



Agenda Item 8

**FORMATION OF ACCESS AT LAND
AT BEANCROSS ROAD, WOOD
STREET, GRANGEMOUTH FOR
DRUMALBYN PROPERTIES LLP -
P/18/0590/FUL**

FALKIRK COUNCIL

Subject: FORMATION OF ACCESS AT LAND AT BEANCROSS ROAD, WOOD STREET, GRANGEMOUTH FOR DRUMALBYN PROPERTIES LLP - P/18/0590/FUL

Meeting: PLANNING COMMITTEE

Date: 22 May 2019

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: David Paterson (Planning Officer), Ext. 4757

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1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 The application site is located on the north side of Beancross Road, Grangemouth.
- 1.2 This application proposes the formation of a priority road junction to provide access to land adjacent and to the north, fronting Beancross Road, and extending to Wood Street, Grangemouth.
- 1.3 The applicant has stated that the purpose of the proposed access is to reduce the number of commercial traffic movements on Wood Street Grangemouth, to the north east, which is currently used to provide access to existing industrial and commercial development on Wood Street. Wood Street is also a residential area. The applicant states that reducing commercial traffic movements on Wood Street would improve road safety for residents.
- 1.4 The application is supported by a Transport Assessment (TA) which has been prepared to support the development of the land adjacent to, and to the north of the application site for industrial, commercial and residential purposes.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application has been referred to the Planning Committee at the request of Councillor Black. The reasons for the call-in relate to environmental impact and effect on infrastructure.

3. SITE HISTORY

- 3.1 F/2004/0016 - Formation of Access - Granted 18 August 2004.
- 3.2 Relevant to the proposed development is the planning history in respect of the land adjacent to, and to the north of, the application site to which the TA refers and comprises the land which the applicant proposes as alternative access to industrial and commercial properties on Wood Street.
- 3.3 F/96/0609 - Erection of 210 Dwellinghouses and 24 Flats (Detailed) - Refused on appeal - 1 June 1999.
- 3.4 F/2002/0662 - Development of Land for Housing Purposes (Outline) - Refused 8 March 2004.
- 3.5 Also relevant to the proposed development is planning history related to alterations to an road bridge over the railway near to the application site to the west and development at a former industrial site near to the application site on the south side of Beancross Road which altered the pattern of road access arrangements in the area of the application site.
- 3.6 P/13/0211/FUL - Proposed Jack-up of Overbridge - Granted 27 May 2013.
- 3.7 P/18/0054/FUL - Demolition of Industrial Building and Change of Use to Form Vehicle Sales Area with Further Sales, Additional Hardstanding/Car Parking/Retaining Wall and Boundary Fence - Granted 11 May 2018.
- 3.8 P/18/0334/FUL - Demolition of Industrial Building and Change of Use to Form Vehicle Sales Area with Further Additional Hardstanding/Car Parking/Retaining Wall and Boundary Fence - Granted 27 July 2018.

4. CONSULTATIONS

- 4.1 The Council's Transport Planning Unit has advised that the TA supporting the proposed development has been prepared to support development at land adjacent to and to the north of the application site which is not part of the proposal. Without details of development referred to in the TA, it is not possible to fully assess the suitability of the proposed access. The geometry of the proposed access does not safeguard the interests of cyclists and pedestrians.
- 4.2 The Council's Roads Development Unit has advised that the design of the proposed development (priority road junction access) is detrimental to road safety. The junction should be a roundabout in form.
- 4.3 Scottish Water has raised no objections. The applicant is advised to contact Scottish water regarding impact on water infrastructure.
- 4.4 The Council's Environmental Protection Unit has advised that contamination can be addressed by means of a condition. An informative is advised in respect of construction noise.

- 4.5 The Coal Authority advise that the application site is located in an area of low risk from the impact of historic mining activity. An informative in this respect attached to any planning permission would be appropriate.

5. COMMUNITY COUNCIL

- 5.1 No comments received.

6. PUBLIC REPRESENTATION

- 6.1 During the course of the application, two letters of representation have been received. Comments received are:-

- The proposal would have an impact on property values in the area.
- Site works have commenced at land adjacent to and to the north of the application site.
- There are inaccuracies in drawings submitted with the application in terms of directional references.
- Supporting documents refer to development at land adjacent to and to the north of the application site which are not part of the development proposed by this application.
- The purpose of the proposed access is not clear.

7. DETAILED APPRAISAL

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

Accordingly,

7a The Development Plan

- 7a.1 The Falkirk Local Development Plan 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 was assessed against the following policy or policies:

7a.2 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.3 The application site forms part of land identified in the Development Plan to be safeguarded for Class 4, 5 or 6 uses, Policy BUS02 "Core Business Area" applies. The proposed development would not prejudice the use of the land for uses stipulated in Policy BUS02.

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 The proposed development would not increase the number of people at risk in the area. The proposed development accords with Policy BUS05.

7a.6 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.7 The TA submitted in support of the proposed development is prepared to support a proposal to develop 1.75 ha of land at Wood Street/Beancross Road adjacent to and to the north of the application site for industrial, commercial and residential purposes. The first phase of this proposed development would involve the relocation of a building company and a builder's merchants from Wood Street Grangemouth to Beancross Road frontage land. The TA is submitted with the purpose of demonstrating that the proposed access would be of a satisfactory standard (albeit there may be subsequent upgrading required at a future date) to accommodate this wider industrial, commercial and residential proposal. The wider industrial, commercial and residential development to which the TA refers, and is essential for the assessment of the proposed access, does not form part of the proposed development. The relocation of existing industrial uses and the wider, phased, proposed industrial, commercial and residential development requires planning permission and permission has not been sought or granted. Consequently, this cannot be relied upon as a reason to support the application. The current application, as supported by the TA pre-judges the proposed industrial, commercial and residential development. Without further details of the wider industrial, commercial and residential development referred to in the TA, it is not possible to assess whether the proposed access is suitable in its current proposed form in terms of design or location. The proposed development does not therefore accord with Policy INF10 of the Falkirk Local Development Plan "Transport Assessments".

7a.8 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.

- 7a.9 The vertical and horizontal geometry of Beancross Road is such that the appropriate solution from both a driver/junction continuity and an access perspective would be a junction in the form of a roundabout. Anything other than a roundabout junction at this location would disrupt driver/junction continuity and be contrary to good road safety practice. The proposed priority junction, whether or not incorporating traffic signalling, would be hazardous to road safety. The proposed development does not therefore accord with Policy D02 of the Falkirk Local Development Plan "Sustainable Design Principles".

7b Material Considerations

- 7b.1 The material planning considerations to be assessed are consideration of the site in relation to coal mining legacy, Scottish Planning Policy, responses to consultation, summary of main issues in the Transport Assessment, assessment of public representations, planning history, the purpose of the proposed access and the emerging Falkirk Local Development Plan 2.

Consideration of the Site in relation to Coal Mining Legacy

- 7b.2 The application site falls within or is partially within the Development Low Risk Area as defined by the Coal Authority. However, as coal mining activity was undertaken at depth, no recorded surface hazards currently exist which could pose a risk to new development. Unrecorded coal mining related hazards could still exist. It is not necessary to consult the Coal Authority on any planning applications which fall within the Development Low Risk Area.
- 7b.3 Where planning permission is to be granted, an appropriate informative note appears on the Decision Notice.

Scottish Planning Policy

- 7b.4 Scottish Planning Policy states that development proposals which have the potential to affect the performance or safety of the strategic transport network need to be fully assessed to determine their impact. The comments of the Transport Planning Unit and the Roads Development Unit are noted. The Transport Planning Unit has advised that without details of the wider industrial, commercial and residential development referred to in the Transport Assessment, it is not possible to fully assess whether the proposed access is suitable in terms of design or location. The Roads Development Unit however has advised that vertical and horizontal geometry of Beancross Road is such that the appropriate solution from both a driver continuity perspective and an access perspective would be a junction arrangement in the form of a roundabout. Anything other than a roundabout junction at this location would disrupt driver continuity and be contrary to good road safety practice. The proposed priority junction, whether or not incorporating traffic signalling, would be hazardous to road safety.
- 7b.5 The proposed development does not accord with Scottish Planning Policy in terms of sustainable transport and active travel.

Responses to Consultation

- 7b.6 The Council's Transport Planning Unit has advised that without details of the wider industrial, commercial and residential development referred to in the Transport Assessment, it is not possible to assess whether the proposed access is suitable in terms of design or location.
- 7b.7 The Council's Roads Development Unit has advised that vertical and horizontal geometry of Beancross Road is such that the appropriate solution from both a driver continuity perspective and an access perspective would be a junction in the form of a roundabout. Anything other than a roundabout junction at this location would disrupt driver continuity and be contrary to good road safety practice. The proposed priority junction, whether or not incorporating traffic signalling, would be hazardous to road safety.
- 7b.8 It is noted that other comments received from consultees can be addressed by means of conditions and informatives.

Summary of Main Issues in Transport Assessment

- 7b.9 The Transport Assessment submitted in support of the proposed development is prepared to support a proposal to develop 1.75 ha of land at Wood Street/Beancross Road adjacent to and to the north of the application site for industrial, commercial and residential purposes. The first phase of this proposed development would involve the relocation of a building company and a builder's merchants from Wood Street Grangemouth to Beancross Road frontage land. The Transport Assessment is submitted with the purpose of demonstrating that the proposed access would be of a satisfactory standard (albeit there may be subsequent upgrading required at a future date) to accommodate this wider industrial, commercial and residential proposal. The wider industrial, commercial and residential development to which the Transport Assessment refers, and is essential for the assessment of the proposed access, does not form part of the proposed development. The relocation of existing industrial uses and the wider, phased, proposed industrial, commercial and residential development requires planning permission and permission has not been sought or granted. Consequently, this cannot be relied upon as a reason to support the application.

The current application, as supported by the Transport Assessment pre-judges the proposed industrial, commercial and residential development. Without details of the wider industrial, commercial and residential development referred to in the Transport Assessment, it is not possible to assess whether the proposed access is suitable in terms of design or location.

Assessment of Public Representation

- 7b.10 Impact on property value is not a material planning consideration.
- 7b.11 It is noted that the land adjacent to, and to the north of, the application site has been cleared of vegetation. The proposed development does not relate to this work. The ground clearance work does not prejudice the consideration of the proposed development.
- 7b.12 The drawings supporting the proposed development are sufficient to consider the proposal.
- 7b.13 This report reflects concerns raised in respect of development referred to in supporting documents not proposed by this application or any related application or permission.
- 7b.14 The applicant has clarified the purpose of the proposal as outlined in section 1 of this report.

Planning History

- 7b.15 The applicant considers that the proposed development does not materially differ from the proposed development granted under the terms of planning permission F/2004/0016 detailed in section 2 of this report. However, section 2 also details developments which have been implemented since the granting of planning permission F/2004/0016. The overbridge near to the site at the west side has been raised by 250mm reducing traffic visibility in proximity to the location of the proposed development. Other developments have altered the pattern of access points from Beancross Road to other premises in close proximity to the application site. The form and location of the proposed development has been assessed in terms of the current transport network layout. The consultation responses of the Council's Transport Planning Unit and Roads Development Unit detail the findings of these relevant assessments.

The Proposed Purpose of the Proposed Access

- 7b.16 It is noted that the applicant has submitted supporting documentation clarifying that the purpose of the proposed development is to reduce the level of commercial road traffic taking access to industrial and commercial properties at Wood Street, Grangemouth and provide access to proposed industrial, commercial and residential development at land adjacent to, and to the north of, the application site. It is noted, however, that there is no road network at the land adjacent to, and to the north of the application site, to which the proposed access would connect. The proposed development does not include any such road infrastructure or any industrial, commercial and residential development at the land. Without details of any such context of a wider road infrastructure network or details of industrial, commercial and residential development referred to in the Transport Assessment, it is not possible to assess whether the proposed access is suitable in terms of design or location to serve the purpose proposed by the applicant. A purpose related to development for which planning permission has not been granted or sought.

Falkirk Local Development Plan (Proposed Plan)

- 7b.17 The Falkirk Local Development Plan 2 (FLDP2) has been approved by the Council for consultation. The consultation period ran from 27 September 2018 to 23 November 2018. Following consideration by Scottish Ministers of representations received, it is expected that FLDP2 will be adopted in 2020, at which point it will replace the current Falkirk Local Development Plan. FLDP2 provides the most up to date indication of Falkirk Council's views in relation to Development Plan policy and constitutes a material consideration in the determination of planning applications.
- 7b.18 The application site forms part of land identified in the FLDP2 to be safeguarded for Class 4, 5 and 6 uses. Policy JE02 "Core Business Areas" and Policy IR05 "Transport Assessments" also apply. FLDP2 broadly reflects policies of the adopted Falkirk Local Development Plan in terms of the consideration of this application.

7c Conclusion

- 7c.1 The proposed development does not accord with the Falkirk Local Development Plan, the Proposed Falkirk Local Development Plan 2 and Scottish Planning Policy.
- 7c.2 Without adequate details of road infrastructure network to which the proposed access would connect, and details of industrial, commercial and residential development referred to in the Transport Assessment, at land adjacent to and to the north of the application site, it is not possible to fully assess whether the proposed access is suitable in terms of design or location.
- 7c.3 The vertical and horizontal geometry of Beancross Road is such that the appropriate solution from both a driver continuity perspective and an access perspective would be a junction in the form of a roundabout. Anything other than a roundabout junction at this location would disrupt driver continuity and be contrary to best road safety practice. The proposed priority junction, whether or not incorporating traffic signalling, would be hazardous to the best interests of road safety.

8. RECOMMENDATION

8.1 It is therefore recommended that the Planning Committee refuse planning permission for the following:-

Reason(s):-

- 1. Inadequate information has been submitted to allow assessment of the proposed access. The access, as supported by the applicants Transport Assessment, relates to industrial, commercial and residential development on a larger site out with the application site but within the applicants ownership and control. Planning permission has not been granted or sought for that industrial, commercial and residential development and the land is not allocated in the Falkirk Local Development Plan and the Falkirk Local Development Plan 2, Proposed Plan (September 2018) for that development. Approval of the detailed access design proposed requires the Council to prejudge the proposal for industrial, commercial and residential development. This is not acceptable or appropriate. The proposal is therefore contrary to Policy INF10 of the Falkirk Local Development Plan “Transport Assessments”, Policy IR05 of the Falkirk Local Development Plan 2, Proposed Plan (September 2018) “Transport Assessments” and Scottish Planning Policy. In the interests of good planning this policy framework seeks to ensure the impacts of development on the performance and safety of the transport network are fully considered and assessed.**
- 2. The proposed access is not suitable by reason of its design; location in relation to other access points on Beancross Road and; the vertical and horizontal alignment of Beancross Road. The proposal would be detrimental to road safety and the free flow of traffic on Beancross Road. The proposed access is therefore contrary to Policy DO2 of the Falkirk Local Development Plan ‘Sustainable Design Principles’ which seeks to ensure suitable development in relation to traffic and road safety.**

Informative(s):-

- 1. For the avoidance of doubt, the plan(s) to which this decision refer(s) bear our online reference number(s) 01A and 02.**

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Pp Director of Development Services

Date: 13 May 2019

LIST OF BACKGROUND PAPERS

1. Falkirk Local Development Plan.
2. Scottish Planning Policy.
3. Proposed Falkirk Local Development Plan 2 (Proposed Plan).
4. Objection received from Wallace Planning Ltd, 4 Cammo Brae, Edinburgh, EH4 8ET on 7 November 2018.
5. Objection received from Mrs Mary McNaught, 44 Wood Street, Grangemouth, FK3 8Lw on 21 December 2018.

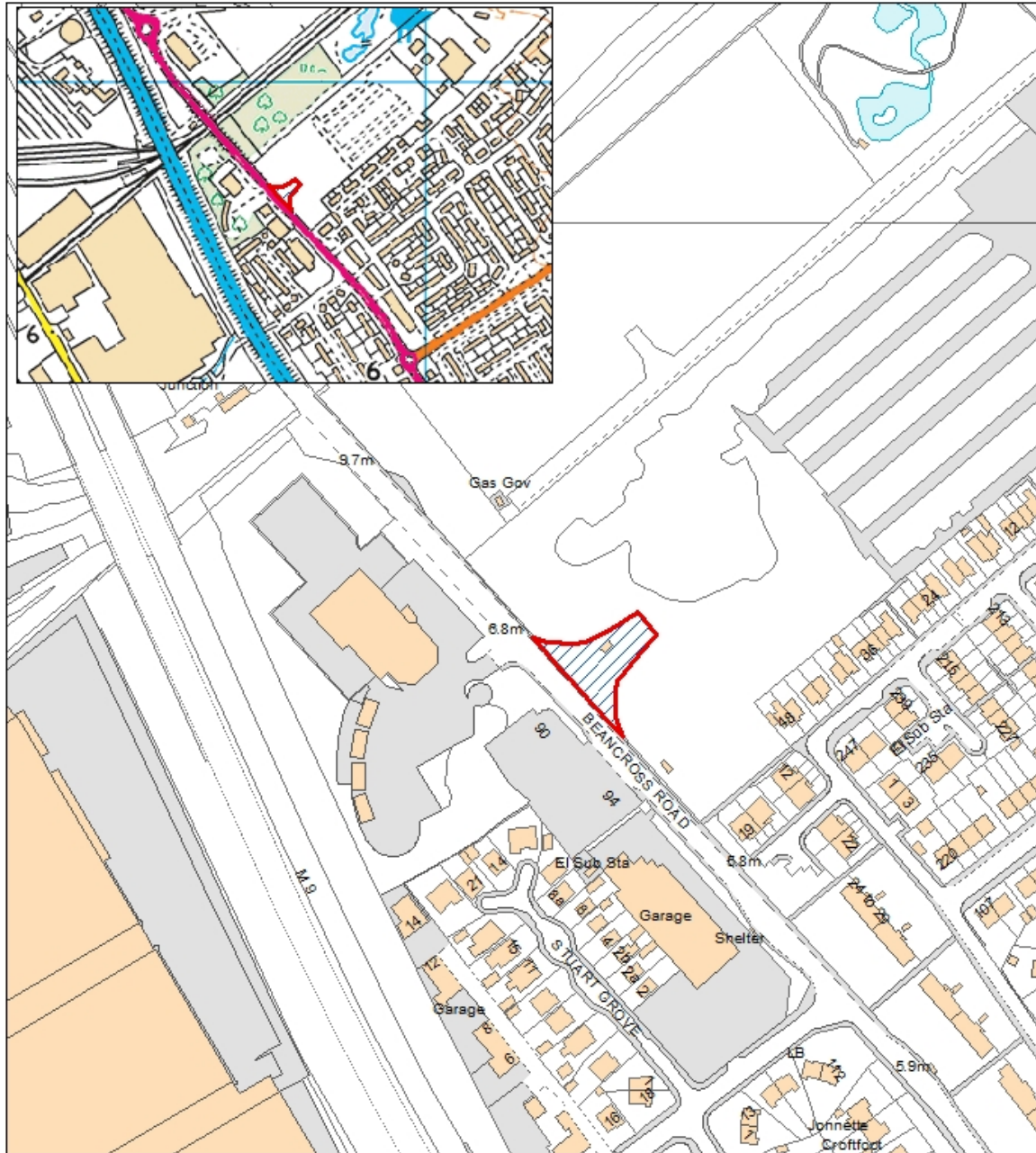
Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504757 and ask for David Paterson, Planning Officer.

Planning Committee

Planning Application Location Plan

P/18/0590/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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