017
150. Objection received from Mr Peter Cockburn, 26 Graham Crescent, Bo'ness, EH51 9QQ received on 10 February 2017
151. Objection received from Mr Denis Ryan, 11 Howieson Avenue, Bo'ness, EH51 9JG, received on 10 February 2017
152. Objection received from Ms Frances Jones, 21 Mortonhall Park View, Edinburgh, EH17 8SW received on 10 February 2017
153. Objection received from Mr Stephen Quigley, 16 Maryfield Drive, Bo'ness, EH51 9DG received on 18 February 2017
154. Objection received from Miss Hazel Mackie, 55 Kings Road, Grangemouth, FK3 9AR received on 20 February 2017
155. Objection received from Mrs Siobhan Samson, 12 Muirhouses Avenue, Bo'ness, EH51 9DJ received on 21 February 2017
156. Objection received from Mr William Peacock, Pine Green, Bo'ness, EH51 0PG received on 26 January 2017
157. Objection received from Mr Ross Graham, 127 Forthview Crescent, Bo'ness, EH51 0LS, received on 11 February 2017
158. Objection received from Mr Gordon McKean, 29 Green Tree Lane, Bo'ness, EH51 0PH, received on 17 February 2017
159. Objection received from Mrs Elaine Hendry, 21 Carse View, Bo'ness, EH51 0PF received on 10 February 2017
160. Objection received from C L Larkham, 10 Wheatfield Road, Bo'ness, EH51 9RU, received on 23 February 2017
161. Objection received from Mr Douglas Middleton, 49 Borrowstoun Crescent, Bo'ness, EH51 0JQ, received on 10 February 2017
162. Objection received from Miss J G Simpson, 24 Graham Crescent, Bo'ness, EH51 9QQ, received on 28 February 2017
163. Objection received from M Weyling, Glen Rosa, 49A Grahamsdyke Road, Bo'ness, EH51 9ED, received on 28 February 2017
164. Objection received from A Kennedy, 37 Graham Crescent, Bo'ness, EH51 9QQ, received on 28 February 2017

165. Objection received from Ms Helen Johnston, 8 Deanfield Place, Bo'ness, EH51 0EY, received on 28 February 2017
166. Objection received from Ms Olive Meikle, 31 Graham Crescent, Bo'ness, EH51 9QQ, received on 28 February 2017
167. Objection received from Ms Margaret Hamilton, 2 Firwood Drive, Bo'ness, EH51 0NX, received on 28 February 2017
168. Objection received from B Burnett, 15 Fountainpark Crescent, Bo'ness, EH51 9LB, received on 28 February 2017
169. Objection received from Ms Janice Brown, 15 Fountainpark Crescent, Bo'ness, EH51 9LB, received on 28 February 2017
170. Objection received from Ms Janet Burnett, 173B Dean Road, Bo'ness, EH51 0HF, received on 28 February 2017
171. Objection received from Ms Agnes Neill, St Leonards, 41 Panbrae Road, Bo'ness, EH51 0EN, received on 28 February 2017
172. Objection received from Ms Agnes Waugh, 4 Carse View, Bo'ness, EH51 0PF, received on 28 February 2017
173. Objection received from Ms Sandra Horn, 4 Green Tree Lane, Bo'ness, EH51 0PH, received on 28 February 2017
174. Objection received from Ms Carol E Wardropper, 25 Kinglass Drive, Bo'ness, EH51 9RA, received on 28 February 2017
175. Objection received from Mrs Rita Henderson, Asshtonpark, 1 Bonhard Court, Bo'ness, EH51 9RG, received on 28 February 2017
176. Objection received from A. G Cairns, Hazeldean Avenue, Bo'ness, received on 28 February 2017
177. Objection received from Ms Fionna Stewart, Farmstead Way, Drum Estate, Bo'ness, received on 28 February 2017
178. Objection received from Mr Iain Wilson, 79 Oswald Avenue, Grangemouth, FK3 9AZ, received on 14 February 2017
179. Objection received from Ms Brenda Benson, 55 Muirepark Court, Bo'ness, EH51 9JA, received on 23 February 2017
180. Objection received from Ms Isabel Cowan, 56 Forthview Crescent, Bo'ness, EH51 0LT, received on 28 February 2017
181. Objection received from Mr James Nimmo, 16 Clover Place, Bo'ness, EH51 0QW, received on 28 February 2017
182. Objection received from Ms Moira Beecroft, 17 Wotherspoon Drive, Bo'ness, EH51 0BB, received on 28 February 2017
183. Objection received from Ms Anne Nimmo, 16 Clover Place, Bo'ness, EH51 0QW, received on 28 February 2017
184. Objection received from Ms Jean McCormack, 59 Kinacres Grove, Bo'ness, EH51 9LT, received on 28 February 2017
185. Objection received from Ms Catherine Duncan, 20 Marchlands Avenue, Bo'ness, EH51 9ER, received on 28 February 2017
186. Objection received from Ms Lynda Keating, 60 Mingle Place, Bo'ness, EH51 9HX, received on 28 February 2017
187. Objection received from Ms Elenor Keating, 8 Willow Dell, Bo'ness, EH51 0NU, received on 28 February 2017
188. Objection received from G Boyd, 32 Kings Road, Grangemouth, FK3 9AR, received on 28 February 2017
189. Objection received from Mr Robert McCue, 11 Redbrae Avenue, Bo'ness, EH51 9TN, received on 28 February 2017
190. Objection received from Ms Susan Hart, 14 (3F1) Hamilton Place, Edinburgh, EH3 5AU received on 9 February 2017
191. Objection received from Mr Stewart Kirby, 7 Talisker, Tullibody, FK10 2PR received on 9 February 2017

192. Objection received from Mr David McKellar, 80 Roxburgh Street, Grangemouth, FK3 9AJ, received on 9 February 2017
193. Objection received from Mr Walter Logan, 38 Beaully Court, Grangemouth, FK3 0JE received on 9 February 2017
194. Objection received from Mrs Lisa Demirkoc, 14 Drumpark Avenue, Bo'ness, EH51 9QW, received on 9 February 2017
195. Objection received from Mr Alexander Whyte, 8 Muirhead Court, Reddingmuirhead, Falkirk, FK2 0ZZ received on 14 February 2017
196. Objection received from Mr Malcolm Richards, received on 17 February 2017
197. Objection received from Mr John Robertson, 64 Grange Terrace, Bo'ness, WestLothian, EH51 9DU received on 20 February 2017
198. Objection received from Mr Peter Scrimgeour, 15 Ladywell View, Bo'ness, EH51 0NL, received on 27 February 2017
199. Objection received from Mr John Paterson, 228 Dean Road, Bo'ness, EH51 0BL, received on 27 February 2017
200. Objection received from Ms Joyce Hardy, 45 Muirepark Court, Bo'ness, EH51 9JA, received on 27 February 2017
201. Objection received from D McArthur, 55 Blair Avenue, Bo'ness, EH51 0QN, received on 27 February 2017
202. Objection received from Ms Margaret Miller, 7 Amulree Place, Bo'ness, EH51 0HS, received on 27 February 2017
203. Objection received from P Wilkie, 51C Dean Road, Bo'ness, EH51 9BH, received on 27 February 2017
204. Objection received from Lawson Thomson, Manzel, 38 Grahamsdyke Road, Bo'ness, EH51 9EA, received on 27 February 2017
205. Objection received from J. A. Thomson, Manzel, 38 Grahamsdyke Road, Bo'ness, EH51 9EA, received on 27 February 2017
206. Objection received from Mr Richard Duff, 10 Barony Court, Bo'ness, EH51 9HS, received on 27 February 2017
207. Objection received from Ms June Donaldson, 7 Comrie Terrace, Baker Street, Bo'ness, EH51 9DE, received on 27 February 2017
208. Objection received from Ms Jeanette Nimmo, 43 Wotherspoon Drive, Bo'ness, EH51 0BB, received on 27 February 2017
209. Objection received from S Jarvie, 21 St. Johns Way, Bo'ness, EH51 9JD, received on 27 February 2017
210. Objection received from Ms L Campbell, Billaine Cottage, 134 Linlithgow Road, Bo'ness, EH51 0PN, received on 27 February 2017
211. Objection received from Ms Marlene Sneddon, 17 Jamieson Avenue, Bo'ness, EH51 0JT, received on 27 February 2017
212. Objection received from Ms Janette McGarrigle, 16 Dawson Place, Bo'ness, EH51 0NP, received on 27 February 2017
213. Objection received from N Blair, 10 Jeffrey Bank, Bo'ness, EH51 0EH, received on 27 February 2017
214. Objection received from Mr George Tennyson, 9/9 Warriston Road, Edinburgh, EH7 4HJ received on 9 February 2017
215. Objection received from Mr William Burnett, 142 Bridgeness Road, Bo'ness, EH51 9LH received on 9 February 2017
216. Objection received from Mr Michael Boyle, 6 Kinglass Drive, Bo'ness, EH51 9RB received on 9 February 2017
217. Objection received from P Bullen, Elmwood, 8 Pine Green, Bo'ness, EH51 0PG, received on 28 February 2017
218. Objection received from S. G. Pollock, 42 Stewart Avenue, Bo'ness, EH51 9NL, received on 28 February 2017

219. Objection received from G Hunter, 7 Braehead Grove, Bo'ness, EH51 0EG, received on 28 February 2017
220. Objection received from Sandra Smullen, 1 Dawson Place, Bo'ness, EH51 0NW, received on 28 February 2017
221. Objection received from Ms Shona Ross, 23 Academy Road, Bo'ness, EH51 9QD, received on 28 February 2017
222. Objection received from Ms Isobel Sorley, 15 Newtown, Bo'ness, EH51 9HJ, received on 28 February 2017
223. Objection received from Mr Ken Whitelaw, 19 Panbrae Road, Bo'ness, EH51 0EJ, received on 28 February 2017
224. Objection received from Mr George Bannerman, Lismore, 9 Hazeldean Avenue, Bo'ness, EH51 0NS, received on 28 February 2017
225. Objection received from Ms Pam Osborne, 34 Hadrian Way, Bo'ness, EH51 9QN, received on 28 February 2017
226. Objection received from Mr John MacDonald, 34 Ochilview Road, Bo'ness, EH51 0LE, received on 28 February 2017
227. Objection received from C Bennie, 16 Kinneil Drive, Bo'ness, EH51 0LU, received on 28 February 2017
228. Objection received from Ms Mary Denton, 5 Deanfield Place, Bo'ness, EH51 0EY, received on 28 February 2017
229. Objection received from Ms Vicki Harris, 27A Waggon Road, Bo'ness, EH51 0BW, received on 28 February 2017
230. Objection received from Lillias Webster, 11 Braefoot Road, Bo'ness, EH51 9TR, received on 28 February 2017
231. Objection received from Mrs Joan Rankin, 50 Dean Road, Bo'ness, West Lothian, EH51 9BD received on 27 February 2017
232. Objection received from TI Alexander Insurance Brokers Ltd, Market House, 86 North Street, Bo'ness, EH51 9NF, received on 28 February 2017
233. Objection received from FAO L Bell Baby Box, 95 North Street, Bo'ness, EH51 9ND, received on 28 February 2017.
234. Objection received from FAO Grace Duncanson Marie Curie, 111 North Street, Bo'ness, EH51 9ND, received on 28 February 2017
235. Objection received from FAO Irene Nelson RR Flowers and Balloons, 30 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
236. Objection received from FAO W Waugh Aquadenergy Scotland Ltd, 10 Abbotsinch Road, Grangemouth, FK3 9UX, received on 28 February 2017
237. Objection received from FAO Linda Watson The Wee Vintage Shop, 42 North Street, Bo'ness, EH51 0AG, received on 28 February 2017
238. Objection received from FAO Pamela Wilson Vapour X, Classic Cakes, 37 North Street, Bo'ness, EH51 0AQ, received on 28 February 2017
239. Objection received from FAO Elaine Stewart Visage Beauty, 21 North Street, Bo'ness, EH51 0AQ, received on 28 February 2017
240. Objection received from Pozzo Newsagents, 77 North Street, Bo'ness, EH51 9ND, received on 28 February 2017
241. Objection received from Stephen John Hairdressers, 11 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
242. Objection received from Rock N Rolls, 13 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
243. Objection received from Spoiled Rotten, 23 South Street, Bo'ness, EH51 9HE, received on 28 February 2017
244. Objection received from A & J Newsagents, 27 South Street, Bo'ness, EH51 9HE, received on 28 February 2017
245. Objection received from Cherie's Chique Boutique, 29 South Street, Bo'ness, EH51 9HE, received on 28 February 2017

246. Objection received from FAO Karen Dickson Salon K, 57 South Street, Bo'ness, EH51 9HA, received on 28 February 2017
247. Objection received from FAO Karen Millar Inkspot & Silverleaf Booksellers, 78 South Street Bo'ness EH51 9HA received on 28 February 2017
248. Objection received from Maryanne Horsburgh, 26 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
249. Objection received from Lyons Hardware, 32 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
250. Objection received from Lisa Waugh, 3 St. Johns Way, Bo'ness, EH51 9JD, received on 28 February 2017
251. Objection received from Davina Mabon, 24 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
252. Support received from Bruce Williams, 92 Deanfield Road, Bo'ness, EH51 0ER, on 1 March 2017
253. Support received from R G Cumming, 3 Kinglass Park, Bo'ness, EH51 9RD, received on 1 March 2017
254. Support received from R Grant, 209 Dean Road, Bo'ness, EH51 0HQ, received on 1 March 2017
255. Support received from Dimensions, 139 North Street, Bo'ness, EH51 9ND, received on 1 March 2017
256. Representation received from Shona Mitchell, 36 Fountainpark Crescent, Bo'ness, EH51 9LB, received on 28 February 2017
257. Representation received from Pink Magpie, 43 North Street, Bo'ness, EH51 0AQ, received on 28 February 2017
258. Objection received from Madelene Hunt, 28 Crosshill Drive, Bo'ness, EH51 9JB, received on 23 February 2017
259. Objection received from Mr Brian Gardner, 15 Bomains Road, Bo'ness, EH51 0LN, received on 28 February 2017
260. Objection received from J Ward, 12 Ladywell View, Bo'ness, EH51 0NL, received on 28 February 2017
261. Objection received from M Brazier, 56 Grangeburn Road, Grangemouth, FK3 9AN, received on 28 February 2017
262. Objection received from Ms Mary Fleming, 5 Buchanan Court, Bo'ness, EH51 0NR, received on 28 February 2017
263. Objection received from Freda N. W. Harris, Castlepark, Philpstoun, EH49 6RA, received on 28 February 2017
264. Objection received from Ms Elizabeth Sneddon, 44 Castlehill, Bo'ness, EH51 0HL, received on 28 February 2017
265. Objection received from Ms Rachel Currie, 4 Baptie Place, Bo'ness, EH51 0NN, received on 28 February 2017
266. Objection received from J. F. Moir, 10 Braefoot Road, Bo'ness, EH51 9TT, received on 28 February 2017
267. Objection received from Ms Jennifer Snedden, 7 Fountainpark Crescent, Bo'ness, EH51 9LB, received on 28 February 2017
268. Objection received from Iain Muirhead, 60 Drumacre Road, Bo'ness, EH51 9QR, received on 28 February 2017
269. Objection received from F. E. McLachlan, 47 Sylvan Grove, Bo'ness, EH51 0RB, received on 28 February 2017
270. Objection received from May M Sommerville, 56A Stewart Avenue, Bo'ness, EH51 9NL, received on 28 February 2017
271. Objection received from Mr Charles Snedden, 46 Pennelton Place, Bo'ness, EH51 0PE, received on 28 February 2017
272. Objection received from Mr William Carlyle, 10 Northbank Drive, Bo'ness, EH51 9TP, received on 28 February 2017

273. Objection received from J McFarlane, 105 Forthview Crescent, Bo'ness, EH51 0LS, received on 28 February 2017
274. Objection received from Ms Catherine Buog, The Gallery, 6 Blackness Road, Linlithgow, EH49 7WA, received on 28 February 2017
275. Objection received from H Murray, 46 Chestnut Grove, Bo'ness, EH51 0PJ, received on 28 February 2017
276. Objection received from Owner/Occupier, The Pet Store, 9 South Street, Bo'ness, EH51 0EA, received on 28 February 2017
277. Objection received from Owner/Occuper, Long & Gilmour, 85-93 North Street, Bo'ness, EH51 9ND, received on 28 February 2017
278. Objection received from C Paul, Indulgence Beauty Salon, 107 North Street, Bo'ness, EH51 9ND received on 28 February 2017
279. Objection received from Owner/Occupier, Ross Fraser Funeral Directors, 81 North 279 Street, Bo'ness, EH51 9ND, received on 28 February 2017
280. Objection received from Margaret Goodwin, Roseneath, 14 Dundas Street, Bo'ness, EH51 0DG, received on
281. Objection received from Graham Shinwell, 90 Deanfield Road, Bo'ness, EH51 0ER, received on 28 February 2017
282. Objection received from Irene Shinwell, 90 Deanfield Road, Bo'ness, EH51 0ER, received on 28 February 2017
283. Objection received from Mr Fraser Binnie, 45 Nelson Street, Grangemouth, FK3 9AE, received on 2 February 2017
284. Objection received from Mr Robert Saxby, 28 Kinglass Drive, Boness, EH51 9RB received on 3 February 2017
285. Objection received from Anonymous, No Address Given, received on 1 March 2017
286. Representation received from Anonymous, No Address Given, received on 1 March 2017
287. Representation received from Ms Mary McDiarmid, No Address Given, received on 1 March 2017
288. Representation received from Ms Mary Waugh, No Address Given, received on 1 March 2017
289. Representation received from Irene Burt, No Address Given, received on 1 March 2017
290. Support received from J McDug, No Address Given, received on 1 March 2017
291. Support received from Anonymous, No Address Given, received on 1 March 2017
292. Support received from Anonymous, No Address Given, received on 1 March 2017
293. Support received from Anonymous, No Address Given, received on 1 March 2017
294. Support received from Mary Mackenzie, No Address Given, received on 1 March 2017
295. Objection received from Mr Nigel Galvin, 13 Avondhu Gardens, Grangemouth, FK3 9BW, received on 9 February 2017
296. Objection received from Miss Claire Ballantine, 195 Dean Road, Bo'ness, EH51 0HQ, received on 9 February 2017
297. Objection received from Mr Gavin Hunter, 32 Abbotsford Drive, Grangemouth, FK3 9LJ received on 10 February 2017
298. Objection received from Ms Jean McGlashan, 45 Henry Street, Bo'ness, EH51 9TY received on 10 February 2017
299. Objection received from Mr John Evans, 5 Woodlands Drive, Bo`ness, EH51 0NT received on 10 February 2017
300. Support received from E Robb, No Address Given, received on 1 March 2017
301. Objection received from Mrs Catherine Grant, 12 Lyon Court, Bo'ness, EH51 0HR, received on 12 February 2017
302. Objection received from Mr Charles Hamilton, 21 Bo'mains Road, Bo'ness, EH51 0LN received on 15 February 2017



303. Objection received from Mrs Carol Anne Boyle, 6 Kinglass Drive, Bo'ness, EH51 9RB, received on 9 February 2017
304. Objection received from Mr James Preston, 35 Henry Street, Bo'ness, EH51 9TY, received on 9 February 2017
305. Objection received from Mrs Phyllis Middleton, 9 Douglas Place, Bo'ness, EH51 0JZ, received on 18 February 2017
306. Objection received from Mr Walter Inglis, received on 20 February 2017
307. Objection received from Mrs Katherine Ogg, 28 Farmstead Way, The Drum, Bo'ness, EH51 9RT received on 20 February 2017
308. Objection received from Miss Miriam Wolanski, 10 Princes Street, Grangemouth, FK3 9DN, received on 20 February 2017
309. Objection received from Dr Susan Euston, 38 St Johns Way, Bo'ness, EH51 9JF received on 20 February 2017
310. Objection received from Mr Jamie Fraser, 12 Burnbank Road, Grangemouth, FK3 8QE on 9 February 2017
311. Objection received from Mrs Jean Kemp, 16 Learmonth Place, St Andrews, KY16 8XE on 9 February 2017
312. Objection received from Mrs Ann McMeechan, 18 Craigallan Park, Boness, EH51 9QY received on 9 February 2017
313. Objection received from Ms Selena Rudden, 183 Bo'ness Road, Grangemouth, FK3 9BT received on 9 February 2017
314. Objection received from Ms Wendy Turner, 18 Grange Terrace, Bo'ness, EH51 9DS received on 20 February 2017
315. Objection received from Mr James Bundy, 183 Bo'ness Road, Grangemouth, FK3 9BT received on 22 February 2017
316. Objection received from Mr A Sommerville, 36 Marchlands Avenue, Bo'ness, EH51 9ER, received on 24 February 2017
317. Objection received from Mr Ian Anderson, 8 Gauze Place, Bo'ness, EH51 9JQ, received on 24 February 2017
318. Objection received from Mrs Lynn Preston, 35 Henry Street, Bo'ness, EH51 9TY received on 9 February 2017
319. Objection received from Mr Ronald Kidd, 40 Tummel Place, Grangemouth, FK3 0JH, received on 9 February 2017
320. Objection received from Mr Andrew Dunlop, 168 Bowhouse Road, Grangemouth, FK3 0HB, received on 9 February 2017
321. Objection received from Mr David Lapsley, 33 Crawford Drive, Wallacestone, Falkirk, FK2 0DL, received on 9 February 2017
322. Objection received from Mrs Mary King, 12 Comrie Terrace, Bo'ness, EH51 9DE received on 9 February 2017
323. Objection received from Mr Andrew Kidd, 52 Kennard Street, Falkirk, FK2 9EJ, received on 10 February 2017
324. Objection received from Mrs Lorna Turner, 31 Jenkinson Drive, Redding, Falkirk, FK2 9TL received on 14 February 2017
325. Representation received from Mr Tom Brown, received on 24 January 2017
326. Objection received from Mr Alex Sheach, Cairn O Mohr, 4 Glen View, Bo'ness, EH51 0PQ, received on 10 February 2017
327. Objection received from Mr Graeme Potter, 16 Clydesdale Street, Bo'ness, EH51 9BX, received on 24 February 2017
328. Objection received from Mrs Margaret Kelly, 3 Deangate Gardens, Bo'ness, EH51 0BN, received on 24 February 2017
329. Objection received from Ms Michelle Ward, 31 Newtown, Bo'ness, EH51 9HJ, received on 24 February 2017
330. Objection received from Ms Margaret Young, 26 Marchlands Avenue, Bo'ness, EH51 9ER, received on 24 February 2017

331. Objection received from Ms Jane Johnston, 6 Northbank Drive, Bo'ness, EH51 9TP, received on 24 February 2017
332. Objection received from Ms Patricia Patterson, 59 Pennelton Place, Bo'ness, EH51 0PD, received on 24 February 2017
333. Objection received from Ms Susan Ward, 2 Rowan Crescent, Falkirk, FK1 4RQ, received on 24 February 2017
334. Objection received from Mrs Leona Ferguson, 137 Main Street, Shieldhill, Falkirk, FK1 2DT received on 26 February 2017
335. Objection received from Mr Charles Crawford, 3 Craigview, Bo'ness, EH51 9LN, received on 24 February 2017
336. Objection received from J Johnston, 6 Northbank Drive, Bo'ness, EH51 9TP, received on 24 February 2017
337. Objection received from M McLay, Flat 4, 1 Birdland Avenue, Bo'ness, EH51 9LX, received on 24 February 2017
338. Objection received from Mr D Patterson, 59 Pennelton Place, Bo'ness, EH51 0PD, received on 24 February 2017
339. Objection received from Mr Ian Snedden, 24 Crosshill Drive, Bo'ness, EH51 9JB, received on 24 February 2017
340. Objection received from Mr William Banks, Invercowie, 50 Braehead, Bo'ness, EH51 9DW, received on 24 February 2017
341. Objection received from Mr Derek Meikle, Argyle Cottage, 3 Erngath Road, Bo'ness, EH51 9DR, received on 24 February 2017
342. Objection received from Ms Linda Robertson, 12 Carriden View, Bo'ness, EH51 9DQ, received on 24 February 2017
343. Objection received from Mr Victor H. Duployen, Roman House, 26 Grange Terrace, Bo'ness, EH51 9DS, received on 24 February 2017
344. Objection received from Ms Maureen Banks, Invercowie, 50 Braehead, Bo'ness, EH51 9DW, received on 24 February 2017
345. Objection received from Ms Christine Grant, 56 Harbour Road, Bo'ness, EH51 9LD, received on 24 February 2017
346. Objection received from Mr Peter Blair, 52B Drumpark Avenue, Bo'ness, EH51 9QP, received on 24 February 2017
347. Objection received from Mr Brian Gale, 54 Birkhill Crescent, Bo'ness, EH51 9HP, received on 24 February 2017
348. Objection received from Ms Pamela Aitken, 46 Forthview Crescent, Bo'ness, EH51 0LT, received on 24 February 2017
349. Objection received from Ms Irene Crawford, 5 The Guildry, The Square, Blackness, Linlithgow, EH49 7NJ received on 24 February 2017
350. Objection received from Ms Elizabeth Cunningham, Fourwinds, 88 Deanfield Road, Bo'ness, EH51 0ER, received on 24 February 2017
351. Objection received from Ms Carol Middleton, 49 Borrowstoun Crescent, Bo'ness, EH51 0JQ, received on 24 February 2017
352. Objection received from P Dummond, 4 Cathrine Grove, Bo'ness, EH51 9UA, received on 24 February 2017
353. Objection received from Mr Douglas Middleton, 49 Borrowstoun Crescent, Bo'ness, EH51 0JQ, received on 24 February 2017
354. Objection received from A Tait, 30 Erngath Road Bo'ness EH51 9EN received on 27 February 2017
355. Objection received from Struan Tait, 7 Deangate Gardens, Bo'ness, EH51 0BN, received on 27 February 2017
356. Objection received from Ms Lynette Beaumont, 29 Ochilview Road, Bo'ness, EH51 0LD, received on 27 February 2017
357. Objection received from Ms Gail Fairholm, Corbie Inn, Corbiehall, Bo'ness, EH51 0AS received on 27 February 2017

358. Objection received from Ms Catherine Paterson, 23 Ochilview Place, Bo'ness, EH51 0LF, received on 27 February 2017
359. Objection received from Mr James Smith, Coach House, 5A Dundas Street, Bo'ness, EH51 0DF, received on 27 February 2017
360. Objection received from H Bennie, 87F Drumpark Avenue, Bo'ness, EH51 9QP, received on 27 February 2017
361. Objection received from Ms Mary White, 48A Grangepans, Bo'ness, EH51 9PA, received on 27 February 2017
362. Objection received from Ms Esther Prentice, Flat 5, 49 North Street, Bo'ness, EH51 0AQ, received on 27 February 2017
363. Objection received from Mr Giles Fairholm, 15 Seaview Place, Bo'ness, EH51 0AJ, received on 27 February 2017
364. Objection received from Mr Robert Hardie, 20 Dower Crescent, Bo'ness, EH51 9NX, received on 27 February 2017
365. Objection received from Miss Isobel Hughes, Hillhome East, Borrowstoun Road, Bo'ness, EH51 9RS, received on 27 February 2017
366. Objection received from Ms Christine Stevenson, 28 Hazeldean Avenue, Bo'ness, EH51 0NS, received on 27 February 2017
367. Objection received from U Miller, 41 Graham Crescent, Bo'ness, EH51 9QQ, received on 27 February 2017
368. Objection received from Ms Val Grant, 5 Grangepans, Bo'ness, EH51 9PH, received on 27 February 2017
369. Objection received from Mr Iain Waugh, 195E Corbiehall, Bo'ness, EH51 0AX, received on 27 February 2017
370. Objection received from F. J. Rae, 109 Belsyde Court, Linlithgow, EH49 7RW, received on 27 February 2017
371. Objection received from W Miller, 34 Muirend Court, Bo'ness, EH51 9QT, received on 27 February 2017
372. Objection received from Ms Gemma Kay, Darjeeling, 5 Cadzow Crescent, Bo'ness, EH51 9AZ, received on 27 February 2017
373. Objection received from C Cairns, 22 Forthview Crescent, Bo'ness, EH51 0LT, received on 27 February 2017
374. Objection received from M Johnston, 25F Thirlestane, Bo'ness, EH51 9NS, received on 27 February 2017
375. Objection received from Mr Donald Hill, 67 Drumacre Road, Bo'ness, EH51 9QS, received on 27 February 2017
376. Objection received from Ms Lynne Cairns, 24 South Philpingstone Lane, Bo'ness, EH51 9JZ, received on 27 February 2017
377. Objection received from Mr Mathew Weir, 12 Highfield Crescent, Linlithgow, EH49 7BE, received on 27 February 2017
378. Objection received from Ms Ann Sinclair, 11 Ladywell View, Bo'ness, EH51 0NL, received on 27 February 2017
379. Objection received from D Gallagher, 2 Duke Street, Grangemouth, FK3 9BA, received on 27 February 2017
380. Objection received from Ms Anna Matya, 28 Birkhill Crescent, Bo'ness, EH51 9HP, received on 27 February 2017
381. Objection received from Miss J G Simpson, 24 Graham Crescent, Bo'ness, EH51 9QQ, received on 27 February 2017
382. Objection received from Owner/Occupier, Banchory, East Bog, Bo'ness, EH51 9UH, received on 27 February 2017
383. Objection received from J Finnie, 32 Livingstone Drive, Bo'ness, EH51 0BQ, received on 27 February 2017
384. Objection received from Ms Winifred Potter, 27 Ritchie Place, Bo'ness, EH51 9TU, received on 27 February 2017

385. Objection received from W Beecroft, 17 Wotherspoon Drive, Bo'ness, EH51 0BB, received on 27 February 2017
386. Objection received from Mr Brian Palfreyman, Davella, Grangemouth Road, Bo'ness, EH51 0PU, received on 27 February 2017
387. Objection received from L Thomson, 14 Newtown Street, Bo'ness, EH51 9HN, received on 27 February 2017
388. Objection received from Mrs Simpson, 44 Bomar Avenue, Bo'ness, EH51 9PP, received on 27 February 2017
389. Objection received from S Jardine, 48 Corbiehall, Bo'ness, EH51 0AS, received on 27 February 2017
390. Objection received from Owner/Occupier, 12 Carriden View, Bo'ness, EH51 9DQ, received on 27 February 2017
391. Objection received from Ms Elizabeth Maclachlan, 3E Park Lane, Bo'ness, EH51 9PJ, received on 27 February 2017
392. Objection received from A Brodie, Binns Lodge, Linlithgow, EH49 7NA, received on 27 February 2017
393. Objection received from Mrs Jennifer McFarlane, 16 Douglas Road, Bo'ness, EH51 0JY, received on 10 February 2017
394. Objection received from Mr Peter Kennedy, 12 Queen Street, Grangemouth, FK3 9AU, received on 27 January 2017
395. Objection received from Mr Edwin Cairns, 11 Hazeldean Avenue, Bo'ness, EH51 0NS, received on 27 February 2017
396. Objection received from Ms Anna Pudney, 28 Crawfield Avenue, Bo'ness, EH51 0LP, received on 27 February 2017
397. Objection received from Ms Jennifer Rutte, Ochil Tower, 83 Stewart Avenue, Bo'ness, EH51 9NJ, received on 27 February 2017
398. Objection received from J Gardiner, 4 Dugald Stewart Avenue, Bo'ness, EH51 9EW, received on 27 February 2017
399. Objection received from B McAllister, 34 Erngath Road, Bo'ness, EH51 9EH, received on 27 February 2017
400. Objection received from Mr Ralph Clark, 61 Dean Road, Bo'ness, EH51 9BA, received on 27 February 2017
401. Objection received from E Newton, Weyside Cottage, 5 Borrowstoun Road, Bo'ness, EH51 9RS, received on 27 February 2017
402. Objection received from Mr Frank Anderson, Chestnut Grove, Bo'ness, ,received on 27 February 2017
403. Objection received from Ms Margaret Allan, 7 Drumside Terrace, Bo'ness, EH51 9QX, received on 27 February 2017
404. Objection received from Mrs Sheena Moore, 21 Forthview Crescent, Bo'ness, EH51 0LR, received on 27 February 2017
405. Objection received from Ms Susan Joyce, 28 Deanfield Terrace, Bo'ness, EH51 0HA, received on 27 February 2017
406. Objection received from Ms Betty Stuart, 1 Kinacres Grove, Bo'ness, EH51 9LT, received on 27 February 2017
407. Objection received from Ms Jean Wallace, 27 Redbrae Avenue, Bo'ness, EH51 9TN, received on 27 February 2017
408. Objection received from L Andrews, 8 Hazeldean Avenue, Bo'ness, EH51 0NS, received on 27 February 2017
409. Objection received from Ms Elaine Reilly, 19 Muirend Court, Bo'ness, EH51 9QT, received on 27 February 2017
410. Objection received from Mr David Grant, 63 Deanfield Crescent, Bo'ness, EH51 0ET, received on 27 February 2017
411. Objection received from Mr John Flemine, 20 Kirkwood Avenue, Redding, Falkirk, FK2 9UF, received on 27 February 2017

412. Objection received from Ms Shirley O'Neil, 6 Rashiehill Road, Slamannan, Falkirk, FK1 3HD, received on 27 February 2017
413. Objection received from Ms Niomie Ferguson, 28 Cowdenhill Road, Bo'ness, EH51 9JH, received on 27 February 2017
414. Objection received from J McKinnon, 39 Avonbank Avenue, Grangemouth, FK3 9LP, received on 27 February 2017
415. Objection received from A Robertson, 9 Houstoun Gardens, Uphall, EH52 5PX, received on 27 February 2017
416. Objection received from Mr Guy Middleton, 2 Burnshot Cottages, Linlithgow, EH49 7NP, received on 27 February 2017
417. Objection received from Mr James Watson, 22 Muirend Court, Bo'ness, EH51 9QT, received on 27 February 2017
418. Objection received from Mr Thomas Adams, 65 Acredales, Linlithgow, EH49 6HY, received on 27 February 2017
419. Objection received from Mr James McCormack, 1 Muirepark Court, Bo'ness, EH51 9JA, received on 27 February 2017
420. Objection received from I Spence, 33 Marchlands Avenue, Bo'ness, EH51 9ER, received on 27 February 2017
421. Objection received from D Markey, 4 Ritchie Place, Bo'ness, EH51 9TU, received on 27 February 2017
422. Objection received from Ms Paula Temperley, 89 Wotherspoon Drive, Bo'ness, EH51 0BB, received on 27 February 2017
423. Objection received from Ms Kelly Anderson, 1 Ettrick Court, Grangemouth, FK3 9LA, received on 27 February 2017
424. Objection received from Mr John Glyde, 4 Howieson Avenue, Bo'ness, EH51 9JG, received on 27 February 2017
425. Objection received from Ms June De Anglelis, Old Star Theatre, 17 Corbiehall, Bo'ness, EH51 0AW, received on 27 February 2017
426. Objection received from W Brown, 118 Linlithgow Road, Bo'ness, EH51 0JH, received on 27 February 2017
427. Objection received from M Waugh, 39 Livingstone Drive, Bo'ness, EH51 0BQ, received on 27 February 2017
428. Objection received from J Harrison, 1 Fairspark Terrace, Bo'ness, EH51 0NE, received on 27 February 2017
429. Objection received from S Honeyford, 44 St. Johns Way, Bo'ness, EH51 9JF, received on 27 February 2017
430. Objection received from Ms Mary Robertson, 35 Hadrian Way, Bo'ness, EH51 9QL, received on 27 February 2017
431. Objection received from Ms Margaret Dougall, 21 Kinglass Drive, Bo'ness, EH51 9RA, received on 27 February 2017
432. Objection received from Mr John Dougall, 21 Kinglass Drive, Bo'ness, EH51 9RA, received on 27 February 2017
433. Objection received from Mariusz Barza, 32 Claret Road, Grangemouth, FK3 9LR, received on 27 February 2017
434. Objection received from P Drysdale, 16 Fountainpark Crescent, Bo'ness, EH51 9LB, received on 27 February 2017
435. Objection received from Miss Dennise Scotland, Nether Kinneil Cottage, Bo'ness, EH51 0QA, received on 10 February 2017
436. Objection received from Ms June Graham, 18 Douglas Road, Bo'ness, EH51 0JY, received on 10 February 2017
437. Objection received from S Martin, 75 Muirepark Court, Bo'ness, EH51 9JA, received on 27 February 2017
438. Objection received from J Stewart, 2 The Quarryknowes, Bo'ness, EH51 0QJ, received on 27 February 2017

- 439. Objection received from Ms June Hardie, 11 Saltcoats Drive, Grangemouth, FK3 9JP, received on 27 February 2017
- 440. Support received from Mr Robert Hardie, 11 Saltcoats Drive, Grangemouth, FK3 9JP, received on 27 February 2017
- 441. Objection received from Ms Janet Lejman, Kalmar, Wallacestone Brae, Wallacestone, Falkirk, FK2 0DH, received on 27 February 2017
- 442. Objection received from R Wright, 29 Pennelton Place, Bo'ness, EH51 0PD, received on 27 February 2017
- 443. Objection received from J Murray, 14 Bonhard Way, Bo'ness, EH51 9RF, received on 27 February 2017
- 444. Objection received from Mr Ronald Murray, 14 Bonhard Way, Bo'ness, EH51 9RF, received on 27 February 2017
- 445. Objection received from Mr James Miller, 42 Victoria Road, Grangemouth, EH51 9JN received on 1 March 2017.

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504875 and ask for Bernard Whittle, Development Management Co-ordinator.



# Planning Committee

## Planning Application Location Plan

**P/17/0041/FUL**

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



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- Impact of industry traffic
- Alternatives should be explored
- Lack of justification
- Impact on local business
- Impact on local traffic movement
- Impact on surrounding routes
- Increase noise and air pollution
- Precedent
- Additional costs to citizens
- Access for emergency vehicles
- Inadequate mitigation measures
- Inadequate supporting information
- General highway safety
- Loss or restriction of public access
- Impact on local community
- Impact on public transport
- Disability discrimination
- Unacceptable delays - travel time
- Inaccuracies in submissions
- Objection with no reason given
- Contribute to alienate the communities of Grangemouth and Bo'ness
- Masterplan reliance on unconventional oil and gas
- Impact on economy of local communities
- Above ground pipework has not previously been considered detrimental to safety
- Road safety

The grounds of support can be summarised as follows:

- Safety grounds



- Support for industry in the area
- Support with no reason given

**FALKIRK COUNCIL  
DEVELOPMENT SERVICES**

**WORKS ADJACENT TO AND WITHIN THE CONFINES OF BO'NESS ROAD,  
GRANGEMOUTH COMPRISING THE CONSTRUCTION OF A SECURITY MANAGEMENT  
CENTRE, 2 SECURITY GATEHOUSES, SECURITY FENCING AND 5 NO PIPE BRIDGES  
WITH SUPPORTING INFRASTRUCTURE. AT INEOS, BO'NESS ROAD, GRANGEMOUTH,  
FK3 9XH, FOR INEOS CHEMICALS GRANGEMOUTH LTD - P/17/0041/FUL**

**DETAILED POLICY APPRAISAL**

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

Accordingly, the following policies and proposals/opportunities of the Development Plan are relevant to the determination of this planning application:

***Falkirk Local Development Plan***

**The Development Plan**

2. The Falkirk Local Development Plan (LDP) was adopted on 16 July 2015. It includes a number of supplementary guidance documents which also have statutory status as part of the Development Plan. The proposed development will be assessed against the following proposals/opportunities and policies:
3. Proposal/opportunities reference ED16, 'Ineos Redevelopment Opportunity' promotes that land to the north and south of Bo'ness Road as having potential for chemical related or general business development.
4. The proposed development aligns with the aspirations of opportunity ED16.
5. Policy BUS02 - Core Business Areas states:

*The core business areas identified on the Proposals Map will be retained primarily in business and industrial use. Class 4, 5 and 6 uses will be supported in principle within these areas, apart from Callendar Business Park, and Gateway Business Park, Grangemouth, where only Class 4 uses will be appropriate. Other employment uses will be permitted where they are compatible with the business/industrial character of the area and comply with other LDP policies.*

6. The proposed development is intended to enable the use of the application site and its wider industrial complex setting for Class 4, 5, or 6 uses. The proposed development accords with Policy BUS02.

7. Policy BUS05 - Major Hazards and Pipelines states:

1. *Proposals within Major Hazard and Pipeline Consultation Zones as defined by the HSE and shown on the Proposals Map will be assessed in relation to the following factors:*
  - *The increase in the number of people exposed to risk in the area;*
  - *The existing permitted use of the site or buildings;*
  - *The extent to which the proposal may achieve regeneration benefits, which cannot be secured by any other means; and*
  - *The potential impact on existing chemical and petrochemical sites and pipelines.*
2. *The Council will give careful consideration to applications for hazardous substances consent (HSC) that would extend major hazard distances within the urban area, to balance the desirability of growth and development at nationally important clusters of industries handling hazardous substances with the possibility of prejudice to the development of sites allocated in the LDP. Applications for HSC should demonstrate that off-site constraints have been minimised as far as possible through the optimum location and method of storage, and by ensuring that the quantity/type of materials applied for is specifically related to operational needs.*
3. *The revocation of HSC consents where the use on the site has ceased will be pursued.*
4. *The preferred location for new pipelines will be in existing Pipeline Consultation Zones.*

8. The proposed development would not increase the number of people exposed to risk at the application site or its wider industrial complex setting. There would be no detrimental impact on the operations of the Grangemouth petro chemical complex and pipelines.

9. The proposed development accords with Policy BUS05.

10. Policy INF01 - Strategic Infrastructure states:

*The Council will promote or support the provision of strategic infrastructure as identified on Map 3.2, listed in the Settlement Statements, and detailed in the Site Schedule in Appendix 1. The delivery of these projects will be through a range of agencies, in partnership with Falkirk Council. The Council and other partner organisations will explore traditional and innovative funding mechanisms to deliver infrastructure improvements, notwithstanding the continuing role of developer contributions as set out in supporting policies and supplementary guidance.*

11. There would be no significant impact on the capacity of traffic at any M9 motorway junctions or on the implementation of Grangemouth flood defence works. The proposed development accords with Policy INF01

12. Policy INF02 - Developer Contributions to Community Infrastructure states:

*Developers will be required to contribute towards the provision, upgrading and maintenance of community infrastructure 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 LDP or in development briefs;*
- 2. In respect of open space, recreational, education and healthcare provision, the general requirements set out in Policies INF04, INF05 and INF06;*
- 3. In respect of physical infrastructure any requirements to ensure that the development meets sustainability criteria;*
- 4. In respect of other community facilities, any relevant standards operated by the Council or other public agency; and*
- 5. Where a planning obligation is the intended mechanism for securing contributions, the principles contained in Circular 3/2012.*

*In applying the policy, consideration of the overall viability of the development will be taken into account in setting the timing and phasing of payments.*

13. The proposed development would require the permanent closure of the A904 Bo'ness Road from the Inchyra roundabout at the north end of Inchyra road to a point 170 meters west of the bridge over the River Avon. It is considered that the closure of Bo'ness Road would have a significant impact on vehicular, cycling, pedestrian and public transport movements at Bo'ness Road, Wholeflats Road, Inchyra Road and Kersiebank Avenue. In order to mitigate the impact of the permanent closure of part of Bo'ness Road, the Transport Planning Unit has advised that the following improvements to the road, cycle, footpath and public transport network are likely to be required:

- Four lane dualling of the entire length of Wholeflats Road with central reservation;
- Four lane dualling of Inchyra Road between Wholeflats Road and Kersiebank Avenue with central reservation;
- Formation of 3 metres wide cycle / footway along entire length of Wholeflats Road north side;
- Formation of 3 metre wide cycle / footway at east side of Inchyra Road between Wholeflats Road and Inchyra roundabout;
- Formation of roundabout at junction of Wholeflats Road and Grange Road;
- A traffic light controlled junction at the junction of Wholeflats Road and Inchyra Road accommodating 4 lane dualling of Wholeflats Road, with central reservation, and 4 lane dualling of Inchyra Road from Wholeflats Road to Kersiebank Avenue with central reservation;
- A traffic light controlled junction at the junction of Inchyra Road and Kersiebank Avenue accommodating 4 lane dualling of Inchyra Road between Kersiebank Avenue and Wholeflats Road with central reservation;

- A roundel turninghead at the proposed east security gate which should be accommodated at the east side of bridge over the River Avon;
  - Off-carriageway bus stop at both north and south sides at the east end of Wholeflats Road;
  - Additional bus stops at both sides of Inchyra Road north of the Kersiebank junction.
  - Bus stop on Inchyra Road north bound north of Wholeflats junction.
  - Bus stop on Wholeflats Road east bound, east of Wholeflats junction, off carriageway.
14. Additionally, should the wider business / industry park redevelopment, as proposed by the Masterplan Framework supporting document, proceed, a further 4 lane dualling of Inchyra Road with central reservation north of Kersiebank Avenue may be required. Also, a review of junctions taking access from Wholeflats Road may be required. Further re-assessment of other junctions would be required.
15. The infrastructure mitigation measures proposed by the applicant, (detailed in Appendix 1, paragraph 1.5), fall short of the required mitigation measures detailed above and would not satisfactorily mitigate the permanent closure of part of the A904 Bo'ness Road as proposed by the applicant. Discussions with the applicant have failed to reach agreement on a satisfactory scheme of mitigation measures. The proposed development does not accord with Policy INF02.
16. Policy INF07 - Walking and Cycling states:
1. *The Council will safeguard and promote the development of the core path network. Where appropriate, developer contributions to the implementation of the network will be sought.*
  2. *New development will be required to provide an appropriate standard of pedestrian and cycle infrastructure, including cycle parking, which complies with current Council guidelines and meets the following criteria:*
    - *Where appropriate, infrastructure supporting the two modes of walking and cycling should be combined and support objectives in agreed Travel Plans helping to support active travel;*
    - *Pedestrian and cycle facilities in new developments should offer appropriate links to existing networks in surrounding areas, in particular to facilitate school journeys and provide connections to public transport, as well as links to other amenities and community facilities;*
    - *The surfacing, lighting, design, maintenance and location of pedestrian and cycle routes should promote their safe use. Particular emphasis should be given to the provision of suitable lighting, and the provision of suitably designed and located crossing facilities where routes meet the public road network;*
    - *Where practical, no pedestrian route should be obstructed by features that render it unsuitable for the mobility impaired.*
17. The cycle / footway measures detailed in Appendix 1 (paragraph 1.5) considered by the applicant as appropriate to mitigate the part closure of Bo'ness Road are noted. It

is also noted that the applicant does not propose to implement satisfactory mitigation measures in terms of walking and cycling to mitigate permanent closure of part of the A904 Bo'ness Road. The proposed development does not accord with Policy INF07.

18. Policy INF08 - Bus Travel and New Development states

1. *New development will be required to provide appropriate levels of bus infrastructure or suitable links to existing bus stops or services, as identified within travel plans, taking account of the 400m maximum walking distance required by SPP. This provision will be delivered through direct funding of infrastructure and/or the provision of sums to support the delivery of bus services serving the development.*
2. *Bus infrastructure should be provided at locations and to phasing agreed with the Council, and designed in accordance with the standards set out in current Council guidelines.*
3. *New development, where appropriate, should incorporate routes suitable for the provision of bus services. Bus facilities within new developments should offer appropriate links to existing pedestrian networks in surrounding areas. Alternatively, new development should be linked to existing bus infrastructure via pedestrian links as described in Policy INF07.*

19. The applicant has agreed to provide additional bus stops. However, the location and design of new bus stops proposed by the applicant are not fully to the satisfaction of TPU officers in terms of Council policy. The proposed development does not accord with Policy INF08.

20. Policy INF09 - Freight Transport states:

1. *Freight intensive development will be directed to the Grangemouth Investment Zone and to other locations that can be accessed without significant impact on local communities, or on the local and strategic road network.*
2. *Development which will encourage the transfer of freight from road to rail, including the development of freight handling facilities, will be supported subject to other LDP policies.*
3. *The Council will continue to work with SEStran, freight companies, developers and others in developing freight quality partnerships.*

21. The proposed development is anticipated to have a significant impact on freight transport in the Grangemouth Investment Zone. The proposed development does not accord with Policy INF09.

22. Policy INF10 - Transport Assessments states:

1. *The Council will require transport assessments of developments where the impact of the development on the transport network is likely to result in a significant increase in the number of trips, and is considered likely to require mitigation. The scope of transport assessments will be agreed*

*with the Council and in the case of impact on trunk roads, also with Transport Scotland.*

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. The assessment will focus on the hierarchy of transport modes, favouring the use of walking, cycling and public transport over use of the car.*
3. *The Council will only support development proposals 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.*

23. The Council's Transport Planning Unit does not agree with the findings of the Transport Assessment (TA) submitted in support of the proposed development. The appeal submission notes that the scope for the TA was agreed prior to the submission of the planning application. However, the TA on submission did not accord with prior discussions and agreement. The applicant was requested to revisit modelling used to inform the TA and to agree to the mitigation measures suggested as detailed in paragraph 32 of the main report. The applicant did not agree to revisit the modelling or to appropriate mitigation measures. The proposed development does not accord with Policy INF10.

24. Policy INF11 - Parking states:

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

1. *The scale of public parking provision in Falkirk Town Centre will be maintained broadly at its current level and any proposed change to parking provision will be assessed against its effect on the vitality and viability of the centre;*
2. *The feasibility of promoting Park and Ride facilities on the road corridors into Falkirk Town Centre will continue to be investigated;*
3. *Parking in District and Local Centres will be managed to promote sustainable travel and the role of the centre;*
4. *New parking will be provided to support the strategic role of railway stations, with priority given to new provision at Falkirk High. Where possible, the provision of new off street parking facilities will be associated with traffic management and other measures to reduce uncontrolled on-street parking;*
5. *The maximum parking standards set out in the SPP will be applied to new development, where relevant, in tandem with the Council's minimum standards. Where the minimum standards cannot be met, developer contributions to enhance travel plan resources may be required in compensation.*

25. The proposed development would not have a significant impact in terms of parking provision at, or in the wider area of, the application site. The proposed development accords with Policy INF11.
26. Policy INF12 - Water and Drainage Infrastructure states:
1. *New development will only be permitted if necessary sewerage infrastructure is adopted by Scottish Water or alternative maintenance arrangements are acceptable to SEPA.*
  2. *Surface water management for new development should comply with current best practice on sustainable urban drainage systems, including opportunities for promoting biodiversity through habitat creation.*
  3. *A drainage strategy, as set out in PAN61, should be submitted with planning applications and must include flood attenuation measures, details for the long term maintenance of any necessary features and a risk assessment.*
- 27.. The proposed development would not have a significant impact in terms of water management and drainage. The proposed development accords with Policy INF12.
28. Policy TC01 - Network of Centres states:
1. *The focus for retail, leisure, cultural and major community uses in the area will be on the network of centres identified in Figure 3.3 and Map 3.3. Significant new retail and commercial leisure development will be directed to these centres. The boundaries of centres are identified on the Proposals Map. Residential and business uses will also be promoted in these centres as appropriate;*
  2. *New food shopping will be a priority in Denny, Bonnybridge and Bo'ness Town Centres, and in the new Local Centres of Banknock, Kinnaird Village and Whitecross;*
  3. *Opportunities for development, regeneration and enhancement in the centres will be promoted as listed in the Settlement Statements, and detailed in the Site Schedule in Appendix 1;*
  4. *Development which would significantly undermine the role of any centre in the network, as defined in Figure 3.3, will not be permitted.*
29. There is no evidence to support the view that the proposed development would have a significant impact on the footfall of Grangemouth, Bo'ness or any other centre. The proposed development accords with Policy TC01.
30. Policy GN01 - Falkirk Green Network states:
1. *The Council will support the Central Scotland Green Network in the Falkirk area through the development and enhancement of a multi-functional network of green components and corridors as defined in Map 3.5;*



2. *Within the green network, biodiversity, habitat connectivity, active travel, recreational opportunities, landscape quality, placemaking, sustainable economic development and climate change adaptation will be promoted, with particular reference to the opportunities set out in the Settlement Statements, and detailed in the Site Schedule in Appendix 1;*
3. *New development, and in particular the strategic growth areas and strategic business locations, should contribute to the green network, where appropriate, through the integration of green infrastructure into masterplans or through enabling opportunities for green network improvement on nearby land.*

31. While the proposal may restrict outdoor access opportunities (see below), there would be no significant impact on the Falkirk Green Network. The proposed development accords with Policy GN01.

32. Policy GN05 - Outdoor Access states:

*The Council will seek to safeguard, improve and extend the network of outdoor access routes, with particular emphasis on the core path network, and routes which support the development of the Green Network. When considering development proposals, the Council will:*

1. *Safeguard the line of any existing or proposed access route affected by the development, and require its incorporation into the development unless a satisfactory alternative route can be agreed;*
2. *Seek to secure any additional outdoor access opportunities which may be achievable as a result of the development; and*
3. *Where an access route is to be temporarily disrupted, require the provision of an alternative route for the duration of construction work and the satisfactory reinstatement of the route on completion of the development.*

33. It is noted that the proposed development would require the permanent closure of part of the A904 Bo'ness Road. This would reduce outdoor access opportunities to a reduced number of, and as a result busier, routes. Without appropriate mitigating measures, the proposed development does not accord with Policy GN05.

34. Policy RW06 - Flooding states:

1. *Development on the functional flood plain should be avoided. In areas where there is significant risk of flooding from any source (including flooding up to and including a 0.5% (1 in 200 year) flood event), development proposals will be assessed against advice and the Flood Risk Framework in the SPP. There will be a presumption against new development which would:*

- *be likely to be at risk of flooding;*

- *increase the level of risk of flooding for existing development; or*
  - *result in a use more vulnerable to flooding or with a larger footprint than any previous development on site.*
2. *Development proposals on land identified as being at risk from flooding, or where other available information suggests there may be a risk, will be required to provide a flood risk assessment that demonstrates that:*
- *any flood risks can be adequately managed both within and outwith the site;*
  - *an adequate allowance for climate change and freeboard has been built into the flood risk assessment;*
  - *access and egress can be provided to the site which is free of flood risk; and*
  - *water resistant materials and forms of construction will be utilised where appropriate.*
3. *Where suitably robust evidence suggests that land contributes or has the potential to contribute towards sustainable flood management measures development will only be permitted where the land's sustainable flood management function can be safeguarded*
35. The proposed development does not constitute a flood risk. The proposed development accords with Policy RW06.
36. Policy RW07 - Air Quality states:
- The Council will seek to contribute to the improvement of air quality. Impacts on air quality will be taken into account in assessing development proposals, particularly within Air Quality Management Areas (AQMAs). An Air Quality Assessment may be required for developments that are within AQMAs or where the proposed development may cause or significantly contribute towards a breach of National Air Quality Standards. Development proposals that result in either a breach of National Air Quality Standards or a significant increase in concentrations within an existing AQMA will not be permitted unless there are over-riding issues of national or local importance.*
37. The Environmental Protection Unit (EPU) has advised that the predicted change in pollution concentrations would be negligible and that planning permission need not be declined on the basis of air quality impacts. The proposed development accords with Policy RW07.
38. Policy RW08 - Waste Management Facilities states:
1. *The preferred location for waste management facilities will be within or adjacent to existing waste management facilities or on land identified for employment or industrial uses. Mineral sites may also be acceptable locations for waste management facilities.*

2. *Proposals for waste management facilities must:*
  - *comply with the Zero Waste Plan and address capacity and proximity requirements for the Falkirk Council area;*
  - *assess the impact on local amenity, and particularly on sensitive receptors nearby;*
  - *for thermal treatment plants seek to co-locate with other potential heat users;*
  - *promote sustainable transport and the proximity principle; and*
  - *comply with other LDP policies.*
3. *All operational waste management facilities will be safeguarded for sustainable waste management use. Proposals for other development must consider the potential impact on adjacent or nearby waste management facilities and what impact such facilities could have on the proposed development.*

39. It is not considered that there would be a significant impact on the operations of a nearby waste management facility at the west side of the Inchyra roundabout. The use of nearby waste management facilities would not be compromised. The proposed development accords with Policy RW08.

40. Policy RW10 - Vacant, Derelict and Contaminated Land states

*Proposals that reduce the incidence of vacant, derelict, unstable and contaminated land will be supported, subject to compliance with other LDP policies, particularly those relating to development in the countryside. Where proposals involve the development of unstable or contaminated land, they will only be permitted where appropriate remediation or mitigation measures have been undertaken.*

41. The master plan framework submitted in support of the proposed development is noted. The proposed development is promoted to facilitate the redevelopment of the wider masterplan area which would, if realised, serve to reduce the incidence of vacant and derelict land. The proposed development accords with Policy RW10.

42. Policy D02 - Sustainable Design Principles states:

*New development will be required to achieve a high standard of design quality and compliance with principles of sustainable development. Proposals should accord with the following principles:*

1. *Natural and Built Heritage. Existing natural, built or cultural heritage features should be identified, conserved, enhanced and integrated sensitively into development;*
2. *Urban and Landscape Design. The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create buildings and spaces that are attractive, distinctive, welcoming, adaptable, safe and easy to use;*
3. *Accessibility. Development should be designed to encourage the use of sustainable, integrated transport and to provide safe access for all users;*

4. *Climate Change & Resource Use. Development should promote the efficient use of natural resources and the minimisation of greenhouse gas emissions through energy efficient design, choice and sourcing of materials, reduction of waste, recycling of materials and exploitation of renewable energy;*
5. *Infrastructure. Infrastructure needs and their impacts should be identified and addressed by sustainable mitigation techniques, with particular regard to drainage, surface water management, flooding, traffic, road safety and noise; and*
6. *Maintenance. Proposals should demonstrate that provision will be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.*

*Masterplans will be required for significant development proposals requiring a co-ordinated approach to design and infrastructure, and should demonstrate how the above principles have been incorporated into the proposals. Masterplans should be informed by a development framework or brief where relevant.*

*Figure 5.3, Sustainable Design Principles - Supporting Policies/Guidance provides further guidance.*

43. The proposed development would achieve a satisfactory standard of design. It is noted that the proposed security management building would reflect the design of the applicant's headquarters building at Inchyra Road completed in 2016.
44. Policy D03 - Urban Design states:

*New development should create attractive and safe places for people to live, work and visit. Accordingly:*

1. *Development proposals should conform with any relevant development framework, brief or masterplan covering the site. Residential proposals should conform with Supplementary Guidance SG02 'Neighbourhood Design';*
2. *The siting, density and design of new development should create a coherent structure of streets, public spaces and buildings which respects and complements the site's context, and creates a sense of identity within the development;*
3. *Street layout and design should generally conform with the Scottish Government's policy document 'Designing Streets';*
4. *Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality architectural or landscape treatment;*
5. *Development proposals should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, and contributes, where appropriate, to the wider green network;*

6. *Development proposals should create a safe and secure environment for all users through the provision of high levels of natural surveillance for access routes and public spaces; and*
  7. *Major development proposals should make provision for public art in the design of buildings and the public realm.*
45. The proposed development would reflect and respect the scale, design and character of the application site and its wider industrial complex setting. The proposed development would integrate well in design terms. The proposed development accords with Policy D03
46. Policy D04 - Low and Zero Carbon Development states:
1. *All new buildings should incorporate on-site low and zero carbon-generating technologies (LZCGT) to meet a proportion of the overall energy requirements. Applicants must demonstrate that 10% of the overall reduction in CO2 emissions as required by Building Standards has been achieved via on-site LZCGT. This proportion will be increased as part of subsequent reviews of the LDP. All proposals must be accompanied by an Energy Statement which demonstrates compliance with this policy. Should proposals not include LZCGT, the Energy Statement must set out the technical or practical constraints which limit the application of LZCGT. Further guidance will be contained in Supplementary Guidance SG15 'Low and Zero Carbon Development'. Exclusions from the requirements of this policy are:*
    - *Proposals for change of use or conversion of buildings;*
    - *Alterations and extensions to buildings;*
    - *Stand-alone buildings that are ancillary and have an area less than 50 square metres;*
    - *Buildings which will not be heated or cooled other than by heating provided solely for the purpose of frost protection;*
    - *Temporary buildings with consent for 2 years or less; and*
    - *Where implementation of the requirement would have an adverse impact on the historic environment as detailed in the Energy Statement or accompanying Design Statement.*
  2. *The design and layout of development should, as far as possible, seek to minimise energy requirements through harnessing solar gain and shelter;*
  3. *Decentralised energy generation with heat recycling schemes (combined heat and power and district heating) will be encouraged in major new developments, subject to the satisfactory location and design of associated plant. Energy Statements for major developments should include an assessment of the potential for such schemes.*

### **Supplementary Guidance Forming Part Of The Development Plan**

47. SG15 Low and Zero Carbon Development expands on how LDP Policy D04 'Low and Zero Carbon Development' should be achieved. The guidance is relevant in consideration of the proposed security arrangement centre.

48. Policy D04 as supplemented by SG15 is relevant to the development of the proposed security management centre. It is noted that the relevant building would incorporate air source heat pump technology which would serve to achieve a satisfactory standard of low and zero carbon development. The proposed development accords with Policy D04 as supplemented by SG15.
49. Accordingly, in summary, having regard to the relevant policies, while the principle of the proposal is considered acceptable, the mitigating measures suggested by the applicant are insufficient and as a consequence it is advised that the proposed development does not fully accord with the Falkirk Local Development Plan.

## **Material Considerations**

50. The material considerations include the following:
- National Planning Framework 3 (NPF3);
  - Scottish Planning Policy (SPP);
  - Circular 3/2012 "Planning Obligation and Good Neighbour Agreements;
  - Third Party Representations;
  - Community Council Comments;
  - The Masterplan Framework supporting the proposed development and economic assessment;
  - National Planning Framework 3 (NPF3)
  - Falkirk Economic Strategy;
  - Comments on the Appellants Grounds of Appeal.
51. National Planning Framework 3 expresses in spatial terms the Scottish Government's national economic strategy targeting investment opportunity to support national economic growth. The Port of Grangemouth and the wider chemical complex is identified in NPF3 as National Development No 11, as being of strategic economic importance. It is noted that the proposed development constitutes a national development under the terms of NPF3 as the application site exceeds 2 hectares. NPF3 emphasises the importance of ensuring investment and development, strengthening the role of the area in supporting the national economy. However, NPF3 also emphasises that there is a need for a co-ordinated approach to minimise impacts on the community and the environment of the Forth estuary.
52. While the economic benefits of the chemicals related development anticipated to come forward as a consequence of these proposals are recognised, the failure of the applicant to agree a satisfactory scheme of measures to mitigate the impact of the development on the transport network suggests that the proposed development would have a significant impact on the community and wider area. Furthermore, it is not considered that the applicant has demonstrated sufficiently the need for the proposed development, or the treatment of its anticipated impact, in order to achieve the objectives of NPF3 for the Grangemouth national development area. While in principle the proposed development advances the intentions of NPF3 it does not fully accord with NPF3.

## ***Scottish Planning Policy***

53. Scottish Planning Policy (SPP) in 'Promoting Sustainable Transport and Active Travel' emphasises that:-
- Where new development would generate significant traffic, planning permission should not be granted in cases where a Transport Assessment does not identify satisfactory ways of meeting sustainable transport requirements;
  - Development proposals that have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact. Where existing infrastructure has the capacity to accommodate a development without adverse impacts or safety or unacceptable impacts on operational performance, further investment in the network is not likely to be required. Where such investment is required, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network will have to be met by the developer.
54. The proposed development intends to divert traffic to other parts of the transport network should the proposed permanent closure of part of the A904 Bo'ness Road be implemented. The Transport Assessment as submitted in support of the proposed development does not identify satisfactory measures to meet sustainable transport requirements or achieve a satisfactorily safe transport network
55. The proposed development, in conjunction with network mitigation measures proposed by the applicant, detailed in Appendix 1 (paragraph 1.5) is likely to result in an increased accident rate of 0.6 accidents per year. It is noted that the applicant has failed to agree to meet the cost of satisfactory measures to mitigate the impact of the proposed development in terms of vehicular, cycling, pedestrian and public transport infrastructure.
56. Accordingly, the proposed development does not accord with Scottish Planning Policy in promoting sustainable transport and active travel.

## ***Circular 3/2012 "Planning Obligations and Good Neighbour Development"***

57. Circular 3/2012 emphasises that planning obligations have a useful, if limited, role in overcoming obstacles to the grant of planning permission. In this way negative impacts on the environment and infrastructure can be reduced, eliminated or compensated for.
58. The circular sets out five tests against which a potential planning obligation should be adjudged to assess whether the terms of the potential planning obligation is appropriate.
59. In terms of the proposed development, satisfactory measures to mitigate the impact of the proposed development in terms of vehicular, cycling, pedestrian and public transport infrastructure, detailed in paragraph 32 of the main report, are considered to be:-
- Necessary;
  - Serving a planning purpose;
  - Related to the proposed development as a direct consequence of the proposal;

- Fair and reasonable in scale and kind;
- Reasonable in all other respects.

60. While the principle of road closure to enable development at the Ineos site is accepted, the mitigation measures proposed by the applicant are not considered to be reasonable and fail to address what is considered necessary to adequately mitigate the impact of the proposed development. The development with the package of mitigation measures currently proposed does not accord with Circular 3/2012.

### ***Third Party Representations***

#### ***Objections***

61. The concerns raised in respect of the impact on industry traffic are noted
62. Comments that alternative arrangements to the proposed permanent closure of part of the A904 Bo'ness Road should be explored are noted.
63. Comments that the applicant has failed to satisfactorily justify the proposed development and permanent closure of part of the A904 Bo'ness Road are noted. It is considered that, while the proposed development has some justification in assisting delivery of planning policy, comments that the mitigating measures proposed by the applicant are insufficient are grounded.
64. Concern that there would be a significant impact on local business as a result of the proposed development is noted.
65. Comments that there would be an impact on local traffic movements and surrounding routes are considered to be grounded. This is reflected in the extent of mitigation measures considered necessary to satisfactorily mitigate the impact of the proposed development.
66. There is no evidence to support the view that the proposed development would set any kind of precedent which would prejudice the consideration of any future proposals.
67. The comment that additional mileage for drivers, should the proposed permanent closure of part of the A904 Bo'ness Road be implemented, would result in addition cost is noted.
68. Comments in respect of access for emergency vehicles are noted. It is also noted that no objections have been received from Scottish Police, the ambulance service or the fire and rescue service. Scottish Police has provided general security comments.
69. Comments from Transport Planning Unit concerning the limitations of the Transport Assessment are noted. In view of the applicant's unwillingness to submit further information, the documentation supporting the application and its subsequent appeal relating to the proposed development is considered sufficient to progress the proposed development to conclusion and recommendation.
70. Comments regarding highway safety are noted.
71. Comments regarding loss or restriction of public access are noted.



- 72. Comments regarding the potential impact on the local community are noted.
- 73. Comments regarding the potential impact in terms of public transport are noted
- 74. There is no evidence to support the view that the proposed development would discriminate against disabled people.
- 75. Comments in respect of travel time delays are noted.
- 76. Documentation supporting the proposed development doesn't address the necessary level of mitigation that is required.
- 77. There is no evidence to support the view that the proposed development would significantly alienate the communities of Grangemouth and Bo'ness from each other or the wider area.
- 78. Comment that the Master Plan framework supporting the proposed development would likely rely on unconventional oil and gas fuels are noted.
- 79. Comments that pipe-bridges were not previously considered as being detrimental to safety are noted.
- 80. Objections submitted without reason are noted.

### ***Grounds of Support***

- 81. Comments supporting the proposed development on safety grounds are noted.
- 82. Comments supporting the proposed development as a means to secure industry and investment in the area are noted.
- 83. Comment supporting the proposed development without reason are noted.

### ***Community Council Comments***

- 84. With respect to comment that the case of need for the proposed development has not been proven, the conclusion section of this report is noted.
- 85. There is no evidence to support the view that the proposed development would significantly isolate the town of Bo'ness by virtue of reduced access to shops and amenities and increased traffic.
- 86. Figures submitted by Bo'ness Community Council in respect of the level of objection to, and support of, the proposed development are noted.
- 87. Comment with respect to road safety and inconvenience are noted.
- 88. Concern that there could be a significant impact on commerce in the Grangemouth area as a result of the proposed development is noted.

89. The council's Environmental Protection Unit (EPU) has advised that the predicted change in pollution concentrations would be negligible and that planning permission need not be declined on the basis of air quality impacts.
90. The Transport Assessment submitted in support of the proposed development, is not considered satisfactory to address the level of mitigation that is required.
91. The proposed development meets the criteria of National Planning Framework 3 to be considered a national development.
92. Comment in respect of the level of concern in the Grangemouth community against the proposed development, and figures submitted in respect of the level of objection to, and support of, the proposed development are noted.
93. The proposal to permanently close the A904 Bo'ness Road as a result of the proposed development is open and transparent in the applicant's submissions.
94. There is no evidence to support the view that the applicant's submission is presented in a manner which threatens abandonment of the applicant's future development aspirations if the closure of the A904 Bo'ness Road is not secured.

#### ***Masterplan Framework Submitted In Support Of the Proposed Development***

95. The masterplan framework does not form part of the proposed development which would be implemented under the terms of the permission, should planning permission be approved. The masterplan framework is submitted as indicative of the wider aspirations of the applicant, and is intended to support the proposed closure of Bo'ness Road. The masterplan framework and its supporting documentation are a material consideration in respect of the proposed development.
96. The determination of the proposed development would not prejudice the consideration of development proposed at a future date in respect of the wider masterplan area.

#### ***Transport Assessment Submitted In Support of The Proposed Development***

97. The Transport Assessment submitted in support of the proposed development indicates the measures proposed by the applicant to mitigate the impacts of the proposal in terms of vehicular, cycling, pedestrian and public transport infrastructure.
98. The content of the Transport Assessment submitted in support of the proposed development does not accord with agreement between the applicant and the Transport Planning Unit during the pre-application notice (PAN) stage of the proposed development. Mitigation measures proposed as a result of the submitted Transport Assessment would not satisfactorily mitigate the impact of the proposed development on the transport network.

## ***Falkirk Economic Strategy***

99. The aims of the Falkirk Economic Strategy include planning for sustainable economic growth; maximising Falkirk's economic potential; broadening Falkirk's industrial base; identifying new opportunities for growth; promoting innovation and new technologies and highlighting the potential and means to attract investment.
100. The strategy emphasises the chemicals sector as being one of Falkirk's key strengths and that a strong chemical sector presence is a key contributor to local and national economic performance. Any development proposal which safeguards or enhances the economic strength of the area, and contributes to national economic growth would, in principle, be supported by the strategy.
101. The strategy also refers to the importance of place making and inclusion as important factors to successfully deliver its aims. Successful place making would include accessibility and maintenance of inclusive transport options. The proposed development does not fully accord with the strategy in this regard.

## **CONCLUSION**

102. The Planning Authority does not concur with the grounds of appeal. Firstly, the proposed development does not fully accord with the Development Plan. Secondly, it is not considered that the Transport Assessment submitted in support of the proposed development has been modelled satisfactorily and as a consequence, the applicant's proposed transport measures to mitigate the closure of Bo'ness Road would not satisfactorily mitigate the impact of the road closure.
103. The applicant promotes the purpose of the proposed development as two-fold. Firstly, the proposal developed from the conclusions of a security review in respect of the applicant's wider petrochemical complex. The applicant states that the success of the security review depends on the reduction of the number of access gates to the various sections of the wider petrochemical complex. The permanent closure of part of the A904 Bo'ness Road is promoted as being key to the implementation of the proposed new security measures. Secondly, the proposed development is supported by a masterplan redevelopment framework in respect of redundant land at the wider petrochemical complex. The proposed permanent closure of part of the A904 Bo'ness Road is promoted as being key to attracting chemicals sector related investment to realise the potential of the masterplan framework.
104. With respect to the need for revised security, the applicant has not submitted a copy of the security review due to confidentiality. The supporting documentation, therefore, only details the elements of the proposed development which it is stated emerged from the conclusions of the security review. Insufficient detail of justification or reasoning behind the proposed development has been submitted and it is not possible to confirm if the measures are justified on grounds of security.
105. The planning authority is mindful of the potential significant impact of the proposed development on the vehicular, cycling, pedestrian and public transport network as result of the proposed permanent closure of part of the A904 Bo'ness Road. Without a sufficiently comprehensive demonstration of just cause for the closure of Bo'ness Road, and supporting mitigation, the case for the proposed development and the permanent closure of part of the A904 Bo'ness Road has not been satisfactorily demonstrated.

106. With respect to the masterplan redevelopment framework, it is unclear at this stage what may be required in respect of the implementation of any redevelopment of the land identified. It is noted that it is envisaged that access to parts of the redeveloped land would be from Wholeflats Road. It is unclear at this stage whether there may be any impact on travel flows at Wholeflats Road during the construction phase of the masterplan redevelopment. The permanent closure of the A904 Bo'ness Road would be premature at this stage until such time as the impact of the redevelopment of the masterplan site has been clarified.
107. In terms of design and scale, the various elements of the proposed development would respect and reflect the character of the application site and its industrial complex setting. It is noted that the design of the proposed security management building would reflect the design of the applicant's headquarters building completed in 2016.
108. The applicant partly justifies the permanent closure of the A904 Bo'ness Road on grounds that it is proposed to erect an additional five pipe-bridges over the A904 Bo'ness Road increasing the number of pipe-bridges over the Bo'ness Road to six. The applicant states that the development of the five new pipe-bridges would require traffic speed restriction similar to the current restrictions within the existing secure sections of the applicant's petrochemical complex i.e. between 5 and 15 mph. The applicant states that it would not be practical to reduce speeds to such low levels at Bo'ness Road if it remains open to the public.
109. It is noted there is an existing pipe-bridge over the section of the A904 Bo'ness Road which it is proposed to close. It is also noted that third party representations refer to further examples of similar pipe-bridges over roads at other locations. The existing pipe-bridge over the A904 Bo'ness Road was approved under the terms of planning permission P/15/0474/FUL approved on 25 September 2015. There was no safety concern raised at that time with respect to the public road over which the pipe-bridge was to cross. There is no record of any problems since the construction of the pipe-bridge in terms of proximity to traffic. Furthermore, the applicant has not submitted any evidence to support the applicant's stance that, for safety reasons, it is essential that traffic speeds would need to be reduced to between 5 and 15 mph under the proposed new pipe-bridges. The applicant has not made sufficient case to justify the permanent closure of the A904 Bo'ness Road in terms of the construction or operation of the proposed new pipe-bridges.
110. The proposed development raises questions whether without proper mitigation there would be a sustainable and safe transport network serving the Grangemouth and Bo'ness area, and successful integration with the wider transport network, should the A904 Bo'ness Road be permanently closed.
111. The proposed permanent closure of part of the A904 Bo'ness Road would have implications for the operation of the wider road network as there would be a redistribution of traffic on the network.
112. The purpose of the TA submitted in support of the proposed development is to assess cumulative impacts and demonstrate that any proposed changes to the network would safeguard a satisfactory standard of access and passage across the network in terms of vehicular, cycling, pedestrian and public transport traffic. To ensure that a TA addresses cumulative effects in a satisfactory manner, it is noted that Policy WP10 of the FLDP "Transport Assessment" requires that the scope of a TA will be agreed with

the Council. The cumulative effects will include safety and the likelihood of accidents across the network.

113. It is noted that the content of the TA submitted in support of the proposed development does not reflect prior agreement with the Transport Planning Unit. Officers have identified a series of mitigation measures that are required to safeguard a satisfactory and standard of access and movement across the network. The applicant has failed to agree to these mitigation measures or meet the cost. The applicant has instead proposed changes to the network as detailed in Appendix 1 ( paragraph 1.5). The Transport Planning Unit has advised that the changes to the network as proposed by the applicant would not achieve a satisfactory standard of access and movement across the network. The comments of the Transport Planning Unit are detailed in paragraphs 18-20 in the main report.
114. The applicant has calculated that the proposed development would result in an increase in traffic accidents at a rate of 0.6 accidents per year. The applicant does not consider the envisaged increase to be significant. It is not considered that the applicant has satisfactorily demonstrated that the increase in traffic accidents would be limited to the applicant's envisaged increase. Furthermore, without agreement on the mitigating measures, it is not agreed that the applicant's envisaged increase is not significant.
115. In terms of capacity, the proposed development would generate additional vehicular, cycling and pedestrian movements which could be satisfactorily accommodated by the network mitigation measures detailed by officers in paragraph 32 of the main report. At this stage, however, it is not clear what impact the proposed wider masterplan redevelopment would have on the transport network. For this reason, closing the A904 Bo'ness Road without the suggested mitigation by officers being in place would be a real concern.
116. The Transport Planning Unit has raised concerns in terms of road network resilience should the permanent closure of the A904 Bo'ness Road be implemented. At present, if there is any closure, part or otherwise, of Wholeflats Road for any reason, the A904 Bo'ness Road can provide connectivity between Bo'ness and Grangemouth and facilitate connection to the wider transport network. This resilience is an asset to the Council as roads authority to help maintain a sustainable and active travel transport network in keeping with statutory obligations. There is significant concern that as a result of the proposed permanent closure of the A904 Bo'ness Road that resilience in the transport network would be significantly reduced. The Transport Planning Unit has advised that the permanent closure of the A904 Bo'ness Road should be resisted until such time as:-
  - satisfactory changes to the transport network have been implemented in full to mitigate the impact of the proposed development.
  - full details and impact of the masterplan framework redevelopment are known and preparations for delivery of the masterplan redevelopment site is substantially completed.
117. The principle of the development proposed meets the terms of NPF3 and the Falkirk Local Development Plan. However the proposal with the mitigation measures being offered by the applicant fall short of what is considered adequate to address the transport network impact upon the local community and as such it doesn't fully accord with the Falkirk Local Development Plan.

**Condition**

- 1) The development hereby approved shall be implemented in accordance with the plan(s) itemised in the informative below and forming part of this permission unless 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.**

**Reason**

- 1) As those drawings and detail constitute the approved development.**

**Condition**

- 2) Notwithstanding any details previously submitted, no work shall commence on site until such time as details of access and parking arrangements at the proposed east and west security gates have been submitted to, and approved in writing by the Planning Authority.**

**Reason**

- 2) To safeguard the interests of road users.**

**Condition**

- 3) Notwithstanding any details previously submitted, no work shall commence on site until such time as details of all works to the transport network infrastructure to mitigate the impact of the permanent closure of part of the A904 Bo'ness Road have been submitted to an approved in writing by the Planning Authority. For the avoidance of doubt, transport network infrastructure is to be taken to include road and junction geometry, road markings, bus stops, signage and lighting.**

**Reason**

- 3) To safeguard the interest of road users.**

**Condition**

- 4) 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 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.**

**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.**

**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.**

**If unexpected contamination is found after development has begun, development of the affect part of the site must stop. The developer must notify the Planning Authority immediately and carry out a contaminated land assessment and undertake any necessary remediation works, before development of the affected part of the site may continue.**

#### **Reason**

- 4) To ensure the ground is suitable for the proposed development**

#### **Condition**

- 5) Notwithstanding any details previously submitted, there shall be no work on site until such time as finished floor levels have been submitted to, and approved in writing by the Planning Authority. For the avoidance of doubt, proposed finished floor levels should be demonstrated in relation to flooding levels and freeboard in respect of the application.**

#### **Reason**

- 5) To safeguard the proposed development from the potential risk of flooding.**

#### **Informatives**

- 1. In accordance with section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this permission lapses on the expiration of a period of 3 years beginning with the date on which this permission is granted unless the development to which this permission relates is begun before that expiration.**
- 2. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our reference number(s) 01, 02, 03, 04, 05-1, 05-2, 06, 07B, 08, 09B, 10, 11, 12, 13 14, 15, 16, 17, 18, 19A, 20**
- 3. The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:**

<b>Monday to Friday</b>	<b>08:00 - 19:00 Hours</b>
<b>Saturday</b>	<b>08:00 - 13:00 Hours</b>
<b>Sunday / Bank Holidays</b>	<b>No noise audible at site boundary</b>

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

- 4. The applicant is advised to consult Scottish Gas Network prior to commencement of development to safeguard gas network infrastructure.**