

The background of the page features a large, light blue watermark of the coat of arms of the Metropolitan Borough of Havering. The coat of arms consists of a shield supported by two figures, topped with a crown. The shield is divided into four quarters: the top-left quarter shows a castle tower, the top-right quarter shows a stag's head, the bottom-left quarter shows a ship, and the bottom-right quarter shows a tree. A banner at the bottom of the shield contains the motto 'ANE FOR A'.

Agenda Item 6

**ERECTION OF 24 FLATTED
DWELLINGS, 6 DWELLINGHOUSES
AND ASSOCIATED
INFRASTRUCTURE AT 6
COMMISSIONER STREET, BO'NESS,
EH51 9AF FOR MGR HOLDINGS LTD
- P/20/0191/FUL**

FALKIRK COUNCIL

Subject: ERECTION OF 24 FLATTED DWELLINGS, 6
DWELLINGHOUSES AND ASSOCIATED INFRASTRUCTURE
AT 6 COMMISSIONER STREET, BO'NESS, EH51 9AF FOR
MGR HOLDINGS LTD - P/20/0191/FUL

Meeting: PLANNING COMMITTEE
Date: 21 January 2021
Author: DIRECTOR OF DEVELOPMENT SERVICES

Local Members: Ward - Bo'ness and Blackness

Councillor David Aitchison
Councillor Lynn Munro
Depute Provost Ann Ritchie

Community Council: Bo'ness

Case Officer: Julie Seidel (Planning Officer), Ext. 4880

[View this Application on Public Access](#)

1. DESCRIPTION OF PROPOSAL / SITE LOCATION

- 1.1 This application relates to the development of 24 flats and 6 dwellinghouses. The site is within Bo'ness town centre, at the junction of Commissioner Street and Union Street. The site was formerly occupied by industrial buildings which have now been demolished (some demolition debris remained on site at the time of the last site visit).
- 1.2 The development comprises a terrace of 6, 2-storey dwellinghouses fronting Commissioner Street. The flats are contained in two 3-storey blocks, fronting Union Street and the corner of Union Street and Commissioner Street.
- 1.3 The site lies within Bo'ness Town Centre Conservation Area. The site has residential development to the east and south, the former police station (now vacant) to the west and Bo'ness Harbour to the north.

2. REASON FOR COMMITTEE CONSIDERATION

- 2.1 The application requires to be determined by the Planning Committee because it is proposed to grant the application and there is a formal objection from a statutory consultee, (Health and Safety Executive) that would require a referral of the application to Scottish Ministers.

3. SITE HISTORY

3.1 There is no planning history of relevance to the proposed development.

4. CONSULTATIONS

4.1 The Council's Environmental Protection Unit has not objected to the application, subject to a planning condition in relation to ground contamination.

4.2 The Council's Roads Development Unit has not objected to the application.

4.3 The Council's Children's Services (Education) have not objected to the application and advise that the development does not require any contributions for education or nursery provision.

4.4 The Health and Safety Executive (HSE) WebApp advises against development on safety grounds.

4.5 Ineos FPS have not objected to the application. They consider that the safety and engineering integrity of the Forties Pipeline would not be affected by the proposed development.

4.6 Scottish Water has not objected to the application. Balmore Water Treatment Works and Bo'ness Waste Water Treatment works have sufficient capacity to accommodate the proposed development.

4.7 The Coal Authority have not objected to the application. Intrusive site investigations are not required as part of the planning process.

4.8 SEPA have not objected to the proposed development, with specific reference to flood risk.

4.9 Forth Valley NHS have not responded to consultation.

5. COMMUNITY COUNCIL

5.1 The Bo'ness Community Council did not make comment on the application.

6. PUBLIC REPRESENTATION

6.1 In the course of the application, no letters of representation were submitted to the Council.

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 \(LDP2\)](#) was adopted on 7 August 2020. The proposed development was assessed against the following policy or policies.

Policy HC01 - Housing Land

7a.2 The Council generally support residential development as indicated in the spatial strategy and proposals and opportunities schedule. In this instance, the application site is an allocated housing opportunity (H06). The application generally accords with the site comments in relation to the conservation area, design and materials. The application is supported by policy HC01 'Housing Land'.

Policy HC03 - Affordable Housing

7a.3 Development proposals of 20 units and over require to contribute to affordable housing provision. In Bo'ness, the rate is 15%. The applicant's Design and Access Statement advises that the development is for 100% affordable housing, for a registered social landlord. Delivery of affordable housing shall be secured by legal agreement, to ensure compliance with policy HC03 'Affordable Housing'.

Policy HC04 - Housing Density and Site Capacity

7a.4 The proposed development exceeds the indicative site capacity (H06) of 12 units. It is considered that the character, settlement pattern and density of development in the surrounding town location give weight to a higher density. The development would achieve a good level of residential amenity, with regard to privacy, daylighting and the architectural quality of development. It is considered that the application does not offend policy HC04 'Housing Density and Site Capacity'.

Policy IR02 - Developer Contributions

7a.5 The application site is in a town centre location where education and open space contributions are not sought for flatted developments (up to 50 units). The application includes both flats and housing, which means that developer contributions may be sought in relation to the proposed housing. Education contributions are not required in this instance, as local catchment schools and nursery provision can accommodate the proposed development. An open space audit identifies Victoria Park as being in need of investment. Contributions towards open space improvements to Victoria Park (from the proposed housing element of development) will be secured by legal agreement, in accordance with IR02 'Developer Contributions'.

Policy IR03 - Education and New Housing Development

7a.6 Children's Services confirm that existing catchment schools and nursery provision can accommodate the proposed development. Developer contributions are not required in accordance with policy IR03 'Education and New Housing Development'.

Policy IR10 – Drainage Infrastructure

7a.7 The application was supported by a drainage strategy, in accordance with policy IR10 'Drainage Infrastructure'.

Policy IR13 - Low and Zero Carbon Development

- 7a.8 The applicant indicates that the development is likely to achieve 'Bronze Active' level of sustainability. More information is required to demonstrate that 12% of the overall reduction in CO₂ emissions can be achieved. It is acceptable to progress with a planning condition in accordance with policy IR13 'Low and Zero Carbon Development'.

Policy JE06 - Major Hazards

- 7a.9 The application site is in the middle zone of the Forties Pipeline. It is considered that the development would increase the number of people exposed to risk in the area, by introducing 30 residential units to a former industrial site. This is balanced against the former use of the site for industry and the number of people who could potentially be on site and exposed to risk if an industrial use was to continue on site. The proposed development would achieve significant regeneration benefits which could not be secured by other means. The vacant, overgrown and derelict site has had a negative impact on the residential amenity and the character and appearance of the conservation area for a number of years. The development would not have an impact on the operation of the pipeline (as confirmed by Ineos by consultation). The application accords with the thrust of policy PE06 'Major Hazards'.

Policy JE07 - Town and Local Centres

- 7a.10 The application site is located in Bo'ness town centre where residential development and regeneration and enhancement proposals are welcomed. Priority is given to development mentioned on the proposals and opportunities schedule. The application accords and is supported by policy JE07 'Town and Local Centres'.

Policy PE01 – Placemaking

- 7a.11 The application is supported by policy PE01 'Placemaking' as the development would promote the six qualities of successful places as defined in Scottish Planning Policy. It is considered that the scale, siting and design of the development would respond positively and sympathetically to the site's surroundings and would create a coherent structure of buildings and streets, which respect the historic settlement pattern of the conservation area. The development would encourage the use of sustainable travel (being located in a town centre location) and would be built on an existing network of paths, edges and nodes.

Policy PE08 - Conservation Areas

- 7a.12 The application site is located in Bo'ness Town Centre Conservation Area. The site was formerly industrial, with debris still visible on site. It is considered that development of the site for residential use would enhance the character of the conservation area. The scale, massing, design and materials of the proposed development would take influence from the architectural character of the wider conservation area and it is considered that the development would be a positive addition to the conservation area. The application accords with policy PE08 'Conservation Areas'.

Policy PE17 - Open Space and New Development

- 7a.13 Where appropriate, proposals for new development should include public open space integrated into the development. In this instance, the town centre location and site constraints make on-site provision unachievable. Policy PE17 requires contributions for off-site provision where the quantity, quality or accessibility of existing open space is insufficient to meet the needs of the proposed development. Existing open space resources which could serve the development are assessed as follows:

Play space

- The closest play space to the application site is at Victoria Park (610m). Victoria Park is identified in the Council's Open Space Strategy for improvement. The play equipment has been upgraded, but there are recommendations for action that have not yet been addressed including path connections, lighting/security, maintenance of shrubs and trees.

Park/informal open space

- The site is very close to Bo'ness Foreshore (150m) which is an extensive and attractive open space resource, meeting the passive recreation/informal play needs of the proposed development.

Sports area

- Grahamsdyke playing fields are 1200m from the site (which is just within the accessibility standard). There is no information on the quality of the pitches, or pitch strategy to indicate future needs or investment priorities.

Natural greenspace/green corridors

- There is good access to natural greenspace through proximity to Bo'ness Foreshore. No site related opportunity for green network enhancement are identified.

7a.14 Under Policy IR02, flats within town centre locations are exempted from open space contributions. As such, only the housing element of the proposed development needs to be assessed. It is considered that the application site is generally well served by existing open space resources. It is noted that Victoria Park is identified for improvement in the Council's Open Space Strategy and is the closest play park to the application site. Contributions should therefore be sought for the proposed houses using the active open space rate from LDP1 SG13 'Open Space and New Development' of £5,292 (£882 x 6).

Policy PE24 - Flood Management

7a.15 The application was submitted with a flood risk assessment, site levels, flow path information and drainage strategy. SEPA advise that the application site is an acceptable location for residential development and would not have a detrimental impact on the functional floodplain. The application accords with policy PE24 'Flood Management'.

Policy PE27 – Vacant, Derelict and Contaminated Land

7a.16 The site was historically used for industry, but has laid empty and in a very dilapidated and overgrown condition for a number of years. Buildings and structures at the site were recently demolished and demolition materials are still visible on site. It is considered that the development of the site for residential use, in a form presented by the applicant, is supported by policy PE27 'Vacant, Derelict and Contaminated Land'.

Supplementary Guidance Forming Part of LDP2

- 7a.17 The application accords with general principles contained in adopted Supplementary Guidance (SG) SG02 'Neighbourhood Design'.
- 7a.18 Draft SG06 'Affordable Housing' provides detailed guidance on the delivery of affordable housing in the Falkirk Council area. The application proposes the provision of 100% social rented accommodation, which is in accordance with SG06.
- 7a.19 Draft SG13 'Developer Contributions' advises that flatted development proposals (up to 50 units) within town centre locations are exempt from making contributions towards education or open space. In this instance, education contributions are not being sought as local catchment schools and nursery provision can accommodate the development. As such, the housing element of the proposed development requires to be assessed in relation to open space provision.
- 7a.20 An open space audit was carried out which identified that the closest play park to the application site is in need of investment (as identified in the Council's Open Space Strategy). Draft SG05 'Green Infrastructure and New Development' is at an early stage (consultation expected early 2021), as such open space contribution figures contained in LDP1 SG13 are relevant. £5,292 (£882 per house) is sought, to be secured by legal agreement.
- 7a.21 Accordingly, the application is assessed as being in accordance with the Development Plan.

7b Material Considerations

- 7b.1 The material considerations to be assessed are non-statutory supplementary guidance and the consultation responses.

Non-statutory Supplementary Guidance

- 7b.2 Falkirk Council Supplementary Guidance (SG) is in the process of being reviewed and updated in light of the adoption of the LDP2. Until such time that a SG has been replaced, the LDP1 SGs continue to provide more detailed guidance on planning policies contained in LDP2.
- 7b.3 It is acceptable to get full details of the proposed on-site low and zero carbon generating technologies by condition in accordance with LDP1, SG15 'Low and Zero Carbon Development'.

Consultation Responses

- 7b.4 The application site is within the middle zone of the Forties pipeline. The Health and Safety Executive (HSE) were consulted using the WebApp and advise that there are sufficient reasons on safety grounds, for advising against the granting of planning permission.

- 7b.5 The applicant's Design and Access Statement refers to information on the pipeline which is publicly available. They refer to a report 'HSE Land Use Planning, Re-evaluation of Major Accident Hazard Pipeline Consultation Distances' used to support planning application P/18/0424/PPP (Main Street, Bo'ness). The report concludes that the specification of the pipeline near the application site is different to that formally notified to HSE. This is in the form of thicker walled pipe, concrete coating and an increased burial depth. The new information supports a re-evaluation of the consultation methodology by HSE.
- 7b.6 The existing land use planning zones for the Forties Pipeline were set in 1992. HSE reviewed them in 2000 and 2005, however, they have remained unchanged at 110m, 380m and 435m. HSE plan to review and update its risk assessment models for pipelines carrying hazardous substances. The composition of the fluid transported in the Forties Pipeline is complex and it will be some time (HSE have indicated that it may take a number of years) before the results of the review and modelling by HSE will be available. Until the work is undertaken, HSE advise that they will provide advice based on the current consultation zones and will not take any new or additional information about pipeline specification into account. Members should not assume that the remodelling work would necessarily change the zones or impact the outcome of the HSE advice in relation to this application.
- 7b.7 HSE's advice in relation to residential development is usually determined by a combination of:
- the consultation zone (inner, middle or outer) in which the development is located; and
 - the 'Sensitivity Level' of the proposed development which is derived from HSE's categorisation system of 'Development Types'.
- 7b.8 In this instance the density of development within the middle zone, triggered an advise against development.
- 7b.9 The aim of HSE advice, relating to land use planning, is to mitigate the effects of a major accident on the population in the vicinity of hazardous installations. In this instance, the application relates to the development of an allocated housing site within a town centre location. The LDP2 supports the development of the site for residential use and there is evidence to suggest that the specification for the Forties Pipeline, is different to that which HSE base their assessment on (although HSE are not in a position to review and remodel the zones affecting the application site at this time). A 'do not advise against' could be achieved by ensuring that the number of units developed on site is significantly reduced. On the basis of the settlement pattern, architectural character and density of development in the surrounding town centre conservation area, significantly reducing the density of development would not be an acceptable form of mitigation in this instance.
- 7b.10 It is considered that the town centre location, allocation of the site for housing and regeneration benefits of the development outweigh the HSE objection. Where the Council are minded to grant planning permission, contrary to HSE advice, Scottish Ministers will be notified and can 'call in' the application for their determination.
- 7b.11 There are no other matters raised which cannot be addressed through the imposition of planning conditions and informatives.

Human Rights Assessment

7b.12 The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process to assess the effects that a proposal will have on individuals and weigh these against the wider public interest in determining whether development should be allowed to proceed. The Human Rights Act 1998 adds a new test of proportionality to local authorities' decision making and in its assessment of development proposals the planning authority should be satisfied that it had acted proportionately, whether the action is proportionate to its aim. The Human Rights Act 1998 has been considered in reaching a recommendation to Planning Committee.

7c Conclusion

7c.1 The application is assessed as being in accordance with the Development Plan. The HSE advise against development, however, their concerns are not considered to outweigh the Development Plan on the basis of the allocation of the site in LDP2 for residential development, the town centre location and the potential regeneration benefits.

7c.2 The application is recommended as Minded to Grant, subject to notification of the application to Scottish Ministers on the basis of the HSE objection. Thereafter, if Scottish Ministers do not call in the application for their own determination it is recommended, upon the satisfactory conclusion of a legal agreement and appropriate conditions, planning permission should be granted.

8. RECOMMENDATION

8.1 **It is therefore recommended that the Committee indicate that it is Minded to Grant Planning Permission subject to:-**

- (a) Notification of the application to Scottish Ministers in relation to the HSE objection, in accordance with the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009;**
- (b) Conclusion of a Legal Agreement in terms satisfactory to the Director of Development Services within 6 months of the date of a Minded to Grant decision and index linked from that date, as follows:**
 - **Contributions of £5,292 (£882 per dwellinghouse) for improvements to Victoria Park, Bo'ness; and**
 - **The provision of a minimum of 15% of affordable housing (social rented accommodation to be accommodated on site).**
- (c) Thereafter, remit to the Director of Development Services, to grant the application subject to the following condition(s):-**
 - 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 a variation is required by a condition of the permission or a non-material variation has been agreed in writing by Falkirk Council as Planning Authority.**

Reason(s):-

- 1. As these drawings and details constitute the approved development.**
- 2. To ensure the ground is suitable for the approved development.**
- 3. To safeguard the visual amenity of the area.**
- 4. To ensure the development achieves the required CO₂ emission reduction as a result of development.**

Informative(s):-

- 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 online reference number(s) 01, 02B, 03B, 04B, 05A and Supporting Documents.**
- 3. It is recommended that water resilient materials should be incorporated into the design of the flatted dwellings.**
- 4. The applicant shall ensure that noisy work which is audible at the site boundary shall ONLY be conducted between the following hours:**

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

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

.....
pp Acting Director of Development Services

Date: 12 January 2021

LIST OF BACKGROUND PAPERS

1. The Falkirk Local Development Plan 2
2. Planning application P/18/0424/PPP

Any person wishing to inspect the background papers listed above should telephone Falkirk 01324 504880 and ask for Julie Seidel, Planning Officer.

Policy Schedule

HC01 Housing Land

1. The housing supply target is 6,894 homes for the period 2017–2030. To meet this target, the Council will support residential development as indicated generally in the Spatial Strategy and as detailed in the Proposals and Opportunities Schedule and Settlement Statements, and on suitable windfall sites which satisfy Policy HC02.
2. The Council will maintain at least 5 years' supply of effective housing land to ensure that the Housing Supply Target is met in full over the development plan period. The Housing Land Audit is the primary source of evidence for monitoring the availability of effective housing land. If, during the period of the plan, a shortfall in the 5 year supply of effective land emerges, additional sites for housing will be supported where the proposal would constitute sustainable development, having regard to the relevant criteria in Scottish Planning Policy and other LDP policies. In such circumstances, the scale of the proposed development relative to the scale of the shortfall will be a material consideration. The Council may also impose specific time limits on any planning permissions granted, to ensure that housing is delivered to a timescale that will address the identified shortfall.

HC03 Affordable Housing

Housing developments of 20 units and over will provide affordable housing as set out below. The approach to provision should comply with Supplementary Guidance SG06 'Affordable Housing'.

Settlement Areas of Larbert/Stenhousemuir; Rural North; Braes; and Rural South - affordable housing on site – **25%**

Settlement Areas of Bo'ness; Bonnybridge and Banknock; Denny; Falkirk; and Grangemouth – **15%**

HC04 Housing Density and Site Capacity

1. The density and overall capacity of housing sites should be determined by a site planning process, based on the placemaking principles set out in Policy PE01, and in particular prior consideration of:
 - The context of the site and the character of the surrounding area;
 - Existing natural and built features which require to be retained within an appropriate setting;
 - Open space, flooding and surface water management, and other green infrastructure requirements;
 - Landscape impacts and associated mitigation requirements;
 - Other site constraints; and
 - Residential amenity, with particular regard to privacy, daylighting and suitable provision of private garden ground.

2. Where housing capacity figures set out in the Proposals and Opportunities Schedule have yet to be informed by an approved detailed masterplan, they will be regarded as indicative, pending the preparation of such a masterplan. However, where a proposed site capacity exceeds that set out in the Schedule, this will need to be fully justified through a design statement, which addresses Policy PE01 and the factors listed in sub section (1) above.

IR02 Developer Contributions

Developers will be required to contribute to the provision, upgrading and, where appropriate, the maintenance of infrastructure where development will create or exacerbate deficiencies in, or impose significantly increased burdens on, existing infrastructure. The types of infrastructure where contributions may be required are set out in Table 4.1. The nature, scale and phasing of developer contributions will be determined by:

1. Guidance and contribution rates set out in SG13 'Developer Contributions';
2. Site specific requirements set out in the LDP or relevant development brief; and
3. The principles contained in Circular 3/2012 'Planning Obligations and Good Neighbour Agreements'.

In assessing applications where developer contributions are required, the economic viability of proposals will be taken into account as a material consideration where supported by a Development Viability Statement. In rare circumstances developer contributions for education and open space will be waived for flatted residential development, or conversions of buildings for residential use, of up to 50 units within town centre boundaries.

IR03 Education and New Housing Development

Where there will be insufficient capacity within catchment schools to accommodate children from proposed new housing development, or where Council nursery provision will be adversely affected, developer contributions will be sought in line with Policy IR02 to mitigate these impacts. In the rare circumstances where such mitigation cannot be achieved in a manner which is consistent with the Council's education policies, the proposed development will not be supported.

IR10 DRAINAGE INFRASTRURE

1. Necessary sewerage infrastructure associated with new development should either be adopted by Scottish Water or have alternative maintenance arrangements which are acceptable to SEPA. Connection to the public sewer is the most sustainable option and will ensure that any pollution risk to the environment is minimised.
2. Surface water management for new development should comply with current best practice on Sustainable Urban Drainage Systems (SUDS), where appropriate forming an integral part of the development's landscape structure as set out within Supplementary Guidance SG05 'Green Infrastructure and New Development'. SUDS will be required to meet the specifications as detailed in the most recent version of Sewers for Scotland should the developer wish the surface water system to vest in Scottish Water.
3. For developments that involve a change of use and/or redevelopment, wherever possible, opportunities should be taken to retrofit SUDS.

4. 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. The strategy should follow the latest version of the SUDS Manual.

IR13 Low and Zero Carbon Development

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 12% 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 is contained in Supplementary Guidance SG14 Renewable and Low Carbon Energy. 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 the other sustainability aspects of the current Sections 6 and 7 of the current Building Standards Technical Handbook.

JE06 Major Hazards

1. Proposals within Major Hazard and Pipeline Consultation Zones and not themselves major hazard developments will be assessed against the following factors:
 - Any 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 chemical and petro-chemical sites and pipelines.
2. Applications for hazardous substance consent (HSC) that would extend major hazard consultation distances within the urban area will be assessed against their impact on allocated development plan sites and any increase in the number of people exposed to risk in the area while taking into account the need to safeguard nationally important clusters of industry handling hazardous substances.

3. Applications for HSC should demonstrate that off-site impacts 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.
4. The revocation of HSC consents will be pursued where the use on the site has ceased. Redevelopment of existing major hazard sites for other non-hazardous uses should also include a review of the HSC's associated with the site.
5. The preferred location for new pipelines will be in existing Pipeline Consultation Zones.

JE07 Town and Local Centres

1. The Council will promote the vitality and viability of town and local centres, and their role as defined in the Spatial Strategy, through:
 - Applying the town centre first principle;
 - Promoting a diverse range of uses, and encouraging residential development through the waiving of education and open space contributions for residential use in certain circumstances within town centre boundaries, as set out in Policy IR02;
 - Promoting opportunities for development, regeneration and enhancement, with priority given to those identified in the Proposals and Opportunities Schedule; and
 - Improving their accessibility
2. Development or changes of use for retail, business, food and drink, leisure and tourism, cultural and community uses, residential or other appropriate town centres uses within town and local centres will be supported provided that:
 - They support the vitality and viability of the centre;
 - They are consistent in type and scale with the centre's role within the network of centres as set out in the Spatial Strategy, and will not undermine the role of any other centre;
 - Within ground floor premises on established shopping streets, an active frontage is maintained; and
 - They are of a high design quality, are compatible with adjacent uses and able to integrate successfully with the centre.

PE01 Placemaking

Development proposals should promote the six qualities of successful places as defined in Scottish Planning Policy by addressing the following principles:

1. Distinctive

- Existing natural and historic environment features should be identified, conserved, enhanced and integrated sensitively into development. Further guidance is set out in Policies PE05-PE27, and accompanying Supplementary Guidance SG07- SG12;
- The scale, siting and design of new development should respond positively and sympathetically to the site's surroundings, and create a coherent structure of buildings, streets and public spaces that are attractive, distinctive and create a sense of identity within the development. Further guidance is set out in SG02 'Neighbourhood Design';

- Development should include landscaping and green infrastructure which enhances, structures and unifies the development, assists integration with its surroundings, manages surface water sustainably, and contributes, where appropriate, to the wider green network. Further guidance is set out in SG05 'Green Infrastructure and New Development';
- Developments of a significant scale should contribute to public art either through a contribution to an existing local project, or through provision of public art within the development, guided by a strategy prepared by the developer in consultation with the Council and Falkirk Community Trust. Further guidance is set out within SG13 'Developer Contributions' and the public art procurement guide produced by Falkirk Community Trust.

2. Safe and pleasant

- Development 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 provision of safe access for all. Further guidance is set out in SG02 'Neighbourhood Design';
- Development should not exacerbate existing air quality issues or introduce new sources of pollution which impact on local air quality without appropriate mitigation.

3. Easy to move around and beyond

- Development should be designed to encourage the use of active travel and sustainable, integrated transport. Further guidance is set out in Policies IR05-IR07;
- Development should build on the existing network of paths, edges, nodes, districts and landmarks to create places that people can navigate easily around.

4. Welcoming

- Streets and public spaces should have buildings fronting them or, where this is not possible, a high quality hard or soft landscape treatment. Further guidance is set out in SG02 'Neighbourhood Design'.

5. Adaptable

- Development should be designed to consider how people use places differently, for example depending on age or degree of personal mobility;
- Where appropriate, development should provide a mix of building densities, tenures and typologies where a variety of diverse but compatible uses can be integrated.

6. Resource efficient

- In support of climate change mitigation, 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 incorporating space to separate materials at source; incorporation of low and zero carbon generating technologies and integration into neighbourhood and district heating networks. Further guidance is set out in Policies IR12-IR14;
- In support of climate change adaptation, 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;

- Provision should be made for the satisfactory future management and maintenance of all public areas, landscaping and infrastructure.

PE08 Conservation Areas

The Council will protect the historic character and visual amenity of each Conservation Area. Accordingly:

1. New development in Conservation Areas should preserve or enhance the character and appearance of the Conservation Area;
2. Proposals affecting unlisted buildings in a Conservation Area should respect the character and appearance of the original building;
3. Demolition of unlisted buildings within Conservation Areas which make a positive contribution to the special character and appearance of the area will only be supported where:
 - The existing building is incapable of physical repair and re-use, as shown by the submission and verification of a thorough structural condition report; or
 - The costs of repair and re-use are such that it is not economically viable, as shown by the submission and verification of relevant supporting evidence; or
 - The demolition of the building is essential for the delivery of significant economic benefits for the local or wider community; and
 - Proposals for redevelopment of the site contribute to the character and appearance of the Conservation Area. Existing buildings shall be retained on site until the redevelopment commences;
4. Proposals affecting buildings in Conservation Areas or their setting should conform with SG12 'Listed Buildings and Unlisted Properties in Conservation Areas'.

PE17 Open Space and New Development

New development should contribute positively to the provision of open space in the area and support the objectives of the Open Space Strategy. Accordingly:

1. Where appropriate, proposals for new development should include public open space to create a sense of place, integrate the site with the wider green network, promote physical activity, sport and active travel, enhance biodiversity, and manage water within the site; and
2. Where the quantity, quality or accessibility of recreational and sport open space and play facilities in the locality is insufficient to meet the recreational needs of proposed new residential development, as informed by the standards in the Open Space Strategy, the proposal should address the identified deficiencies through either the provision of new on-site recreational and sport open space, or contributions to the improvement of off-site open space.

The detailed planning and design of new open space within new developments, including the methodology for determining and addressing recreational open space deficiencies, should accord with SG05 'Green Infrastructure and New Development'.

PE24 Flood Management

1. The Council will support the delivery of the objectives and actions set out in the Local Flood Risk Management Strategies and Local Flood Risk Management Plans covering the area. There will be a presumption against development which would prejudice the implementation of the relevant actions.
2. Development proposals will be assessed against the Flood Risk Framework set out in Scottish Planning Policy, with development being avoided in locations at medium to high flood risk, unless it accords with the criteria set out in the Framework. 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;
 - Result in a use more vulnerable to flooding or with a larger footprint than any previous development on site; or
 - Lead to an increase in the probability of flooding elsewhere.
3. Development proposals on land identified as being at medium to high risk from any source of flooding, and low to medium risk areas as identified by the Flood Risk Framework, or where other available information suggests there may be a risk, including proposals to restore the natural course of watercourses, will be required to provide a flood risk assessment in accordance with SEPA's Technical Flood Risk Guidance for Stakeholders 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 (including any development permitted in medium to high risk areas (that accords with the exceptions in the Flood Risk Framework) or is located in adjacent low to medium risk areas).
4. Development proposals on previously developed land which is at risk of flooding will be limited to uses which are of equal or less vulnerability as defined by SEPA's Land Use Vulnerability Guidance.
5. 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.

PE27 Vacant, Derelict and Contaminated Land

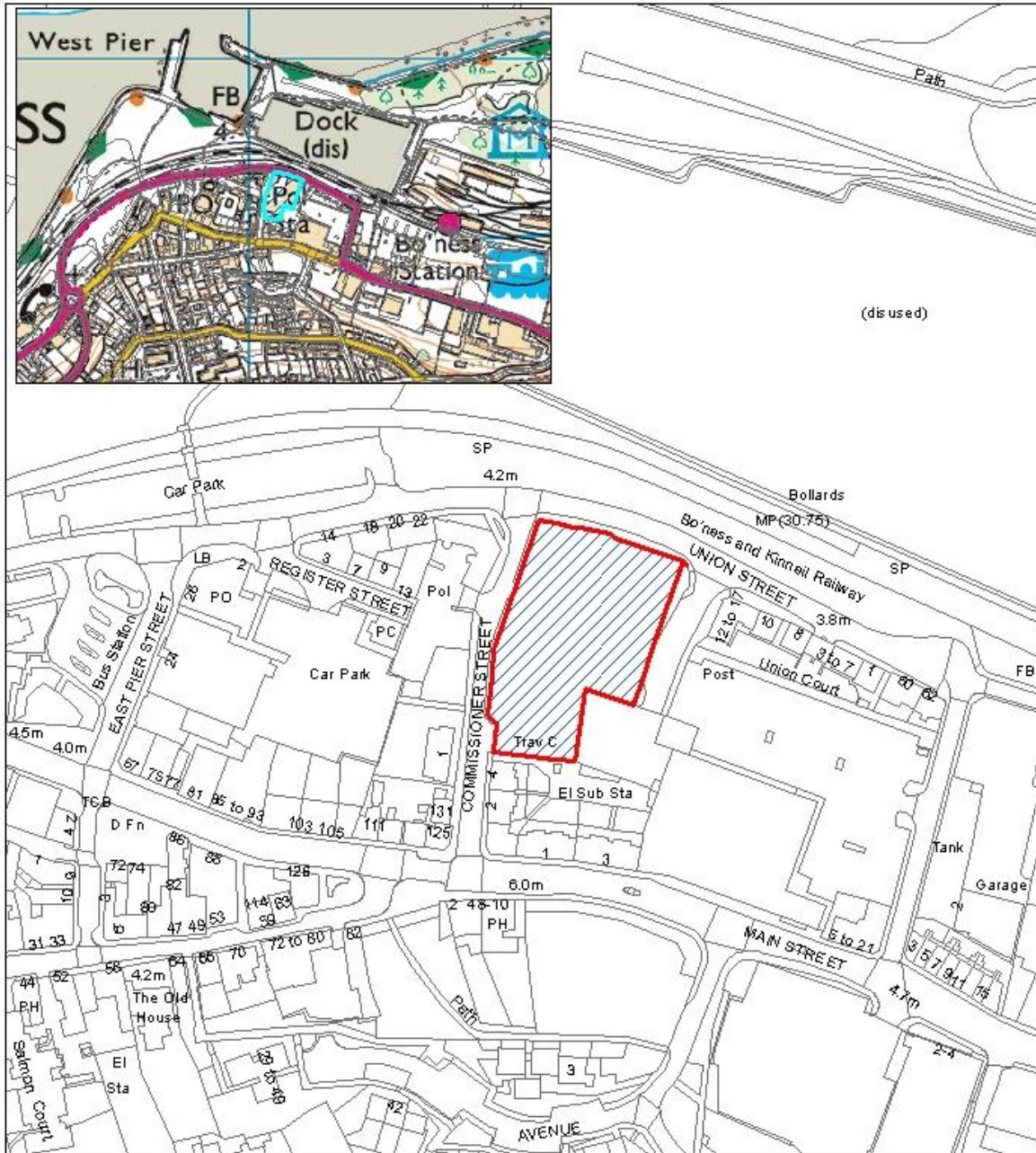
Proposals that reduce the incidence of vacant, derelict, unstable and contaminated land will be supported, subject to compliance with other LDP policies, particularly those related to development in the countryside. Where proposals involve the development of unstable or contaminated land, they will only be permitted where appropriate remediation or mitigation measures have been undertaken, and proposals are consistent with the requirements of PAN 33.

Planning Committee

Planning Application Location Plan

P/20/0191/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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